

Measures and Mechanisms for Improving the Judiciary in the Republic of North Macedonia

Filip Zdravkovski¹, Nikica Zlatevska¹, Iva Bogevska¹, Matej Stojanovski¹, Darko Mitkovski¹, Anastasia Lazarova¹

¹University of Goce Delcev-Štip, Faculty of Tourism and Business Logistics, Štip, North Macedonia

Abstract

This paper analyses the state of the judiciary in the Republic of North Macedonia, with the aim of identifying the key weaknesses that affect its independence and the public's confidence in the judicial system. The research employs qualitative analysis of relevant legislation, institutional reports and international rule of law indices, as well as case studies. The findings indicate the presence of political influence, insufficient transparency, delayed proceedings and a perception of selective justice. Systemic reforms are needed to depoliticise the judiciary, increase oversight, and enable greater efficiency and digitalisation with accountability. This will strengthen public trust and the rule of law in the country.

Keywords: judiciary; independence; transparency; reforms; digitalisation; Macedonia

Introduction

The judiciary is one of the fundamental pillars of any modern democratic state, whose role is not only reflected in the application of legal norms, but also in creating social balance and protecting individual rights and freedoms. In the theory of the separation of powers, the judiciary is meant to act as an independent and impartial arbiter, a guarantor of the rule of law and justice. However, in practice, particularly in transitional countries such as the Republic of North Macedonia, this ideal often faces numerous challenges that undermine its legitimacy and effectiveness. Political influences, corruption, inefficiency, and structural weaknesses are just some of the problems facing the judicial system. These phenomena are not isolated but form part of a complex systemic mess that has profound consequences for the country's social development, economic stability and European prospects. The public's perception of injustice and inequality before the law creates a climate of mistrust that undermines the most fundamental democratic processes. In the context of European integration, the reform of the judicial system is a key priority, but also one of the most difficult challenges. Although there is a formal commitment to reforms, their implementation often falls short, prolonging the genuine transformation of the judiciary. This gap between theory and practice, between proclaimed reforms and their actual implementation, is a central problem that this paper explores. The aim of this research is to analyse the key challenges facing the judiciary in the Republic of North Macedonia, with a particular focus on political influences, corruption, and public opinion. The paper combines a theoretical approach with empirical research, based on a survey questionnaire conducted among a representative group of citizens. In this way, we aim to provide a



comprehensive picture of the situation in the judicial system, identifying the root causes of its inefficiency and offering concrete recommendations for its improvement. The structure of the paper includes an analysis of the theoretical foundations of the judiciary, an investigation of political influences, an examination of corruption and mistrust, as well as a presentation of the results of the empirical research. The final sections focus on possible solutions and prospects for improving the judiciary in the context of European integration. In this way, the work offers a comprehensive approach to understanding and resolving the problems within the judicial system, which are crucial for the country's future development.

Materials and Methods

For the purposes of this research, a questionnaire survey method was used. The survey was conducted between 16 October 2025 and 26 October 2025 on a total of 87 respondents. The questionnaire was designed to examine citizens' perceptions of the state of the judicial system, with a particular emphasis on the independence, efficiency, and transparency of the judiciary. The issue of the judiciary in North Macedonia has been addressed by several authors. **Stojanovska and Angelova (2022)**, in their study 'Justice on Test', highlighted the political influences on the judiciary. **Petrevski (2023)**, in the paper 'Corruption and Justice' and **Academic Ivanov (2024)** in the comparative study 'Judicial Reforms in the Balkans'

Results and discussion

This research, conducted via a questionnaire, revealed critically low trust in the judicial system. What was interesting to us was that the respondents showed strong support for the introduction of modern technologies. Over sixty per cent were in favour of the automation of case allocation, viewing digitalisation as a path towards greater transparency. This support is higher among younger respondents, suggesting a generational difference in the perception of the solutions.

A survey of 87 respondents revealed a critical level of distrust in the judicial system. The survey showed that 72% of respondents believe the judiciary operates under political influence, while 77% identify corruption as a key problem. The speed of court proceedings was rated as unsatisfactory by 96% of respondents.

A tabular representation of the key findings in the study

Perimeter	Result	Percentage
Perception of political influence	63 respondents	72%
Corruption as a major problem	67 respondents	77%
Dissatisfaction with the speed and procedures	83 respondents	96%
Support for digitalisation	54 respondents	62%
Trust in the judiciary	9 respondents	10%

1. Theoretical foundations of the judiciary

1.1 The Concept of the Separation of Powers

The separation of powers is a fundamental pillar of every democratic state. This concept is based on the idea that state power should be divided into three independent branches: the legislative, executive, and judicial. The aim is to establish a system of checks and balances to prevent the possibility of power being abused.



In the Republic of Macedonia, the separation of powers is constitutionally guaranteed. According to the Constitution of the Republic of Macedonia, the legislative power is exercised by the Assembly, the executive power by the Government, and the judicial power is independent and is exercised by the courts. The judiciary is responsible for the protection and enforcement of citizens' rights and freedoms, as well as for ensuring the rule of law.

The foundation of a strong rule of law is judicial independence. This implies that judges must be independent in their work.

They must carry out their work, that is, their decision-making, independently, without any influence such as:

1. Political influence
2. Influence from institutions
3. Interest groups

The impartiality of the court entails equal access to justice for all citizens, without discrimination, prejudice or influence. It is achieved through clear and fair procedures for the appointment and removal of judges, transparency in court proceedings, and the training and professionalism of the judiciary.¹

As far as the Republic of Macedonia is concerned, public reactions and opinion are not particularly favourable towards the country's judiciary. The public perceives the justice system as subject to political influence, corruption and inefficiency. Cases such as "Kočani", "Frosina", and others, only deepen citizens' distrust of the judicial system. Therefore, it is essential to advance the principles of independence and impartiality through concrete mechanisms and reforms.

Fundamental principles according to international standards

International organisations such as the United Nations, the Council of Europe and the European Union have established clear standards for the functioning of the judiciary. The basic principles include:

1. Independence from the executive and legislative branches
2. Objective and transparent selection of judges
3. Protection of judges from political and economic pressures
4. Training and continuous professional development
5. Obligation for public accountability

Compared with EU member states, Macedonia lags behind implementing these principles. For example, according to the Rule of Law Index of the World Justice Project, Macedonia scores lower in judicial independence than countries such as Slovenia, Croatia or Bulgaria. This highlights the need for a systematic approach to the advancement of the judicial system.²

¹https://commission.europa.eu/document/download/e7197a43-7f00-4eac-b02d818ac71345f0_en?filename=61_1_58090_coun_chap_northmacedonia_nm.pdf

² <https://rm.coe.int/north-macedonia-2024-2022-/1680b1f6e3>



1.2. Political influences on the selection and dismissal of judges.

Insufficient implementation of reforms – laws are passed, but not always enforced. The European Union and the international community contribute to guiding, supporting and monitoring judicial reforms in Macedonia. However, the responsibility for a successful and long-term reform remains with domestic institutions, political will and civil pressure. Without internal commitment, external support has a limited effect. The judicial system in Macedonia and other Balkan countries faces similar challenges, including political influence, corruption, lack of independence and inefficiency. Although reforms have been undertaken, their implementation is limited and progress is slow.

In Macedonia, the judiciary faces a low level of public trust, with only 4% of citizens trusting it fully. The main problems include political influence, inefficiency, insufficient transparency and a lack of financial resources. In 2022, the digitisation of the courts was initiated, but progress has been slow due to the need to amend more than 200 laws. In 2023, controversies arose over the removal of the president of the Judicial Council, which led to concerns about the independence of the judicial system.

Albania is implementing significant reforms through the 'vetting' law, which allows for the scrutiny of the assets, professional ethics, and competence of judges and prosecutors. This reform led to the removal of a large number of judges and prosecutors, but the process faces challenges in terms of implementation and political influence.

Serbia has initiated reforms to improve the independence of the judicial system, but faces serious challenges. In 2024, the European Commission emphasised that although steps have been taken to improve independence, there are serious concerns about protecting judicial independence from political influence. Furthermore, public confidence in the judiciary is low, and corruption remains a serious problem.

Bosnia and Herzegovina has begun negotiations for EU membership, but the judicial system remains susceptible to political influence and ethnic divisions. In 2019, the European Commission recommended the adoption of a new Law on the VSTV to strengthen the independence and accountability of the judicial system. However, the reform process is slow and faces political obstacles.

Montenegro has begun EU membership negotiations and undertaken some reforms in the judicial system. However, it faces challenges regarding the independence of the courts and the fight against corruption. In 2024, the European Commission emphasised that although steps have been taken to improve independence, there are concerns about protecting judicial independence from political influence. The judicial system in Balkan countries faces similar challenges, including political influence.

Political influence over the judicial system is not a recent phenomenon. Since independence, the judiciary has been subject to various forms of pressure from the executive branch. The system for selecting judges and prosecutors, particularly through the Judicial Council and the Council of Public Prosecutors, has long been heavily influenced by party structures.



1.3. Judicial independence and impartiality

The fundamental problem begins with the system for selecting and appointing judges and public prosecutors. Although formally independent bodies such as the Judicial Council and the Council of Public Prosecutors were established to ensure impartiality and objectivity in the selection process, their composition and mode of operation have long been dominated by political interests. Some members of these bodies are appointed by the Assembly, which directly opens the door to party influence. Thus, instead of selecting professionally and ethically competent candidates, the selection process often boiled down to political compromise, clientelism and personal interests. Influence is also manifested through the career development of judges and prosecutors. Case transfers, promotions, disciplinary proceedings, and dismissals are often used as tools of pressure. Judges considered 'disloyal' to certain political structures may be placed under monitoring, removed from sensitive cases, or sanctioned under questionable circumstances. At the same time, those who cooperate with the ruling structures are rewarded with promotions, prestigious cases, and institutional protection.³ The result of all this is an erosion of citizens' trust in the judicial system. The perception that justice is not available on an equal footing for everyone, but is selective and directed by political interests, encourages apathy and mistrust. Instead of being a shield for the rights and freedoms of citizens, the judiciary is increasingly perceived as an extension of the ruling parties.

The international community and domestic civil society organisations constantly point to the need for reforms in the justice sector. The European Commission, the Venice Commission and other bodies regularly note political influences as one of the main obstacles to the rule of law and the country's European integration. However, the implementation of substantive reforms is proceeding slowly, often in a formal manner and without genuine political will. Without genuine depoliticisation of the judicial system, transparency in the selection of judges and prosecutors, as well as clear mechanisms for accountability and protection from political pressure, justice will remain a hostage to day-to-day politics. The true independence of the judiciary is not just a legal category, but a prerequisite for a democratic and just society.

It is necessary to prevent and completely eradicate the mechanisms of political pressure that are implemented in the judicial system and its bodies.

For a start, the selection of judges and prosecutors, which theoretically exists as a transparent and independent system through the Judicial Council, in reality often results in the appointment of individuals close to certain political circles. Political parties influence personnel policy through informal channels. Pressure through the media and public narrative follows, where some media outlets close to political centres of power exert pressure on judges through campaigns, threats, and the devaluation of their work by publishing false information with the aim of further increasing distrust.

Selective justice, as the greatest contributing factor to distrust, is evident in the fact that court proceedings against opposition or 'disobedient' figures are conducted much more aggressively and swiftly than those against individuals close to the government. Furthermore, political

³ <https://www.opengovpartnership.org/members/north-macedonia/commitments/MK0178/>



control over the public prosecutor's offices, although formally independent, shows in practice that the chief public prosecutor and other senior prosecutors are often politically aligned with the ruling establishment. According to surveys and research by the , more than 70% of citizens do not trust the judiciary. This creates a sense of injustice and fuels social and political tensions.

2. Corruption and distrust in the judiciary

Corruption in the judiciary represents a serious threat to the rule of law and democracy. In the Republic of North Macedonia, corruption in the judicial system is a long-standing and systemic problem that undermines institutions, erodes public trust and slows the country's European integration. The judicial system, which should be a pillar of justice, is increasingly perceived as a tool for political and economic interests, being abused in the making of judgments, decisions, and in the governance and respect for the law and the state's Constitution.

The 2024 Corruption Perceptions Index (CPI) shows that corruption is a dangerous problem in every part of the world, but improvements are happening in many countries. The CPI ranks 180 countries and territories around the world according to their perceived levels of public sector corruption. The results are given on a scale from 0 (highly corrupt) to 100 (very clean). North Macedonia is ranked 88th out of 180, with a score of 40/100, a drop of 2 points over the past two years.⁴

The increase in the average score in the Middle East and Western Balkans is a cause for optimism, but this is the first rise in more than a decade, and it is only one point – to 39 out of 100. To achieve significant progress, this region must tackle the immense challenges of conflict and authoritarianism. There is a general lack of trust in the institutions' commitment and ability to improve the general state of the country. Corruption, nepotism, clientelism, personal and party interests, and political and family connections are the most frequently mentioned problems associated with the institutions and are the main source of distrust.

2.1. Political influence

Government parties have influence over the appointment and promotion of judges. Unfortunately, in countries with a low level of prosperity, the significant areas for growth are subject to extremely low levels of party influence and bias, as they hire personnel (judges, public prosecutors, civil servants and lawyers) who are employed on the basis of their political affiliation, rather than their expertise and suitability for the position. As a country with a low level of trust in its judiciary, precisely due to the high prevalence of corruption, Macedonia finds itself at an unfavourable and unsatisfactory level for a state that is growing, integrating and striving for European aspirations. This is the result of the resentment and mistrust felt by the Macedonian population, stemming from court rulings that conclude without fully respecting the law and the Constitution.⁵

2.2. Weak institutional framework, insufficient resources and low salaries

Insufficient independence of the Judicial Council and an ineffective system for disciplinary accountability, as well as insufficient resources and low salaries for judges and court staff, also

⁴ North Macedonia ranked 63rd in the Rule of Law Index

⁵ Corruption Perceptions Index 2024 - Transparency.org



represent a problem that requires a solution to improve the judiciary. Higher salaries and an increased allocation of the resources required for work would provide a strong incentive for judges to devote greater effort to resolving cases. A culture of impunity and the poor protection of whistle-blowers on corruption are part of the branch that weighs heavily on confidence in the judiciary. The reason for this is the small number of cases in which corrupt judges are punished. Citizens or parties who point out irregularities often face pressure from senior state officials or remaining political factions, which further discourages them from reporting wrongdoing.

2.3. Loss of confidence in institutions

Over 70% of citizens believe they do not have equal access to justice (according to IDSCS), which indicates a deeply rooted distrust in the judicial system.⁶ This sense of inequality stems from the perception that the courts do not treat all citizens equally, but often act according to political or economic interests. As a result, citizens feel discouraged from seeking protection of their rights through the institutions, which further challenges the rule of law and undermines democracy.

Selective justice, impeded economic development and blocked EU integration are among the greatest losses resulting from the practice of corruption. Investors avoid a state with an unstable and unpredictable judiciary, a state in which laws are frequently changed, as they cannot rely on a judicial system that is unstable and lacks public confidence, which is of paramount importance when starting a business or making an investment in a country such as the Republic of Macedonia. This is happening as a result of several failed investments and business plans to open companies in this territory, which would have resulted in the creation of new jobs and an automatic reduction in the unemployment rate.

Low public trust in the judiciary

Research (by IDSCS, Transparency International) shows that over 60% of citizens have no trust in the judiciary. North Macedonia is ranked 63rd in the 'Rule of Law Index' by the Washington-based non-governmental organisation, the World Justice Project. The published report indicates that Denmark leads the list, while within the European Union, Bulgaria and Hungary are the lowest-ranked when it comes to the rule of law.

For this year's Rule of Law Index, more than 154,000 households and 3,600 legal experts were surveyed. Among the Western Balkan countries, Kosovo is the best placed (57), followed by North Macedonia (63, up one place from last year's 64) and Bosnia and Herzegovina (70). Montenegro is not mentioned on the list. Serbia, which has fallen compared to last year, is in 83rd place this year, while Albania is in 87th place out of a total of 140 ranked countries.

2.4. Frequent case backlogs

Deliberate prolongation of proceedings leads to statutes of limitations being reached, a phenomenon particularly common in cases involving high-profile individuals.

The "Target-Fortress" case

⁶ The Judiciary in 2023 - from delayed to outdated justice – Libertas p.3



This case concerns the mass illegal wiretapping of over 20,000 citizens. Although the Basic Criminal Court delivered verdicts in 2021, the Ap t Court overturned them and remitted the case for a retrial, stating that the verdict was unclear and unsuitable for further examination. With the amendments to the Criminal Code, some of the charges in the 'Target-Fortress', 'Talir', 'TNT', 'Trajectory', and 'Toplik' cases became statute-barred or were amended, "Power Broker", etc. According to legal experts, with the amendments to articles 353 and 394, absolute prescription for criminal prosecution will occur for 14 court cases involving over 80 accused individuals.

The main "Target-Fort" case, which concerns the illegal wiretapping, began on 22 December 2017 against 11 individuals, including the former director of the State Intelligence Agency, Sašo Mijalkov. During the proceedings, 53 hearings were held, at which 123 witnesses were heard, 887 pieces of material evidence were presented, and five expert analyses were conducted. A large number of more than 200 victims were also heard. The Criminal Court announced the first-instance verdict on 26 February 2021, after just over three years. A total of 55 years and 10 years of suspended sentences for 11 individuals. The Court of Appeal in Skopje, in December 2022, upheld the appeals of the defendants in the 'Target-Fortress' case and overturned the first-instance verdict, returning the case to the Basic Criminal Court in Skopje for a retrial, citing 'substantial violations'.

The 'Empire' case

The 'Imperia' case is a 2018 investigation by the SJO against a group of individuals, including businessman Orce Kamchev and Sasho Mijalkov, for organised crime, money laundering and abuse of office. The suspects transferred and concealed millions of euros through a network of companies, thereby causing a loss to the state budget of over 6 million euros. A large number of properties and shares in companies have been frozen. In 2023, one individual pleaded guilty and received a suspended sentence. As part of the investigation, 12 searches were conducted and five people were arrested. The SJO used special investigative measures, including legally intercepted conversations, to secure evidence of the criminal scheme. During 2022, the Prosecutor's Office concluded the investigation and froze significant assets linked to the suspects, including shares in companies, real estate and securities.

The "Imperia" case exposes the complexity of organised crime in the country and highlights the need for effective institutions and the rule of law. Although the investigation has concluded, the public remains vigilant about the outcome of the court proceedings and their impact on the fight against high-level corruption. Due to amendments to the Criminal Code and the prolongation of court proceedings, some of the accused evaded criminal liability due to the statute of limitations. This is a sufficient indicator of how the rule of law is being undermined and how "incomplete" verdicts are being delivered for massive criminal offences that harm the public interest. One of the significant weaknesses of the Macedonian judicial system is the frequent and unclear rotation and promotion of judges without transparent criteria. Judges with political connections are often rewarded with promotions and influential positions, while those deemed unsuitable are marginalised or removed from key cases. Furthermore, it is concerning that there are virtually no investigations or sanctions against judges and prosecutors, despite



numerous reports of irregularities and unprofessional conduct.⁷

The lack of disciplinary accountability fosters a sense of impunity within the judiciary. Compounding this is the disproportionate wealth held by some judges and prosecutors – their asset declarations reveal a luxurious lifestyle that is inconsistent with their official salaries. These phenomena undermine public confidence in the judiciary and violate the principle of equality before the law.

2.5. GRECO Recommendation

GRECO recommended that, in order to strengthen the independence of the judiciary from undue political influence, the ex officio membership of the Minister of Justice in the Judicial Council be abolished.

In the Addendum to the Second Compliance Report, GRECO assessed that this recommendation had not been implemented. GRECO expressed regret at the continued lack of progress regarding this recommendation.

The authorities now indicate that between 2019 and March 2023 the Minister of Justice did not attend a single session of the Judicial Council. Article 11, paragraph 4 of the Rules of Procedure of the Judicial Council (Official Gazette of the Republic of North Macedonia No. 274/2019 and 186/2020) provides that materials for proceedings in which they do not participate are not provided to certain members of the Judicial Council, namely the Minister of Justice and the President of the Supreme Court. In accordance with this provision, the Minister of Justice has not received any information on cases concerning the accountability of a specific judge and/or court president, or concerning the selection of a specific judge and/or court president. This means that the Minister cannot exert any influence over these proceedings. Furthermore, the Minister of Justice's practice of 'non-participation' in the sittings of the Judicial Council serves as a form of protection against the Minister's potential political influence on the work of this body. This modus vivendi will continue to be practised until an amendment to the Constitution is adopted, providing for provisions to exclude the Minister of Justice from the Judicial Council.

GRECO takes note of this information. GRECO is aware that this recommendation requires a constitutional amendment and that although a proposal in this regard was drafted, it did not successfully pass in Parliament. The explanations provided by the authorities are the same as in previous reports: the Minister of Justice does not participate in the sittings of the Judicial Council. Therefore, he cannot exert any pressure on the Judicial Council.

GRECO reiterates that there is always a risk of political influence even in the absence of a formal voting right, and even in the absence of the Minister of Justice's formal and personal attendance at meetings, and therefore expresses regret at the continued lack of progress regarding the implementation of this recommendation.

⁷ Home - IDSCS



GRECO concludes that Recommendation v remains unimplemented." Effectiveness⁸

2.6. Cooperation between the Public Prosecutor's Office of the Republic of North Macedonia and the SIO

As part of enhancing institutional cooperation between the State Commission for the Prevention of Corruption and the Public Prosecutor's Office of the Republic of North Macedonia, several activities were carried out in 2024 with the aim of strengthening coordination and improving efficiency in tackling corruption.

Supported by the EU's IPA 2020 'Rule of Law' project, the two institutions have begun drafting a new Memorandum of Cooperation, taking into account the 18th Annual Report on the work of the State Commission for the Prevention of Corruption for 2024, given that the validity of the current one expires in the first quarter of 2025. The initial draft of the Memorandum was prepared in October 2024, and its signing and entry into force are expected in 2025. The process was further encouraged by the conclusions of the thematic workshops organised as part of the USAID project – "Partnership Against Corruption". A series of meetings was held with focal points from both institutions, at which opportunities for enhancing mutual information exchange, joint action, and cooperation in handling anti-corruption cases were discussed.

In May 2024, a two-day workshop was organised to strengthen the coordination mechanisms between the DKSC and the Public Prosecutor's Office. In November 2024, a practical simulation of cooperation was conducted for the first time, in the presence of representatives from both partners, as well as from the USAID and IPA 2020 projects. Throughout 2024, the two institutions maintained a regular and timely exchange of information and documentation on cases of mutual interest, thereby strengthening transparency and efficiency in their work.⁹

2.7. The role of the media and civil society organisations

The media, as a primary source of information, are a tool in shaping public perception of the judicial system. In democratic societies, they are referred to as the 'fourth estate' precisely because of their power to inform, to expose wrongdoing and to influence public opinion. In the context of trust in the judiciary, the media can act as a bridge between the courts and the public, but also as a factor that can undermine that trust if they do not act professionally.

Transparent and responsible media coverage can increase trust in the judiciary. Through objective and timely reporting on court proceedings, decisions and reforms, the media can help foster a sense of fairness and accountability. When the public is well informed, there is less room for speculation, manipulation and doubts about the legitimacy of judicial institutions.

On the other hand, sensationalism, unverified information and biased reporting can seriously undermine confidence in the judiciary. In situations where the media convey one-sided views, abuse their power for political ends or spread false narratives, citizens may develop the perception that the justice system is corrupt, politically instrumentalised or ineffective. It is particularly important for the media to exercise special responsibility when reporting on cases

⁸ FIFTH ROUND OF EVALUATION Prevention of Corruption and Promotion of Integrity in Central Government (highest executive functions) and Law Enforcement Bodies COMPLIANCE REPORT NORTH MACEDONIA

⁹ (Annual Report on the Work of the State Commission for the Prevention of Corruption for 2024, pp. 17 and 18).



of public interest, such as corruption scandals, investigations into high-ranking officials, or sensitive court proceedings.

In the Republic of Macedonia, Media influence exerts a high level of impact on the population, particularly among older people who are not sufficiently familiar with how online portals operate, and thus they are easily taken in by fake headlines and news that the portals use to boost their view counts or to create propaganda. The most common culprits are portals and online forums that publish news related to current trials, which, without supporting evidence, release fake news and information that further widens the gap between the institutions and the public. This contributes to public distrust and resentment towards the judiciary, regardless of the verdict's outcome.

On the other hand, the mass media are dubbed "more reliable" conveyors of information because of their status as traditional outlets that inspire greater trust among citizens, but that does not mean they do not alter the news or publish transparently. The author of the analysis "Courts and Journalists – Publicity Behind Closed Doors", published by the Association of Citizen Witnesses, pointed out that the document's aim is to raise public awareness of journalists and to highlight the issue of public access in court proceedings. The document states that restricting the right to freedom of information calls into question freedom of expression and the right to receive and impart information. To prevent the restriction of freedom of information, it is emphasised that journalists should report on these topics, but also that they need to be educated on how to proceed should they be unlawfully prevented from carrying out their profession. Provisions of the Criminal Procedure Code (CPC) relating to the secrecy of the investigation were analysed, and the right of the public to be informed was emphasised. The right and obligation of journalists to investigate and inform by carefully verifying the content of the materials and information they encounter was emphasised. The document also stresses the duty of the authorities to provide information to the public that will not jeopardise the investigation and, at the same time, satisfy the public interest. Publicity is emphasised as an important segment of judicial proceedings. Journalists are encouraged to react to any cases in which they observe the unlawful exclusion of the public from proceedings. It was also stated that the media and the judiciary depend on mutual support and cooperation in order to ensure the necessary transparency in the work of the courts. At the same time, the media should respect the independence and impartiality of the judiciary.¹⁰¹¹

3. Security and working conditions for judges and prosecutors

3.1. Protection from threats and influences

In recent years, even in countries that are exemplars of democracy and security, such as the United States, there has been a worrying trend of increasing threats against judges and prosecutors, particularly in cases of high political or public sensitivity. For example, in the US, in the first five months of 2025 alone, 373 threats against federal judges have been investigated, representing a significant increase compared with the previous year. These threats include various forms of intimidation, from anonymous messages to direct attacks.

Therefore, if such examples are taken into account and analysed, in Macedonia it is necessary to establish effective security mechanisms to protect judges and prosecutors, such as:

¹⁰ Witness - "Courts and Journalists - Publicity Behind Closed Doors", p. 8

¹¹ (p.7 Journalists' experience and views on judicial transparency in North Macedonia).



- Enhancing physical security in courts and judges' homes.
- Providing personal protection in high-risk cases.
- Developing rapid response protocols for threats.

It is important to establish a culture of zero tolerance towards influence on judges and prosecutors, with strict sanctions for attempts at pressure or corruption.

Financial and professional independence

Financial independence for ensuring the impartiality of judges and prosecutors is a tool for promoting and improving the overall state of the judiciary. In some countries, independent commissions have been established to determine judges' salaries, in order to avoid political influence on their financial situation, which is not the case in our country. In some EU member states, the Constitution guarantees that judges are independent and that their careers cannot be influenced by other state bodies. This practice could serve as an example for Macedonia, where it is necessary to strengthen the financial and professional independence of judges and prosecutors, namely to have:

- Establishment of independent bodies for determining salaries
- Guaranteeing career stability and protection from unfounded disciplinary proceedings.

Psychological support and stress management

The work of judges and prosecutors is often associated with a high degree of stress, especially when dealing with sensitive cases. Therefore, it is important to provide psychological support, which may include: regular psychological consultations and stress management workshops, provision of mental health resources, and the creation of a supportive work environment that recognises and addresses stress-related issues. Such measures not only improve the well-being of judges and prosecutors, but also increase their efficiency and objectivity in their work.

3.2. The role of the human factor and opportunities for automation

Continuous and proper training is essential for maintaining high professional standards in the judiciary. In Macedonia, there is the Academy for Judges and Public Prosecutors which organises programmes for continuous professional training, with a minimum of 30 hours per year for judges and prosecutors with more than eight years' experience. In order to ensure high-quality personnel, there needs to be greater promotion of such training, through which professionalism in the judiciary is guaranteed.

These programmes help to:

- Increasing professional competence.
- Developing ethical standards and integrity.
- Enhancing capacities to address new challenges in the justice system.

Case allocation algorithms

The allocation of cases in courts should be fair and transparent to avoid the possibility of manipulation or bias. In some countries, algorithms are used for the automatic allocation of cases based on the specialisation and workload of judges.

Such systems help to ensure a fair distribution of work, reduce the possibility of influencing the selection of a judge for a particular case, and increase efficiency and transparency in the judiciary. In Macedonia, the implementation of such systems could contribute to improving



confidence in the judicial system.

3.3. Use of artificial intelligence and digital systems in the judiciary

Artificial intelligence is increasingly being used in the judiciary to automate certain processes, such as:

- Review and analysis of documents.
- Predicting the outcome of cases based on previous judgments.
- Decision support.

In our country, the integration of artificial intelligence and digital systems into the judiciary should be carried out carefully, with respect for ethical standards and by providing appropriate training for judges and prosecutors, but nevertheless, such major changes could prove to be beneficial and improve the situation in a country such as Macedonia.

3.4. Reducing the human factor and its influence on judicial assessment

Automation and the introduction of digital systems in the judiciary bring significant benefits such as faster case processing, a lower likelihood of technical errors and greater efficiency. However, this also entails a real danger: the human factor, which is crucial to fairness.

A judicial decision is not always simply the application of the law. Sometimes empathy, an understanding of the life context, or moral judgment is required. If automated systems become the primary decision-maker, situations may arise in which decisions are technically correct but unjust from a human perspective. For example, two similar cases may have the same facts but a completely different background: family circumstances, health problems, genuine remorse – something only a human can assess and incorporate into the decision. Therefore, automation should serve as a support tool, not as a replacement for a human. The role of the judge should remain central, as only a human can appreciate the 'human' side of justice.

4. The role of the European Union and the international community

In the Republic of Macedonia, the reform of the judicial system is one of the state's main priorities in the process of European integration. The European Union (EU), together with other international actors such as the OSCE, the Council of Europe and USAID, has played a significant role in setting the judiciary reform as a key condition for Macedonia's approach to membership.

Through its annual progress reports, the EU monitors reforms in the judicial sector and applies pressure to improve the independence, efficiency and transparency of the judiciary.

EU-funded projects

IPA funds (Instrument for Pre-Accession Assistance): Financing reforms in the judiciary, training for judges, and the digitalisation of courts. Projects such as "EU for Justice": Supporting the Judicial Council, the public prosecution service, and enhancing the capacities of the court administration.

4.1. Expertise from Member States

Through Twinning programmes and peer review missions, experts from member states transfer



good practices and participate in assessing the state of the judiciary, such as providing support to special bodies like the SJO (Special Public Prosecutor's Office) and the current anti-corruption institutions.

The first wave of reforms was inspired by the new democratic constitutions and the European Convention on Human Rights, incorporating international standards from comparative law and the law and practice of the European Convention. This meant introducing additional accusatorial elements into the still mixed model of criminal procedure. The efforts to provide a modern legal framework for the independence of the judiciary should not be forgotten, which is also a vital pillar of the concept, for a fair trial. This changed the entire ideology of criminal procedure, which is no longer based on faith in state bodies and the court but, on the contrary, distrusts them and therefore relies on procedural justice founded precisely on scepticism about the easy and objective ascertainment of truth and justice in the proceedings. The new guarantees for the individual undoubtedly reflected a climate of de-statification and a turn towards the rights, freedoms and interests of every individual. Unfortunately, the military conflicts and instability in the region did not create the conditions for the new constitutional concepts that placed the individual and his rights above the state to be consistently realised in practice. On the other hand, the new ideas and solutions for the protection of citizens' rights and freedoms in criminal proceedings failed to be realistically established and implemented, when in Europe and more broadly on the world stage priorities suddenly changed and a completely opposite tendency emerged to strengthen the state's instruments in the effective fight against crime, terrorism and corruption, which in a way also introduced certain confusions regarding the priorities and basic values of the criminal justice system and the principles on which it ought to function. The new institutions 'served up' by Europe in relation to witness protection, the application of special investigative measures and the like have been reflected as a completely new trend which, in order to enhance efficiency, has led to a visible erosion of the protection of human rights in criminal proceedings, which has had a negative impact on the ability to provide an effective defence for suspects and accused persons. The negative effect on human rights and, more generally, the principles of the rule of law in the countries of the Western Balkans region, similar to other young democracies in Central and Eastern Europe, from these new developments, is caused by the fact that in these states there simply was not enough time or the necessary conditions to establish the safeguards and instruments that these new powers of state prosecutorial bodies would apply in a manner that would guarantee a minimum of abuses.

4.2. Fact-checking, transparency and public scrutiny

Media outlets and fact-checking platforms play a crucial role in monitoring and analysing court proceedings. They enable the public to be informed about the progress of specific cases, to identify potential irregularities, and to encourage public pressure for fairness and accountability.

In Macedonia, several media outlets and non-governmental organisations (such as "SLOBODNA TV", "Meta.mk", and "CriThink") are already practising fact-checking and monitoring of court proceedings. This is particularly important in the context of sensitive cases,



where there is a risk of manipulation or political influence.¹²

The application of the open data principle means that the judiciary should publish accessible and verifiable information in digital form:

- Publication of all court decisions
- Court calendar
- Updated judges' biographies
- Court performance statistics

In several European countries, digital platforms already exist where citizens can track and analyse decisions, as well as participate in public discussions. Introducing such platforms here will also contribute to increased transparency and allow public scrutiny of the courts' work.

4.3. Judicial accountability

Accountability means that judges and courts must be held accountable for their work to the citizens and institutions. This includes: mechanisms for reporting corruption, disciplinary proceedings against judges who have abused their office, regular reports to the public, and oversight by the Judicial Council and the SCO.

5. Results of the research conducted using the "questionnaire" instrument

In order to gain a clearer picture of the state of the judiciary in the country, the team working on this academic paper conducted a survey to gauge public opinion, the level of awareness of the court system's work, and satisfaction with it. The questions and the results of the survey are provided below.

The questionnaire was completed by 86 respondents between 16.10.2025 and 26.10.2025.

Table 1: Demographic characteristics of the respondents

1. Age - This table shows the age of the respondents. The most represented age groups are **18–25 years (33.7%)** and **45–55 years (31.3%)**, which indicates that the survey was predominantly completed by young and middle-aged people.
2. Gender - The table shows the gender of the respondents. A larger proportion are **women (66.3%)**, which indicates greater involvement of the female population in the survey.
3. Level of education - This section shows the respondents' level of education. The largest proportion have a **higher education qualification (49.4%)**, which indicates that the survey was predominantly completed by individuals with a university degree.

Age

Total respondents: 83

Did not answer: 4

Category / Answer	Number (N)	Percentage of respondents (%)	Percentage of all (%)
18-25 years	28	33.73	32.18

¹²<https://www.icfj.org/news/metamorphosis-foundation-navigating-north-macedonias-complicated-disinformation-landscape>



45-55 years	26	31.33	29.89
35-45 years	14	16.87	16.09
25-35 years	11	13.25	12.64
65+ years	2	2.41	2.3
55-65 years	2	2.41	2.3
Did not answer	4	—	4.6

Gender

Total respondents: 83

Did not answer: 4

Category / Answer	Number (N)	Percentage respondents (%)	of Percentage of all (%)
Female	55	66.27	63.22
Male	28	33.73	32.18
Did not answer	4	—	4.6

Level of education

Total respondents: 83

Did not answer: 4

Category / Answer	Number (N)	Percentage respondents (%)	of Percentage of all (%)
Higher education	41	49.4	47.13
Secondary education	29	34.94	33.33
Higher education	6	7.23	6.9
Doctoral studies	4	4.82	4.6
Master's studies	3	3.61	3.45
Did not respond	4	—	4.6

Source: Author's research (2025)

Table 2: Perceptions of the respondents

Question 1 – measures whether respondents believe the judiciary operates under political influence. The main finding: **72% believe there is political influence.**

Question 2 - the largest proportion of respondents (52%) are **partially familiar**, which indicates a moderate but insufficient understanding of the conditions under which judges work.

Question 3 - this measures whether citizens consider training to be important. A large majority (69%) responded that it is **extremely important**, which shows high confidence in education as a factor for improvement.

Question 4 - most respondents (61.6%) are **in favour of automatic allocation via an algorithm**, as this is seen as a way to increase fairness and transparency.

Question 5 - this question measures the perception of efficiency. Half of the respondents (58%) believe that the proceedings are **very slow**, which indicates significant dissatisfaction.

1. To the question: Do you think the judiciary in Macedonia operates under political influence? Of the 86 respondents, a total of 62 answered YES.



Total respondents: 86

Did not answer: 1

Category / Answer	Number (N)	Percentage respondents (%)	of	Percentage of all (%)
Yes	62	72.09		71.26
Partially	15	17.44		17.24
No	9	10.47		10.34
Did not answer	1	—		1.15

2. On that, how familiar are you with the working conditions of judges and prosecutors

Total respondents: 86

Did not answer: 1

Category / Answer	Number (N)	Percentage respondents (%)	of	Percentage of all (%)
Partially familiar	45	52.33		51.72
Little familiar	19	22.09		21.84
Not at all	14	16.28		16.09
Familiar	8	9.3		9.2
Did not answer	1	—		1.15

3. To the question: How important do you consider training for the judicial staff to be for the proper and improved functioning of the courts in Macedonia? The majority answered that it is extremely important, while only 8.14% consider it unimportant.

Total respondents: 86

Did not answer: 1

Category / Answer	Number (N)	Percentage respondents (%)	of	Percentage of all (%)
Extremely significant	59	68.6		67.82
Moderately significant	20	23.26		22.99
Not significant	7	8.14		8.05
Did not respond	1	—		1.15

4. So, are you in favour of cases being allocated to courts automatically by an algorithm? 61.63% said YES, while a smaller number, around 29%, said they were not sure.

Total respondents: 86

Did not answer: 1

Category / Answer	Number (N)	Percentage respondents (%)	of	Percentage of all (%)
Yes	53	61.63		60.92
Not sure	25	29.07		28.74
No	8	9.3		9.2
Did not answer	1	—		1.15

5. To the question: How would you rate the speed of court proceedings in Macedonia? 50% of respondents answered 'very slow'.

Total respondents: 86

Did not answer: 1

Category / Answer	Number (N)	Percentage respondents (%)	of	Percentage of all (%)
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Very slow	50	58.14	57.47
Slow	33	38.37	37.93
Satisfactory	2	2.33	2.3
Very fast	1	1.16	1.15
Did not respond	1	—	1.15

Source: Author's research (2025)

Table 3: Measures for improving the judiciary

Question 6 - Of the measures offered, the largest number of respondents (19%) believe that the most important is **the introduction of an independent body to oversee judges**, which indicates a lack of trust in the current system of control.

Question 7 - The dominant response (77%) is **corruption**, which demonstrates the perception that corruption is the main obstacle to an effective judiciary.

Question 8 - This question measures the desire to take action. More than half (55%) would report an injustice immediately, which indicates a readiness for an active civic role.

Question 9 - The largest proportion (48%) answered '**somewhat**', which shows a positive perception but also a lack of trust that digitalisation will solve the problem on its own.

Question 10 - Most respondents (52%) believe that **multiple factors** should share the responsibility (Government, the Judicial Council, civil society), rather than a single institution.

6. Which of the following measures would contribute most to improving the judiciary?
On this question, the largest share (19%) believes there should be an independent body to oversee and evaluate judges.

- 7.

Total respondents: 83

Did not answer: 4

Category / Answer	Number (N)	Percentage of respondents (%)	Percentage of all (%)
Independent body for the supervision and evaluation of judges	16	19.28	18.39
Reduction of political pressure	13	15.66	14.94
Greater transparency in the work of the courts	13	15.66	14.94
Better training and professional development for judges	7	8.43	8.05
Greater transparency in the work of the courts; An independent body for the supervision and evaluation of judges; Reduction of political pressure	6	7.23	6.9
Greater transparency in the work of the courts; Better training and professional development for judges; An independent body for the supervision and evaluation of judges; Reduction of political pressure; Improvement of working conditions	5	6.02	5.75
Greater transparency in the work of the courts; An independent body for the supervision and evaluation of judges	4	4.82	4.6



Greater transparency in the work of the courts; Better training and professional development for judges; Reduction of political pressure	3	3.61	3.45
Better training and professional development for judges; an independent body to oversee and evaluate judges; reduction of political pressure; improved working conditions.	2	2.41	2.3
Better training and professional development of judges; Reduction of political pressure	2	2.41	2.3
Better training and professional development of judges; An independent body for the supervision and evaluation of judges; Reduction of political pressure	2	2.41	2.3
Greater transparency in the work of the courts; Better training and professional development for judges; An independent body for the supervision and evaluation of judges; Reduction of political pressure	2	2.41	2.3
Greater transparency in the work of the courts; Reduction of political pressure	2	2.41	2.3
Greater transparency in the work of the courts; Better training and professional development for judges	1	1.2	1.15
Greater transparency in the work of the courts; An independent body for the supervision and evaluation of ; Judges; Improving working conditions	1	1.2	1.15
Greater transparency in the work of the courts; Better training and professional development for judges; An independent body for the supervision and evaluation of judges	1	1.2	1.15
Greater transparency in the work of the courts; Reduction of political pressure; Improvement of working conditions	one	1.2	1.15
Greater transparency in the work of the courts; Better training and professional development for judges; Improvement of working conditions	1	1.2	1.15
Better training and professional development for judges; An independent body for the supervision and evaluation of judges	1	1.2	1.15
Did not answer	4	—	4.6

7. In your opinion, which factor undermines the efficiency of the judiciary the most? 77% say that corruption is the factor that most undermines the efficiency of the courts.

Total respondents: 83

Did not answer: 4

Category / Answer	Number (N)	Percentage respondents (%)	of Percentage of all (%)
Corruption	64	77.11	73.56
Political pressure	13	15.66	14.94
Long trial periods	six	7.23	6.9



Did not respond	4	—	4.6
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8. Would you report any injustice or irregularities in the judicial process if you noticed them? 55% of respondents would report them immediately, while 31% would do so depending on the circumstances.

Total respondents: 83

Did not answer: 4

Category / Answer	Number (N)	Percentage respondents (%)	of Percentage of all (%)
Yes, immediately	46	55.42	52.87
Maybe, depending on the circumstances	26	31.33	29.89
I don't know	8	9.64	9.2
No	3	3.61	3.45
Did not answer	4	—	4.6

9. Do you think that the introduction of digital tools and e-justice will improve the quality of court proceedings? The largest number of respondents answered 'partially' (48.19%), while 28.92% answered 'yes, significantly'.

Total respondents: 83

Unanswered: 4

Category / Answer	Number (N)	Percentage respondents (%)	of Percentage of all (%)
Partially	40	48.19	45.98
Yes, significantly	24	28.92	27.59
No, it won't make a difference	15	18.07	17.24
I don't know	4	4.82	4.6
Did not answer	4	—	4.6

10. Who should have the greatest responsibility for the advancement of the judiciary? 51% of respondents believe that responsibility for judicial appointments should be a combination of several factors, 23% believe this role should be held by the Judicial Council, and the fewest, 1%, believe it should be held by international organisations.

Total respondents: 83

Did not answer: 4

Category / Answer	Number (N)	Percentage respondents (%)	of Percentage of all (%)
A combination of multiple factors	43	51.81	49.43
Judicial Council	23	27.71	26.44
Government	9	10.84	10.34
Civil society	7	8.43	8.05
International organisations	1	1.2	1.15
Did not respond	4	—	4.6

6. EC Report: Moderate progress, but key challenges remain

The European Commission's 2025 report assesses North Macedonia as having moderate



readiness for EU membership. Despite some progress in reforms, the country faces serious challenges in the rule of law, the fight against corruption and constitutional amendments, which are crucial for further integration.¹³

Assessment of progress towards the EU

In 2025, North Macedonia's readiness for membership of the European Union was quantitatively assessed at 3.1, representing moderate readiness and a slight shift from 3.09 in 2024. This indicates limited progress in fulfilling the tasks of the chapters.

Challenges in the rule of law and corruption

The European Commission's report once again highlights corruption and the judiciary as a challenge for the government. There has been limited progress in the rule of law, and the tragedy in Kočani revealed systemic problems. The Commission recommends adopting a new Criminal Code and improving outcomes in corruption cases, where there is a sense of impunity.

Constitutional amendments as a condition

No progress has been made on the constitutional changes, which are a prerequisite for the country's further integration. This deadlock is crucial to unblocking the EU accession process. Political blockades, often due to bilateral disputes, are slowing down the enlargement.

Reforms and alignment

Despite the challenges, significant progress has been made in reforms and alignment with the EU's foreign policy. The Macedonian authorities have continued to work on the guidelines for the rule of law, public administration reform and the functioning of democratic institutions, as well as on the Action Plan for the protection of minorities.¹⁴

The EU perspective and the significance of the report

The European Union is facing an enlargement crisis and needs to be reformed. The report from Brussels is interpreted as a wake-up call for North Macedonia, indicating that the country is stuck on its path to the EU due to the failure to implement reforms. The significance of these reports is not the same as it was 15 years ago.

Discussion

This paper examines the complex state of the judiciary in the Republic of North Macedonia, focusing on the challenges related to independence, impartiality, corruption and public trust. The results of the research, which included a questionnaire, clearly indicate a deeply rooted public perception that the judiciary is under strong political influence and is exposed to corruption. This perception is not an isolated phenomenon but is supported by analyses from international organisations such as the European Union and GRECO, which consistently point to a lack of real progress on key reforms. The findings confirm the thesis that political pressure on the processes of selecting and promoting judges, as well as an ineffective accountability system, are the primary causes of the erosion of trust. A comparison with other Western Balkan

¹³http://enlargement.ec.europa.eu/document/download/267b368e-6b55-4a42-bb726395593de4da_en?filename=north-macedonia-report-2025

¹⁴<https://europeanwesternbalkans.com/2025/07/09/rule-of-law-report-2025-for-eu-candidates-pressures-on-judiciary-and-corruption-remain-issues-of-concern/>



countries shows that North Macedonia faces similar systemic problems, but the slowness of reform implementation makes it particularly vulnerable. The survey, in which 72% of respondents believe the judiciary operates under political influence and 77% identify corruption as the main obstacle, serves as a clear indicator of public sentiment and underscores the need for urgent and decisive action.

The challenge is not only legal but also social. Low trust undermines the very foundations of the rule of law and distances the prospect of European integration. Comparison with international standards and indices (such as those of the World Justice Project) clearly shows the country's lag, indicating that formal changes are insufficient without genuine political will and cultural transformation within the institutions themselves.

Conclusion

Research shows that the judiciary in the Republic of North Macedonia faces numerous challenges related to independence, efficiency and transparency. Strengthening institutional capacity, improving accountability mechanisms, reducing political influence and digitising processes are essential steps towards a stronger and more reliable judicial system.

The main conclusions of this paper are:

- **Dominance of political influence:** The system for the election and career development of judges and prosecutors remains susceptible to political pressures, which undermines the principle of independence and contributes to the perception of 'selective justice'.
- **Corruption as a systemic obstacle:** Corruption is identified as a primary factor undermining the efficiency and legitimacy of the judiciary, as evidenced by both the survey results and international reports.
- **Crisis of public trust:** There is a deep divide between the judicial system and citizens, resulting from the slowness of proceedings, lack of transparency and a sense of impunity.
- **Need for structural reforms:** To achieve genuine reform, concrete steps are required, such as the complete depoliticisation of the Judicial Council, the introduction of automated algorithms for case allocation, the strengthening of accountability mechanisms and investment in digitalisation and training.
- **EU as a driver, but domestic responsibility as the key:** Although the European Union provides significant support and guidance, sustainable progress is impossible without a clear domestic political commitment and pressure from civil society.

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Conflict of interest

The authors declare that there is no conflict of interest that would affect the objectivity or content presented in this scientific paper.



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