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PROJECT SUMMARY

FIELD	Protection of privacy rights
Project Title	Effective Justice to Protect the Fundamental Freedoms and Privacy of People in the On-line Space (EJPFPOS)
Type of Contract/ Category	2022/441-711
IPA Component/ (national or regional) Programming year	EIDHR Supporting a civil society through Country-Based Support Schemes in North Macedonia 2021
Lead applicant and co-applicants	Lead applicant: Center for Legal Research and Analysis (CLRA) Co-applicant: Macedonian Young Lawyers Association (MYLA)
Context/background	<p>The Constitution of the Republic of North Macedonia guarantees the right to privacy of individuals in the scope afforded by the European Convention for the Protection of Human Rights and Fundamental Freedoms. The country is also a signatory to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data 108/81. The new Law on Personal Data Protection (Official Gazette of the RNM No. 294/21) was adopted in February 2020 to align the national data protection legislation with the EU General Data Protection Regulation (GDPR) as the highest legal standard for personal data processing. Although the Personal Data Protection Agency (PDPA) has a primary authority in this area, to supervise the legality of the activities undertaken during the processing of personal data, as well as the protection of the fundamental rights and freedoms of individuals regarding processing of their personal data, the judiciary and public prosecution have significant role in the protection of human rights in the online space including privacy of people and personal data. The EU law requires that individuals must have the right to an effective judicial remedy for privacy violation and to bring their case before a court. In such circumstances it is more than necessary to ensure that the judiciary can keep the pace with the dynamics of the ICT related challenges related to privacy and data protection.</p> <p>The Academy for Judges and Public Prosecutors (AJPP) in its initial and continuous training programmes aims to strengthen the expertise of justice system institutions, however the training programmes do not include courses on protection of human rights in the on-line including privacy of people and personal data protection. There is a lack of research regarding capacity of the judiciary to protect the citizens' privacy as well as other rights and fundamental freedoms in the on-line space, which creates a gap for development of a policy framework and implementation of international standards effectively. Public debates and advocacies on the subject matter are at the level of CSOs or the Personal Data Protection Agency and there is limited collaboration on the subject among the main stakeholders in the field (judiciary, prosecution, PDPA, Ministry of Interior, Ministry of Justice, AJPP,</p>



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	<p>legal practitioners, and CSOs). The consequences if this problem is not addressed include barriers to those seeking remedies for violation of privacy rights, inability to meet the EU standards, distrust in the institutions, and a high rate of violations of fundamental rights in the online space.</p>
<p>Abstract (short project summary)</p>	<p>The overall objective of the action is to enhance the capacity of judiciary to protect citizens' privacy as well as other rights and fundamental freedoms affected by the new technologies in the on-line space in line with the EU regulation and standards.</p> <p>Overall, the project will benefit the final beneficiaries in the following way:</p> <ul style="list-style-type: none"> ▪ Citizens and vulnerable groups will be educated on how they can claim their rights before judicial institutions. ▪ AJPP will benefit from the training curricula developed and enhanced capacities to train judges and prosecutors to protect the privacy of the people in line with EU standards. ▪ Judges and Public Prosecutors will be trained to effectively adjudicate, investigate and prosecute the violation of privacy rights and human rights violations in the online space in line with the international standards. ▪ PDPA will benefit from the research and policy framework, capacity building and policy dialogue among the main stakeholders proposed with the action. ▪ Ministry of Interior (Moi) - at least 20 representatives from the Cybercrime and Digital Forensic Department of the Ministry will be trained in the field of protection of fundamental freedoms and privacy in the online space. ▪ Ministry of Justice (MoJ) – the project will involve the MoJ in the strategic policy discussions allowing it to contribute and later on reflect the policy recommendations in the strategic policy making. ▪ Legal practitioners will participate in the strategic forum discussions where they will reflect on their practical experiences, providing recommendations for policy improvement. They will use the Guidelines for judicial actors on Privacy and Data Protection developed within the project in their legal practice in protection of privacy of people. ▪ CSOs will benefit from the Action by being part of the advocacy and broad policy dialogue that will support their efforts in creating credible privacy and data protection environment and advocacy.
<p>Final beneficiary</p>	<p>Citizens including vulnerable groups; Academy for Judges and Public Prosecutors; Public prosecutors; Judges; Personal Data Protection Agency; Ministry of Interior; Ministry of Justice; Civil Society Organisations; Legal Practitioners.</p>
<p>Action location/s</p>	<p>North Macedonia</p>
<p>Objectives</p>	<p>(S1) To increase the knowledge and understanding of present and future judges and public prosecutors about the data and privacy protection legislation and international standards.</p> <p>(S2) To provide a general framework for judicial actors to assess matters of privacy and data protection in the face of other fundamental rights.</p>



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	<p>(S3) To promote and support broad policy dialogue between the judiciary, relevant government agencies (ex. Personal Data Protection Agency), CSOs and other stakeholder for improvement of legislation and policies regarding growing challenges for fundamental rights and freedoms imposed by the new technologies.</p>
<p>Activities</p>	<p>EJPFPOS ' work is organized in three activity clusters:</p> <p>1st Cluster – Capacity Building</p> <p>1.1 Designing Training Needs Assessment and Training Action Plan for judiciary and prosecution</p> <p>1.2 Drafting training curricula for judiciary and public prosecution</p> <p>1.3 Consolidating training curricula with AJPP and integration in the annual training programme</p> <p>1.4 Delivery of trainings on privacy, data protection and human rights in online space to judges and public prosecutors</p> <p>1.5. Delivery of Training for Trainers (ToT) programme</p> <p>2nd Cluster - Research and Policy Framework</p> <p>2.1. Development of GAP assessment report and comparative analysis of the role of judiciary in North Macedonia in safeguarding privacy rights in the online space</p> <p>2.2. Preparing Guidelines for Judicial actors on Privacy and Data Protection in North Macedonia</p> <p>3rd Cluster - Advocacy and Policy Dialogue</p> <p>3.1 Drafting 4 discussion papers in key ICT areas relevant for the judiciary regarding protection of privacy online</p> <p>3.2 Strategic roundtables for policy discussions</p> <p>3.3 Integrating the conclusions and recommendation from the expert roundtables in a policy document outlining key recommendations for increasing the capacity of the judiciary and prosecution</p> <p>3.4 Public campaign to educate citizens on how they can claim their rights before judicial institutions.</p>
<p>Impact/Output/Result</p>	<p>Impact:</p> <ul style="list-style-type: none"> ▪ Strengthened protection of personal data and privacy affected by the new technologies. <p>Outputs:</p> <ul style="list-style-type: none"> ▪ Training needs assessment of judiciary and public prosecution ▪ Training curriculums, methodologies and materials on data protection and protection of privacy in civil and criminal matters ▪ Embedded training curriculum in the training programme of the AJPP ▪ Trainings delivered to 100 judges and court staff, 50 public prosecutors and prosecutorial administrative staff, 20 employees from the Ministry of Interior and created pool of 5 qualified and trained experts ▪ Comprehensive gap assessment measuring the level of compliance between domestic legislation, policies, practices and those of EU ▪ Guidelines for Judicial actors on Privacy and Data Protection in online space



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	<ul style="list-style-type: none"> ▪ 4 discussion papers on (1) Institutional set-up for privacy protection; (2) Use of algorithms and artificial intelligence (AI) in judiciary; (3) Investigating and prosecuting privacy violations on social networks and web pages; (4) Digitalization of the judiciary and data protection ▪ Developed joint conclusions and recommendations from the four strategic policy forum discussions ▪ Policy study outlining key recommendations from the policy forums on how the judiciary can keep up with the ICT challenges in regards to citizens' rights and fundamental freedoms ▪ 2 videos and 6 infographics as practical guidelines for citizens on how to claim their privacy rights before the competent courts <p>Results:</p> <ul style="list-style-type: none"> ▪ Increased knowledge and understanding of present and future judges and public prosecutors about the data and privacy protection legislation in line with the international legal standards ▪ Established general framework for judicial actors to assess matters of privacy and data protection in the face of other fundamental rights ▪ Broad policy dialogue between the judiciary, relevant government agencies (Personal Data Protection Agency), CSOs and other stakeholders for improvement of legislation and policies necessary to address the growing challenges on rights and freedoms imposed by the new technologies
<p>Facts & Figures</p>	<p>The key facts & figures relevant to the project:</p> <ul style="list-style-type: none"> • Project duration: 24 months • Start date of the project: 1st of February, 2023 • End date of the project: 31st of January, 2025 <p>Figures</p> <ul style="list-style-type: none"> • Cost of the action: 175,411.5 EUR • EU contribution: 166,640.93 EUR • EU contribution percentage: 95%
<p>Final useful footnotes</p>	<p>Include at the bottom of the page the statement <i>For more information: followed by an appropriate web address and contact details</i></p> <p>http://cpia.mk; Contact details: Milena Josifovska, Project Manager milena.josifovska@cpia.mk, tel.+38975434084</p>