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ROADMAP FOR THE IMPLEMENTATION OF THE HUMAN RESOURCES STRATEGY FOR THE JUDICIARY IN NORTH MACEDONIA

Executive Summary

The present roadmap is based on the "Report on the Implementation of the Human Resources (HR) Strategy for the Judiciary in North Macedonia." This paper is a direct result of the EU Rule of Law project's work and a two-day workshop that included members of the Judicial Council, court presidents, judges, legal experts, and representatives from the Association of Judges and the Academy for Judges and Public Prosecutors. The report's methodological approach included desk research on international and European HRM standards, comparative analysis of practices in Albania, Belgium, Croatia, France, Italy, The Netherlands, and Portugal, and field research conducted in 15 courts across North Macedonia in June 2025. Data was collected through structured interviews and site visits with key stakeholders, and two comprehensive questionnaires distributed to all 34 courts via the Judicial Council relating to workload and staffing numbers. The Report concludes that the implementation of the Human Resource Management (HRM) strategy adopted by the Judicial Council in 2020 faces serious challenges. The present Roadmap focuses on the major problems identified in the Report and suggests a number of steps to address these problems.

1. Understaffing of the judiciary

Severe shortage of judges and support staff is considered among the most critical problem for the judiciary in North Macedonia. The situation is described as extremely serious and that the "*conditions in the judiciary are worsening year after year, but it has never been this bad.*" This problem hinders judicial effectiveness. According to the CEPEJ Report on Evaluation of Judicial Systems from 2024, in 2022, the clearance rate for cases in North Macedonia's courts was as follows: *in civil cases:* 85% at first instance, 97% at second instance, and 97% at the highest instance; in *criminal cases*: 94% at first instance, 99% at second instance, and 109% at the highest instance, and in *administrative cases* 104% at first instance, 103% at second instance, and 117% at the highest instance. According to the same CEPEJ report, the total number of judges in North Macedonia as 22,3 per 100,000 inhabitants, which is only slightly higher than the European average of 21,9. However, compared to other countries in the former Yugoslavia – such as Montenegro (42.4), Croatia (42), and Serbia (39.1), which share a similar legal tradition – North Macedonia operates with nearly half the number of judges per capita. This indicates that in several categories, courts have resolved more cases than they received, which is above the Council of Europe (CoE) median, but that in both civil and criminal cases, at first and second instances, the number of resolved cases per year are below the CoE median. At present, the clearance rate demonstrates that the capacity of the judiciary to process cases is considerably lower than the number of cases filed every year. For basic courts, the clearance

rate in 2023 amounted to 97,8%. According to statistical data, the gap between the numbers of judges according to the current systematisation and the actual numbers of judges decreases by the year. The number of judicial posts according to the 2015 Systematisation of the Judicial Council amounts to 636, whereas by the end of October 2025, the total number of filled judicial posts amounts to only 432. Based on the feedback to the Judicial Council from courts in October 2025, the total number of judicial posts should amount to 589. This gap amounts to a shortage of 32% of judges according to the 2015 Systematization. In addition, 84 judges are expected to retire by the end of 2028. Positions becoming vacant as a result of retirement of judges are regularly not filled or only filled after considerable delays. This is largely a result of the systemic bottlenecks at the Academy for Judges and Public Prosecutors, including the prolonged duration of the initial training program beyond the legally prescribed two years. Furthermore, these delays are compounded by fiscal obstacles, such as the Ministry of Finance's withholding of approval for funding for new generations of Academy candidates, even when funding otherwise exists within the judicial budget. In addition, newly appointed judges having completed training at the Academy are not allowed, by law, to sit on all cases, but can only sit on less serious cases, thereby hampering the effective distribution of cases amongst judges.

Action:

(1) A comprehensive needs assessment of the judiciary must be undertaken to serve as the basis for a new, evidence-based systematization of judicial posts.

(2) On the basis of this needs assessment and the resulting revised systematization, a follow-up will be needed to ensure that the levels of judges are urgently adjusted to match the newly determined numbers.

2. Understaffing of support staff to the judiciary

According to the same statistical data and the feedback from the interviews, there is also a severe and constantly increasing shortage of support staff. The number of support staff posts, according to the internal systematisations of the courts, amounts to 4,705, whereas by the end of October 2025, the total number of filled support staff posts amounts to 1,738. Based on the feedback to the Judicial Council from courts in October 2025, the total number of support staff posts should amount to 2780. In addition, 181 support staff are expected to retire by the end of 2028. Filling of support staff positions often takes place after serious delays. At present, due to such shortages, judges are regularly forced to perform support staff functions themselves, which undermines the efficiency of judicial procedures. On the average the number of unfilled support staff positions at the courts amounts to 63% according to the internal systematizations of the courts. Over the past couple of years, requests for new hirings by the Judicial Budgetary Council have been systematically denied by the Ministry of Finance. Salaries for support staff are generally considered as very low, and in most cases fall below the average wage, which creates huge challenges for the recruitment of new staff and the retention of staff. The Court Administration's protests in 2023 were a direct response to critically low wages and the non-payment of supplements. This grievance was intensified by the huge pay disparity created when the salaries of judges and elected officials increased by 78%, an inequity the court employees deemed "humiliating".

Action:

(3) A thorough functional analysis of the courts' administrative workload is required to form the basis for a new, evidence-based systematisation of support staff posts, as the current framework may be obsolete and not aligned with the actual needs for technical and administrative expertise.

(4) On the basis of this functional analysis and the resulting revised systematisation, a follow-up will be needed to ensure that the levels of support staff are urgently adjusted to match the newly determined numbers.

(5) There is a need for more competitive salaries for support staff in order to be able to recruit and retain professional staff.

3. Lack of financial autonomy for the judiciary

According to the Law on the Judicial Budget, 0,8% of the GDP should be used for the judiciary. In 2024, the actual expenditures amounted to only 0,29% of the GDP. According to this Law, the Judicial Budget Council allocates funds amongst the Judicial Council, the courts and the Academy for Judges and Public Prosecutors, approves the resources for new hires within the budget and reallocates funds within the judiciary. The newly adopted laws on administrative and public servants add another layer of executive oversight, granting the Ministry for Public Administration authority to approve the judiciary's acts of systematization and annual employment plans. This new obligation to obtain consent risks prolonging the hiring process and creating a tool for undue influence against the judiciary's operational autonomy. Furthermore, the Ministry of Finance retains the ultimate veto power, as its consent is still required for collective agreements on staff salaries and the budget execution for new appointments, continuing to serve as a bottleneck constraining financial independence. A representative of the Ministry of Finance participates in the work of the Judicial Budgetary Council without voting rights. In reality, all proposed expenditures for the filling of judicial or support staff positions (even those forming part of the systematisation) require prior approval by the Ministry of Finance. Approval is often denied, without the Ministry providing any further explanations. This does not only relate to the approval of judicial posts and staff support posts, but also to approval of other costs such as for computers, typewriters, cleaners etc. The present procedures are considered by all stakeholders to lead to increased backlogs in the judicial workload and to undermine court functionality and judicial independence.

Action:

(6) There is a need to strengthen the position of the Judicial Budgetary Council by giving it autonomy over the approved judicial budget, including the hiring of judges and staff. The Council should have the power to ensure efficient and effective allocation of resources. Representatives of the executive branch should no longer form part of the Council. The relevant legal framework should be revised to provide clearer provisions guaranteeing the financial autonomy of the Judicial Budgetary Council and to amend its current composition as necessary.

4. **Ineffective judicial network**

The present judicial network is considered as outdated and inefficient by all stakeholders. The network hinders the effective use of limited resources and the optimal functioning of the judiciary. Smaller courts are often being underused, have a low workload and can often only decide upon cases with the assistance of temporary reassigned judges from bigger courts. Large urban courts are confronted with very high workloads, and limited staffing. The present number of 34 courts is considered excessive. To achieve an effective regional redistribution of judges, the judicial map could be consolidated by transforming the 10 smallest courts in the municipalities under 20,000 inhabitants, into administrative departments of larger regional courts. This consolidation would free up judicial positions for transfer to high-volume courts, resolving workload disparities. Based on the proposed comprehensive needs-based assessment, an informed decision can be taken on a new judicial map. In addition, it is widely recognized that the distinction between basic and extended jurisdiction should be eliminated. The present structure of four appellate courts is considered viable, although the present workload is unequally distributed. It is worth exploring whether the separate branch of administrative courts should be retained or integrated in the overall court structure.

Action:

(7) A roadmap should be developed and implemented to guide the creation of a new, evidence-based judicial network. This process should be based on CEPEJ guidelines and lessons learned from other European countries. The roadmap's essential steps must include the elaboration of relevant statistical data to determine actual needs, the setting of general principles for the reform and the resulting creation of the new judicial network, which requires a parallel adaptation of the systematization plan for judges and staff. This network should ensure the effective use of limited resources and the effective functioning of judicial institutions with an as equal distribution of work as possible, based on actual needs. This network could consist of the following possible elements:

- *Abolish the distinction between basic and extended jurisdiction courts.*
- *Consider merging courts with basic jurisdiction into courts with extended jurisdiction and establish judicial departments for administrative (non-judicial) functions where needed.*
- *Integrate administrative courts into the new judicial network or resolve their standalone status.*
- *Develop judicial specialization through case management systems, concentrated caseloads, and targeted professional training.*

5. **Selection, training, appointment and promotion of new judges**

The present systems relating to the selection, appointment and promotion of judges are considered restrictive, formalistic and at times unfair and demotivating. Guidance can be taken from existing European standards (Venice Commission, CEPEJ and Council of Europe) relating to merit-based recruitment and transparent and relevant quantitative and qualitative performance evaluation procedures (which are also aimed at eliminating political influence in such procedures). The Academy should remain the sole entry point. Respondents suggested changes in the legal framework and training program of the Academy,

including more focus on the development of practical/judicial skills than on theoretical/legal knowledge. For the first two years of their tenure, newly appointed judges graduating from the Academy are not allowed to sit on more complex cases and can only deal with more simple cases. This restriction is perceived as ineffective. The present evaluation system of judges is generally perceived as being focused too much on quantitative criteria (e.g. language and technical skills) and not enough on qualitative criteria (case management, quality of judgments, professional conduct, peer reviews etc). Promotion and appointment processes are also generally considered as too susceptible to non-merit-based influences and decision-making.

Action:

(8) There is a need to review the existing legal framework and procedure for the selection, initial training, appointment and promotion of judges. This review should focus amongst others on the following issues:

- *To encourage experienced legal professionals to participate in the judges initial training program at the Academy and become members of the judiciary.*
- *To consider enabling Academy graduates to be eligible for direct appointment to the Administrative Court.To adapt the Academy's training program with more focus on practical skills and less on theoretical skills.*
- *To allow newly appointed judges immediately upon graduation from the Academy to participate in all kinds of cases, no matter the complexity.*
- *To adapt performance evaluation systems to include more qualitative criteria and reduce the risk of non-merit-based evaluation decisions.*

6. IT challenges

The present ACCMIS system and the overall digital infrastructure for the judiciary is considered obsolete, outdated and in no service to the efficiency of justice. The system is at present unable to provide sufficient and relevant information relating to staffing, workload, analysis of complexity levels of cases and other judicial management information required to take effective decisions for the optimalisation of available resources. The system is at present also unable to provide adequate support to the running of judicial procedures (such as for electronic filings; audio/video coverage of proceedings, publication of judicial decisions, and access to information from other institutions via interoperability systems).

Action:

(9) There is a need to dedicate resources for the full overhaul or replacement of the present ACCMIS system to achieve a fully-fledged and functional automated case management system, in line with EU Member State best practices. This investment must ensure effective support for judicial procedures and the timely production of judicial management information, while guaranteeing interoperability with other state institutions. Investment is also required in IT hardware, IT staff and IT training for judges and staff in courts. The

role of the ICT Council at the Ministry of Justice was evaluated as not active enough, and the Council should demonstrate proactiveness.

7. Communication with the public

It is generally recognized that communication by the judiciary with the public is weak, thereby enabling negative narratives, misinformation and disinformation about the functioning of the judiciary to dominate, which in turn further undermines the trust in the judiciary. In the great majority of courts, as at the Judicial Council, there are no dedicated spokespersons.

Action:

(10) There is a need to include in the budget for the judiciary the creation of a number of positions for spokespersons at the Judicial Council and at some of the courts. National authorities (including the Association of Judges and its bodies: the Advisory Council on Judicial Ethics, and the Judicial Media Council) should strengthen public communication and reform public relations strategies to strengthen transparency and accountability and improve public trust in the judiciary.

8. Role and Collaboration of the Judicial Council and the Association of Judges

The current collaboration between the Judicial Council, the Association of Judges, and relevant ministries, particularly the ministries of Finance and Justice, has proven insufficient, as highlighted by many respondents. There is an urgent need for these bodies to take a far more proactive and united approach to secure adequate resources, protect judicial independence, and promote ethical standards. Enhanced, results-oriented cooperation between the Judicial Council and the Judicial Budgetary Council on one side and the ministries of Finance and Justice on the other side is essential to empower the judiciary to make autonomous decisions on resource allocation and to drive the development and implementation of a modern judicial network. The Judicial Council and the Judicial Budgetary Council must also be supported by a well-staffed analytical center to fulfill its budgetary and strategic responsibilities. Strengthening these partnerships is critical to restoring public trust in North Macedonia's judiciary.

Action:

(11) There is a need to strengthen the cooperation between the Judicial Council, Judicial Budgetary Council and the Ministries of Justice and Finance to ensure sufficient and effective allocation of resources for the functioning of the judiciary and strengthen judicial independence.

Conclusion and Ending Note

This Roadmap presents a clear and actionable path for addressing the most pressing human resources and structural challenges facing the judiciary in North Macedonia. The analysis identifies critical gaps in judicial and support staffing, insufficient financial autonomy, and shortcomings in the present court network, in the selection, training, and promotion of judges, and in IT and communication capacity. Most

significantly, it addresses the urgent need for improved collaboration between the Judicial Council, the Judicial Budgetary Council, the Association of Judges, and the Ministries of Finance and Justice, to ensure the judiciary has both the resources and the autonomy to fulfill its mandate. A coordinated and sustained reform effort is essential. Reforms must fill vacancies and modernize infrastructure, strengthen institutional integrity and increase public trust through transparency, ethical standards, and improved communication to benefit the judiciary and the public. This Roadmap should serve as a catalyst for transformative change, in line with the 2020-2026 HR Strategy for the Judicial Network and the 2024-2028 Development Sectoral Strategy for the Judiciary. The successful implementation of this Roadmap demands sustained commitment, regular monitoring, and a culture of open dialogue and accountability among all involved actors.