

SECOND  
SEMI-ANNUAL  
MONITORING BRIEF

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**MONITORING  
THE IMPLEMENTATION  
OF THE 2017-2022  
STRATEGY FOR  
REFORM OF THE  
JUDICIAL  
SECTOR**

MONITORING PERIOD:  
JANUARY-JUNE 2022



**БЛУПРИНТ ГРУПА**  
за реформи во правосудството





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# INTRODUCTORY CONSIDERATIONS

The year of 2022 is the last year of implementation of the [\\_2017-2022 Strategy for Reform of the Judicial Sector<sup>1</sup>](#) (herein after referred to as the Strategy). While some of the planned measures and activities have already been implemented, especially those envisaging amendments to applicable or adoption of new laws, yet some of the processes of drafting and adopting certain pieces of legislation have still not been completed<sup>2</sup>, or even more there can be challenges noticed in the application of already adopted new pieces of legislation.<sup>3</sup>

Albeit the fact that in the past two years, the COVID-19 pandemic significantly slowed down the overall reform process, as regards this year, it can be concluded that the pandemic intensity and immediate impact are diminishing. Thus, the causes for non-fulfilling envisaged activities are to be found in the nature of laws, which demands a well-thought through and gradual process with a view to avoiding adoption of low-quality laws, which then will need to be very quickly amended.

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- 1 Available at: [https://www.pravda.gov.mk/Upload/Documents/Strategija%20i%20akciski%20plan\\_MK-web.pdf](https://www.pravda.gov.mk/Upload/Documents/Strategija%20i%20akciski%20plan_MK-web.pdf)
  - 2 Criminal Code, Law on Criminal Procedure, Law on Litigation Procedure, Law on Justice for Children, etc.
  - 3 Especially when it comes to the application of certain provisions of the Law on the Public Prosecutor's Office, the Law on the Judicial Council of the Republic of North Macedonia, and the Law on Free Legal Aid.

Similarly to past years, with the aim of ensuring independent and objective monitoring of these processes, under the project *For justice – civil contribution to the advancement of the judiciary*, funded by the Foundation Open Society- Macedonia, this year too the *Blueprint Group for Judicial Reform<sup>4</sup>* has monitored and evaluated the implementation of the Strategy. The monitoring findings are published in the format of monitoring briefs, while the evaluations of the Strategy implementation in the past years were presented under annual shadow reports on the Strategy implementation. Considering the fact that the year of 2022 is the last year of the Strategy implementation, the evaluation findings of this and of past years will be jointly and thoroughly analysed under a comprehensive assessment of the Strategy implementation.

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- 4 The Blueprint Group for judicial reforms is made up of the following organizations: the Macedonian Young Lawyers Association, the European Policy Institute, the Institute for Human Rights, the Coalition All For Fair Trials, the Helsinki Committee for Human Rights, the Centre for Legal Research and Analysis, the Open Society Foundation – Macedonia.

The goal of such a comprehensive analysis and of the monitoring exercise overall is to assess whether, to which degree and how the Strategy has been implemented throughout the entire period covered by the Strategy. The monitoring is especially focused on establishing whether the Strategy has been timely, transparently, and inclusively implemented, then on determining whether adopted laws and measures are relevant and contribute to the accomplishment of their envisaged goals, as well as and on assessing the impact of reforms on the degree of respect for human rights, and on the application of the rule of law and social justice principles. Finally, the analysis will also define recommendations relating to the drafting of the new Strategy for reform of the judicial sector, with the Blueprint Group being included in the drafting process with its representatives in the relevant Working Group.

The monitoring activities themselves are centred on specific activities and measures set forth under the Strategy, which envisage drafting of amendments and supplements to applicable laws or adoption of completely new laws. Each monitored legislative activity is analysed on the following grounds: participation of stakeholders (inclusiveness of the process), transparency, meeting deadlines (staying within the timeframe set forth under the Action Plan accompanying the Strategy), the quality of proposed legislative solutions and their impact on human rights and social justice.

Other measures and activities relating to the personnel, technical, and financial strengthening of justice system institutions have been analysed under this year's shadow reports on the Strategy implementation and will be made part of the analysis, i.e., of the comprehensive assessment of the Strategy implementation.

The research approach is based on a combination of collecting and analysing data. Data are collected by researching publicly available information and answers to filed requests for access to information of public character. The analysis is conducted by applying a set of indicators, such as indicators regarding inclusiveness, transparency, complying with deadlines, quality, and respect for human rights.

## MEASURE IMPLEMENTATION STATE OF PLAY<sup>5</sup>

LAW	STATE OF PLAY
Law on Mediation	Adopted by the Parliament of North Macedonia in December 2021
Law on Criminal Procedure	The relevant Working Group has been developing the draft law since April 2021
Law on International Cooperation in Criminal Matters	The Parliament of North Macedonia adopted this Law in April 2021
Law on the Profession of Lawyer	The bill of this Law has been in Parliamentary procedure since August 2021
Law on Litigation Procedure	The bill of this Law has been in parliamentary procedure since August 2021
Law on Justice for Children	The relevant Working Group has been developing the draft of this Law since September 2019
Criminal Code	The Draft -Law was published on the ENER (Single National Electronic Registry of Regulations) website in July 2022
Law on Pecuniary Compensation to Victims of Crimes	The bill has been in Parliamentary procedure since August 2021
Law on the Academy for Judges and Public Prosecutors	The bill has been in parliamentary procedure since June 2021

<sup>5</sup> The measure implementation state of play is updated in parallel with the preparation of this Monitoring Brief.

# I. Participation (Inclusiveness)

INDICATOR: INCLUSION AND PARTICIPATION OF ALL (STATE AND NON-STATE) STAKEHOLDERS, PROFESSIONALS, SCIENTIFIC COMMUNITY AND CIVIL SOCIETY IN THE PROCESS OF DESIGNING, ADOPTING, AND IMPLEMENTING OF A SPECIFIC MEASURE

As in previous years, in the first half of 2022, laws that the Blueprint platform monitors were mostly drafted by working groups led, i.e., managed by the Ministry of Justice. The structure and composition of concrete working groups to a great extent reflected the specific features of the matter regulated by a given law. A good example of inclusiveness or participation of representatives working in a given profession regulated by a given law is the drafting of the Law on the Profession of Lawyer. Thus, representatives of the Bar Association of North Macedonia, representatives of the Skopje First Instance Criminal Court, and representatives of a number of private practice law firms participated and made a significant contribution to the in drafting of the said Law.

A solid indicator of inclusion of civil society organizations (CSOs) in these processes is the fact that organizations part of the Blueprint platform participated in almost all working groups dealing with analysed laws, except for the working group preparing the Law on International Cooperation in Criminal Matters. However, it must be reemphasized that there is no structured model for participation of civil society organizations in working groups dealing with matters related to the justice system (Criminal Code, Law on Criminal Procedure, Law on Litigation Procedure, and Law on Justice for Children), while having an established structure for CSOs participation would facilitate their timely contribution to the law drafting procedure.

Of course, the Blueprint platform and organizations part of the platform continue to cooperate, while networking with other civil society organizations and thematic networks, making thus their sustained contribution to these processes.

The inclusiveness was to the greatest extent pursued in formats complying with the principles set forth under the [Instructions<sup>6</sup>](#) and [Methodology<sup>7</sup>](#) on the manner of pursuing activities by Ministries in implementing regulatory impact assessments (RIAs). However, it can be noticed that working groups lack representatives of marginalized and vulnerable groups of citizens and/or civil society organizations, which represent, i.e., advocate for their interests, which on its part is one of the participation (inclusiveness) indicators considered by the Blueprint platform.

Working groups, especially officials designated to coordinate and manage them, for the most part take into consideration remarks and proposals submitted by stakeholders and offer argument-based substantive reasoning about the grounds for not accepting them. However, this practice is not consistently followed by all working groups, a case in point being working groups that worked or are still working on texts of the Law on Pecuniary Compensation to Victims of Crimes and of the Law on Justice for Children.

It can be furthermore noticed that opinions, remarks, and suggestions that were not accepted and the reasoning for their rejection are not posted on the ENER website - [www.ener.gov.mk](http://www.ener.gov.mk) and in RIA reports, in contravention of Article 25 of the Instruction, as it is the case with the Law on the Profession of Lawyer, for example

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6 Instruction on the manner of pursuing activities by Ministries in implementing regulatory impact assessments. Available at: [https://www.mioa.gov.mk/sites/default/files/pbl\\_files/documents/pvr/Upatstvo%20za%20PVR%20106-13.pdf](https://www.mioa.gov.mk/sites/default/files/pbl_files/documents/pvr/Upatstvo%20za%20PVR%20106-13.pdf)

7 Methodology for assessment of the regulation implementation. Available at: [https://www.mioa.gov.mk/sites/default/files/pbl\\_files/documents/Ex\\_post\\_Metodologija.pdf](https://www.mioa.gov.mk/sites/default/files/pbl_files/documents/Ex_post_Metodologija.pdf)



## II. Transparency

### INDICATOR: AVAILABILITY TO THE PUBLIC, OPENNESS AND PUBLIC ACCESSIBILITY OF INFORMATION ABOUT PROCESSES

In line with the Instruction on the manner of pursuing activities by ministries in the process of applying RIAs, stakeholders are offered information about drafting of laws under the annual RIA Plan, which lists draft laws being prepared, as well as through notifications posted on the ENER website, and through notifications about the start of the drafting of each individual law. Timely informing is of particular importance in order to ensure sufficient time for stakeholders to prepare and thus be able to make a substantive and argument-based contribution to the process.

The Ministry of Justice published the 2022 RIA Plan on the ENER website.<sup>8</sup> The Plan contains some of the laws that the Blueprint Platform monitors: Draft-Law on Criminal Procedure, Draft-Law on Justice for Children, and the Draft Criminal Code. The RIA on the Draft-Law on Criminal Procedure states that the purpose of the said draft-law is to facilitate more efficient work by in-line institutions involved in the criminal procedure, while underlining established deficiencies in the application of the Law and that it is necessary to harmonize the Law with the EU Acquis, by transposing relevant EU Directives. The timeframe for completing the RIA and for convening consultations was set to start on 1 June 2022 and end on 30 June 2022, while stakeholders to be included in this process are public prosecutors' offices, courts, state administration bodies, the academia, participating in working groups established by the in-line Ministry or the Government.<sup>9</sup> The RIA on the Draft-Law on Justice for Children states that the purpose of the said Draft Law is the definition of the principle of the best interest of the child in Article 3 of the Draft Law, upgrading the legal framework in governing the rights of the child, with a view to consistently respecting the principle of the best interest of the child, then

8 Available at: <https://ener.gov.mk/Default.aspx?item=pvrAdm&subitem=pubpvrview&year=2022&comp=NtcPqcnx-Ojmd6yniK+zzFw==&reclId=49uX+ND6UA7exLc-7d1Y6mw=%22>

9 Available at: <https://ener.gov.mk/Default.aspx?item=pvrAdm&subitem=view&reclId=tFSNMDZnJKuRuvx7NG64Kw==>



transposing EU directives relating to procedural safeguards for children suspected of a crime or indicted in a criminal case, and establishing minimum standards regarding rights, support and protection of children-victims of crimes and children-witnesses in criminal procedures. In addition, the RIA emphasizes the identified problem of lack of upgraded or enhanced legal framework for the rights of the child, which on its part brings the consequence of inefficient accomplishment of the principle of the best interest of the child, as the fundamental principle of the UN Convention on the Rights of the Child, having also the ramification of lack of harmonized application of provisions on legal assistance for children, which of course prevents the full and proper exercise of the rights of children to legal aid or assistance. Other deficiencies identified in the RIA are the non-application of the best interest of the child principle in providing procedural safeguards in court proceedings involving children and in the protection of children-victims of crimes and children-witnesses in criminal procedures due to the lack of harmonization of relevant provisions with EU Directives; then weak regulation of mechanisms for prevention of child offending at the local and central level; and the institutional, material and functional set-up of the National Council for the Prevention of Child Offending. The timeframe for the completion of the RIA and for conducting consultations covered the period from 1 March to 30 April 2022, while stakeholders involved in the process are the Ministry of Labour and Social Policy, the Ministry of the Interior, the Public Institution - Institute for Social Affairs, the Basic Public Prosecutor's Office, the National Council for the Prevention of Child Offending, the Bar Association of North Macedonia, the Megjaši CSO, the Macedonian Young Lawyers Association and the Skopje

Social Work Centre, all of them having representatives in Working Groups, established by the in-line Ministry or the Government.<sup>10</sup> According to the RIA on the Draft -Criminal Code the purpose of the Draft-Code is to codify non-criminal regulations in the Criminal Code and to harmonize the Code with European and international standards, while established problems are related to the following: crimes defined under separate laws, dispersion of crimes throughout a large number of laws, some of which are deficient in nomotechnical terms, considering that their spirit and letter are more appropriate for certain predicate misdemeanours, rather than for the predicate crime at hand; the dispersion of crimes throughout a large number of laws brings difficulties in their application, both by Public Prosecutors, and by judges. The timeframe for the RIA completion and for convening consultations covered the period from 1 May 2022 to 30 June 2022, while relevant stakeholders to be included in the process are public prosecutors' offices, courts, state administration bodies, the academia, which all have representatives in working groups established by the in-line Ministry or the Government.<sup>11</sup>

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10 Available at: <https://ener.gov.mk/Default.aspx?item=pvrAdm&subitem=view&reclId=YhR2/ug17NDkAnmovaGYlw==>

11 Available at: <https://ener.gov.mk/Default.aspx?item=pvrAdm&subitem=view&reclId=3B+69RrBZt00eHRj0j8W/A==>

Notifications about most of the draft laws were published on the ENER website in a timely fashion, in parallel with the start of activities by the relevant Working Group. However, with respect to certain draft laws (the Law on the Profession of Lawyer and the Law on Litigation Procedure) notifications informing about the start of the process were published only a few days prior to the publication of the draft law, i.e., much later than the start of the process. Considering that as a rule, the Ministry of Justice publishes notifications in a timely fashion, this could be characterized as an exception, which does not bring into question the overriding impression of inclusiveness in the processes of drafting of these two laws. In addition, the use of mechanisms of the Working Group and the call for opinions and proposals have helped to timely inform expert circles about the start of the process. In this context, it would be worth emphasizing the need for harmonizing the strategic plans of the in-line Ministry with the Strategy, this being one of the ways of enhancing transparency.

In general terms, all legislative solutions translated into draft laws were posted on the ENER website, which created the possibility to post comments. An exception in this regard was the new Law on Mediation,<sup>12</sup> which the Parliament of North Macedonia adopted in December 2021, which was never posted on the ENER website. Prior to the adoption of the said Law, the ENER website contained the last published version of the Draft-Law on Mediation, dated 2018,<sup>13</sup> and despite fact that that version of the Draft Law was submitted and

entered the Parliamentary procedure, the Law was not adopted by the then composition of the Parliament. The RIA Report and all comments posted on the ENER website are specifically related to the draft of this Law published in 2018. Yet, there are several substantive differences between the 2018 draft version of the said Law and the text of the Law ultimately adopted by the Parliament, which on its part creates the necessity of publishing the later draft of the Law. The text of the new Law on Mediation was posted on the ENER website in mid-July, along with the RIA Report,<sup>14</sup> i.e., almost seven months after the Law had been already adopted by Parliament, by which the consultation process at such a belated stage became obsolete.

In the same vein, the Draft Law on the Academy for Judges and Public Prosecutors, which was submitted to the Parliament in July 2021, was not published on the ENER website, i.e., the last available version that could be found on the ENER website was the text of the Draft Law on the Academy for Judges and Public Prosecutors, endorsed by the Government in July 2019.<sup>15</sup>

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12 Law on Mediation, Official Gazette of the Republic of North Macedonia No.: 294/2021, dated 27 December 2021, <https://www.slvesnik.com.mk/Issues/347ca6fd31344c17b-804dab7b326c226.pdf>

13 The Draft- Law posted on the ENER website is dated 15 October 2018.

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14 The text of the Law and the RIA Report were posted on the ENER website on 12 July 2022.

15 The Draft-Law posted on the ENER website is dated 12 May 2019.

### III. Complying with Deadlines

INDICATOR: IMPLEMENTATION OF PROCESSES WITHIN PLANNED DEADLINES

Similarly to past years, it can be noticed that measures relating to all monitored laws are pursued beyond the envisaged deadlines for their implementation. With a view to sorting out the issue with unrealistic deadlines set forth under the Action Plan accompanying the Strategy, the Action Plan has already been revised. The cause for this is linked to the fact that envisaged reforms are comprehensive and sweeping and demand significant time and effort, much more than initially planned. This is especially evident in the case of certain processes which started a long period ago and have still not been completed, because they are stuck in parliamentary procedure, which lasts too long (the Law on Litigation Procedure, the Law on the Profession of Lawyer, the Law on the Academy for Judges and Public Prosecutors). Despite the fact that going beyond the deadlines is not a deficiency, which could bring into question the entire reform process, yet the fact that large number of deadlines could not be met emphasizes the need for careful and realistic planning of the timeframe for future reform endeavours to be stipulated under the next Strategy.

### IV. Quality

INDICATOR: THE REGULATION DEFINES THE MATTER SUFFICIENTLY CLEARLY, PRECISELY AND UNAMBIGUOUSLY AND FACILITATES ATTAINING THE GOALS OF THE REFORM

Taking into consideration that for the most part it is a matter of draft laws the final content of which is still pending, the evaluation of their quality must be conservative and cautious. In this respect, in the course of the monitoring, the Blueprint Group is focused on two indicators about the quality of offered legal solution, clarity, preciseness and specificity of articles, and whether the offered legal solution is best suited or appropriate for the attainment of the goals of the reform of a given law.

An illustrative example of the need to draft an entirely new text of a law is the Criminal Code,<sup>16</sup> in which substantive changes are made in the order of the provisions and new crimes are added. Hence, it would be much more efficient to develop an entirely new text, rather than to prepare amendments to the applicable Criminal Code. As regards the published Draft Code, there are amendments connected with crimes against the environment and introduction of new incriminations, *inter alia*, the crime of *ecocide*. Furthermore, amendments and new crimes have been intro-

<sup>16</sup> The Draft-Law was posted on the ENER website on 7 July 2022.

duced with a view to harmonizing the Code with the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), but more substantive changes are needed in order to fully harmonize the Code with the Convention. A new incrimination has been introduced, i.e., the crime of reckless driving, following strong public reactions and reactions by experts voiced last year. In addition, considering the significant changes, entirely new texts were prepared of the Law on Litigation Procedure and of the Law on Justice for Children, in order to facilitate their application and to raise the nomotechnical quality of the said laws. However, despite the fact that entirely new texts of these two laws were prepared, still it cannot be concluded with certainty that the goals for the purpose of which the reform is implemented will be achieved, considering that the notification posted on the ENER website about the start of the process of adoption of the Law on Justice for Children, states five goals, only one Directive is referred to with which the Law is to be harmonized and finally it is stated that the Law needs to be also harmonized with the Law on Criminal Procedure, which is reformed, i.e. amended and supplemented at the same time as the Law on Justice for Children. As regards the Law on Litigation Procedure, it is necessary to start applying the new Law on Litigation Procedure in order to be able to establish whether the goals of this Law will be accomplished, especially against the background of the abstract and vague manner in which the Action Plan defines the goals of the said Law ("Overcoming problems in the application of the Law"). Different from the above referred to laws, which require developing entire new texts, there is no such need with respect to the Law on the Profession of Lawyer and the Law on Mediation,

the amendments to which are not that comprehensive. Despite this fact, entirely new texts of these last two laws were developed, which again raises the issue as to whether it is justified to adopt an entirely new law, when there are only minor interventions in the text of the law.

The second indicator- relevance or whether the offered legal solution is best suited to enable accomplishment of stipulated goals of the law is more complex in terms of making an assessment, due to the imprecise manner in which goals have been envisaged under the Strategy. For example, the main initial motive or reason for start of the procedure for the adoption of an entirely new Law on Litigation Procedure was to improve provisions, which "caused significant problems and difficulties in the practice", without precisely stating the areas in which there were problems the application of the said Law. In addition, with respect to the Law on the Profession of Lawyer, the Strategy envisages "introducing continual training of lawyers, organized by the Bar Association, with legally prescribed number of classes annually", while the endorsed Draft-Law only partially accomplishes this goal, since it does not stipulate the legally minimum number of classes of training lawyers are to attend. On the other hand, it can be concluded that the new Law on Mediation enables the accomplishment of the goals of its reform, since under the new Law the exam for mediators is revised, a possibility is envisaged for instituting a mediation procedure electronically, i.e., online, then mandatory entering of all received applications for mediation in the Electronic Register is envisaged and it is envisaged to establish a National Mediation Council.

## V. Impact on human rights and social justice

INDICATOR: THE DRAFT LAW/REGULATION FACILITATES THE EXERCISE OF RIGHTS BY RIGHTS-HOLDERS AND ENHANCES ACCOUNTABILITY OF DUTY-BEARERS

At this stage, there could be only conservative and very cautious evaluation given of the impact of proposed laws on human rights and social justice. However, in terms of the contents of some of the laws and based on the processes for their drafting and adoption, an initial analysis could be made of the areas and of the manner in which draft laws/regulations could impact the exercise and protection of human rights.

The Draft-Law on Litigation Procedure, being a central law regulating procedures to be pursued before courts, could have a significant influence on the exercise and protection of rights. The Law on Litigation Procedure must ensure guarantees for equality of arms. On the other hand, the principle of procedural efficiency could negatively impact the protection of rights of citizens. Shortening of deadlines within which certain procedural actions are to be undertaken and the serious consequences ensuing if certain procedural actions are not taken, could be a considerable challenge for persons who do not have access to quality legal assistance.

Important novelties, which are expected to have a beneficial influence are the following: the reduction of fines for parties to the procedure, establishing a separate legal procedure for protection of collective rights (environmental protection, prevention of discrimination, protection of consumer rights, health care rights and other interests), removing the obligation that expert witness statements are filed along with the lawsuit, and the stipulated right to revision in disputes for protection against discrimination and in disputes for mobbing at the workplace.

The Law on Litigation Procedure has a particularly important role in the protection of property rights of citizens, since it establishes the framework under which ownership and family disputes are to be resolved, as well as debt related issues. The legal framework, which is to the advantage of companies and persons with a privileged material status, compared to poor and legally less educated parties to a dispute, could seriously limit the access to courts and consequently it could also contribute to making the vicious poverty circle even stronger. The proposed solution envisages that the issue of exemption from payment of legal fees for procedures by persons who are in an underprivileged material situation is fully transferred and regulated under the Law on Free Legal Aid.

\* The contents of this document are the sole responsibility of the authors and of the grantee and do not reflect in any manner the official positions and views of the Open Society Foundation – Macedonia.

If the Draft-Law on Justice for Children, which is still in a working version, envisages a system under which lawyers' fees are to be paid by the institution before which the procedure involving a child is pursued (Ministry of Labour and Social Policy, Ministry of the Interior, and the Public Prosecutor's Office), then it will open the possibility to facilitate the exercise of rights by children. The only risk that could arise is that institutions, as duty-bearers that participate in procedures involving children do not consider themselves sufficiently obligated to make the payments for legal assistance, which of course could negatively impact the quality of legal assistance and could ultimately result in lack of interest in further participation in such a state system of justice for children. Taking into consideration the fact that thus far there has been a gap in the national legislation with respect to defining the term "best interest of the child", despite the repeated appeals to overcome this problem, this Law will help achieve exactly this goal of bridging the said gap. Hence, this Draft Law contains such a definition, which implies that it is expected to advance the access to justice for children in terms of its prioritizing over other interests, substantive and/or procedures provisions.

Considering the character of the Law on the Profession of Lawyer, which regulates status related issues of a given profession, its impact on rights-holders and duty-bearers and on facilitating access to justice is limited. However, the introduction of the duty of continual education (presuming that it will be fulfilled in following with the highest standards), could ensure better quality of legal assistance, which is necessary to protect rights-holders. In addition, the introduction of mandatory induction training, which will be

focused on professional ethical rules, is expected to favourably impact the stance or attitude of lawyers towards vulnerable parties. Furthermore, the Draft-Law on the Profession of Lawyer envisages time limitations on the access to the profession (practicing law) for certain categories of persons whose certain legally prescribed public office (for example, judge, public prosecutor, etc.) has been ended under a decision adopted in a court, disciplinary or other type of procedure, and under which professional responsibility of the person concerned has been established, although the Criminal Code does not envisage a ban on engaging in the profession. However, the limitation is justified and pursues the legitimate goal of protecting the integrity and renown of the lawyer profession.

The new Law on Mediation reintroduces the possibility for subsidizing mediation procedures and regulates the general conditions and criteria for subsidizing the mediator fees, while the more specific criteria and manner of subsidizing were prescribed by the Minister of Justice, under a Rulebook on specific criteria, manner of subsidizing, payment, form for paid reward (fee), costs of the mediator, form of the application for subsidizing and required documents to be enclosed with the application for subsidizing part of the mediation costs.<sup>17</sup>

The Law on Pecuniary Compensation for Victims of Crimes makes a serious contribution to making progress in the context of this indicator. The Parliament completed the first reading of the bill of

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<sup>17</sup> Official Gazette of the Republic of North Macedonia No. 91/2022, dated 12 April 2022.

this Law in July 2022 and the Law is still in parliamentary procedure. Namely, the Law was drafted with the aim of meeting the needs of victims of violent crimes for initial assistance in dealing with consequences of the experienced violent crime. The Law stipulates the establishment of an independent body called Commission for pecuniary compensation of victims of crimes with elements of violence. This Commission would gather representatives of all main stakeholders dealing with victims, while having the duty of pursuing activities to raise the awareness and informing the public and victims about mechanisms to exercise rights set forth under this Law.

If the Law is applied in practice by observing the principles of equality and non-selectiveness, it is expected that this Law will improve the access to justice for victims of violent crimes, who are a vulnerable category of persons. Consequently, the types of pecuniary compensation introduced under this Law are expected to help victims consolidate their financial security in order that they could more easily deal with the ramifications of the crime.

## ABOUT THE PROJECT

The Project For justice – civil contribution to the advancement of the judiciary is financially supported by the Open Society Foundation – Macedonia and is implemented by the Macedonian Young Lawyers Association, the European Policy Institute, the Institute for Human Rights, the Coalition All For Fair Trials, the Helsinki Committee for Human Rights, and the Centre for Legal Research and Analysis, all coordinated by the European Policy Institute.

The overall objective of the Project is to enhance the influence of civil society organizations in the judiciary reform process, as a prerequisite for the protection of human rights and ensuring social justice.

The Project specific goals are:

1. **Enhancing the monitoring of the implementation of the (2017-2022) Strategy for Reform of the Judicial Sector, focusing on its impact on the protection of human rights and the provision of social justice and contribution to the development of the next Strategy for reform of the judicial sector.**
2. **Promoting participatory policy design in the justice sector, by applying inter-sectoral approach and cooperation between civil society organizations and thematic networks.**
3. **Strengthening evidence-based advocacy activities of civil society organizations in the area of justice.**

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