

EXPENDITURE ANALYSIS

OF THE ADEQUACY, EFFICIENCY,
EFFECTIVENESS AND EQUITY OF THE
GOVERNMENT BUDGET IN THE AREA
OF JUSTICE FOR CHILDREN
IN NORTH MACEDONIA



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Abbreviations

ASPI	Agency for Protection of the Right to Free Access of Public Information
CRC	Convention on the rights of the child
CSW	Centre for social work
ECF	Educational-Correctional Facility Tetovo
ICITAP	International Criminal Investigative Training Assistance Program
ICSW	Intermunicipal Centre for social work – Skopje
ISIE	Institute for Strategic Research and Education
J4C	Justice for Children
EU	European Union
MES	Ministry of education and science of North Macedonia
MKD	Macedonian denar
MLSP	Ministry of labour and social policy of North Macedonia
Mol	Ministry of interior
OSCE	Organization for Security and Cooperation in Europe
PPO	Public prosecutor's office of the Republic of North Macedonia
RNM	Republic of North Macedonia
SCPCD	State council for prevention of child delinquency

Executive summary

In the period from May to December 2021 the Institute for Strategic Research and Education (ISIE, Skopje) has conducted an expenditure analysis of the adequacy, efficiency, effectiveness and equity of the government budget in the area of justice for children in North Macedonia. The analysis has been carried out through the EU-funded project entitled “Just(ice) children – EU for juvenile and child – friendly justice” implemented by UNICEF North Macedonia. The main aim of the analysis is to provide evidence, offer insights and to highlight opportunities for improving outcomes for children and to formulate recommendations on financial allocations needed for mandatory capacity development of professionals in the justice system.

On the basis of the extensive desk review, including the analysis of responses received to requests for free access of public information to 168 institutions (centres for social work, courts, units of local self-government, ministries, public prosecutor’s office, councils for the prevention of child delinquency, and other agencies) and the supporting documentation, the following **conclusions** on the adequacy, efficiency, effectiveness and equity of government budget in the area of justice for children in the country have been made:

- ▲ The approach to government spending for justice for children on both national and local levels is not sufficiently systematic. Despite the use of sophisticated research methods, only partial information on specific expenditures for some institutions has been collected. Several highly relevant institutions¹ did not submit official replies, although a complaint procedure against them has been initiated. In a number of cases, an inconsistency between the information that was submitted in the official replies and the official financial reports, balance sheets, web sites, etc. has been identified. Given these discrepancies, it can be concluded that the budget classification system of items and accounts does not ensure that key justice for children programs are identifiable. There are no clear budget lines and programs to accurately estimate the government’s allocations to justice for children.
- ▲ A number of institutions have indicated that the expenditures allocated for justice for children are not calculated separately, but together with other related costs in accordance with the classification of expenditures issued by the Ministry of finance. This is the case with almost all institutions that have spent any amount on justice for children. Some of the institutions replied partially or incompletely, as indicated in the study below.
- ▲ Several institutions that have been contacted either by submitting a request for free access to public information or by means of an interview have indicated that they are not aware that they are a part of the Operational Plan for Implementing the National Strategy for the Prevention of Child Delinquency.² These institutions include: the Agency for audio and audio-visual media services, the Agency for youth and sport, the Bar association of the Republic of North Macedonia, the Bureau for the development of education, the Centre for adult education, the Ministry of education and science, and the Ombudsman’s office.
- ▲ The national budget drafting procedure, as it is foreseen, is conducted in a generic way without room for concrete interventions and flexibility. The lack of a specific program and regard for justice for children limits the flexibility of the funds to be allocated and/or requested through the budget.
- ▲ The justice for children sector receives a very limited amount of donations from domestic and international donors, both of which are allocated in a dedicated donations account, which most institutions have. Evidently, the services in this sector are not donor dependant.
- ▲ The participation of staff in trainings related to justice for children remains limited. In most of the cases, the trainings were organised by the Intermunicipal centre for social work (ICSW) and were free of charge for the employees of centres for social work (CSW), and, consequently, had no financial implications for the centres and were not reflected in the budgets.
- ▲ While local councils for the prevention of child delinquency have been established in a number of municipalities (31, according to the information that was submitted), only 2 municipalities have

¹ Ministry of Labour and Social Policy, Ministry of Health, Municipalities of Gazi Baba, Gostivar, Lipkovo and Tearce.

² Operational plan on implementation of National strategy on prevention of child delinquency (2015-2017), State Council for Prevention of Child Delinquency.

actually disbursed funds for the functioning of the council. The total expenditure remains evidently low – below 60,000.00 MKD (1,000.00 EUR) annually. To a large extent, the councils are, therefore, not operational.

- ▲ Only three courts in North Macedonia have indicated that they allocate funds for justice for children. On average, these three courts have allocated and spent a total of 800,000.00 MKD (13,000.00 EUR) annually.
- ▲ The government has not budgeted or disbursed funds for mediation procedures in the aforementioned period.
- ▲ No separate acts that regulate the budgeting of items and methodology for determining institutional needs related to the Law on justice for children have been enacted in almost any of the institutions that were subject of the analysis.

The following measures have been **recommended** to address the issues identified:

- ▲ A new budget program, to be utilized by all competent authorities for implementing the Law on justice for children for requesting funds connected to this law, is to be established;
- ▲ A new sub-item or sub-items (a 6-digit account) in the budget, used to utilize the funds related to the Law on justice for children, is to be set up. Given the high number of institutions involved, this approach will provide for a better monitoring of the spending on justice for children and establish a legal framework through which all the institutions involved could acquire and spend funds;
- ▲ A better coordination and information sharing between institutions with respect to the obligations in the Law on justice for children and the Operational plan for the National strategy for the prevention of child delinquency is to be developed. A mechanism for reporting and monitoring of activities of all identified stakeholders should be established, including the preparation of an annual report on activities connected to justice for children. The report should be submitted to a competent institution identified by law (for instance, the State council for the prevention of child delinquency);
- ▲ The establishment of information sharing tools on the issues of justice for children within the competent institutions is to be supported. The annual reports of the identified stakeholders

should include information on activities related to justice for children;

- ▲ A software solution that would enable the CSWs to record service expenditure for justice for children in order to better monitor its adequacy, efficiency and effectiveness is to be developed;
- ▲ The work of the local councils for the prevention of child delinquency is to be readdressed. An annual and/or quarterly reporting obligation is to be introduced. The unit of local self-government is to establish a minimum budget for activities of local councils for the prevention of child delinquency on the basis of the size, population and the stated recommendations in this report (200,000.00 MKD annually). Additional operational support (including guidance on the adequate size of the councils, motivation of the members to actively participate in the work of the councils, as well as guidance on the development of program and concept of activities, etc.) should also be considered;
- ▲ Given the high potential of mediation for resolution of disputes connected to justice for children, the authorities should consider possible allocation of funds for mediation;
- ▲ Separate acts that regulate the budgeting of items and methodology for determining the needs of institutions under the Law on justice for children is to be developed;
- ▲ The capacity of the employees for accurate reporting and ensuring free access to public information is to be bolstered.

Introduction

The Republic of North Macedonia has an extensive experience with the issue of justice for children. Over the years, the country has enacted plenty of important legislation that has directly or indirectly regulated different aspects of the system for justice of children. Additionally, the country has ratified a number of international conventions and other acts in the field as well as has been a subject of international monitoring and evaluation.

Having this in mind, the overall objective of this analysis is to provide the data and evidence to advocate for greater and better investment in the field of justice for children in North Macedonia. The main aim of the analysis is to offer evidence, insights and opportunities to improve outcomes for children and to provide recommendations on financial allocations needed for mandatory capacity development of professionals in the justice system.

In the *first part* of the analysis, an overview of the existing system for justice for children in the country has been presented. This part is based on an analysis of the key repositories of law, relevant international documents and monitoring reports.

The research methodology is elaborated in the *second part* of the analysis. The two main segments of the research (the desk review and the primary data gathering) are explained in this part of the analysis.

The main results of the research are presented in the *third part* of the analysis. Due to the constraints identified, this overview of the available information on government spending in the area of justice for children is presented at an institutional level and in an alphabetical order.

The conclusions and recommendations identified thorough the research are elaborated at the end of the document.

The Institute for Strategic Research and Education – ISIE Skopje conducted an analysis of the expenditure analysis of the adequacy, efficiency, effectiveness and equity of government budget in the area of justice for children in North Macedonia in the period between May and November 2021. The analysis was conducted through the EU – funded project “Just(ice) children – EU for juvenile and child – friendly justice” implemented by UNICEF North Macedonia.

The system of justice for children in North Macedonia

The Law on justice for children represents a key legal instrument for regulation of the justice for children system in the country. Apart from that, North Macedonia is a party to a number of international documents connected to justice for children which have been ratified and are being implemented. In addition, a number of laws that regulate certain aspects of justice for children have been enacted by the national Parliament. The overview of the international documents and national legislation has been presented in the part on Methodology.

Prior to the adaption of the Law on justice for children, the 2010-2020 National strategy for prevention of juvenile delinquency was enacted. This document has promoted three levels of intervention: (1) primary, (2) secondary and (3) tertiary prevention.

The aim of the *primary prevention* is to create a protective environment for all children, including a systematic approach through the provision of government support, capacity building, legal reform, monitoring and reporting of violations of children’s rights, a change of attitude of the general population and professionals that work with children, as well as the development of personal skills of children and families. The primary prevention includes the activities related to the resocialization process within the families, the educational system, the health system, the public awareness measures to be undertaken by the community etc.³

The *secondary prevention* is aimed at children at risk to commit a crime or who have committed a crime, but who are not held responsible. It is closely connected to the early warning system for young people at risk and to the prediction of children and families that may be at risk. The Strategy provides directives in several fields including: 1. Education; 2. Health; 3. The centres for social work; 4. The police; 5. The local community.⁴

The *Tertiary prevention* is focused on preventive programs which will enable the children to assume

³ Source: National strategy for juvenile delinquency prevention (2010-2020), p. 14.

⁴ Idem, p. 19-20.

responsibility for the crime they have committed, as well as the consequences, and to prevent them to reoffend. The Strategy provides directions in respect to alternative measures and mechanisms of deterrence and protection through the formal system and mediation, institutional care and services, care and services after leaving the institutions, as well as in the health sector.⁵

In accordance with the Operational plan for the implementation of the National strategy for prevention of child delinquency (2015-2017), the following institutions/stakeholders have been foreseen:

Table no. 1 – Primary, secondary and tertiary prevention institutions

Primary prevention	Secondary prevention	Tertiary prevention
Ministry of labour and social policy	Ministry of labour and social policy	Ministry of justice
Ministry of science and education	Ministry of science and education	Directorate for execution of sanctions
Municipal councils for prevention of child delinquency	Institute for social activities	Courts with extended jurisdiction
State council for prevention of juvenile delinquency	Bureau for development of education	Centres for social work
Ministry of interior	Centre for social work	Ministry of science and education
Units of self-government	Units of local self-government	Adult education office
Ministry of health	Health centres	Public prosecution office
Health centres	Ministry of interior	Ministry of education and science
Agency for audio and audio-visual media services	Ministry of local self-government	Units of local self-government
Ministry of information society and administration	Municipal councils for prevention of child delinquency	
Ombudsman	Ministry of health	
Bar association		
Ministry of justice		

The international obligations of the Republic of North Macedonia in respect to the implementation of the Convention on the rights of the child should also be considered. North Macedonia is a state party to the Convention since 1993. Several articles of the Convention are of paramount importance for the development of the national system for justice for children and protection of the child. Among others,

the Convention has foreseen a set of obligations to be implemented by the signing parties including:

- ▲ the opportunity of the child to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of the national law (Art. 12);
- ▲ the obligation of the parties to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment,

maltreatment or exploitation, including effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child (Art. 19);

- ▲ the obligation of the state parties to protect the child from all forms of sexual exploitation and sexual abuse (Art. 34);

⁵ Idem, p. 24-25.

- ▲ the obligation to protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare (Art. 36);
- ▲ the prohibition of torture or other cruel, inhuman or degrading treatment or punishment; the prohibition of deprivation of his or her liberty unlawfully or arbitrarily and the obligation to treat with humanity and respect the inherent dignity of the human person when it comes to every child deprived of liberty (Art. 40).⁶

Moreover, the Republic of North Macedonia is a subject to continuous monitoring by international and domestic organizations.

The European Union (EU) progress reports (2018-2021) in the field of justice for children have identified a number of urgent challenges to be addressed, including lack of improvement in material conditions and availability of education and resocialization activities for detained children, as well as strengthening the State council for prevention of child delinquency and local councils.

The 2018 EU progress report has found that the resources of the State council for prevention of child delinquency are insufficient and that there is a lack of education, health and social services for detained children. Furthermore, this report has also found that access to legal aid for the most vulnerable people (including children) is hampered by restrictive criteria in the law and that only 50% of the already low number of applications for legal aid are approved.⁷

The 2020 EU progress report recommends that the country should improve community services to identify children at risk and to support children victims of violence. Furthermore, this report recommends that a national strategy to promote and protect children's rights needs to be prepared, accompanied by an appropriate budget, and sectoral models that will provide effective services for children, including at local level should be identified. The report reprimands the application of the Law on justice for children, urging for improvement in its application, particularly the rules on access to justice, legal representation and the

capacity of public officials involved in the handling of children victims, children witnesses and children in conflict with the law. The report has found that there were no improvements in the material conditions and availability of education and resocialization activities for detained children. The report urges for the role of the State council for prevention of child delinquency to be strengthened, along with the capacity of the local councils. The report also indicates that healthcare in prisons remains an issue of serious concern, which includes juveniles and the treatment of drug addictions.⁸

The latest 2021 EU progress report on North Macedonia emphasizes the need for better improvement of the Law on justice for children as well as a more systemized inter-sectoral approach in the implementation of the law. Additionally, the report underlined the need for strengthening of the role of the State council for the prevention of child delinquency and the capacities of the local councils.⁹

The EU Strategy on the rights of the child, especially in the chapter "Child-friendly justice", is also considered when preparing the methodology of this research. According to this Strategy, all EU Member States have a duty to ensure that children's best interests are the primary consideration in any action that affects them. This consideration is of particular importance when children are involved in criminal and civil judicial proceedings.¹⁰

The documents analysed that are mentioned below provide information on the implementation of the national legislation as well as international documents in the field of prevention of juvenile delinquency. As it will be explained in this report, there is a variety of laws, by-laws and international documents applicable in this field. The implementation of the standards regarding justice for children can be analysed in two aspects:

⁶ United Nation, Convention on the Rights of the Child, Available at <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx> [Accessed on September 15, 2021].

⁷ European Commission, FYR Macedonia 2018 Report, Available at <https://ec.europa.eu/neighbourhood-enlargement/system/files/2019-05/20180417-the-former-yugoslav-republic-of-macedonia-report.pdf> [Accessed on October 22, 2021].

⁸ European Commission, North Macedonia 2020 Report, Available at https://ec.europa.eu/neighbourhood-enlargement/system/files/2020-10/north_macedonia_report_2020.pdf [Accessed on October 25, 2021].

⁹ European Commission, FYR Macedonia 2021 Report, Available at https://ec.europa.eu/neighbourhood-enlargement/north-macedonia-report-2021_en [Accessed on January 22, 2022].

¹⁰ European Commission, The EU Strategy on the Rights of the Child and the European Child Guarantee, Available at https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en#documents [Accessed on October 26, 2021].

1. The adoption of the national legislation of RNM in terms of integrating international standards related to prevention of child delinquency and
2. The implementation in practice of the incorporated international standards.

RNM has made efforts to amend its national legislation in order to incorporate the international standards in the field of justice for children. It can be noted by analysing the documents mentioned below that most of the international standards are already a part of the national legislation. However, implementing these standards in practice remains a challenge, as it has been noted in the above-mentioned EU Progress reports.

In terms of the approach when it comes to criminal law, the national legislation which relates to the justice for children categorizes children in three main categories: children at risk, children in conflict with the law and children victims of crime. This is the categorization established with the Law on justice for children which regulates the rights and protection for every category of children as well as their position in criminal law proceedings.

In accordance with Article 1 of the Convention on the rights of the child, and as laid down in the legal system of the Republic of North Macedonia, all persons who have not yet turned 18 have the status of a child. Upon turning 18, the person becomes an adult and assumes full legal capacity.

The Criminal Code of the country foresees special treatment for children as criminal offenders. In this context, and in the sense of criminal justice, all persons who are below 14 when they perpetrate a crime are entitled to the status of a child and cannot be charged with a crime. A juvenile may be subjected to correctional and safety measures if, at the time of committing the crime, they were under 14. Juveniles between 16 and 18 years of age can be legally responsible only for the most serious criminal offences and they may be imprisoned. If during the proceedings it is proved that when the minor committed the criminal offense he was, in fact, under 14, then the criminal proceedings are to be terminated immediately, and the competent custody organ is to be duly informed.

The Law on justice for children, adopted in 2013, does not use the term “juvenile”. Instead, it uses the term “child” for all persons under the age of 18. This law differentiates between child at risk between ages 7 and 14, child at risk between ages 14 and 16 and child at risk between ages 16 and 18. It also differentiates between child in conflict with the law

between ages 14 and 16, child in conflict with the law between ages 16 and 18 and child victims. The law designates young adults as persons between the age 18 and 21. The law envisages a separate criminal procedure when the perpetrator of the crime is a child under the age of 18. This procedure is regulated within the Law on justice for children and ensures measures of protection of the child in the role of defendant, victim or witness. The law regulates the process of compensating the damage caused to a child victim. Moreover, the law lists measures of diversity, which are mainly educative measures for children in conflict with the law. It is important to keep in mind that the first step to be taken is to implement educative measures, while the institutional measures should be considered as a last resort. The institutional measures which include sending the child in institutions of increased supervision as well as in corrective institutions for incarceration sentences may pose a risk to the process of resocialization of the child and can impact the stigmatization of the child after they are released from these institutions. It is for this purpose that when it comes to criminal proceedings against a child in conflict with the law, the prosecutor abides by the principle of opportunity (meaning that the prosecutor decides whether they will indict the child in conflict with the law or they will try to find other opportunities to address the issue, such as a mediation procedure or a plea bargain) instead of the principle of legality (which means that the prosecutor is obliged to indict if there is evidence that the crime has been committed).

The annual reports of the State council for prevention of child delinquency (2018 -2020) indicate certain problems that are reported every year. The number of children at risk continues to grow each year (in 2019, 20% more children at risk were reported as compared to 2018). On the other hand, the general number of children in conflict with the law shows signs of abatement (in 2019 7% less cases of children in conflict with the law were reported as compared to 2018). The reports indicate a worryingly low number of children who were granted the right to a counsellor while in a police station. In 2019 there is also a worrying increase in the number of child victims identified in the centres for social work in comparison to the lower number of child victims identified at the courts. A positive trend, according to this report, is the low number of children who are in detention and the decrease of using detention as a measure to ensure the presence of the child in criminal proceedings. The report criticizes the lack of use of restorative justice mechanisms, by courts and public prosecutions. Finally, the report criticizes the fact that the courts did not reach a single decision on compensating

child victims during the whole of 2019.¹¹

The 2020 report of the Institute of social activities indicates the importance of tackling the protection of children at risk during the pandemic and enumerates the measures taken to educate the staff that works with children at risk, children in conflict with the law and child victims in this regard.¹²

The Ombudsman of RNM has also indicated the special need for care for children at risk and child victims during the pandemic. The Ombudsman has indicated that there is progress in deinstitutionalizing the children at risk from state institutions and placing them in foster families, however, it has emphasized that there is a need for special care and protection of children victims of sexual crimes and victims of trafficking in human beings.

Regarding the institutional measures aimed at providing care for children with difficulties and unsuitable behaviour, the 2019 report that stemmed from the visit of the Institute for care, upbringing and education of children and youth “Ranka Milanovic” public institution admonished the living conditions at this institution. The conclusions of the Ombudsman or RNM in this report indicated that the institution has not provided the right to privacy, having in mind that children of different sexes are accommodated in spaces that are close to each other and are divided only by a hallway, and that the doors of their rooms have no keys. Moreover, the children shared the same yard with homeless people who were also sheltered in a different part of this institution, and the children have had everyday contact with them which is regarded as an impediment to the process of their resocialization. The level of hygiene in this institution was also perceived as very low. The general conclusion of the report is that this institution did not meet the standards for caring for children at risk and problems with their behaviour. Therefore, a very positive step forward is the shutting down of this institution and the process of deinstitutionalizing these children and placing them in alternative forms of care. Furthermore, the newly – constructed Educational - correctional facility in Volkovija was opened in November 2020.

Taking into consideration the problems mentioned above, the de-institutionalization process is very important whenever it can be implemented, such as in the case when children from foster homes are placed in alternative forms of care. However, this does not entirely solve the problem of institutions where children in conflict with the law need to serve incarceration sentences. A thorough reform of those institutions and serious budgetary investments remain of key importance in order to allow for a proper resocialization and reintegration of these children.

Regarding the ongoing process of deinstitutionalization, the 2019 UNICEF report on the wellbeing and rights of adolescents in foster care indicates that this process contributed to the continuous increase in the number of children placed in alternative forms of care. As a result, most of the institutions are being closed and a limited number of children remain in institutional care. The number of small group homes (SGHs) is continuously rising. In October 2019, there were 20 SGHs with a total of 98 children placed there. Half of the SGHs are in Skopje, while the other ten are in Berovo, Kavadarci, Shtip, Bitola, Timjanik and Negotino. The total number of children placed in alternative types of care was 320 in March 2019. Out of those, 285 were adolescents i.e. aged 10 to 19, with one third, or 79, were Roma.

Some of the important strategies for protection of children in RNM include the National strategy (2020 - 2025) and the Action plan (2020 - 2022) on prevention and protection of children against violence, as well as the National strategy on prevention of juvenile delinquency (2010-2020). The former is a new document prepared and published in 2020, whereas the latter is now an outdated document and a new National strategy on prevention of child delinquency is needed that would reflect the changes in the Law on justice on children and its new terminology regarding children at risk, children in conflict with the law and child victims. The National strategy and the Action plan on prevention and protection of children against violence is an important document aiming at the protection of children from different forms of violence. It tackles the abuse and neglect of children, physical abuse, corporal punishment, emotional and psychological abuse, neglect, domestic violence, exploitation, peer violence, violence from the intimate partner and gender-based violence. This strategy, although mainly focused on protection of children from violence and not protecting the rights of the child in general, represents an important step forward in the process of protection of children, as suggested in the recommendations of UNICEF reports, such

¹¹ State Council for Prevention of Child Delinquency. Reports 2018 -2020, Available at <http://dspdp.com.mk/category/dokumenti/izvestai/> [Accessed on September 16, 2021].

¹² Institute for Social Activities, Skopje 2020 Annual Report, Available at: <http://zsd.gov.mk/wp-content/uploads/2021/03/%D0%98%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98-%D0%B7%D0%B0-%D1%80%D0%B0%D0%B1%D0%BE%D1%82%D0%B0-2020-3.pdf> [Accessed on September 12, 2021].

as in the Analysis of the situation of women and children in the Republic of North Macedonia, UNICEF, North Macedonia, 2020.

An important aspect of protecting the rights of the child and prevention of child delinquency was raised during the time of the Covid-19 Pandemic, which essentially affected the well-being of children globally as well as the implementation of their fundamental rights such as the right to education. The report entitled “The social and economic effects of COVID-19 on children in North Macedonia: an update” tackles the Government’s response to Covid-19 and its effect on children, social and child protection during the Covid-19 pandemic, the impact of the pandemic on child poverty, the educational process during the pandemic as well as the Covid-19 health risks for children. The report analyses the budget reallocations in reference to the pandemics and indicates that the increasing financial needs in the three child-related sectors — education, healthcare and social protection — will be in conflict with a limited and shrinking fiscal space, as well as points to the pressure of public debt. Setting spending targets in the key child-related areas for the next years may help in the medium- term planning and in mitigating the unfavourable effects on children as a result of the COVID-19 crisis.

As far as the budget for implementing the legislation related to prevention of child delinquency is concerned, by analysing the abovementioned documents it can be concluded that the state does not invest sufficient funds in implementing this part of the legislation. Considering that justice for children is part of the general justice implementation within the state, it can be concluded that RNM needs to increase the budget which is invested in state institutions specialized in administration of justice. The issue on the actual spending for justice for children by the government is addressed in part 3 of the analysis.

Methodology

A comprehensive methodology has been developed for the purpose of addressing the issues at hand. The methodology combined two segments: (1) extensive desk review and (2) primary data research.

The extensive desk review was based on identification and analysis of a number of relevant sources including: international and national legislation, reports, strategies and additional documents. The purpose of the review was to explore the existing national environment for justice for children, in particular in reference to the government budget in the area of justice for children in North Macedonia, as well as to identify all relevant stakeholders in the sector. Furthermore, the aim of this part of the desk research was to determine the set up in the system of the relevant institutions, their existing duties and responsibilities, as well the need for further adjustment of the national legislation in respect to the country's international obligations. Relevant focal points through the analysis have been identified and further examined within the primary research phase. This part of the research has been carried out in the period between June and July 2021. The following documents were included in the desk review:

International documents (in alphabetical order)

- ▲ Council of Europe R(87)20 concerning social reaction to juvenile delinquency, 1987;
- ▲ Council of Europe R(88)6 on social reactions to juvenile delinquency among young people coming from migrant families, 1988;
- ▲ Council of Europe Rec(2003)20 concerning new ways of dealing with juvenile delinquency, 2003;
- ▲ DIRECTIVE (EU) 2016/800 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings;
- ▲ ECOSOC Resolution 2005/20 Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime;
- ▲ Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice, 2010;

- ▲ UN Guidelines for Action on Children in the Criminal Justice System;
- ▲ UN Guidelines for the Prevention of Juvenile Delinquency (Riyadh Rules);
- ▲ UN Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules);
- ▲ United Nations Convention on the rights of the child;
- ▲ United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules");
- ▲ United Nations Sustainable Development Goals.

National legislation

- ▲ Law on Accountancy of the Budget and the Budget Beneficiaries (Official Gazette of the Republic of Macedonia No. 61/2002, 98/2002, 81/2005, 24/2011, 145/2015 and 170/2017);
- ▲ Law on Budgets (Official Gazette of the Republic of Macedonia No. 64/2005; 4/2008; 103/2008; 156/2009; 95/2010; 180/2011; 171/2012; 192/2015 and 167/2016);
- ▲ Law on Execution of Sanctions (Official Gazette of the Republic of North Macedonia No. 99/2019 and 220/2019);
- ▲ Law on Family (Official Gazette of the Republic of Macedonia No. 80/1992, 9/1996, 38/2004, 33/2006, 84/2008, 67/2010, 156/2010, 39/2012, 44/2012, 38/2014, 115/2014, 104/2015 and 150/2015 and Official Gazette of the Republic of North Macedonia 6p.53/2021);
- ▲ Law on Free Legal Aid, (Official Gazette of the Republic of Macedonia No. 101/2019);
- ▲ Law on justice for children (Official Gazette of the Republic of Macedonia No. 148/2013 and Official Gazette of the Republic of North Macedonia No. 152/2019 and 275/2019);
- ▲ Law on mediation (Official Gazette of the Republic of Macedonia No. 188/2013, 148/2015, 192/2015 and 55/2016)
- ▲ Law on Protection of Children (Official Gazette of the Republic of Macedonia No. 23/13, 12/14, 44/14, 144/14, 10/15, 25/15, 150/15, 192/15, 27/16, 163/17 and Official Gazette of the Republic of North Macedonia 121/18, 198/18, 104/2019, 146/19, 275/19) and

- ▲ Law on Social Protection (Official Gazette of the Republic of North Macedonia No. 104/2019, 146/2019, 275/2019, 302/2020 and 311/2020).

Reports

- ▲ Annual Report of the State council for prevention of child delinquency (2018 -2020);
- ▲ Annual Report of the Institute of social activities (2018-2020);
- ▲ Annual Report of the Judicial council of the Republic of North Macedonia (2018-2020);
- ▲ Annual Report of the Ombudsman of the Republic of North Macedonia (2018 - 2020);
- ▲ Annual Reports on the degree of provision, respect, advancement and protection of human rights and freedoms (Ombudsman, 2018-2020) and
- ▲ Report from the visit of the Institute for care, upbringing and education of children and youth "Ranka Milanovic" public institution (2019)¹³.

Strategies and other program documents

- ▲ Action plan on employment of young people, (2016-2020);
- ▲ Indicators for monitoring of the implementation of the Law on justice for children;
- ▲ National program on social protection development (2011-2021), Ministry of labour and social policy;
- ▲ National strategy (2020 - 2025) and Action plan (2020 - 2022) on prevention and protection of children against violence;
- ▲ National strategy on prevention of juvenile delinquency (2010-2020);
- ▲ National youth strategy (2016 - 2025), Agency for youth and sport;
- ▲ Operational plan on implementation of National strategy on prevention of child delinquency (2015-2017);

- ▲ Special report on the situation and conditions for exercise of rights of children without parents and parental care accommodated in public institution for care in the Republic of Macedonia (Ombudsman, 2017);

- ▲ Strategy on education (2018 - 2025), Ministry of education;
- ▲ National strategy for deinstitutionalization in the Republic of Macedonia 2018–2027 "Timjanik", Ministry of labour and social policy;
- ▲ Report on the situation regarding the protection of children from abuse and neglect in accordance with the created indicators for 2017, Ministry of labour and social policy and State council for prevention of child delinquency – Kavadarci, 2019.

The findings and conclusions of the desk review segment have been utilized to design the specific methodology for the primary data research regarding government budget in the area of justice for children in North Macedonia. The primary data research has combined two key elements: (i) the preparation, delivery and analysis of requests for free access to public information and (ii) an interview phase with key stakeholders.

On the basis of the desk review phase that was carried out, tailor – made requests for free access to public information have been prepared and a total of 168 requests for free access to public information have been submitted to the competent institutions on a national and local level (holders of public information). A total of 108 answers to the requests have been received within the deadline outlined in the Law on free access to public information. As a result, 60 complaints have been submitted to the Agency for protection of the right to free access to public information. In line with the complaint procedure, additional 54 official replies by the targeted institutions have been submitted. A total of 6 institutions have not submitted an official reply following the decision of the Agency.¹⁴ In coordination with the donor, a decision has been made not to press charges against these institutions.

The primary data collection and analysis has been conducted in the period from August – November 2021. The requests have been prepared in accordance with the Law on free access to public information and on the basis of all identified sources. A specific

¹³ This institution is now closed with the process of deinstitutionalization and the children are now placed in small group homes.

¹⁴ These institutions include the Ministry of labour and social policy, Ministry of health, Municipalities of Gazi Baba, Gostivar, Lipkovo and Tearce.

tailor – made approach has been developed for each category of the 168 institutions that were identified. A separate questionnaire for each category (different ministries, municipalities, courts, public prosecution office, specific state authorities and bodies) has been prepared by the expert team on the basis of analysed sources during the desk review phase. Apart from the questionnaires that were developed, all targeted institutions were requested to submit the following documents as well:

1. Budget request in accordance with the Law on budgets of the institutions indicated in Table 1 (2018-2020);
2. Plan for public procurement of the institutions indicated in table 1 (2018 -2020);
3. Budget of the Republic of North Macedonia (2018-2020);
4. Budget of the units of self-governments that have established local councils for prevention of child delinquency (2018-2020);
5. Annual accounts of the institutions indicated in table 1 (2018-2020);
6. The open finance database of the Ministry of finance;
7. Completed public procurements at the institutions indicated in table 1 (2018-2020) and
8. Act for the systematization in force in the last three years.

The first two documents have been used to analyse the planning procedures for implementation of the Law on justice for children and legislative acts connected to this Law (Law on protection of children, Law on social protection and Law on execution of sanctions) at the targeted institutions and compare them with actual approved allocation of funding stated in the documents enlisted under items 3 and 4. On the basis of the documents enlisted under item 5 and 6, the research team has evaluated the actual spending of public funds for implementation of the Law on justice for children. Additionally, the remaining items have been used to evaluate the capacities of the targeted institutions.

The aforementioned documents and the answers in the questionnaires represented the key sources for the expenditure analysis of the government budget in

the area of justice for children in North Macedonia.¹⁵ The expenditure analysis was focused on the last three fiscal years (2018, 2019 and 2020). The target of the expenditure analysis were the institutions identified in Table 1. The expenditure analysis was also based on the publicly available information published on institutional websites and websites of the Bureau for public procurement and the Ministry of finance for double checking of data. Moreover, the available statistical data published by the State Statistical Office as well as reports of the State Audit Office have been utilized for the purpose of the analysis.

The second element of the primary data research were the interviews that were setup with the relevant stakeholders. As surveys conducted by means of telephone or e-mail have a lower response rate, and since they pose a greater risk of misunderstanding and of lower overall result quality, a series of online interviews with senior institution members were conducted in the period between October and November 2021.

The interviews were based on a semi-structured questionnaire (tweaked in consultations with the donor) with 10 relevant representatives of the targeted institutions in an attempt to address potential ambiguities, inconsistencies and gather information which could not be gathered through requests for free access to public information. A sampling model was used and representatives of different stakeholders were included (ministry representatives, social workers, chamber representatives as well as the financial offices in the selected stakeholders). Special attention was given to ensure that the targeted respondents are individuals from the senior management who would be either responsible for or authorized to voice the institution's view on the issues at hand. The findings from the interviews were incorporated in the analysis.

All relevant stakeholders in primary, secondary and tertiary prevention included in the National strategy on prevention of juvenile delinquency (2010 -2020) and the Operational plan (2015-2017) have been identified in Table 1. The competences of different authorities in the system of justice for children have been elaborated in Annex 1 of the document.

¹⁵ The analysis of the indicated research questions depended on obtaining relevant, complete and accurate information from national authorities in accordance with the legislation for free access to public information. ISIE has implemented the proposed methodology including the right to appeal to the competent authority, but is not in a position to obtain information outside the indicated research framework. The answers to the research questions depend on the quality and quantity of information presented by targeted national authorities in accordance with the law.

Table no. 2 - National stakeholders and authorities in North Macedonia competent in justice for children

Institution*
Pavel Shatev academy for judges and prosecutors
Agency for audio and audio-visual media services
Agency for Youth and Sport
Bar association of the Republic of North Macedonia
Bureau for development of education
Centre for adult education
Centres for social work
Chamber of mediators
Courts (with extended jurisdiction)
Directorate for execution of sanctions
Educational – correction facility Tetovo
Faculty of Security Skopje (UKLO)
Prisons (Idrizovo and Ohrid)
Public institution for caring for children with educational and social issues and deviant behaviour
Institute of social activities
Juvenile prison Ohrid
Ministry of education and science
Ministry of health
Ministry of interior
Ministry of justice
Ministry of labour and social policy
National coordination body for prevention of abuse and neglect
Ombudsman
Public prosecutor's office of the Republic of North Macedonia
State council for prevention of child delinquency
Units of local self-government including local councils

Visualization – 9 steps for budget planning procedure – to be edited by a professional designer
Step 1 – Strategic plan on a national level
Step 2 – Strategic plan of budget users
Step 3 – Fiscal strategy
Step 4 – Budget circular
Step 5 – Preparation and submission of the development program plan
Step 6 – Submission of budget requests
Step 7 – Adjustment of budget requests
Step 8 – Preparation of budget proposal
Step 9 – Submission of the budget

Results (public expenditure and trends)

This part of the report presents the main findings of the analysed data submitted by the institutions in the answers to the requests for free access to public information. Having in mind the diversity of information presented in the answers of institutions, the findings of the analysis are presented on institutional level and in alphabetic order. On the basis of the conducted complex research (168 different institutions identified), only partial information of specific expenditures for some institutions have been gathered. Several highly relevant institutions did not submit official replies although a complaint procedure had been initiated. Some of the institutions are not aware of the responsibilities in the system and some of the institutions submitted partial or inaccurate replies. In a number of cases an inconsistency between the information that was submitted in the official replies and the official financial reports, balance sheets etc. has been identified. At the end of this analysis, general conclusions will be presented.

Pavel Shatev academy for judges and prosecutors

The Pavel Shatev academy for judges and prosecutors delivers trainings that include the field of justice for children throughout the year. The Academy has provided information on the number of participants at the trainings delivered. A total of 162 participants have attended trainings on this topic organized in the period from 2018 -2020.

Table no. 3 – Profile of participants of J4C trainings organized by the Academy

Year	Profile of participants of J4C trainings organized by the Academy			
	Judges	Public prosecutors	Associates	Other
2018	44	40	26	15
2019	8	12	2	15
2020	0	0	0	0

On the other hand, the Academy did not submit information on planned and utilized funds for delivery of trainings in the field of justice for children. No internal acts for budgeting expenditures related to justice for children have been adopted. The institution maintains a separate account and record for donations and usually does not participate in funding with its own assets of donation - funded activities.¹⁶

¹⁶ Information provided on the basis of the request for free access of public information submitted on August 18, 2021 and complaint submitted on September 17, 2021.

Agency for audio and audio-visual media services

The Agency for audio and audio-visual media services does not carry out direct activities nor it has expenditures in relation to the Law on justice for children. However, the Agency conducts monitoring in order to protect children from harmful content in the media.¹⁷

Agency for youth and sport

The Agency for youth and sport is the competent authority for young people aged 15-29. The Agency does not carry out activities related to children and the Law on justice for children.¹⁸

Bar association of the Republic of North Macedonia

The Bar association has not organized trainings nor disbursed funds for implementation of the Law on justice for children. Additionally, the Bar association has not utilized funds from the Budget of the Republic of North Macedonia or from donations.

Apart from that, the Bar association has acknowledged the good cooperation with the Ministry of justice and the operational aspects of the free legal aid. Additionally, the need for establishing a Training centre within the Bar association for the purpose of delivery of specific trainings including in the matters of justice for children has been identified.¹⁹

¹⁷ Information provided on the basis of the request for free access of public information submitted on August 18, 2021.

¹⁸ Information provided on the basis of the request for free access of public information submitted on August 18, 2021 and complaint submitted on September 17, 2021.

¹⁹ Information provided on the basis of the request for free access of public information submitted on August 18, 2021, complaint submitted on September 17, 2021 and the interview that was conducted.

Bureau for development of education

The Bureau for development of education has not carried out or been granted funds for any activities related to implementation of the Law on justice for children or the National strategy for juvenile delinquency prevention in the period from 2018 -2020.²⁰

Centre for adult education

The Centre for adult education has not carried out any activities related to the Operational plan for the implementation of the National strategy for prevention of child delinquency.²¹

Centres for social work

Virtually all of the centres for social work have provided limited information on the financial aspects of their everyday work. In that direction, almost all of the centres have indicated that they have not neither requested nor received funding for assistance and protection of children in conflict with the law, child victims and children in contact with the law in accordance with the Law on justice for children. Additionally, the centres have indicated that they have not requested funding for professional teams for work with the children, individual work and organization of trainings. Furthermore, according

to the centres, they have not requested any funding for increased supervision and suspended sentence with a protective supervision. Also, they have not requested any funding for the development of the monitoring and reporting system.

On the other hand, the Intermunicipal centre for social work – Skopje (ICSW) has outlined concrete information on the expenditures for assistance and protection of children in conflict with the law, child victims and children in contact with the law in accordance with the Law on justice for children. According to the information that was submitted by the ICSW, a total of 1,957,448.00 MKD have been spent in 2018, 2,361,582.00 MKD in 2019 and 3,052,407.00 MKD in 2020.

Apart from this, information on the expenditures for salaries of the professional team that works with the children has also been submitted - 5,916,244.00 MKD in 2018; 4,442,619.00 MKD in 2019 and 4,993,741.00 in 2020. When these costs are considered in relation to the number of children covered annually, one can deduct the cost incurred per child included in the categories of assistance and protection of children in conflict with the law, child victims and children in contact with the law in accordance with the Law on justice for children. This data is presented in the following table:

Table no. 4 - Overview of the costs per child - Intermunicipal centre for social work – Skopje (2018 -2020)

(In MKD)

	2018	2019	2020
Expenditures for assistance and protection of children in conflict with the law, child victims and children in contact with the law	1,957,448	2,361,582	3,052,407
Salaries of the professional team for work with the children in conflict with the law, child victims and children in contact with the law	5,916,244	4,442,619	4,993,741
Total expenditure for assistance and protection of children in conflict with the law, child victims and children in contact with the law	7,873,692	6,804,201	8,046,148
Number of children covered	75	138	209
Costs per child	104,983	49,306	38,498

²⁰ Information provided on the basis of the request for free access of public information submitted on August 18, 2021.

²¹ Information provided on the basis of the request for free access of public information submitted on August 18, 2021.

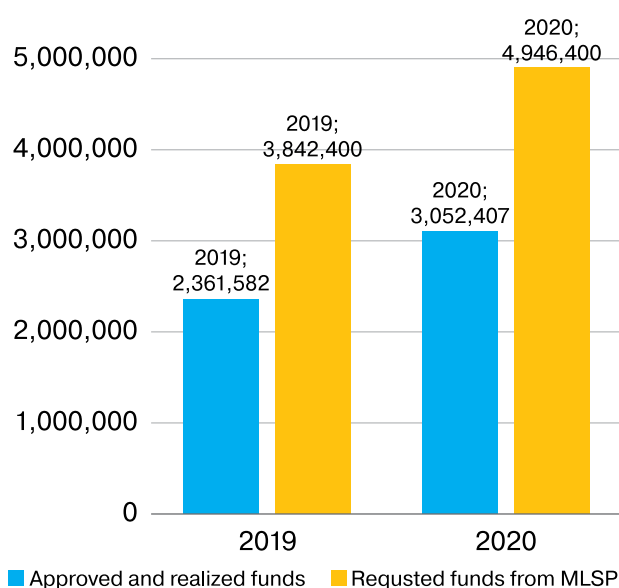
The analysis demonstrates that the costs per child at ICSW - Skopje are declining from year to year, with more than half having decreased in 2019 compared to 2018. This is a result of the increased number of children in conflict with the law, child victims and children in contact with the law that were covered. The funds spent to this end have increased slightly, yet they have failed to keep up with the increasing number of children that were covered.

The funds spent for assistance and protection of children in conflict with the law, child victims and children in contact with the law are implemented through the following sub-items in the budget:

- ▲ 471290 Accommodation in institutions for children without parents and parental care,
- ▲ 423410 Food & beverages and
- ▲ 421110 Electricity.

As far as the monthly funds that ICSW – Skopje has requested from the Ministry of labour and social policy, which amount to 320,200 MKD per month in 2019 and 412,200 MKD per month in 2020, it can be concluded that they are significantly higher in relation to the funds approved for spending by the competent ministry, as evident in the chart below. However, it can be concluded that in 2020 more funds were approved and spent for assistance and protection of children in conflict with the law, child victims and children in contact with the law compared to 2019, which is certainly a positive change, especially since it is an atypical year.

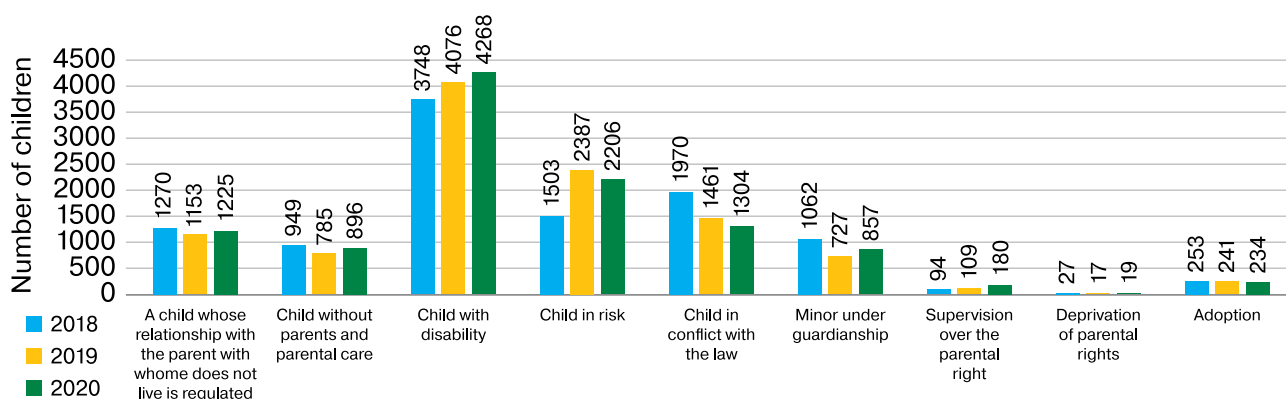
Graph no. 1 – Requested vs. approved funds from the MLSP for ICSW Skopje



The other Centres for social work in the country have not provided data on requested and approved funds for assistance and protection of children in conflict with the law, child victims and children in contact with the law, which renders any further analysis impossible. Only the Centre for social work - Tetovo has stated that it pays a 190,000.00 denar annual rent for the premises it uses, and the Centre for social work - Kavadarci has stated that it organizes a summer camp for assistance and protection of children in conflict with the law, child victims and children in contact with the law which is financed entirely by donations in the amount of 1,955,206.00 MKD in 2018; 2,149,110.00 MKD in 2019 and 3,856,655.00 MKD in 2020.

As far as the services provided by the centres for social work for child protection are concerned, on the basis of the information presented in the annual reports on their work, relevant data has been provided on the profile of cases related to child protection. The summarized data for this analysis are shown in the graph below. The group of children of particular interest in this study are children at risk and children in conflict with the law. From the data that was obtained it can also be concluded that there was a significant increase in cases handled by the centres for social work for children at risk in 2019, and when it comes to the cases related to children in conflict with the law, there is a slight decline from year to year.

Graph no. 2 – Protection of children



Several centres for social work have submitted data on the number of children they have worked with in connection with the Law on justice for children and the data on income, segregated by year. As a result, an analysis was made of the share of cases with children related to the Law on justice for children of each centre in the total number of cases from all centres, as well as the share of revenues of each centre in the total income of these centres. This analysis is shown in the table below:

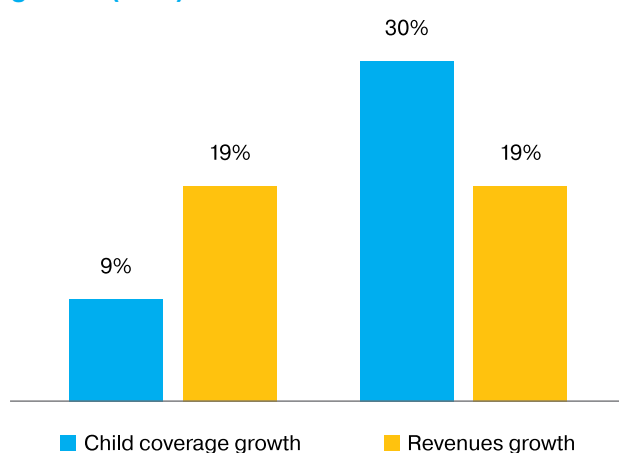
Table no. 5 – Share of cases and revenues per centre

CSW	Number of children			Revenues		
	2018	2019	2020	2018	2019	2020
Kichevo	1,3%	2,9%	1,2%	4,4%	3,9%	6,1%
Kratovo	1,4%	0,4%	0,1%	2,4%	2,4%	3,6%
Prilep	6,9%	8,3%	7,9%	6,0%	5,7%	10,4%
Skopje	7,4%	12,4%	14,4%	36,4%	37,7%	0,0%
Bitola	21,2%	20,2%	9,5%	8,0%	7,3%	12,9%
Kavadarci	10,5%	12,0%	12,6%	5,0%	5,1%	9,3%
Veles	20,7%	16,7%	16,2%	7,5%	7,5%	12,6%
Negotino	10,3%	10,5%	10,6%	2,9%	3,0%	0,0%
Kriva Palanka	0,5%	0,3%	0,3%	3,4%	3,6%	6,2%
Berovo	1,1%	1,5%	1,5%	5,4%	5,0%	7,4%
Strumica	4,3%	4,4%	18,1%	5,0%	5,3%	9,7%
Resen	0,3%	0,6%	0,8%	2,6%	2,4%	3,9%
Delchevo	2,2%	1,3%	0,4%	3,7%	3,9%	6,5%
Debar	0,9%	1,4%	1,0%	3,4%	3,4%	4,8%
Ohrid	11,2%	7,0%	5,3%	4,1%	3,9%	6,4%
TOTAL	100%	100%	100%	100%	100%	100%

From the 15 CSW's that were analysed, it can be concluded that 10 CSW participate with a lower percentage of children that were covered compared to the percentage with which they participate in the total income. Only 5 CSW's have a higher percentage of the participation of covered children in relation to the participation in total revenues. Unfortunately, due to limited data and a lack of other key information, no other in-depth analysis of the efficiency of the centres for social work or more detailed calculations of the realized costs per child can be carried out.

Having in mind the data gathered for 15 CSW's, one can notice that the number of covered children in 2019 compared to 2018 has increased by 9%, while the revenues have increased by 19%; on the other hand, the number of children covered in 2020, compared to 2019, has increased by 30%, and revenues have also increased by 19% (cf. graph below). Consequently, there is a positive trend of a 19% growth of the revenues of the CSW's in both years, while the coverage of children also increases from year to year. Yet in 2019 that percentage of growth is lower in relation to the growth of revenues, and in 2020 the growth rate of covered children is higher in relation to the growth of revenues in the same year.

Graph no. 3 – Child coverage and income growth (in %)



As far as the priority activities of CSW's related to the Law on justice for children are concerned, the centres which have provided a concrete answer in respect to the issue have indicated the following:

- ▲ Preventive activities (organization of public discussions and presentations for prevention of child delinquency);
- ▲ One-time financial assistance;
- ▲ Provision of computers and tablets for children at risk and in conflict with the law;
- ▲ Buying clothes for the children;
- ▲ Providing funds to help children take part in sports activities, to draw, to visit the cinema and theatre etc.;
- ▲ Providing funds for arranging a separate room;
- ▲ Means for implementation of increased supervision and suspended sentence with a protective supervision;
- ▲ Providing funds for expert support.²²

No additional information in this respect has been provided by the centres.²³

Chamber of mediators

The Chamber of mediators has also not implemented activities connected to children and the Law on justice for children in the period from 2018-2020 and consequently, no costs in this respect have been identified. However, the Chamber has been involved in an international project through which mediation services have been offered in 20 cases related to justice for children. Almost all cases have been resolved. The lower costs for the procedure remain to be one of the main advantages of mediation.²⁴

Courts (with extended jurisdiction)

The courts are funded through the Judicial council and no funds have been allocated for funding for child delinquency under the Law on justice for children, nor have they received donations from domestic or international entities on this basis so far. The only funds that the courts spend in relation to cases related to child delinquency are the costs they pay to the ex-officio defence service, the costs of expertise, transfer from and to a certain institution etc.

Also, the courts have stated that they do not have a large caseload related to the Law on justice for children on an annual level. Almost all courts, which submitted an answer, stated that they do not have a special department to deal with cases related to the Law on justice for children. The procedures are usually carried out by councils or judges within the criminal department. According to the Law on judicial service, there is no division of jobs in a certain area. Exceptions to this are courts with extended

²² Information provided through the replies submitted by the Centres for social work in Bitola, Kichevo and Kumanovo. Additionally, the Center for social work – Skopje has indicated the need for new premises for their employees, which are currently accommodated in sheds, an issue that is not directly connected to justice for children. Other centres for social work did not provide concrete answer to the question.

²³ The information presented in this part of analysis is based on information submitted by 30 centres for social work across the country. While 17 centres have submitted information within the deadline foreseen in the law, a complaint procedure has been initiated for 13 centres after which official replies have been provided.

²⁴ Information provided on the basis of the request for free access of public information submitted on August 18, 2021 and an interview.

jurisdiction where a child delinquency unit exists.

The employees of the courts usually attend trainings organized by the Pavel Shatev Academy for judges and public prosecutors. No internal acts that regulate the budgeting and handling of cases related to justice for children have been passed by the courts. No external expert assistance in this area has been utilized.

According to the answers submitted by the courts, only three courts in North Macedonia have indicated the amount spent on J4C. The Court in Veles has spent 372,632.00 MKD in 2018; 120,216.00 MKD in 2019; and 37,466.00 MKD in 2021 (budget items 425310, 425320 and 425990). The Court in Strumica has requested and spent 75,023.00 MKD in 2018; 541,352.00 MKD in 2019 and 726,548.00 MKD in 2020 (budget items 425310, 425320 and 425990). Finally, the Court in Kochani has spent 372,632.00 MKD in 2018; 120,216.00 MKD in 2019; and 37,466.00 MKD (budget items 425310, 425320 and 425990). The funds were mainly utilized towards free legal aid.²⁵

Directorate for execution of sanctions²⁶

Having in mind the structure and the competences established by law, the Directorate for execution of sanctions has also included the information regarding prisons (Idrizovo and Ohrid) and the Juvenile prison in Ohrid in its official reply. The Directorate has indicated that it has allocated funds in accordance with the guidelines for distribution

of funds from the basic budget to the units of the beneficiaries. Apart from that, this institution does not utilize any external expert support.

In line with the 2018, 2019 and 2020 accounting records, the Directorate has not received donations from domestic donors. On the other hand, the accounting records for the prison in Ohrid and the ECF in Tetovo indicate a UNICEF donation of 2 TVs and laptops (in the amount of 92,798 MKD) and a UNDP donation of 2 projectors and 2 laptops (in the amount of 148,216 MKD). No other donations from private donors have been indicated.

During the interviews, the representatives indicated that the institution regularly utilizes its entire allocated funding and that it has a good cooperation with the other competent authorities.²⁷

Educational – correctional facility Tetovo

Due to construction work, for a limited period, the children were moved to the Ohrid prison, while the staff was deployed to other institutions. As of November 3, 2020, the first children were welcomed at the new location (7 individuals).

According to the analysis of the financial reports that were submitted, in terms of the funds that were requested and approved, it can be concluded that the ECF Tetovo has received significantly less funds than what they had requested. Apart from that, the usage is significantly lower than the plan approved. This is evident in the following table:

Table no. 6 – Requested and approved budget in the period 2018-2020

(in MKD)

Year	Budget requested	Budget approved	% approved/ Requested	Amount spent	% spent /approved
2018	3,370,000	1,987,100	59%	1,922,644	97%
2019	4,200,000	1,513,110	36%	1,283,187	85%
2020	4,458,000	4,308,566	97%	2,886,490	67%

²⁵ Information provided on the basis of the request for free access of public information submitted on August 18, 2021.

²⁶ Includes information on prisons (Idrizovo and Ohrid) and the juvenile prison in Ohrid.

²⁷ Information provided on the basis of the request for free access of public information submitted on August 18, 2021 and the interview.

On the basis of the information presented, it can be concluded that in 2018 and 2019, ECF - Tetovo has been approved significantly less funds than what it has budgeted. This is obviously a result of the fact that in this period the institution did not perform its regular duties, and is characterized by a high percentage of funds that were spent. In 2018, the expenditures mainly refer to the costs for payment by enforceable acts and utilities and in 2019 - for utilities and other current expenditures for which no additional information is available.

In 2020, when the institution was expected to start its regular operation in the new facility, the plan that was approved in relation to the budgeted plan was 97%. Given the fact that the institution started operating at the end of the year (November), there was lower utilization of the approved plan (67%). This issue was also confirmed during the interviews with the representatives of the ECF. In 2020, 84% of the funds were mainly spent on materials and small inventory, contract services and utilities.

The analysis did not take into account the salaries of the employees in the institution, which in 2019 have increased by 14% compared to 2018 and in 2020 - by 53% compared to 2019. Despite the increase in salaries, which indicates new employments, there are still some vacancies in this institution: senior clerk, archivist, cook and prison police commander, as well as 15 junior correctional officers. In that direction, assuming that the costs are averaged by months, and taking into account the costs for only two months as long as the children were present in the new institution, an approximate cost of 325,197.00 MKD per child can be calculated for 2020. The ECF Tetovo has been provided with support from teachers who are paid through the Ministry of education and science and who are involved with the children.

As far as donations are concerned, the ECF Tetovo in 2018 has received donations from domestic donors (a passenger vehicle, TVs, computers, laptops) and a transfer from the Directorate for execution of sanctions in the amount of 2,699,297.00 MKD. In 2019, the ECF Tetovo has obtained computers, laptops and printers from a Turkish donation in the amount of 218,782.00 MKD. The ECF keeps records of each donation in its accounting. Apart from that, it has indicated its priorities for the future – donations for air conditioners and agricultural machinery in the amount of 1,200,000.00 MKD.

The employees regularly attend trainings related to the Law on justice for children mainly organized by the Prison police sector.

During the interviews, the representatives of ECF outlined several significant trends, including the practice of reductions of budget requests by the Ministry of finance, the regular employment for the vacant positions (the Directorate grants approval which is later rejected by the Ministry of finance); provision of food, clothes and shoes for the children which is often provided through donations etc. Several challenges are still present in the work of this institution: provision of resources to enable the families visit the children continuously, in accordance with the law, extension of their vocational education and training, a more transparent approach in the approval of the budget requested of the institution, mostly due to the fact that the amount that was allocated has been predetermined etc.²⁸

Faculty of security – Skopje

In the period between 2018 and 2020, the Skopje Faculty of security has not held or organized trainings on topics related to the Law on justice for children. Consequently, the Faculty has neither spent any funds nor has it received donations for this purpose.

The Faculty of Security has no internal acts related to the Law on justice for children.²⁹

The public institution for caring of children with educational and social issues and deviant behaviour

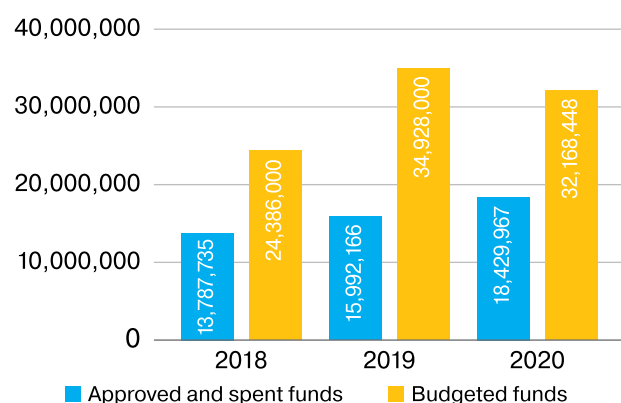
This institution represents one of the key stakeholders in the child justice system, and it is in charge of providing several social protection services including: accommodation of children with 24/7 assistance and support from professionals, food, clothing and health care, provision of access to education, acquiring skills, cultural and recreational activities, accommodation of children in conflict with the law aged 14 to 18, accommodation of street children for a period of up to 7 days etc. Pursuant to the Law on justice for children, this institution is expected to provide short-term accommodation of individuals referred to the implementation of a measure - referral to a juvenile centre issued by a court and implements short-term measures that influence the personality and behaviour of the juvenile.

²⁸ Information provided on the basis of the request for free access of public information submitted on August 18, 2021 and an interview that was conducted.

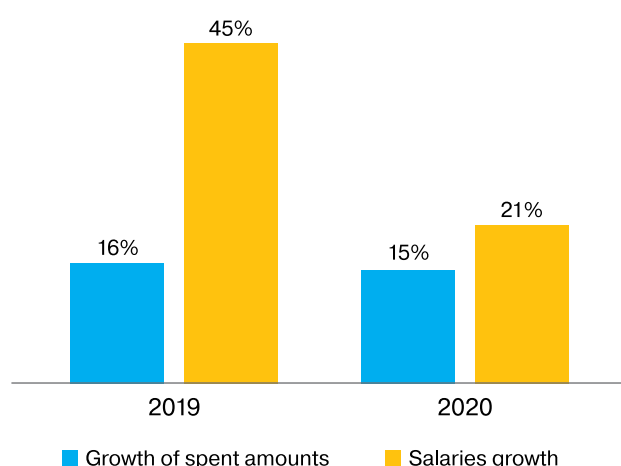
²⁹ Information provided on the basis of the request for free access of public information submitted on August 18, 2021.

As far as the financial analysis of the expenditures is concerned, the budget of the institution is significantly higher than the realization of expenditures (except salaries), i.e. the realization or approved and disbursed funds in relation to the budgeted funds was 57% in 2018 and 2020, while in 2019 it was only 46%. However, the realization from year to year has an increasing trend - it has increased by 16% in 2019 compared to 2018 and 15% in 2020 compared to 2019, or since the beginning of the period under observation the realization has increased by 34% (see chart below). Salaries have been on the rise, increasing by 45% in 2019 compared to 2018 and 21% in 2020 compared to 2019, or from the beginning of the analysed period the salaries have increased by 75% (see graph below). This may be a result of new employments and/or salary increases of existing employees, which was substantiated by the 2020 annual report, where it was noted that this institution has a sufficient number of professional staff, but that it lacks in administrative and technical staff.

Graph no. 4 - Requested and approved funds in the period 2018-2020



Graph no. 5 – Increase in costs (in %)



Costs per child could not be calculated. The total costs that are budgeted and implemented by years have been presented, but the number of children accommodated was provided for 2020 only (33 children). Moreover, this institution offers other activities such as cooking of free meals, activities for displaced persons, for the homeless etc.³⁰

The Institute of social activities

The Institute of social activities monitors social risks related to the Law on justice for children, i.e. children in conflict with the law, as well as its implementation in the social protection system. For that purpose, the Institute drafts a report on the implementation of the Law on justice for children by the centres for social work and submits it to the Ministry of labour and social policy.

Pursuant to the Law on justice for children, the Institute of social activities delivers trainings related to the Law and advisors from the Institute participated in trainings related to the implementation of the Law, in 2018, 2019 and 2020. However, no specific funds have been allocated for this purpose.

Besides that, on the basis of complaints from individuals and legal entities submitted through the MLSP, the Institute is authorized to carry out supervision of the professional work of the centres for social work and institutions.

According to the official reply, all activities related to the Law on child justice have been implemented by means of their in-house human and technical resources, without domestic and foreign donations. No separate items for this purpose have been indicated.

During the interviews, the representatives have emphasized the extensive experience of the Institute in dealing with issues related to the child justice system in North Macedonia. The Institute also boasts a long tradition of cooperation with a number of foreign donors and domestic civil society organizations (including UNICEF, UNDP etc.), mostly in delivery of child justice trainings. The Institute is regularly involved in sector-relevant policy development working groups. Finally, the institution does not face considerable challenges in terms of human resources, but it does not receive funding for capacity building and professional development of the employees.³¹

³⁰ Information provided on the basis of the request for free access of public information submitted on August 18, 2021.

³¹ Information provided on the basis of the request for free access of public information submitted on August 18, 2021 and the interview that was conducted.

Ministry of education and science

According to the information that was submitted by the Ministry of education and science (MES), no funds have been disbursed from the budget for activities related to the Law on justice for children, no vacancies have been filled for tasks related to this Law, employees have not attended trainings related to justice for children and no funds have been planned or approved for child protection.

MES has indicated that the primary schools, which are funded by the local self- government, are obliged to address these issues.³²

Ministry of Health

The Ministry of health did not submit an official reply to the request for free access to public information. Although a complaint procedure has been initiated and ASPI has reached a decision to instruct the ministry to respond to the request, the latter failed to submit an official reply within the deadline.

Ministry of interior

The Ministry of interior has not requested any funds from the budget of RNM for launching informative campaigns on the rights of children and their protection. The prevention campaigns that are carried out by the prevention department/prevention unit, aimed at raising public awareness on the rights of children, are mainly implemented with the financial support of the OSCE. The campaign consists of distribution of printed promotional material. In terms of strengthening of the capacities of the police officers when it comes to dealing with child victims, children in conflict with the law and children in contact with the law, the Mol has stated that their staff has regularly attended trainings organized by UNICEF, the French embassy and ICITAP. For instance, in 2018, within the “Police treatment of victims of crime” project, cascading trainings were conducted with police officers, with a special focus on child victims, victims of domestic violence and trafficking with human beings, as well as victims of sexual harassment.

On the basis of the indicators prepared by the State council for prevention of child delinquency, the Mol has established a records and data collection system. This activity is implemented using in-house funds.³³

Ministry of justice

In accordance with the Law on free legal aid and the Law on justice for children, the Ministry of justice is in charge of allocating budget funds for free legal aid, to cover remuneration of lawyers. The funds are transferred to associations authorized to provide primary legal aid and legal clinics, as well as to lawyers for providing secondary legal aid. The number of children represented with free legal aid was 55 in 2018; 49 in 2019 and 65 children in 2020. The realization of these funds in relation to the budgeted amounts is extremely low - 6% in 2018 and 2020 and only 3% in 2019.

The Ministry of justice has not budgeted or disbursed funds for mediation procedures in the aforementioned period.

In addition to providing funds for free legal aid, the Ministry of justice budgets funds for compensation of a child who is a victim or who was harmed by an act defined by law as a crime of violence (in accordance with Article 151 paragraph 1 of the Law on justice for children). A program for allocation of these funds is published in the Official Gazette every year. The funds are budgeted and paid through program 10 - administration, account 464 - various transfers. By looking at the information in the table below, it can be concluded that a higher amount was paid than originally budgeted in each of the three years that were analysed. However, no data is available on how many children have been compensated using these funds.

Apart from the funds planned for free legal aid and compensation for children, the Ministry of justice is also competent for planning of other funds in accordance with the Law on justice for children. Yet, on the basis of the information that was submitted, only a very small percentage of these funds have been realized - 35% in 2018, 55% in 2019 and 53% in 2020.

³² Information provided on the basis of the request for free access of public information submitted on August 18, 2021 and complaint submitted on September 17, 2021.

³³ Information provided on the basis of the request for free access of public information submitted on August 18, 2021.

Table no. 7 – Budget items for J4C by the Ministry of justice

(in MKD)

Ministry of justice – budget items for J4C	2018	2019	2020
Funds for free legal aid approved in the budget	3,000,000	5,000,000	5,000,000
Disbursed funds for free legal aid	184,450	170,400	319,600
Number of children represented	55	49	65
Funds for compensation approved in the budget	500,000	1,000,000	1,000,000
Disbursed funds for compensation	651,010	4,321,894	1,119,600
Other expenditure in accordance with the Law for justice for children approved in the budget	2,400,000	2,400,000	2,400,000
Disbursed funds for other expenditures in accordance with the Law for justice for children	851,234	1,322,454	1,260,700

Although the budget of the Ministry of justice foresees funds for activities related to the Law on justice for children, it has not adopted any internal acts that regulate the budgeting process itself, determining funds and their distribution.

During the interviews, the representatives have elaborated their competences in the field of justice for children and have identified several challenges in their work, including timely recruitment of human resources (a number of positions remain vacant).³⁴

Ministry of labour and social policy

The Ministry of labour and social policy did not submit an official reply to the request for free access to public information. Although a complaint procedure has been initiated and ASPI has reached a decision to instruct the ministry to respond to the request, the latter failed to submit an official reply within the deadline.

Ombudsman

In the period between 2018 and 2020, the Ombudsman did not request funds from the budget of RNM for activities related to raising public awareness and conducting informative campaigns on children's rights and their protection in accordance with the Operational plan for implementation of the National strategy for prevention of child delinquency and activities

related to the Law on justice for children. In addition, the office of the Ombudsman has not received donations for this purpose, it has not used expert assistance and it has not opened vacancies related to the implementation of the Law on justice for children. This information is inconsistent with the information presented on the institutional website, in particular the information that a Department for the protection of children's rights has been established.

As far as the biggest challenges in the implementation of Law on justice for children are concerned, the Ombudsman's office in its 2020 annual report has indicated several practical challenges: (1) providing an attorney for children in cases when it is mandatory by law; (2) a lack of interest of the attorneys for cases involving children; (3) a lack of updated lists of attorneys trained in the segment of justice for children in the police stations nationwide; (4) an involvement of the same attorney in several police stations in all cases related to justice for children; (5) instances of improvisation in the procedure when an attorney is not present etc.³⁵³⁶

³⁴ Information provided on the basis of the request for free access of public information submitted on August 18, 2021 and an interview that was conducted.

³⁵ 2020 Annual report, Ombudsman of the Republic of North Macedonia, p. 108 – 109, available at <http://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Godisni%20izvestaj/GI-2020/GI-2020.pdf>

³⁶ Information provided on the basis of the request for free access of public information submitted on August 18, 2021 and complaint submitted on September 17, 2021.

The Public prosecutor's office of the Republic of North Macedonia

The request for free access to public information has been submitted to all Public prosecutors' offices across the country and to the Public prosecutor's office of RNM (PPO).³⁷ The PPO has officially replied that it could not provide an answer to the specific questions due to the fact that no separate expenditure items for these costs have been foreseen in the rulebook of classification of expenditures issued by the Ministry of finance. The costs for these items are shown cumulatively under the expenditure item 425 – Contractual services. Additionally, the PPO has indicated that no internal acts on budgeting related to justice for children

The SCPCD receives funding from the Ministry of justice as a second-line budget user. There is no independent program for the needs of SCPCD and the funds are approved within the program 10 - Administration, budget account 637 on account 420 - Travel and subsistence expenses, 425 - Contract services and 426 - Other current expenditures.

The costs paid through account 420 and 426 are negligible, so therefore almost all funds are paid through account 425 (Contractual services), where most often are paid those hired by contract or honorarium. The table below shows the spending by years:

Table no. 8 - Budget of SCPCD transferred through different budget accounts

Account No.	2018		2019		2020	
	Approved	Spent	Approved	Spent	Approved	Spent
420	600,000	2,001	600,000	41,830	600,000	3,667
425	1,500,000	931,873	1,500,000	1,282,962	1,500,000	1,257,028
426	6,000	5,010	-	-	-	-
Total	2,106,000	938,884	2,100,000	1,324,792	2,100,000	1,260,695

have been passed. Moreover, this institution has not received donations from domestic or international donors in the period between 2018 and 2020. In addition, the staff of the PPO has not participated in trainings connected to justice for children in the self-same period. Finally, only the Public prosecutor's office in Skopje has established a separate unit for justice for children. So far only 1 officer has been employed, although a total of 6 employees are foreseen to be employed at the unit.

State council for prevention of child delinquency

The State council for prevention of child delinquency has provided answers to the questions in the request for free access to public information but has not submitted the necessary documents requested by ISIE. As a result, the information has been presented solely on the basis of the official reply that was submitted.

No separate acts that regulate the budgeting of items and methodology for determination of the needs of the institutions related to the Law on justice for children have been passed. The SCPCD uses expert assistance in the amount of 30,000.00 MKD per year, and due to the amount, no public procurement procedure is carried out. The SCPCD has not received donations in the period between 2018 and 2020. On the other hand, the SCPCD has indicated that they need donations for the preparation, translation and printing of specific brochures and publications, as well as for preparation of reports for child victims, children with disabilities, street children during the interviews. The representative of the State council vividly described the Council's position as having a "big name, but limited competences". Additionally, a number of challenges on the operational side have been underlined including: a lack of suitable working premises, limited funding, a lack of interest of relevant stakeholders, as well as lack of coordination and distribution of information among the participating entities and their representatives

³⁷ Almost all public prosecutors offices have submitted an official reply that the Public Prosecutors Office of RNM is competent for providing official reply to the request.

in the council.³⁸

Local self-government units

Requests for free access of public information have been sent to all 80 municipalities in North Macedonia and the City of Skopje.³⁹ On the basis of the information that was submitted, it can be concluded that only 5 municipalities (Bitola, Kavadarci, Kumanovo, Struga and Veles) have allocated funds in their budget for Local councils for prevention of child delinquency. The amount allocated for this purpose ranges from 30,000 to 200,000 MKD. However, only two local self-government units have actually spent these funds for this purpose (Kavadarci and Veles). The amount remains evidently low - below 60,000 MKD (1,000 EUR) annually. There have been just a handful of examples of donations for the support of the activities related to child justice with limited funding (for instance, running a summer camp). According to the information that was submitted, a total of 31 local councils for prevention of child delinquency have been established.

One should also take into account that, during the interviews with the representatives of the relevant stakeholders in the field of justice for children, the amount of 200,000 MKD was recommended as adequate for the annual budget of the local councils for prevention of child delinquency.

Several interlocutors during the interviews emphasized the importance of the local councils in the overall justice for children system and the need for allocation of basic funding for their initial activities (for instance, 200,000 MKD on an annual level).^{40 41}

³⁸ Information provided on the basis of the request for free access of public information submitted on August 18, 2021, complaint submitted on September 17, 2021 and the interview that was conducted.

³⁹ The municipalities of Gazi Baba, Gostivar, Lipkovo and Tearce did not submit an official reply to the request for free access to public information. Although a complaint procedure has been initiated and ASPI has reached a decision to instruct the aforementioned municipalities to respond to the request, none of them has submitted an official reply within the deadline.

⁴⁰ For instance, this was indicated during the interviews with the State council for prevention with child delinquency, the Institute for Social Activities etc.

⁴¹ The information in this part of the analysis is based on requests for free access to public information submitted to 80 municipalities and the City of Skopje, as well as 28 complaints submitted on September 17 and 20, 2021. As indicated, four municipalities did not provide official replies to the requests.

Conclusions

On the basis of the research that was conducted, the following conclusion can be drawn:

- ▲ There is a lack of a systematic approach for government spending on child justice at both the national and local levels. The comprehensive research that was conducted yielded only partial information on specific expenditures for some of the institutions. Several highly relevant institutions failed to submit official replies⁴², although a complaint procedure has been initiated. In a number of cases, inconsistencies between the information that was submitted in the official replies and the official financial reports, balance sheets, web sites etc. have been identified. As a result, it can be concluded that the budget classification system of items and accounts does not ensure that key justice for children programs are identifiable and that they have clear budget lines and programs to accurately estimate how much the government allocates for this purpose.
- ▲ A number of institutions have indicated that the expenditures allocated for justice for children are not calculated separately, but cumulatively with other related costs, in accordance with the classification of expenditures issued by the Ministry of finance. This is mainly the case with almost all institutions that have spent a certain amount on child justice.
- ▲ Some of the institutions are not aware of the responsibilities in the system⁴³ and some of the institutions submitted partial or incomplete replies.
- ▲ Several institutions that have been contacted either through the requests for free access of public information or through the interviews have directly or indirectly indicated that their institutions are not aware that they are a part of the Operational plan for implementation of the National strategy for prevention of child delinquency. These institutions include: Agency for audio and audio-visual media services, Agency for Youth and Sport, Bar association of the Republic of North Macedonia, Bureau for development of education, Centre for adult education, Centre for adult education, Chamber of mediators, Faculty of security – Skopje, Ministry of education and science
- ▲ and Ombudsman Office.
- ▲ The foreseen national budget drafting procedure is conducted in generic way without room for concrete intervention and flexibility. The lack of specific program and account for justice for children limits the flexibility of the funds to be allocated and/or requested through the budget.
- ▲ The sector of justice for children receives very limited amount of donations from domestic and international donors. Donations are recorded in the official accounting in both cases (domestic and international donations), when received products or cash for which most of the institutions have separate account dedicated only to donations. Evidently, the services in the sector are not donor dependant.
- ▲ The participation of staff in trainings connected to justice for children remains limited. The staff involved in the trainings related with justice for children are those employed in CSW and most often the trainings are free of charge organized by ICSW and consequently, does not have any financial implications.
- ▲ While local councils for prevention of child delinquency have been established in a number of municipalities (according to the submitted information - 31), only 2 municipalities have actually disbursed funds for the functioning of the council. The sum remains evidently low - below 60,000.00 MKD (1,000.00 EUR) on annual level. To a large extent, the councils are not operational.
- ▲ Only three courts in North Macedonia have indicated that they allocate funds for justice for children. In average these three courts have allocated and spent a total of 800,000.00 MKD (13,000.00 EUR) on annual basis.
- ▲ The government has not budgeted or disbursed funds for mediation procedures in the aforementioned period.
- ▲ No separate acts that regulate the budgeting of items and methodology for determination of the needs of the institutions related to the Law on justice for children have been passed in almost any of the analysed institutions.

⁴² Ministry of Labour and Social Policy, Ministry of Health, Municipalities of Gazi Baba, Gostivar, Lipkovo and Tearce.

⁴³ These institutions include Agency for Audio and Audio-visual Media Services, Agency for Youth and Sport, Bar association of the Republic of North Macedonia Bureau for Development of Education, Centre for adult education etc.

Recommendations

On the basis of the research that was conducted and the conclusions that were identified, the following measures are recommended to address the issues at hand:

- ▲ To establish a new budget program to be utilized by all competent authorities for implementation of the Law on justice for children for requesting funds connected to this law;
- ▲ To set-up a new sub-item or sub-items (6-digit account) in the Budget through which funds related to the Law on justice for children will be realized. Given the high number of institutions involved, this approach will provide a better monitoring on the funds spent on justice for children as well as a legal framework through which the institutions that are involved could require and spend funds;
- ▲ To develop better coordination and information sharing between institutions in respect to the obligations in the Law on justice for children and the Operational plan for the National strategy for prevention of child delinquency. Potential mechanism for reporting and monitoring of activities of all identified stakeholders should be established, including the drafting of an annual report on activities connected to justice for children. The report should be submitted to a competent institution identified by law (for instance, the State council for prevention of child delinquency);
- ▲ To support establishment of information sharing tools on the issues of justice for children within the competent institutions. The annual reports of the identified stakeholders should include information on activities related to justice for children;
- ▲ To develop software solution for the needs of CSW to record service expenditures for justice for children to better monitor its adequacy, efficiency and effectiveness;
- ▲ To readdress the work of the Local councils for prevention of child delinquency. An annual and/or quarterly reporting obligation should be introduced. The unit of local self-government should establish a minimum budget for the activities of the local councils for prevention of child delinquency on the basis of the size,

population and the stated recommendations in this report (200,000.00 MKD on an annual level). Additional operational challenges (including guidance on the adequate size of the councils, motivation of the members to actively participate in the work of the councils as well as guidance on the development of program and concept of activities etc.) should also be considered;

- ▲ To take into consideration the potential allocation of funds for a mediation procedure;
- ▲ To draft separate acts that regulate the budgeting of items and methodology for determination of the needs of the institutions related to the Law on justice for children and
- ▲ To strengthen the capacities of the employees for accurate reporting and free access to public information.

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- ▲ Annual Report of the Institute of social activities (2018-2020);
- ▲ Annual Report of the Judicial council of the Republic of North Macedonia (2018-2020);
- ▲ Annual Report of the Ombudsman of the Republic of North Macedonia (2018 - 2020);
- ▲ Annual Report of the State council for prevention of child delinquency (2018 -2020);
- ▲ Annual Reports on the degree of provision, respect, advancement and protection of human rights and freedoms (Ombudsman, 2018-2020) and
- ▲ Council of Europe R(87)20 concerning social reaction to juvenile delinquency, 1987;
- ▲ Council of Europe R(88)6 on social reactions to juvenile delinquency among young people coming from migrant families, 1988;
- ▲ Council of Europe Rec(2003)20 concerning new ways of dealing with juvenile delinquency, 2003;
- ▲ DIRECTIVE (EU) 2016/800 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings;
- ▲ ECOSOC Resolution 2005/20 Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime;
- ▲ European Commission, FYR Macedonia 2018 Report, Available at <https://ec.europa.eu/neighbourhood-enlargement/system/files/2019-05/20180417-the-former-yugoslav-republic-of-macedonia-report.pdf> [Accessed on October 22, 2021].
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- ▲ Law on Accountancy of the Budget and the Budget Beneficiaries (Official Gazette of the Republic of Macedonia No. 61/2002, 98/2002, 81/2005, 24/2011, 145/2015 and 170/2017);
- ▲ Law on Budgets (Official Gazette of the Republic of Macedonia No. 64/2005; 4/2008; 103/2008; 156/2009; 95/2010; 180/2011; 171/2012; 192/2015 and 167/2016);
- ▲ Law on Execution of Sanctions (Official Gazette of the Republic of North Macedonia No. 99/2019 and 220/2019);
- ▲ Law on Family (Official Gazette of the Republic of Macedonia No. 80/1992, 9/1996, 38/2004, 33/2006, 84/2008, 67/2010, 156/2010, 39/2012, 44/2012, 38/2014, 115/2014, 104/2015 and 150/2015 and Official Gazette of the Republic of North Macedonia 6p.53/2021);
- ▲ Law on Free Legal Aid, (Official Gazette of the Republic of Macedonia No. 101/2019);
- ▲ Law on justice for children (Official Gazette of the Republic of Macedonia No. 148/2013 and Official Gazette of the Republic of North Macedonia No. 152/2019 and 275/2019);
- ▲ Law on mediation (Official Gazette of the Republic of Macedonia No. 188/2013, 148/2015, 192/2015 and 55/2016)
- ▲ Law on Protection of Children (Official Gazette of the Republic of Macedonia No. 23/13, 12/14, 44/14, 144/14, 10/15, 25/15, 150/15, 192/15, 27/16, 163/17 and Official Gazette of the

- Republic of North Macedonia 121/18, 198/18. 104/2019, 146/19, 275/19) and
- ▲ Law on Social Protection (Official Gazette of the Republic of North Macedonia No. 104/2019, 146/2019, 275/2019, 302/2020 and 311/2020).
 - ▲ National program on social protection development (2011-2021) Ministry of labour and social policy;
 - ▲ National Strategy (2020 - 2025) and Action Plan (2020 - 2022) on Prevention and Protection of Children against Violence;
 - ▲ National Strategy for Deinstitutionalization in Republic of Macedonia 2018–2027 “Timjanik”, Ministry of labour and social policy;
 - ▲ National strategy on prevention of juvenile delinquency (2010-2020);
 - ▲ National youth strategy (2016 - 2025), Agency for youth and sport;
 - ▲ Operational plan on implementation of National strategy on prevention of child delinquency (2015-2017);
 - ▲ Report from the visit of the Institute for care, upbringing and education of children and youth “Ranka Milanovic” public institution (2019)
 - ▲ Report on the situation regarding the protection of children from abuse and neglect in accordance with the created indicators for 2017, Ministry of labour and social policy and State Council for Prevention of Child Delinquency – Kavadarci, 2019.
 - ▲ Special report on the situation and conditions for exercise of rights of children without parents and parental care accommodated in public institution for care in the Republic of Macedonia (Ombudsman, 2017);
 - ▲ Strategy on Education (2018 - 2025), Ministry of Education;
 - ▲ UN Guidelines for Action on Children in the Criminal Justice System;
 - ▲ UN Guidelines for the Prevention of Juvenile Delinquency (Riyadh Rules);
 - ▲ UN Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules);
 - ▲ United Nations Convention on the rights of the child;
 - ▲ United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”);
 - ▲ United Nations Sustainable Development Goals.

Annex 1 – Competences of different authorities according to the Operational plan on implementation of National strategy on prevention of child delinquency (2015-2017);

Strategic objective 1: Primary prevention		
Results	Activities	Competent authority
1. Increase of number of children in pre-school institutions	1. Develop and implement programs for inclusion of children in the institutional education system of preschool age for their care, education, development of social skills, fostering self-confidence and self-protection;	Ministry of Labour and Social Policy Ministry of Education and Science
	2. Providing support to families for the inclusion of children in preschool institutions	
2. Developed program contents for prevention of child delinquency in the education system.	1. Introduction of program contents related to the prevention of child delinquency in the annual work program of the school;	Ministry of education and science (schools)
	2. Development of program contents related to the prevention of child delinquency in the annual work program of the parents' council;	Local councils for prevention of child delinquency
	3. Planning debates, debates or workshops related to the prevention of child delinquency in the work program of the pupils' community;	State Council for Prevention of Child Delinquency
	4. Raising public awareness among teachers, parents and children for prevention of child delinquency through workshops within the school. Developing program activities in cooperation with the police, local self-government, schools and parents' councils with content child delinquency;	Ministry of interior, Local self – government
	5. Establishment of tripartite councils composed of parents, students and teachers for creating school policies.	
3. Preparation of preventive (health) programs by the health services for children	1. Adoption of preventive programs for children and their implementation in coordination with schools;	Ministry of Health Health centers
	2. Strengthening the service of family doctors – paediatricians for the promotion of children's health and early intervention;	
	3. Development of mechanisms for early detection of certain problems and phenomena;	
	4. Opening counselling centres and centres for children who use drugs and other psychotropic substances.	
4. Raising public awareness and implementation of information campaigns on children's rights and their protection	1. Raising awareness of the media representatives regarding the problem of children's representation through debates and informative meetings;	Ministry of information society and administration
	2. Preparation of informative educational programs for children and the general public.	Agency for audio and audio visual media services Ministry of labour and social policy Ministry of justice Ministry of education and science Ministry of Interior Ombudsman
5. Involvement of the local community in the implementation of preventive programs for prevention of child delinquency	1. Developing the cooperation of the State Council for prevention of child delinquency with the local councils for prevention of child delinquency;	State council for prevention of child delinquency
	2. Establishment of local councils for prevention of child delinquency.	Association of the units of local self-government - ZELS Local self-government
6. Development of cooperation of the State council for prevention of child Delinquency with the Bar Association	1. Developing cooperation through realization of meetings, meetings, trainings for the role of lawyers in proceedings against children in accordance to the Law on Justice for Children;	Bar Association State council for prevention of child delinquency
	2. Signed Memorandum of Cooperation	Ministry of justice

Strategic objective 2: Secondary prevention		
Results	Activities	Competent authority
1. Development and implementation of programs for early recognition and early identification of children at risk in preschool and school institutions	1. strengthening professional services in schools for identification and early identification of children at risk;	Ministry of labour and social policy Ministry of education and science Institute for Social Activities Skopje Bureau for Development of Education
	2. development of programs for responsible parenting;	
	3. implementation of the program for counselling of parents and children;	
	4. development of training modules for professionals in the field of child protection in order to improve the knowledge and skills to meet the needs of children in risk	
	5. development of the inter-sectoral cooperation for the purpose of timely intervention.	
2. Improving the capacities of the institutions working in the system of justice for children	1. development and practice of the working method - inspection of the home of families at risk;	Ministry of labour and social policy Ministry of Education and Science Institute for Social Activities – Skopje Centres for social work Local self – government
	2. development of the format of the youth counselling centres;	
	3. implementation of the program “Educational centres for parents” in the centres for social work	
	4. development of specialized foster families for children at risk.	
3. Development of a network of mental health centres for children and counselling centres and centres for children who use alcohol, drugs and other psychotropic substances.	1. opening of mental health centres for children; B50	Ministry of health Health centres
	2. opening of centres for children who use alcohol, drugs and other psychotropic substances;	
	3. strengthening the cooperation with the institutions for children with educational and social problems, centres for social work and schools.	
4. Strengthening the capacities of police officers in dealing with children at risk and children in conflict with the law	1. Determining the possibilities for opening special rooms for conversation with children within the police stations;	Ministry of interior
	2. Development of early intervention techniques;	
	3. Development of programs with the participation of family, local community and the CSW;	
	4. Strengthening and developing the capacities of the departments/units for prevention of juvenile delinquency	
5. Implemented programs for social inclusion of children at risk	1. Adoption of programs for social inclusion of children at risk through training for learning skills, additional training, development of mentoring, organized use of free time, etc .;	Association of the units of local self-government - ZELS Ministry of local self-government Local councils for prevention of child delinquency
	2. cooperation of the local councils for prevention of child delinquency with youth organizations, Agency for youth and sports, non-governmental organizations, etc.	

Strategic objective 3: Tertiary prevention		
Results	Activities	Competent authority
1. Treatment and rehabilitation of children in educational and correctional facilities (ECF)	1. analysis of the situation in ECF;	Ministry of Justice
	2. development of programs for monitoring and support of children in ECF	Directorate for execution of sanctions
	3. preparation of standardized instruments for individual work during the stay in the institution	
2. Application of alternative measures	1. Information on the implementation of alternative measures and meditation prepared by the Ministry of Justice;	Ministry of Justice
	2. Raising awareness among judges regarding imposition of alternative measures - protective supervision in probation and community service;	Directorate for execution of sanctions
	3. development of mediation	Courts
3. Reintegration of children after leaving the institution	1. providing quality services by the local community for children after leaving the institution;	Association of the units of local self-government - ZELS
	2. development of programs involving family, local community, health institutions;	Local community
	3. Involvement of civil society in provision of certain types of services.	Centres for social work Civil society organizations Ministry of education and science Centre for adult education
4. Improving the system for recording and reporting on children at risk, child victims and children in conflict with the law	1. introduction of records in all relevant institutions;	Public Prosecution Office
	2. the Public Prosecutor's Office to establish a system for registration of child victims;	Centres for Social Work
	3. improvement of records at the national level;	Ministry of Interior
	4. provision of statistical analysis.	Ministry of Education and Science Courts with extended jurisdiction

