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Western Balkans Journalists' Safety Index

Narrative Report North Macedonia 2020

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Introduction

The Western Balkans' Journalists' Safety Index (WB-JSI) is a research-grounded tool designed to measure and monitor the changes in the respective social and political environments of the WB countries, that have direct or indirect impact on the safety of journalists and media actors while practicing their profession. The WB-JSI relies primarily on the research evidence collected and analysed by the partners of the [Safejournalists.net](https://www.safejournalists.net) Platform in compliance with a rigorous procedure of inquiry. The collected data on various dimensions of the complex concept of 'journalists' safety' is quantified and aggregated into a composite indicator – Journalists' Safety Index, to measure the changes across the seven Western Balkans' countries over time. Based on the research evidence, nine members of the Advisory Panel in each country¹ assess the situation and assign scores to each of the 19 indicators within the following dimensions:

- (1) **Legal and organisational environment** – the existence and implementation of legal safeguards relevant for the safety of journalists;
- (2) **Due Prevention** – the existence and implementation of a range of preventative measures that have direct effects on journalists' protection and safety;
- (3) **Due Process** – the behaviour of state institutions and public officials towards journalists and the efficiency of the criminal and civil justice system concerning the investigations of threats and acts of violence against journalists;
- (4) **Actual Safety** – incidents and instances of various forms of threats and acts of violence against journalists and media.

The WB-JSI was jointly developed by the researchers from the Skopje based RESIS Institute² and partners of the [Safejournalists.net](https://www.safejournalists.net) Platform: Independent Association of Journalists of Serbia, Association of BH Journalists, Trade Union of Media of Montenegro, Association of Journalists of Macedonia, Association of Journalists of Kosovo, Croatian Journalists' Association and

¹ In North Macedonia the Advisory Panel consisted of: Biljana Petkovska, Pavle Belovski, Violeta Gligorovska, Dejan Georgievski, Daniel Dimitrieski, Lazar Sandev, Adrian Kerimi, Naser Selmani, and Mladen Chadikovski.
² The researchers of the RESIS Institute (www.resis.mk), Snezana Trpevska, Igor Micevski and Ljubinka Popovska Toševa have developed the conceptual framework for the Index and the model of its aggregation, weighting and calculation.

independent researcher in Albania³. As such, the Index is a result of a joint effort of the Platform [Safejournalists.net](https://safejournalists.net) and covers all the specific issues that local partners identified as relevant for their country contexts.

This report refers to the situation in North Macedonia in 2020 which was designated as the first (pilot) year for development of the conceptual framework and methodology for scoring, aggregating, and calculating the Index. In the upcoming years, the improvement or deterioration of the situation in all countries will be measured by taking into consideration the assessment for 2020 as the reference year. More details about the theoretical framework and procedure of construction and calculation of the WB-JSI and all country reports can be found at: <https://safejournalists.net/safety-index/>.

³ Blerjana Bino as independent researcher in Albania for Safejournalists.net platform.

— SUMMARY



I. LEGAL AND ORGANISATIONAL ENVIRONMENT

- Defamation is decriminalized, the provisions for compensation for established guilt of a journalist were high, but the authorities accepted the amendments to reduce them. Journalists do not assess the law as restrictive, the number of cases against journalists and the media is greatly reduced, the courts have not found a journalist guilty and have not ruled compensation for damaged reputation.
- Laws ensure good protection of journalistic sources. Journalists feel free to contact sources of information. Only a small number of whistle-blowers report cases to the competent institutions or journalists, which means that

there is still an atmosphere of fear among the sources, which is ultimately unfavourable for the journalism itself.

- Although there is no legal protection in the country from the so-called unfounded lawsuits. No cases of SLAPP lawsuits. No examples of arbitrary or discriminatory application of other laws in order to restrict the freedom of journalistic work. No attempts were made to silence journalists, based on the arbitrary application of legal provisions related to the dissemination of misinformation, fear or panic, although there were examples of dissemination of misinformation during the pandemic.
- The journalistic profession is not subject to licensing, but the Law on Media still contains a restrictive definition of the term journalist. During the pandemic there were cases when some journalists were prevented from asking questions. There are no obstacles for journalists in the country to associate and join professional organizations. Most journalists are organized in professional associations. There is some form of pressure on union members from media owners or managers of the private media avoid calculating union membership fees from journalists' salaries, causing them to lose their union status.
- Many journalists in the private media mainly have fixed-term or part-time contracts. The difficult socio-economic situation of journalists was further aggravated by the pandemic, as several media outlets cut the salaries of journalists and media workers. A small number of private media have trade unions, i.e., journalists are still afraid or lack of interest for organizing themselves within the media in which they work.

II. DUE PREVENTION

- The established telephone line for fast and efficient assistance to journalists in case of attacks did not work. The journalists who were the subject of attacks had nowhere to turn to the institutions for immediate assistance and support, except for the Cybercrime Sector at the Ministry of Interior. Out of the registered online attacks (14 in total) on journalists, only two were prosecuted.
- There are general provisions in the legislation according to which journalists could seek protection in case of a serious threat to their life from a person known, but it is not clear enough how practical such a procedure is. There is a procedure in the law, but the risk assessment procedure is not clearly defined.
- In 2020, a mechanism for free legal aid for any victim of gender-based assault and violence, including woman journalists, has not yet been established. All attacks on women journalists were reported to the Ministry of

Interior. Journalists in newsrooms rarely report cases of gender-based discrimination to the competent institutions. The Istanbul Convention was incorporated in the legislation adopted in the beginning of 2021. The practice indicates that there were a lot of gender-based threats and harassment towards female journalists.

- The practice of public condemnation of attacks on journalists has been established, but there are examples of politicians and public officials insulting and threatening journalists and the media, thus creating environment for insecurity and fear among journalists.
- The Ministry of Interior conducts regular trainings for police officers, within which they are introduced to the basic standards for respect for human rights. The Ministry of Interior and AJM have established regular cooperation. During 2020, the attitude of police officers towards journalists and media workers was at a satisfactory level.

III. DUE PROCESS

- There are no special departments or specially designated persons in the competent institutions to conduct investigations on the attacks on journalists. No specific guidelines have been adopted that can help conduct investigations more efficiently. There is cooperation between the competent institutions, but it does not result in sufficient efficiency in identifying the perpetrators of the attacks. The public prosecutors are quite inert in initiating procedures.
- Investigations are generally slow and ineffective, and no charges have been brought against individual attacks on journalists. Attacks on journalists are sometimes not qualified as crimes, forcing journalists to file private lawsuits instead of being prosecuted ex officio.
- The Criminal Code does recognize harassment as a criminal offence. 8 serious online threats against journalists have been registered. The Ministry of Interior did not react effectively enough and did not provide any information on how it acted in five of the six reported cases of online attacks on journalists in 2020.
- The general assessment is that the courts are not transparent enough in terms of conducting court proceedings for attacks on journalists or the media. The Basic Civil and Criminal Court in Skopje does not provide detailed information on court proceedings for attacks on journalists that have taken place in recent years. The courts do not have the practice of informing the public about proceedings against journalists or in which journalists are parties due to violation of their rights in the direction of breached security. In addition, the automatic case

management information system (ACMIS) does not provide the opportunity for precise search for past and current procedures in which the parties are journalists and thus the public has more difficulty accessing this information.

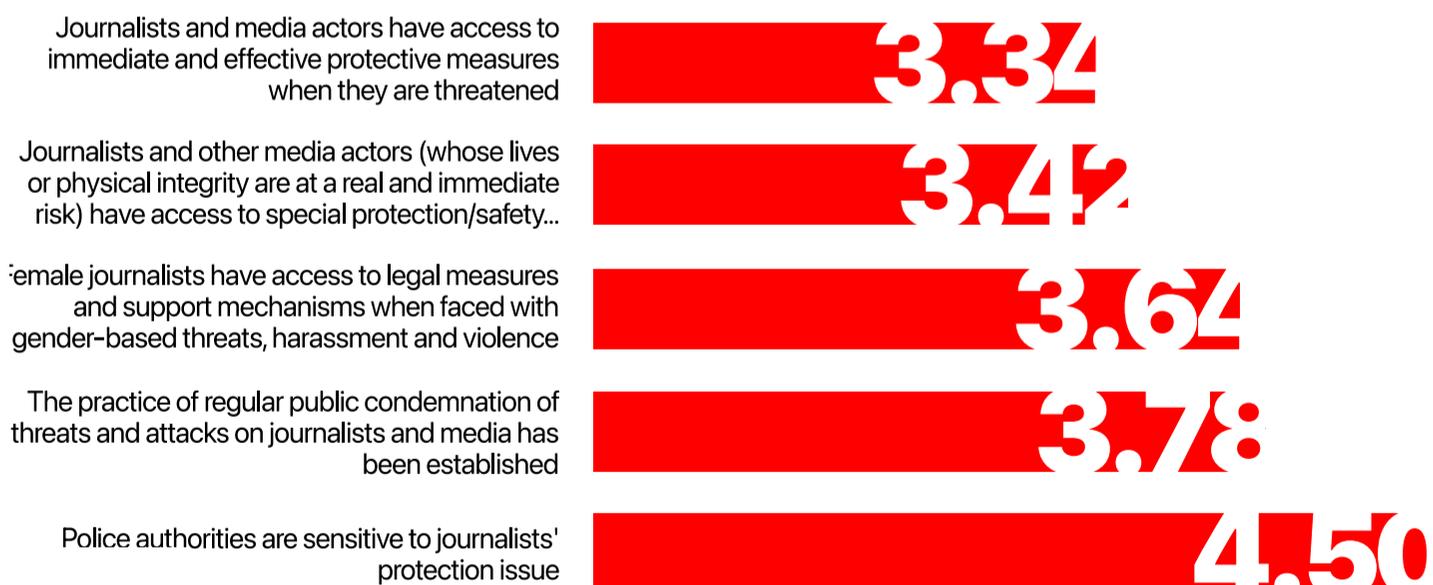
- The competent institutions and courts have not established quality statistical systems, based on which they can submit accurate and disjointed data on all court proceedings in which journalists or media are parties. The courts' databases do not allow disaggregation of the data.

IV. ACTUAL SAFETY

- Only some of the listed types of threats occurred in 2020 that are not aimed at endangering the physical safety of journalists, but still attackers are former officials, individuals close to political parties and (in one case) police officers.
- Three threats were registered in 2020, aimed at endangering the physical safety or life of journalists. However, it is worrying that the attackers are politicians or individuals close to political parties.
- Two physical attacks on journalists were registered in 2020. In both cases, there are indications that the attackers are individuals close to political parties.
- Two cases of threats against the media were registered. In both cases, the threats against the media are due to their investigative work on corruption cases or critical public statements.

Legal and Organisational Environment

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Institutional mechanisms for immediate protection of journalists in cases of threats and attacks do not exist, officials encourage attacks on journalists and police officers treat journalists extremely harshly.

All institutional mechanisms are established for the immediate protection of journalists in the event of attacks, officials clearly and systematically discourage attacks on journalists and police authorities treat journalists with respect.

Legal provisions related to defamation and their implementation do not produce chilling effects on journalists and media

Score (4.58) - Defamation is decriminalized, the provisions for compensation for established guilt of a journalist were high, but the authorities accepted the amendments to reduce them. Journalists do not assess the law as restrictive, the number of cases against journalists and the media is greatly reduced, the courts have not found a journalist guilty and have not ruled compensation for damaged reputation.

The acts of defamation and insult were decriminalized in 2012 with the adoption of the Law on Civil Liability for Defamation and Insult (LCLDI). The number of defamation and insult lawsuits against journalists and media was drastically reduced after the decriminalization of defamation and insult, i.e., they are less and less used as an instrument to put pressure on journalists and the media. There are still provisions in the Criminal Code for damaging the reputation of the state, a foreign state, or a diplomatic representative, then the Macedonian people or the communities. However, there is a provision that excludes the journalist from liability when the opinion is given "in the exercise of the journalistic profession ... in defence of the freedom of public expression of thought or other rights or in the protection of the public interest or other justified interests, or with sincere intention or confidence in the goodwill of his opinion." In 2020, the Ministry of Justice established a working group to amend and supplement LCLDI, in which representatives of AJM also actively participated. The reason for the requested changes were the high fees that a journalist has to cover as compensation for the damage done to the reputation. Other provisions of the law are not restrictive for journalists and the media, the burden of proof is on the plaintiff if he is a public official and when the possible defamation refers to its function and work. In December, new provisions were made which provided for a reduction in the amount of compensation for non-pecuniary damage in the event of a journalist being found guilty and supplementing the parts for exclusion from liability for defamation and insult.

— INDICATOR 1.1

According to the data obtained from the Basic Civil Court Skopje, the total number of active cases of insult and defamation against a journalist or media outlet in 2020 was 35. Out of these, only in 4 cases a public official or politician appears as a plaintiff: (1) Risto Stavrevski Chief of SIA Skopje against journalist Ljubisha Arsich and NOVA TV; (2) Gorjan Tozija (former director of the Film Agency) against the portal MKD.mk and Aleksandar Damovski as editor; (3) Petar Kolev, President of the political party GDU against Ivan Bojadziski from IstokPress.mk and (4) Aleksandar Naumovski, Mayor of Gyorche Petrov against Srdjan Stojanchev, journalist. Two of these cases have ended with a final verdict in favour of the journalist, and two are still ongoing.

Journalists and media workers in 2020 generally did not assess LCLDI as restrictive of the freedom of journalistic work. The practice in the last year is assessed as improved and the courts have rarely awarded monetary damages.

Confidentiality of journalists' sources is guaranteed in the legislation and respected by the authorities

Score (4.80) - Laws ensure good protection of journalistic sources. Journalists feel free to contact sources of information. Only a small number of whistle-blowers report cases to the competent institutions or journalists, which means that there is still an atmosphere of fear among the sources, which is ultimately unfavourable for the journalism itself.

The right to protection of the journalistic source in RNM is a constitutional category and it is guaranteed by the Criminal Code, the Law on Civil Liability for Insult and Defamation, the Law on Media and the Law on Audio and Audiovisual Media Services. The new Law on Whistle-blower Protection regulates the issues of protected reporting, whistle-blower rights, as well as the actions and duties of the institutions regarding the protected reporting and ensuring protection of whistle-blowers. The amendments to this law from 2018 have been harmonized with the international standards prescribed in this area and it provides greater protection to whistle-blowers. In 2020, no case of sanctioning of journalists who refused to disclose the identity of the source of information was registered. Additionally, there were no cases of reports to AJM regarding possible violations of the legal rights of whistle-blowers during 2020. In general, when working on investigative texts, journalists feel free to contact sources of information. However, although journalistic sources are encouraged and institutionally better protected, very few whistle-blowers report cases to the competent institutions or journalists, which means that there is still an atmosphere of fear among journalistic sources, which is ultimately unfavourable for journalism itself.

Indicator 1.3 - Other laws are implemented objectively and allow the journalists and other media actors to work freely and safely

Score (4.57) - Although there is no legal protection in the country from the so-called unfounded lawsuits. No cases of SLAPP lawsuits. No examples of arbitrary or discriminatory application of other laws in order to restrict the freedom of journalistic work. No attempts were made to silence journalists, based on the arbitrary application of legal provisions related to the dissemination of misinformation, fear or panic, although there were examples of dissemination of misinformation during the pandemic.

There are no examples of discriminatory or arbitrary application of other laws aimed at restricting the freedom of journalistic work in 2020. No attempts were made to silence journalists, based on the arbitrary application of legal provisions related to the dissemination of misinformation, fear or panic, although there were examples of dissemination of misinformation during the pandemic. However, in the country there are no legal protection mechanisms that protect journalists from the so-called SLEEP lawsuits. However, such legally unfounded lawsuits filed against journalists or media outlets in order to financially exhaust them during 2020 were not registered. Legal aid and coverage of legal fees for defendant journalists and media are offered by journalists' associations and trade unions. Given that for most of 2020 there were restrictive measures to hold public or mass rallies due to the pandemic, there were no reported cases of restrictions on journalists' right to report from protests or other rallies.

Journalists are free to pursue their profession and to establish, join and participate in their associations

(4.32) - The journalistic profession is not subject to licensing, but the Law on Media still contains a restrictive definition of the term journalist. During the pandemic there were cases when some journalists were prevented from asking questions. There are no obstacles for journalists in the country to associate and join professional organizations. Most journalists are organized in professional associations. There is some form of pressure on union members from media owners or managers of the private media avoid calculating union membership fees from journalists' salaries, causing them to lose their union status.

The journalistic profession is not subject to licensing, but the problem is that the Law on Media still contains a definition of the term journalist, which limits who can practice the journalistic profession. In 2020, during the press conferences of the Minister of Health related to the pandemic, the presence of some journalists and the media was limited, i.e., there were cases when some journalists were prevented from asking questions and commenting on the answers given. In the period when the press conferences were organized online, certain information portals (which are not part of the register of professional online media - Promedia.mk) had no right to ask questions through the ZOOM platform, but only in writing or by e-mail.

There are no obstacles for journalists in the country to associate and join professional organizations. Most journalists are organized in professional associations. The largest and oldest association is the Association of Journalists of Macedonia (AJM), founded in 1946, a member of the International Federation of Journalists (IFJ) and the European Federation of Journalists (EFJ). There is also a Council for Media Ethics, as a self-regulatory body, in which a large number of broadcasts, print and online media members are members. Regarding the protection of workers' rights, journalists and media workers are organized within the Independent Trade Union of Journalists and Media Workers - SSNM, which is independent and is not part of any trade union organization at the national level. According to SSNM

— INDICATOR 1.4

representatives, the most common form of pressure on union members journalists is when media owners or managers avoid calculating union membership fees from journalists' salaries, causing them to lose their union status. In the past, there have been attempts to form parallel organizations and associations that were politically influenced but did not enjoy credibility and recognition by the guild.

Journalists' job position is stable and protected at the workplace

Score (3.34) - Many journalists in the private media mainly have fixed-term or part-time contracts. The difficult socio-economic situation of journalists was further aggravated by the pandemic, as several media outlets cut the salaries of journalists and media workers. A small number of private media have trade unions, i.e., journalists are still afraid or lack of interest for organizing themselves within the media in which they work.

There is no precise data on how many journalists have signed employment contracts, but the general assessment is that many journalists in the private media mainly have fixed-term contracts or part-time contracts. The already difficult socio-economic situation of journalists was further aggravated by the pandemic, as several media outlets cut the salaries of journalists and media workers, and many journalists also complained that they were still not being paid their pension and social security benefits. Low incomes and disrespect for employment rights are the most common problems faced by the journalistic profession. Most journalists and media workers are paid between 15,000 and 20,000 denars, according to a survey by the Independent Trade Union of Journalists and Media Workers (SSNM). Journalists continue to work unpaid overtime, and work without compensation even on holidays and weekends.

The general assessment is that the position of the journalists in the newsrooms does not differ much from the position of the journalists. There is no data on how many journalists have signed employment contracts, but employers are generally considered to respect the basic rights prescribed to women by law, such as the payment of wages, when it comes to women journalists working indefinitely. maternity leave and paid leave.

The position of freelance journalists in the country was difficult and financially uncertain, especially during the pandemic. Regarding the protection of workers' rights, journalists and media workers are organized within the Independent Trade Union of Journalists and Media Workers - SSNM, which is independent and is not part of any trade union organization at the national level. There is also a special union of the public broadcasting service that is not part of the SSNM. A small number of private media have trade unions, i.e., journalists are still afraid or lack of interest for organizing themselves within the media in which

— INDICATOR 1.5

they work. It is necessary to work on signing collective agreements with the private media. Journalists continue to not sue editors and media owners when their rights are violated. For example, last year there were no open court cases where a journalist sued a mobbing manager, and there was also no final verdict in this case. In the country, the journalists in the newsrooms do not receive free legal aid in situations when they are sued for defamation, insult, etc. In such situations, AJM offers free legal aid to journalists and provides legal protection in court proceedings in the country.



Due Prevention

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Institutional mechanisms for immediate protection of journalists in cases of threats and attacks do not exist, officials encourage attacks on journalists and police officers treat journalists extremely harshly.

All institutional mechanisms are established for the immediate protection of journalists in the event of attacks, officials clearly and systematically discourage attacks on journalists and police authorities treat journalists with respect.

Journalists and media actors have access to immediate and effective protective measures when they are threatened

Score (3.34) - The established telephone line for fast and efficient assistance to journalists in case of attacks did not work. The journalists who were the subject of attacks had nowhere to turn to the institutions for immediate assistance and support, except for the Cybercrime Sector at the Ministry of Interior. Out of the registered online attacks (14 in total) on journalists, only two were prosecuted.

In 2018, the Ministry of Interior established for the first time a telephone line to support journalists and media workers, in cooperation with the OSCE Mission and the Independent Trade Union of Media Workers (SSNM). This mechanism aimed to provide support and advice to journalists and media workers in cases of blackmail, threats, verbal or physical assaults, online attacks, gender-based violence, destruction of personal and professional property, and attacks on newsrooms and journalists' homes. However, this free telephone line did not work in 2020, and reports of online attacks on journalists were submitted to the e-mail address of the Cybercrime Sector at the Ministry of Interior.

According to the AJM register, out of a total of 14 threats registered in 2020, eight were sent online or through social networks. All eight online attacks were reported to the Ministry of Interior, out of which for two of them the Ministry of Interior initiated a procedure to the Public Prosecutor's Office, followed by a court procedure and a final verdict for threats and insults against two journalists: the editor of TV Alfa, Iskra Koroveshovska and the journalist and deputy editor of the A1on portal, Meri Jordanovska, by Emil Jakimovski, a former employee of the Central Registry of Macedonia and a member of VMRO-DPMNE. In March 2020, the Basic Criminal Court in Skopje sentenced the intimidator to prison with a total duration of one year and 8 months.

Journalists and other media actors (whose lives or physical integrity are at a real and immediate risk) have access to special protection/safety mechanisms

Score (3.42) - There are general provisions in the legislation according to which journalists could seek protection in case of a serious threat to their life from a person known, but it is not clear enough how practical such a procedure is. There is a procedure in the law, but the risk assessment procedure is not clearly defined.

The Law on Criminal Procedure of the RNM contains provisions that during the investigation procedure regulate the actions of the judicial authorities in order to prevent “the accused person from obstructing the conduct and smooth conduct of the criminal proceedings and the protection of the victim.” From a formal-legal aspect, it is about the precautionary measures regulated in Article 146 of the Law on Criminal Procedure, more specifically paragraph 1, item 6, which reads “... 6) prohibition to approach or establish, i.e., maintain contacts or connections with certain persons”, and is applied only when there is a known perpetrator of a crime, when there is a specific criminal charge and when a procedure has been initiated. These precautionary measures are proposed by the public prosecutor, and are determined by a pre-trial judge after assessing the seriousness of the situation, the type of crime, the danger to the victim, etc. This means that the law incorporates a general protection mechanism that journalists could use in the event of a serious threat to their lives, but this would be practically feasible only if the person being threatened is known, and not in situations of an unknown perpetrator. In 2020, there was only one case of a journalist requesting and receiving several days of police protection in front of her home due to threats to her life. Other cases in which journalists have requested physical protection by the Ministry of Interior have not been registered by AJM.

Female journalists have access to legal measures and support mechanisms when faced with gender-based threats, harassment and violence

Score (3.64) - In 2020, a mechanism for free legal aid for any victim of gender-based assault and violence, including woman journalists, has not yet been established. All attacks on women journalists were reported to the Ministry of Interior. Journalists in newsrooms rarely report cases of gender-based discrimination to the competent institutions. The Istanbul Convention was incorporated in the legislation adopted in the beginning of 2021. The practice indicates that there were a lot of gender-based threats and harassment towards female journalists.

North Macedonia ratified the Istanbul Convention in 2018, and its provisions are incorporated in the Law on Prevention and Protection from Violence against Women and Domestic Violence prepared during 2020 and adopted in January 2021. The law prohibits all forms of gender-based violence against women and domestic violence and guarantees basic mechanisms for effective protection of victims of any form of gender-based violence against women, as well as victims of domestic violence while respecting fundamental human rights and freedoms guaranteed by the Constitution and international agreements ratified in accordance with the Constitution of the RNM. In addition, this law contains obligation for the institutions to establish preventive measures for prevention and protection from any kind of gender-based violence and for free legal aid for victims of gender-based violence. Given that the Law was adopted in January 2021, such a system of support in 2020 has not been established in the country yet. According to the practice of AJM, women journalists victims of harassment, attacks and threats based on gender so far have reported the attacks to the Ministry of Interior. AJM does not have information on whether women journalists in 2020 filed complaints with the Commission for possible violation of rights related to gender-based violence.

The practice of regular public condemnation of threats and attacks on journalists and media has been established

Score (3.78) - The practice of public condemnation of attacks on journalists has been established, but there are examples of politicians and public officials insulting and threatening journalists and the media, thus creating environment for insecurity and fear among journalists.

In the past year, there have been several instances of elected or appointed officials clearly and unequivocally condemning attacks on journalists. However, there were exceptions when MPs or mayors publicly devalued or belittled journalists at press conferences. The most obvious negative example of attacking and insulting a journalist was that of the president of the political party "LEVICA", Dimitar Apasiev, who on his Facebook page publicly labelled and disparaged the journalist Dimkovikj because of her articles regarding the amendments to the Law on Financing of Political Parties. Apart from the attempt to publicly discredit the journalist Dimkovikj, her editor Meri Jordanovska and the media in which they work, Apasiev publicly encouraged other people to insult and threaten the journalists and the media in which they work. For this incident, AJM submitted a report to the Sector for Computer Crime and Digital Forensics with a request to respond appropriately and the Ministry of Interior to initiate a procedure.

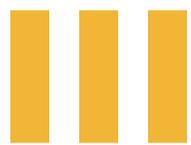
Police authorities are sensitive to journalists' protection issue

Score (4.50) - The Ministry of Interior conducts regular trainings for police officers, within which they are introduced to the basic standards for respect for human rights. The Ministry of Interior and AJM have established regular cooperation. During 2020, the attitude of police officers towards journalists and media workers was at a satisfactory level.

The training of police officers conducted within the Ministry of Interior also includes modules related to the introduction of basic human rights established by ratified international agreements and conventions. International standards for respect for human rights are embedded in the Code of Police Ethics, the Law on Police and other relevant laws that are the basis for the training conducted by the Ministry of Interior. In addition, AJM and the MoI jointly conducted specific trainings to familiarize police officers with the role of journalists in a democratic society. In 2020, due to the pandemic and the restrictions for gatherings, the cooperation between AJM and the Ministry of Interior in the context of conducting trainings was not realized.

A Memorandum of Cooperation was signed in December 2017, and in December 2019, a Protocol on Cooperation was established between AJM and the Ministry of Interior whose main goal is to develop, maintain and promote good relations between media workers and police officers. In the context of this AJM has published several manuals for journalists as well as for police officers: Manual for safety of journalists during high-risk events, Manual for ethics in journalism, Manual for professional, safe and ethical work of camera operators in the media.

During 2020, AJM did not notice any serious problems in the attitude of the police towards journalists and the media.



Due Process

3.31

Specialised investigation units and/or officers are equipped with relevant expertise for investigating attacks and violence against journalists



Investigations of serious physical attacks on journalists and other media actors are carried out efficiently (independently, thoroughly and promptly)



Journalists and other media actors are efficiently protected from various forms of online harassment



Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently



Quality statistics collection systems established by state authorities to stem impunity



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Institutions do not investigate and do not sanction attacks on journalists, including online harassment, threats against the lives and physical safety of journalists and physical attacks on journalists and media.

Institutions are fully effective and transparent in investigating and sanctioning attacks on journalists, including online harassment, threats against the lives and physical safety of journalists and physical attacks on journalists and media.

Specialised investigation units and/or officers are equipped with relevant expertise for investigating attacks and violence against journalists

Score (3.29) - There are no special departments or specially designated persons in the competent institutions to conduct investigations on the attacks on journalists. No specific guidelines have been adopted that can help conduct investigations more efficiently. There is cooperation between the competent institutions, but it does not result in sufficient efficiency in identifying the perpetrators of the attacks. The public prosecutors are quite inert in initiating procedures.

The competent institutions have not yet established special departments or designated staff responsible for conducting investigations and proceedings related to acts of violence against journalists. During 2020, AJM raised this issue during meetings with representatives of the Ministry of Justice and the Basic Public Prosecutor's Office. The initiative was met with a positive response to establish such departments and to train staff in the future, but despite the AJM requests specifically from the BPPO, there are no changes in their structure regarding these issues.

There are no special instructions in the institutions for effective detection and prosecution of the perpetrators of attacks and threats against journalists. Separate guidelines in this regard include the documents prepared by AJM in cooperation with the Ministry of Interior: "Manual for the safety of journalists during high-risk events", "Guidelines for professional reporting on violent extremism and terrorism" and "Information Protocol" for cases related to violent extremism and terrorism".

The cooperation between the Ministry of Interior and the Public Prosecutor's Office regarding the effective conduct of investigations into the attacks on journalists and media workers seems to be at a satisfactory level. There is a need to improve the capacity of the Ministry of Interior in this regard by establishing a public register for attacks on journalists and media workers and its regular updating.

Investigations of serious physical attacks on journalists and other media actors are carried out efficiently (independently, thoroughly and promptly)

Score (3.28) - Investigations are generally slow and ineffective, and no charges have been brought against individual attacks on journalists. Attacks on journalists are sometimes not qualified as crimes, forcing journalists to file private lawsuits instead of being prosecuted ex officio.

In 2020, there was only one attack, i.e., threat to the life of a journalist, for which a procedure was initiated ex officio, primarily due to the fact that he was a perpetrator of several crimes, some of which were not related to threats or attacks on journalists. Other attacks on journalists for which requests for criminal proceedings were filed, the Public Prosecutor's Office rejected with the explanation that it is incompetent to act ex officio i.e., the Criminal Code limits that such jurisdiction.

The only positive example of proper qualification of the crime and sanctioning of the perpetrator is the case of the journalist Meri Jordanovska, to whom the threatener sent a message through the social network Telegram with the threat that "he will create an obituary". An indictment was filed for these threats for the crime of endangering security, and the court procedure ended in March 2020 with a verdict by which the perpetrator was sentenced to 1 year and 8 months in prison. An appeal was lodged against the verdict, but the appeal was rejected and the verdict was upheld by the appellate court.

Journalists and other media actors are efficiently protected from various forms of online harassment

Score (3.46) - The Criminal Code does recognize harassment as a criminal offence. 8 serious online threats against journalists have been registered. The Ministry of Interior did not react effectively enough and did not provide any information on how it acted in five of the six reported cases of online attacks on journalists in 2020.

The Law on Criminal Procedure in Article 394-d, which deals with the dissemination of racist and xenophobic material through a computer system, threats to life and attacks on journalists, does not directly oblige law enforcement authorities to act ex officio in cases where there are explicit examples of life threats against journalists. As a result, journalists and media workers so far have been forced to file private lawsuits for this type of offense. It is rare for a journalist to sue privately for online threat or harassment, and due to that, these cases often remain unresolved and contribute to creating a climate of impunity.

According to AJM statistics, the total number of registered threats in 2020 was 14, of which 8, were sent through online platforms. Out of these, two were life-threatening journalists. Out of a total of eight, six were reported to the Sector for Computer Crime and Digital Forensics at the Ministry of Interior. In one case, the Ministry of Interior informed AJM that it was incompetent to act with legal advice the injured parties privately to sue for endangering personal safety. For the other five cases, AJM sent an official letter to the Ministry of Interior requesting information on the status of the proceedings, but the Ministry of Interior did not submit a response.

Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently

Score (3.09) - The general assessment is that the courts are not transparent enough in terms of conducting court proceedings for attacks on journalists or the media. The Basic Civil and Criminal Court in Skopje does not provide detailed information on court proceedings for attacks on journalists that have taken place in recent years. The courts do not have the practice of informing the public about proceedings against journalists or in which journalists are parties due to violation of their rights in the direction of breached security. In addition, the automatic case management information system (ACMIS) does not provide the opportunity for precise search for past and current procedures in which the parties are journalists and thus the public has more difficulty accessing this information.

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Quality statistics collection systems established by state authorities to stem impunity

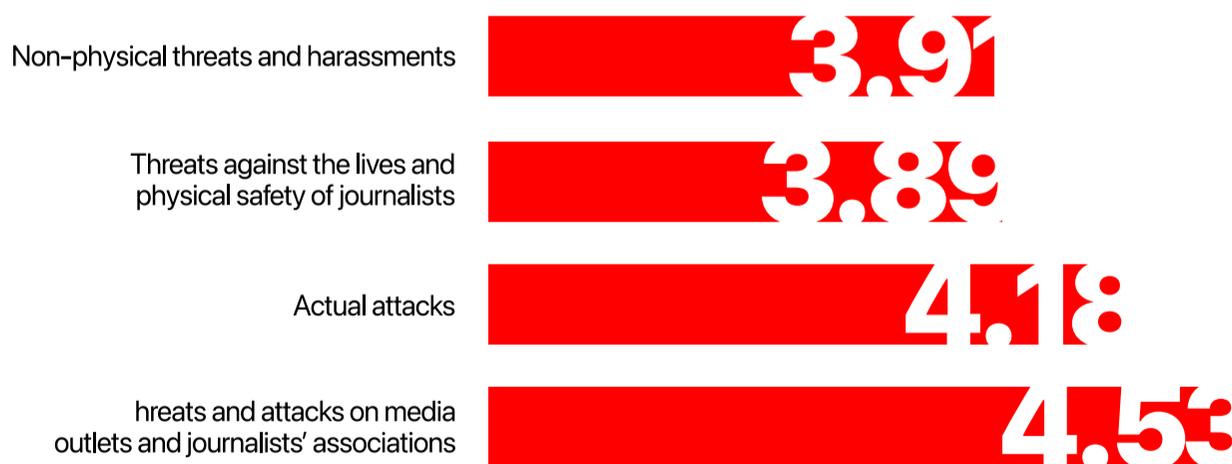
Score (3.41) - The competent institutions and courts have not established quality statistical systems, based on which they can submit accurate and disjointed data on all court proceedings in which journalists or media are parties. The courts' databases do not allow disaggregation of the data.

The Ministry of Interior has not established a register of statistics on attacks and threats against journalists. The Ministry of Interior has issued a statement only once in 2018, in which it published statistics on the number of attacks on journalists and media. Neither the civil nor the criminal court in Skopje is able to provide detailed information regarding the cases in which journalists appear as a party to the proceedings. Their justification is that the new case management system (ACMIS) is based on codes, not the names and professions of the parties. During 2020, AJM managed to obtain only information from the Basic Civil Court that there are a total of thirty-three active cases of defamation and insult in which a journalist or media outlet appears as a party.

IV

Actual Safety

4.13



1.00
2.00
3.00
4.00
5.00
6.00
7.00



There are severe cases of threats and actual attacks against journalists and media organisations, including killings.

There have been no cases of actual attacks, no threats against the lives and physical safety of journalists, nor there have been non-physical threats and harassment against the journalists and media.

Non-physical threats and harassments

These may include: surveillance or trailing; harassing phone calls; arbitrary judicial or administrative harassment; aggressive declarations by public officials; other forms of pressure that can jeopardise the safety of journalists in pursuing their work. These types of threats do not include mobbing and bullying in the working environment.

Score (3.91) - Only some of the listed types of threats occurred in 2020 (7 in total) that are not aimed at endangering the physical safety of journalists, but still attackers are former officials, individuals close to political parties and (in one case) police officers.

In the past year, AJM recorded 7 such attacks:

- Threats and insults directed at the journalist of A1on, Meri Jordanovska by Emil Jakimovski, former employee of the Central Registry of Macedonia and member of VMRO-DPMNE;
- Threats and insults addressed to the editor of TV Alfa, Iskra Koroveshovska by Emil Jakimovski, former employee of the Central Registry of Macedonia and member of VMRO-DPMNE;
- Threatening message to the journalist of TV24, Misko Ivanov from Boban Petrovski;
- Threats against the journalist Furkan Saliu from TV Klan by police officers from the security of the former Minister of Interior, Nake Chulev;
- Threats through Facebook to the journalist Miroslava Burns, due to a text about a wedding in Tetovo during the epidemic of COVID-19;
- Several threats through social networks against the journalist Aneta Dodevska from TV24;
- Threats and harassment through social networks towards the journalist Natasha Stojanovska from Telma TV.

Threats against the lives and physical safety of journalists

These may include: references to killing journalists, journalists' friends, family or sources; references to making physical harm against journalists, journalists' friends, family or sources. These threats may be: made directly or via third-parties; conveyed via electronic or face-to-face communications; may be implicit as well as explicit.

Score (3.89) - 3 threats were registered in 2020, aimed at endangering the physical safety or life of journalists. However, it is worrying that the attackers are politicians or individuals close to political parties.

AJM has recorded a total of 3 such attacks in 2020:

- Threats by telephone to the journalist of TV21 Almedina Ismajli, addressed by Neshat Ademi, former member of the Alliance for Albanians;
- Insults and calls for violence against the journalist of TV 24, Gorazd Chomovski addressed by the President of the party GROM, Stevcho Jakimovski;
- Direct threats to life sent through the social network Twitter to the journalist Tanja Milevska, MIA correspondent from Brussels.

Actual attacks

These may include: actual physical or mental harm, kidnapping, invasion of home/office, seized equipment, arbitrary detention, failed assassination attempts, etc.

Score (4.18) - Two physical attacks on journalists were registered in 2020. In both cases, there are indications that the attackers are individuals close to political parties.

Last year, AJM registered two attacks of this type:

- The journalist and editor of the Leader portal, Ljupcho Zlatev, was attacked in a bar in Skopje;
- An unknown person attacked journalist Milka Smilevska and camera operator Jorde Angelovikj from Al Jazeera during a protest of the political party VMRO-DPMNE in the centre of Skopje.

Threats and attacks on media outlets and journalists' associations

Threats may include: harassing phone calls; arbitrary judicial or administrative harassment; aggressive declarations by public officials; other forms of pressure (inscriptions, threatening posts etc.). Actual attacks may include: invasion of offices, seized equipment, broken equipment, vehicles etc.

Score (4.53) - Two cases of threats against the media were registered. In both cases, the threats against the media are due to their investigative work on corruption cases or critical public statements. In the past year, AJM registered two attacks of this type:

- Following the publication of research story related to construction activities in the Taftalidze neighbourhood in Skopje, the IRL editorial office was exposed to verbal pressure and harassment;
- Journalists and activists of Civil Media, Xhabir Deralla and Petrit Sarachini, were threatened and humiliated through the social network Facebook, by Marjan Kamilovski.

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