

Intelligence and Security Sector Reform Programme in the Republic of North Macedonia (2021-2026)

NEWSLETTER N° 1

APRIL - SEPTEMBER 2021

The **Intelligence and Security Sector Reform Programme in the Republic of North Macedonia (2021-2026)** officially started on 01 April 2021.

The period from April to September 2021 continued to be challenged by the COVID-19 pandemic, summer holidays, and preparations for local elections, hence DCAF adapted its implementation plan accordingly. This period was used for planning, conceptualization, activity implementation and communication with stakeholders for setting up the basis of the new Programme. All implemented activities were designed in compliance with the adopted precautionary measures, while other events were carried out online.

OUTCOME I

Under the auspices of DCAF, the Directorate for Security of Classified Information held a conference on **07 July 2021** entitled “**Presentation of the Book of Commentaries on the Law on Classified Information**”.

The conference aimed to promote the Book of Commentaries on the Law on Classified Information supported by DCAF, and present novelties deriving from the new Law on Classified Information adopted by the Parliament in December 2019. Opinions on the necessity for raising security awareness among users of classified information were exchanged and the E-tutorial on classified information related thereto and available on the Directorate's website was promoted.

Intelligence and Security Sector Reform Programme in the Republic of North Macedonia

April 2021 - March 2026

By building on recent achievements, the objective of this Programme is to continue a process of democratic reforms within the security sector in North Macedonia. The intervention strategy aims to ensure that intelligence and security services in North Macedonia function effectively under active democratic control and oversight and fight serious and organised crime and curb corruption in line with good practice of accountability and respect for human rights.

The Programme is structured to attain three outcomes:

Outcome I: Legal and institutional framework of the intelligence sector in North Macedonia amended in line with relevant Euro-Atlantic principles and good practice of accountability and respect for human rights.

Outcome II: External oversight and control bodies have improved knowledge and capacity to conduct effective and transparent oversight and control over intelligence sector activities.

Outcome III: The public is informed on functionality and results of the security and intelligence accountability system.

Donors: The Netherlands (Ministry of Foreign Affairs), Sweden (The Swedish International Development Cooperation Agency - Sida), Switzerland (The Swiss Agency for Development and Cooperation - SDC) and the European Union.

Partners in the Republic of North Macedonia:

- The Assembly of North Macedonia
- Prime Minister's Office
- Ministry of Interior
- Ministry of Defense
- Security and Intelligence Services
- OTA
- Agency for Personal Data Protection
- Directorate for Security of Classified Information
- Academy for Judges and Public Prosecutors
- State Public Prosecutors Office for Organised Crime and Corruption
- Other courts and judicial institutions
- Ombudsperson
- State Auditor
- CSOs and Media



The Book of Commentaries serves as a guideline for users and producers of classified information within the security and intelligence sector and beyond and enables better implementation of the new Law on Classified Information, which is adjusted to EU and NATO standards. It is a publicly available product that contributes toward better utilization of the law and an increased level of accountability by producers of classified information.

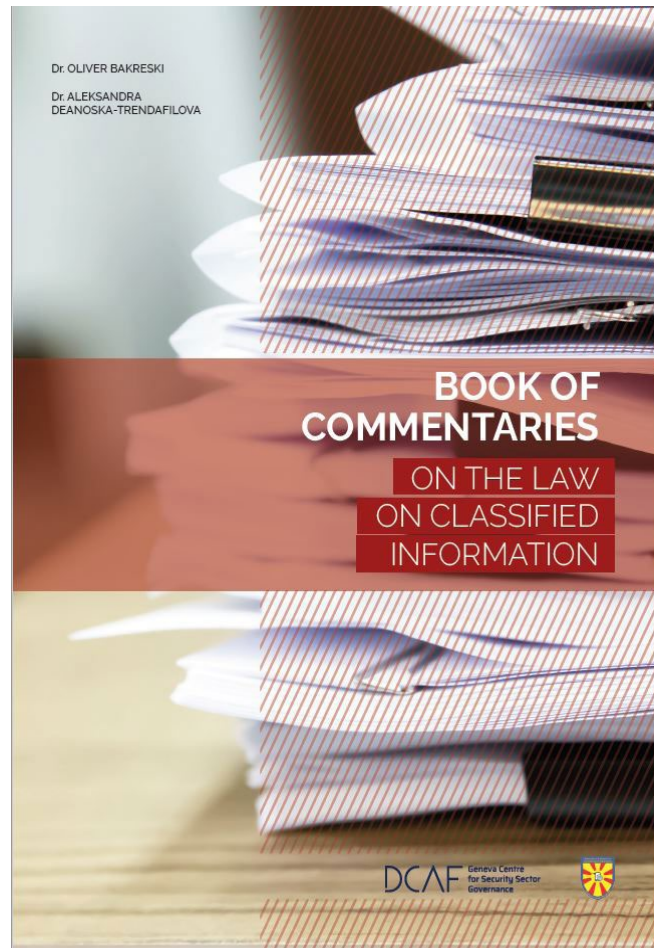
On **14-16 September 2021** an **Intelligence Expert Meeting** was held in Skopje gathering senior external and DCAF experts. The overall aim was to increase understanding and implementation of accountability mechanisms within the intelligence and security sector, and to find ways of optimizing inter-institutional exchange, common understanding of oversight procedures and requirements between intelligence/security services and related oversight institutions.

OUTCOME II

DCAF continues to support regional dialogue and good practice exchanges on the use of intelligence information in Courts. The **regional judicial conference** entitled “**The Admissibility of (Counter) Intelligence Information as Evidence in Courts**” was held online on **30 September 2021**. The conference brought together more than 50 practitioners and academics from Southeast and Eastern European countries, to exchange experience, to discuss the current state of play and challenges in the use of intelligence information as evidence in court in criminal investigations. The event is the second in a series of regional judicial conferences initiated in March 2021, co-organized with DCAFs Justice and Security Programme in Bosnia Herzegovina. It is designed to promote judicial practices aligned with European principles and the highest human right standards, and to foster regional legal assistance in the Western Balkans.



Presentation of the Book of Commentaries on the Law on Classified Information
Skopje, 07 July, 2021



The period from April to September 2021 was marked with a series of **Parliamentary oversight activities** tied with DCAF's capacity building objectives. The Intelligence Oversight Committees were engaged in a sequence of reviews of their work programmes and reports and conducted four oversight field visits to the intelligence and security services.

In addition, during this period, the Parliament completed two public calls for tenders for the construction of a **Shielded Room** and secure working space. Regrettably, both public calls were unsuccessful. A third call for tenders is expected to be published by the Parliament after the local election (November 2021). Once the Shielded Room is constructed it will help create a more secure working environment for the access, production and archiving of classified information.

OUTCOME III

On **27 May 2021**, DCAF and the Academy for Judges and Prosecutors in North Macedonia organized a meeting **"Support Initiative for Local Assessment of Judicial Practice"** (evaluation of the application of human rights standards and European good practice in the use of SIM in North Macedonia). It is a second meeting of the Independent Expert Group (IEG), an informal forum of local judicial practitioners with experience and interest in the judicial authorization of special investigative measures (SIM). The experts discussed the need for a methodology for the evaluation of local judicial practice in SIM authorization and its alignment to European Court of Human Rights jurisprudence and other European good practice. Such methodology would include quantitative and qualitative indicators, data collection sources, a strategy for getting multi-stakeholder backup and support for a comprehensive assessment and a public information campaign. DCAF will, through its on-going programme, continue to support the IEG in its effort to evaluate the application of human rights standards and European good practice in the use of SIM in North Macedonia.

Donor Steering Mechanism

For the Programme, a pooled funding mechanism was chosen and as of 30 September 2021 four donors have contributed. They are the Netherlands (CHF 780'000), Sweden (CHF 960'000), Switzerland (CHF 1'000'000), and the European Union (CHF 320'000). Together with DCAF's own core budget contribution and in-kind support from national beneficiary partners through the provision of office space, venues, technical equipment, local transport, and experts the combined total budget for the period 2021-2026 amounts to CHF 4'939'219.

The Programme is governed through a set of Steering Committees with national beneficiary partners and by a Donor Steering Group (DSG). The DSG is composed of Ambassadors and programme staff representing donors. They engage actively into the Programme by providing political and strategic support and guidance. Donor Steering Group meetings are held once per quarter and are hosted at donor embassies on a rotating basis.

Aimed at improving public trust, DCAF initiated cooperation with CSOs and Media in contributing to intelligence and law enforcement accountability, through independent monitoring, policy and legislative review and research, helping to strengthen their capacity and for them to help contribute to a better informed public debate. Cooperation will also include capacity building and a peer-to-peer dimension to increase knowledge and local ownership. In this regard, on **29 September 2021**, DCAF organized a **Working Meeting** with representatives of 6 local CSOs (Eurothink, Institute for Democracy Societas Civilis Skopje, Institute for Social Sciences and Humanities Skopje, Nexus Civil Concept, Institute for Human Rights and C3I Initiative) and representatives from 3 local media organizations (360 Degrees, Scoop and Media Development Center), to discuss cooperation in support of the DCAF programme. Cooperation activities are proceeding through further bilateral meetings and discussions, gathering ideas and developing joint initiatives based on common objectives.

UP-COMING ACTIVITIES

OCTOBER 2021

- First preparatory meeting for Common Minimum Standards' (CMS) exercise, Skopje
- Benchbook ToT Workshop #1 for Judicial and legal experts: Theory to practice – advancing judicial practice on the special investigative measures using learning and retention methods, Ohrid
- Support to the Agency for personal data protection (APDP): Workshop on developing procedures for standard contractual clauses (adopted by the European Commission in accordance with GDPR) and for conducting supervision in accordance with the competencies established by the Law on Personal Data Protection and the Common minimum standards (previously developed with support of DCAF)
- Working Meeting with the Dutch Commission of Supervision of the Intelligence and Security Services (CTIVD), Geneva
- Start with Production and Broadcast of six TV in-depth stories (mini documentaries) on the national TV in North Macedonia on topics related to the Intelligence and Security Sector Reform

NOVEMBER 2021

- Second preparatory meeting for a 'CMS' exercise, Skopje
- Three-day parliamentary dialogue on intelligence governance and oversight for MP and staff of intelligence and security oversight committees from Albania, Kosovo and North Macedonia, Skopje
- Two-day practical oversight exercise on implementing 'CMS' for control and oversight visits in the security and intelligence institutions, Veles
- Signing of new MoUs and Cooperation Agreements with the Parliament, Government, Academy for Judges and Public Prosecutors and OTA
- Workshop for MP's and judiciary: Gender in intelligence/security oversight mainstreaming, Skopje

DECEMBER 2021

- Roundtable on the Role of the Parliament on Intelligence Governance, Geneva
- Benchbook ToT Workshop #2 for judicial and legal experts: Theory to practice – advancing judicial practice on the special investigative measures using learning and retention methods, Gevgelija



**Working meeting with CSOs and Media
Skopje, 29 September, 2021**