

<b>The step under review</b>	New members of the Judicial Council (replacing those whose mandates have expired) elected in line with amended law
<b>Baseline</b>	(2024) is 0.
<b>Deadline of the step</b>	December 2025
<b>Actual results</b>	<p>The election of new members of the Judicial Council is closely linked to the new Law on the Judicial Council, as part of the broader judicial reform and alignment with European standards of the rule of law. The new law substantially strengthens the conditions, criteria, and mechanisms for the election of Council members, particularly those elected by the Assembly, including the introduction of an electoral quorum and reinforced safeguards for transparency, integrity, and professionalism of candidates.</p> <p>The new Law on the Judicial Council was adopted on 29 December 2025 (Official Gazette 262/2025 of 31.12.2025) (<b>ANNEX 1</b>). Regarding the election of its members, the new law has been aligned with the recommendations of the EU Peer review mission and the Venice Commission.</p> <p>In this regard, Article 12 of the new Law on the Judicial Council regulates the conditions and criteria for the election of Council members, with particular emphasis on professional experience, integrity, performance evaluation, and the absence of disciplinary sanctions that could affect the exercise of the function. This provision aims to ensure that Council members meet the highest professional and ethical standards, in line with recommendations from the European Union and international bodies.</p> <p><b>„Eligibility Criteria for Election of a Member of the Council by the Assembly</b></p> <p><b>Article 12</b></p> <p>(1) The members of the Council elected by the Assembly of the Republic of North Macedonia, as well as the members elected by the Assembly of the Republic of North Macedonia upon the proposal of the President of the Republic of North Macedonia, shall be selected from the ranks of university professors of law, attorneys-at-law, former judges of the Constitutional Court of the Republic of North Macedonia, former judges of international courts, and other</p>

distinguished legal professionals who meet the requirements of paragraphs (2) and (3) of this Article.

(2) Any person who meets the following requirements in the moment of publication of the announcement may apply to the announcement of the Assembly of the Republic of North Macedonia for selection of a member of the Council:

- to be a citizen of the Republic of North Macedonia,
- to be a law graduate with at least 15 years of work experience in the legal profession after passing the bar exam or a university professor of law with at least seven years of work experience in a teaching-scientific position,
- has distinguished themselves through scholarly or professional work on issues in the field of judiciary;
- has distinguished themselves through public engagement in the protection of the rule of law, the independence of the judiciary, and human rights;
- not have been convicted with an effective court decision for the criminal offence misuse of official duty and authorisation or other criminal offence with imprisonment of at least six months, which makes him unfit to perform his function as a Council member and
- has a reputation and integrity in the exercise of the office of a member of the Council, demonstrated by submission of at least three recommendations from university law professors, attorneys-at-law, former or current judges of the Constitutional Court or of international courts, or person/s with at least 15 years of professional legal experience following the passing of the bar exam, two of whom must be from the same legal profession.

(3) On a proposal of the President of the Republic of North Macedonia, the Assembly of the Republic of North Macedonia may select a person who meets the following requirements in the moment of selection for a member of the Council:

- to be a citizen of the Republic of North Macedonia,
- to be a law graduate with at least 15 years of work experience in the legal profession after passing the bar examination or a university professor of law with at least seven years of work experience in a teaching-scientific title,
- has distinguished themselves through scholarly or professional work on issues in the field of judiciary;
- has distinguished themselves through public engagement in the protection of the rule of law, the independence of the judiciary, and human rights;
- not to be convicted with an effective court decision for the criminal offence misuse of official duty and authorizations or other criminal offence with imprisonment of at least six months, which makes him unworthy to perform his function as a Council member and

- has a reputation and integrity in the exercise of the office of a member of the Council.

(4) Candidates shall submit, along with their application, biographical data and data on their professional and academic development, a motivation letter, as well as evidence of fulfilment of the requirements under paragraph (2), respectively paragraph (3) of this Article.

(1) In the cases referred to in paragraphs (2), (3) of this Article, a person may not be elected as a member of the Council if, at the time of the publication of the announcement, they are performing a judicial or prosecutorial function or have been dismissed from a judicial or prosecutorial function, unless the European Court of Human Rights has established a violation of the European Convention on Human Rights in the dismissal proceedings, nor a person who has been, within the last four years, a Member of Parliament, a member of the Government of the Republic of North Macedonia, or has held or currently holds a position in a political party body.“

Furthermore, Article 13 of the Law details the procedure for the election of Judicial Council members, including those elected by the Assembly of the Republic of North Macedonia and those elected from the ranks of judges. This provision establishes clear, transparent, and predictable rules for election, aiming to minimize the possibility of political influence and to strengthen the legitimacy and trust in the Judicial Council as an institution crucial for judicial independence.

### **„Procedure for Election of Members of the Council by the Assembly of the Republic of North Macedonia**

#### **Article 13**

(1) The procedure for the election of members of the Council elected by the Assembly shall begin with the publication of the announcement referred to in Article 9, paragraph (1), line 2 of this Law.

(2) Within ten days from the publication of the announcement referred to in Article 9, , paragraph (1), line 2 of this Law the Committee on Elections and Appointments Issues of the Assembly of the Republic of North Macedonia shall form a Working Group for the preliminary selection of candidates for members of the Council (hereinafter: the Working Group), following a public call for the appointment of representatives who are not Members of Parliament. The call is published on the website of the Parliament of the Republic of North Macedonia on the same day as the announcement referred to in Article 9 paragraph 1 line 2 of this Law and lasts for eight days.

- (3) The Working Group shall consist of five members:
- one member proposed from the Association of Judges of the Republic of North Macedonia,
  - one member proposed from the Bar Association of the Republic of North Macedonia,
  - one member from the civil society sector in the field of rule of law and justice, proposed by the Council for Cooperation between the Government of the Republic of North Macedonia and Civil Society,
  - one Member of Parliament from the parliamentary majority, and
  - one Member of Parliament from the parliamentary opposition.
- (4) Administrative support to the Working Group shall be provided by the organizational unit of the service of the Assembly of the Republic of North Macedonia that supports the working bodies of the Assembly of the Republic of North Macedonia.
- (5) Within eight days from the date of expiry of the application deadline referred to in Article 10, paragraph (2) of this Law, the Working Group shall verify the fulfilment of the requirements referred to in Article 12, paragraph (2) of this Law and prepare a report with a list of candidates, which shall be submitted to the Committee on Elections and Appointments of the Assembly of the Republic of North Macedonia.
- (6) The report and the list referred to in paragraph (5) of this Article, along with the candidates' biographies and motivation letters, shall be published in full on the website of the Assembly of the Republic of North Macedonia, including information on compliance with the conditions under Article 12 paragraph (2) of this Law, immediately and no later than one day from the date of finalization.
- (7) Within five days from the publication of the list referred to in paragraph (5) of this Article, the Committee on Election and Appointment Issues shall organise a public hearing for the presentation of candidates who meet the requirements of Article 12 of this Law, and it shall be broadcast on the Assembly Channel. If a candidate fails to attend the public hearing, their application shall be considered withdrawn.
- (8) The Committee shall invite to the public hearing representatives from the Association of Judges of Republic of North Macedonia, the Bar Association of the Republic of North Macedonia, civil society organisations working in the field of the judiciary, rule of law and human rights, media representatives, and the academic community.
- (9) The date and time of the presentation at the public hearing shall be published on the website of the Assembly of the Republic of North Macedonia on the day of publication of the list referred to in paragraph (5) of this Article.
- (10) During the public hearing, the attendees shall have the right to ask questions.

(11) Within 14 days of the conclusion of the public hearing, the Committee shall prepare a report with a proposed list of candidates and, together with the documents referred to in Article 12, paragraph (4) of this Law, submit it to the Assembly. The proposed list shall include twice as many candidates as the number of Council members to be elected, provided that there be a sufficient number of applicants.

(12) The Assembly of the Republic of North Macedonia shall debate and vote individually for each of the candidates who meet the requirements in accordance with the proposed list compiled by the Committee on Elections and Appointments of the Assembly of the Republic of North Macedonia.

(13) If two candidates have at least an absolute majority of the total number of Members of Parliament, the candidate with the greater number of votes shall be deemed to have been elected.

(14) If the Assembly does not elect members of the Council, the election procedure shall be repeated in its entirety by publishing a new announcement within 10 days from the date of the session of the Assembly of the Republic of North Macedonia held, at which the election of a member of the Judicial Council was not carried out.

(15) In the procedure for the election of members of the Council, the principle of adequate and fair representation and the principle of equal gender representation shall be taken into account.

(16) Candidates for members of the Council who believe that the provisions of Articles 12 and 13 of this Law have been violated in the procedure for the election of members of the Council, have the right to file a lawsuit with the Administrative Court, in accordance with Article 30 of this Law.“

**Status / election of members:**

On 9 July 2025, the mandate of a member of the Judicial Council of the Republic of North Macedonia, elected by the Assembly of the Republic of North Macedonia, expired. In accordance with the applicable legal provisions, the Judicial Council duly informed the President of the Republic of North Macedonia about the expiration of this mandate.

On 17 November 2025, the Assembly of the Republic of North Macedonia published public announcement (Official gazette no. 233/25) for election of a member of the Judicial Council from among distinguished legal professionals (ANNEX 2). The process of election is ongoing.

During 2025, the mandates of two additional members of the Council also expired, on 12 December and 27 December, which significantly affected the composition and functioning of this key independent judicial body.

	<p>On 12 January 2026, the Assembly elected two new members of the Judicial Council of the Republic of North Macedonia, upon the proposal of the President of the Republic of North Macedonia. The election was made in accordance with the criteria provided in the new Law on the Judicial Council. ANNEX 3 Decision on election</p> <p>On 21 November 2025, the Judicial Council published Public announcement for Election of a Member of the Council from among Judges Belonging to the Community Constituting More than 20% of the Population in the Republic of North Macedonia (ANNEX 4) specifically to replace the current Council member, whose mandate will expire on 5 February 2026. This election is planned for January 2026 to ensure continuity and appropriate representation within the Council, particularly for the community that represents more than 20% of the population of the Republic of North Macedonia.</p>
<p><b>Evidence provided</b></p>	<p>ANNEX 1_ New Law on Judicial Council  ANNEX 2_ Public announcement for election of a member of the Judicial Council from among distinguished legal professionals (Official gazette no. 233/25)  ANNEX 3_ Decision on election  ANNEX 4_ Public announcement for Election of a Member of the Council from among Judges Belonging to the Community Constituting More than 20% of the Population in the Republic of North Macedonia, no. 02-2324 of 19 November 2025 Link:  <a href="http://www.vsrn.mk/wps/portal/ssrm/sud/vesti/9c6bfc16-4607-4604-b0e8-2fdac03b3eca">http://www.vsrn.mk/wps/portal/ssrm/sud/vesti/9c6bfc16-4607-4604-b0e8-2fdac03b3eca</a></p>
<p><b>Checks performed in the verification of the step and related findings</b></p>	<p>The preparation of the draft law on the Judicial council was conducted in a transparent and inclusive manner, ensuring active participation from all relevant stakeholders. In May 2025, the draft law was published on ENER for the purpose of public consultation and was subsequently sent for opinion to the Venice Commission. The recommendations of the Venice Commission were incorporated into the text of the draft law. Two new members elected by the Assembly upon the proposal of the President of North Macedonia (12 January 2026).</p>
<p><b>Compliance with general principles and DNSH principle</b></p>	<p><i>The implementation of the steps does not contravene the general principles outlined in Article 4 and 11(4) of Regulation (EU) 2024/1449 and Article 3 of the Facility Agreement.</i></p> <p><i>The implementation of the steps does not contravene the 'Do No Significant Harm' principle (DNSH).</i></p>

<b>Double funding</b>	<i>Contributions from third parties were not reported in support of the achievement of this step.</i>
<b>Clear conclusion on the achievement of the step</b>	Not achieved