



-DRAFT RECOMMENDATIONS-

**NATIONAL CONVENTION ON THE EUROPEAN UNION IN THE REPUBLIC OF
NORTH MACEDONIA**

13th session of Working Group 3,

Judiciary and Fundamental Rights (Chapter 23)

***Topic: “Fundamental rights, justice, and freedoms through the prism of the rule of law
mechanism of the European Union”***

1. Civil society in the past period has exerted a significant influence in highlighting the special role of the rule of law in society by exercising greater transparency in the operation of institutions, which is an important step in strengthening the democratic capacities of institutions. It is recommended that the dialogue among state institutions continue, be more transparent, and less declaratory.
2. In the national dialogue on the rule of law, greater participation of representatives of the European Union is also necessitated, who would contribute with concrete recommendations and shared good practices from its Member States for the promotion of mechanisms for progress in the field of the rule of law, as well as the promotion of the EU Rule of Law Mechanism to the wider public. In areas such as the rule of law where there is little hard acquis, transferring and adopting the good practices of other EU countries can be greatly beneficial for the Republic of North Macedonia as a country.
3. In the forthcoming implementation of the Rule of Law Mechanism in the Republic of North Macedonia, the role and participation of civil society is especially important, whose contribution would relate to the greater compliance of the measures with the planned goals. The special approach of civil society associations (monitoring of public policies, analyses, reports from structured dialogues and public policy contributions), will contribute to the creation of a broader and clearer picture of the current state of the rule of law.





4. The EU's rule of law mechanism is founded on making recommendations to strengthen the democratic capacities of countries that, according to certain indicators, show weaknesses in the rule of law. Given the fact that candidate countries will also be included in it, it is recommended that this mechanism and recommendations be a frequent topic in the public sphere, especially the reports of previous years (EU Rule of Law Reports 2020, 2021, 2022, 2023). This is because, although it applies to EU Member States, the parameters and methodology used can be extremely important for monitoring the state of the rule of law in our country in all four pillars (Judiciary, Anti-Corruption Framework, Pluralism and Media Freedom, Other institutional issues related to the so-called checks and balances – where the framework for the civil sector has been moved). Recommendations referring to each Member State can be extremely useful in the sense that the recommendations addressed to us by the European Commission should be understood in the spirit of those addressed to the Member States, because the EU strives to achieve a certain level in a given area (qualitatively and quantitatively) by all countries. In addition, their full implementation should be seriously considered.

5. Initiatives (recommendations) arising from the reports on the rule of law in the EU in the form of new mechanisms for the protection of fundamental values and elements of the rule of law concept, should be taken by us, as a candidate country, seriously, by acting proactively in that regard. In this sense, we recommend the Ministry of Justice to analyze the compliance with the proposed Directive on Combating Corruption 2023/234 and the criminal legislation in force, as well as to prepare and propose appropriate amendments.

