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“Social Changes in the Global World”
„Општествените промени во глобалниот свет“

Book of abstracts Книга на апстракти

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"SOCIAL CHANGES IN THE GLOBAL WORLD"

„ОПШТЕСТВЕНИТЕ ПРОМЕНИ ВО ГЛОБАЛНИОТ СВЕТ“

BOOK OF ABSTRACTS

КНИГА НА АПСТРАКТИ

Faculty of Law, Gocce Delcev University

Правен факултет, Универзитет „Гоце Делчев“

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THE IDEA OF INTRODUCING A SINGLE ELECTORAL DISTRICT IN THE MACEDONIAN ELECTORAL MODEL: TOPICS FOR CONSIDERATION AND DILEMMAS TO RESOLVE

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Abstract

In 2026, a quarter century will have elapsed since the adoption of the current electoral model and two decades since the enactment of the current Electoral Code. In this context, a Working Group on electoral legislation reform has been established under the auspices of the Ministry of Justice, with one of the issues placed on the agenda being the initiative to introduce a single nationwide electoral district instead of the existing six, with the aim of enhancing the fairness and proportionality of the electoral system. Contemporary electoral systems scholarship recognizes that there is no ideal electoral model; rather, the quality of an electoral system depends on its ability to establish a balance between representativeness and effective governance. Accordingly, this paper adopts a comparative approach by analyzing two paradigmatic examples of the at-large electoral system, namely systems based on a single electoral district—the Netherlands and Israel—as well as two regional examples—Serbia and Montenegro. The concluding section examines the applicability of such a proportional model in the Republic of N. Macedonia through an analysis of the arguments presented in the academic and professional debate. The fact that this model, with certain modifications, has functioned for more than a century in the Netherlands, approximately three quarters of a century in Israel, and for more than two decades in Serbia and Montenegro, indicates its institutional stability and sustainability, making it relevant for certain political actors in N. Macedonia. Whether future reforms will move in the direction of adopting such a model remains an open question. Nevertheless, any decision should be the result of an inclusive deliberative process based on a balanced assessment of the arguments *pro et contra* and a thorough analysis of the effects of the existing electoral model on the Macedonian political system. The paper aims to contribute to this ongoing academic and public debate.

Keywords: *electoral systems, single electoral district, proportional representation, electoral reform, and the Republic of N. Macedonia.*

ИДЕЈАТА ЗА ВОВЕДУВАЊЕ ЕДНА ИЗБОРНА ЕДИНИЦА ВО МАКЕДОНСКИОТ ИЗБОРЕН МОДЕЛ: ТЕМИ ЗА РАЗМИСЛА И ДИЛЕМИ ЗА РЕШАВАЊЕ

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Апстракт

Во 2026 година се навршува четврт век од усвојувањето на актуелниот изборен модел и две децении од донесувањето на важечкиот Изборен законик. Во овој контекст, под покровителство на Министерството за правда започна со работа Работна група за реформи на изборното законодавство, при што едно од прашања кое е ставено на маса е иницијативата за воведување единствена изборна единица, наместо постојните шест, со цел унапредување на праведноста и пропорционалноста на изборниот систем. Во современата наука за изборни системи е прифатено дека не постои идеален изборен модел, туку квалитетот на системот зависи од неговата способност да воспостави рамнотежа помеѓу репрезентативноста и ефикасното владеење. Оттука, трудот преку компаративен пристап ги анализира два парадигматични примери на *at large* изборен систем, односно модел со единствена изборна единица – Холандија и Израел – како и два регионални примери – Србија и Црна Гора. Во завршниот дел се разгледува применливоста на ваков пропорционален модел во Р. С. Македонија преку анализа на аргументите изнесени во академската и стручната дебата. Фактот дека моделот, со одредени модификации, функционира повеќе од еден век во Холандија, околу три четвртини век во Израел и повеќе од две децении во Србија и Црна Гора, укажува на неговата институционална стабилност и одржливост, што го прави релевантен за дел од политичките актери во Македонија. Дали идните реформи ќе се движат во насока на усвојување на ваков модел останува отворено прашање. Сепак, секоја одлука треба да биде резултат на инклузивен делиберативен процес, заснован врз балансирано вреднување на аргументите *pro et contra* и темелна анализа на ефектите од постојниот изборен модел врз македонскиот политички систем. Трудот има цел да придонесе кон оваа тековна научна и општествена дебата.

Клучни зборови: изборни системи, единствена изборна единица, пропорционална застапеност, изборни реформи и Р. С. Македонија.

THE FUNCTIONAL INTERPRETATION OF DOUBLE PAYMENT UNDER ARTICLE 201 OF THE LAW ON OBLIGATIONS: BETWEEN DOCTRINE AND JUDICIAL PRACTICE

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Abstract

Macedonian law adopts a comprehensive approach to unjust enrichment under Articles 199 and 201 of the Law on Obligations. Article 199 establishes the general rule requiring restitution where property passes without legal basis, while Article 201 creates a specific corrective mechanism for double payment of the same debt. This contribution analyzes the relationship between these two provisions, arguing that they form an integrated normative framework wherein Article 201 displaces the general requirement of absence of legal basis and the specific requirement of error for *condictio indebiti*. The contribution traces the historical development of Article 201 from the YU court practice, examines the doctrinal foundations in the authoritative commentaries and Macedonian legal literature, and analyzes the relevant Supreme Court jurisprudence. It further addresses the accompanying practical questions of the statute of limitations (*dies a quo*) and the accrual of interest on restitution claims. The contribution concludes that Article 201 operates as a *sui generis* category of unjust enrichment, ensuring that no person retains a benefit acquired at the expense of another where the same obligation has been effectively discharged twice—regardless of the presence of an enforcement title.

Keywords: *unjust enrichment, Article 201, Law on Obligations, double payment, integrated framework.*

THE DIGITALISATION OF DIRECT DEMOCRACY IN A NATIONAL CONTEXT THROUGH THE APPLICATION OF THE PRINCIPLES OF THE EUROPEAN CITIZENS' INITIATIVE

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Abstract

The digitalization of direct democracy is a key step towards strengthening citizens' participation in the processes of creating public policies in modern democracies. This paper explores the model of digital direct democracy through an analysis of the European Citizens' Initiative (ECI) as an institutionalized mechanism for transnational citizen participation. The focus is on the basic features of the ECI, including the legal framework, the threshold of support, the digital collection of signatures, the cross-border inclusiveness and the transparency of the process. Through a conceptual analysis, the possibility of applying a similar digital model in national and local contexts is explored, with the aim of promoting direct citizen participation in decision-making. The paper suggests that digital platforms, if based on the principles of security, equal access, verifiability and institutional accountability, can significantly reduce the gap between citizens and decision-makers. In conclusion, it is emphasized that the ECI represents a relevant example of balancing direct democracy and representative institutions, with digitalization emerging as a catalyst for greater democratic legitimacy and civic trust.

Keywords: *direct democracy, digitalization, European Citizens' Initiative, citizens' initiative*

ДИГИТАЛИЗАЦИЈАТА НА НЕПОСРЕДНАТА ДЕМОКРАТИЈА ВО НАЦИОНАЛЕН КОНТЕКСТ ПРЕКУ ПРИМЕНА НА ПРИНЦИПИТЕ НА ЕВРОПСКАТА ГРАЃАНСКА ИНИЦИЈАТИВА

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Апстракт

Дигитализацијата на непосредната демократија претставува клучен чекор кон зајакнување на учеството на граѓаните во процесите на креирање јавни политики во современите демократии. Овој труд го истражува моделот на дигитална непосредна демократија преку анализа на Европската граѓанска иницијатива (European Citizens' Initiative – ECI) како институционализиран механизам за транснационално граѓанско учество. Фокусот е ставен на основните карактеристики на ECI, вклучувајќи ја правната рамка, прагот на поддршка, дигиталното собирање потписи, прекуграничната инклузивност и транспарентноста на процесот. Преку концептуална анализа се разработува можноста за примена на сличен дигитален модел во национални и локални контексти, со цел унапредување на директното учество на граѓаните во донесувањето одлуки. Трудот укажува дека дигиталните платформи, доколку се базирани на принципите на безбедност, еднаков пристап, проверливост и институционална одговорност, можат значително да го намалат јазот меѓу граѓаните и носителите на одлуки. Заклучно, се истакнува дека ECI претставува релевантен пример за балансирање меѓу непосредната демократија и претставничките институции, при што дигитализацијата се јавува како катализатор за поголема демократска легитимност и граѓанска доверба

Клучни зборови: непосредна демократија, дигитализација, Европска граѓанска иницијатива, граѓанска иницијатива.

"FORMULA REGIMINIS" (1617) – THE FIRST WRITTEN CONSTITUTION IN THE TERRITORY OF LATVIA: THE FORMATION OF CONSTITUTIONAL LAW IN THE DUCHY OF COURLAND AND SEMIGALLIA (1561 – 1795)

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Abstract

The Treaty of Subjection (1561) concluded by the Polish - Lithuanian ruler Sigismund II Augustus and the Master of the Livonian Order Gotthard Kettler stipulated the establishment of a new Polish- Lithuanian vassal state – the Duchy of Courland and Semigallia. The Livonian Order was liquidated, but Gotthard Kettler received from Sigismund II the title of Duke of Courland and the status of a royal vassal. A special role in the formation of the legal system of the Duchy of Courland played the written sources of constitutional law, which regulated the relations between the duke and the nobility of Duchy, as well as between the Polish - Lithuanian Commonwealth and the Duchy of Courland. Of particular importance among other sources of constitutional law was the "*Formula regiminis*" (1617), the first written constitution in the territory of Latvia. With its entry into force, the Duchy of Courland became a constitutional monarchy. The author, based on the analysis of the "*Formula regiminis*", other sources of constitutional law, and relevant studies comes to the conclusion that these sources already contained the germs of modern constitutional law principles such as the supreme power of the constitution, the separation of powers, parliamentarism, principle of checks and balances, principle of constitutional control, and limited recognition of human rights and freedoms. The author also concludes that human rights and freedoms in the Duchy of Courland were enjoyed only by the privileged estates of society, while most of the population, especially the peasants in manors of landlords who had the status of serfs, had denied them.

Keywords: *Treaty of Subjection, Vassal State, Formula Regiminis, Hard Constitution, Constitutional Monarchy, Principles of Constitutional Law*

LEGAL QUALIFICATION OF HOMICIDE IN THE REPUBLIC OF SERBIA: NORMATIVE FRAMEWORK AND ISSUES OF DISTINCTION IN CASE LAW

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Abstract

Although homicide offences are regulated by the Criminal Code of the Republic of Serbia, distinguishing between their individual forms in case law continues to raise issues concerning their proper legal qualification. Different interpretations of statutory elements may result in different legal qualifications of factually similar cases, thereby raising the question of the consistent application of statutory criteria when distinguishing between individual forms of homicide offences. The subject of this paper is the analysis of the normative framework and the issues arising in the distinction between individual forms of homicide offences in the case law of the Republic of Serbia. The aim of the research is to examine the extent to which the interpretation and application of statutory elements affect the proper legal qualification of individual forms of homicide offences. The paper employs normative, doctrinal and statistical methods, together with an analysis of relevant case law and statistical data on persons reported, accused and convicted of homicide offences in the Republic of Serbia during the period from 2020 to 2024. The findings indicate that the key issues concerning legal qualification primarily arise from differences in the interpretation and application of statutory elements in case law. The findings confirm the need for a more consistent application of statutory criteria and greater consistency in case law in order to ensure proper legal qualification and the uniform application of substantive criminal law.

Keywords: *homicide offences, normative framework, legal qualification, distinction, case law.*

EVOLUTION AND LEGAL STATUS OF THE ENERGY EFFICIENCY FIRST PRINCIPLE IN EUROPEAN UNION LAW

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Abstract

The Energy Efficiency First (EE1) principle has emerged as one of the most interesting concepts in contemporary European Union energy and climate policy. Initially developed as a policy objective within the Energy Union framework, EE1 has gradually evolved into a legally recognised governance principle requiring policymakers and public authorities to systematically assess energy-efficiency solutions alongside traditional supply-side alternatives. This evolution reflects a broader transformation in European energy governance, characterised by a shift from infrastructure-centred approaches towards demand-side optimisation and integrated energy-system planning.

This article examines the legal evolution and legal status of the Energy Efficiency First principle within the European Union legal order. It demonstrates that EE1 has evolved from a political concept into a legally recognised governance principle through its codification in Regulation (EU) 2018/1999 and its subsequent operationalisation in Directive (EU) 2023/1791 on energy efficiency.

Particular attention is devoted to the legal nature of EE1 and its relationship with broader principles of EU law, including environmental integration, sustainable development, proportionality and good administration. The article concludes that EE1 should be understood as a principle of optimisation that increasingly shapes energy-related decision-making throughout the European Union and is becoming embedded within the broader constitutional framework of European energy governance. The article also identifies selected implementation challenges, including methodological uncertainty, administrative discretion, monitoring obligations and the emerging role of national regulatory authorities.

Keywords: *Energy Efficiency First; Energy Efficiency; EU Energy Law; Sustainable Development*

THE INFLUENCE OF CHRISTIANITY ON THE DEVELOPMENT OF ROMAN, BYZANTINE, AND MEDIEVAL SERBIAN LAW

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Abstract

This paper examines the influence of Christianity on the development of Roman, Byzantine, and medieval Serbian law. Its primary objective is to demonstrate how Christian teachings and ecclesiastical organization influenced changes in the legal system from the Roman Empire to medieval Serbia. The paper analyzes the gradual integration of secular and ecclesiastical law, which over time became one of the essential elements of state organization. Particular attention is devoted to changes in family, inheritance, and criminal law following the adoption of Christianity in the Roman Empire. Christian ethics contributed to the development of concepts of justice, mercy, and enhanced protection of socially vulnerable groups.

The paper also analyzes the role of Byzantine law, which, through nomocanons and ecclesiastical legal collections, transmitted a substantial body of Christian legal principles into medieval Serbian legislation. Through an analysis of Justinian's legislation, Saint Sava's *Nomocanon*, and Dušan's Code, the paper demonstrates the significance of Christianity in shaping the legal order of medieval Serbia. Based on the analyzed sources, it may be concluded that, in addition to its religious significance, Christianity played an important role in the development of legal consciousness, the strengthening of state institutions, and the formation of the Serbian legal tradition.

Keywords: *Roman law, Byzantium, Serbia, Christianity, law.*

POLICE ACCOUNTABILITY AND SUPERVISION IN THE REPUBLIC OF SLOVENIA

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Abstract

This paper addresses the system of police accountability and supervision, proceeding from the premise that, in the absence of effective mechanisms of supervision, the rule of law, the protection of human rights, and the safeguarding of fundamental freedoms are deprived of their substantive meaning. In the Republic of Slovenia, oversight mechanisms serve to ensure the legality, accountability, and professional integrity of police operations, as well as the consistent protection of human rights and fundamental freedoms.

Within the context of legal and administrative theory, oversight is a multifaceted concept appearing in various doctrinal frameworks and carrying different meanings. For the purposes

of this paper, it is defined as a systematic process of reviewing the legality, propriety, and correctness of the execution of police tasks and the exercise of police powers. Oversight constitutes an essential element of the state's responsibility to guarantee legality and to protect individuals against unlawful interference by coercive state authorities, thereby upholding the rule of law, with particular emphasis on police accountability.

The paper examines the various forms of oversight, with a primary focus on external oversight of police activities in the Republic of Slovenia. This form of oversight is exercised by multiple actors, including the National Assembly, the Government, the judiciary and the prosecution service, as well as by non-governmental organizations, the media, the general public, and international institutions. Furthermore, the paper analyses oversight conducted by the Ministry of the Interior and internal oversight mechanisms carried out within the Police itself, taking into account both its vertical chain of command and horizontal organizational structure.

Keywords: *the Police, accountability, supervision, external supervision, internal supervision, police powers, human rights and fundamental freedoms.*

POLITICAL PARTIES – AN INSTITUTIONAL MECHANISM FOR AGGREGATING AND ARTICULATING THE INTERESTS OF CITIZENS IN MACEDONIA

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Abstract

Political parties, from their establishment to the present day, represent an inexhaustible source for analysis, especially of social relations within society. Their place and role in overall social processes are determined by contemporary developments, shaping them in accordance with the latest needs and challenges. They continue to maintain a monopoly in the sphere of political mobilization of citizens, with the aim of aggregating and articulating their interests. The changes within them relate to the ways, forms, and mechanisms of mobilization, aggregation, and articulation of citizens' beliefs, attitudes, and actions. The theoretical framework for defining political parties encompasses the phenomena of political ideology, political orientation, political participation, and identification. The profile of political parties in Macedonia is of particular interest to sociological and political science. In academia, opinions are divided as to which period is most appropriate to be defined as the end of the transition from the previous totalitarian system to the present democratic one. Previous analyses of political parties in the country lead to the conclusion that, during this period, they have developed certain specific features, while at the same time sharing characteristics similar or identical to established parties in Europe and beyond. If generalized, the specificities of Macedonian political parties are correlated with the specificities of Macedonian society. A scientific challenge is to determine the relationship between political parties and society, whether they merely represent an indicator of social processes or simultaneously act as their catalyst.

Keywords: *society, political parties, organization, mobilization, ethnicization.*

SOCIO-LEGAL TRANSFORMATION OF LONG-TERM CARE: BETWEEN INSTITUTIONAL CARE, COMMUNITY-BASED SERVICES AND THE PROTECTION OF USERS' RIGHTS*

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Abstract

Contemporary long-term care systems are undergoing significant structural and normative transformations driven by demographic ageing, changing family structures, and increasing demand for care services. In this context, long-term care is increasingly recognized not only as a matter of private family responsibility, but also as an important issue of social protection and public policy. This paper analyzes the key instruments of social-law protection in long-term care systems, focusing on the relationship between institutional and community-based care, the integration of health and social services, and the legal guarantees of quality and accessibility of care. Particular attention is devoted to deinstitutionalisation processes and the growing role of community-based services in promoting autonomy, dignity, and social inclusion of users. The paper further examines legal and institutional mechanisms aimed at ensuring equal access to services, protecting users' rights, and establishing professional and quality standards in care provision. Using a socio-legal and analytical approach, the paper argues that sustainable long-term care systems depend not only on financial and institutional capacities, but also on the ability of legal systems to balance accessibility, quality of services, protection of users' rights, and social solidarity. The transformation of long-term care therefore represents one of the central challenges of contemporary social policy and social law.

Keywords: *long-term care; community-based care; deinstitutionalisation; users' rights; quality of care; accessibility of services; integrated care; welfare state; social law; social protection.*

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THE DIGITAL TRANSFORMATION OF CRIMINAL JUSTICE: RE-EVALUATING THE PRINCIPLE OF IMMEDIACY AND DEFENSE RIGHTS IN THE ERA OF REMOTE PROCEEDINGS

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Abstract

The rapid digitalization of global judicial systems has transitioned remote participation from a temporary emergency measure into a structural pillar of modern criminal procedure, compelling a critical reassessment of foundational principles-most notably the principle of immediacy, which requires the direct and unmediated confrontation of evidence and parties before the adjudicating court. While video conferencing technologies offer advantages in terms of judicial economy and efficiency, they simultaneously undermine the traditional foundations of the right to a fair trial. The courtroom is not merely a logistical venue; it is a space where the principle of immediacy enables the court to directly observe and assess the demeanor of the accused and witnesses. The mediation of a digital screen obscures critical non-verbal cues and creates a psychological distance that may jeopardize equality of arms, the right to confront witnesses, and the right to effective legal assistance under Article 6 of the European Convention on Human Rights. These tensions raise fundamental questions about the capacity of remote proceedings to serve the truth-finding function of criminal adjudication, risking the transformation of trial into a bureaucratic formality rather than a genuine pursuit of material truth. A tension exists between the drive for a data-driven judiciary and the necessity of safeguarding the human-centered procedural guarantees of criminal law. The legitimacy of digital justice depends on strict necessity and proportionality criteria that prevent technological efficiency from eroding the core of defense rights, and *de lege ferenda* proposals are advanced toward reconciling innovation with the enduring imperatives of procedural justice.

Keywords: *Remote Proceedings, Right to a Fair Trial, Principle of Immediacy, Digital Justice, Procedural Safeguards.*

MEDIA FRAMING OF THE 2026 UNITED STATES-IRAN CEASEFIRE IN IRNA, BBC AND CNN REPORTS

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Abstract

This paper presents a comparative analysis of the media coverage by the official Iranian state news agency- the Islamic Republic News Agency (IRNA), the American cable news network (CNN) and the British Broadcasting Corporation (BBC). The analysis examines reports published on 8 April 2026 on the website of these media outlets following the announcement of the ceasefire between United States (U.S.) and Iran. By applying the Robert Entmans's framing theory, the study investigates how each media outlet the defines the problem, attribute the responsibility, makes moral evaluations and proposes solutions. The aim of the paper is to examine how these different media organizations frame the same event, as this framing may shape public perceptions of the ceasefire and the crisis surrounding the Strait of Hormuz.

Keywords: *Hormuz crisis, U.S-Iran conflict, framing theory, IRNA, BBC, CNN.*

ARCTIC MARITIME ROUTES AS A FACTOR OF GEOPOLITICAL AND GEOECONOMIC TRANSFORMATION

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Abstract

The accelerated transformation of the Arctic has moved its maritime routes from the margins of international transport policy to the centre of contemporary geopolitical and geoeconomic considerations. The retreat of sea ice creates longer navigation seasons and strengthens expectations that the Northern Sea Route, the Northwest Passage and, in the longer term, the Transpolar Sea Route could provide shorter connections between Europe, Asia and North America. Their importance, however, cannot be reduced only to distance and transport costs. Arctic navigation is closely connected with sovereignty, freedom of navigation, access to natural resources, control of ports and infrastructure, icebreaker capabilities and the strategic presence of the great powers.

This paper examines the extent to which Arctic maritime routes are changing the distribution of economic and political influence in the region. Particular attention is paid to the Northern Sea Route, Russia's regulatory and infrastructural position, the legal controversy surrounding the Northwest Passage, China's Polar Silk Road concept and the interests of the United States and other Arctic states. The analysis shows that Arctic routes have significant strategic potential, but are not yet a complete alternative to traditional global maritime corridors. Unpredictable ice conditions, insufficient infrastructure, high insurance and escort costs, environmental vulnerability and legal disagreements continue to limit their commercial use. Nevertheless, the ability to regulate, service and protect these routes is already becoming an important instrument of state power. Consequently, Arctic shipping should be understood simultaneously as an economic opportunity, a legal and security challenge and a factor in the gradual geopolitical and geoeconomic transformation of the High North.

Keywords: *Arctic, maritime routes, Northern Sea Route, geopolitics, geoeconomics, maritime power.*

АРКТИЧКИТЕ ПОМОРСКИ РУТИ КАКО ФАКТОР НА ГЕОПОЛИТИЧКО И ГЕОЕКОНОМСКО ПРЕОБЛИКУВАЊЕ

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Апстракт

Забрзаната трансформација на Арктикот ги премести неговите поморски рути од периферијата на меѓународната транспортна политика во средиштето на современите геополитички и геоекономски анализи. Повлекувањето на морскиот мраз создава подолги навигациски сезони и ги засилува очекувањата дека Северниот морски пат, Северозападниот премин и, на подолг рок, Трансполярната рута можат да обезбедат пократки врски меѓу Европа, Азија и Северна Америка. Сепак, нивното значење не се исцрпува само со транспортното растојание и економските трошоци. Арктичката пловидба е тесно поврзана со суверенитетот, слободата на пловидба, пристапот до природните ресурси, контролата врз пристаништата и инфраструктурата, ледоломните капацитети и стратешкото присуство на големите сили.

Во трудот се анализира степенот до кој арктичките поморски рути ја менуваат распределбата на економското и политичкото влијание во регионот. Посебно внимание се посветува на Северниот морски пат, руската регулаторна и инфраструктурна позиција, правниот спор околу Северозападниот премин, кинескиот концепт „Поларен пат на свилата“ и интересите на Соединетите Американски Држави и другите арктички држави. Анализата покажува дека рутите имаат значаен стратешки потенцијал, но сè уште не претставуваат целосна алтернатива на традиционалните глобални поморски коридори. Непредвидливите ледени услови, недоволната инфраструктура, високите трошоци, еколошката ранливост и правните несогласувања ја ограничуваат нивната комерцијална употреба. И покрај тоа, способноста за регулирање, опслужување и заштита на овие правци веќе станува важен инструмент на државната моќ.

Клучни зборови: *Арктик, поморски рути, Северен морски пат, геополитика, геоекономија, поморска моќ.*

THE ROLE AND SIGNIFICANCE OF THE "JUDICIAL POLICE" IN MODERN CRIMINAL PROCEDURE

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Abstract

The wave of reform in criminal procedure in the last two decades has led, among other things, to the introduction of prosecutorial investigation. Such a concept, although supported by the view that it contributes to the efficiency of criminal proceedings, was introduced without prior adequate preparation of the public prosecutor's office for conducting the pre-investigation procedure and investigation. Basically, the public prosecutor is the manager of the pre-investigation procedure and investigation. In conducting this procedure, which precedes the initiation of criminal proceedings and the first phase of criminal proceedings, the public prosecutor is "assisted" by the police. One of the most common complaints about the efficiency of investigations, heard in public, from investigation managers, is the lack of adequate coordination between the public prosecutor and the police. In some European countries, there is a model according to which the public prosecutor is also the head of the "judicial police". Such solutions have proven effective in achieving the goals of conducting investigations. The idea of separating the Criminal Police Directorate from the Ministry of Internal Affairs and placing it under the jurisdiction of the Ministry of Justice and State Administration, or under the direct supervision of the Republic Public Prosecutor's Office, has existed in Serbia for a long time, but has never been implemented. The aim of the author of this paper is to present comparative law models and practical experiences in the work of the judicial police and to present a model that would make the relationship between the public prosecutor and the police more effective and thus contribute to achieving the purpose of conducting an investigation.

Keywords: *pre-trial procedure, investigation, public prosecutor, police.*

ADMINISTRATIVE LAW AS AN INSTRUMENT OF PUBLIC POWER: A LEGAL-THEORETICAL FRAMEWORK

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Abstract

This paper provides a legal-theoretical account of administrative law as an instrument of public power, examining the conditions under which administrative mechanisms are used to shape and direct social and economic relations. The analysis adopts a neutral, doctrinal perspective, recognising that the instrumental use of administrative law is inherent to all systems of public governance. In both democratic and non-democratic settings, administrative authorities rely on legally defined competences—such as discretionary decision-making, regulatory intervention, supervisory powers, and institutional reorganisation—to implement public policies and pursue collective objectives.

The paper argues that the use of administrative law as an instrument of power is not inherently problematic. On the contrary, it constitutes a structural feature of modern administrative states, where law operates as a primary medium through which public authority is exercised. However, the boundary between legitimate policy implementation and problematic instrumentalisation becomes particularly significant in contexts where the balance between legality, discretion, and accountability is altered.

Building on administrative law doctrine, the paper conceptualises this balance as a dynamic relationship between the principle of legality, the scope of administrative discretion, and mechanisms of judicial and institutional control. While democratic systems typically embed these elements within a framework of the rule of law, ensuring that discretion is constrained and subject to review, the same legal instruments may operate differently in authoritarian systems or in contexts of democratic backsliding. In such settings, formally lawful mechanisms may be used in a manner that preserves legality at the formal level while undermining its substantive function, leading to a form of systemic instrumentalisation.

The paper situates this argument within the broader literature on law and power. It engages with classical and contemporary theories of the relationship between law and political authority, including the concept of the dual state developed by Ernst Fraenkel, as well as more recent scholarship on rule of law backsliding and authoritarian legalism (e.g. Kim Lane Scheppele, David Landau, Tom Ginsburg and Aziz Z. Huq). It also draws on administrative law scholarship addressing discretion, accountability, and the right to good administration, including European doctrinal developments and the work of Paul Craig and Giulio Napolitano.

By bringing these strands together, the paper proposes a conceptual foundation for analysing when the instrumental use of administrative law remains compatible with the rule of law, and when it evolves into a form of systemic distortion. This framework serves as the theoretical point of departure for a broader research project on administrative law as an instrument of power.

**ANALYSIS OF OPINION 2/13 OF THE COURT OF JUSTICE OF THE
EUROPEAN UNION AND THE DRAFT AGREEMENT OF MARCH 2023 ON
THE ACCESSION OF THE EUROPEAN UNION TO THE EUROPEAN
CONVENTION ON HUMAN RIGHTS**

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Abstract

The constitutional framework of the European Union (EU) contains an impressive array of human rights provisions. The Treaty on European Union (TEU) in Article 6 emphasizes that the Union is founded on respect for human rights, while the EU Charter of Fundamental Rights gives it legally binding effect and authorizes the EU's accession to the European Convention on Human Rights (ECHR). The purpose of this paper is to present the procedure for the EU's accession to the ECHR, as well as the latest developments in the negotiations. This is an accession that aims to accept the European Union and its institutions as contracting parties against which applications can be submitted and proceedings initiated for possible violations of human rights provided for in the ECHR. The process has been underway for a long time and is taking a long time, but it should ultimately lead to the EU's final accession to the ECHR. The authors of this paper, in addition to explaining the accession procedure, also presents their views and perspectives on further negotiations between the two parties.

This paper is dedicated to Mila Kambovska, Judge of the Supreme Court of the republic of North Macedonia.

Keywords: CJEU, ECHR, Opinion, agreement.

**АНАЛИЗА НА МИСЛЕЊЕТО 2/13 НА СУДОТ НА ПРАВДАТА НА
ЕВРОПСКАТА УНИЈА И НАЦРТ-СПОГОДБАТА ОД МАРТ 2023 ГОДИНА
ВО ОДНОС НА ПРИСТАПУВАЊЕТО НА ЕВРОПСКАТА УНИЈА КОН
ЕВРОПСКАТА КОНВЕНЦИЈА ЗА ЧОВЕКОВИ ПРАВА**

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Апстракт

Уставната рамка на Европската унија (ЕУ) содржи импресивна низа одредби за човекови права. Договорот за Европската унија (ДЕУ) во член 6 потенцира дека Унијата е основана на почитување на човековите права, додека Повелбата на ЕУ за основните права и дава правно-обврзувачки ефект и го овластува пристапувањето на ЕУ кон Европската конвенција за човекови права (ЕКЧП). Целта на овој труд е да се претстави постапка на пристапување на ЕУ кон ЕКЧП, како и последните измени во меѓусебните преговори. Се работи за пристапување кое има за цел да ја прифати Европската унија и нејзините институции како договорни страни против кои може да се поднесуваат апликации и да се покренуваат постапки за евентуални прекршувања на човековите права предвидени со ЕКЧП. Процесот е одамна започнат и трае долго, но на крајот треба да доведе до конечно пристапување на ЕУ кон ЕКЧП. Авторите на овој труд, освен што ја објаснуваат постапката на пристапување, ги изнесуваат и своите ставови и гледишта во поглед на натамошните преговори меѓу двете страни.

Трудот е посветен на Мила Камбовска, судија на Врховен суд на Република Северна Македонија.

Клучни зборови: СПЕУ, ЕСЧП, Мислење, спогодба.

BETWEEN LABOR CONFLICTS AND SOCIAL PEACE: THE SYSTEM FOR PEACEFUL RESOLUTION OF LABOR DISPUTES IN MACEDONIAN LABOR LEGISLATION

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Abstract

Social peace does not represent the complete absence of conflicts between the subjects of labor, but rather an attempt to balance the opposing interests of its subjects, employers, workers, and the state. This is why the question arises whether labor can respond to the struggle between conflicts and social peace, and what that response would be?

The dynamism and rapid changes in labor relations create a paradoxical situation where law can be a source of conflict on the one hand, but also a tool of social peace on the other. This paper aims to analyze the complexity of labor disputes, the issues of conflict and peace, the one as a legitimate expression of workers' dissatisfaction, and the other as an ideal of social cohesion.

Within the framework of this research, we will analyze the Macedonian system of peaceful resolution of labor disputes from a normative perspective, but also from the perspective of its practical implementation, its advantages, as well as weaknesses, in order to provide a comprehensive conclusion in which direction this system should develop in the future. True social peace in labor law is not reduced to the absence of conflict, on the contrary, it should be understood as the result of a specifically regulated and institutionalized possibility for its occurrence, with its legal articulation ensuring a fair balance between the parties.

Keywords: *conflict, social peace, peaceful resolution, labor disputes..*

ПОМЕЃУ ТРУДОВИТЕ СУДИРИ И СОЦИЈАЛНИОТ МИР: СИСТЕМОТ ЗА МИРНО РЕШАВАЊЕ НА РАБОТНИТЕ СПОРОВИ ВО МАКЕДОНСКОТО ТРУДОВО ЗАКОНОДАВСТВО

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Апстракт

Социјалниот мир не претставува целосно отсуство на судири помеѓу субјектите на трудот, туку најнапред обид за рамнотежа помеѓу спротиставените интереси на неговите субјекти, работодавачите, работниците и државата. Токму затоа се поставува прашањето дали трудот може да одговори на борбата помеѓу судирите и социјалниот мир и каков би бил тој одговор?

Динамичноста и брзите промени во работните односи создаваат состојба на парадокс, каде правото од една страна може да биде извор на судири, но од друга страна и алатка на социјалниот мир. Овој труд е насочен кон анализа на комплексноста на работните спорови, на прашањата за судирот и мир, едното како легитимен израз на незадоволството на работниците, а другото како идеал на социјална кохезија.

Во рамките на ова истражување ќе го анализираме македонскиот систем на мирно решавање на работните спорови од нормативен аспект, но и од аспект на неговата практична имплементација, неговите предности, како и слабости, се со цел да дадеме еден сеопфатен заклучок во која насока би требало да се развива овој систем во иднина. Вистинскиот социјален мир во трудовото право не се сведува на отсуство на судир, напротив истиот треба да се разбере како резултат на конкретно уредена и институционализирана можност за негово појавување, при што неговата правна артикулација обезбедува правична рамнотежа меѓу страните.

Клучни зборови: судир, социјален мир, мирно решавање, работни спорови.

COUNTERMEASURES AS A MEANS OF ADDRESSING THE INTENTIONAL DAMAGE OF SUBMARINE CRITICAL INFRASTRUCTURE WITHIN THE EEZ

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Abstract

The concept of countermeasures discussed by the International Law Commission (ILC) in the 2001 draft on State Responsibility for Prohibited Acts (ASR) derives from reprisals, a measure used by States as a form of self-help to facilitate the enforcement of international obligations. However, in the second place, the countermeasures are also mentioned as means facilitating the process of solving of international disputes.

Submarine critical infrastructure is an attractive target for ‘grey zone operations’ below the threshold of armed conflict where i.a. so-called shadow fleet is involved. Such incidents, that often take place within the EEZ form a breach of rights of coastal states and therefore the resort to countermeasures seems one of the legitimate ways to respond.

Countermeasures are supposed to fill the gap resulting out of the fact that non-flag states are allowed to board the ship on the basis of right of visit only in some, restrictively specified, cases. For that reason, it is not easy to attribute the incident to the flag state on the basis of effective control.

Hence, injured states seem to be allowed to resort to countermeasures within the EEZ when the responsibility would be based on the omission of the flag state, providing that the measures would be applied according to the ASR. However, it has to be considered, whether those provisions reflect the current state of customary law in this respect.

THE CHINESE MODEL OF POLITICAL MODERNIZATION: FEATURES AND PROSPECTS

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Abstract

The article shows the features of the model of political modernization of modern China. The strategy of practical implementation of the program of building socialism with Chinese characteristics in modern conditions is determined by the theory of modernization, which takes into account the socio-cultural and historical features of the country. In this regard, the analysis of institutional and socio-cultural aspects of the Chinese model of political modernization is of particular interest.

Keywords: *political modernization, China, political culture, political institutions, economic development.*

ALGORITHMS IN DIGITAL MEDIA AS A FACTOR IN THE TRANSFORMATION OF JOURNALISTIC PRACTICES IN THE REPUBLIC OF N. MACEDONIA

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Abstract

This paper analyzes the role of the so-called algorithms in digital media as a key factor in the transformation of journalistic practices in the Republic of N. Macedonia. In the context of digitalization and the dominance of social media platforms, traditional editorial mechanisms are increasingly being replaced or supplemented by algorithmic systems for the selection, ranking, and distribution of content. This scientific paper focuses on examining the changes in news production, whereby media outlets adapt their strategies to the logic of visibility, engagement, and optimization for digital platforms. Through theoretical analysis and a review of relevant literature, the paper examines the concepts of algorithmic strategy, the economy of social platforms, and digital mediation. Additionally, the implications for journalistic autonomy, professional standards, and ethical principles are analyzed, especially in conditions where algorithms indirectly influence the decisions made by editors. The effects are presented through a questionnaire for examining the opinions of journalists employed or engaged in Macedonian traditional and online media. Particular emphasis is placed on the risk of sensationalism, homogenization of content, and the prioritization of quantity over quality. The conclusions indicate that algorithmic mediation does not represent merely a technological change, but also an essential reorganization of the journalistic process. In the Macedonian media context, this raises questions regarding the sustainability of professional journalism, the need for adaptation of ethical frameworks, and the code of journalists. The paper contributes to the understanding of contemporary media dynamics and provides a basis for further empirical research.

Keywords: *algorithms, digital media, transformation, journalism.*

АЛГОРИТМИТЕ ВО ДИГИТАЛНИТЕ МЕДИУМИ КАКО ФАКТОР ВО ТРАНСФОРМАЦИЈАТА НА НОВИНАРСКИТЕ ПРАКТИКИ ВО РЕПУБЛИКА С. МАКЕДОНИЈА

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Апстракт

Овој труд ја анализира улогата на т.н. алгоритми во дигиталните медиуми, како клучен фактор во трансформацијата на новинарските практики во Република С. Македонија. Во контекст на дигитализацијата и доминацијата на платформите на социјалните мрежи, традиционалните уреднички механизми сè повеќе се заменуваат или дополнуваат со алгоритамски системи за селекција, рангирање и дистрибуција на содржини. Овој научен труд се фокусира на истражување на промените во производството на вести, при што медиумите ги прилагодуваат своите стратегии кон логиката на видливост, ангажман и оптимизација за дигитални платформи. Преку теоретска анализа и преглед на релевантна литература, трудот ги разгледува концептите на алгоритамска стратегија, економија на социјалните платформи и дигитална медијација. Дополнително, се анализираат импликациите врз новинарската автономија, професионалните стандарди и етичките принципи, особено во услови кога алгоритмите индиректно влијаат врз одлуките што ги носат уредниците. Ефектите се претставени преку прашалник за истражување на мислењето на новинарите вработени или ангажирани во македонските традиционални и онлајн медиуми. Посебен акцент се става на ризикот од сензационализам, хомогенизација на содржините и приоритизирање на квантитетот наспроти квалитетот. Заклучоците укажуваат дека алгоритамската медијација не претставува само технолошка промена, туку и суштинска реорганизација на новинарскиот процес. Во македонскиот медиумски контекст, ова отвора прашања за одржливоста на професионалното новинарство, потребата од адаптација на етичките рамки и кодексот на новинарите. Трудот придонесува кон разбирање на современите медиумски динамики и нуди база за натамошни емпириски истражувања.

Клучни зборови: алгоритми, дигитални медиуми, трансформација, новинарство.

EXORCISM: FROM PERCEPTION IN ANTIQUITY TO POP CULTURE IN THE MODERN MEDIUM

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Abstract

Exorcism, as a complex practice of expelling evil spirits, has deep roots in the history of human civilization. From its emergence in Mesopotamia, and subsequently in Egypt, Ancient Greece, and Rome, exorcism was perceived as a necessary ritual technique for dealing with demonic possession. The institutionalization of exorcism occurred in early Christianity and following the Great Schism, when significant differences emerged between the Byzantine tradition, which was pastorally oriented towards spiritual healing through prayers, fasting, and liturgical rites, and the Western Christian Church, which developed a more formally regulated system of exorcism codified in the *Rituale Romanum*. A key turning point was the emergence of modern psychiatry in the 18th century, which initiated the process of pathologizing demonic possession and its scientific treatment as a mental illness (today classified as F44.3 according to the WHO). With the establishment of the *Narrentum* ("Tower of the Mad") in Vienna in 1784, the institutional care of people with mental disorders took on a new form, and spiritual explanations for certain conditions were gradually supplemented and replaced by medical diagnostic categories. However, instead of disappearing, exorcism in the 21st century has been relocated into pop culture as a global spectacle, particularly in the film *"The Exorcism of Emily Rose"*, where the modern medium uses this archaic fear to reexamine the boundaries between religion and science. Therefore, the aim of this paper is to present the historical development and transformation of exorcism, tracing its change from a spiritual-ritual practice in antiquity to its contemporary reinterpretation through the prism of medicine and pop culture. Exorcism remains a dynamic cultural phenomenon today, continuing to be reinterpreted in various historical, religious, and social contexts.

Keywords: *Exorcism, Demonic Possession, Antiquity, Narrentum, Pop Culture.*

ЕГЗОРЦИЗАМ: ОД ВОСПРИЕМАЊЕТО ВО АНТИКАТА ДО ПОП-КУЛТУРАТА ВО СОВРЕМЕНИОТ МЕДИУМ

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Апстракт

Егзорцизмот, како комплексна практика на протерување на зли духови, зафаќа длабоки корени во историјата на човечката цивилизација. Од неговата појава во Месопотамија, а потоа во Египет, Стара Грција и Рим, егзорцизмот се восприемал како неопходна ритуална техника за справување со демонската опседнатост кај луѓето. Институционализацијата на егзорцизмот се случува во ранохристијанството, а по Големiot раскол се развиваат различни техники на негово практикување, меѓу кои византиската традиција, пастирски ориентирана кон духовното исцелување преку молитви, пост и литургиски обреди и западната христијанска традиција, со формализиран и правно регулиран систем на егзорцизмот, кодифициран во *Rituale Romanum*. Клучна пресвртница е појавата на модерната психијатрија во XVIII век, со што започнува процесот на патологизација на демонската опседнатост и нејзино научно третирање како душевна болест (денес класифицирана како F44.3 според СЗО). Со основањето на *Narrentum* („Кулата на лудите“) во Виена во 1784 година, институционалното згрижување на лицата со ментални нарушувања добива нова форма, а духовните објаснувања на одредени состојби постепено се надополнуваат и заменуваат со медицински дијагностички категории. Сепак, наместо да исчезне, егзорцизмот во XXI век се релоцира во поп-културата како глобален спектакл, особено во филмот „Егзорцизмот на Емили Роуз“, каде современиот медиум го користи овој архаичен страв за да ги преиспита границите помеѓу религијата и науката. Оттаму, целта на овој труд е да го прикаже историскиот развој и трансформацијата на егзорцизмот, следејќи ја неговата промена од духовно-ритуална практика во антиката до неговото современо рedefинирање низ призмата на медицината и поп-културата. Егзорцизмот и денес останува динамичен културен феномен, кој продолжува да се реинтерпретира во различни историски, религиозни и општествени контексти.

Клучни зборови: Егзорцизам, Демонска опседнатост, Антика, *Narrentum*, Поп-култура.

BETWEEN MARKET ACCESS AND EUROPEAN PREFERENCE: WHAT CAN NORTH MACEDONIAN ECONOMIC OPERATORS EXPECT FROM THE REFORM OF EU PUBLIC PROCUREMENT LAW?

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Abstract

The proposed reform of EU public procurement law envisages a fundamental transformation of the existing regulatory framework. The three 2014 Directives governing classical public procurement, utilities procurement, and concessions are to be replaced by a single, directly applicable Regulation. The reform, however, goes beyond the simplification and harmonisation of procurement procedures. One particularly significant manifestation of this shift is the proposed European Preference mechanism, together with new rules governing access to EU public procurement by economic operators, goods, services, and works originating in third countries.

The presentation aims to examine the proposed changes from the perspective of North Macedonian economic operators and to assess their potential impact on those operators' access to the EU public procurement market. Particular attention will be paid to the distinction introduced by the proposal between covered and non-covered economic operators, goods, services, and works.

The presentation will also seek to identify the key risks for North Macedonian economic operators. These include, in particular, the possibility that specific procurement procedures may fall outside the scope of international market-access commitments; the separate determination of the origin of economic operators and of the goods, services, and works they offer; the relevance of the origin of subcontractors and of components within supply chains; and the potential application of European Preference measures to operators or products classified as non-covered. The proposal also empowers the Commission, under certain circumstances, to restrict covered status, including on grounds related to a lack of reciprocal market access, security of supply, and the protection of essential Union interests.

The central argument of the presentation is that the reform does not necessarily entail a restriction of access for North Macedonian economic operators to the EU public procurement market, but it significantly changes the conditions under which such access will be assessed. The focus shifts from the question of whether an economic operator from a third country may participate in a procurement procedure to the more complex assessment of whether a particular economic operator, procurement procedure, the goods, services, or

works offered, and the structure of the relevant supply chain benefit from the protection afforded by the Union's international commitments. Consequently, the reform may increase the importance for North Macedonian businesses seeking access to the EU public procurement market of accurately determining origin and strategically structuring their supply chains.

Keywords: *public procurement, North Macedonia, third-country economic operators, European Preference, market access, covered economic operators, strategic procurement, GPA.*

THE INJURED PARTY AS AN INITIATOR OF CRIMINAL PROSECUTION

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Abstract

A criminal offence primarily infringes upon social interests. Therefore, official criminal prosecution conducted by the public prosecutor represents the dominant form of response to criminal offences. However, criminal legislation also provides for certain offences that primarily violate the personal interests of the injured party. The prosecution of persons accused of committing such offences is left to the initiative of the injured party. In this way, a certain degree of demonopolization of the state in the sphere of criminal prosecution is achieved. For the prosecution of persons suspected of committing certain criminal offences, the injured party may initiate criminal proceedings by filing a private charge. In such a case, any form of influence of the public prosecutor over the prosecution is excluded. On the other hand, prosecution upon the motion of the injured party reflects the injured party's initiating role. Nevertheless, although the injured party directly conditions the initiation of prosecution, the prosecution itself retains its official character. Furthermore, remnants of the *actio popularis* enable the participation of citizens in initiating criminal prosecution.

Keywords: *injured party; criminal prosecution; private charge; motion of the injured party; actio popular.*

SOME CONTENTIOUS ISSUES IN THE ANNULMENT OF THE LIFETIME MAINTENANCE AGREEMENT – THROUGH SELECTED CASE LAW EXAMPLES¹

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Abstract

In civil law, there is probably no contract that gives rise to more disputes in judicial practice than the lifetime maintenance agreement. Even more than seven decades after its regulation, the lifetime maintenance agreement continues to provoke numerous controversies and remains an inexhaustible source of interest for both legal scholars and legal practitioners. The grounds for the annulment of the lifetime maintenance agreement are numerous. The Law on Obligations of the Republic of Serbia regulates the grounds for annulment that apply to all contracts, while the Serbian Succession Act regulates specific grounds for the annulment of the lifetime maintenance agreement. Litigation concerning the annulment of this contract is frequent, and case law is rich with positions adopted by courts in various cases. In this paper, the authors will review certain specific cases from judicial practice and critically analyze the judgments rendered.

Keywords: *Lifetime Maintenance Agreement, Annulment of Contract, Case Law, Succession Act, Law on Obligations.*

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FROM RISK RECOGNITION TO PREVENTION: PERCEPTIONS OF FEMICIDE AND INSTITUTIONAL RESPONSE IN NORTH MACEDONIA

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Abstract

Femicide, as the most severe manifestation of gender-based violence, has received increasing legal, institutional, and societal attention in the Republic of North Macedonia in recent years. A particularly significant development was the 2023 amendment to the Criminal Code, which further aligned the national criminal-law framework with the standards of the Istanbul Convention and recognised the killing of a woman or girl in the context of gender-based violence. Nevertheless, normative progress alone does not address the full complexity of the problem. Domestic analyses of judicial practice, as well as GREVIO assessments, point to the need for further improvement in practical implementation, institutional coordination, victim protection, and the timely recognition of risk.

Of particular importance to femicide prevention is the understanding that a fatal outcome is often the culmination of prior and ongoing violence, meaning that opportunities for prevention should be identified well before the final act of violence occurs. The occurrence of femicide cases in North Macedonia in recent years has highlighted the need for their systematic monitoring and analysis in order to facilitate the timely recognition of risk patterns, identify institutional shortcomings, and develop more effective prevention mechanisms. Femicide should therefore be approached not only as a matter requiring an appropriate criminal justice response after the offence has occurred, but primarily as a matter of recognising the escalation of violence in a timely manner and ensuring that institutions are capable of preventing a fatal outcome.

Against this background, the presentation will show contemporary challenges in the recognition and prevention of femicide in North Macedonia, with particular attention to risk assessment and institutional response. To complement this analysis, selected findings from an empirical study examining perceptions of femicide risk among different categories of respondents will also be presented. The findings are used to address the broader questions of whether danger is recognised sufficiently early, which warning indicators have the strongest influence on perceptions of risk, and at what point the need for more intensive institutional intervention is recognised.

Authors proceed from the premise that effective femicide prevention requires a shift from responding to individual incidents towards dynamic and cumulative risk assessment, followed by timely, coordinated, and proportionate institutional intervention.

Keywords: *femicide; gender-based violence; domestic violence; risk assessment; institutional response; North Macedonia.*

ОД ПРЕПОЗНАВАЊЕ НА РИЗИК ДО ПРЕВЕНЦИЈА: ПЕРЦЕПЦИИ ЗА ФЕМИЦИД И ИНСТИТУЦИОНАЛНА РЕАКЦИЈА ВО СЕВЕРНА МАКЕДОНИЈА

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Апстракт

Фемицидот, како најтешка манифестација на родово базираното насилство, во последните години добива сè поголемо правно, институционално и општествено внимание во Република Северна Македонија. Особено значаен исчекор претставуваат измените на Кривичниот законик од 2023 година, со кои националната кривичноправна рамка беше дополнително усогласена со стандардите на Истанбулската конвенција и беше препознаено убиството на жена или девојче во контекст на родово базирано насилство. Сепак, нормативниот напредок сам по себе не ја исцрпува комплексноста на проблемот. Домашните анализи на судската практика, како и оценките на GREVIO, укажуваат на потребата од понатамошно унапредување на практичната имплементација, институционалната координација, заштитата на жртвите и навременото препознавање на ризикот.

Посебно значење во превенцијата на фемицидот има разбирањето дека фаталниот исход неретко претставува кулминација на претходно и континуирано насилство, поради што можностите за превенција треба да се бараат значително пред последниот насилен акт. Зачестеноста на случаите на фемицид во Северна Македонија во изминатите години ја наметна потребата од нивно систематско следење и анализа, со цел навремено препознавање на ризичните обрасци, идентификување на

институционалните пропусти и развивање поефикасни механизми за превенција. Оттука, прашањето за фемицидот не е само прашање на соодветна кривичноправна реакција по неговото извршување, туку пред сè прашање на навремено препознавање на ескалацијата на насилството и институционална способност за спречување на фаталниот исход.

Во тој контекст, трудот ги разгледува современите предизвици во препознавањето и превенцијата на фемицидот во Северна Македонија, со посебен осврт на проценката на ризик и институционалната реакција. Како дополнување на анализата, ќе бидат презентирани и избрани резултати од емпириско истражување за перцепцијата на ризикот од фемицид кај различни категории испитаници. Резултатите се користат за отворање на поширокото прашање дали опасноста се препознава доволно рано, кои предупредувачки фактори најсилно влијаат врз перцепцијата на ризик и во кој момент се препознава потребата од поинтензивна институционална интервенција.

Трудот поаѓа од ставот дека ефективната превенција на фемицидот бара премин од реакција на поединечни инциденти кон динамична и кумулативна проценка на ризикот, проследена со навремена, координирана и пропорционална институционална реакција.

Клучни зборови: *фемицид; родово базирано насилство; семејно насилство; проценка на ризик; институционална реакција; Северна Македонија.*

ECONOMIC WARFARE AND ITS TOOLS

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Abstract

In the last twenty years, the modern world and the countries in it have entered a new phase in which international politics and national security tend more and more towards economic interests. More and more, it will be up to the economy to shape the world stage and the big issues that come up from it.

More and more countries have begun to realize that economic stability and its development, along with competitiveness in the global market and improving living standards, have become crucial to national security.

Governments are increasingly using (geo)economic tools to gain economic and strategic advantages. Sanctions, embargoes, blockades, tariffs, trade agreements, foreign investment, import controls, restrictions are some of the most common geoeconomic tools for achieving the goals of states. Economic warfare is applied in both periods of peace and war against countries to weaken their economy and thereby reduce their political and military powers and or to influence a given state to change its behaviour.

Key words: *warfare, tools, economics, interests.*

ЕКОНОМСКО ВОЈУВАЊЕ И НЕГОВИТЕ АЛАТКИ

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Апстракт

Современиот свет и државите во него во последните дваесетина години влегоа во една нова фаза во која што меѓународната политика и националната безбедност инклинираат се повеќе околку економските интереси. Обликувањето на светската сцена и клучните прашања кои произлегуваат од неа ќе бидат препуштени се повеќе и повеќе на економијата.

Се повеќе земји почнаа да сфаќаат дека економската стабилност и нејзиниот развој, заедно со конкурентноста на глобалниот пазар и подобрувањето на животниот стандард станаа клучни за национална безбедност.

Владите зголемено користат (гео)економски алатки за да се стекнат со економски и стратегиски предности. Санкции, ембарга, блокади, тарифи, трговски договори, странските инвестиции, контрола на увозот, ограничувањата се едни од најчестите геоекономски алатки за постигнување на целите на државите.

Економското војување се користи и во периоди на мир и на војна против земји со намера да се ослаби нивната економија и со тоа да се намалат нивните политички и воени моќи но и да се влијае на определена држава да го смени своето однесување.

Клучни зборови: војување, алатки, економија, интереси.

THE DYNAMICS OF DOMESTIC VIOLENCE: A MULTI-FACTORIAL ANALYSIS OF THEORETICAL MODELS AND THE SOCIO-CULTURAL CONTEXT OF NORTH MACEDONIA

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Abstract

This paper provides a comprehensive analysis of the causes and theoretical frameworks surrounding domestic violence, with a specific focus on the socio-cultural context of North Macedonia. By moving beyond outdated one-dimensional models that attribute violence solely to social class or individual pathology, this study utilizes the multi-factorial socio-ecological model to explore how individual, relational, community, and societal factors intersect to perpetuate abuse. The research evaluates several scientific theories - including social learning, learned helplessness, and the psychopathological approach - while critiquing the myths of "loss of control" and "reciprocal violence." Central to this analysis is the Duluth "Power and Control Wheel," which identifies violence as a deliberate pattern of behavior intended to maintain dominance rather than an isolated outburst of anger. In the context of North Macedonia, the paper examines how a prolonged period of societal transition, economic fragility, and deeply rooted patriarchal traditions contribute to the subordinate position of women. The study concludes that domestic violence is an expression of historically unequal power relations and argues that effective prevention requires simultaneous intervention across all levels of the social-ecological framework. By shifting the focus from victim behavior to the perpetrator's intent and the broader social climate, this paper advocates for a systemic approach to fostering a culture of non-violence and gender equality.

Keywords: *Domestic Violence, Socio-Ecological Model, Power and Control, Patriarchal Traditions, Gender Inequality*

CONSTITUTIONAL PROTECTION OF HUMAN RIGHTS: THE NEED FOR REFORMS AND INSTITUTIONAL STRENGTHENING OF THE CONSTITUTIONAL COURT

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Abstract

The paper analyzes the necessary reforms aimed at enhancing the role and effectiveness of the Constitutional Court in the protection of human rights and constitutionalism. As a key solution, it proposes the introduction of the constitutional complaint (petition), which would provide more comprehensive domestic protection of human rights and ensure the exhaustion of domestic legal remedies before applying to the European Court of Human Rights.

Particular emphasis is placed on the need to adopt a separate Law on the Constitutional Court, which would clearly regulate its competences, proceedings before the Court, the conditions and procedures for the appointment and termination of office of constitutional judges, their immunity, rights and obligations, as well as issues related to the financing of the institution and the status of judicial staff. The paper also highlights the need to prevent constitutional crises through the timely appointment of constitutional judges and by ensuring the uninterrupted and effective exercise of the Court's competences.

Furthermore, the importance of holding public hearings in proceedings concerning the protection of freedoms and rights is emphasized, with the aim of ensuring the proper and comprehensive establishment of facts in individual cases. Finally, the paper proposes that the Constitutional Court assume a more proactive role in protecting constitutional principles, including through acting on its own initiative in cases of serious violations of the Constitution. This would contribute to strengthening the Court's independence and authority, increasing public trust, and enhancing its visibility within society.

Keywords: *Constitutional Court, constitutional complaint, human rights, constitutionalism, constitutional crisis, protection of freedoms and rights.*

УСТАВНАТА ЗАШТИТА НА ЧОВЕКОВИТЕ ПРАВА: ПОТРЕБА ОД РЕФОРМИ И ИНСТИТУЦИОНАЛНО ЗАЈАКНУВАЊЕ НА УСТАВНИОТ СУД

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Апстаркт

Трудот ги анализира потребните реформи за унапредување на улогата и ефикасноста на Уставниот суд во заштитата на човековите права и уставноста. Како клучно решение се предлага воведување на институтот уставна жалба (тужба), со кој би се обезбедила посеопфатна домашна заштита на човековите права и целосно исцрпување на домашните правни лекови пред обраќање до Европскиот суд за човекови права.

Посебен акцент е ставен и на потребата од донесување посебен Закон за Уставниот суд, со кој јасно би се регулирале неговите надлежности, постапката пред Судот, условите и постапката за избор и престанок на функцијата на уставните судии, нивниот имунитет, права и обврски, како и прашањата поврзани со финансирањето и статусот на судскиот кадар. Воедно, се укажува на потребата од спречување на уставни кризи преку навремено пополнување на составот на Судот и обезбедување непречено функционирање на неговите надлежности.

Дополнително, се истакнува значењето на одржувањето јавни расправи во постапките за заштита на слободите и правата, со цел правилно и целосно утврдување на фактите. Конечно, се предлага Уставниот суд да презема поактивна улога во заштитата на уставните начела, вклучително и преку самоиницијативно постапување при груби повреди на Уставот, со што би се зајакнале неговата независност, јавниот имиџ, довербата на граѓаните и неговата видливост во општеството.

Клучни зборови: *Уставен суд, уставна жалба, човекови права, уставност, уставна криза, заштита на слободите и правата.*

WOMEN IN PUBLIC SECTOR DECISION-MAKING: AN ANALYSIS OF THE LEGAL AND POLICY FRAMEWORK IN THE REPUBLIC OF NORTH MACEDONIA

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Abstract

The Republic of North Macedonia has established a comprehensive *de jure* framework for gender equality, encompassing constitutional guarantees, the Law on Equal Opportunities for Women and Men, the Law on Prevention and Protection against Discrimination, the Law on Public Enterprises, and the Law on Public Enterprises and Companies Owned or Co-Owned by the Republic of North Macedonia. These legal instruments, complemented by successive national strategies and action plans, formally commit the state to enhancing women's participation in political, public, and institutional decision-making. Despite this normative progress, a significant and persistent gap remains between formal legal obligations and the *de facto* exercise of decision-making authority by women.

To substantiate this argument, the paper systematically examines four interrelated dimensions: 1. The alignment of domestic legislation with international and European normative standards, particularly the Convention on the elimination of all forms of discrimination against women (CEDAW) and the Istanbul Convention; 2. The constitutional and statutory framework governing gender equality and non-discrimination; 3. The operational efficacy and limitations of electoral quotas as a mechanism for institutional change; and 4. The degree of women's representation in the public sector, corporate boards, and institutional leadership.

The findings indicate that while women's participation in governance structures within the public sector has increased, their substantive impact is systematically undermined by structural impediments. Namely, legal norms largely function as formal commitments rather than enforceable drivers of institutional transformation.

The paper concludes that legislative reform alone is an insufficient condition for achieving substantive gender equality in decision-making. It argues for a multi-sectoral approach that

integrates legal obligations into actual practice, with targeted interventions addressing institutional culture, economic empowerment, and the reshaping of social norms.

Ultimately, this analysis contributes to the broader scholarly discourse on the effectiveness of gender equality legislation, highlighting the urgent need to move beyond formal compliance toward a more accountable and enforceable framework for women's genuine decision-making power.

Keywords: *gender equality, decision-making processes, public sector, legal framework.*

ЖЕНИТЕ ВО ПРОЦЕСИТЕ НА ОДЛУЧУВАЊЕ ВО ЈАВНИОТ СЕКТОР: АНАЛИЗА НА ПРАВНАТА И ПОЛИТИЧКАТА РАМКА ВО РЕПУБЛИКА СЕВЕРНА МАКЕДОНИЈА

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Апстракт

Република Северна Македонија воспостави сеопфатна *de jure* рамка за родова еднаквост, која опфаќа уставни гаранции, Закон за еднакви можности на жените и мажите, Закон за спречување и заштита од дискриминација, Закон за јавните претпријатија, и Закон за јавни претпријатија и трговски друштва во сопственост или со учество на Република Северна Македонија. Овие правни акти, дополнети со последователни национални стратегии и акциски планови, формално ја обврзуваат државата да го унапредува учеството на жените во политичкото, јавното и институционалното одлучување. И покрај овој нормативен напредок, постои значителен и постојан јаз помеѓу формалните правни обврски и *de facto* остварувањето на одлучувачката моќ од страна на жените.

Со цел да се поткрепи оваа аргументација, трудот систематски ги испитува четирите меѓусебно поврзани димензии: 1. Усогласеноста на домашното законодавство со меѓународните и европските нормативни стандарди, особено со Конвенцијата за елиминација на сите форми на дискриминација врз жените (CEDAW) и Истанбулската конвенција; 2. Уставната и законската рамка што ги уредува родовата еднаквост и недискриминацијата; 3. Оперативната ефикасност и ограничувањата на изборните квоти како механизам за институционална промена; и 4. Степенот на застапеност на жените во јавниот сектор, корпоративните одбори и институционалното раководење.

Истражувањето, укажува на тоа дека, иако е зголемено учеството на жените во управувачката структура во јавниот сектор, нивното суштинско влијание систематски е поткопано од структурни пречки. Имено, правните норми во голема мера

функционираат како обврски, наместо како извршни двигатели на институционалната трансформација.

Трудот заклучува дека самата законодавна реформа е недоволен услов за постигнување суштинска родова еднаквост во одлучувањето. Се аргументира за мулти-секторски пристап што ги интегрира правните обврски во реална пракса, насочени кон институционалната култура, економското зајакнување и преобликувањето на социјалните норми.

На крајот, оваа анализа придонесува кон поширок научен дискурс за ефикасноста на законодавството за родова еднаквост, истакнувајќи ја итната потреба од надминување на формалната усогласеност кон поодговорна и извршна рамка за вистинска моќ на жените во одлучувањето.

Клучни зборови: *родова еднаквост, процеси на одлучување и избор, јавен сектор, правна рамка.*

THE IMPORTANCE OF NOMOTECHNICS IN ENSURING THE RULE OF LAW

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Abstract

Nomotechnics represents a system of legal rules and methods applied in the drafting, amendment, and implementation of laws and other legal regulations. Its significance is particularly reflected in ensuring legal certainty, clarity, consistency, and accessibility of legal norms, which constitute fundamental elements of the rule of law. This paper analyzes the role of nomotechnics in the legislative process and its contribution to the creation of coherent and functional legal regulations. Special attention is devoted to the structure and language of laws, the precision of legal terminology, methods of legal norm-setting, as well as procedures for amending and supplementing legislation.

The research further indicates that insufficiently clear legal provisions may lead to legal uncertainty, inconsistent interpretation, and difficulties in the practical application of laws. In this context, nomotechnical rules are examined as an essential instrument for strengthening the legal system and ensuring effective protection of the rights and obligations of citizens. The paper also addresses the importance of harmonized legislative regulation within the context of democratic governance and institutional efficiency.

By applying normative, analytical, and comparative methods, the study concludes that the consistent application of nomotechnical standards contributes to the transparency, predictability, and stability of the legal order. Therefore, nomotechnics should not be understood merely as a technical discipline, but also as an important mechanism for the realization and protection of the rule of law in contemporary legal systems.

Keywords: *Nomotechnics, Rule of Law, Legal Certainty, Legislative Drafting, Legal Norms.*

ЗНАЧЕЊЕТО НА НОМОТЕХНИКАТА ВО ОБЕЗБЕДУВАЊЕТО НА ВЛАДЕЕЊЕТО НА ПРАВОТО

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Апстракт

Номотехниката претставува систем на правни правила и методи кои се применуваат при изготвувањето, изменувањето и примената на законите и другите правни прописи. Нејзиното значење особено се согледува во обезбедувањето на правната сигурност, јасноста, конзистентноста и достапноста на правните норми, кои претставуваат основни елементи на владеењето на правото. Овој труд ја анализира улогата на номотехниката во законодавниот процес и нејзиниот придонес во создавањето кохерентни и функционални правни прописи. Посебно внимание е посветено на структурата и јазикот на законите, прецизноста на правната терминологија, начините на нормирање, како и постапките за изменување и дополнување на законите.

Истражувањето дополнително укажува дека недоволно јасно формулираните законски одредби можат да предизвикаат правна несигурност, нееднакво толкување и тешкотии во практичната примена на законите. Во таа насока, номотехничките правила се разгледуваат како суштински инструмент за зајакнување на правниот систем и обезбедување ефикасна заштита на правата и обврските на граѓаните. Трудот го обработува и значењето на усогласеното законодавно уредување во контекст на демократското владеење и институционалната ефикасност.

Со примена на нормативен, аналитички и компаративен метод, се доаѓа до заклучок дека доследната примена на номотехничките стандарди придонесува кон транспарентност, предвидливост и стабилност на правниот поредок. Оттука,

номотехниката не треба да се сфаќа само како техничка дисциплина, туку како значаен механизам за остварување и заштита на владеењето на правото во современите правни системи.

Клучни зборови: *Номотехника, Владеење на правото, Правна сигурност, Законодавство, Правни норми.*

MIGRATION, BORDERS AND ONTOLOGICAL SECURITY: THE EU AFTER THE CEUTA CRISIS

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Abstract

The implementation of the New Pact on Migration and Asylum was intended to provide the European Union with a more coherent, predictable and solidarity-based framework for migration management. Yet the recent migration crisis in Ceuta has revealed persistent tensions within EU migration governance and raised new questions concerning the Union's ontological security. This paper analyses the Ceuta crisis through the concept of ontological security, understood as the need of political actors to preserve continuity and coherence in their collective identity and institutional self-narratives.

Particular attention is devoted to the repercussions of the crisis on Spain–Italy relations. Although both states have traditionally shared similar concerns as Mediterranean frontline countries, recent developments demonstrate growing divergence in their approaches to migration, secondary movements and border control. The paper argues that the Ceuta crisis represents more than pressure at the EU's external border: it shows how insecurity generated externally can be transferred into the internal European space through mutual distrust, unilateral measures and the re-emergence of national border controls.

The analysis also highlights the paradox of migration externalisation. While cooperation with third countries such as Morocco may reinforce short-term border control, it can simultaneously deepen the EU's dependence on external actors and undermine the stability of its security narrative. Ceuta therefore constitutes an early test of whether the New Pact can preserve not only effective migration governance, but also the EU's identity as a community based on solidarity, mutual trust and freedom of movement.

Keywords: *European Union; ontological security; migration; Ceuta; New Pact on Migration and Asylum; Spain; Italy; Schengen.*

FREEDOM OF EXPRESSION IN THE DIGITAL AGE: PLATFORM GOVERNANCE AND THE FACEBOOK–USER RELATIONSHIP

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Abstract

In democratic societies where all forms of expression that propagate, encourage, incite, or justify hatred based on intolerance are sanctioned and prevented, the relationship between Facebook and the user can no longer be considered merely private in nature. Facebook may undertake actions to remove inappropriate content where users violate the ethical principles and rules codified in the “Facebook Community Standards.”

Freedom of expression possesses a general character, yet it is not absolute. When its limits are exceeded, legal disputes arise between the user and the platform administrator concerning the nature, purpose, and consequences of the opinions expressed online. In such disputes, procedural guarantees and adversarial interaction between the parties should be ensured before sanctions are imposed, including the removal of content or suspension of accounts.

This paper analyzes the relationship between freedom of expression, defamation, privacy, and platform governance in the digital age, with particular emphasis on the legal responsibilities arising from hate speech and defamatory publications on Facebook. The paper further examines evidentiary standards, burden of proof, and the balancing of freedom of expression with the protection of reputation and private life under the jurisprudence of the European Court of Human Rights.

Keywords: *Freedom of Expression, Facebook, Defamation, Platform Governance, Human Rights.*

THE NECESSITY OF RAISING THE RETIREMENT AGE FOR OLD-AGE PENSION ELIGIBILITY*

- The Example of the Republic of Serbia –

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Abstract

The effective functioning of a pay-as-you-go pension and disability insurance system, based on the principle of intergenerational solidarity, largely depends on maintaining a favourable ratio between contributors and beneficiaries. When this ratio is disrupted, the social security contributions collected are no longer sufficient to finance the benefits payable to current pension recipients, and the resulting shortfall must be covered from the state budget.

The persistently low birth rate and population ageing in the Republic of Serbia have repeatedly necessitated increases in the statutory retirement age for old-age pension entitlement. The latest gradual increase will be completed in 2032, when women will become eligible for an old-age pension under the same conditions as men, namely upon reaching the age of 65 and completing at least 15 years of pensionable service. However, this reform alone will not significantly improve the long-term sustainability of the pension system. Consequently, it will be necessary to introduce a further gradual increase in the retirement age for both men and women, as has already been implemented in many countries. In addition, other measures should be considered, including raising the minimum age for women to qualify for a survivor's pension from 53 to 58 years of age, as well as conducting a comprehensive review of pensionable service credited with extended duration (privileged or accelerated pensionable service).

The paper analyses the current legal framework and demographic situation and proposes appropriate legislative solutions aimed at improving the long-term sustainability of the pension system.

Keywords: *pension and disability insurance; old age; old-age pension.*

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FUNCTIONALITY OF INTERLINGUAL MEDIATION IN INTERNATIONAL PROTECTION AND MIGRATION PROCEDURES

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Abstract

This study examines the functionality of interlingual mediation in international protection and migration procedures in the Republic of Slovenia, focusing on its implications for procedural fairness and the effective exercise of fundamental rights. While the right to interpretation and translation is formally guaranteed under European and national legal frameworks, its practical implementation remains insufficiently effective.

The empirical part of the study is based on an analysis of texts translated from Slovene into Macedonian as a non-dominant language pair. The findings indicate that the analysed texts achieve an average comprehensibility level of approximately 50%, revealing significant limitations in ensuring accurate and comprehensible communication. Since interlingual mediation in practice includes both translation and interpreting — often performed by the same person — these limitations point to structural weaknesses affecting the quality and reliability of communication in legal proceedings.

To verify whether these findings extend beyond a single language pair, questionnaires and interviews were conducted with applicants for international protection and decision-makers. The results confirm similar patterns across other non-dominant languages, suggesting that the problem is systemic rather than language-specific.

The study concludes that such limitations may undermine procedural safeguards under the Charter of Fundamental Rights of the European Union and the Asylum Procedures Directive, particularly the right to be heard and the right to effective participation in proceedings.

Keywords: *interlingual mediation, international protection, migration procedures, procedural fairness, translation quality.*

PROTECTING HUMAN RIGHTS IN THE DIGITAL AGE IN LIGHT OF THE EUROPEAN UNION'S ARTIFICIAL INTELLIGENCE ACT: A HUMAN-RIGHTS-BASED ANALYSIS OF THE RISK-BASED REGULATORY MODEL

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Abstract

Technological advancements today have initiated a process of digital transformation that profoundly impacts social structures and individuals' positions within society. At the heart of this transformation lie artificial intelligence systems, which offer efficiency and innovation on one hand, while posing significant risks to fundamental human rights, privacy, and democratic values on the other. As algorithmic decision-making increasingly shapes individuals' rights and freedoms, serious questions arise about the adequacy of existing human rights regulation. The European Union's Artificial Intelligence Act (AI Act) is the first comprehensive legal framework aimed at regulating AI while protecting fundamental rights through a risk-based approach. Adopting a human-rights-based approach (HRBA) as its principal analytical lens, and drawing secondarily on theories of precautionary risk regulation and digital constitutionalism, this study examines the AI Act's risk-based model and analyses the threats of algorithmic discrimination, mass surveillance and democratic erosion that AI systems pose. The article further assesses the compatibility of the AI Act with the European Convention on Human Rights, the Charter of Fundamental Rights of the European Union, the Council of Europe Framework Convention on Artificial Intelligence, and the broader United Nations human rights framework, before evaluating whether the EU's regulatory influence is likely to generate a global standard through the so-called Brussels Effect.

Keywords: *EU AI Act, Fundamental Rights, Human Rights-Based Approach, International Human Rights Law, Risk-Based Regulation, Brussels Effect.*

SAME-SEX COUPLES AND INTERCOUNTRY ADOPTION UNDER THE HAGUE CONVENTION 1993: THE SERBIAN PERSPECTIVE

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Abstract

This paper analyses the position of same-sex couples in the context of international adoption according to The Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption 1993 and the Serbian legal system. At the global level, today adoption is allowed for same-sex partners in certain countries, mainly through *joint* and *step-child* adoption. Comparative practice shows divergent approaches, such as France and Italy. In the Serbian legal system, only adoption by heterosexual partners is permitted.

The Hague Convention 1993 is aimed at providing minimum procedural guarantees that contracting states must respect in the adoption procedure and ensuring the best interests of the child, but it does not contain provisions on international jurisdiction and conflict-of-law rules. As the Hague Convention 1993 remains neutral on the issue of adoption by same-sex couples, the paper examines the functioning of the Convention procedure in cases where Serbia appears as the State of origin of the child, with an analysis of Art. 74 and 44 of The Serbian Law on Resolution of Conflict of Laws with Regulations of Other Countries². The analysis showed that such Convention procedure would likely be terminated at some stage of the process. This shows that the scenario of adoption by same-sex couples in Serbia remains more of a theoretical challenge than a real possibility.

Keywords: *Adoption; Same-sex couples; Step-child adoption; Joint adoption; Conflict-of-law rules; International jurisdiction; Public policy; The Serbian Law on Resolution of Conflict of Laws with Regulations of Other Countries; The Hague Convention 1993; Private International Law.*

² *The Official Gazette of SFRY*, 43/82 and 72/82 –Amendment *The Official Gazette of FRY*, 46/96 and *The Official Gazzete of RS*, 46/2006 - other Law

IN INTERSECTION WITH GENDER: EXAMPLE OF NORTH MACEDONIA

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Abstract

The increasing complexity of contemporary discrimination demonstrates that traditional single-ground approaches to equality law are insufficient to address the lived experiences of individuals exposed to multiple and mutually reinforcing forms of disadvantage. Although equality legislation has expanded considerably over the past two decades, public institutions continue to address discrimination through isolated protected characteristics rather than through an integrated understanding of structural inequality. This paper argues that intersectionality should be understood not merely as a theoretical framework for analysing multiple discrimination, but as a governance approach capable of transforming equality legislation, institutional practice and access to justice. Using North Macedonia as a case study, the paper examines the development of intersectionality within international human rights law, European Union equality law and the national anti-discrimination framework, with particular emphasis on the role of the Commission for Prevention and Protection against Discrimination (CPPD) as the national equality body. The increasing complexity of contemporary discrimination demonstrates that traditional single-ground approaches to equality law are insufficient to address the lived experiences of individuals exposed to multiple and mutually reinforcing forms of disadvantage. Although equality legislation has expanded considerably over the past two decades, public institutions continue to address discrimination through isolated protected characteristics rather than through an integrated understanding of structural inequality. This paper argues that intersectionality should be understood not merely as a theoretical framework for analysing multiple discrimination, but as a governance approach capable of transforming equality legislation, institutional practice and access to justice. Using North Macedonia as a case study, the paper examines the development of intersectionality within international human rights law, European Union equality law and the national anti-discrimination framework, with particular emphasis on the role of the Commission for Prevention and Protection against Discrimination (CPPD) as the national equality body.

Keywords: *intersectionality; structural discrimination; substantive equality; equality bodies; North Macedonia.*

ВО ИНТЕРСЕКЦИЈА СО РОДОТ: ПРИМЕРОТ НА СЕВЕРНА МАКЕДОНИЈА

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Апстракт

Сè поголемата комплексност на современата дискриминација покажува дека традиционалните пристапи во правото на еднаквост, засновани на поединечни дискриминациски основи, повеќе не се доволни за да ги опфатат реалните искуства на лицата изложени на повеќекратни и меѓусебно испреплетени форми на нееднаквост. Иако законодавството за еднаквост значително се разви во текот на последните две децении, јавните институции сè уште најчесто ја третираат дискриминацијата преку изолирани заштитени основи, наместо преку интегрирано разбирање на структурната нееднаквост. Во трудот се застапува ставот дека интерсекционалноста не треба да се сфати само како теоретска рамка за анализа на повеќекратната дискриминација, туку и како модел на управување способен да придонесе за трансформација на законодавството за еднаквост, институционалната практика и пристапот до правда. Користејќи ја Северна Македонија како студија на случај, трудот го анализира развојот на концептот на интерсекционалност во меѓународното право за човекови права, правото на Европската Унија во областа на еднаквоста и националната анти-дискриминациска рамка, со посебен осврт на улогата на Комисијата за спречување и заштита од дискриминација (КСЗД) како национално тело за еднаквост. Истражувањето се заснова на доктринална правна анализа, надополнета со квалитативно испитување на судската пракса на Европскиот суд за човекови права, Судот на правдата на Европската Унија, Комитетот за елиминација на дискриминацијата врз жените, Комитетот за правата на лицата со попреченост, како и на избрани одлуки на Комисијата за спречување и заштита од дискриминација. Анализата покажува дека дискриминацијата што ги погодува жените и девојчињата, Ромите, лицата со попреченост, децата, руралното население и другите ранливи групи најчесто претставува структурна дискриминација, која произлегува од системски нееднаквости вградени во законските решенија, институционалните практики и јавните политики. Трудот заклучува дека новоусвоените Директиви на Европската Унија за телата за еднаквост (ЕУ) 2024/1499 и (ЕУ) 2024/1500 претставуваат единствена можност за државите кандидати да го зајакнат системот на еднаквост преку интегрирање на интерсекцискиот пристап во законодавството, институционалните мандати, стратешкото застапување, евалуацијата на јавните политики и обврските на јавниот сектор за унапредување на еднаквоста

Клучни зборови: *интерсекционалност, структурна дискриминација, суштинска еднаквост, тела за еднаквост, Северна Македонија.*

USE OF ELECTRIC STUN GUNS AS A MEANS OF RESTRAINT AGAINST PERSONS IN THE CENTER FOR FOREIGNERS

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Abstract

This article presents the legal, ethical, technical, and health aspects of the use of electric stun guns as a means of restraint at the Center for Foreigners. We conclude that this is an effective but sensitive means of police use of force that can replace firearms in certain situations. The use of electric stun guns must be based on the principles of proportionality, necessity, and respect for human rights and fundamental freedoms, especially since foreigners are often in a vulnerable position. The article analyzes the legal frameworks, health risks, ethical dilemmas, and practical examples. It emphasizes the need for adequate training of police officers and the inclusion of alternative methods of incident management. The article also offers recommendations for improving practices and control over the use of electric stun guns in closed institutional environments, where the risk of police overuse of force against foreigners is greater.

Keywords: *police, electric stun gun, Center for Foreigners, human rights and fundamental freedoms.*

THE CJEU TROJAN JUDGMENT AND ITS IMPACT ON THE POLISH LEGAL ORDER

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Abstract

On 25 November 2025, the Court of Justice of the EU issued a landmark judgment in case C-713/23, *Trojan*, concerning the transcription of same-sex marriage certificates. The Court held that EU primary law on free movement of persons, read in the light of the Charter of Fundamental Rights, precludes a Member State from refusing to recognise or transcribe in its civil register a same-sex marriage lawfully concluded by two of its nationals in another Member State where they established family life, even where the law of the first Member State does not permit same-sex marriage. The implementation of the ruling in Poland was not without friction. In this presentation I will examine the debates in the Polish legal context regarding whether and how the judgment has been given effect — including how the alleged technical incompatibility of the civil registry system was invoked as an obstacle to compliance, and how the Polish administration ultimately resolved the issue by enabling the transcription of foreign same-sex marriage certificates at civil registry offices. The presentation argues that while the practical outcome is positive, the manner of implementation raises broader questions about the rule of law and Poland's compliance with its obligations under EU law.

Keywords: *CJEU, Trojan judgment, same-sex marriage, civil registry, transcription, free movement, EU law.*

VAT FRAUD IN POLAND: LEGAL AND FINANCIAL IMPLICATIONS

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Abstract

Value-added tax (VAT) is the most popular type of turnover tax worldwide and, in most countries, the most important source of budget revenue. However, VAT fraud poses the most significant threat to public finances. At its peak (2012–2015), the VAT gap for the EU amounted to approximately EUR 152 billion, or 12.8% of potential budget revenues from this tax (VAT Total Tax Liability – VTTL). In Poland these values amounted to PLN 41 billion and 24.7%, respectively.

The study presents the legal structure of VAT fraud, the financial scale of this phenomenon and the remedial actions that Poland has been taking for over 10 years, including tightening criminal liability for issuing and utilizing false invoices.

Employing doctrinal and statistical methods, the study aims to compare the scale of VAT fraud in Poland with the European Union (EU) average. Research indicates that prior to 2016, legislative loopholes and inefficient tax administration resulted in a VAT fraud level in Poland significantly exceeding the EU average. Conversely, since 2016, enhanced legislation and improved tax authorities have reduced VAT fraud below the EU average, with the digitization of tax settlements playing a crucial role.

Keywords: VAT, VAT refund, VAT fraud, VAT gap, carousel scheme/MTIC.

EXPLORING ENTREPRENEURIAL MOTIVATION AND SUCCESS PERCEPTIONS AMONG WOMEN ENTREPRENEURS IN AZERBAIJAN (QUALITATIVE CASE STUDY)

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Abstract

This study examines the motivating factors entrepreneurial ambitions and perceptions of success among women entrepreneurs in Azerbaijan. The study is grounded in qualitative data collected within the framework of a postdoctoral research project analyzing women's entrepreneurship and experiences with self-employment across various professional sectors. A case study methodology was employed to analyze responses provided by women entrepreneurs operating in areas such as fashion, tailoring, beauty services, and psychological consulting.

The findings indicate that intrinsic motivation plays a significant role in engagement in entrepreneurship. Passion for work, self-confidence, creativity, financial independence, and the desire to contribute positively to society emerged as the main motivating factors driving the establishment of independent businesses. The participants of the study also highlighted the importance of flexibility, personal fulfillment, and professional recognition in influencing their entrepreneurial experiences.

In defining success, respondents emphasized non-financial aspects including customer satisfaction, positive feedback, social impact, and the appreciation of their work by clients and society. Additionally, many of the participants expressed long-term ambitions related to brand development, international recognition, business expansion, and the establishment of educational or training centers. The study contributes to the literature on women's entrepreneurship by offering qualitative insights into the motivational factors and dynamics and perceptions of success among women entrepreneurs in the Azerbaijani context.

Keywords: *women entrepreneurship, entrepreneurial motivation, success perception, qualitative research.*

THE CRIMINAL LAW FRAMEWORK AND JUDICIAL SENTENCING OF ROBBERY AND ARMED ROBBERY

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Abstract

The research examines the manner in which perpetrators of the criminal offences of robbery and armed robbery are sanctioned under the provisions of the Macedonian Criminal Code. These offences protect property as their legal interest and are characterised by a combination of two elements: the appropriation of another person's movable property and the use of force or threats in order to achieve that objective. The temporal scope of the research covers the period from 2017 to 2024 and aims to determine the types of sanctions imposed on perpetrators of the aforementioned offences, as well as whether the sentencing policy applied by the courts is consistent with the provisions of the Criminal Code. The findings indicate, in general terms, a relatively lenient sentencing policy of Macedonian courts towards perpetrators of robbery and armed robbery. In the majority of cases, convicted offenders were sentenced to terms of imprisonment below the statutory minimum. The research also reveals a significant use of alternative sanctions, particularly suspended sentences, as well as instances in which security measures were imposed without the simultaneous imposition of a criminal penalty. The study demonstrates a significant discrepancy between the sanctions prescribed by law and those effectively imposed by the courts. Accordingly, recommendations are proposed for adjusting judicial sentencing policy, taking into account the principles of legality and the individualisation of punishment. The research employs analytical and empirical methods and relies primarily on official statistics provided by the State Statistical Office.

Keywords: *Criminal offences, convicted persons, property, sanctioning, Macedonian criminal law.*

INFORMED CONSENT IN BIOMETRIC MIGRATION MANAGEMENT

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Abstract

Biometric data collection and automated recognition based on biological and behavioral characteristics has been widely introduced firstly for citizens and later for migrants. While the positive effects of biometrics use in migration management are plenty and offer quick and reliable identification of a person, efficient matching and immediate alert on the sensitive data, we need to be aware of reliability, data minimization, technical difficulties, ethical issues, reversibility and consent. In the European Union, milestones were the introduction of the EU GDPR Regulation, Entry/Exit System (EES) and reformed Eurodac system for collection of biometric data.

The paper looks into the legal aspects of informed consent for the use of biometric data in digital migration management in the European Union. It explores data access, data rights and oversight for each legal instrument. Focus is also on the "strict proportionality assessment" established by the Court of Justice of the European Union (CJEU) which ruled that biometric processing is a limitation on privacy that must pass the test. Further, we will analyze CJEU individual assessment benchmark, systematic data collection ban, right to erase standard, and indefinite data storage limits established by the Court. We will analyze opt out principle which certain legislations are using for collection and processing of biometric data.

The main research question of the paper is whether we can have meaningful consent in migration management, taking into the consideration situations in which migrants are forced to migrate and cannot really provide informed and free consent having in mind life threatening situation.

Keywords: *migration management, consent, biometric data.*

CONFLICTS OF JURISDICTION IN THE EUROPEAN JUDICIAL AREA: WHERE BRUSSELS I BIS ENDS AND THE INSOLVENCY REGULATION BEGINS

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Abstract

Regulation (EU) no. 1215/2012 (known as the Brussels I bis Regulation) is the core of the mechanism for determining international jurisdiction at the level of the European Union, applicable, from a material point of view to all disputes in civil and commercial matters. However, the normative act excludes from its scope applications in the field of insolvency, which fall within the scope of Regulation (EU) no. 2015/848 (known as the Insolvency Regulation).

Although, at a first glance, the distinction between the spheres of incidence of the two normative acts is simple, in reality, not every request addressed to a court, related to insolvency, becomes an insolvency request excluded from the scope of the Brussels I bis Regulation and falling within the scope of the Insolvency Regulation.

To this end, the theoretical analysis of the provisions of the two regulations is to be complemented by an examination of the case law of the Court of Justice of the European Union (CJEU), in order to identify the criteria on the basis of which a request addressed to the court of a Member State must be qualified as being formulated in civil and commercial matters, so that international jurisdiction is determined on the basis of common law rules or, as the case may be, in insolvency matters, determining the incidence of the special jurisdiction rules contained in the Insolvency Regulation.

Keywords: *cross-border insolvency, international jurisdiction, civil and commercial matters, Brussels I bis Regulation, Insolvency Regulation.*

ANOMIE AND DEVIANCE: MACEDONIAN SOCIETY THROUGH THE PRISM OF ROBERT MERTON'S STRAIN THEORY

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Abstract

This paper focuses on the classical theoretical views of Robert Merton framed within the concept of Strain Theory, incorporating the possibilities of social integration between the possibilities, i.e. the means of realization, and the social goals of individuals. As a natural extension of the views of Emile Durkheim, in which anomie is a product of social crisis as a result of rapid social change, Merton focuses on the potential deviant outcome, which can result in Conformism, Innovation, Ritualism, Withdrawal, and Rebellion. Of course, the critical approach of structural functionalism through the prism of historical-materialistic views of unfulfilled expectations must also mean incorporating different perspectives that are product of the specifics of culture, morality, and individual motivation that is a result of individual characteristics and goals.

In the context of Macedonian society, anomie is a product of the social transformation of the 1990s, which equally applies to its political, economic, but also moral and cultural aspects. The applicability of the potential outcome to the broader social sphere can equally be applied through the prism of Macedonian society, but also the broader aspects that are a product of globalization. Hence, we can have multidimensionality in the models offered by Robert Merton. For example, if we observe through the prism of global flows, the intensive migration and integration of Macedonian citizens into other societies, we can classify it in the conformist model, but if we observe through the recognized national Macedonian social context, the same could be categorized in the withdrawal model. Additionally, the moral value system, as anomic and potentially deviant, is reflected in institutional dysfunctionality, social inclusion, and even within the framework of cultural matrices that are the product of subcultural identities.

Keywords: *Strain theory, anomie, deviance, Macedonia, globalization.*

АНОМИЈА И ДЕВИЈАЦИЈА: МАКЕДОНСКОТО ОПШТЕСТВО НИЗ ПРИЗМАТА НА ТЕОРЕТСКИТЕ ГЛЕДИШТА НА РОБЕРТ МЕРТОН

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Апстракт

Трудот се фокусира на класичните теоретски гледишта на Роберт Мертон врзани во концептот на Теоријата на напнатост, инкорпорирајќи ги можностите на општествена интеграција помеѓу можностите, односно начинот на остварување и општествените цели на поединците. Како природна надоградба на гледиштата на Емил Диркем, во кои аномијата е производ на општествената криза како резултат на брзите општествени промени, Мертон се фокусира на потенцијалниот девијантен исход, кој може да резултира со Конформизам, Иновација, Ритуализам, Повлекување и Бунтовништво. Се разбира, критичкиот пристап на структурниот функционализам низ призмата на историско-материјалистичките погледи на неостварените очекувања, мора да значи и инкорпорирање на различни перспективи кои се производ на спецификите на културата, моралот и индивидуалната мотивација која е резултат на поединечните карактеристики и цели.

Во контекст на македонското општество, аномијата е производ на општествената трансформација од 90те години на 20от век, која подеднакво се однесува на нејзините политички, економски, но и морални и културолошки аспекти. Апликативноста на потенцијалниот исход на пошироката општествена сфера подеднакво може да се аплицира и низ призмата на македонското општество, но и пошироките аспекти кои се продукт на глобализацијата. Оттука, можеме да имаме мултидимензионалност во моделите кои ги нуди Роберт Мертон. На пример, доколку набљудуваме низ призмата на глобалните текови, интензивната миграција и интеграција на македонските граѓани во други општества, можеме да ја класификуваме во конформистичкиот модел, но доколку обсервираме низ призната на националниот македонски општествен контекст, истото би можело да се категоризира во моделот на повлекување. Дополнително, моралниот вредностен систем, како аномичен и потенцијално

девијантен, се пресликува во институционалната дисфункционалност, социјалната инклузија, па дури и во рамките на културолошките матрици кои се производ на субкултурните идентитети.

Клучни зборови: *Теорија на напнатост, аномија, девијација, Македонија, глобализација.*

BETWEEN ENTHUSIASM AND SCEPTICISM: A MATRIX APPROACH TO ATTITUDES TOWARDS ARTIFICIAL INTELLIGENCE

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Abstract

The aim of the analysis is to present an original conceptual model for interpreting attitudes towards artificial intelligence, presented in the form of a two-dimensional matrix. The proposed matrix is based on the distinction between two relatively autonomous dimensions: affective (from lack of trust to full trust) and epistemic (from weak to in-depth narration resulting from knowledge of AI). Such an approach is justified in classical theories of attitudes (Rosenberg and Hovland) and in research on the perception of technological risk (Slovic), which emphasize the importance of both the emotional and cognitive components in shaping the assessment of technology. As a result of the intersection of the two dimensions, four ideal-typical models of approach to AI were distinguished: dogmatic enthusiasm, critical thinking, anxious thinking model and scepticism. This model captures the complexity and ambivalence of attitudes, going beyond one-dimensional shots based on a simple "positive-negative" continuum. The reflection is theoretical in nature and focuses on the methodological justification and analytical potential of the proposed matrix. At the same time, the model serves as the basis for current international empirical research in European Union countries, including in-depth interviews (IDIs), survey research, and focus group interviews (FGIs). The analysis primarily aims to approximate the model's structure and to indicate its applications in the analysis of social representations of artificial intelligence.

Keywords: *artificial intelligence (AI), attitudes towards technology, affective and epistemic dimension, conceptual models, social perception of technology.*

INCOME TAXES – MAIN CHALLENGES IN THE GLOBAL WORLD

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Abstract

This paper explores the key challenges faced by income tax systems in an increasingly globalized and digitalized economy. The growing mobility of capital, labour, and intangible assets has significantly weakened the traditional principles of taxation based on territoriality and residence. Multinational enterprises are able to shift profits across jurisdictions, exploiting disparities between national tax systems and thereby eroding domestic tax bases.

The study examines the impact of digitalization on income taxation, with particular emphasis on the difficulties of allocating taxing rights in the absence of physical presence. Special attention is devoted to international initiatives, including the work of the Organisation for Economic Co-operation and Development, the implementation of the BEPS (Base Erosion and Profit Shifting) project, and the emerging global minimum tax framework.

Furthermore, the paper addresses the tension between tax competition and tax fairness, highlighting how states seek to attract investment through preferential tax regimes while simultaneously facing increasing pressure to ensure equitable and effective taxation. The growing importance of transparency measures, information exchange, and anti-avoidance rules is also discussed.

The paper argues that effective responses to these challenges require enhanced international cooperation and a degree of harmonization of tax rules. Without coordinated action, national tax systems risk becoming less efficient and less capable of ensuring both fiscal sustainability and social justice.

The article concludes by outlining possible future directions for reform, including the redefinition of nexus and profit allocation rules in the global economy.

**CAN ARTIFICIAL INTELLIGENCE EXPEDITE JUSTICE FOR CHILDREN?
THE PRINCIPLE OF URGENCY IN PARENTAL RESPONSIBILITY
PROCEEDINGS IN EUROPEAN AND U.S. CASE LAW**

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Abstract

The principle of urgency constitutes an essential procedural safeguard, as undue delay may have lasting adverse effects on the parent–child relationship and may effectively predetermine the outcome of the dispute. Applying doctrinal, comparative, and case-law methods, this paper analyses European and U.S. standards for timely adjudication. Particular attention is paid to case law concerning child custody, contact rights, and interim measures to protect the child.

The paper further examines the use of artificial intelligence in identifying and prioritizing urgent cases, monitoring procedural deadlines, and processing court documents, while also considering the associated risks of algorithmic bias, opacity, and restrictions on procedural rights. It argues that AI can contribute to the effective implementation of the principle of urgency only as a supporting tool, subject to meaningful human oversight, reasoned judicial decision-making, and full respect for the best interests of the child as a primary consideration.

Keywords: *principle of urgency, parental responsibility, best interests of the child, procedural safeguards, artificial intelligence.*

МОЖЕ ЛИ ВЕШТАЧКАТА ИНТЕЛИГЕНЦИЈА ДА ЈА ЗАБРЗА ПРАВДАТА ЗА ДЕТЕТО? НАЧЕЛОТО НА ИТНОСТ ВО ПОСТАПКИТЕ ЗА РОДИТЕЛСКА ОДГОВОРНОСТ НИЗ ЕВРОПСКАТА И АМЕРИКАНСКАТА СУДСКА ПРАКТИКА

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Апстракт

Начелото на итност е суштинска процесна гаранција, бидејќи неоправданото одолжување на постапката може трајно да го наруши односот меѓу родителот и детето и фактички да го прејудиира исходот на спорот. Преку примена на нормативниот, компаративниот и догматско-правниот метод, во трудот се анализираат европските и американските стандарди за навремено одлучување. Посебно внимание се посветува на судската практика во предметите за доверување на детето, остварување лични односи и непосредни контакти, како и определување итни мерки за негова заштита.

Истражувањето ја анализира и примената на вештачката интелигенција преку определување на приоритетот на предметите, следење на роковите и обработка на документацијата, како и ризиците од пристрасност, нетранспарентност и ограничување на процесните права. Се застапува тезата дека ВИ може да придонесе за поефикасно остварување на начелото на итност само како помошен инструмент, при обезбеден човечки надзор, образложено судско одлучување и примарна заштита на најдобриот интерес на детето.

Клучни зборови: *начело на итност, родителска одговорност, најдобар интерес на детето, процесни гаранции, вештачка интелигенција.*

ANALYSIS OF THE IMPLEMENTATION OF THE AARHUS CONVENTION IN NORTH MACEDONIA IN THE LEGAL AND INSTITUTIONAL CONTEXT OF ENVIRONMENTAL DEMOCRACY

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Abstract

The implementation of the Aarhus Convention in North Macedonia represents a critical aspect of advancing environmental governance and ensuring the protection of fundamental rights related to access to environmental information, public participation in decision-making, and access to justice. This paper presents a comprehensive legal and institutional analysis of the mechanisms established to fulfill the obligations arising from the Convention, focusing on the effectiveness of transparency measures, the substantive impact of public engagement, and the functionality of legal remedies in environmental matters. The study critically examines the alignment of the national legal framework with international standards and identifies systemic challenges that impede its full implementation, including insufficient institutional capacity, inadequate data management, procedural obstacles to public involvement, and legal complexities that hinder access to justice. Special attention is given to the role of non-governmental organizations, civil society initiatives, and judicial institutions in strengthening environmental democracy. The findings underscore the necessity of legal and policy reforms aimed at enhancing institutional accountability, ensuring meaningful public participation, and improving judicial oversight in environmental protection. The paper concludes with concrete recommendations for addressing existing deficiencies and reinforcing the legal and institutional framework to foster a more robust and effective implementation of the Aarhus Convention in North Macedonia.

Keywords: *Aarhus Convention, transparency, public participation, access to justice, environmental governance, legal framework.*

АНАЛИЗА НА СПРОВЕДУВАЊЕТО НА АРХУСКАТА КОНВЕНЦИЈА ВО СЕВЕРНА МАКЕДОНИЈА НИЗ ПРАВНИОТ И ИНСТИТУЦИОНАЛНИОТ КОНТЕКСТ НА ЕКОЛОШКАТА ДЕМОКРАТИЈА

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Апстракт

Имплементацијата на Архуската конвенција во Северна Македонија претставува клучен аспект во унапредувањето на еколошкото управување и обезбедувањето на фундаменталните права поврзани со пристапот до информации за животната средина, учеството на јавноста во процесите на одлучување и пристапот до правда. Оттука, во трудот се прави сеопфатна правна и институционална анализа на механизмите воспоставени за исполнување на обврските кои произлегуваат од Конвенцијата, со посебен акцент на ефективната транспарентност, суштинското влијание на јавната партиципација и функционалноста на правните средства за заштита во еколошките прашања. Истражувањето критички ја оценува усогласеноста на националната правна рамка со меѓународните стандарди и ги идентификува системските предизвици што го попречуваат нејзиното целосно спроведување, вклучувајќи недоволен институционален капацитет, нецелосно управување со податоци, процедурални пречки за учество на јавноста и правни компликации кои го отежнуваат пристапот до правда. Посебно внимание се посветува на улогата на невладините организации, граѓанските иницијативи и судските институции во зајакнувањето на еколошката демократија. Наодите од ова истражување ја истакнуваат потребата од правни и политички реформи насочени кон зголемување на институционалната одговорност, обезбедување на реално учество на јавноста и подобрување на судскиот надзор во областа на заштитата на животната средина. Трудот завршува со конкретни препораки за надминување на постојните недостатоци и зајакнување на правната и институционалната рамка со цел постигнување поефикасна примена на Архуската конвенција во Северна Македонија.

Клучни зборови: Архуска конвенција, транспарентност, учество на јавноста, пристап до правда, еколошко управување, правна рамка.

REGULATION (EU) 2020/1056 AND THE DIGITAL TRANSFORMATION OF FREIGHT TRANSPORT: EUROPEAN PERSPECTIVES AND IMPLICATIONS FOR NORTH MACEDONIA

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Abstract

The subject of analysis in this scientific research paper is Regulation (EU) 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information (hereinafter: the eFTI – *electronic freight transport information* – Regulation).³

The main challenge addressed in this paper is to analyse the subject matter and objectives of the eFTI Regulation, which, since its adoption, has played a key role in the digitalisation of the transport and logistics sectors in Europe. Today, eFTI occupies a significant place in numerous scientific and professional debates within both the academic and business communities. The eFTI framework represents a bridge between the traditional paper-based consignment note and contemporary digital transport documents, including the electronic consignment note (e-CMR). Accordingly, the paper seeks to determine the purpose of the eFTI Regulation, the obligations it imposes on Member States and non-EU countries, including the Republic of North Macedonia, as well as the specific features of this regulatory framework.

Considering that the Regulation deals exclusively with the transmission of “regulatory information” within the common European transport and logistics space, a number of questions logically arise: What is its primary objective? How is the data-exchange system designed? What constitutes the “language” of interoperability? Particular attention in this research is devoted to the potential implications of the eFTI Regulation for the transport sector in North Macedonia, taking into account the country's prospects for further alignment with European standards and digitalisation processes.

Keywords: *digitalisation, interoperability, delegated and implementing acts, eFTI platform, certification, accreditation.*

¹ Original title: Regulation (EU) 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information. Available at: [Regulation – 2020/1056 – EN – EUR-Lex](#), accessed on 16 June 2026.

РЕГУЛАТИВАТА 2020/1056 И ДИГИТАЛНАТА ТРАНСФОРМАЦИЈА НА ТОВАРНИОТ ТРАНСПОРТ: ЕВРОПСКИ ПЕРСПЕКТИВИ И ИМПЛИКАЦИИ ЗА СЕВЕРНА МАКЕДОНИЈА

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Апстракт

Предмет на анализа во оваа научно-истражувачка работа претставува Регулација (ЕУ) 2020/1056 на Европскиот парламент и на Советот од 15 јули 2020 година за електронски информации за товарниот транспорт (понатаму: eFTI -*electronic freight transport information*- Регулација).⁴

Главниот предизвик во овој труд е да се анализира предметот и целта на eFTI Регулацијата, којашто од донесувањето до денес, игра клучна улога во дигитализацијата на транспортниот и логистичкиот сектор во Европа. Во денешницата, eFTI зазема значајно место во дискусиите на бројни научни и стручни дебати, во академската и бизнис заедницата. eFTI претставува мост помеѓу традиционалниот хартиен товарен лист и современите дигитални транспортни документи, вклучително и електронскиот товарен лист (e-CMR). Оттука и предизвикот да се утврди која е целта на eFTI Регулацијата, кои обврски ги наметнува за државите членки и државите што не се членки, вклучувајќи ја и Република Северна Македонија и кои се спецификите на оваа регулатива?!

Ако се има предвид дека истата дискутира исклучиво за пренос на „регулаторни информации“ на заедничкиот европски транспортен и логистички простор, логично се поставува прашањето: *која е главната цел, како е конципиран системот на размена на податоци, кој е јазикот на интероперабилноста итн.* Особено внимание во истражувањето е посветено на потенцијалните импликации од eFTI Регулацијата врз транспортниот сектор во Северна Македонија, имајќи ја предвид нејзината перспектива за понатамошно усогласување со европските стандарди и процеси на дигитализација.

⁴ Оригинален назив на: Regulation (EU) 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information. Достапна на: [Regulation - 2020/1056 - EN - EUR-Lex](#), пристапено на: [16 јуни, 2026 година].

Клучни зборови: дигитализација, интероперабилност, делегирани и акти за спроведување, е-платформа, сертификација, акредитација.

EUROPEAN UNION ENLARGEMENT: VIEWS FROM SERBIA AND NORTH MACEDONIA

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Abstract

After 23 years since the establishment of the European perspective for the Western Balkans, at the Thessaloniki European Council Summit in 2003, the Republic of Serbia and the Republic of North Macedonia are "stuck" in their European integration processes and far from full membership in the EU. The reasons for the halt are different, specific and rather unclear. Although the two countries are at different stages of the accession negotiations, there are similarities and differences determined by the national approaches to European integration. On the other hand, the EU institutions in the accession negotiations with these two countries, instead of having a single position, to provide support in the process based on criteria and results, are essentially introducing new criteria. We are witnessing bilateral issues that "magically" become European or different approaches to the territorial integrity that the EU is currently defending with all its might in Ukraine, the rule of law and democratic processes depending on the political orientation of the representatives of the EU member states.

Although the EU enlargement policy is often assessed as successful, we are witnessing the disastrous results of the enlargement policy in the Western Balkans. The war in Ukraine initiated the enlargement process, leaving the Western Balkans in the background, explaining the previous actions towards this region with the necessity of internal reform of the Union, introducing a new methodology in the negotiation process and constantly seeking and creating special conditions, especially for the Republic of North Macedonia and the Republic of S. Using the historical method and analyzing the legal norms and current developments of the EU in the enlargement process, the author conducts research that shows the specifics of the enlargement process, which is presented as the most successful project for EU foreign policy, and from the aspect of the changed negotiation methodology, bilateral disputes and the constant conditionality of North Macedonia and Serbia, the process looks like an impossible mission that contributes to a dramatic decline in popularity and trust in the EU among the citizens of both countries.

Keywords: *European perspective, enlargement process, new negotiation methodology, bilateral disputes, common values*

ПРОШИРУВАЊЕ НА ЕВРОПСКАТА УНИЈА: ПОГЛЕДИ ОД СРБИЈА И СЕВЕРНА МАКЕДОНИЈА

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Апстракт

По 23 години од воспоставувањето на европската перспектива за Западен Балкан, на Самитот на Европскиот совет во Солун во 2003 година, Република Србија и Република Северна Македонија се „заглавени“ во нивните процеси на европска интеграција и далеку од полноправно членство во ЕУ. Причините за застојот се различни, специфични и прилично нејасни. Иако двете земји се во различни фази од пристапните преговори, постојат сличности и разлики утврдени од националните пристапи кон европската интеграција. Од друга страна, институциите на ЕУ во пристапните преговори со овие две земји, наместо да имаат единствен став, да обезбедат поддршка во процесот врз основа на критериуми и резултати, во суштина воведуваат нови критериуми. Сведоци сме на билатерални прашања кои „магично“ стануваат европски или различни пристапи кон територијалниот интегритет што ЕУ во моментот го брани со сите сили во Украина, владеењето на правото и демократските процеси во зависност од политичката ориентација на претставниците на земјите-членки на ЕУ.

Иако политиката на проширување на ЕУ често се оценува како успешна, сведоци сме на катастрофалните резултати од политиката на проширување на Западен Балкан. Војната во Украина го иницираше процесот на проширување, оставајќи го Западен Балкан во втор план, објаснувајќи ги претходните дејствија кон овој регион со неопходноста од внатрешна реформа на Унијата, воведување нова методологија во процесот на преговори и постојано барање и создавање посебни услови, особено за Република Северна Македонија и Република С. Користејќи го историскиот метод и анализирајќи ги правните норми и актуелните случувања на ЕУ во процесот на проширување, авторот спроведува истражување кое ги покажува спецификите на процесот на проширување, кој е претставен како најуспешен проект за надворешната политика на ЕУ, а од аспект на променетата методологија на преговори, билатералните спорови и постојаната условеност на Северна Македонија и Србија, процесот изгледа како невозможна мисија што придонесува за драматичен пад на популарноста и довербата во ЕУ кај граѓаните на двете земји.

Клучни зборови: европска перспектива, процес на проширување, нова методологија на преговори, билатерални спорови, заеднички вредности

POSSESSION – IT IS POSSIBLE TO INHERIT AS FACTUAL RELATIONSHIP?

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Abstract

This present report will focus on possession and on whether it is capable of being inherited. It will examine the question of whether possession may be inherited as a fact, under what prerequisites, and whether a transfer of possession or an accession of the factual relationship is required. Of particular interest is whether the effect in rem of acquisitive prescription will arise where the heir invokes a period of acquisitive prescription that has run in favor of his testator/intestate predecessor, but after he himself has lost possession of the property for more than six months.

Keywords: *Possession, Inheritance, Factual relationship, Property, Acquisition of rights, Accession.*

ESG COMMUNICATION STRATEGIES IN THE ENERGY SECTOR: ADVANTAGES AND DISADVANTAGES OF ENGAGING INFLUENCERS AND SOCIAL ACTORS. A SOCIOLOGY OF DEVELOPMENT PERSPECTIVE

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Abstract

The global energy transition requires not only technological progress but also a profound shift in how energy companies communicate their environmental and societal impacts. As Environmental, Social, and Governance (ESG) criteria become an industry standard, the methods of communicating these strategies are evolving. This article analyzes the effectiveness of various communication models used by energy companies, with a particular focus on the growing trend of utilizing influencers and social actors to support ESG initiatives. The study is qualitative and examines the advantages and disadvantages of this approach, using several illustrative examples. Building on the „researcher-manager” perspective, the author explores how energy companies can balance traditional reporting with modern actor-based communication. The findings suggest that while influencers can be powerful catalysts for social change, their role must be rooted in transparency and aligned with the company’s actual social performance.

Keywords: *ESG, SLO, CSR, communication, renewable energy sources.*

YOUNG RESEARCHERS
МЛАДИ ИСТРАЖУВАЧИ

ADDRESSING DISCRIMINATION BASED ON POLITICAL OPINION AND POLITICAL AFFILIATION: THE PRACTICE OF THE EQUALITY BODY IN NORTH MACEDONIA

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Abstract

Protection against discrimination based on political opinion it is an important component of democratic governance and the political pluralism, relying on the principle of public administration which is politically neutral. In societies such as Macedonia as transitional democracy, where the public perception is that the politics influence employment within the public sector, the equality bodies might play a key role, particularly in prevention of politically motivated discrimination.

This paper examines the role of the Commission for Prevention and Protection against Discrimination as a mechanism for promoting equality and combating discrimination in North Macedonia. The analysis focuses on employment and labour relations in the public sector examining the broader European equality framework, thus contributing to ongoing discussions related to the effectiveness of non-judicial protection mechanisms as well as the institutional capacity of equality bodies to address the regional phenomena of politically motivated discrimination.

The research combines an analysis of the legal framework on protection against discrimination related to political opinion and political affiliation with an examination of 88 proceedings i.e. 93 complaints⁵ addressed to the Commission in the period between 2021 and 2026. The focus is on the cases related to the actual or perceived political affiliation, the evidence and standards taken into consideration during the decision-making process, as well as the patterns identified from the Commission's practice. The findings indicate that discrimination was found in 29 cases, while in 59 cases the discrimination had not been proven. The cases predominantly concern public-sector institutions and are mostly related to the recruitment process, dismissal from employment, harassment at the workplace, promotion at work, and other forms of unequal treatment in employment area.

The paper argues that the Commission as an equality body is considered as a key institutional mechanism for ensuring protection against discrimination i.e. political opinion and affiliation as a protected ground. At the same time, the findings show challenges related to evidence collection, implementation of the recommendations, as well as institutional accountability, thus highlighting the need to further strengthening equality infrastructures based on European equality standards.

Keywords: *political opinion, actual or perceived political affiliation, politically motivated discrimination, equality body, non-judicial protection, employment.*

⁵ Commission for Prevention and Protection against Discrimination. (n.d.). *88 opinions*. <https://kszd.mk/>

THE NEW EUROPEAN DIRECTIVE ON ENVIRONMENTAL CRIME: IMPLICATIONS FOR THE DEVELOPMENT OF THE CRIMINAL LAW PROTECTION OF THE ENVIRONMENT IN NORTH MACEDONIA

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Abstract

Environmental crime represents a significant challenge for modern legal systems, especially in the context of increased risks that directly affect human and animal health and sustainable development. In this regard, the European Union is taking measures to strengthen the criminal – legal protection of the environment through the adoption of Directive (EU) 2024/1203 on the protection of the environment through criminal law, which imposes stricter standards for incrimination, sanctioning and institutional cooperation in the fight against environmental crime, replacing previous directives in this area. The subject of this paper is an analysis of the basic solutions contained in the new directive, as well as their significance for the development of criminal – legal protection of the environment. Through the application of comparative and normative analysis, the opportunities and challenges related to the harmonization of the national legislation of the Republic of North Macedonia with modern European standards in the field of environmental criminal law are considered. The analysis indicates the need for further improvement of the national legal framework, but also for its more serious application in order to ensure more efficient criminal – legal protection of the environment. At the same time, the paper aims to contribute to the scientific debate on the role of criminal law in environmental protection in the face of contemporary environmental challenges.

Keywords: *environmental law; directive; EU; environmental standards.*

НОВАТА ЕВРОПСКА ДИРЕКТИВА ЗА ЕКОЛОШКИ КРИМИНАЛ: ИМПЛИКАЦИИ ЗА РАЗВОЈОТ НА КРИВИЧНО-ПРАВНАТА ЗАШТИТА НА ЖИВОТНАТА СРЕДИНА ВО СЕВЕРНА МАКЕДОНИЈА

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Апстракт

Еколошкиот криминал претставува значаен предизвик за современите правни системи, особено во контекст на зголемените ризици кои директно влијаат врз здравјето на луѓето, животните и одржливиот развој. Во таа насока, Европската унија презема мерки за зајакнување на кривично – правната заштита на животната средина преку донесувањето на Директивата (ЕУ) 2024/1203 за заштита на животната средина преку кривичното право, со која се наметнуваат построги стандарди за инкриминација, санкционирање и институционална соработка во борбата против еколошкиот криминал, при што се заменуваат претходните директиви во оваа област. Предмет на овој труд е анализа на основните решенија содржани во новата директива, како и нивното значење за развојот на кривично – правната заштита на животната средина. Преку примена на компаративната и нормативната анализа се разгледуваат можностите и предизвиците поврзани со усогласувањето на националното законодавство на Република Северна Македонија со современите европски стандарди во областа на еколошкото кривично право. Анализата укажува на потребата од понатамошно унапредување на националната правна рамка, но и посериозна примена на истата со цел обезбедување поефикасна кривично – правна заштита на животната средина. Воедно, трудот има за цел придонес кон научната дебата за улогата на кривичното право во заштита на животната средина во услови на современи еколошки предизвици.

Клучни зборови: еколошко право; директива; ЕУ; еколошки стандарди.

ALGORITHMIC COLLUSION: CORPORATE ACCOUNTABILITY AND THE APPLICATION OF ART. 101 TFEU

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Abstract

Algorithmic collusion represents one of the most significant challenges for contemporary competition law, especially in the context of digitalized markets and the increasing use of artificial intelligence in making business decisions.

This paper aims to analyze the applicability and effectiveness of Article 101 of the Treaty on the Functioning of the European Union (TFEU) in cases of algorithmic coordination where the traditional concepts of “agreement” and “concerted practice” are called into question due to the absence of direct human interaction. The increasing reliance on artificial intelligence (AI) for determining market prices has led to the threat of automated collusion, where pricing algorithms coordinate market behavior between competitors without explicit human consent.

Through a legal and doctrinal analysis of the relevant regulatory framework, case law, and theoretical literature, the study examines the possibility of qualifying various forms of algorithmic collusion as prohibited forms of collusion. Special emphasis is placed on the issue of establishing corporate liability for the behavior of autonomous algorithms, as well as on the evidentiary standards required to establish a concerted practice.

The paper concludes that while Article 101 TFEU formally applies to digital systems, its practical execution is limited by traditional reliance on conscious human coordination, thereby requiring a doctrinal evolution and regulatory adaptation toward strict algorithmic accountability.

Keywords: *algorithmic collusion – European competition law – Article 101 of the TFEU – Artificial Intelligence Law – concerted practice – compliance by design.*

АЛГОРИТАМСКО ДОГОВАРАЊЕ: КОРПОРАТИВНА ОДГОВОРНОСТ И ПРИМЕНА НА ЧЛЕН 101 ОД ДФЕУ

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Апстракт

Алгоритамското договарање претставува еден од најзначајните предизвици за современото конкурентско право, особено во контекст на дигитализираните пазари и зголемената употреба на вештачка интелигенција при донесување на деловни одлуки.

Овој труд има за цел да ја анализира применливоста и ефективната на член 101 од Договорот за функционирањето на Европската Унија (ДФЕУ) во случаи на алгоритамска координација каде што традиционалните концепти на „договор“ и „усогласена практика“ се доведени во прашање поради отсуство на директна човечка интеракција. Зголемената зависност од вештачката интелигенција за одредување на пазарните цени доведе до закана од автоматизиран дослук, каде алгоритмите го усогласуваат однесувањето на пазарот меѓу конкурентите без експлицитна човечка согласност.

Преку правно-доктринарна анализа на релевантната регулаторна рамка, судската пракса и теоретската литература, трудот ја испитува можноста за квалификација на различните форми на алгоритамско договарање како забранети форми на колузија. Посебен акцент се става на прашањето за утврдување на корпоративна одговорност за однесувањето на автономните алгоритми, како и на доказните стандарди потребни за утврдување на усогласена практика.

Трудот заклучува дека иако член 101 ДФЕУ формално се применува врз дигиталните системи, неговата практична примена е ограничена од традиционалната зависност од свесна човечка координација, што наметнува потреба од доктринарна еволуција и регулаторна адаптација кон строга алгоритамска одговорност.

Клучни зборови: алгоритамско договарање – европско право на конкуренција – член 101 од ДФЕУ – Закон за вештачка интелигенција – договорена пракса – усогласеност по дизајн.

THE NEW ROLES OF CIVIL SOCIETY IN A CHANGING SOCIETY

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Abstract

Contemporary societies are increasingly shaped by rapid social, economic, political, and technological transformations that substantially redefine the traditional relations between the state, market, and citizens. Processes such as globalization, digitalization, demographic change, migration, economic uncertainty, and growing social inequalities create new social risks and demand more flexible and innovative responses. Within such circumstances, civil society emerges as an important actor in addressing complex societal needs and contributing to democratic and social development.

The aim of this paper is to analyze the new roles of civil society in a changing society, with particular emphasis on functions that go beyond traditional advocacy and humanitarian engagement. The paper argues that civil society organizations today increasingly act as service providers, social innovators, mediators between citizens and institutions, mobilizers of local communities, and partners in public policy-making processes.

The paper is based on a qualitative analysis of relevant literature in sociology, social policy, and civil society studies, as well as contemporary debates on social change. Particular attention is given to post-transition societies, including North Macedonia, where civil society has developed under specific political, economic, and institutional conditions.

The findings indicate that civil society organizations contribute significantly to social cohesion, support for vulnerable groups, participatory governance, local development, and the strengthening of democratic culture. At the same time, they face challenges such as financial dependence, political pressures, limited public trust, and increasing demands for professionalization.

The paper concludes that the future relevance of civil society depends on its capacity to adapt to changing environments while preserving autonomy, legitimacy, and public mission.

Keywords: *Civil Society, Social Change, Democracy, Participation, Social Policy.*

НОВИТЕ УЛОГИ НА ГРАЃАНСКИОТ СЕКТОР ВО ПРОМЕНЛИВО ОПШТЕСТВО

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Апстракт

Современите општества сè повеќе се обликувани од брзи социјални, економски, политички и технолошки трансформации кои суштински ги рedefинираат традиционалните односи помеѓу државата, пазарот и граѓаните. Процеси како глобализацијата, дигитализацијата, демографските промени, миграцијата, економската неизвесност и растечките социјални нееднаквости создаваат нови социјални ризици и бараат пофлексибилни и поиновативни одговори. Во такви околности, граѓанскиот сектор се јавува како значаен чинител во адресирањето на сложените општествени потреби и придонесувањето кон демократскиот и социјалниот развој.

Целта на овој труд е да ги анализира новите улоги на граѓанскиот сектор во променливо општество, со посебен акцент на функциите кои ги надминуваат традиционалните форми на застапување и хуманитарно дејствување. Трудот поаѓа од тезата дека граѓанските организации денес сè повеќе дејствуваат како даватели на услуги, социјални иноватори, посредници помеѓу граѓаните и институциите, мобилизатори на локалните заедници и партнери во процесите на креирање јавни политики.

Трудот се темели врз квалитативна анализа на релевантна литература од областа на социологијата, социјалната политика и студиите за граѓанско општество, како и на современи дебати за општествените промени. Посебно внимание се посветува на посттранзициските општества, вклучително и Северна Македонија, каде граѓанскиот сектор се развиваше во специфични политички, економски и институционални услови.

Сознанијата укажуваат дека граѓанските организации значајно придонесуваат кон социјална кохезија, поддршка на ранливи групи, партиципативно управување, локален развој и јакнење на демократската култура. Во исто време, тие се соочуваат со предизвици како финансиска зависност, политички притисоци, ограничена јавна доверба и зголемени барања за професионализација.

Трудот заклучува дека идната релевантност на граѓанскиот сектор зависи од неговата способност да се прилагодува на променливите општествени услови, притоа зачувувајќи ја автономијата, легитимноста и јавната мисија.

Клучни зборови: Граѓански сектор, општествени промени, демократија, учество, социјална политика.

DATA LOCALISATION AND INTERNATIONAL ECONOMIC LAW: RECONCILING DIGITAL SOVEREIGNTY WITH TRADE AND INVESTMENT DISCIPLINES

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Abstract

This article examines whether state measures requiring data localisation, restricted transfer and increased regulatory control of platform generated data can be reconciled with international economic law (IEL). The central question is whether data localisation measures, justified on cybersecurity and sovereignty grounds, can satisfy the disciplines of market access, national treatment, and General Agreement on Trade in Services (GATS) Article XIV necessity test, and investment protection standards. While data localisation and cybersecurity policies reflect states' pursuit of digital sovereignty, they may simultaneously restrict cross border digital services, increase compliance costs for foreign platforms and affect digital investors. Using a doctrinal and comparative approach, the article analyses GATS Articles XVI, XVII and XIV, selected digital trade provisions in the United States-Mexico-Canada Agreement (USMCA) and Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), and investment law principles relating to fair and equitable treatment, indirect expropriation and police powers. China's Cybersecurity Law is used as the main example. The article argues that IEL permits legitimate regulation of platform data, but only where such regulation is transparent, non-discriminatory, proportionate and not a disguised restriction on trade or investment.

Keywords: *Data Localisation, Digital Sovereignty, International Economic Law, Digital Trade, Investment Law.*

THE ROLE OF RELIGION IN THE RUSSO-GEORGIAN CONFLICT: AN ANALYSIS OF ABKHAZIA AND SOUTH OSSETIA THROUGH THE LENS OF THE SECURITY DILEMMA AND STRUCTURAL REALISM

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Abstract

This paper analyzes the role of religion in the Russo-Georgian conflict, with a particular focus on Abkhazia and South Ossetia, through the theoretical framework of the security dilemma and structural realism. The central argument is that the conflict cannot be understood solely as an ethno-territorial dispute or as a consequence of post-Soviet state fragility, but rather as a complex interaction between internal security fears, Russia's regional strategy, Georgia's aspirations for Euro-Atlantic integration, and identity-based factors that shape threat perception. Within this framework, religion does not appear as a direct cause of military escalation, but it plays an important indirect role in processes of legitimation, national self-identification, and the symbolic marking of territory. Particular attention is given to the Georgian Orthodox Church, which occupies an ambivalent position between Georgian national interests, canonical proximity to the Russian Orthodox Church, and the political context of Georgia's Western integration. The analysis demonstrates that the Georgian Orthodox Church cannot be simply interpreted as a pro-Russian institution, since, despite its ideological affinity with the Russian Orthodox understanding of civilization and tradition, it simultaneously defends Georgian canonical and national interests regarding Abkhazia and South Ossetia. The paper therefore argues that religion in such conflicts usually functions as an identity-based and political resource that deepens distrust, intensifies security perceptions, and complicates the possibility of compromise.

Keywords: *Georgia, Russia, Abkhazia, South Ossetia, security dilemma, structural realism, religion, Georgian Orthodox Church.*

УЛОГАТА НА РЕЛИГИЈАТА ВО РУСКО-ГРУЗИСКИОТ КОНФЛИКТ: АНАЛИЗА НА АБХАЗИЈА И ЈУЖНА ОСЕТИЈА НИЗ ПРИЗМАТА НА БЕЗБЕДНОСНАТА ДИЛЕМА И СТРУКТУРНИОТ РЕАЛИЗАМ

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Апстракт

Овој труд ја анализира улогата на религијата во руско-грузискиот конфликт, со посебен фокус врз Абхазија и Јужна Осетија, низ призмата на безбедносната дилема и структурниот реализам. Основната теза е дека конфликтот не може да се разбере само како етнотериторијален спор или како последица на постсоветска државна нестабилност, туку како сложена интеракција меѓу внатрешните безбедносни стравови, руската регионална стратегија, стремежот на Грузија кон евроатлантска интеграција и идентитетските фактори што ја обликуваат перцепцијата на закана. Во таа рамка, религијата не се јавува како непосредна причина за воената ескалација, но има значајна посредна улога во процесите на легитимација, национална самоидентификација и симболичко означување на територијата. Посебно внимание се посветува на Грузиската православна црква, која се наоѓа во амбивалентна положба меѓу грузискиот национален интерес, канонската блискост со Руската православна црква и политичкиот контекст на западната интеграција на Грузија. Анализата покажува дека Грузиската православна црква не може едноставно да се третира како проруска институција, бидејќи, покрај идеолошката сродност со руското православно разбирање, таа истовремено го брани грузискиот канонски и национален интерес во однос на Абхазија и Јужна Осетија. Оттука, трудот укажува дека религијата во ваквите конфликти најчесто функционира како идентитетски и политички ресурс кој ја продлабочува недовербата, ги засилува безбедносните перцепции и ја усложнува можноста за компромис.

Клучни зборови: Грузија, Русија, Абхазија, Јужна Осетија, безбедносна дилема, структурен реализам, религија, Грузиска православна црква.

THE MANDATORY EVIDENTIARY HEARING AS A MECHANISM FOR THE PROCEDURAL PROTECTION OF PARTICULARLY VULNERABLE VICTIMS

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Abstract

The Law on Criminal Procedure within the legal system of North Macedonia, in addition to its role as a normative guarantor of the minimum standards of fairness required for a fair trial, also embodies a social dimension aimed at the protection of vulnerable categories of persons, including child victims of crime, indigent persons, as well as victims of criminal offences against sexual freedom and sexual morality and criminal offences against humanity and international law. This research applies a normative-legal analysis of the existing legislative framework in order to determine the level of procedural protection afforded to these categories of victims, with particular emphasis on the mechanisms governing their examination and protection against revictimisation. Particular attention is also devoted to victims of gender-based and domestic violence as a category requiring enhanced procedural safeguards. Furthermore, the paper examines the possibility of introducing a normative framework providing for a mandatory evidentiary hearing for the purpose of taking testimony from particularly vulnerable victims, as an instrument for ensuring the procedural continuity of the victim's testimony. The aim of the research is to contribute to the improvement of procedural legislation through the formulation of legislative proposals directed towards strengthening the procedural guarantees for the protection of particularly vulnerable victims.

Keywords: *criminal procedure, procedural continuity, revictimisation, procedural safeguards.*

ЗАДОЛЖИТЕЛНО ДОКАЗНО РОЧИШТЕ КАКО ИНСТРУМЕНТ ЗА ПРОЦЕСНА ЗАШТИТА НА ПОСЕБНО РАНЛИВИТЕ ЖРТВИ

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Апстракт

Законот за кривичната постапка во правниот систем на Северна Македонија, покрај улогата на нормативен гарант за минимум фер услови за правично судење, едновременно емитува и една социјална димензија, која се однесува на заштитата на ранливите категории на лица, како што се децата жртви на кривични дела, сиромашните лица, како и жртвите на кривичните дела против половата слобода и половиот морал и кривичните дела против човечноста и меѓународното право. Во истражувањето се применува нормативно-правна анализа на постојната законска рамка со цел да се утврди степенот на процесна заштита што ја обезбедува на овие категории на жртви, со посебен акцент на механизмите за нивно испитување и заштита од ревиктимизација. Воедно, се посветува внимание и на жртвите на родово-базирано и семејно насилство како категорија која бара засилен процесен третман. Понатаму, трудот ја испитува можноста за нормативно уредување на задолжително доказно рочиште заради давање исказ на посебно ранливите жртви, како инструмент за обезбедување процесен континуитет на исказот на жртвата. Целта на истражувањето е унапредување на процесниот закон преку формулирање на законодавни предлози во насока на зајакнување на процесните гаранции за заштитата на посебно ранливите жртви.

Клучни зборови: *кривична постапка, процесен континуитет, ревиктимизација, процесни гаранции.*

LEGAL REGIME FOR COMPENSATION FOR DAMAGE TO A THIRD PARTY PARTICIPANT (PASSENGER OR PEDESTRIAN) IN A TRAFFIC ACCIDENT IN REPUBLIC OF NORTH MACEDONIA AND REPUBLIC OF SERBIA

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Abstract

The legal regime in the Republic of North Macedonia for compensation of damage to a third party participant (passenger or pedestrian) in a traffic accident, in accordance with the ZOO, prescribed strict and joint liability of motor vehicle owners for the damage suffered by third parties who have suffered damage in a traffic accident in which motor vehicles participated. Comparatively speaking, the Macedonian preventive regime that applies to these obligatory legal relations is almost identical to the Serbian legal regime and what is stated for one also applies to the other.

The injured third party participant in the traffic accident can also exercise his right to compensation of damage from the owners of motor vehicles directly from the insurance company where the owner or user of the motor vehicle concluded a contract for compulsory insurance with the insurance company before putting the vehicle into traffic, in accordance with the provisions of the ZZOS or the Serbian ZOS.

As with the motor third party liability act and under the Serbian motor third party liability act, the injured third party is protected even when the damage is caused by a driver of an uninsured or unknown motor vehicle and is compensated by the Bureau (Guarantee Fund) or by an insurance company.

From a comparative point of view, the Macedonian and Serbian legal regimes regulated by the motor third party liability act and the Serbian motor third party liability act generally prescribe similar legal provisions, with certain differences, such as in the minimum amounts of motor third party liability insurance for damages caused to third parties, the Serbian motor third party liability act also recognizes small damage up to the amount of 1,000 euros in dinar equivalent and in these cases the deadlines for action by insurance companies are shorter.

Keywords: *dangerous object, motor vehicle owner, strict liability, joint liability, insurance company.*

ПРАВЕН РЕЖИМ ЗА НАДОМЕСТ НА ШТЕТА НА ТРЕТО ЛИЦЕ УЧЕСНИК (СОПАТНИК ИЛИ ПЕШАК) ВО СООБРАЌЈНА НЕСРЕЌА ВО ПРАВОТО НА РЕПУБЛИКА СЕВЕРНА МАКЕДОНИЈА И РЕПУБЛИКА СРБИЈА

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Апстракт

Правниот режим во Република Северна Македонија за надомест на штета на трето лице учесник (сопатник или пешак) во сообраќајна несреќа, согласно ЗОО, пропишал објективна и солидарна одговорност на имателите на моторни возила за штетата што ќе ја претрпат трети лица на кои им е причинета штета во сообраќајната несреќа во која учествувале моторните возила. Компаративно гледано македонскиот превен режим кој се однесува на овие облигационо - правни односи е речиси идентичен со српскиот правен режим и тоа што е наведено за едниот важи и за другиот.

Оштетеното трето лице учесник во сообраќајната несреќа своето право на надомест на штета од имателите на моторни возила може да го остварува и директно од друштвото за осигурување каде сопственикот односно корисникот на моторното возило склучил договор за задолжително осигурување со друштво за осигурување пред да го пушти превозното средство во сообраќај, согласно одредбите од ЗЗОС или од српскиот ЗООС.

Како со ЗЗОС и според српскиот ЗООС оштетеното трето лице е заштитено и кога штетата е предизвикана од возач на неосигурано или непознато моторно возило и истата се надоместува од страна на Бирото (Гарантниот фонд) односно од друштво за осигурување.

Од компаративна гледна точка македонскиот и српскиот правен режим уредени со ЗЗОС и со српскиот ЗООС генерално пропишуваат слични законски одредби, со одредени разлики, како на пример во минималните суми на осигурување од автомобилска одговорност за штети причинети на трети лица, српскиот ЗООС познава и мала штета до износ од 1.000 евра во динарска противвредност и во овие случаи роковите за постапување на друштвата за осигурување се пократки.

Клучни зборови: опасен предмет, имател на моторно возило, објективна одговорност, солидарна одговорност, друштво за осигурување.

PRESIDENTIAL PARDON OF THE PRESIDENT GJORGE IVANOV FROM THE PERSPECTIVE OF THE CONSTITUTIONAL LAW OF THE REPUBLIC OF NORTH MACEDONIA

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Abstract

Presidential pardons constitute a constitutional category recognized in almost all constitutions around the world. In the Republic of North Macedonia, this power falls within the competences of the President of the Republic. The content and implementation of this legal institution are regulated by a special law, as well as by several legal provisions in the Criminal Code.

This paper examines the Presidential Pardon from the perspective of the constitutional law of the Republic of North Macedonia, with particular emphasis on the paradox arising from the pardons granted by the fourth President, Gjorge Ivanov. On 12 April 2016, relying on the Constitution as the highest legal act, he issued a decision granting pardons based on Article 1 and 11 of the Law on Pardons, that is, on a provision that had been repealed in 2009 through legal amendments and supplements adopted by the Assembly. Following significant public reaction to the granted pardons, the political authorities were compelled, later that same year and for political reasons, to reinstate the relevant provision by introducing a new article into the law, namely Article 11-a.

Through this paper, and by means of scientific legal analysis, we aim to clarify the dilemmas and differing legal interpretations related to this case by examining relevant legal acts and decisions of the Constitutional Court of the Republic of North Macedonia.

Keywords: *Constitution, law, Presidential Pardon, decision, President of the Republic.*

PSYCHOLOGICAL VIOLENCE AT WORK: CHALLENGES OF IDENTIFICATION AND PREVENTION

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Abstract

Psychological violence at work is increasingly recognized as a serious occupational safety, public health and human rights issue. This paper examines the legal definition, identification challenges and preventive framework of psychological violence in the workplace in Lithuania, situating the national approach within European Union and international labour standards, primarily the International Labour Organization Violence and Harassment Convention No. 190 (2019). Lithuania has rapidly built a dedicated regime as of 1 November 2022, the Labour Code expressly defined mobbing, violence and harassment, including gender-based violence and harassment, and imposed prevention duties on employers; amendments to Article 30, in force from 1 January 2025, extended these obligations and were complemented by the binding Description of Measures to Prevent Violence and Harassment at Work (Order No. EV-221) and by stricter administrative liability under the Code of Administrative Offences. Despite this development, identification remains difficult because of the subjective nature of the conduct, broad and overlapping definitions, evidentiary problems and limited case law. The number of established breaches of Article 30 recorded by the State Labour Inspectorate rose by roughly 48% in 2025 (from 122 to 181). Drawing on doctrinal analysis, comparative literature and empirical studies of Lithuanian organizations, the paper argues that effective prevention requires not only adequate regulation but also workplace risk assessment, mandatory training, internal reporting procedures and victim assistance. The paper further examines the allocation of the burden of proof, the practical role of the State Labour Inspectorate and the Labour Disputes Commissions, emerging administrative and judicial practice, and briefly situates Lithuania's approach against the regulatory choices made in few European Union countries. Lithuania has thus moved from a fragmented to a comprehensive regulatory model, yet implementation deficits, low awareness and limited interpretative guidance continue to undermine the protective potential of the law.

Keywords: *psychological violence, mobbing, workplace harassment, Lithuanian Labour Code, prevention, ILO Convention No. 190.*

THE ROLE OF THE DYSFUNCTIONAL FAMILY AS AN EXOGENOUS CRIMINOGENETIC FACTOR IN THE PROCESS OF CRIMINOGENESIS: A CRIMINOLOGY ANALYSIS WITH RESPECT TO A SPECIFIC CASE

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Abstract

Criminal behavior represents a complex social phenomenon whose etiology has been the subject of continuous scientific research within the field of criminology. In this context, particular importance is attributed to exogenous criminogenic factors that originate from the social environment and significantly influence the process of criminogenesis. The aim of this paper is to analyze the role of exogenous factors in the formation and development of criminal behavior, with particular emphasis on the influence of family environment, socio-economic conditions, social disorganization, and broader social circumstances. The paper is based on the analysis of relevant criminological literature and the application of descriptive and analytical research methods. Through a theoretical elaboration of criminological concepts and the analysis of selected practical examples, the study seeks to determine how exogenous criminogenic factors contribute to the emergence of criminal behavior in individuals. The results indicate that the social environment represents a significant determining factor in the process of criminogenesis, where various social and environmental influences may stimulate or facilitate the occurrence of criminal behavior.

Keywords: *criminogenesis, exogenous criminogenic factors, criminological etiology, criminal behavior, social environment, social deviance.*

УЛОГАТА НА ДИСФУНКЦИОНАЛНОТО СЕМЕЈСТВО КАКО ЕГЗОГЕН КРИМИНОГЕН ФАКТОР ВО ПРОЦЕСОТ НА КРИМИНОГЕНЕЗАТА: КРИМИНОЛОШКА АНАЛИЗА СО ОСВРТ НА КОНКРЕТЕН СЛУЧАЈ

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Апстракт

Криминалното однесување претставува сложен општествен феномен чија етиологија е предмет на континуирани научни истражувања во рамките на криминологијата. Во тој контекст, посебно значење имаат егзогените криминогени фактори, кои произлегуваат од социјалната средина и имаат значајно влијание врз процесот на криминогенеза. Целта на овој труд е да ја анализира улогата на егзогените фактори во формирањето и развојот на криминалното однесување, со посебен акцент на влијанието на семејната средина, социоекономските услови, социјалната дезорганизација и пошироките општествени околности. Трудот се заснова на анализа на релевантна криминолошка литература, како и на примена на методи на дескриптивна и аналитичка научна анализа. Преку теоретска елаборација на криминолошките концепти и анализата на конкретни примери од практиката, се настојува да се утврди на кој начин егзогените криминогени фактори придонесуваат за формирањето на криминално однесување кај поединецот. Резултатите од истражувањето укажуваат дека социјалната средина претставува значаен детерминирачки фактор во процесот на криминогенеза, при што различните општествени и средински влијанија можат да ја поттикнат или да ја олеснат појавата на криминално однесување.

Клучни зборови: криминогенеза, егзогени криминогени фактори, криминолошка етиологија, криминално однесување, социјална средина, социјална девијација.

THE EVOLUTION OF SELF-DETERMINATION: FROM LIBERATION FROM EXTERNAL DOMINATION TO INTERNAL POLITICAL INCLUSION

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Abstract

This paper examines the evolution of the concept of self-determination, from its political and ideological formulations by Lenin and Wilson to its development into one of the fundamental principles, and subsequently a right, within the United Nations system. The author analyses relevant international standards and good practices concerning self-determination, as well as the scholarly literature and the views of relevant scholars, with the aim of identifying and critically examining the principal interpretations and contemporary dimensions of self-determination, with particular emphasis on its internal dimension. The paper explores the thesis that power-sharing constitutes an important institutional mechanism for transforming self-determination from a principle of liberation from external domination into a concept of internal political inclusion. In this regard, it examines how power-sharing mechanisms contribute to the realization of internal self-determination in multicultural and deeply divided societies. Drawing on relevant international instruments and comparative examples of the devolution of power, the paper analyses how different institutional models contribute to the creation of systems of governance that ensure the effective participation of communities and groups in political and social life, as a prerequisite for peace and stability in multi-ethnic and multicultural societies. The paper concludes that internal self-determination represents an evolutionary approach that seeks to reconcile the need to preserve the territorial integrity of states with the demands for democratic participation and the protection of diversity, thereby reducing the risk of secession and potential ethnic conflict.

Keywords: *self-determination; internal self-determination; power-sharing.*

ЕВОЛУЦИЈАТА НА САМООПРЕДЕЛУВАЊЕТО, ОД ОСЛОБОДУВАЊЕ ОД НАДВОРЕШНА ДОМИНАЦИЈА ДО ВНАТРЕШНА ПОЛИТИЧКА ИНКЛУЗИЈА

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Апстракт

Овој труд го анализира самоопределувањето од неговите политичко идеолошките формулациите од страна на Ленин и Вилсон, до неговиот развој во едно од основните начела и потоа како право, во рамки на системот на Обединетите нации. Авторот ги анализира релевантните меѓународно стандарди и добри практики во областа на самоопределување, како научната литература и ставовите на релевантни автори со цел идентификација и критички осврт на главните толкувања и современите аспекти на самоопределувањето, со посебен фокус на неговата внатрешна димензија. Трудот ја испитува тезата дека поделбата на моќта претставува значаен институционален механизам за трансформација на самоопределувањето од принцип на ослободување од надворешна доминација во концепт на внатрешна политичка инклузија. Во таа насока, тој го разгледува прашањето како механизмите на поделба на моќта придонесуваат кон реализацијата на внатрешното самоопределување во мултикултурните и поделени општества. Преку релевантни меѓународни документи и компаративни примери на деволюција на власта се анализира како различните институционални модели придонесуваат во креирањето на системи на власт кој би обезбедиле ефективно учество на заедниците и групите во политичкиот и општествен живот, како предуслов за мир и стабилност во мултиетничките и мултикултурните културните општества. Заклучокот укажува дека внатрешното самоопределување претставува еволутивен пристап кој настојува да ја усогласи потребата за зачувување на територијален интегритет на државите со барањата за демократска партиципација и заштита на различностите, со што се намалува ризикот од сецесија и можни етнички конфликти.

Клучни зборови: Самоопределување, внатрешно самоопределување, поделба на моќ.

CHALLENGES IN THE RECOGNITION AND ENFORCEMENT OF INTRA-EU ARBITRAL AWARDS

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Abstract

Within the European Union, the recognition and enforcement of arbitral awards rendered on the basis of intra-EU investment agreements are facing significant limitations. Member States increasingly rely on EU law in order to challenge the recognition and enforcement of awards rendered in intra-EU investment disputes, particularly following the judgment in *Achmea B.V. v. The Slovak Republic*.

Through an analysis of relevant case law, this paper examines the practical consequences that this development has on the recognition and enforcement of arbitral awards rendered in intra-EU investment disputes. In doing so, the paper also highlights the differences in the approach to the enforcement of arbitral awards between courts within the European Union and courts in third States.

The paper does not aim to assess the legitimacy of this practice. Instead, it contributes to the broader debate on whether European investors investing within the EU continue to have access to effective mechanisms of investment protection within the EU legal framework.

Keywords: *Investment Arbitration; Intra-EU Investment Disputes; Energy Charter Treaty; Recognition and Enforcement of Arbitral Awards; EU law.*

ПРЕДИЗВИЦИ ПРИ ПРИЗНАВАЊЕ И ИЗВРШУВАЊЕ НА ИНТРА-ЕУ АРБИТРАЖНИ ОДЛУКИ

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Апстракт

Во рамките на Европската Унија, признавањето и извршувањето на арбитражни одлуки донесени врз основа на интра-ЕУ инвестициски договори се предмет на значителни ограничувања. Државите членки сè почесто се повикуваат на правото на Унијата за да го оспорат признавањето и извршувањето на одлуките донесени во интра-ЕУ инвестициски спорови, особено по пресудата *Achmea*. Преку анализа на релевантна судска пракса, трудот ги разгледува практичните последици што ваквиот развој ги има врз признавањето и извршувањето на арбитражните одлуки донесени во рамките на интра-ЕУ инвестициските спорови. Воедно, трудот укажува и на разликите во пристапот кон извршувањето на арбитражните одлуки помеѓу судовите во рамките на ЕУ и судовите во трети држави. Трудот нема за цел да ја оценува оправданоста на ваквата практика. Наместо тоа, трудот придонесува кон пошироката дебата за тоа дали европските инвеститори кои инвестираат во ЕУ имаат можности за ефективни механизми за заштита во рамки на ЕУ.

Клучни зборови: *Инвестициска арбитража, интра-ЕУ инвестициски спорови; Договор за енергетска повелба; Признавање и извршување на арбитражни одлуки; право на ЕУ.*

ABUSE OF SELF-DEFENCE UNDER ARTICLE 51 OF THE UN CHARTER: LEGAL BOUNDARIES AND GLOBAL CONSEQUENCES

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Abstract

The right to self-defence under Article 51 of the UN Charter constitutes one of the fundamental norms of public international law. However, in recent decades its interpretation and application have increasingly been subject to abuse by states seeking to legitimise the use of force. This paper analyses selected cases of such abuse (e.g. military actions of the United States, Russia's actions in Ukraine since 2014/2022, and selected operations in the Middle East) and argues that the misuse of self-defence not only undermines the prohibition of the use of force (Art. 2(4) UN Charter), but may also contribute to broader social changes on a global scale.

Beyond legal implications, the paper explores the broader social consequences that may arise from such developments, including mass forced migrations, delegitimisation of international law, erosion of trust in global institutions, societal polarisation, and the shift from “security through law” to “security through force.” It argues that these developments may contribute to a feedback loop between legal erosion and social processes.

The paper argues that the ongoing broadening of Article 51 contributes to the fragmentation of the post-1945 international order. It concludes with *de lege ferenda* considerations aimed at reinforcing procedural and substantive safeguards to preserve the balance embedded in the UN Charter.

Keywords: *right to self-defence, abuse of international law, global social changes, collective security, use of force.*

THE ROLE OF ELECTORAL PROGRAMS AND CAMPAIGNS IN THE EROSION OF DEMOCRACY IN CONTEMPORARY EUROPE

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Abstract

Contemporary democracies are increasingly facing challenges related to populist mobilization, the radicalization of political discourse, and the gradual weakening of democratic institutions. In this context, electoral programs and election campaigns do not represent merely instruments of political competition and democratic legitimization, but also important mechanisms through which political values, public perceptions, and attitudes toward democratic principles are shaped.

The research is based on a qualitative and comparative approach, with primary application of the document analysis method. The analysis includes electoral programs, political campaigns, public political statements, and institutional changes related to electoral processes in Hungary, Turkey, Italy, and Austria during the period from 2010 to 2024.

The findings of the analysis indicate that electoral programs and campaigns can have different effects on the democratic order, depending on the institutional context and democratic political culture. In certain cases, electoral legitimacy is used as a mechanism for concentration of political power and weakening of checks and balances, while in other cases undemocratic tendencies are manifested primarily through the radicalization of political discourse and the normalization of exclusionary political narratives.

The paper concludes that electoral programs and campaigns are not neutral democratic instruments, but may represent a significant factor in the processes of democratic erosion and institutional transformation. In this regard, the research contributes to the contemporary academic debate on the relationship between electoral legitimacy, political communication, and the stability of democracy.

Keywords: *electoral programs, election campaigns, democratic erosion, political communication, populism, illiberal democracy, electoral authoritarianism, democratic institutions.*

УЛОГАТА НА ИЗБОРНИТЕ ПРОГРАМИ И ИЗБОРНИТЕ КАМПАЊИ ВО ЕРОЗИЈАТА НА ДЕМОКРАТИЈАТА ВО СОВРЕМЕНА ЕВРОПА

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Апстракт

Современите демократии се почесто се соочуваат со предизвици поврзани со популистичката мобилизација, радикализацијата на политичкиот дискурс и постепеното слабеење на демократските институции. Во таков контекст, изборните програми и изборните кампањи не претставуваат само средство за политичка конкуренција и демократска легитимација, туку и важен механизам преку кој се обликуваат политичките вредности, јавната перцепција и односот кон демократските принципи.

Истражувањето се базира на квалитативен и компаративен пристап, со примарна примена на методот на анализа на документи. Анализата опфаќа изборни програми, политички кампањи, јавни политички изјави и институционални промени поврзани со изборните процеси во Унгарија, Турција, Италија и Австрија во периодот од 2010 до 2024 година.

Резултатите од анализата покажуваат дека изборните програми и кампањи можат да имаат различни ефекти врз демократскиот поредок, во зависност од институционалниот контекст и демократската култура. Во одредени случаи, изборната легитимност се користи како средство за концентрација на политичката моќ и слабеење на механизмите на контрола и баланс, додека во други случаи недемократските тенденции се манифестираат првенствено преку радикализација на политичкиот дискурс и нормализирање на исклучувачки политички наративи.

Трудот заклучува дека изборните програми и кампањи не се неутрални демократски инструменти, туку можат да претставуваат значаен фактор во процесите на демократската ерозија и институционалната трансформација. Во таа насока, истражувањето придонесува кон современата научна дебата за односот помеѓу изборната легитимност, политичката комуникација и стабилноста на демократијата.

Клучни зборови: изборни програми, изборни кампањи, демократска ерозија, политичка комуникација, популизам, нелиберална демократија, изборен авторитаризам, демократски институции.

CORPORATE DUE DILIGENCE FOR RESPONSIBLE BUSINESS CONDUCT: ANALYSIS OF THE EU CORPORATE SUSTAINABILITY DUE DILIGENCE DIRECTIVE 2024/1760

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Abstract

The adoption of the EU Corporate Sustainability Due Diligence Directive (CSDDD) in 2024 marks a significant step forward in the efforts to establish mandatory legal obligations for companies to respect human rights and the environment. This paper analyses the normative framework of Directive 2024/1760, with a particular focus on its key elements: the personal and material scope, the concept of corporate due diligence and its key steps, transparency and reporting mechanisms, and the civil liability regime. The paper further examines the substantial amendments introduced by the so-called Omnibus I package (Directive 2026/470), which considerably narrowed the personal scope, reduced the intensity of due diligence obligations, and fragmented the civil liability framework. Notwithstanding these setbacks, the paper argues that the CSDDD represents a fundamental normative advancement in the institutionalisation of corporate human rights accountability, with the potential to transform corporate governance towards more responsible and sustainable business conduct.

Keywords: *due diligence, company, CSDDD, human rights, sustainable business conduct.*

КОРПОРАТИВНО ДОЛЖНО ВНИМАНИЕ ЗА ОДРЖЛИВО ДЕЛОВНО РАБОТЕЊЕ: АНАЛИЗА НА НОРМАТИВНАТА РАМКА НА ДИРЕКТИВАТА 2024/1760

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Апстракт

Усвојувањето на Директивата на ЕУ (2024/1760) за должно внимание за одржливо деловно работење (CSDDD) во 2024 година претставува значаен напредок во напорите за воспоставување на задолжителни правни обврски за трговските друштва во областа на почитувањето на човековите права и заштитата на животната средина. Овој труд ја анализира нормативната рамка на Директивата 2024/1760, со посебен акцент на нејзините клучни елементи: персоналниот и материјалниот опфат, концептот на корпоративно должно внимание и неговите клучни елементи, механизмите за транспарентност и известување, како и режимот на граѓанско-правна одговорност. Истовремено, трудот ги анализира и значителните измени и дополнувања направени со т.н. Омнибус 1 пакет (Директивата 2026/470), кои во голема мера го стеснија персоналниот опфат, го намалија интензитетот на обврските за должно внимание и го фрагментираа режимот на граѓанска одговорност. И покрај овие отстапувања, трудот застапува став дека Директивата претставува фундаментален нормативен напредок во институционализацијата на корпоративната одговорност за почитување на човековите права, со потенцијал да го трансформира корпоративното управување кон поодговорно и одржливо деловно работење.

Клучни зборови: *должно внимание, трговско друштво, Директива 2024/1760, човекови права, одржливо деловно работење.*

THE CENTRE FOR SOCIAL CARE AS A LIFETIME SUPPORT PROVIDER – POSSIBILITY VERSUS PRACTICAL APPLICATION

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Abstract

The lifetime support contract represents a legal mechanism through which long-term care can be provided to persons who, due to old age, frailty, or other circumstances, require support. Macedonian legislation provides for the possibility of the Center for Social Care assuming the role of a provider of maintenance, thereby giving this traditionally private-law institution a social protection function as well.

The aim of this research is to analyze the application of this legal solution in practice and to identify the reasons for its limited use. The analysis is based on the normative method, as well as on empirical data obtained through requests for access to public information submitted to the Centers for Social Care in the Republic of North Macedonia and through semi-structured interviews with representatives of relevant institutions.

The results demonstrate a significant gap between the possibility provided for by law and its practical application. The number of agreements concluded in which the Center for Social Care acts as a provider of maintenance is relatively low, while practice indicates several normative and institutional challenges that limit the application of this legal institution.

The research points to the need for more precise normative regulation and the creation of conditions for more effective practical implementation of this model as a mechanism for the protection of older persons.

Keywords: *lifetime support contract, Center for Social care, lifetime support provider, elderly persons, social protection.*

ЦЕНТАРОТ ЗА СОЦИЈАЛНА РАБОТА КАКО ДАВАТЕЛ НА ИЗДРШКА – ЗАКОНСКА МОЖНОСТ НАСПРОТИ ПРАКТИЧНАТА ПРИМЕНА

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Апстракт

Договорот за доживотна издршка претставува правен механизам преку кој може да се обезбеди долгорочна грижа на лица кои поради старост, изнемоштеност или други околности имаат потреба од поддршка. Македонското законодавство предвидува можност Центарот за социјална работа да се јави во улога на давател на издршка, со што на овој традиционално приватноправен институт му се дава и социјално-заштитна функција.

Целта на истражувањето е да се анализира примената на ова законско решение во практиката и да се утврдат причините за неговата ограничена застапеност. Анализата се заснова на нормативниот метод, како и на емпириски податоци добиени преку барања за слободен пристап до информации од јавен карактер доставени до Центрите за социјална работа во Република Северна Македонија и преку полуструктурирани интервјуа со претставници на релевантните институции.

Резултатите покажуваат значителна разлика помеѓу нормативно предвидената можност и нејзината практична примена. Бројот на склучени договори во кои Центарот за социјална работа се јавува како давател на издршка е релативно низок, а практиката укажува на повеќе нормативни и институционални предизвици кои ја ограничуваат примената на овој институт.

Истражувањето укажува на потребата од попрецизно нормативно уредување и создавање услови за поефикасна практична примена на овој модел како механизам за заштита на старите лица.

Клучни зборови: договор за доживотна издршка, Центар за социјална работа, давател на издршка, стари лица, социјална заштита.

ADEQUACY DECISIONS UNDER THE GDPR AND ACCESS TO EU DATA: LIMITS FOR THIRD COUNTRIES IN THE AGE OF AI

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Abstract

Cross-border data transfers have become a central element of the global digital economy, particularly in the context of artificial intelligence, which relies on access to large and diverse datasets. Within the European Union, such transfers are regulated under the General Data Protection Regulation, which permits transfers to third countries primarily on the basis of adequacy decisions under Article 45. This paper examines the role of adequacy decisions as a mechanism for enabling access to EU personal data and analyses the challenges faced by third countries in meeting the required standard of protection. It focuses on the concept of “essential equivalence” and the legal and institutional conditions that must be fulfilled in order to obtain adequacy status. The paper adopts a doctrinal approach, based on the analysis of EU legal sources and relevant case law, and situates these findings within the broader context of global data flows. It argues that the adequacy framework sets a high and complex threshold, which is difficult to meet in practice, particularly for countries with developing regulatory systems. In the context of AI development, this may limit access to data and affect the ability of third countries to participate in data-driven innovation, thereby influencing the structure of global data flows.

Keywords: *Adequacy Decisions, Data Transfers, GDPR, Artificial Intelligence, Third Countries.*

THE “FLY AND ANALYSE” PARADOX: PROFESSIONAL SOCIALIZATION AND DIGITAL EDUCATION GAPS AMONG FUTURE FIRE OFFICERS

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Abstract

Modern emergency services are undergoing a rapid digital transformation, yet the effectiveness of this process depends heavily on the competencies of future officers. This paper analyses the results of a survey conducted among 177 cadets of the Polish State Fire Service (PSP) regarding their perception of IT tools. The study reveals a significant technological paradox: while students exhibit high enthusiasm for innovative solutions – naming advanced drones and Artificial Intelligence (AI) as the most promising tools – their self-assessed knowledge of fundamental systems, such as Geographic Information Systems (GIS), remains alarmingly low (average score of 2.15/5.0). The author argues that the professional socialization process in fire academies does not diminish technological enthusiasm but rather realizes it. Cadets increasingly recognize that effective firefighting in the 21st century requires more than just tools. It demands mastery of complex, data-heavy systems such as GIS and Command Support Systems (SWD-ST). However, the results indicate a clear educational gap: cadets “want to fly and analyse”, yet they lack the digital cartography fundamentals necessary to utilize such data. These findings serve as a critical signal for decision-makers to reform the curriculum by shifting from theoretical lectures to integrated practical workshops and simulations. Without strengthening these digital foundations, even the most advanced hardware will remain underutilized in the field.

Keywords: *GIS, education, professional socialization, state fire service.*

INCLUSIVE COMMUNICATION IN HEALTHCARE: PERSPECTIVES OF PEOPLE WHO STUTTER AND PROFESSIONALS

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Abstract

Inclusive communication in healthcare is a significant dimension of contemporary social transformation, influencing the quality of relationships between patients and healthcare professionals and the level of equity in access to healthcare services. This study examines the mutual attitudes and communication practices of adults who stutter and healthcare professionals. The study is exploratory and draws on empirical material from 10 individual in-depth interviews conducted between December 2025 and February 2026. The sample selection was purposive and comprised two groups: adults who stutter and representatives of the medical community, including physicians of various specialties, a laboratory diagnostician, and a physiotherapist. Data analysis was conducted according to the principles of thematic analysis. The results indicate that communication relationships between the studied groups are shaped by a complex system of cognitive, emotional, and behavioural attitudes. Healthcare professionals often adopt an overly cautious approach, leading to simplified communication. At the same time, people who stutter report using a variety of adaptive strategies that allow them to function within the healthcare system, although this does not eliminate the experience of communication barriers or subtle forms of stigmatization. The analysis also reveals discrepancies in the assessment of communication competences between the two sides and indicates insufficient preparation of medical personnel to work with patients with diverse communication needs. The results emphasize the importance of developing inclusive communication competences as part of the professionalization of medical education. Systematic training in this area can help strengthen patients' sense of empowerment and build more collaborative relationships in healthcare.

Keywords: *inclusive communication, stuttering, healthcare, thematic analysis, qualitative research, stigmatization.*

PROCEDURAL ASPECTS OF COMBATING DRUG TRAFFICKING: PRE-INVESTIGATION AND INVESTIGATION PROCEDURES UP TO THE FILING OF A CRIMINAL COMPLAINT IN THE REPUBLIC OF NORTH MACEDONIA

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Abstract

This paper analyzes the procedural aspects of combating illicit drug trafficking in the Republic of North Macedonia, with particular emphasis on the pre-investigation and investigation proceedings leading up to the submission of a criminal complaint. Drug trafficking constitutes a complex form of organized crime with an international dimension, posing serious threats to public security, social stability, and the rule of law. The paper examines the legal and institutional framework governing the activities of the police authorities, the Public Prosecutor's Office, and other competent institutions in the detection, investigation, and prosecution of drug-related criminal offenses. Particular attention is paid to the collection of initial information and evidence, the application of special investigative measures, forensic examinations, as well as the role of interinstitutional and international cooperation.

The research employs the normative-legal, analytical, and comparative methods. The normative-legal method is used to analyze the relevant legal framework governing the prevention, detection, investigation, and prosecution of drug trafficking in the Republic of North Macedonia, with particular emphasis on the procedural powers and responsibilities of the competent authorities. The analytical method is applied to examine the procedural and institutional aspects of the actions undertaken, including the collection and assessment of initial information and evidence, as well as the role of the police and the Public Prosecutor's Office. Particular attention is devoted to a critical analysis of existing procedural and institutional practices, including the challenges arising from insufficient technical and human resources. The comparative method enables an assessment of the national framework in relation to relevant European and international standards, particularly with regard to institutional cooperation, modern investigative techniques, and the protection and admissibility of evidence. In addition, the paper analyzes practical challenges affecting the efficiency of criminal proceedings, such as insufficient technical capacities, a lack of specialized training and qualified personnel, and the increasing use of digital technologies by criminal organizations. Based on the findings, the paper proposes strengthening digital forensic capacities, harmonizing legal standards, enhancing institutional coordination, and promoting the broader application of modern investigative techniques.

Keywords: *drug trafficking, pre-investigation procedure, investigation procedure, the police, Public prosecution.*

ПРОЦЕСНИ АСПЕКТИ НА СУЗБИВАЊЕТО НА ТРГОВИЈАТА СО ДРОГА: ПРЕДИСТРАЖНА И ИСТРАЖНА ПОСТАПКА ДО КРИВИЧНА ПРИЈАВА ВО РЕПУБЛИКА СЕВЕРНА МАКЕДОНИЈА

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Апстракт

Во овој труд се анализира процесните аспекти на сузбивањето на недозволената трговија со дрога во Република Северна Македонија, со посебен акцент на предистражната и истражната постапка до поднесувањето на кривичната пријава. Трговијата со дрога претставува сложена форма на организиран криминал со меѓународна димензија, која создава сериозни закани за јавната безбедност, општествената стабилност и правниот поредок. Во трудот се анализираат правната и институционалната рамка со која се уредуваат активностите на полициските органи, Јавното обвинителство и другите надлежни институции во откривањето, истражувањето и гонењето на кривичните дела поврзани со дрога. Детално се разгледуваат прибирањето на првичните информации и докази, примената на посебните истражни мерки, форензичките вештачења, како и улогата на меѓуинституционалната и меѓународната соработка. Во истражувањето се применуваат нормативно-правниот, аналитичкиот и компаративниот метод. Нормативно-правниот метод се користи за анализа на релевантната правна рамка, со која се уредуваат спречувањето, откривањето, истрагата и кривичното гонење на трговијата со дрога во Република Северна Македонија, со посебен акцент на процесните овластувања и одговорности на надлежните органи, аналитичкиот метод за разгледување на процесните и институционалните аспекти на постапувањето вклучително и прибирањето и оценувањето на првичните информации и докази како и улогата на полицијата и Јавното обвинителство, особено внимание се посветува на критичката анализа на постојните процесни и институционални практики, вклучително и на предизвиците што произлегуваат од недоволните технички и човечки капацитети, додека компаративниот метод овозможува согледување на националната рамка во однос на релевантните европски и меѓународни стандарди, особено во поглед на институционалната соработка, современите истражни техники, како и заштитата и допуштеноста на доказите. Дополнително, се анализираат практичните предизвици кои влијаат врз ефикасноста на кривичната постапка, како што се недоволните технички капацитети, недостатокот на специјализирана обука и стручен кадар, како и сè поголемата употреба на дигиталните технологии од страна на криминалните организации. Врз основа на добиените наоди, се предлага унапредување на капацитетите за дигитална форензика, усогласување на правните стандарди, зајакнување на институционалната координација и поширока примена на современи истражни техники.

Клучни зборови: трговија со дрога, предистражна постапка, истражна постапка, полиција, јавно обвинителство.

EVICTIMOLOGY OF ROMA COMMUNITIES: CRIMINAL LAW DIMENSIONS OF ANTIGYPSYISM AND INSTITUTIONAL VICTIMIZATION

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Abstract

This paper examines the victimology of Roma communities through the lens of criminal law, with particular emphasis on antigypsyism as a structural factor of victimization. The research aims to analyze the position of Roma individuals as victims of hate crimes, discriminatory practices, and institutional violence, as well as their treatment within the criminal justice system.

The study distinguishes between primary victimization (resulting from hate-motivated criminal acts), secondary victimization (occurring during criminal proceedings), and structural or institutional victimization arising from systemic inequalities and entrenched prejudice. It explores the existing legal framework for victim protection, the application of bias-motivated aggravating circumstances, and the effectiveness of institutions in ensuring equal legal protection.

Special attention is given to whether the current criminal law framework adequately recognizes antigypsyism as a specific motive underlying victimization and whether institutional practices contribute to reducing or perpetuating the marginalization of Roma communities.

The objective of the paper is to provide a systematic analysis of the victimological position of Roma within the criminal justice system and to propose recommendations for strengthening legal and institutional safeguards aimed at preventing repeated and institutional victimization.

Keywords: *Roma, Victimology, Discrimination, Victimization, Prejudice.*

ВИКТИМОЛОГИЈА НА РОМИТЕ: КРИВИЧНО-ПРАВНИ ДИМЕНЗИИ НА АНТИЦИГАНИЗМОТ И ИНСТИТУЦИОНАЛНАТА ВИКТИМИЗАЦИЈА

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Апстракт

Овој труд ја разгледува виктимологијата на Ромите низ призма на кривичното право, со посебен фокус на антициганизмот како структурен фактор на виктимизација. Истражувањето има за цел да ја анализира позицијата на Ромите како жртви на кривични дела од омраза, дискриминаторски практики и институционално насилство, како и нивната положба во рамките на кривично-правниот систем.

Трудот прави дистинкција помеѓу примарна виктимизација (како последица на кривични дела мотивирани од омраза), секундарна виктимизација (која може да настане во текот на кривичната постапка) и структурна или институционална виктимизација, која произлегува од системски нееднаквости и предрасуди. Се анализираат нормативните механизми за заштита на жртвите, примената на отежнителни околности поврзани со мотив на омраза, како и ефективноста на институциите во обезбедување еднаква правна заштита.

Особено внимание се посветува на прашањето дали постојната кривично-правна рамка обезбедува адекватна препознаеност на антициганизмот како специфичен мотив за виктимизација и дали практиката на надлежните органи придонесува кон намалување или продлабочување на маргинализацијата на ромската заедница.

Целта на трудот е да понуди систематска анализа на виктимолошката позиција на Ромите во кривично-правниот систем и да предложи насоки за унапредување на законската и институционалната заштита во насока на спречување на повторена и институционална виктимизација.

Клучни зборови: *Роми, Виктимологија, Дискриминација, Виктимизација, Предрасуди.*

STRENGTHENING EUROPEAN CONSTITUTIONAL IDENTITY IN THE MEMBER STATES OF THE EUROPEAN UNION THROUGH THE APPLICATION OF THE PRINCIPLE OF SUPREMACY

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Abstract

The European Union has faced political, economic and institutional crises in recent decades which, in addition to their immediate consequences, have raised questions concerning the cohesion of the European legal order, the rule of law and the relationship between the Union and its Member States. In this context, the issue of European identity has acquired a distinct constitutional dimension that goes beyond the traditional understanding of identity as a sense of political, social or cultural belonging.

The paper examines European constitutional identity through the prism of the acceptance and application of the fundamental principles underpinning the legal order of the European Union. The research focuses on the principle of supremacy of EU law and its role in the process of building a common European constitutional identity within national legal orders. The underlying assumption is that the existence of a common European constitutional identity depends not only on the formal acceptance of common values and legal principles, but also on their effective recognition and application by national institutions, particularly national courts.

Hence, the paper seeks to determine whether and to what extent the principle of supremacy can serve as an instrument for strengthening European constitutional identity in the Member States, with particular attention being paid to the tension between the supremacy of EU law and the invocation of national constitutional identity, which reflects contemporary challenges in the relationship between European and national constitutionalism.

Keywords: *European constitutional identity, principle of supremacy, European Union law, national constitutional identity, rule of law.*

ЗАЈАКНУВАЊЕ НА ЕВРОПСКИОТ КОНСТИТУЦИОНАЛЕН ИДЕНТИТЕТ ВО ДРЖАВИТЕ ЧЛЕНКИ НА ЕВРОПСКАТА УНИЈА ПРЕКУ ПРИМЕНА НА ПРИНЦИПОТ НА СУПРЕМАТИЈА

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Апстракт

Европската Унија во изминатите децении се соочува со политички, економски и институционални кризи кои, покрај нивните непосредни последици, ги актуализираа прашањата за кохезијата на европскиот правен поредок, владеењето на правото и односот меѓу Унијата и нејзините држави членки. Во тој контекст, прашањето за европскиот идентитет добива и посебна конституционална димензија, која го надминува традиционалното разбирање на идентитетот како чувство на политичка, социјална или културна припадност.

Овој труд го разгледува европскиот конституционален идентитет низ призмата на прифаќањето и примената на основните принципи врз кои почива правниот поредок на Европската Унија. Во фокусот на истражувањето е принципот на супрематија на правото на ЕУ и неговата улога во процесот на градење заеднички европски конституционален идентитет во рамките на националните правни поредоци. Основната претпоставка е дека постоењето на заеднички европски конституционален идентитет не зависи единствено од формалното прифаќање на заедничките вредности и правни принципи, туку и од нивното ефективно признавање и примена од страна на националните институции, а особено националните судови.

Оттука, трудот настојува да утврди дали и во која мера принципот на супрематија може да претставува инструмент за зајакнување на европскиот конституционален идентитет во државите членки, при што посебно внимание се посветува на тензијата меѓу супрематијата на правото на ЕУ и повикувањето на националниот уставен идентитет, која ги одразува современите предизвици во односот меѓу европскиот и националниот конституционализам.

Клучни зборови: европски конституционален идентитет, принцип на супрематија, право на Европската Унија, национален уставен идентитет, владеење на правото.

FACTORS AND DYNAMICS OF SOCIAL CHANGES IN THE GLOBAL WORLD: IMPACT ON THE EUROPEAN UNION

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Abstract

This report examines the main factors – globalization and related digitization, demographic processes and migration – as well as the dynamics of social changes in the modern global world and their impact on the European Union. Emphasis is placed on the main challenges facing the EU and the need to adapt its policies to the changing global environment.

Keywords: *globalization, digitization, demographic pro-cesses, migration, European Union (EU)*