

KEY FINDINGS FROM THE SHADOW REPORT ON SECTOR WORKING GROUP ON JUSTICE

RELEVANT SECTOR POLICIES

Key strategic documents that provide a roadmap for reforms necessary in the justice sector include the [Strategy on Justice System Reform 2017-2022 and Action Plan](#). In December 2020, the Ministry of Justice published the second report on strategy implementation track record, according to which in 2019 and 2020, 114 from the total of 227 activities are fully implemented, 35 activities are underway, 15 activities are late, 44 activities are implemented in continuity, 13 activities have later dates of implementation, while 6 activities depend on previous adoption of relevant legislative changes.

In terms of strategy documents, 2020 marked the start of processes for development of several important documents, such as: National Strategy on Penitentiary System 2021-2025, Strategy for Development of Probation Service 2021-2025 and [National Strategy for Prevention of Corruption and Conflict of Interests 2021-2025](#).

Another exceptionally important activity whose implementation started in 2020 and continues in 2021 is the **digital transformation of the judiciary in North Macedonia**.

At its [66th session](#), Government of the Republic of North Macedonia adopted the communication on planned activities for digitalization of the judiciary by the end of 2021.

The digitalization plan contains activities to be implemented in several stages. It anticipates equipping more than 100 courtrooms at 34 courts across the country, as well as those at the Academy of Judges and Public Prosecutors and prison “Idrizovo”.

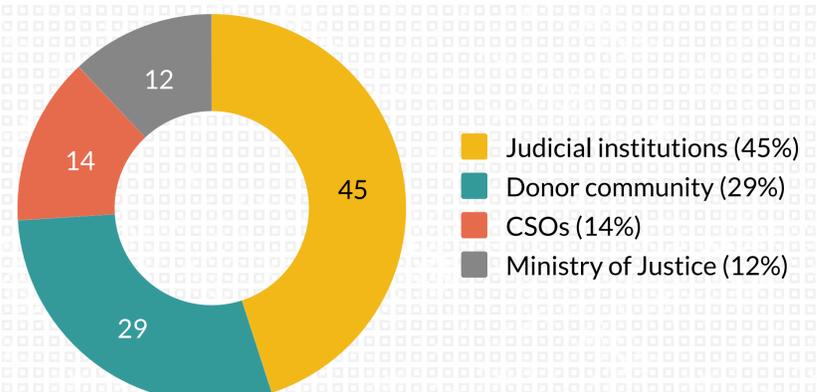
Among others, digitalization means introduction of online trials, anticipated to speed court proceedings, make them cheaper and significantly reduce possibilities for trial delays. At the same time, integrated state-of-art information technology should enable trials from distance, but also secure video recordings from court hearings.

The digitalization process of courts is directly, financially, technically and expertly assisted by OSCE, the United States, the European Commission and the Government of Norway.



SWG JUSTICE

- ◆ **FORMED:** 2015
- ◆ **NUMBER OF SWG MEMBERS:** 58, Ministry of Justice x 7 members, judicial institutions x 26 members, civil society organizations x 8 members, and donor community x 17 members
- ◆ **NUMBER OF MEETINGS HELD IN 2020:** two meetings, 25.06.2020 and 30.10.2020
- ◆ **SWG CHAIR:** Minister of Justice
- ◆ **SWG CO-CHAIR:** EU Delegation in the Republic of North Macedonia



SWG FUNCTIONALITY

- ◆ SWG uses the standard **rules of procedure**, which provide a detailed list of sector group members.
- ◆ The rules of procedure anticipate organization of at least one meeting per month, while **only two meetings are organized in 2020**.
- ◆ **Meeting invitations, agendas and materials** are **regularly** sent to all SWG members.
- ◆ Key documents from SWG work and minutes from SWG meetings **are not published on MoJ's website**.

CIVIL SOCIETY PARTICIPATION

- ◆ **8 civil society organizations** participate in SWG, with membership status.
- ◆ **Sufficient time** is allowed for civil society representatives to get involved by presenting opinions and recommendations at SWG meetings.
- ◆ However, SWG meetings focus on presentations by institutions and therefore **views of the civil society always take second place**.
- ◆ Both sides (institutions and CSOs) agree there is **productive communication** beyond SWG work.

CSO CAPACITY

- ◆ CSOs that participate in this sector group **regularly produce** press releases, analyses, research papers and policy documents in respect to sector policies.
- ◆ Role of civil society representatives in SWG is more **formal**, instead of providing essential contribution to its work.
- ◆ **Greater involvement of civil society participants** is needed in respect to consultation processes and creation of sector documents.
- ◆ In 2020, civil society representatives **did not organize organise consultations** with other CSOs on topics discussed within the sector group.

EFFECTS FROM SWG WORK

- ◆ Both SWG meetings in 2020 were dedicated to **action fishes, action documents and strategic responses to IPA 3**. Such approach and dynamics of SWG meetings seems insufficient and does not allow enough space to discuss sector-wide policies and strategies.
- ◆ **2 operational meetings** are organized, but civil society representatives that are SWG members were invited to attend only one such meeting.

WHAT NEEDS TO CHANGE:

- ◆ **Increase the dynamics of SWG meetings** in order to discuss new strategic and planning documents and to monitor results achieved under existing strategies and plans.
- ◆ **Amend the rules of procedure** in order to define the model for selection of civil society representatives, their role and mandate.
- ◆ Involve civil society representatives in **all stages of creating** documents that fall within SWG's scope of work.
- ◆ Create **annual plan** on SWG work in the first quarter of the year.
- ◆ Publish all necessary documents related to SWG work on **MoH's website**.