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

NEWSLETTER N° 4

APRIL - JUNE 2022

The Intelligence and Security Sector Reform Programme in the Republic of North Macedonia (2021-2026) continued to gain momentum with DCAF's consistency in implementation of activities and active engagement of primary stakeholders. All online and offline activities added another layer to DCAF's efforts in building democratic, resilient, and a more effectively governed intelligence and security sector in North Macedonia.

## OUTCOME I

Since **May 2022** DCAF has provided support to a working group established by the Ministry of Interior, the aim of which is to develop a new *Manual for criminal-technical registration and identification of persons and unknown corpses*. It will update the existing procedure on criminal-technical registration and identification based on biometric (DNA, dactyloscopic, and photo) data according

### DCAF & SSG/R

**DCAF – Geneva Centre for Security Sector Governance** is dedicated to improving the security of states and their people within a framework of democratic governance, the rule of law, respect for human rights, and gender equality. Since its founding in 2000, DCAF has contributed to making peace and development more sustainable by assisting partner states, and international actors supporting these states, to improve the governance of their security sector through inclusive and participatory reforms. It creates innovative knowledge products, promotes norms and good practices, provides legal and policy advice and supports capacity-building of both state and non-state security sector stakeholders. DCAF is one of the world's leading organizations in security sector governance (SSG) and security sector reform (SSR).

The highlights of DCAF achievements and contributions internationally are featured in the newest [video](#).

to new national and international legislative requirements. DCAF's role includes engaging a national expert team to provide assistance and advice. Three meetings of the working group were organized to discuss and review a concept and outline of the Manual.





**Review-workshop focusing on the Law on the National Security Agency and the Law on Coordination of the Security and Intelligence Community,**  
15 April 2022, Skopje

## OUTCOME II

On **15 April 2022** in Skopje, DCAF organized a **Review Workshop focusing on the Law on the National Security Agency and the Law on Coordination of the Security and Intelligence Community**. The approach was constructive and balanced but also critical, from a theoretical and practical application perspective. It stimulated discussion and reflection on identifying a more appropriate solution to improving current legislation in the security-intelligence sphere. The approach combined input from both MPs, Assembly staff, local experts, and practitioners from the security-intelligence services, including the Director of the National Security Agency and Director of Operational Technical Agency. The event was part of a series of legislative review workshops organized by DCAF.

### 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.

**Development partners:** 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
- Operational Technical Agency (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



**Workshop on Rules on Procedure (RoP) for Use of the Shielded Room and Protected Workspace**

Skopje, 29 April 2022

As part of DCAF's support to the Assembly in building and getting accreditation for a *Shielded Room and protected workspace*, for handling classified information, DCAF organized an additional **Workshop on Conceptualizing and Outlining the Rules of Procedure (RoP) for Use of the Shielded Room**. It took place on **29 April 2022** in Skopje and is part of a series of workshops in 2022 aimed ensuring that all users are aware of and knowledgeable on physical aspects of security. The entire process is locally owned and guided by representatives from the Directorate for Security of Classified Information and Ministry of Interior representatives in charge of the security of the Assembly.

In its efforts to strengthen the oversight of intelligence and security sector, DCAF organized a **Roundtable on Parliamentary Oversight of Security and Intelligence** between **19-22 June 2022** in Geneva, Switzerland for MPs and Parliamentary Staff from North Macedonia. The goal of the roundtable was to highlight the relevance of the Parliament's role in the process of democratization of the security sector, to discuss main challenges associated with effective Parliamentary oversight, and to exchange views and good practice. The event underscored the essential and critically important role lawmakers have within the security sector. It generated great discussion and dialogue among participants on critical milestones

and challenges of parliamentary oversight of security and intelligence in North Macedonia.

In this period, DCAF was also focused on capacity building within the judiciary. As such we continued implementing a series of **Training of Trainers (ToT) workshops** on *outreach and dissemination* for judicial and legal practitioners entitled **Theory to Practice: Advancing Judicial Practice on the Supervision of Special Investigative Measures using Learning and Retention Methods**. Between **04-06 May 2022** in Berovo, DCAF held the 4th ToT workshop, while between **29 June - 01 July 2022** in Veles, the 5th and last ToT workshop for trainers of the Academy for Judges and Public Prosecutors took place. The ToT workshops aimed to build capacity and to facilitate training sessions based on the earlier published [Benchmark](#), in a manner consistent with conceptual principles of transformative and active adult learning. Delivery of half-day outreach and dissemination workshops followed each of the five ToT workshops enabling participants to "put into practice" learning from workshops with a live audience of judicial practitioners from across North Macedonia.

On **8 June 2022**, DCAF hosted a regional judicial online conference entitled **Recent Standards and Trends in Using Communications Interception in Criminal**



**Roundtable on Parliamentary Oversight of Security and Intelligence,**

19-22 June 2022, Geneva, Switzerland



**Investigations.** Organized by the DCAF-implemented Intelligence and Security Sector Reform Programme in North Macedonia and Justice and Security Programme in the Western Balkans the conference was the 5th in a series of regional online events, initiated in March 2021. The aim of the regional events is to foster exchange of good practice and lessons learned in the field of judicial authorization of special investigative measures. Over 30 judges, prosecutors and legal experts from the Western Balkan region discussed fast-evolving jurisprudence of the European Court of Human Rights, which sets high standards as regards a judge's duty to scrutinize critically, all applications for the use of intrusive methods.

#### **Development Partner Steering Mechanism**

For the Programme, a pooled funding mechanism was chosen and as of December 2021 four development partners have contributed. They are the Netherlands (CHF 780'000), Sweden (approx. CHF 960'000), Switzerland (CHF 1'000'000), and the European Union (approx. 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 Development Partner Steering Group (DPSG). The DPSG is composed of Ambassadors and senior programme staff representing donors. They engage actively into the Programme by providing political and strategic support and guidance, increasing risk mitigation and implementation effectiveness. DPSG meetings are held twice per year and are hosted at Development Partner missions on a rotating basis.

In partnership with the Academy of Judges and Public Prosecutors, DCAF started **organizing courses** on *European principles and standards in judicial proceedings* for entry-level students. The first 3 topics, delivered online, were as follows:

1. European Court of Human Rights (ECtHR) Standards on Special Investigative Measures in the Context of the Right to Private Life (Article 8 of ECHR) - 9 May,
2. European Court of Human Rights (ECtHR) Standards on Special Investigative Measures in the Context of





**Course for entry-level students on The Challenges  
in the Use of Special Investigative Measures,**

15 June 2022, Skopje

the Right to a Fair Trial (Article 6 of ECHR) - 16 May,

3. The use of Special Investigative Measure in the context of Joint Investigation Teams - Leading effective criminal investigations while observing the need to respect the rights of privacy and fair trial - 3 June.

All courses were attended by 60 aspiring judges and prosecutors, all enrolled at the entry-level educational programme at the Academy. The 4th course was held in-person on **15 June 2022** in Skopje, focused on **The Challenges in the Use of Special Investigative Measures**. It was attended by 25 aspiring judges and prosecutors enrolled in the entry-level educational programme at the Academy. The next two courses in this series will focus on the collection and preservation of evidence in a

digital online context and using (counter)intelligence information as evidence in courts. Both will take place in September 2022.

On **14 June 2022**, in Skopje, DCAF organized a **Roundtable Discussion on Police Integrity** for 25 participants from the Department for Internal Control, Criminal Investigations, and Professional Standards. The roundtable featured DCAF staff facilitating a lively discussion on integrity management and presenting international practice on integrity testing, as one of several internal control mechanisms. The roundtable was an initial step in building capacity of the Department, in the MoI, for their development of an integrity testing programme. DCAF will continue to provide support within this development process.



**Roundtable Discussion on Police Integrity,**

13 June 2022, Skopje

## OUTCOME III

On **14 June 2022**, the third **Meeting of Judicial Independent Expert Group (IEG) on monitoring and evaluation of the implementation of special investigative measures** was held in Skopje, with DCAF support and under the leadership of the Academy for Judges and Public Prosecutors. The core mission of the IEG is to monitor and evaluate the development of local judicial practice in the authorization of SIM and its alignment to the ECtHR jurisprudence and European good practice. This DCAF-initiated forum ensures continuity of a structured dialogue and exchange between Macedonian judicial practitioners, academia, and international experts, contributing to the sustainability of national oversight processes. International and local experts discussed lessons learned in the use of secret surveillance in Austria and other developments at European level. The relationship between the judiciary, parliament and other independent oversight bodies was analysed in detail, the Macedonian intelligence and security oversight system being currently in an impasse caused by stalled law implementation (Law on Interception of Communications, adopted in 2018).

DCAF acknowledges the importance of the CSO and media sector, as important non-state voices within the intelligence accountability cycle. The DCAF program makes efforts to encourage their active involvement in the process by supporting independent research,



**Training on Intelligence and Security Sector Governance and Accountability: The Role of Civil Society and the Media,**  
27-29 June 2022, Ohrid

analysis and advocacy, but also by supporting their important role as facilitators of a better-informed public on SSR matters.

In this regard, between **27-29 June 2022** in Ohrid, DCAF organized one of several training courses planned for local CSOs and media organizations aimed at strengthening their knowledge, capacities and understanding of the security and intelligence sector environment and their role in the informal oversight of the sector. The event entitled **Training on Intelligence and Security Sector Governance and Accountability: The Role of Civil Society and the Media** underlined the importance of independent actors, such as CSOs and media, in promoting more effective intelligence and security sector governance, through interactive presentations, role-play and practical exercises facilitated by an external SSR expert.

In respect of building public trust and enhancing visibility of the progress of reforms in the intelligence and security sector, DCAF in collaboration with 360 Degrees TV production company, produced two additional **audio-visual mini-documentary stories**. The videos combine storytelling and informational content intended to raise awareness and understanding among the broader audience. The videos were broadcasted on ALSAT TV in North Macedonia.



**Third Meeting of Judicial Independent Expert Group (IEG) on monitoring and evaluation of the implementation of special investigative measures,**

14 June 2022, Skopje



The mini-documentary story on the [Gaps in the Law on Interception of Communications](#), which aired in **May 2022**, emphasized the importance and necessity of amending the current legislation which should allow more effective and structured work of the oversight institutions, including the unfunctional Council for Civilian Supervision.

The building of trust in the judiciary and raising awareness among the general public was the rationale behind the second mini-documentary story also aired in **May 2022**. The video entitled [Agents of Change](#) illustrated the judicial Training for Trainers (ToT) process. It introduced the public to the cycle of trainings, outreach and dissemination workshops organized by DCAF, through which a group of prosecutors, judges, lawyers, professors and employees of the Ministry of the Interior attended. The aim of this series of ToT training events was to strengthen their capacity to



more effectively transfer acquired knowledge to peers within the judiciary on issues such as the use of special investigative measures (SIM). The video, also, dwelled on the specifics of SIM and why these types of trainings are required for ensuring a harmonized and effective usage of SIM in accordance with international standards.

## UP-COMING ACTIVITIES

### JULY 2022

- Nominal-group discussions through customized scenario-based exercise in cooperation with the CSO 'C3Initiative', in Skopje
- 1st Eurotalk (under Chatham House rules) meeting in cooperation with the CSO 'EUROTHINK', in Skopje
- Workshop for the Mol WG for conceptualizing the Manual for criminal-technical registration and identification of persons and unknown corpses, Berovo
- Starting the process of procurement of IT equipment (hardware and software) for the Forensics Department in the Ministry of Interior for establishing a medium-size DNA laboratory for running CODIS. CODIS is the acronym for the Combined DNA Index System and is the generic term used to describe the FBI's program of support for criminal justice DNA databases, as well as the software used to run these databases

### AUGUST 2022

- Produce Explanatory e-tutorial Video on the Process of Issuing Personnel Security Clearances in cooperation with the Directorate for the Security of Classified Information (DSCI)
- Preparatory meeting with experts for developing practical exercises for workshop on Implementing the Common Minimum Standards for Conducting Control and Oversight Visits in the Intelligence and Security Institutions in North Macedonia
- Meeting for finalising the concept of the Manual for criminal-technical registration and identification of persons and unknown corpses, Skopje

### SEPTEMBER 2022

- Signing of the Memorandum of Understanding with the Government and Cooperation Agreements with the Ministry of Defense and the Directorate for Security of Classified Information (tbc)
- Training of trainers for delivering workshops on improving intelligence and security sector governance, in Veles
- Rules of Procedure (RoP) Workshop for the Use of the Shielded Room in the Parliament, in Skopje
- Training on using statistical software LRmix and Euroformix for calculation of weight of DNA evidence for DNA experts within the Forensics Department in the Ministry of Interior, in Skopje
- Steering Group Meeting with the Chairs of the Parliamentary Committees, DCAF and representatives of our Development Partners, in Skopje
- 2nd Eurotalk (under Chatham House rules) meeting in cooperation with the CSO 'EUROTHINK', in Skopje
- Official start of the gender self-assessment (GSA) process in the MoD.