

Franet National contribution to the Fundamental Rights Report 2024

North Macedonia

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1. Impact of the cost-of-living crisis and rising poverty in the EU

1.1. Legal measures impacting on vulnerabilities of persons affected by the rising costs of living and energy.

DECISIONS ON TEMPORARY INTERVENTIONS FOR FOOD PRICING

Inflation in North Macedonia has remained relatively high in 2023. The rate of inflation for the period January–November 2023, compared to the same period in 2022, stands at 9.3%.¹ The prices for food and non-alcoholic beverages, however, increased significantly more, by 12.7% for the aforementioned period.² In an effort to address rising food prices, the Government has adopted decisions to tackle increasing prices of specific foods and other products by, in particular, (1) temporarily fixing the highest retail prices for food products^{3,4}; (2) temporarily lowering the retail prices of selected

¹ North Macedonia, State Statistical Office, (*Државен завод за статистика*) Consumer Price Index and Retail Price Index, September 2023 ([Индекси на трошоците на животот и на цените на мало, септември 2023 година](#))

² North Macedonia, State Statistical Office, (*Државен завод за статистика*) Consumer Price Index and Retail Price Index, September 2023 ([Индекси на трошоците на животот и на цените на мало, септември 2023 година](#))

³ Government of the Republic of North Macedonia (*Влада на Република Северна Македонија*) Decision on determining the highest prices for individual products in retail trade and the obligation of traders to acquire and sell certain types and quantities of individual goods to consumers according to a certain order (*Одлука за определување на највисоки цени за одделни производи во трговијата на мало и обврска на трговците да прибавуваат и продаваат определени видови и количества на одделни стоки на потрошувачите според определен редослед*) Official Gazette, no. 63/2023 (21 March 2023, enter into force 21 March 2023)

⁴ Government of the Republic of North Macedonia (*Влада на Република Северна Македонија*) Decision on determining the highest prices for individual products in retail trade (*Одлука за определување на највисоки цени за одделни производи во трговијата на мало*) 3 Official Gazette, no. 52/2023 (9 March 2023, enter into force 9 March 2023)

food products,⁵⁶ selected hygiene products⁷, and selected alcoholic and non-alcoholic beverages⁸ by a given percentage; and (3) setting the highest profit margin for fruits and vegetables in whole and retail trade for a limited period of time.⁹

These measures are temporary, and they do not address the issue of food affordability in the long term. The increasing food prices affect the population unevenly, where 10% of the households with the lowest income in North Macedonia spend more than 30% on basic food products.¹⁰ The government has not adopted supporting policy measures to

⁵ Government of the Republic of North Macedonia (*Влада на Република Северна Македонија*) Decision on determining the highest prices for individual products in retail trade (*Одлука за определување на највисоки цени за одделни производи во трговијата на мало*) 3 Official Gazette, no. 52/2023 (9 March 2023, enter into force 9 March 2023)

⁶ Government of the Republic of North Macedonia (*Влада на Република Северна Македонија*) Decision on determining the highest prices for individual products in retail trade as well as the obligation of traders to acquire and sell certain types and quantities of individual goods to consumers according to a certain order (*Одлука за определување на највисоки цени за одделни производи во трговијата на мало, како и обврската на трговците да прибавуваат и продаваат определени видови и количества на одделни стоки на потрошувачите според определен редослед*) Official Gazette, no. 196/2023 (19 September 2023, enter into force 19 September 2023)

⁷ Government of the Republic of North Macedonia (*Влада на Република Северна Македонија*) Decision on determining the highest prices for individual products in retail trade (*Одлука за определување на највисоки цени за одделни производи во трговијата на мало*) Official Gazette, no. 70/2023 (29 March 2023, enter into force 30 March 2023)

⁸ Government of the Republic of North Macedonia (*Влада на Република Северна Македонија*) Decision on determining the highest prices for individual products in wholesale and retail trade (*Одлука за определување на највисоки цени за одделни производи во трговијата на големо и трговијата на мало*) Official Gazette, no. 203/2023 (26 September 2023, enter into force 28 September 2023)

⁹ Government of the Republic of North Macedonia (*Влада на Република Северна Македонија*) Decision on special conditions for the trade of individual goods (*Одлука за посебни услови за трговијата на одделни стоки*) Official Gazette, no. 203/2023 (26 September 2023, enter into force 28 September 2023)

¹⁰ Petreski, M. Petreski, B. "Policy Study 48: The impact of the food and energy crisis on household welfare in North Macedonia", Finance Think (2023)

address the unproportionate effect of the rising food prices on low-income households, such as the vouchers rolled out in 2022 during the COVID-19 pandemic.¹¹

CHANGES IN THE TARRIF SYSTEM AND REGULATED ENERGY PRICES

The Energy and Water Services Regulatory Commission of the Republic of North Macedonia has adopted a new tariff system on calculating sales prices for electricity provided by the universal energy supplier and the suppliers of last resort. The new tariff system has introduced two changes that may affect socially vulnerable groups: re-introduction of the cheap electricity tariff for during daylight hours as well as change in prices levels. As of 1st of December 2023, customers pay around 25% lower energy price between 22:00 PM and 07:00 AM the next day, but also between 13:00 PM and 15:00 PM.¹² Moreover, the energy prices have also been changed.¹³ The electricity price in the first tariff block was decreased, the second and cheap electricity tariff remained the same, while the prices for third and fourth tariff block were increased.¹⁴ These changes should benefit users that use less electricity, particularly for heating, as the tariff blocks correspond to energy consumption levels. According to the Regulatory Commission Director, households with an average consumption will pay a lower energy price and network fees by 4.26%, and from December, with the start of the cheap tariff, a linear

¹¹ Government of the Republic of North Macedonia (*Влада на Република Северна Македонија*) Decree with legal force for financial support of citizens and employed persons with low income, young persons and health workers through the issuance of a domestic payment card intended for the purchase of Macedonian products and services during a state of emergency (*Уредба со законска сила за финансиска поддршка на граѓани и вработени лица со низок доход, млади лица и здравствени работници преку издавање на домашна платежна картичка наменета за купување на македонски производи и услуги за време на вонредна состојба*), Official Gazette No. 137/2020 (27 May 2020, enter into force 27 May 2020)

¹² North Macedonia, Energy and Water Services Regulatory Commission, Tariff system for the sale of electricity to consumers supplied by the universal supplier and the supplier of last resort (*Тарифен систем за продажба на електрична енергија на потрошувачите кои ги снабдува универзалниот снабдувач и снабдувачот во краен случај*) Official Gazette, no. 246/2023 (17 November 2023, enter into force 17 November 2023)

¹³ North Macedonia, Decision on the formation of sale prices for performing energy activity of supplying electricity to consumers supplied by the universal supplier EVN HOME DOO Скопје (*Одлука за формирање на продажни цени за вршење на енергетската дејност снабдување со електрична енергија на потрошувачи кои ги снабдува универзалниот снабдувач ЕВН ХОМЕ ДОО Скопје*), Official Gazette No. 281/2023 (27 December 2023, enter into force 21 December 2023)

¹⁴ North Macedonia, Energy and Water Services Regulatory Commission, Press release, 26.12.2023, <https://shorturl.at/bsQ13>

reduction of 5% in the bills will follow.¹⁵ Due to technical difficulties, however, the cheap electricity tariff could be utilised only by 170 thousand households, while the remaining 650 thousand households with old electricity meters have to wait for a field visit of the teams by universal energy supplier, private company EVN. The president of the Regulatory Commission has announced that 90% of households will have installed or replaced old meters with new ones, thus utilising the “cheap energy prices” by the end of December 2023.¹⁶

1.2. Policy measures impacting on vulnerabilities of persons affected by the rising costs of living and energy.

INCOME SUPPORT FOR VULNERABLE CATEGORIES OF CITIZENS TO ADDRESS RISING ENERGY PRICES

The increase in prices for electricity, gas and other fuels, including heating, stands at 14.4% for January–September compared to the same period in 2022.¹⁷ In view of higher energy prices, the Government has taken three sets of measures to increase income support. The first set of measures were new criteria and financial support thresholds in the 2023 Annual Program for the Protection of Vulnerable Energy Consumers in comparison to the ones for 2022. These changes expanded support for single persons and households, including socially vulnerable groups such as beneficiaries of the right to compensation due to disability, single parents who are not beneficiaries of guaranteed

¹⁵ SDK, Cheap electricity will be available from December 1, from 1 to 3 p.m., Bislimoski said (Евтина струја ќе има од 1 декември, од 13 до 15 часот, кажа Бислимоски)
<https://sdk.mk/index.php/makedonija/evtina-struja-ke-ima-od-1-dekemvri-od-13-do-15-chasot-kazha-bislimoski/>

¹⁶ Radio Free Europe, Only the new meters will “count” cheap electricity during the day, for now (Евтина струја, засега, преку ден ќе „бројат“ само новите броила),
<https://www.slobodnaevropa.mk/a/evtina-struja-preku-den-ke-brojat-samo-novite-broila/32708520.html>

¹⁷ Finance think, infographic
<https://www.facebook.com/photo/?fbid=698298792322651&set=a.613295277489670>

minimum assistance, and beneficiaries of the right to compensation for physical damage.¹⁸

The second set of measures related to special laws adopted in view to the energy crisis. The Parliament adopted the Law on financial support of socially vulnerable categories of citizens to deal with the energy crisis that grants benefit of additional financial support for four months between December 2022 and March 2023.¹⁹ The law determined specific amounts for socially vulnerable groups, in particular: the highest monthly allowance of 3,000 MKD for beneficiaries of social security for the elderly, special allowance, the right to disability allowance, the right for compensation for care from another person, single parents—beneficiaries of guaranteed minimum assistance, and unemployed persons—beneficiaries of the right to material security; followed by a monthly allowance of 1,500 MKD for beneficiaries of pensions in the amount of up to 11,525 MKD and 850 MKD allowance per month for beneficiaries of pension in the amount of up to 14,000 MKD, and beneficiaries of the right to compensation for physical damage. The financial support was directly transferred from the Pension and Disability Insurance Fund and the Agency of Employment to the respective target groups on a monthly basis as a separate transaction to ensure beneficiaries were informed that the transfers had been made.²⁰ Several issues can be noted regarding this measure. Potential beneficiaries were able to complain in writing or electronically. However, the timeframe for complaints was limited to only three days, shorter than the deadlines for the administrative act, which is 15 days after the day of delivery.²¹ Lastly, the list of beneficiaries with their personal data was published on the Ministry of Labour and Social Policy website. In response, the Agency for the Protection of Personal Data requested

¹⁸ Government of the Republic of North Macedonia (*Влада на Република Северна Македонија*) Program for the protection of vulnerable energy consumers for 2023 (*Програма за заштита на ранливи потрошувачи на енергија за 2023 година*) Official Gazette No. 291/2022 (28 December 2022, enter into force 1 January 2023)

¹⁹ Law on financial support of socially vulnerable categories of citizens to deal with the energy crisis ([Закон за финансиска поддршка на социјално ранливи категории на граѓани за справување со енергетската криза](#)) Official Gazette, no. 246/2022 (15 November 2022, enter into force 16 November 2022)

²⁰ North Macedonia, Ministry of Labour and Social Policy (*Министерство за труд и социјална политика*) The lists of beneficiaries of financial support published on the website of the Ministry of Labor and Social Policy ([Списоците на корисници на финансиска поддршка објавени на веб страната на Министерството за труд и социјална политика](#)) (6 February 2023)

²¹ North Macedonia, Закон за општата управна постапка (Law on the general administrative procedure) Official Gazette, no. 124/2015 (22 July 2015, enter into force 30 July 2015)

the three abovementioned institutions remove the lists from the web pages so they are not visible to the general public.²²

The third set of measures adopted by the Parliament in December 2023 introduces financial support for socially vulnerable groups, not covered by the previous two packages.²³ This includes beneficiaries of special allowances, the right to disability allowance, single parents—beneficiaries of guaranteed minimum assistance who are granted 2000 MKD. The package provides financial support of 3000 MKD, 2000 MKD and 1500 MKD for pension beneficiaries with national citizenship and a monthly pension up to 14,000 MKD, 16,000 MKD and 19,000 MKD respectively calculated as of December 2023. Additionally, regular students of primary and secondary education whose families have a total monthly income of net salary up to MKD 50,000 are granted 1,200 MKD and 1,800 MKD, respectively, for a period of six months. Full time university students are granted not less than 600 and not more than 1,200 MKD for a monthly intercity transport ticket for a period of seven months starting from December 2023. According to experts, even though this financial support is presented as an anti-crisis package, it contains measures that do not directly relate to the crisis, which can raise concerns, especially in view of the pre-election period.²⁴

NEW METHODOLOGIES ON CALCUCATION OF MINIMUM WAGE AND PENSIONS IN NORTH MACEDONIA With amendments to the Law on minimum wage and Law on Pension and Disability Insurance in 2022, new methodologies on estimating were introduced which allowed automatic correction for higher amount that in previous periods for the respective income categories.²⁵

²² North Macedonia, Agency for the Protection of Personal Data (*Агенција за заштита на личните податоци*) Notification in relation to the published lists for financial support of vulnerable categories of citizens to deal with the energy crisis, ([Известување по однос на објавените списоци за финансиска поддршка на ранливи категории граѓани за справување со енергетската криза](#)) (16 December 2022)

²³ North Macedonia, Law on financial support of socially vulnerable categories of citizens (Закон за финансиска поддршка на социјално ранливи категории на граѓани) Official Gazette, no. 269/2023 (13 December 2023, enter into force 18 December 2023)

²⁴ Macedonian Information Agency, "Finance Think": The new anti-crisis package has a strengthened targeting component, but also includes measures that are not directly related to the crisis ([„Finance Think“: Новиот антикризен пакет е со зајакната компонента на таргетираност, но се опфатени и цели што не се директно поврзани со кризата](#))

²⁵ Council of Europe, "[10th National Report on the implementation of the European Social Charter](#)" submitted by the Government of North Macedonia", 27 March 2023

The amendments to the Law on minimum wage from February 2022 brought forward a new formula for calculation of the minimal wage in North Macedonia. In March each year, the amount of the gross minimum wage is reconciled by 50% of the increase in the average net wage and 50% of the increase in the cost of living index from the previous year based data from the State Statistics Office. Moreover, the minimum wage may not be lower than 57% of the amount of the average net salary.²⁶ Based on these changes, the minimum wage for the period March 2022 – March 2023 was increased from 15194 MKD to 18000 MKD, or 18,47%. In March 2023, the minimum wage was increased by 12,55% to 20175 MKD.²⁷ According to ILO estimates, 94,000 workers, or 17% of the workforce, directly benefited from the reform as they were earning less than the minimum wage in April 2022.²⁸ To account for inflation, analysis based on 2012 prices suggests that the minimum wage of 2023 is lower compared to 2022 thus not increasing the real purchasing power of the recipients.²⁹ If compared to the latest data on the minimal syndicate basket from October 2023, suggest that four member family household has to earn 2.29 minimum salaries to need the basic monthly needs.³⁰

New methodology for pensions adjustments is based on a combined model obtained as a sum of the increase 50% increase in average salary and 50% increase in cost of living on 1st of March and 1st of September of each year.³¹ The adjustment of the March 2023 pension increased by 8.4%, based on salary increase by 6.1% and increase cost of living

²⁶ North Macedonia, Decree on the proclamation of the Law amending and supplementing the Law on minimum wage in the Republic of North Macedonia (Указ за прогласување на Законот за изменување и дополнување на Законот за минимална плата во Република Северна Македонија), Official Gazette, no. 41/2022 (23 February 2022, enter into force 24 February 2022)

²⁷ North Macedonia, Ministry of Labour and Social Policy, MLSP: The minimum wage from March will be 20,175 denars, over 2,000 denars higher in one year ([МТСП: Минималната плата од месец март ќе биде 20.175 денари, над 2000 денари повисока за една година](#)) (25 February 2023)

²⁸ ILO, [North Macedonia: Raising the minimum wage to combat working poverty](#) (22 April 2022)

²⁹ Finance Think, Infographic https://www.facebook.com/FinanceThink/posts/pfbid02HAJbiidrWLnFAaWgzxEsFDPfnKeR6ZVgiHdZTp8dpLMTXVVGVi93AqoNoJ5nVyXYI?locale=hi_IN

³⁰ Authors own calculation, based on Federation of Trade Unions of Macedonia, [Minimal syndicate basket October 2023](#) (November 2023)

³¹ North Macedonia, Decree on the proclamation of the Law amending and supplementing the Law on Pension and Disability Insurance, Official Gazette, no. 67/2022 (16 March 2022, enter into force 18 March 2022)

10.6%, resulting in increase in the average pension from 17666 MKD will increase to 19150 MKD. Still, in practice, 61.69% of the pensioners in North Macedonia received lower income than the minimal wage.³² In response, the Union of pensioners demanded change in methodology where the pensions would increase based on the higher percentage of the salary and cost of living in view to guarantee higher increase of the pensions each year.³³ In response, a working group within the Ministry of Labour and Social Policy was established tasked to review existing and give a proposal for a Law on minimum pensions in North Macedonia which held its first session in December 2023.³⁴

Table 1 – Promising practice

Promising practice	
Title (original language)	
Title (EN)	
Organisation (original language)	
Organisation (EN)	
Government / Civil society	
Funding body	
Reference (incl. URL, where available)	
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	

³² Authors' own calculation, based on Ministry of Labour and Social Policy, [Pension beneficiaries by groups of payments for October 2023](#) (Состојба на корисници на пензија по групи на исплати за октомври 2023 година), n.a

³³ North Macedonia, Union of pensioners' associations, "[Proposal from the UPA for amendments to the LPDI to improve the material status of pensioners](#)" (Предлог од СЗПМ за измени на ЗПИО за подобрување на материјалниот статус на пензионерите), 9 October 2023

³⁴ North Macedonia, Ministry of Labour and Social Policy, "Constitutive session of the working group held, social measures and changes or a new law on minimal pension pending" ([МТСП: Одржана првата конститутивна седница на работната група, ќе се носат социјални мерки и измени или нов закон за минималната пензија](#)) 6 September 2023

Promising practice	
Type of initiative	
Main target group	
Indicate level of implementation: Local/Regional/National	
Brief description (max. 1000 chars)	
Highlight any element of the actions that is transferable (max. 500 chars)	
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	
Give reasons why you consider the practice as having concrete measurable impact	
Give reasons why you consider the practice as transferable to other settings and/or Member States?	
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice	
Explain, if applicable, how the practice provides for review and assessment	

2. Threats to democratic values - Protecting civic space, strengthening meaningful participation and the rights to freedom of association, peaceful assembly and expression

2.1. Major threats to democracy as reflected in national legal and political developments and the discourse at national level.

Table 2 – Challenges

Based on a scan of legislative and policy and other developments and the public discourse please identify **three major challenges** to democracy emerged in the course of 2023.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
Attacks and threats to the safety of civil society organisations, human rights defenders, and journalists	The anti-gender movement (AGM) has been gaining traction in the country since 2021. ³⁵ Compared to 2021 and 2022, two main new developments can be identified. Firstly, there is a pluralization of actors who support or can be seen as part of the AGM, which included the Macedonian Orthodox Church over the course of 2023. The Church has aligned with the AGM, using its discourse and stating the same policy requests from policy-makers. Moreover, church officials have engaged in two acts which are worrying for democracy: (i) singling out and targeting a human rights activist who supports the adoption of a Gender

³⁵ See FRANET country research North Macedonia, [Legal environment and space of civil society organisations](#) (January 2022).

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>Equality Law resulting in a hate trolling on social media,³⁶ and (ii) warning MPs that if they support or vote for the Gender Equality Law they will not be allowed to use the services of the Orthodox church for religious ceremonies, such a funerals, christenings or weddings.³⁷ Secondly, there are now clear results from the AGMs actions in the country. Last year, this included revoking the legislative amendments which were to introduce a clear, foreseeable, and speedy legal gender recognition process.³⁸ So far, 2023 has been marked by the indefinite delay in the Government’s decision to propose the draft Gender Equality Law to the Parliament, and a wave of decisions for amending or annulling local gender equality plans by municipalities throughout the whole country.</p>
<p>Legal and administrative constraints, harassment, intimidation, and reprisals against civil society organisations, human rights defenders (including SLAPPs—strategic lawsuits against public participation)</p>	<p>The Investigative Reporting Lab (IRL) is an association engaged in investigative journalism. IRL has been publishing groundbreaking stories for several years, exposing widespread corruption and negligence resulting in mass violations of human rights. In relation to one such story “Conspiracy Against the Air”, Kocho Angjushev—a former vice-Prime Minister, now a businessman in, among other things, the energy sector, was exposed as one of the wrongdoers in relation to public energy provision, and filed a lawsuit for slander against IRL and Sashka Cvetkovska—lead editor of IRL and one of the journalists who prepared the story. After a Court of First Instance’s ruling in Cvetkovska’s favour (May 2023) was overturned by the Court of Second Instance, the case was sent to a re-trial.³⁹ Several</p>

³⁶ Coalition Margins, CPPD established that Priest Jakov Stobiski should apologize for harassment of the LGBTI community on grounds of sexual orientation and gender identity ([КСЗД утврди дека Епископ Јаков Стобиски треба да се извини за сторено вознемирување врз основа на сексуална ориентација и родов идентитет врз ЛГБТИ заедницата](#)) (26 June 2023)

³⁷ Vesti, The Church can deny christenings, weddings, funerals to MPs that will vote for the Gender Equality Law ([Пратениците кои ќе гласаат за Законот за родова еднаквост, Црквата може да ги лиши од крштемки, венчавки, погребни](#)) (29 June 2023)

³⁸ FRANET [National contribution to the Fundamental Rights Report 2023 North Macedonia](#)

³⁹ Nezavisen.mk, The Case Angjushev vs Sashka Cvetkovska and IRL for slander ordered for retrial ([Предметот Анѓушев против Сашка Цветковска и ИРЛ за клеветата вратен на повторно судење](#)) (28 May 2023),

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>professional media associations published a joint reaction to the court’s decision, stating that this is a clear case of SLAPP aimed against journalists and preventing them from doing their job.⁴⁰ This SLAPP is only one in a series of public pressures exerted on the IRL. The most recent instance was pressure from the Public Prosecution Office⁴¹ and Kocho Angjushev, who also owns another company which was implied in another IRL story—“Murder in Tetovo”, exposing the reasons behind the fire in the COVID-19 mobile hospital in Tetovo in 2021.⁴²</p> <p>In a development which shocked the public, in the retrial, the Court of First Instance not only found that Cvetkovska and IRL are guilty, but it did so largely based on the argument that, because IRL is established as a non-profit organisation, i.e. an association of citizens, Cvetkovska cannot be considered as a journalist and IRL as a media. As a result, the ruling established, they cannot seek protection of freedom of expression as if they are a journalist and a media. IRL, according to the judgment, was not to publish any documentaries for wider audience, but could only use these for internal organisation education.⁴³ This is by definition censorship, which is explicitly prohibited by Article 16 of the Constitution of the country. Moreover, the judge called on the competent oversight entities for associations of citizens (i.e. the Ministry of Justice) to</p>

⁴⁰ ZNM, SSNM and SEMM: Shameful decision of the Court of Second Instance Skopje, damaging for investigative journalism ([IRL, ЗНМ, ССНМ и СЕММ: Срамна одлука на Апелациониот суд Скопје на штета на истражувачкото новинарство](#)) (29 May 2023),

⁴¹ IRL, The Public Prosecution Office is retaliating towards journalists – lies and attacks towards IRL ([Обвинителството се пресметува со новинарите, груби лаги и напади кон работата на ИРЛ](#)) (18 August 2023),

⁴² IRL, Angjushev attacked IRL again in order to sabotage the current research for the modular hospital in Tetovo ([Анѓушев повторно ја нападна ИРЛ за да го оцрни и саботира тековното истражување за модларната болница во Тетово](#)) (09 July 2023),

⁴³ IRL, IRL are Found Guilty for Existing, not for Slander ([ИРЛ не се осудени за клевета, осудени се затоа што постојат](#)) <https://irl.mk/irl-ne-se-osudeni-za-kleveta-osudeni-se-zatoa-shto-postojat/>

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	investigate the work of IRL. ⁴⁴ Media associations and civil society organisations organised a protest against the judgment, assessing it as extremely damaging for the freedom of the media in the country. ⁴⁵ The International Federation of Journalists condemned the judgment as well. ⁴⁶ Moreover, the national Association of Journalists filed a complaint to the Judicial Council seeking responsibility for the judge's "incompetent and negligent work" ⁴⁷ for unsubstantiated removing the public from the Cvetkovska and IRL trial. The State Commission against Corruption reacted as well, prompting the Judicial Council to look into the case. The President of the Republic, the Agency for Audio and Audio-Visual Media expressed worry over the judgment as well. Cvetkovska announced that she will be filing a complaint to the court of second instance. ⁴⁸ The outcome is still pending.
Lack of (processes for) transparent, accountable, democratic and pluralistic participation in law	There were several cases of non-transparent law-making processes in North Macedonia in 2023 which cast a shadow on the inclusion of CSOs in law-making processes, but also on the participation and the transparency of these processes in general. The clearest example of this was the amendment of the Criminal Code which lowered penalties or foresaw early

⁴⁴ IRL, IRL are Found Guilty for Existing, not for Slander (*ИРЛ не се осудени за клевета, осудени се затоа што постојат*) <https://irl.mk/irl-ne-se-osudeni-za-kleveta-osudeni-se-zatoa-shto-postojat/>

⁴⁵ IRL, Journalists Protested against Disgraceful Judgment against IRL (*Новинарите протестираа против срамната пресуда за ИРЛ*) (17.11.2023) <https://irl.mk/novinarite-protestiraa-protiv-sramnata-presuda-za-irl/>

⁴⁶ IFJ, North Macedonia: IFJ Condemns Judgment against Journalist (24.10.2023), <https://www.ifj.org/media-centre/news/detail/category/europe/article/north-macedonia-ifj-condemns-judgement-against-journalist>

⁴⁷ ZNM, Complaint to the Judicial Council for Unjustified Exclusion of the Public from a Court Hearing against Judge Spirovska Paneva (ЗНМ Претставка до Судски совет за судијата Спировска Панева за неправедно исклучување на јавност од рочиште), <https://znm.org.mk/зnm-претставка-до-судски-совет-за-суди/>

⁴⁸ IMA, Judgment In the Name of the People against IRL and Sashka Cvetkovska (*Пресуда во име на граѓаните и против ИРЛ и Сашка Цветковска*) (23.11.2023), <https://ima.mk/2023/11/21/presuda-vo-ime-na-gragjanite-protiv-irl-i-saska-cvetkovska/>

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
and policymaking; incl. access to information	<p>termination of a sentence in, among other things, cases of abuse of public office, but also a number of other cases⁴⁹ which will have a direct implication on the country's reckoning with state capture and the crimes prosecuted on the grounds of the wiretapping affair.⁵⁰ This move was characterized by a number of high-profile public figures, and members of the opposition as an attempt by the Government and the ruling coalition to secure the needed voting majority in the Parliament to be able to pass the constitutional amendments which have been set as a condition for fully opening negotiations with the EU (i.e. the Bulgarian minority amendments). The move was strongly opposed by two large networks of CSOs working on rule of law issues: the Blueprint Group and the Network Against Corruption.⁵¹ As a result of the non-transparent process of adoption of these amendments of the Criminal Code, CSOs which participated in the working group for preparing a new Criminal Code left the group in protest, stating they do not want their participation in this working group to give legitimacy to a process which will inflict irreparable damage to the rule of law in the country.⁵²</p>

2.2. Legislative and policy measures having an impact on the freedom of

⁴⁹ North Macedonia, [Закон за изменување и дополнување на Кривичниот законик](#) (Law Amending and Supplementing the Criminal Code), Official Gazette No.188/2023

⁵⁰ On the wire-tapping affair, see [Radio Free Europe, More Than 90 Indicted In Macedonia Over Wiretap Scandal](#) (30 June 2023),

⁵¹ 360 stepeni, [И Блупринт-групата бара од Пендаровски да не става потпис на указот за измените во Кривичниот законик](#) (The Blueprint Group is also asking from Pendarovski not to sign the Criminal Code amendments) (07 September 2023),

⁵² 360 stepeni, [The Blueprint Group is backing down from working on the new Criminal Code: We will not contribute to processes in which the law and the legal system are being abused \(Блупринт-групата се повлекува од изработката на новиот КЗ: Нема да учествуваме во процеси во кои правото и правниот систем се злоупотребуваат\)](#) (09 October 2023)

assembly/association/expression of civil society actors.

LEGISLATIVE AMENDMENTS FOR ALIGNMENT WITH THE DIRECTIVE (EU) 2018/1808

On 18 July 2023, the Parliament adopted the Law Amending and Supplementing the Law on Audio and Audio-visual Media Services. The purpose for the adoption of the amendments, as stated by the lawmaker,⁵³ is alignment of the national legislation with the Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities.

Media workers heavily criticised the amendments on three grounds. Firstly, they were prepared solely for the purposes of alignment with this Directive while ignoring calls for amendments to this law raised by TV and print media for some time regarding regulating electronic media, in particular, the work of online news portals. Secondly, the Government used the EU alignment process as a reason for opening and closing the public consultation process in a rushed manner, which, according to these media houses, casts a shadow over the entire process.⁵⁴ Thirdly, contrary to national experts and media associations' reactions,⁵⁵ the amendments introduced provisions regarding public financing of the work of the media and provisions regarding public campaigns in media,⁵⁶ which are a contested issue at the national level due to a deep-seated history

⁵³ Assembly of the Republic of North Macedonia (*Собрание на Република Северна Македонија*) Proposal for a Law amending and supplementing the Law on audio and audio-visual media services ([Предлог на закон за изменување и дополнување на Законот за аудио и аудиовизуелни медиумски услуги \(*\)](#), по скратена постапка) (19 May 2023 initiated, 18 July 2023 closed)

⁵⁴ Meta, The public discussion on the Law on audio and audio-visual media services marked by quarrels ([Во караници помина расправата за измените на Законот за аудио и аудиовизуелни медиумски услуги](#)) (06 April 2023),

⁵⁵ 24 vesti, Against experts' advice, the Government is not backing down from the proposed amendments of the Law on Med ([Владата не отстапува од предложените измени на законот за медиуми против кои се изјаснија експертите](#)) (14 July 2023),

⁵⁶ MRT, Amendments to the Law on Media ([Измени во Законот за медиуми](#)) (18 July 2023),

of governmental capturing and obstructing of media freedom by abusing the public funding.

Full reference: Закон за изменување и дополнување на законот за аудио и аудио-визуелни медиумски услуги [Law Amending and Supplementing the Law on Audio and Audio-visual Media Services], OG No.154/2023 (published in OJ – 20 July 2023; entry into force – 28 July 2023), available at (in Macedonian language only) <http://ldbis.pravda.gov.mk/PregledNaZakon.aspx?id=63685>

HIGHER CRIMINAL PENALTIES FOR CRIMES AGAINST JOURNALISTS AND OTHER MEDIA WORKERS

On 13 February 2023, the Parliament adopted the amendments to the Criminal Code, introducing, inter alia, higher penalties for crimes against journalists and other media workers. The amendments extended criminal persecution for crimes against journalists and media workers while performing their work and prescribing higher penalties for such crimes. Specifically, the amendments included the following points:

- Article 123 (point 8), Murder: For taking the life of a journalist or another media worker while on the job, a penalty of 10 years to life imprisonment.
- Article 139, paragraph 3 Coercion: For a journalist or another media worker, a penalty of six months to three years imprisonment. The attempt is also criminalised.
- Article 144, Endangering of Safety: For threats to the life or bodily integrity of a journalist or another media worker in relation to their work, a penalty of three months to three years imprisonment.

The effect of these amendments on the safety and conditions for work for journalists, media freedom, and democracy in the country in general has yet to be seen. While the amendments themselves are a positive development, providing visibility to the need for heightened protection of journalists, it is only through effective implementation that they can achieve a positive impact.

Full reference: Закон за изменување и дополнување на Кривичниот законик [Law Amending and Supplementing the Criminal Code], OG No.36/2023 (published in OJ– 17 February 2023; entry into force – 25 February 2023), available at (in Macedonian language only) <http://ldbis.pravda.gov.mk/PregledNaZakon.aspx?id=62139>

Table 3 – Case law**CASE No.1: Constitutional Court Decision Regarding the Constitutionality of the Law Amending the Law on Associations and Foundations**

Case law	
Deciding body (in original language)	Уставен суд на Република Северна Македонија
Deciding body (in English)	Constitutional Court of the Republic of North Macedonia
Case number (also European Case Law Identifier ECLI , where applicable)	U.br.22/2023
Parties	Request for assessing the constitutionality raised by Lawyer Zoran Stojanovski, Tetovo
Decision date	10 May 2023
Web link to the decision (if available)	https://ustavensud.mk/?p=24173
Which fundamental freedoms of (peaceful assembly, association and/or expression) were referred to in the case?	Freedom of association
Key facts of the case (max. 250 words)	Following a decision by the national equality body – the Commission for Prevention and Protection against Discrimination, where it found harassment in a case filed by one CSO against another CSO for using as its name the name of a well-known collaborator of the Bulgarian fascist regime forces during World War II, the Ministry of Justice proposed, and the Parliament adopted an amendment to the Law on Associations and Foundations (LAF). ⁵⁷ According to the amended Article 8, which regulates the name of a CSO: “First and last names, nicknames, pseudonyms, abbreviations or

⁵⁷ North Macedonia, Закон за изменување и дополнување на законот за здруженија и фондации (Law Amending and Supplementing the Law on Associations and Foundations) Official Gazette, No. 239/2022 (published 08.11.2022, enters into force 16.11.2022).

Case law	
	<p>initials of persons that on any grounds, in any way or form have been or are connected to racial, religious, national, ethnic or other intolerance, hatred, genocide, extermination, spreading or supporting, encouraging or approving fascism, Nazism, national-socialism and the Third Reich, cannot be used as a name, abbreviated name and/or title an organisation.” The amendments required that all organisations align with the amendments within three months.</p> <p>Lawyer Zoran Stojanovski (Tetovo) filed an initiative to the Constitutional Court for considering the constitutionality of the amendments. According to the lawyer, the law imposes unconstitutional restrictions on the freedom of association, which is a constitutional right, and applies retroactively creating a difference between new and old CSOs.</p>
<p>The key legal question raised by the Court</p>	<p>Do the amendments to the LAF unconstitutionally limit the freedom of association?</p>
<p>Result of the case in terms of factual outcome, and in terms of assessment of the legal question raised</p>	<p>The Court rejected the initiative for considering the constitutionality of the LAF amendments for two reasons. First, the amendments do not limit or revoke any aspect of the freedom of association. They regulate the way in which this right can be exercised, in line with the ECHR. Second, the amendments do not discriminate against new versus old CSOs. The requirement for a renewed registration is made exactly in order to prevent a difference in treatment.</p>