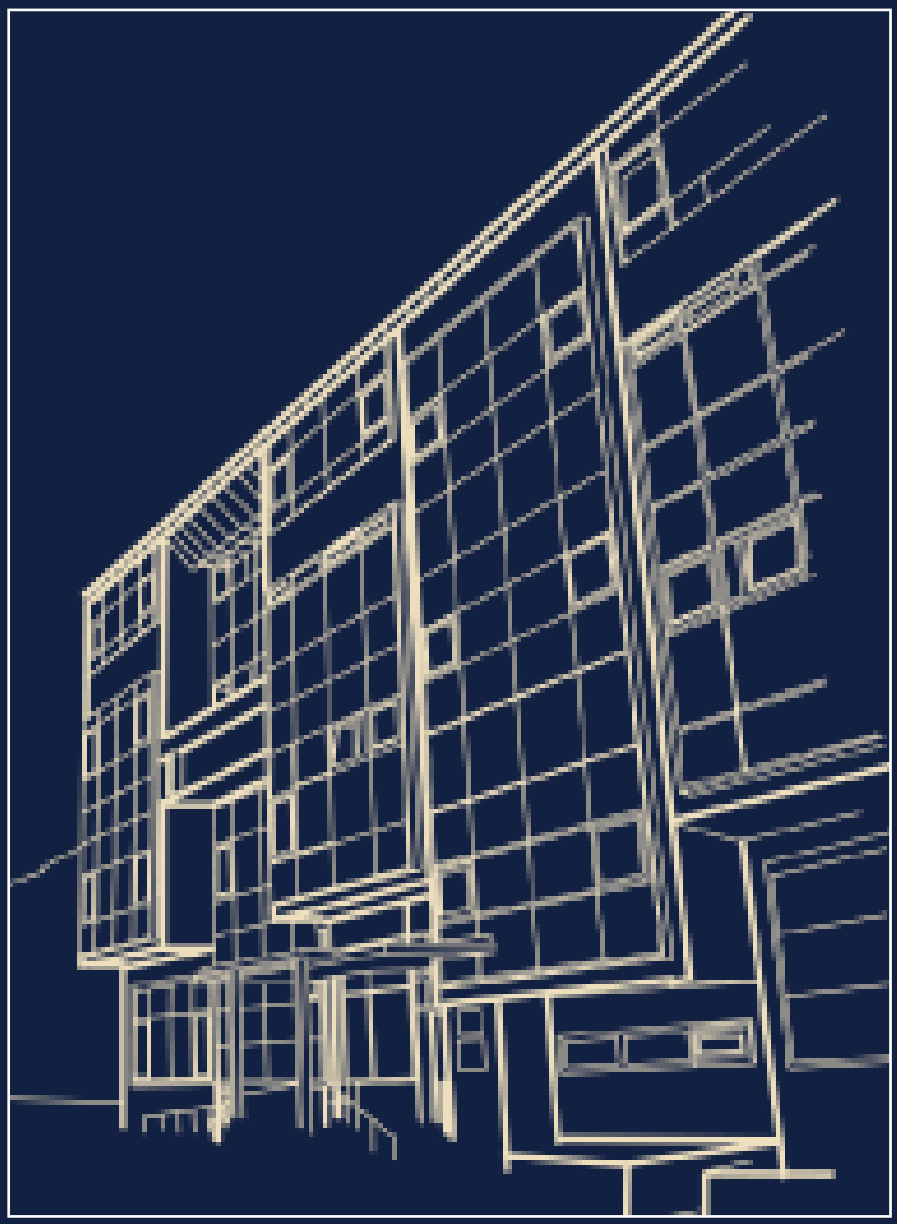
MONITORING REPORT ON

THE WORK OF THE JUDICIAL COUNCIL

for the period August – December 2025



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INTRODUCTION

August - December 2026

The Institute for Human Rights, through its presence at all open sessions, regularly monitors the work of the Judicial Council of RN Macedonia. The aim of this activity is, through objective monitoring of the work of the Judicial Council, to record the challenges and the progress in its functioning, as well as to contribute, with conclusions and evidence-based recommendations, to the improvement of the situation in the judiciary. This activity is carried out within the framework of the "Access to Justice for All – Annual Work Programme 2025", financed by the European Union under the IPA III Civil Society and Media Programme, 2022.

The monitoring report on the work of the Judicial Council of the Republic of North Macedonia (hereinafter: Judicial Council or JC) covers the **period August – December 2025.**

This report is structured into three main parts, addressing the **transparency**, **effectiveness**, **and efficiency of the Judicial Council**.



For the purposes of this report, the following sources of information were used: attendance at all open sessions of the Judicial Council, minutes and reports of the Judicial Council, publications and documents presented on the website of the Judicial Council, media publications, and the like.

TRANSPARENCY OF THE JUDICIAL COUNCIL

held 7 sessions

During the reporting period, the Judicial Council **held 7 sessions, including one urgent open session**. In most cases, information on the scheduling of sessions was published timely.

However, during this period a relatively reduced level of activity of the Judicial Council was observed, which is evident both from the decreased number of sessions and from the limited number of agenda items discussed at those sessions. Part of this situation is due to the pre-election period for the local elections, as the Judicial Council decided to "freeze" part of its activities. For a period of one month there were no sessions at all, even though there was an opportunity to carry out activities that were not related to the election, promotion, dismissal, or disciplinary proceedings concerning judges or presidents of courts.

During this period, the practice of providing **shorter and simplified notifications regarding the agenda items and the decisions adopted** has also continued. This practice, which

emerged in the recent period, should be overcome in the period ahead. **The Judicial Council should work on improving the manner of reporting on the items discussed at each session, with the aim of enhancing its active transparency**. This is particularly important because the minutes of the sessions are published only after they are formally adopted, which delays informing citizens and institutions about the decisions taken, despite the fact that the sessions are public.

The live broadcast via the JC YouTube channel continues, allowing any interested citizen to follow the work of the Council. However, searching the streaming content is not immediately available, which reduces the effectiveness of this method of reporting. Media, as well as journalists and representatives of non-governmental organizations, regularly attend the sessions, indicating increased interest in the work of the Judicial Council and its proceedings.

The Judicial Council complied with its legal obligation to publish the minutes. The minutes are detailed and include explanations of the discussions and decisions, but their publication is sometimes delayed due to the approval process. There are usually no remarks regarding the content of the minutes at the sessions where they are adopted. **However, during this reporting period, adoption was not timely, as the minutes were adopted with delays, which also resulted in delayed publication on the JC website.**



VOTING AND SOUND RECORDING SYSTEM

During the reporting period, no problems have been reported in the use of the new electronic system for sound recording and voting. The system allows for instant tracking of each JC member's decisions and votes, which significantly enhances both JC transparency and JC members' personal responsibility. It allows direct tracking of the decisions and the votes of each member, thus contributing significantly to building public trust.



PUBLIC SESSIONS OF THE JUDICIAL COUNCIL

As regards the dynamics of holding sessions, **one to two sessions were held at monthly level. Compared with the previous period, this represents a decrease in the number of sessions held monthly by the Judicial Council, and a lower level of activity can be observed.** Usually, one session per month is reserved for deciding on complaints from citizens and legal entities, which is also a legal requirement.

No meetings or collegiums prior to the start of sessions can be observed. This practice had already been abandoned in the previous period, and the sessions now start on time. In this reporting period, no urgent sessions were recorded, except one. However, during the public session **agenda items were added different from those published on the JC website, that should have been included in advance, given the importance of their content**.

In the future, it is essential that the institution fundamentally revise this practice and ensure timely, clear, and easily accessible notifications about public sessions.

The public sessions of the Judicial Council and the work of its members are extensive, with many agenda items, and **active participation of all members can be observed in the discussions**, **using the right of reply, presenting arguments and explanations concerning different interpretations of certain situations that had previously been discussed and of conclusions adopted, or clarifications of certain procedures that had not been sufficiently explained**. At times, more intensive discussions take place, giving the impression that members are trying to persuade each other with the most lawful arguments, especially when different positions arise on previously discussed situations that are not defined by law.



ANNUAL REPORTS ON THE WORK OF THE JUDICIAL COUNCIL

The Annual Report on the work of the Judicial Council for 2024 is still in parliamentary procedure.[1]



ATTENDANCE OF EX OFFICIO MEMBERS AT JUDICIAL COUNCIL SESSIONS

In this reporting period, **the Minister of Justice was not present at any JC session**, even though they, as well as the President of the Supreme Court of RNM, are *ex officio* members of the Judicial Council and may attend sessions, but do not have a voting right.

The SCRNM President occasionally attended sessions held during this period, contributing to certain discussions on specific agenda items.



ANALYSIS OF THE CONTENT OF THE JC PUBLICATIONS AND THE MEDIA STATEMENTS

Amid significant attacks from the executive branch, no major reactions from the Judicial Council could be observed. However, **due to the increased number of attacks during the local election campaign by the executive branch, the Judicial Council issued a public statement strongly opposing the use of the judiciary for day-to-day political campaigns** and called on "anyone with serious indications and evidence of criminal or corrupt behavior in the judiciary to immediately report it to the competent authorities, including the Judicial Council." [2]

Even **more significant and impactful, however, was the statement issued by the RNM Judicial Council, Supreme Court, and the Association of Judges, which was directly addressed to the Prime Minister - something that had not previously been characteristic of judiciary representatives in this manner of communication**. In their statement, they addressed the continuous criticisms directed at the judiciary without supporting arguments,

1 https://www.sobranie.mk/detali-na-materijal.nspx?param=fef83a5a-4085-4f7f-9947-e41b80a09bfd

2 http://sud.mk/wps/portal/ssrm/sud/vesti

which undermine the democratic principle based on the equality of the three branches of power: the judicial, legislative, and executive. [3]

During the reporting period, as can be seen from the Council's website, it can be observed that the new JC President – Aleksandar Kambovski – held meetings with representatives of international organizations. In his statements and interviews.

In his statements and interviews, **the President mainly focused on the challenges faced by the judiciary, namely the attacks from the executive and legislative authorities, the financial dependence, i.e. the lack of sufficient funds for the functioning of the judiciary**.

It can be concluded that, compared with the previous period, the transparency of the Judicial Council towards the public has improved. There is more information about activities related to visits and meetings, but nothing beyond routine work i.e,, nothing regarding initiatives aimed at improving the current state of the judiciary.

Furthermore, the current JC website is not user-friendly and does not offer easy access to documents and publications.

To increase visibility, the Judicial Council should provide timely, clear, and comprehensive notifications for public sessions, without adding agenda items late or unexpectedly. Proactive and clearer public communication is needed, especially in situations involving attacks on the judiciary, to strengthen public trust. Transparency should be enhanced not only by informing about ongoing activities but also by clearly presenting concrete measures and initiatives aimed at improving the state of the judiciary. It is also necessary to improve the JC website to make documents, decisions, and statements easier to search for and access.



OPENNESS TO THE PUBLIC AND THE MEDIA

During the reporting period, there has been a continued interest in the Judicial Council work on the part of the media, the non-governmental organizations, and the public. Although the sessions are broadcast live and the links are available after each session, the statements are brief and often do not provide sufficient information about the agenda items.

To improve the visibility of the Council's work, it is necessary to publish statements more frequently that cover JC daily activities and initiatives, with a particular focus on ensuring the independence of the judiciary and addressing current issues in the system..

3 http://sud.mk/wps/portal/ssrm/sud/vesti

EFFECTIVENESS AND EFFICIENCY OF THE JUDICIAL COUNCIL

IMPLEMENTATION OF THE EU EVALUATION MISSION RECOMMENDATIONS

The recommendations presented in the Report of the EU Evaluation Mission in 2023, which concerned the improvement of the situation in the Judicial Council and in the judiciary as a whole, were accepted by the Judicial Council in 2024 through the Action Plan for their implementation. During 2024, several acts were adopted which represented the application of specific recommendations for improving the Judicial Council's functioning, for which no legislative changes were required. These activities demonstrate the Judicial Council's clear commitment to timely and systematic monitoring and implementation of recommendations, particularly those directly applicable within the Council's work.

However, during the reporting period, aside from participation in working groups on amendments to several laws related to the judiciary, no significant activities could be observed toward implementing some of the recommendations of the Evaluation Mission, which were foreseen in the JC Action Plan, indicating a certain limitation in their practical application.

Based on the recommendations provided in the Evaluation Mission Report and in accordance with the Reform Agenda, **the Law on the Judicial Council of RNM was adopted in December 2025 after lengthy preparation and significant delays**. During the preparation of the amendments to the law, although two members of the Judicial Council were part of the working group, the proposed amendments were not discussed at all during the Council's sessions.

The adoption of this law improves existing provisions to address identified weaknesses, clarifies legal gaps, and incorporates the recommendations of the European Commission's Evaluation Mission and the Venice Commission**.**

In November 2025, **the Judicial Council presented the Draft Program and Action Plan for Preventing and Monitoring Corruption in the Judiciary for the period 2026 – 2029**. This document represents a significant step toward improving the judicial system and is directly linked to the country's European integration process. It was prepared with support from the Anti-Corruption Fund at the French Development Agency and in cooperation with the Macedonian State Commission for the Prevention of Corruption.

The Program and Action Plan focus on preventing corrupt practices both outside and within the judiciary, with the ultimate goal of consolidating judicial independence, ensuring merit-based management, increasing accountability, and restoring public trust in the justice system. The new Program will enable stronger judicial governance, improve the accountability and transparency of the Judicial Council, and incorporate integrity and anti-corruption practices into the daily functioning of judicial institutions. As part of the preparation of the Action Plan, roundtable discussions were organized in the field, in the areas of the Appellate Courts in Skopje, Bitola, Gostivar, and Shtip, where the draft of the new Program and Action Plan was presented to judges and court staff. These meetings

enabled direct dialogue and exchange of opinions, promoting an inclusive approach to creating the strategy for combating corruption in the judiciary.

With the adoption of the Program and Action Plan for Preventing and Monitoring Corruption in the Judiciary 2026 - 2029 in December, the Judicial Council fulfilled its obligation as a responsible institution in accordance with the EU Reform Agenda for North Macedonia 2024 - 2027 to achieve this milestone in the area of Rule of Law, sub-area Independence, Quality, and Integrity of the Judiciary, with a deadline for adoption in December 2025.

The amendments adopted to several documents in 2024 were intended to improve the substantive transparency of the Judicial Council, thereby enhancing its effective functioning and strengthening trust not only among citizens but also among judges. Nevertheless, the Council did not fully succeed in consistently applying these documents and practices.

In February 2024, the Judicial Council considered the issue of how it should proceed following the adoption of the Assembly of RSM's decision to call local elections. Specifically, according to the recommendation of the State Commission for the Prevention of Corruption (SCPC), for consistent application of Article 8-a of the Electoral Code which stipulates that "no procedure for hiring new employees or terminating employment in state and public institutions may be initiated, and ongoing procedures are to be put on hold, except in cases of urgent and unavoidable matters" - the members, as they had for parliamentary elections, discussed how to act in relation to this recommendation, i.e., what it should mean for the regular activities of the Judicial Council. Some members were categorical that there was no reason to reinterpret this article of the Electoral Code and the SCPC recommendation, as it is clear and must be respected; all Judicial Council activities related to the appointment and dismissal of judges or court presidents during the election period should be halted. On the other hand, some members disagreed with fully applying this article, arguing that this restriction does not apply to the judiciary, which is one of the three branches of government, independent of the other two, and the same rules cannot apply to the judiciary because the Judicial Council does not hire or dismiss judges or court presidents. These are procedures that take a long time, as well as announcements that were published long before the Assembly's decision. The same applies to dismissal procedures.

The Judicial Council adopted a "Conclusion stating that the conclusions of the Judicial Council of the Republic of North Macedonia regarding the procedures for the election of court presidents/judges and the procedures for determining the responsibility of court presidents/judges during the presidential and parliamentary elections in 2024 shall remain in effect during the conduct of local elections in 2025, from the day the decision to call the elections is adopted until the completion of the elections for the election of mayors or council members." [4]

4 Announcement from the 528 session of the Judicial Council of RNM held on 11 September, 2025.



ELECTION OF JUDGES AND COURT PRESIDENTS

During this period, **only one acting president of the Administrative Court was appointed**, while at the November session the **terms of 13 judges from various courts**, including the Supreme Court, the Basic Civil Court of Skopje, the Basic Criminal Court of Skopje, and courts in Veles, Debar, Kriva Palanka, Shtip, and Struga, **were extended**.

With the amendments to the Labor Relations Law, which allow the extension of employment at ages 62 or 64, the Judicial Council enabled the continuation of judicial functions to reduce staffing shortages in the basic and appellate courts.

With the amendments to the Law on Labor Relations, which allow the extension of employment after ages 62 or 64, the Judicial Council enabled the continuation of judicial functions to address staffing shortages in the basic and appellate courts.

A concerning fact is that there continues to be a trend in smaller courts where there are no interested candidates for court president positions.



ELECTION OF A JC MEMBER FROM THE RANKS OF JUDGES

The Judicial Council initiated, within the legally prescribed deadline, the procedure for electing a Council member from among judges belonging to a community that constitutes more than 20% of the population in RSM, to replace Hanif Zendeli, a judge at the Appellate Court in Gostivar, whose mandate expires at the beginning of February 2026. While awaiting the adoption of a new law on the Judicial Council, which provides for new conditions for the election of its members, it was nevertheless decided to respect the legal deadline for publishing the call and to conduct the election procedure according to the current law, because by the end of 2025 the mandates of two more Council members will also expire. Specifically, the mandate of member Selim Ademi expired at the beginning of December, while Vesna Dameva's mandate will expire at the end of December 2025, bringing the total number of members to 10, considering that Milazim Mustafa's mandate also ended in July 2025. Since all three members are elected from among prominent legal professionals and appointed by the Assembly, announcements regarding their election from the Macedonian President and the Macedonian Assembly indicated that the new law on the Judicial Council would be awaited before selecting these members.



DISMISSAL OF JUDGES AND COURT PRESIDENTS

By December 2025, the Judicial Council had lawfully dismissed one judge, and the decision to dismiss Judge Enver Bexheti was published by the Judicial Council on its website and in the "Official Gazette of RNM," no. 197/25, dated 24 September.2025.

During the period from 1 August 2025 to 11 December 2025[5], the Judicial Council handled 40 requests to initiate procedures for determining accountability. Of these, it decided to suspend the procedure in 3 cases, while in 37 cases it issued a decision to dismiss the request as untimely, incomplete, or manifestly unfounded under Article 63, paragraph 4 of the Law on the Judicial Council of RNM.

MONITORING THE WORK OF THE COURTS

The Judicial Council monitors the work of the courts through the review and evaluation of quarterly and annual reports, as well as through visits to the courts by commissions composed of members of the Judicial Council. However, for 2025, this was not foreseen in an internal plan for monitoring and evaluating the work of courts, judges, and court presidents, as had been the case in previous years.

The quarterly reports indicate that **the trend of delayed court performance continues, primarily due to an insufficient number of judges, limited administrative capacity, and an increased number of cases**..

DECISIONS ON PETITIONS FROM CITIZENS AND LEGAL ENTITIES

The petitions of citizens and legal entities submitted to the Judicial Council, concerning the work of judges and court presidents, are regularly reviewed and resolved within the legal deadlines.

In the second half of 2025, around 110 petitions submitted by citizens and legal entities were reviewed.

The majority of petitions are dismissed as unfounded, as citizens and legal entities often use them to seek a change to a court decision with which they are dissatisfied. In most cases, the Judicial Council determines that the matter can be addressed through an appeal to the appellate court, which will consider the claims in the petition as part of its decision-making process. Since the Judicial Council does not have the authority to intervene in or alter court decisions, it generally finds no grounds to act on the submitted petitions.

Petitions are also rejected where no new facts are presented compared to previous submissions, where the petition has already been reviewed at an earlier session, or because the petition does not contain all the necessary information required for consideration.

Petitions that the members of the Judicial Council determine to be founded contain sufficient evidence from which indications of negligent or unprofessional work by a judge can be established during examination. Particularly significant are petitions in which a judge has exceeded deadlines for proceedings, for delivering a decision, or for drafting the decision - all of which are confirmed by the members of the Judicial Council. Such behavior falls under the evaluation criteria for judges, in line with the methodology for their assessment. After

5 JCRNM Decision no. 11-2471/2025 dated 17 December 2025, on prior request for access to public information

a full review of petitions with indications of being substantiated, members of the Judicial Council may initiate accountability proceedings against the judge or court president. In cases where the grounds presented are insufficient to initiate such proceedings, the substantiated petitions are included in the judge or court president's evaluation. After the complete examination of the petitions for which there are indications that they are well-founded, the members of the Judicial Council may also initiate a procedure to determine disciplinary or professional responsibility of the judge/president of the court."

The analysis of decisions on petitions indicates inconsistent and arbitrary handling of cases, where substantially identical or very similar matters receive different decisions, and previously established positions are changed without proper justification. This seriously undermines legal certainty and public trust in the Judicial Council.

During this period, inconsistencies can be observed in the handling of petitions with regard to their substantiation. Sometimes, very similar petitions are decided differently, with earlier positions being changed without explanation.

CONCLUSSIONS



During the period under review, no significant improvement was observed in the overall transparency of the Judicial Council of the Republic of North Macedonia, in accordance with the Action Plan and Communication Strategy adopted by the Council. Although continuity was noted in the regular implementation of certain activities, such as handling petitions from citizens and legal entities, the appointment of judges in basic courts, carrying out working visits to courts, the regular evaluation of judges, and the Council's oversight role through visits and quarterly reports, weaknesses were nonetheless identified that limit the effective and consistent functioning of the institution.



Several critical issues remain unresolved, particularly regarding the effectiveness and efficiency of the Judicial Council's work, as well as its reputation and the level of trust among judges and the public. Specifically, inconsistent conduct by Judicial Council members has been observed in the consistent application of adopted conclusions and established practices, sometimes resulting in different decisions for similar petitions and situations. This points to weaknesses in institutional discipline and insufficient strategic orientation toward accountability,



Although quarterly and annual reports on the work of the courts, as well as reports from court visits, are presented at public sessions, where it is noted that courts are delayed, understaffed, and overloaded with cases, the conclusions adopted by the Judicial Council are rarely implemented systematically, which reduces the effectiveness of the Judicial Council's oversight of the courts.



It is encouraging that, during the period, a greater number of petitions from citizens were deemed well-founded, enabling the Council to use them to identify potential cases of negligent or unprofessional conduct by judges. However, it is essential to consistently apply established practices when addressing identical or similar findings in petitions to ensure a fair and predictable process. Moreover, the increased number of well-founded petitions is not integrated into the system for evaluating and promoting judges, which limits their practical impact.



The lack of candidates for vacancies in the smaller courts, which has persisted for a longer period, affects the work of these courts and represents an issue that should be taken into account when adopting strategic documents and legislative amendments.



Trust in the Judicial Council remains at a relatively low level, especially among the judges, which in turn affects public perception. Increasing trust is a critical prerequisite for the effective functioning of the Judicial Council and for supporting the overall judicial system.

RECOMMENDATIONS

Based on the monitoring of the open sessions, the reports on the Judicial Council, the publications and documents published on the JC website, and the media coverage, the following recommendations can be made:

Full implementation of the new Law on the Judicial Council

The **Judicial Council** must consistently respect and apply all provisions of the new Law on the Judicial Council, as well as documents resulting from the recommendations of the Assessment Mission, without delay or selective interpretation, particularly in processes related to the appointment, promotion, and evaluation of judges.

Development of a database of well-founded petitions

A database should be established for petitions recognized as well-founded, ensuring that they influence the further advancement of judges. For identical or similar petitions, a unified procedure and decision should be applied, which does not depend on individual judges or rapporteurs.

Implementation of the anti-corruption strategy

The new strategy and action plan for combating corruption should be implemented without delay, with the goal of restoring citizens' trust in the judiciary and enhancing the integrity of the institution.

Increasing public trust in the judiciary

The Council should actively contribute to strengthening public trust in the judiciary through proactive measures and transparent reporting, as well as undertaking concrete actions to reduce the perception of corruption in the judicial system.

Consistent compliance with internal acts and standards

The Judicial Council must ensure that all legal and sub-legal acts are consistently applied in its operations. When appointing or promoting judges, as well as evaluating their professional performance, established procedures and criteria must be followed.

Increased communication with the public

It is necessary to increase communication with the public through regular announcements, which will serve as a positive example of cooperation between institutions within the judiciary and will contribute to greater awareness and trust in the work of the Judicial Council of the Republic of North Macedonia (JCRNM).

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