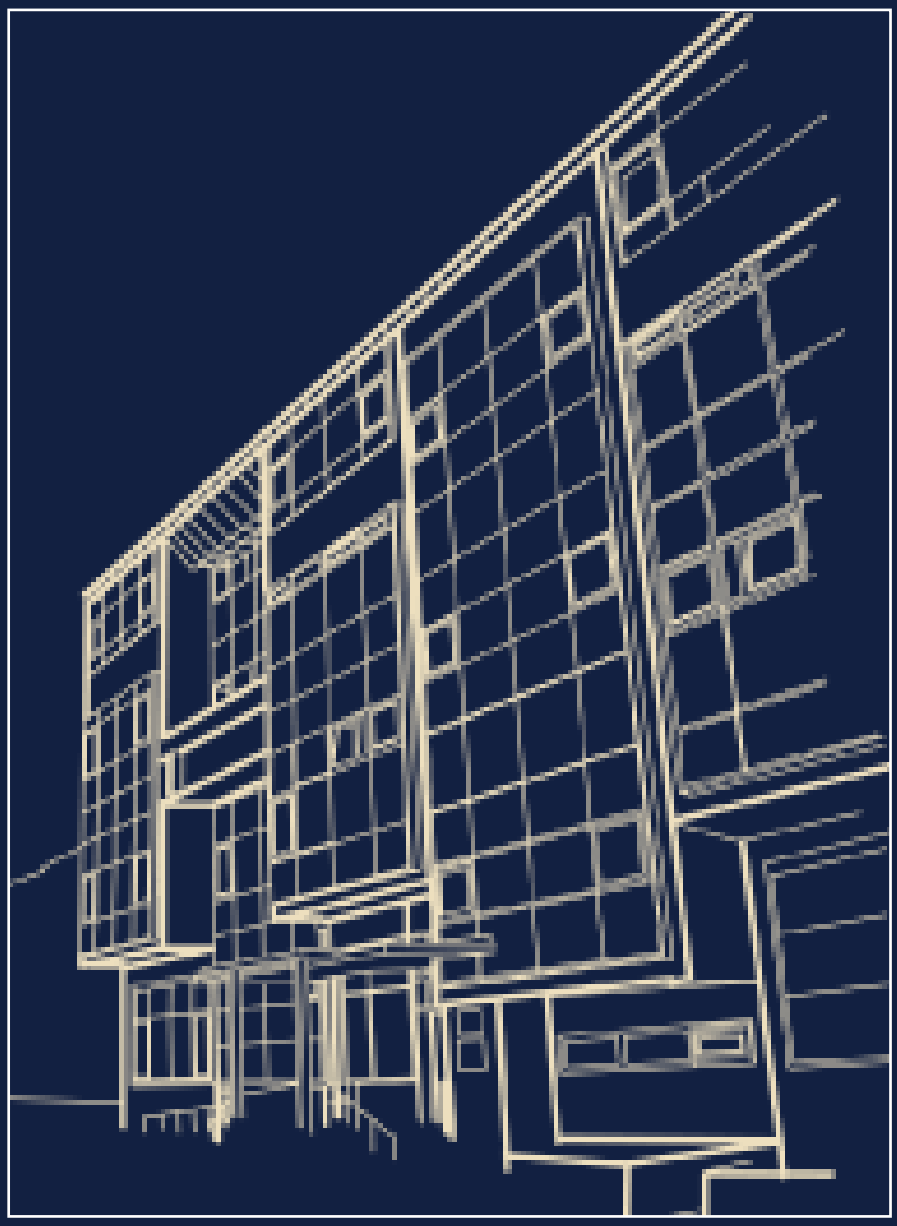
MONITORING REPORT ON

THE WORK OF THE JUDICIAL COUNCIL

for the period January – July 2025



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INTRODUCTION

January - July 2025

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 January - July 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

17 sessions held

During the reporting period, the Judicial Council **held 17 sessions, including one urgent closed session** to review and decide on a submitted request for the exclusion of a member of the Judicial Council of the Republic of North Macedonia in connection with a judge's accountability request. In most cases, information on the scheduling of sessions was published timely.

Following each session, the Judicial Council published press releases on the adopted decisions and conclusions. **Recently, however, these notifications have become shorter and less detailed, both regarding the items discussed at each session** and the decisions adopted. This practice should be revised. **In the forthcoming period, the Judicial Council should work on improving the reporting on agenda items discussed and decisions adopted, in order to strengthen transparency even though the sessions themselves are open. This is particularly important because the minutes of the sessions are not published immediately.**

They are published only after they are adopted at a subsequent session and made available on the website to inform the public of the Judicial Council's decisions.

The live broadcast of the sessions by the Macedonian Information Agency continues. This practice was introduced in May 2023, but other media outlets are often present as well, along with journalists and representatives of civil society organisations who report on the sessions. In this period, an increased interest can also be noted, both in the sessions and in the work of the Judicial Council.

The Judicial Council complied with its legal obligation to publish the minutes. **During the reporting period, the minutes were detailed and were published after their adoption. However, adoption was not timely; as the minutes were adopted with delays this resulted in delayed publication on the JC website.** At the sessions where the minutes were adopted, no additional remarks were made on their content. Therefore, the earlier concern that the minutes lacked consistency and often drew comments from members can be considered resolved.



VOTING AND SOUND RECORDING SYSTEM

Since the introduction of **the new electronic system for sound recording and voting** in December 2024, the public has been able to immediately see on the monitor how each JC member voted**. To present, no problems have been reported in the use of this system**, which leads to a conclusion that the transparency and the individual accountability of JC members has improved.



PUBLIC SESSIONS OF THE JUDICIAL COUNCIL

As regards the dynamics of holding sessions **at monthly level, one to two sessions were held. Compared with the previous period, this represents a decrease in the number of sessions held by the Judicial Council on a monthly basis**, **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, **agenda items were added that should have been included in advance, given the importance of their content**. When it comes to decisions that the Judicial Council had to adopt by vote, such items were listed under "miscellaneous" in the published agenda, but at the session they were reclassified as regular items. For example, at the session of 3 July 2025, under the item "Acting Presidents", several reports were simultaneously adopted and several decisions were made, which did not correspond with the title of the given agenda item and thus created confusion for the public.

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, leaving the impression that the members are persuading one another whose argumentation is more lawful, especially when there are different positions 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 was adopted on 30 April 2025 and submitted to the Assembly of the Republic of North Macedonia, but it is still in parliamentary procedure.[1] Despite the amendments to the JC Rules of Procedure *providing for the inclusion of the Association of Judges of RNM and civil society organisations*, **they were not invited at the session where the Annual Report was discussed, nor was the JC Annual Report previously delivered to the civil society organisations and the Association of Judges of RNM, which meant that this provision of the Rules of Procedure was not fulfilled**.



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.

Because of the announced vacancy for the election of the President of the Supreme Court of RNM and the completion of the term of office in March 2025, **the President of the Supreme Court did not attend the sessions held during this reporting period. After the election of the Acting President, their attendance at the sessions was also noted to be lower**.



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

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 organisations and domestic institutions from the judicial sector, with civil society organisations, and a meeting with representatives of the Blueprint Group, while also increasing media presence by giving statements and interviews in television programmes.

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

In the statements and interviews[2], **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, the non-extension of contracts for the employment** of a large number of court recorders and other staff in the courts of RNM, the lack of funds for the ninth generation of candidates for judges at the Academy for Judges and Public Prosecutors (AJPP), and the like.

In addition to the publications, i.e., the press releases on the holding of sessions and notifications of adopted decisions at the sessions, announcements can also be noted informing citizens about scheduled interviews with candidates for court presidents, as well as notifications on the swearing-in of elected judges and court presidents.

It can be concluded that, compared with the previous period, the transparency of the Judicial Council towards the public has not improved. The information shared remains limited to the Council's immediate competences, without providing sufficient detail on the other activities undertaken by the President or JC members to promote greater openness to citizens. **Furthermore, the current JC website is not user-friendly and does not offer easy access to documents and publications.**

To summarise: in order to enhance the visibility of the Judicial Council's work in exercising its competences, it is necessary to publish more frequent announcements of its daily activities related to its primary goal - ensuring judicial independence - as well as information on current challenges and the measures undertaken by the Council to address them.



OPENNESS TO THE PUBLIC AND THE MEDIA

In the reporting period, a continuous interest in the work of the Judicial Council can be observed, not only from the media, but also from civil society organisations and the general public. The press releases, unlike in the previous period, are not sufficiently comprehensive and need to contain more information about the items on the agenda. It can be noted, however, that documents adopted at the sessions are published.

As before, JC sessions are broadcasted live by the Macedonian Information Agency (MIA), which enables every interested citizen to follow the work of the Judicial Council. In addition, the link to each session is available in the press release / notification published after each session.

In February 2025[3], a group of MPs submitted an interpellation regarding the work of certain members of the Judicial Council of the Republic of North Macedonia, as holders of public office, in accordance with Article 47 of the Rules of Procedure of the Assembly of the Republic of North Macedonia. The interpellation was submitted against five JC members elected by the Macedonian Assembly, due to inconsistent performance of competences, particularly due to neglect, i.e., undermining the reputation of judges and jeop-

2 For more on the interviews given by the JC President, see:, the financial (in)dependence of the Judicial Council of RNM; the Judicial Council will be guided by integrity and impartiality in protecting judicial independence; all cases involving suspected misconduct by judges will be examined; the judiciary was not up to date in the first quarter.

3 *https://www.sobranie.mk/detali-na-materijal.nspx?param=85de8627-1329-40e0-8e76-df88e52a8ce2*

ardising and diminishing public trust in the judiciary, and thus in the entire justice system. Following a large number of public reactions, especially from legal experts and civil society organisations who pointed out the harmful consequences of such pressure exerted by the executive and legislative authorities on the judiciary, **in March 2025[4], MPs voted on the interpellations for these five JC members.** Any initiation of procedures for accountability or dismissal of JC members, if not supported by appropriate facts and evidence, casts doubt on pressures and influences on the judiciary, particularly if they come from the executive and/or legislative authorities, in a manner that further undermines confidence in the judiciary and, consequently, in the entire rule of law in the country.

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. The adoption of these acts indicates that there was a will for timely and complete implementation of the recommendations of the EU Evaluation Mission, especially those concerning JC work that were immediately applicable, without the need for legislative or constitutional amendments.

A positive practice that emerged from the recommendations of the Evaluation Mission, and was accepted by the Judicial Council, was that JC members provided explanations not only when electing a judge or court president, but also when not electing a particular candidate. More precisely, JC members stated why they had not voted for a certain candidate who was next on the ranking list. **However, this practice was not applied in all cases**.

Departures from the established practice were also noted in relation to the drafting of JC decisions, which had been one of the recommendations of the Evaluation Mission, accepted by the Judicial Council and applied for a certain period. Namely, after the recommendation of the Evaluation Mission, JC decisions were drafted in greater detail, with better reasoning and comparability, providing more information on the procedure for the selection of judges/court presidents. However, in the most recent elections, deviations were observed regarding the content of the decisions on the election of judges / court presidents[5].

In this reporting period, apart from participation in the working group for drafting the amendments to the Law on the Judicial Council, no other activities were observed in terms

4 *https://www.sobranie.mk/detali-na-sednica.nspx?sittingId=a12327be-4550-4161-9bd9-fa6b3b48ee07*

5 *http://sud.mk/wps/wcm/connect/ssrm/035d4158-b5ff-4973-93a7-acb660396bac/Y2025-SDN-%28GD%291434.pdf?MOD=AJPERES&CVID=*
http://sud.mk/wps/wcm/connect/ssrm/d5fa1efd-99ed-4e22-ac8b-50ce889c831e/Y2025-SDN-%28GD%290207.pdf?MOD=AJPERES&CVID=

of implementing certain recommendations of the Evaluation Mission envisaged in the Action Plan adopted by the Judicial Council. For example, in implementing one of the recommendations, the amendments to the Rules of Procedure provide for the inclusion of the Association of Judges of RNM and civil society organisations in the discussion and adoption of the Annual Report on the work of the Judicial Council, but this amendment was not respected during the discussion of the Annual Report, and neither the Association of Judges nor civil society organisations were included.

As observed from the public sessions, **the amended Rulebook on the Method of Ranking Candidates for Election of Judges to Higher Courts was applied more practically. The amendments further specified the evaluation criteria for selecting judges to higher courts and were used during the extraordinary evaluation of judges who applied in competitions for such elections.**

To summarise: 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.



ELECTION OF THE JUDICIAL COUNCIL PRESIDENT

At its session held on 3 January 2025, the Judicial Council of the Republic of North Macedonia **elected a new President, Mr. Aleksandar Kambovski**, following the resignation of the previous President, Vesna Dameva. During this period, a **new Vice-President of the Judicial Council was also elected** — **Judge Ariton Ala** — as the mandate of the previous Vice-President expired.



ELECTION OF JUDGES AND COURT PRESIDENTS

Since the beginning of 2025, the Judicial Council has elected a large number of judges at all levels — in the basic courts, appellate courts, and in the Supreme Court of RNM. In January, four judges were elected to the Bitola Court of Appeal; in April, three judges to the Supreme Court of RNM; and in May, ten judges to the Skopje Court of Appeal.

During the election of judges to the Bitola Court of Appeal, for the first time, JC members provided explanations as to why they did not respect the ranking list, i.e., why they did not elect the highest-ranked candidate but instead elected a candidate judge who had fewer points than the previous one. In this election, the members decided to provide their explanation, thereby for the first time complying with the recommendation of the Evaluation Mission to provide reasons also for the non-election of a judge.

Up to now, at the sessions, the points obtained by each candidate were reported individually. Based on the points from the entire evaluation procedure, a ranking list was drawn

up, and voting proceeded starting with the candidate ranked first on the list with the highest number of points. In accordance with the Law, a candidate was considered elected if he or she received 8 votes from the voting members of the Judicial Council. Once the required number of candidates sought in the announcement had been elected, the voting was stopped, and the remaining candidates on the list were not voted on, nor was the entire ranking list exhausted. Due to legal provisions, this practice existed within the Judicial Council, raising the question of whether a candidate lower on the ranking list might receive the same - or even a higher - number of votes than a candidate already voted on by JC members. However, public criticism, recommendations from the Evaluation Mission, and amendments to the JC Rules of Procedure led to a change in this practice during the election of judges to the Bitola Court of Appeal.

The largest election of judges took place in the first instance courts from the eighth generation of candidates of the Academy for Judges and Public Prosecutors (AJPP) in March and April this year. In line with the earlier decision on the number of candidates needed for the first instance courts, the Judicial Council announced a call for the election of judges in a larger number of courts across the country. Following the procedure, and in accordance with the Rulebook on the Method of Ranking Candidates from the AJPP, **in March 2025 the Judicial Council elected a total of 48 judges** to the following courts: First Instance Court Bitola, First Instance Court Gostivar, First Instance Court Delchevo, First Instance Court Veles, First Instance Court Gevgelija, First Instance Court Kichevo, First Instance Court Kavadartsi, First Instance Court Kochani, First Instance Court Kriva Palanka, First Instance Court Kumanovo, First Instance Court Ohrid, First Instance Court Strumitsa, First Instance Court Prilep, First Instance Court Sveti Nikole, First Instance Court Struga, First Instance Court Tetovo, First Instance Court Shtip, the Skopje First Instance Civil Court, and the Skopje First Instance Criminal Court.

The election of these judges, despite the clearly prescribed procedure in the Law on the Judicial Council and the Rulebook on the Election of Judges in the First Instance Courts, was accompanied by some doubt because the usual practice of the Judicial Council in electing judges was not fully observed. Specifically, the chair of the commission responsible for conducting the interviews and preparing the ranking list did not follow the established practice of first reading out the ranking list of all registered candidates for the First Instance Civil and First Instance Criminal Courts, where several candidates were competing for the posts. **Instead of presenting the full ranking list, the chair read only six candidates for the two courts, and the members voted on them without knowing in advance who else had applied and how many points each candidate had received**. This raised doubts about the election of judges to the Skopje First Instance Civil Court and the Skopje First Instance Criminal Court. The concern was that judges should have been elected according to the ranking list, or, alternatively, an explanation should have been provided as to why a candidate next on the list was not elected.

For the other first instance courts, since the number of candidates did not exceed the announced vacancies, this shortcoming did not occur; that is, for each vacancy there were as many candidates as required in the announcement. However**, in some first instance courts there have long been no interested candidates from the AJPP, leaving these posts vacant despite steps taken by the Judicial Council, which have clearly remained insufficient to fill the vacant judicial positions in certain courts**.

Following the election of 48 judges to the first instance courts, thereby implementing the planned allocation of candidates from the eighth generation of the AJPP, and due to the

strong interest in judicial positions from this generation, the Judicial Council announced another call for the election of judges in the first instance courts, even though the remaining candidates were originally expected to be elected as public prosecutors. However, as insufficient candidates from the eighth generation applied for the public prosecutor posts, the Judicial Council interpreted this as an indication of their greater interest in becoming judges. Consequently, **in April, a further 19 judges were elected in first instance courts across the country**.

In May 2025, **the Judicial Council elected Afrim Fidani as President of the Supreme Court of RNM, based on a previously announced vacancy to which judges Besa Ademi and Afrim Fidani had applied**. Since candidates for President of the Supreme Court of RNM are not evaluated, the ranking list was prepared in alphabetical order. Each member of the Judicial Council expressed a position on each of the candidates, with the majority stating that the then-President, Besa Ademi, had had the opportunity to make substantive changes in improving the situation in the judiciary, and especially in cooperation with the Judicial Council, but such changes had not been realized in practice. Regarding the other candidate, Afrim Fidani, the majority of members stated that they were not familiar with his work as a judge in the Supreme Court of RNM. During the voting, two members of the Judicial Council voted positively for both candidates, which is unusual, especially when electing the President of the highest court in the country and when there are only two candidates.

In May, the Judicial Council elected 10 judges to the Skopje Court of Appeal, six in the civil division and four in the criminal division. The members of the Judicial Council only adopted the ranking lists, without reading out the candidates, their short biographies, or their evaluations. In the promotion of judges in the criminal division, the ranking list was respected, and judges were elected accordingly. **In the civil division, five judges were elected in line with the previously adopted ranking list. At that point, one member of the Judicial Council requested that Article 43 of the Law on Courts, on equitable representation, be applied, so that the last judge elected would be a candidate from the communities**. A discussion ensued among the members, and as a result, the sixth judge chosen was candidate number 14 on the list, even though other four candidates ranking higher also met the requirements for promotion and could have been elected as a civil judge in the Skopje Court of Appeal.

During this reporting period, **several presidents and acting presidents of courts were also elected**. At the session held in July, the **Judicial Council again departed from previously established practice in proposing a candidate for acting president**. Although no detailed criteria have been defined for proposing and electing acting court presidents, the Judicial Council had previously applied several approaches in nominating candidates. However, at this session, a precedent was set in the nomination of the acting president of the Skopje First Instance Criminal Court. Several acting presidents of first instance courts were elected due to the expiration or termination of the mandates of previous presidents, but there was no consistency in the method and procedure for electing the new acting presidents. Specifically, different criteria and procedures were applied for different candidates, raising doubts about the independence and credibility of the Judicial Council. According to the established practice of the Judicial Council, when proposing a judge for acting president, the reason for the proposal is indicated, since the legal framework does not stipulate detailed criteria for appointing an acting president, apart from the provision in the Law on Courts[6], which states: "*In the event of dismissal or termination of the mandate of a court president, until the election of a new president, the Judicial Council of the Republic of Macedonia shall appoint,*

6 Article 89 of the Law on the Courts ("Official Gazette of RM" no.58/06)

from among the judges of the court, an acting president who, in the last year, has been assessed with the highest positive evaluation and, in relation to the other judges, has received the highest number of points."

Until now, in electing acting presidents, the same president was usually proposed to continue serving in that capacity until a new president was elected, provided that the conditions allowed for this, as was the case in the elections of acting presidents of the Gostivar and Debar courts. In other cases, acting presidents were proposed from among judges with the longest tenure or the highest evaluation score received at the last assessment.

However, in the present case of the Skopje First Instance Criminal Court, the proposal for acting president is disputed, since in 2025 an evaluation of judges from this court had already been conducted within the framework of their candidacies for judges in the Skopje Court of Appeal. This means that, at the time of electing the acting president, there were judges who had been assessed "*in the last year*" as required by the Law on Courts. Nevertheless, it was not indicated whether the proposed and elected candidate for acting president had received the highest number of points compared to the other judges, in accordance with the requirements of the Law on Courts. This calls into question the transparency and legality of the process and raises suspicions of bias and influence in the decisions of the Judicial Council.

In summary: A legislative amendment is undoubtedly needed to harmonize the procedure for proposing candidates for acting presidents, both to ensure predictability for candidates and to avoid the impression that the criteria for acting president are being manipulated. It is recommended that the Judicial Council adhere to its own conclusions and established practice, regardless of which members are on the commission responsible for selecting and ranking candidates for the election or promotion of judges.

During this reporting period, the **Judicial Council elected six new acting presidents to**: the Supreme Court, the First Instance Court Ohrid, the First Instance Court Debar, the First Instance Court Sveti Nikole, the First Instance Court Gostivar, and the Skopje First Instance Criminal Court. **Ten new court presidents were also elected to**: the First Instance Court Kratovo, the Gostivar Court of Appeal, the Supreme Court, the Bitola Court of Appeal, the First Instance Court Gevgelija, the First Instance Court Kochani, the First Instance Court Kavadartsi, the First Instance Court Strumitsa, the First Instance Court Ohrid, and the First Instance Court Krushevo.

It is concerning that the trend where smaller courts have no candidates interested in court president positions continues.

With the amendments to the Law on Labor Relations, which allow judges to continue their employment after the age of 62, up to 64, a large number of judges have requested an extension of their service from the Judicial Council, which will help mitigate the shortage of judges in the first instance and appellate courts across the country.

DISMISSAL OF JUDGES AND COURT PRESIDENTS

By June 2025, the Judicial Council had noted the termination of judicial office due to retirement of five (5) judges, as well as the termination of office of one (1) judge due to passing.

In the first half of 2025, the Judicial Council adopted ten (10) decisions to suspend proceedings for judicial or court president accountability; two (2) decisions imposing a disciplinary measure — a reduction of salary in the amount of 15% of the monthly judicial salary for a period of three months, for a disciplinary violation; one (1) decision for unprofessional and negligent performance of judicial office; one (1) decision imposing a disciplinary measure — public reprimand; and one (1) decision for temporary suspension until the final completion of the proceedings.

MONITORING THE WORK OF THE COURTS

The monitoring of the work of the courts by the Judicial Council is carried out through the review and evaluation of quarterly and annual reports, as well as through visits to the courts by committees composed of Judicial Council members, as foreseen in the Internal Plan for Monitoring and Evaluating the Work of the Courts, Judges, and Court Presidents for 2024 and the Action Plan, which forms an integral part of the Internal Plan adopted in March 2024.[7]

From the quarterly reports on the work of the courts, it can be observed that the trend of inefficient courts continues, with the reasons cited being the reduced number of judges, an insufficient number of court staff, and the increased number of cases.

It is usual practice, following the visits to the courts, that committee members that carried out the visit present the report at a session, highlighting the most significant findings and proposing conclusions for further action, should shortcomings in the work of the courts or of certain judges or court presidents have been identified. If necessary, extraordinary visits are also undertaken, most often due to court cases of public interest or complaints submitted by citizens or legal entities.

Thus, during this reporting period, visits were carried out to courts due to active cases of significant public interest. At the sessions, the reports from the working visits to the Skopje First Instance Criminal Court and the Skopje Court of Appeal were presented and adopted, relating to criminal cases that had attracted wide public attention.

7 *www.sud.mk*

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 first half of 2025, around 225 petitions submitted by citizens and legal entities were reviewed.

The majority of the petitions are dismissed as unfounded, since citizens and legal entities often use them to seek a change of a court decision because they are dissatisfied with it. In most cases, the Judicial Council finds that the case can be subject to appeal before the appellate court, which will consider the claims in the petition as appeal arguments in its decision-making. As the Judicial Council has no competence to intervene in, or change court decisions, it does not find grounds to act upon the petitions submitted.

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.

The trend of an increased number of substantiated petitions continues. 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 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.

In summary: 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



There has been no improvement in the overall transparency of the Judicial Council, as foreseen in the Action Plan and the Communication Strategy adopted by the Council.



The Judicial Council has regularly carried out its work with regard to handling petitions, electing judges to the first instance courts, conducting working visits to the courts, the regular evaluation of judges, and controlling the work of the courts through visits and quarterly reports.



Several issues remain open with regard to effectiveness and efficiency, but also with regard to reputation and trust among judges and the public, as well as in the inconsistent application by JC members of their own conclusions and established practices.



It is positive that a greater number of petitions by citizens were determined to be substantiated, as this enables the Judicial Council to take them into account when identifying indications of negligent or unprofessional conduct by judges. However, the established practice in deciding on similar or identical petitions needs to be applied consistently.



In the election of judges to higher courts, the ranking list prepared in line with the procedure for the promotion of judges is not consistently respected, and candidates ranked lower are sometimes elected instead of higher-ranked candidates. Only some members of the Judicial Council provided explanations as to why those judges should be promoted. Despite the adoption of amendments to the Rules of Procedure of the Judicial Council and the amendments to the Rulebook on the Method of Ranking Candidates for Election of Judges to Higher Courts, the Council has still not consistently applied these provisions.



Open issue remains the practice of interrupting the voting once the required number of candidates has been elected according to the vacancy announcement, which means the remaining candidates on the ranking list are not given the opportunity to be voted on and to possibly receive an equal or higher number of votes.



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, which is evidently at a relatively low level, needs to be strengthened first among the judges themselves, and thereafter with the general public.

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:



Urgent adoption of the amendments to the Law on the Judicial Council of RNM, so as to implement the recommendations of the Evaluation Mission of the EU Delegation to RNM.



The Judicial Council should consistently implement the documents it has adopted that derive from the adoption of the recommendations of the EU Evaluation Mission.



The Judicial Council should, in the coming period, direct its capacities toward increasing public trust in the judiciary through a proactive role and measures to reduce the perception of corruption in the judiciary.



The Judicial Council should consistently observe and apply its own acts (primary and secondary) in its ongoing work, especially in the election, promotion, and evaluation of judges.