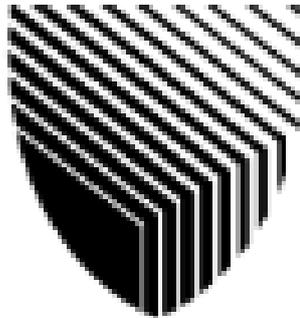


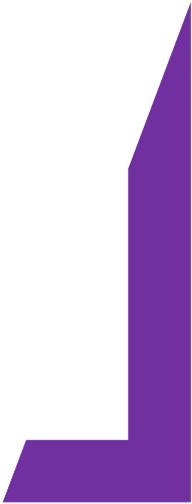


REPORT



**On the activities of the Public Prosecutor's Office for Prosecuting Criminal
Offences Related to and Arising from the Content of the Illegally Intercepted
Communication for a period of six months
(for the period from 15.03.2018 to 15.09.2018)**

**15.09.2018
Skopje**





In accordance with Article 7, Paragraph 2 of the Law on the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication (Official Gazette of the Republic of Macedonia no. 159/15), on 15.09.2018, I submit the following (sixth):

R E P O R T

on the activities of the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication for a period of six months (for the period from 15.03.2018 to 15.09.2018)

I. Characteristics of the Sixth Reporting Period

The Sixth Report on the activities of the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication (hereinafter: this Public Prosecutor's Office) undertaken in the period from the 15th of March 2018 until the 15th of September 2018 is a reflection and confirmation of the continuity in the work of this Public Prosecutor's Office from its establishment until the submission of this Report.

This is particularly true because the trial proceedings for all indictments brought by this Public Prosecutor's Office and approved by the court finally commenced in this period.

The verdicts delivered in the sixth reporting period against 3 persons in 2 different cases, as well as the decisions rendered by the Skopje Court of Appeal which affirmed the first-instance verdicts against a total of 5 persons confirmed the foundation of the indictments brought against the defendants in terms of the crimes with which they are charged.

Having stressed in the past two reports the importance of establishing case law with the decisions rendered by the Skopje Court of Appeal, which admit the audio materials as evidence and allow their use in the court proceedings, the presentation of the audio materials as evidence supporting the indictments brought by this Public Prosecutor's Office is as equally important for the sixth reporting period.

In this regard, it is important to emphasize that, up until the submission of this Report, a total of 619 audio materials have been presented in the course of the hearings in the court proceedings for the cases of this Public Prosecutor's Office. The presentation of the audio materials as evidence in the court proceedings proves the fact that, in accordance with the legal provisions, the audio recordings of the telephone conversations have become a part of the national legislation, and this Prosecutor's Office has an obligation to conduct an effective and thorough investigation of the serious violations and to sanction transgressors within its jurisdiction, pertaining to the criminal



offences related to and arising from the content of the illegally intercepted communication.

Moreover, the reproduction of audio recordings, which are only a portion of the evidence in the cases under our jurisdiction, give the wider public an opportunity to hear first-hand about the motives which inspired the defendants to commit the various types of abuse of the institutional capacities and resources.

In addition to the increased attendance of the prosecutors at the court hearings, the overview of the activities of the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication provided herein shows that a lot of effort went into taking all necessary actions for completing as many of the launched preliminary investigations, so as to facilitate prosecutorial decision-making. We pointed out in the previous report and we will point out again that the cases that come under our jurisdiction are cases of great social significance and that the discovery and establishment of the truth in these cases is of paramount public interest and interest for the citizens. Therefore, this Public Prosecutor's Office continued to use all legally available mechanisms, many of which included instruments for mutual legal assistance and for promotion of international legal cooperation.

As a result of taking over cases from the Public Prosecutor's Office for Prosecuting Organized Crime and Corruption Skopje, in this reporting period, within the legally prescribed timeframe, this Public Prosecutor's Office reached decisions for claiming jurisdiction over the cases and either merged the cases or opened new preliminary investigation. We consider that it is important to inform the public that in the period from March 15th to September 15th, 2018, after taking over the cases from the Public Prosecutor's Office for Prosecuting Organized Crime and Corruption, we have claimed jurisdiction over the cases known to the public as MONSTRUM and SKOPJE 2014. In addition, in this reporting period, this Public Prosecutor's Office withdrew the indictment in the case known to the public as SOPOT, and since there was no evidence linking the defendants to the crime, this Public Prosecutor's Office undertook investigative actions to find the perpetrator of the crime in question.

In the sixth reporting period, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication launched 3 (three) new investigations against 26 people.

What has been emphasized in all previous reports since the establishment is the significance of the investigative team of this Public Prosecutor's Office, as one of the pillars in the organizational and structural setup, as an efficient and successful model that includes a common approach to work, and is based on the firm coordination between public prosecutors and investigators assigned to work in this Public Prosecutor's Office. In addition, the seriousness and the extensiveness of the undertaken actions within the preliminary investigation in this reporting period, including from the aspect of the investigative team, contributed to achieving significant progress in many of the cases that are at the stage of preliminary investigation.



The achievements of this Public Prosecutor's Office in terms of the brought and approved indictments, the scheduling or commencement of court proceedings, the delivery of the first verdicts, as well as the number of active cases being worked on are a result of the ongoing commitment and dedication of the entire team of this Prosecutor's Office. The team of this Public Prosecutor's Office remained resolute in the face of all challenges and obstacles and stayed motivated, but also committed to persevere and fulfil the entrusted mission i.e. tackle impunity and ensure the rule of law in the Republic of Macedonia.

The continuity in the investigation of complex criminal offences by this Prosecutor's Office is evident in the types of the criminal offences, most of which are abuse of official position and authority, abuse of public procurement procedures, electoral fraud and vote rigging in several election periods, as well as complex financial investigations and cases of money laundering. The above suggests that the investigation of such criminal offences, especially the financial investigations still at the stage of preliminary investigation, necessitates gathering of extensive documentation, which involves extensive and comprehensive material evidence, use of mutual legal assistance, hearing of a large number of witnesses, and obtaining the necessary expert evidence.

The Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication is of the opinion that in the period until the expiry of its legal mandate, preparations should be made for adjustments in the legal norms that would enable the integration of this Public Prosecutor's Office into the Public Prosecutor's Office of the Republic of Macedonia. Therefore, we consider that after 2020, with the implementation of appropriate legal solutions that would be adopted, it is necessary for this Public Prosecutor's Office as an independent institution in the prosecutorial system of the Republic of Macedonia to be given autonomy, and not only for prosecution of crimes that come under its current jurisdiction, but also for prosecution of high-profile corruption offenses.

We need to point out that our readiness to prove in appropriate court proceedings the charges brought against the defendants with the indictments was prevented by the non-commencement of the court proceedings for certain cases over a longer period of time i.e. adjournment of some of the cases of the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication. In addition, the obligation to inform the public on a regular basis about the progress of our cases also obliges us to inform the public about the reasons that prevented us from achieving progress.

In this sense, although the public is familiar with this matter, we need to call attention once again to the adjournment or non-commencement of the trial for the TARGET/TVRDINA case, which this Public Prosecutor's Office has substantiated with solid primarily material evidence as to who, in what way and for which purpose conducted illegal interception in the Republic of Macedonia. It is especially important to emphasize that five out of the six scheduled hearings for this case were adjourned. The reason for the adjournment is primarily the unavailability of the two key defendants in the case. Although the indictment was approved in September 2017, the main hearing



started one year later i.e. at the end of August 2018. Calling attention to the abovementioned is extremely important, as the essence of this case was the starting point for the establishment of the Special Prosecutor's Office.

On this occasion we would like to make clear that the cause for such course of the case does not lie in the actions of this Public Prosecutor's Office, but worryingly, in the highest instance of the judicial system, that is, the institution that should act as a guardian of the legal security and a corrective of the court practice i.e. the Supreme Court.

Adjournment of court hearings in the past period was evident in most of the cases of this Public Prosecutor's Office that went to trial. In this regard, it is important to draw attention to the TITANIK case, which is not only the first case of this Public Prosecutor's Office, but also has the most extensive indictment, yet only 7 out of the 12 hearings scheduled for the case were held. Worryingly, it seems that the time necessary for the trial for this case was not considered carefully, having in mind the dynamic of scheduling hearings by the court as well as the fact that this case contains 1063 audio recordings that need to be presented as evidence in the course of the trial.

Furthermore, the analysis of the audio materials, text messages and transcripts submitted to this Public Prosecutor's Office revealed judicial misconduct as one of the ways for undermining the fundamental values of the Constitutional order of the Republic of Macedonia, the rule of law and the separation of powers into legislative, executive and judicial. Public confidence in an independent, impartial and efficient judiciary, free from political influences and pressures, ensuring the rule of law and equality of all citizens before the Constitution and the laws, and especially the expertise, competence, ethics and personal integrity of judges are the fundamental principles of the judicial system in a democracy and are prerequisites for the quality of justice and administration of justice. At the same time, we think that it is necessary to take into account the position of the Venice Commission of the Council of Europe that the judicial system in every modern legal state should contain clear parameters that will differentiate between the individual responsibility of the judge and the responsibility of the judicial system as a whole. The independence of the judiciary is an obligation of the judges, but a right of the citizens, meaning that the separation of power and its protection by the judiciary is a right that belongs to citizens and that the justice must be in the service of the citizens.

II. Human Resources and Operational Activities on the Cases

II.1 Human Resources

The results that the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication has achieved thus far, while also having in mind the credibility gained as well as the acknowledgment and recognition in both national and international arena, once again proved that the organizational and structural setup is an important precondition for accomplishing the mission of this Prosecutor's Office. We need to stress again that the achievements are a result of teamwork that involves joint work of the public prosecutors with the investigators, the professional staff, the economic consultants and the IT



department – a setup whose continuous development and advancement greatly contributed to the results achieved by this Prosecutor's Office.

In accordance with the Rulebook on Systematization and Organization of the Job Positions in this Public Prosecutor's Office, and based on a vacancy announcement published on the 1st of July 2018, 13 vacancies were filled in this reporting period with the purpose of coping with the determined workload.

II.2. Operational Activities and Casework

The investigative work of this Prosecutor's Office and the concept which was introduced are characterized by the coordinated approach to the work of the investigative team assigned to work in this Prosecutor's Office in close cooperation with the public prosecutors.

The investigative team of this Public Prosecutor's Office consisting of 23 members of the Judicial Police, the Ministry of Interior and the Financial Police assigned to work in this Public Prosecutor's Office is one of the pillars in the structure and the initiative for undertaking all actions within the legal powers. In the stated period, in relation to all cases of this Public Prosecutor's Office, the team took 2744 actions within its legal powers, including drafting various types of instruments and official notes, carrying out various types of operational activities, inspecting documents of legal entities, conducting searches, examining witnesses, suspects and defendants, analyzing financial documents etc.

Working on the cases, the Prosecutor's Office took 4209 actions, in the course of this reporting period.

II.2.1 Preliminary Investigation

In the reporting period, a preliminary investigation was launched for 81 cases. Out of them, 14 cases were opened on our own initiative, while 67 cases were initiated based on complaints submitted by others. Together with the priorly launched 182 active preliminary investigations, 128 of which were launched on our own initiative, this Prosecutor's Office is currently working on 263 ongoing preliminary investigations. Out of this number of preliminary investigations, 101 cases were resolved, 81 of which were initiated based on complaints submitted by others, and 20 cases that were opened on our own initiative were closed. The Prosecutor's Office is currently working on 182 cases, whereof 128 are active preliminary investigations launched on our own initiative.

Over the course the reporting period, a number of actions were undertaken within the preliminary investigations related to the illegally intercepted communication and to illegalities relating to media financing, various types of abuse of the public procurement procedures, money laundering, various acts of corruption and various types of abuse of official position and authority and financial investigations, having in mind that some have been launched in the previous reporting periods, while others transitioned to the stage of investigation in this period.



The table below shows the activities and actions undertaken within the preliminary investigations in this reporting period.

Actions taken in the course of the preliminary investigations	Total number
Request for assistance	1
Request for seizure of items	1
Request for translation of written material	1
Request for temporary seizure of computer data	8
Request for inspection with authorization	31
Request under Article 287	2108
Return of documents	2
Delivery of documents and evidence	1
Decision for establishing real jurisdiction	2
Opinion	1
Request for Mutual Legal Assistance	3
Witness statement	175
Notice	21
Order for obtaining expert evidence	2
Order for copying audio materials	1
Search warrant	1
Order Article 283 and Article 284	9
Response to a request	5
Summons for suspects	1
Witness summons	161
A record of return of seized items	11
Application for a warrant for temporary seizure of items	1
Resolution	3
Decision on expenses	9
Official note for opening new NSK-RO	14
Official note for merging cases	5
Official note for opening new NSK-KO	5
Urgent request	8
Total	2591

II.2.2 Investigations

In the period from the 15th of March 2018 to the 15th of September 2018, this Prosecutor's Office launched 3 (three) new investigations against 26 natural persons.

The structure of the criminal offences investigated in the newly launched investigations remained unchanged and showed again that this Prosecutor's Office is mostly working on criminal offences from Chapter XXX of the Criminal Code – malfeasance in office.

The table below shows the activities taken on the cases of this Prosecutor's Office in this reporting period.



Actions taken in the course of the investigations	Total number
Request for temporary seizure of computer data	1
Request for declassification	4
Submission of expert evidence to court	1
Request for seizure of items	1
Request for translation of written material	2
Request for inspection with authority	12
Request under Article 287	855
Return of documents	6
Submission documents and evidence	20
Submission of data	1
Submission of translation of documents to court	2
Appeal	3
Expert witness statement	1
Search warrant	1
Witness statements	228
Correction	1
Notice	22
Opinion	24
Order	1
Opinion on an appeal	2
Order for ceasing an investigation	1
Order for obtaining expert evidence	7
Order for copying audio materials	1
Order for conducting an investigation	3
Order under Article 283 and Article 284	11
Response to a request	9
Response to an appeal	6
Withdrawal of a plea deal	2
Summons for suspects	19
Confirmation of the return of seized items	7
Witness summons	328
Proposals	4
Proposal for extension of custody	1
Application for a warrant for temporary seizure of objects	5
Clarification	1
Decision for establishing real jurisdiction	1
Decision on expenses	17
Official notes	2
Urgent request	6
Total	1619

II.2.3 Court Hearings and Verdicts

In the reporting period, the public prosecutors attended a total of 177 proceedings before the courts in the Republic of Macedonia, including 172 trial hearings before the



Court of First Instance Skopje 1 Skopje and 5 public sessions before the Skopje Court of Appeal.

In the reporting period, 177 hearings were scheduled for the cases formed after the submission of the indictments, whereof 54 hearings were adjourned, accounting for almost one third of the total number of scheduled hearings. In light of the foregoing, the court proceedings for the indictment proposal for the case known as THE VIOLENCE IN THE MUNICIPALITY OF CENTAR, have already lasted 2 (two) years, which is unusual for a trial based on an indictment proposal. Promptness in the processing of the cases was noticed only in the trials for the cases TENK and TRISTA, in the course of which no adjournments were granted and verdicts have been delivered.

In the reporting period, first instance judgements were delivered against 3 persons in 2 different cases, sentencing them to imprisonment. At the same time, in the sixth reporting period, the Skopje Court of Appeal upheld first-instance verdicts against 5 people.

Since this Public Prosecutor's Office has not received the verdict for the case registered under the NSK-KO no.4/17 – TRUST, the persons covered by it are not a subject of analysis in this report.

II-3 Professional Assistance and Support for the Prosecutor's Office

The focus in the sixth reporting period was on providing continuous support for application of instruments for international legal cooperation, creating the necessary conditions for using regional and international instruments for direct cooperation and intensifying exchange of information and data with a particular focus on the financial investigations, and the criminal offences involving corruption and money laundering.

Due to the professional knowledge and experience acquired through the concept developed in the work of in this Prosecutor's Office and the achievements and challenges in finding all available legal mechanisms to overcome the practical obstacles in the work, the public prosecutors and the investigators took part as speakers and lecturers in several domestic and regional seminars, conferences and workshops.

II-4 Financial Operation of the Prosecutor's Office

The finances of this Prosecutor's Office, in accordance with Article 15 of the Law on the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, consist of funds for wages and benefits for the public prosecutors, wages and benefits for the members of the professional staff, funds for procurement of goods and services, expenses related to the proceedings, including funds for consulting and opinions of experts, funds for professional development of the public prosecutors and the members of the professional staff, funds for obtaining capital investments and funds for maintenance of the premises and the equipment of the Prosecutor's Office.



In this reporting period as well, the overall financial operations of this Prosecutor's Office adhered to the budget approved for 2018. Out of the approved budget for 2018, in the period from 15.03.2018 through 15.09.2018, the total amount of funds used is 84,663,329.00 denars or 33.43%. The total amount of the funds used from budget approved for 2018, up until 15.09.2018, is 131,340,812.00 denars or 54.75% of the budget of this Prosecutor's Office.

The largest portion of the approved budget funds were used for settling obligations arising from awarded contracts for public procurement, as well as for settling obligations arising from a lease, having in mind that this Prosecutor's Office is leasing its premises, and that it has leased two more business premises which are being adapted for the needs of this Public Prosecutor's Office.

Further, the funds used in this period were intended to settle obligations arising from the need to ensure uninterrupted and efficient operation of the Prosecutor's Office. In this reporting period as well, part of the funds were used for professional development of the public prosecutors and the members of the professional staff, for hiring experts and for covering the expenses incurred in the proceedings.

Just like in the past reporting periods, in this reporting period as well, this Prosecutor's Office conducted procedures for public procurement of goods and services intended for enabling uninterrupted and efficient operation of the Office in accordance with the annual plan for public procurement, which is available on our website.

III. Analysis of the Audio Files and Other Materials

The established procedures and dynamics of listening, analyzing and processing a total of 606,555 audio files available to the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication continued over the course of this reporting period as well, and up until the submission of this Report, the Public Prosecutor's Office has been in the process of analysing the content of 545 900 audio files, i.e. 90% of the total number of audio files available to this Public Prosecutor's Office.

The Prosecutor's Office will maintain the pace set for analysing and processing of materials in the upcoming period as well. The analysis and processing of the materials is being carried out in line with the established internal rules and procedures for keeping a record of the process of listening and processing of the materials and by adhering to the principle of confidentiality and privacy of the citizens of the Republic of Macedonia and other persons, guaranteed by the Constitution and the European Convention on Human Rights, thereby guaranteeing respect and protection of the private and family life.

The separation of the private conversations from the conversations which are being processed continued in the sixth reporting period as well. Out of the total number of 545 900 analysed conversations, 50 000 were separated as private in this reporting period, i.e. up until the submission of this report, the total number of conversations separated as private is 243,753.



In addition, in the period from the 15th of March 2018 until the 15th of September 2018, this Public Prosecutor's Office continued with the process of analyzing 100,000 audio files obtained from searches conducted on several persons, with the purpose of establishing whether and how many of these audio files are a result of an illegal interception of communication. At the same time, this Prosecutor's Office is still analyzing the forensic copies of the case against Zahir Bekiri, known as Chaush and Imer Bekiri, taken over from the First Instance Public Prosecutor's Office Skopje with the intention of determining the number of conversations subject to the illegal interception of communication.

As pointed out in the previous report, a large part of the materials available to this Prosecutor's Office need to be processed and analyzed several times.

IV. Activities Pertaining to the Cases

IV-1. NSK-KO No.1/15 – TITANIK

The case NSK-KO no.1/15 i.e. court case KOK. No.7/18 is at the main hearing stage, during which several court hearings were held on 02.04.2018, 12.04.2018, 26.04.2018, 02.05.2018, 09.05.2018, 21.05.2018, 28.05.2018, 31.05.2018, 03.07.2018, 16.08.2018, 17.08.2018, 20.08.2018.

The hearings on 02.04.2018, 12.04.2018 and 02.05.2018 were adjourned.

The prosecution, the defense and the defendants delivered their opening statements at the hearings held on 09.05.2018, 21.05.2018 and 28.05.2018. After the defense and the defendants exercised their right to deliver opening statements, the court scheduled the next main hearing on 31 May 2018.

The hearings on 31.05.2018 and 03.07.2018 were also adjourned because of the failure to meet the legal requirements for the main hearing.

At the hearing held on 16.08.2018, the prosecution proceeded to presenting evidence. More precisely, the prosecution started presenting the audio material provided as evidence. The presentation of the audio material continued at the hearings held on 17.08.2018 and 20.08.2018.

The presentation of the evidence will continue at the hearings scheduled for 12.09.2018 and 20.09.2018.

IV-2. NSK-KO no.11/15 – TITANIK 2

In the case registered under NSK-KO no.11/15, the Skopje Court of Appeal, deciding on appeal lodged by the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication on 07.12.2017 against the Decision of the Council for Indictment Evaluation of the Court of First Instance Skopje 1 Skopje, Specialized Judicial



Department for Criminal Offences in the Field of Organized Crime and Corruption KOK-OOA No.21/17 from 01.12.2017, on 23.02.2018 brought Decision KSZh – 656/17 which was submitted to this Public Prosecutor's Office on 16.03.2018, which rejected the appeal of the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication as unfounded, and upheld the appealed item II of the disposition of the Decision of the Council for Indictment Evaluation of the Court of First Instance Skopje 1 Skopje, Specialized Judicial Department for Criminal Offences in the Field of Organized Crime and Corruption KOK-OOA No.21/17 from 01.12.2017.

Six main hearings were held in the course of the proceedings, during which the prosecution presented the evidence given in the evidence list of the prosecution, i.e. the procedure is at the stage of examination of witnesses.

IV-3. NSK-KO no.15/15 – TRANSPORTER

A total of 8 hearings were held for the case NSK-KO No.15/15 in this reporting period on 07.03.2018, 09.03.2018, 13.04.2018, 27.04.2018, 11.05.2018, 30.05.2018, 02.07.2018 and 05.07.2018.

At the hearings, the prosecution proceeded to present the evidence in support of the indictment, ie examination of the witnesses for the prosecution, with the exception of three hearings that were adjourned due to the absence of some of the defendants or the witnesses.

At the hearing held on 13.04.2018, before the opening of the hearing, the defense counsel of one of the defendants proposed to the court a motion for judicial disqualification of the presiding judge of the panel, the judge-panel member and the judges-jurors as well as a motion for judicial disqualification of the President of the Court of First Instance Skopje 1 Skopje, his Deputy and the Vice-President of the Court of Appeal. The first application was rejected as unfounded, while the second relating to the presidents of the courts was dismissed as inadmissible. The court then decided to hold a main, public and oral hearing and to continue with the presentation of evidence.

The presentation of the evidence will continue at the following two hearings scheduled for 28.09.2018 and 09.10.2018.

IV-4. NSK-KO no.16/15 – PUTSCH

Regarding the case filed under the NSK-KO no.16/15, several public prosecutorial decisions were made regarding the defendant Z.K. Making submission NSK-KO no.16/15 to the Court of First Instance Skopje 1 Skopje on 13.04.2018, the Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication withdrew the plea deal KO no.25/15 made on 25.02.2015 between the defendant Z.K., his counsel and the public prosecutor from the Public Prosecutor's Office for Prosecuting Organized Crime and Corruption Skopje, for Espionage proscribed in Article 316 paragraph 4 with regard to Article 24 of



the Criminal Code, and issued an order for ceasing investigation NSK-KO no.16/15 from 13.04.2018 against Z.K. relating to the said criminal offense.

On 13.06.2018, the Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted to the Court of First Instance Skopje 1 Skopje a Request for Retrial of the case NSK-KOV No.5/18 dated 06.06.2018, which had concluded with a verdict rendered by the Court of First Instance Skopje 1 Skopje, IV KOK.PP No.131/15 on 25.02.2015, against the convicted Z.K., on the count of Unauthorized Wiretapping and Sound Recording proscribed in Article 151 paragraph 4 with regard to paragraph 1 and with regard to Article 45 of the Criminal Code. The request followed the emergence of new facts and evidence that alone or in relation to the former evidence might be exculpatory for the convicted person, in reference to Article 449 paragraph 1 item 3 of the Criminal Procedure Code.

On 14.06.2018, the Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rendered decision KOK-POV No.12/18, allowing retrial and ordering reinvestigation after the effective date of the decision.

Making submission NSK-KO no.16/15 to the Court of First Instance Skopje 1 Skopje on 17.07.2018, the Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication withdrew the plea deal KO no.25/15 made on 25.02.2015 with the defendant Z.K., for Unauthorized Wiretapping and Sound Recording proscribed in Article 151 paragraph 4 with regard to paragraph 1 and with regard to Article 45 of the Criminal Code.

On 15.08.2018, the Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, in accordance with Article 304 paragraph 1 item 1 of the Criminal Procedure Code, issued an order for ceasing the investigation of Z.K. for the criminal offense Violence Against Representatives of the Highest State Bodies proscribed in Article 311 with regard to Article 24 of the Criminal Code. The reason behind this action is the fact that in spite of Order KO.no.25/15 issued by the First Instance Public Prosecutor's Office for Prosecuting Organized Crime and Corruption Skopje on 08.02.2015 for investigation of the defendant Z.K. from Skopje for the criminal offense Violence Against Representatives of the Highest State Bodies proscribed in Article 311 with regard to Article 24 of the Criminal Code, and Plea Deal KO.no.25/15 made on 25.02.2015, the First Instance Public Prosecutor's Office for Prosecuting Organized Crime and Corruption Skopje did not reach a prosecutorial decision in relation to the said criminal offense.

The Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, in accordance with Article 44 paragraph 3 of the Criminal Procedure Code, on 15.08.2018, made a Decision not to prosecute Z.K. for the criminal offense Unauthorized Wiretapping and Sound Recording proscribed in Article 151, paragraph 4 with regard to paragraphs 1 and 2 and with regard to Article 45 of the Criminal Code.



The Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, in accordance with Article 44 paragraph 3 of the Criminal Procedure Code, on 15.08.2018, also made a Decision not to prosecute Z.K. for the criminal offense Unauthorized Wiretapping and Sound Recording proscribed in Article 151, paragraph 4 with regard to paragraphs 1 and 2 with regard to Article 45 of the CC.

IV-5. NSK-KO no.17/15 – TARGET/TVRDINA

A total of 4 (four) hearings were scheduled for the case NSK-KO no.17/15 in the reporting period, 3 of which were adjourned. The hearings scheduled for 27.03.2018 and 15.05.2018 were adjourned awaiting decision for the extradition request for the defendants G.G. and N.B.

At the proposal of this Public Prosecutor's Office, and given the fact that the media broadcasted the decision of the Supreme Court of the Hellenic Republic which rejected the request for extradition of the defendants GG. and N.B., as well as the fact that the defendant G.J. was not able to attend the main hearing due to parental leave, the court separated the court proceedings of the defendants GG. and N.B., and the court proceedings of G.J.

The defense counsels of S.M. and V.S. proposed a motion for halting the proceedings against the defendants referring to the pardons granted by the President of the Republic of Macedonia, which was rejected by the court.

Since the defendant G.J. could again attend the scheduled hearings, this Public Prosecutor's Office proposed that the court revoke the previous decision for separation of the proceedings for GJ, to which the court responded that it will reach a decision at the next scheduled hearing.

The defense made an objection against the jurisdiction of this Public Prosecutor's Office to appear as an authorized prosecuting attorney in this case, which was overruled by the court.

At the hearing held on 31.08.2018, the prosecution, the defendant and the defense delivered their opening statements.

The court scheduled the next hearing on 13.09.2018 at 10:00 am.

IV-6. NSK-KO no.21/15 – TNT

In the reporting period, three (3) out of seven (7) scheduled hearings were held for the case NSK-KO no.21/15. The main hearing of the case trial is in progress and the prosecution has been presenting evidence, including a reproduction of the audio materials and text messages.



At the hearing held on 05.04.2018, the defense counsel of one of the defendants proposed to the court a motion for judicial disqualification of the the judicial panel handling the case KOK no.53/17, the judges from the regular composition of the court and the judges-jurors, the President and the Vice President of the Court of First Instance Skopje 1 Skopje and judges from the Skopje Court of Appeal. The following decisions were rendered in regard to the motion for judicial disqualification: Decision IZZ.no.73/18 rendered by the President of the Court of First Instance Skopje 1 Skopje on 23.04.2018 rejecting the motion for judicial disqualification, Decision SU-IZZ no.236/18 rendered by the Vice President of the Skopje Court of Appeal on 20.04.2018 rejecting the motion for judicial disqualification, and Decision SU-IZZ no.58/2018 rendered by the President of the Supreme Court of the Republic of Macedonia on 16.04.2018 also rejecting the motion for judicial disqualification.

IV-7. NSK-KO no. 1/16 – TITANIK 3

In the reporting period, seven hearings were scheduled for the NSK-KO no.1/16 on 16.03.2018, 27.04.2018, 08.05.2018, 11.05.2018, 19.06.2018, 22.06.2018 and 28.06.2018, 3 hearings of which were held. At the hearings, the prosecution and the defense gave their opening statements, the prosecution presented material evidence and examined the witnesses for the prosecution.

Two more hearing are scheduled in September, on 20.09.2018 and 27.09.2018, whereat more witnesses for the prosecution will be examined.

IV-8. NSK-KO no.2/16 – TORTURA

Regarding the case NSK-KO no.2/16, on 05.03.2018, the Skopje Court of Appeal rendered Decision KSZh-90/18 which upheld the appeal lodged by this Public Prosecutor's Office and reversed the appealed paragraph II of the Decision on the evaluation of the indictment KOOA no.53/17 of the Court of First Instance Skopje 1 Skopje dated 07.12.2017, approving indictment NSK-KO no.2/16 against the defendant S.M. for Cruel, Inhuman or Degrading Treatment or Punishment under Article 142 paragraph 1 with regard to Article 23 of the Criminal Code. In Item II of the Decision, the court accepts the proposal of this Public Prosecutor's Office for merging the proceedings pertaining to indictment NSK-KO No.2/16 and conducting a single procedure.

After four adjournments, the main hearing began on 09.07.2018, whereat the prosecution, the defendants and the defense counsels gave their opening statements, the prosecution started presenting the evidence and the injured party Lj.B. testified.

IV-9. NSK-KO 6/16 – TVRDINA 2

In terms of the case NSK-KO no.6/16, deciding on the appeals of the defendants G.G. and V.S. lodged by their counsels Ljupcho Svirgovski, a lawyer from Skopje and Mile Petrovski, a lawyer from Skopje, respectively, both against the verdict of the Court of First Instance Skopje 1 Skopje K.no.1905/16 from 08.11.2017, on 10.04.2018, the Skopje Court of Appeal delivered Judgment KZh-66/18 rejecting the appeal of the



defendant V.C. as unfounded and upholding the verdict pertaining to the defendants A.V., V.S., D.S., S.B. and D.Z., but upholding the appeal the defendant G.G., revoking the verdict of the Court of First Instance Skopje 1 Skopje K.no.1905/16 from 08.11.2017 pertaining to the defendant G.G. and remitting the matter for a retrial in the first instance court with the explanation that, when delivering the verdict in question in respect of the defendant G.G., the first instance court committed violation of Article 415 paragraph 3 item 3 of the Criminal Procedure Code as the court accepted that G.G. is not present to answer the charges and ordered trial in absentia in accordance with Article 355 paragraph 3 of the CPC, neglecting the fact that during the course of the main hearing, the defendant G.G. had already been remanded in custody in the Republic of Greece and the extradition proceedings were still pending, so in a situation when extradition is possible, the defendant must be extradited, and that trial in absentia can be ordered only if the requested State had refused extradition or if extradition is not possible.

The Court of First Instance Skopje 1 Skopje scheduled a main hearing for the case K-1129/18 against the defendant G.G. on 19.09.2018, whereat the defendant G.G. will be retried.

IV-10. NSK-KO no.7/16 – VIOLENCE IN THE MUNICIPALITY OF CENTAR

Nine (9) hearings were held in the reporting period for the case NSK-KO No.7/16. The hearings on 13.03.2018 and 03.04.2018 were adjourned due to the absence of one of the defendants (M.A.), whereafter the prosecution filed a request for an extraordinary inspection to the State Sanitary and Health Inspectorate in the Ministry of Health on suspicion of abuse of sick leave by the defendant in order to delay the proceedings. The hearing scheduled for 19.04.2018 was adjourned due to the inability to decide upon the defense's request for recusal of the presiding judge of the panel. The hearing of 01.06.2018 was adjourned due to the absence of the defendant (A.T.). At the hearings that followed, several witnesses for the prosecution were examined and their examination is still in progress until the Prosecution has presented all evidence.

Regarding the separated procedure no.K-1747/17, eight hearings were scheduled for the defendant (D.K.). At the hearing held on 05.04.2018, an expert witness provided a forensic psychiatric evaluation. The defense requested to prepare a comparative expert report – Psychiatric evaluation through a psychiatric examination of the defendant. The subsequent hearings scheduled on 05.06.2018 and 10.07.2018 were adjourned first due to the hospitalization of the defendant at the City Hospital "8-mi Septemvri", and afterwards due to the hospitalization of the defendant at PHI "Psychiatric Hospital" Skopje.

IV-11. NSK-KO no.8/16 – TREZOR

On the subject of the case registered under NSK-KO no.8/16 on 12.10.2017, in the course of the reporting period, the court hearings scheduled for 29.03.2018 and 17.05.2018 were adjourned due to the absence of the defendant G.G. as well as due to the pending decision by the Greek judicial authorities in relation to the extradition procedure of the defendant G.G.



On 30.05.2018, this Public Prosecutor's Office submitted a request on the grounds of Article 202 paragraph 1 of the CPC, for temporary seizure of property and objects as a security, to the Court of First Instance Skopje 1 Skopje – Unit for Organized Crime and Corruption.

Adopting Decision KOK-KR no.833/18, on 01.06.2018, the Criminal Council of the Court of First Instance Skopje 1 Skopje granted the request of this Public Prosecutor's Office.

In cooperation with the Agency for Disposal of Seized Property, the established temporary measure was implemented. The vehicle owned by DTU FINZI DOOEL Skopje was seized with a record for temporarily seized objects and on the same day, it was handed over to the Agency for Disposal of Seized Property with a Property Handover Report.

On 18.06.2018, a clarification was submitted for the Bill of Indictment NSK-KO no.8/16 brought on 29.06.2017.

At the hearing held on 26.06.2018, the judicial panel accepted our proposal, in accordance with Article 365 paragraph 3 of the Criminal Procedure Code, for the defendant G.G. to be tried in absence, since he is not present to answer the charges, which was appealed by the defendant and the decision from the second instance court thereon is pending. At the hearings, the prosecution and the defense gave their opening statements. The main hearing moved to presentation of evidence in the course of which four audio recordings of the illegal interception of communication were reproduced.

At the hearing held on 10.09.2018, the presentation of evidence continued and the prosecution started presenting material evidence.

IV-12. NSK-KO no.9/16 – TOPLIK

On the subject of the case NSK-KO no.9/16, five hearings were scheduled for the case in the reporting period, four of which were held, and one hearing was adjourned. The case is at the stage of main hearing, which is expected to proceed to examination of the witnesses for the prosecution. During the reporting period, audio materials were reproduced and the material evidence from the list of evidence of the indictment was presented.

At the hearing on 30.03.2018, a defense counsel of one of the defendants proposed a motion for judicial disqualification of the judicial panel handling the case KOK no.57/17. On the same day, the President of the Court of First Instance Skopje 1 Skopje rendered Decision rejecting the motion for judicial disqualification.

IV-13. NSK-KO no.10/16 – TENDERI

The case brought under NSK-KO no.10/16 to the Court of First Instance Skopje 1 Skopje is at the stage of presentation of evidence, or more precisely opening



statements were given by the prosecution, the defendants and the defense, and audio materials were presented, to which the defense made objections. The presentation of evidence proceeded with reading of the material evidence from the list of evidence annexed to the indictment brought by this Public Prosecutor's Office.

At one of the hearings, the prosecution, at the request of the defense, presented material evidence that, according to the defense, required presentation and will proceed with examination of the witnesses for the prosecution.

IV-14. NSK-KO no.11/16 – SHPION

On the subject of the case NSK-KO 11/16, the main hearing scheduled on 17.05.2018 was adjourned due to the absence of the defendant, and at the same hearing, the court approved the proposal of the prosecution for merging of the repeated proceedings KOK 99/16 and the case brought against the defendant Z.B. KOK 79/16. The Court of First Instance Skopje 1 Skopje passed a decision for conducting a single procedure, while the defense requested clarification of the indictment. Further, a decision was rendered for discontinuation of the criminal proceedings against the defendants on count 27.

The main hearing is expected to continue on 17.09.2018 with examination of witnesses.

IV-15. NSK-KO no.2/17 – TARIFA

Twenty (20) hearings were scheduled for the case NSK-KO no.2/17 in this reporting period, two of which were adjourned due to absence of witnesses for whom there was no proof of service and had health problems. At the trial hearings, up until 12.07.2018, the prosecution presented the evidence, i.e. examined all witnesses, reproduced two audio materials, read and presented all the written evidence from the list of evidence, and examined all expert witnesses who prepared the expert report and opinion, thus exhausting the list of proposed written and verbal evidence of the prosecution.

In response to the request of the defendant N.Gj. for temporary return of the passport, the prosecution issued Opinion NSK-KO no.2/17 on 28.05.2018 that the measures of precaution should remain active. The Criminal Council of the Department for Organized Crime and Corruption at the Court OF First Instance Skopje 1 Skopje rendered Decision KOK no.796/18 on 30.05.2018, rejecting the request as unfounded.

In response to the request of the defendants M.C. and N.Gj. for altering the measures of precaution, the prosecution issued Opinion NSK-KO no.2/17 on 20.07.2018 stating that the measures of precaution should remain active. The Criminal Council of the Department for Organized Crime and Corruption at the Court OF First Instance Skopje 1 Skopje rendered Decision KOK no. 874/18 on 27.07.2018, rejecting the request as unfounded.



In response to the request of the defendant D.B. for reviewing the circumstances whereunder precautionary measures were imposed, the prosecution issued Opinion NSK-KO no.2/17 on 20.07.2018 that the measures of precaution should remain active. The Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rendered Decision KOK no.873/18 on 25.07.2018, rejecting the request as unfounded.

At the trial hearing held on 04.09.2018 and 05.09.2018, the witnesses for the defense were examined.

At the same time, several other terms for the main hearing were scheduled on 25.09.2018, 26.09.2018, 03.10.2018, 04.10.2018, 16.10.2018, 17.10.2018 and 25.10.2018.

IV-16. NSK-KO no.3/17 – TENK

Regarding the case NSK-KO no.3/17, at the main hearing held on 18.04.2018, the judicial panel rendered decision, in accordance with Article 29 of the Criminal Procedure Code, for separation of the proceedings KOK.no.59/17 for the defendant G.J., whereas the proceedings for the defendants Gjoko Popovski and Nikola Gruevski moved forward to presentation of evidence, ie presentation of material evidence and examination of witnesses for the prosecution, as well as the material evidence and witnesses for the defense.

The Court of First Instance Skopje 1 Skopje, as a first instance court, delivered and on 23.05.2018 pronounced the verdict for the criminal case KOK.no.59/17, finding Gjoko Popovski guilty of Abuse of Official Position and Authority under Article 533 paragraph 5 with regard to paragraph 1 of the Criminal Code and sentencing him to 6 years and 6 months in prison, and finding Nikola Gruevski guilty of Receiving a Reward for Unlawful Influence under Article 359 paragraph 2 of the Criminal Code and sentencing him to 2 years in prison.

The verdict was delivered to Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication on 19.06.2018.

The defendants and their defense counsels lodged 6 (six) appeals and 2 (two) appeal supplements to the Skopje Court of Appeal against the verdict. The court of appeal heard the appeals at the public hearings held on 30.08.2018, 31.08.2018 and 05.09.2018, and a decision is pending.

The presentation of evidence for the separated proceedings for the criminal case KOK.no.21/18 for the defendant G.J. started at the hearing held on 29.08.2018 before the Court of First Instance Skopje 1 Skopje, with examination of the witnesses for the prosecution.

At the hearing that took place on 05.09.2018, the prosecution presented the material evidence.



The hearing held on 10.09.2018 started with examination of the witnesses for the defense and will continue with examination of the witnesses and presentation of the material evidence of the defense.

IV-17. NSK-KO no.4/17 – TRUST

The hearings for the case NSK-KO no.4/17 scheduled on 06.03.2018, 05.04.2018, 10.04.2018, 08.05.2018 and 17.05.2018 were adjourned.

The main hearing continued at the hearings held on 29.03.2018 and 24.04.2018 with presentation of evidence or more precisely with the defense examining the technical advisor – expert witness P.S.

The presentation of evidence continued at the hearings held on 22.05.2018, with cross-examination of the witness for the defense M.V. The hearing continued with cross-examination of defendant S.K. which continued on 07.06.2018. The presiding judge of the judicial panel examined the defendant at the hearing on 14.06.2018. The hearing continued with a cross-examination of the defendants V.A. and S.V. by the defense and the prosecution. At the hearing, the prosecution gave to the defense transcripts of ten telephone conversations.

At the hearing held on 03.07.2018, 10 telephone conversations were presented and heard. After the completion of the presentation of the evidence, the prosecution proposed of motion to introduce additional evidence, which was allowed by the court.

At the hearing held on 12.07.2018, the bill of indictment was made more precise. The hearing continued with the delivery of the closing arguments.

The delivery of closing arguments continued at the hearings held on 16.07.2018 and 17.07.2018. After the prosecution, the defense and the defendants delivered their closing arguments, the court scheduled a hearing for pronouncement of the verdict on 20.07.2018.

The court pronounced the verdict on 20.07.2018.

The Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication still has not received the verdict in writing.

IV-18. NSK-KO no.5/17 – TABLA

The case NSK-KO no.5/17 is still under investigation, during which a number of actions were undertaken, and several witnesses were examined.

The investigation is at its final stage, which will be followed by a prosecutorial decision.



IV-19 NSK-KO no.6/17 – TRISTA

A total of 10 hearings were held for the case NSK-KO no.6/17 over the course of the reporting period, whereafter, on 22.05.2018, the Court of First Instance Skopje 1 Skopje, as a first instance court, delivered the verdict for the criminal case KOK.no.40/17, finding Gjoko Popovski guilty of Abuse of Official Position and Authority under Article 533 paragraph 5 with regard to paragraph 1 of the Criminal Code, and sentencing him to 9 years in prison.

Upon the delivery of the verdict, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, in accordance with Article 174 with regard to Article 165 paragraph 1 item 1 of the Criminal Procedure Code, proposed a motion for remanding the defendant Gjoko Popovski in custody due to flight risk, and after consulting and taking a vote, the judicial panel adopted a decision to remand the defendant Gjoko Popovski in custody, as of 22.05.2018 until the commencement of the imprisonment sentence, thereby annulling the measures imposed by the Criminal Council – Unit for Organized Crime and Corruption in the Court of First Instance Skopje 1 Skopje on 30.06.2017.

The verdict was delivered to the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication on 26.07.2018.

The defense lodged two appeals to the Skopje Court of Appeal against the verdict. The Skopje Court of Appeal has not scheduled a public session on the lodged appeal.

IV-20 NSK-KO no. 7/17 – TOTAL

The case NSK-KO no.7/17 is at the main hearing stage, whereat the audio materials listed in the Evidence List as evidence No.1 are being heard.

In the course of the five hearings held in the reporting period before the Court of First Instance, the defense made objections against the audio recordings and the expert report offered as evidence by the prosecution, the court ruled on the objections on the record on 14.05.2018 and 11.07.2018, the parties delivered their opening statements, and presentation of evidence started with the prosecution presenting evidence no.1 from the Evidence List. The court adjourned the last hearing held on 11.07.2018 and scheduled several dates for hearings on 24.09.2018, 26.09.2018, 03.10.2018 and 10.10.2018, when the reproduction of the audio recordings will continue, and the prosecution will proceed with presentation of the remaining evidence.

IV-21 NSK -KO no. 8/17 – TIFANI

The Court of First Instance Skopje 1 Skopje delivered a verdict for the case NSK-KO no.8/17 on 09.03.2018. Upon receipt of the verdict in writing, K no.144/18 dated 19.02.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication lodged an



appeal against the verdict on 19.03.2018, due to the decisions on the criminal sanctions from Article 414 paragraph 1 item 4 with regard to Article 418 paragraph 1 and Article 508 paragraph 2 of the Criminal Procedure Code.

The defendant and the accused legal entity lodged an appeal against the verdict.

On appeal, the Skopje Court of Appeal held a public session on 09.07.2018.

The appeal decision is pending.

IV-22 NSK-KO no. 9/17 – TRAEKTORIJA

In the reporting period, six hearings were held for the case NSK-KO no.9/17, but one was adjourned due to the engagement of some of the defense counsels in another case which involves custody, as well as due to the obligations of the prosecutors and the defendants in other cases before the court.

During the main hearing, the defense proposed a motion for judicial disqualification of the President, the Vice President of the Court of First Instance Skopje 1 Skopje and two judges from the Skopje Court of Appeal, which was dismissed as inadmissible, and the motion of the defense for judicial disqualification of the judicial panel was dismissed as unfounded. The prosecution proceeded to present material evidence, and reproduced a single audio file.

In the five hearings that followed, the audio materials offered as evidence by the prosecution were reproduced.

IV-23 NSK-KO no. 10/17 – TREVNIK

The case NSK-KO no.10/17 is at the main hearing stage, whereat the audio materials listed in the Evidence List as evidence No.1 are being heard.

In the course of five hearings held in this reporting period before the Court of First Instance, the defense made objections against the audio recordings of the prosecution and the court ruled on the matter, the parties delivered their opening statements on 27.06.2018, and the presentation of evidence started with the prosecution presenting evidence no.1 from the Evidence List and reproducing 66 audio materials out of the listed 137.

The court adjourned the last hearing held on 09.07.2018 and scheduled several dates for hearings on 10.09.2018, 19.09.2018, 08.10.2018 and 15.10.2018, when the reproduction of the audio recordings will continue, and the prosecution will proceed with presentation of the remaining evidence.

IV-24 NSK-KO no. 11/17 – TALIR

The case NSK-KO no.11/17 is at its final stage of investigation, which will be followed by a prosecutorial decision.



IV-25 NSK-KO no. 12/17 – SOPOT

On the subject of the case NSK-KO no.12/17, after the completion of the presentation of evidence, at the main hearing before the Court of First Instance Skopje 1 Skopje, on 19.03.2018, in the stage of the closing arguments, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication dropped the charges against the ten defendants accused of Terrorism under Article 327 paragraph 2 with regard to Article 313 with regard to Article 22 of the Criminal Code, as none of the presented material and verbal evidence linked the defendants to the crime with which they are charged.

Delivering Verdict VIII KOK no.53/10 on 19.03.2018, the Court of First Instance Skopje 1 Skopje rejected the indictment against the ten defendants in the Sopot case.

IV-26 NSK-KO no. 14/17 – RENTGEN

The case registered under NSK-KO no.14/17 is under investigation.

Over the course of the investigation, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication took several procedural actions for obtaining data and information pertaining to the criminal event, and interviewed several witnesses. The Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication requested the related data and records from the the cases files of the First Instance Public Prosecutor's Office for Prosecuting Organized Crime and Corruption Skopje and from the Public Prosecutor's Office Skopje.

IV-27 NSK-KO no. 15/17 – PRODUCENT

The case NSK-KO No.15/17 is under investigation. In the course of the investigation, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication requested data and records from the First Instance Public Prosecutor's Office Skopje and the Public Prosecutor's Office for Prosecuting Organized Crime and Corruption Skopje with request NSK-KO No.15/17 dated 28.06.2018.

In response to the request, the Public Prosecutor's Office Skopje submitted the requested documents with missive dated 30.08.2018, in order to facilitate jurisdiction decision-making.

IV-28 NSK-KO no. 16/17 – TRANSPORTER 2

The case NSK-KO no.17/17 is under investigation. In the course of the investigation, the Public Prosecutor's Office obtained evidence and data that are necessary for the public prosecutor to bring a proper prosecutorial decision, including, examination of a number of witnesses, examination of 8 people as suspects,



preparation of an expert report, and preparation and submission of requests for data/evidence to various institutions.

IV-29 NSK-KO no. 17/17 – TARIFA 2

The case NSK-KO no.17/17 is under investigation. During the reporting period, a large number of investigative activities were undertaken, ie a large number of witnesses were examined, several requests were submitted to different institutions, and additional documentation was obtained.

The case investigation is at its final stage and the completion of the investigation, will be followed by prosecutorial decision-making.

IV-30 NSK-KO no. 18/17 – STRANSKI SLUZHBI

The case NSK-KO No.18/17 is at the stage of investigation. Regarding the submitted request for extradition NSK-KO No.18/17 dated 26.12.2017, through the Ministry of Justice of the Republic of Macedonia to the competent authority of the Republic of Greece, and due to the fact that one of the suspects in this investigation was in custody in the Republic of Greece for a criminal offense subject to other criminal proceedings, till this day this Prosecutor's Office has not received any response thereon. Regarding the Request for Mutual Cooperation in Criminal Matter NSK-KO No.18/17 dated 22.01.2018 sent through the Sector for International Legal Assistance of the Ministry of Justice of the Republic of Macedonia to the competent court in Thessaloniki, Republic of Greece, on 06.08.2018, this Public Prosecutor's Office received a reply from the Ministry of Justice, Transparency and Human Rights of the Republic of Greece through the Sector for International Legal Assistance of the Ministry of Justice of the Republic of Macedonia.

In the course of the investigation, a number of investigative actions were taken, including examination of a number of witnesses, conducting of several analysis, preparation of a supplement to an expert report, and submission of a large number of requests for data/evidence to various institutions which responded to the request, thus collecting more evidence and data necessary for the public prosecutor to be able to bring a proper prosecutorial decision.

IV-31 NSK-KO no. 19/17 – DRUMARINA

The case NSK-KO No.19/17 is at the stage of investigation. On 05.03.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted a Request to the Court of First Instance Skopje 1 Skopje for temporary seizure of property, in accordance with Article 39 paragraph 2 and Article 294 paragraph 4 with regard to Article 202 paragraph 1 of the CPC, whereafter the Court of First Instance Skopje 1 Skopje rendered Decision II KPP No.176/18 on 07.03.2018 granting the request of this Prosecutor's Office and imposing a temporary measure – Restraint on alienation of and taking out mortgage on the real property owned by the children of the suspect.



After hearing the complaints lodged by the two third parties – children of the suspect, the Criminal Council of the Court of First Instance Skopje 1 Skopje rendered Decision KS.no.41/18 on 15.03.2018 and Decision KS.no.38/18 on 09.03.2018 rejecting the appeals as unfounded and upholding the former decision.

In the course of the investigation, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication took several investigative actions, including obtaining and analysis of extensive documentation, examination of the suspect and preparation of an expert report.

The investigation procedure is at its final stages which will be followed by a proper prosecutorial decision.

IV-32 NSK-KO no. 19/17 – LIDERI

The case NSK-KO No.20/17 is at investigation stage. In the course of the investigation, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication took several investigative actions, including, examination of the suspect.

After obtaining the case files from the Public Prosecutor's Office Skopje, we established jurisdiction with Decision NSK-KO no.20/17 made on 03.04.2018.

IV.33 NSK-KO No.1/18 – AKTOR

As a result of the conducted preliminary investigation, an order for conducting investigation NSK-KO No.1/18 was issued on 20.03.2018 against 11 persons suspected of having committed Abuse of Official Position and Authority proscribed in Article 353, paragraph 5, with regard to with Article 1 and with regard to Article 23 of the Criminal Code and Money Laundering and Other Proceeds of Crime proscribed in Article 273, paragraph 5, with regard to paragraph 3 with regard to paragraph 1 with regard to Article 22 with regard to Article 45 of the Criminal Code.

Several investigative activities have been taken in the course of the ongoing case investigation.

IV.34 NSK-KO No.2/18 – POPIS

As a result of the conducted preliminary investigation, an order for conducting investigation NSK-KO no.2/18 was issued on 20.03.2018 against 2 persons suspected of having committed Abuse of Official Position and Authority proscribed in Article 353, paragraph 5 with regard to paragraph 4 with regard to paragraph 1 with regard to Article 22 of the Criminal Code of the Republic of Macedonia.

Several investigative activities have been taken in the course of the ongoing case investigation.



IV.35 NSK-KO No.3/18 – MOKJNIK

As a result of the conducted preliminary investigation, an order for conducting investigation NSK-KO no.3/8 was issued on 20.03.2018 against 13 persons on reasonable suspicions that: the first suspect committed one criminal offense – Fraud under Article 247, paragraph 4, with regard to paragraph 1 with regard to Article 23 of the CC and one criminal offense – Abuse of the Official Position and Authority under Article 353, paragraph 2, with regard to paragraph 1 with regard to Article 23 of the CC; the second and the third suspect committed – Fraud under Article 247, paragraph 4, with regard to paragraph 1 with regard to Article 22 of the CC, a the fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelve and thirteenth suspect committed Abuse of the Official Position and Authority under Article 353, paragraph 2, with paragraph 1 with regard to Article 22 of the Criminal Code of the Republic of Macedonia. During the reporting period, several actions were taken in the course of the investigation, including, examination of witnesses.

IV.36 NSK-KO No.5/18 – MONSTRUM

With the Decision for establishing real jurisdiction adopted on 20.03.2018, Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication claimed jurisdiction over the case of the Public Prosecutor's Office for Prosecuting Organized Crime and Corruption Ko.no.36/12 against the accused Alil Demiri, Afrim Ismailovikj, Agim Ismailovikj, Fejzi Aziri and Sami Ljuta for the criminal offense – Terrorism under Article 394-b paragraph 1 with regard to Article 22 of the Criminal Code and against Haki Aziri for the criminal offense – Terrorism under Article 394-b paragraph 1 with regard to Article 24 of the Criminal Code.

IV.37 NSK-KOZh No.3/18 (NSK-KO.no.6/16)

Deciding on the appeals of the defendants G.G. and V.S. lodged by their counsels Ljupcho Svirgovski, a lawyer from Skopje and Mile Petrovski, a lawyer from Skopje, respectively, both against the verdict of the Court of First Instance Skopje 1 Skopje K.no.1905/16 from 08.11.2017, on 10.04.2018, the Skopje Court of Appeal delivered Judgment KZh–66/18 rejecting the appeal of the defendant V.C. as unfounded and upholding the verdict pertaining to the defendants A.V., V.S., D.S., S.B. and D.Z., but upholding the appeal the defendant G.G., revoking the verdict of the Court of First Instance Skopje 1 Skopje K.no.1905/16 from 08.11.2017 pertaining to the defendant G.G. and remitting the matter for a retrial in the first instance court with the explanation that, when delivering the verdict in question in respect of the defendant G.G., the first instance court committed violation of Article 415 paragraph 3 item 3 of the Criminal Procedure Code as the court accepted that G.G. is not present to answer the charges as grounds for ordering trial in absentia in accordance with Article 355 paragraph 3 of the CPC, neglecting the fact that during the course of the main hearing, the defendant G.G. had already been remanded in custody in the Republic of Greece and the extradition proceedings were still pending, so in a situation when extradition is possible,



the defendant must be extradited, whereas a trial in absentia can be ordered only if the requested State had refused extradition or if extradition is not possible.

IV.38 NSK-KOZh No.4/18 (NSK-KO. no.1/15)

The Skopje Court of Appeal requested the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication to consider the criminal case against the defendant E.T. and to submit a proposal on the appeal lodged by the defendant against Decision KOK-KR no.17/18 of the Criminal Council of the Court of First Instance Skopje 1 Skopje from 26.01.2018. The defendant lodged the appeal as the defense's request for release from house arrest had been rejected as unfounded.

On appeal, the Skopje Court of Appeal dismissed the appeal of the defendant E.T. as unfounded at a nonpublic session held on 23.02.2018.

IV.39 NSK-KOZh No.5/18 (NSK-KO.no.15 / 15)

Adopting Decision KOK-KR.no.717/18 on 20.02.2018, the Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rejected as unfounded the application of the defendant J.J. for removal of injunction.

The defendant J.J. lodged an appeal against this decision to the Court of Appeal. The Skopje Court of Appeal submitted to the Public Prosecutor's Office a Request for Opinion KSZh-160/18 dated 06.03.2018, based on which this Public Prosecutor's Office formed case NSK-KOZh.no.5/18.

This Public Prosecutor's Office responded to the request by submitting Proposal NSK-KOZh.no.5/18 dated 12.03.2018 to the Skopje Court of Appeal proposing that the court should dismiss the application of the defendant J.J. as unfounded.

Deciding on the appeal of the defendant J.J., the Skopje Court of Appeal adopted Decision KSZh.no.160/18 on 22.03.2018 rejecting the appeal of the defendant as unfounded and affirming the Decision KOK-KR.no.717/18 of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje from 20.02.2018.

IV.40 NSK-KOZh No.6/18 (NSK-KO.no.15/15)

On 20.02.2018, adopting Decision KOK-KR.no.642/18, the Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rejected the application of the defendant V.D. for removal of the injunction as unfounded.

The defendant V.D. lodged an appeal against this decision to the Court of Appeal. The Skopje Court of Appeal submitted to the Public Prosecutor's Office a



Request for Opinion KSZh-159/18 dated 06.03.2018, based on which this Public Prosecutor's Office formed case NSK-KOZh.no.6/18.

This Public Prosecutor's Office responded to the request by submitting Proposal NSK-KOZh.no.6/18 dated 12.03.2018 to the Skopje Court of Appeal proposing that the court should dismiss the request of the defendant V.D. as unfounded.

Deciding on the appeal of the defendant V.D., the Skopje Court of Appeal adopted Decision KSZh.no.159/18 on 22.03.2018 rejecting the appeal of the defendant as unfounded and affirming the Decision KOK-KR.no.642/18 of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje from 20.02.2018.

IV.41 NSK-KOZh No.7/18 (NSK-KO.no.1/15)

The Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication received from the Skopje Court of Appeal a criminal case formed based on an appeal lodged by the defendant E.T. against Decision KSP-KOK.no.40/18 on extension of the house arrest of the defendant rendered by the Court of First Instance Skopje 1 Skopje on 23.02.2018. On 13.03.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted a proposal to the Skopje Court of Appeal that the court should dismiss the appeal of the defendant as unfounded.

Adopting Decision KSZh-168/18 on 22.03.2018, the Skopje Court of Appeal rejected the appeal of the defendant and upheld the decision adopted by the Court of First Instance Skopje 1 Skopje, which extends the house arrest.

IV.42 NSK-KOZh no.8/18 (pertaining to NSK-KO.no.21/15)

On 13.02.2018, the Court of First Instance Skopje 1 Skopje submitted to the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, the case KOK-KR no.685/18, which was formed based on the application of the defense counsel of the defendant T.T. for removal of the injunction issued with Decision KOK-KSP.no.387/17 of the Court of First Instance Skopje 1 Skopje from 30.06.2017 i.e. an obligation of the defendant to report every working Tuesday at 10.00 am to an appointed official at the Court of First Instance Skopje 1 Skopje and an interim seizure of a travel document.

After inspecting the documents submitted by the Court of First Instance Skopje 1 Skopje, on 20.02.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted an Opinion to the court which finds defendant's application unfounded as the reasons for the issuance of the injunction with Decision KOK-KSP.no.387/17 of the Court of First Instance Skopje 1 Skopje from 30.06.2017 are still valid.



Adopting Decision KOK-KR no.685/18 on 21.02.2018, the Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rejected the application of the defendant T.T. as unfounded. The defense counsel of the defendant T.T. appealed this Decision.

Following the Request of the Skopje Court of Appeal for a proposal on the case KSZh no.172/18 formed on 14.03.2018 based on the Appeal lodged by the defense counsel of the defendant T.T. against Decision KOK-KR no.685/18 of the Criminal Council of the Court of First Instance Skopje 1 Skopje – Department for Organized Crime and Corruption from 21.02.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication formed the case NSK-KOZh no.8/18 and afterwards submitted proposal NSK-KOZ No.8/18 dated 23.03.2018 to the Skopje Court of Appeal Skopje that the court should dismiss the appeal as unfounded and should uphold Decision KOK-KR No.685/18 of the Criminal Council of the Department for Organized Crime and Corruption of the Court of First Instance Skopje 1 Skopje from 21.02.2018.

Adopting Decision KSZh no.172/18 on 29.03.2018, the Skopje Court of Appeal dismissed as unfounded the appeal lodged by the defense counsel of the defendant T.T., and upheld Decision KOK-KR no.685/18 of the Criminal Council of the Department for Organized Crime and Corruption of the Court of First Instance Skopje 1 Skopje from 21.02.2018.

IV.43 NSK-KOZh No.9/18 (NSK-KO.no.17/15)

On 14.03.2018, adopting Decision KOK-KR.no.735/18, the Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rejected the application of the defendant S.M. for removal of the injunction as unfounded.

The defendant S.M. lodged an appeal against this decision to the Court of Appeal. The Skopje Court of Appeal submitted to the Public Prosecutor's Office a Request for Opinion KSZh-197/18 dated 23.03.2018, based on which this Public Prosecutor's Office formed case NSK-KOZh.no.9/18.

This Public Prosecutor's Office responded to the request by submitting Proposal NSK-KOZh.no.9/18 dated 02.04.2018 to the Skopje Court of Appeal proposing that the court should dismiss the application of the defendant S.M. as unfounded.

On 23.04.2018, adopting Decision KSZh.no.197/18, the Skopje Court of Appeal rejected the appeal of the defendant S.M. as unfounded and upheld the Decision KOK-KR.no.735/18 rendered by the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje on 14.03.2018.

IV.38 NSK-KOZh No.10/18 (NSK-KO. no.1/15)

On 29.03.2018, the Skopje Court of Appeal requested the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the



Illegally Intercepted Communication to consider the criminal case against the defendant M.J. and to submit a proposal on the appeal lodged by the defendant against Decision KOK-KR no.731/18 delivered by the Criminal Council of the Court of First Instance Skopje 1 Skopje on 15.03.2018. On 30.03.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted a proposal to the Skopje Court of Appeal that the court should dismiss the appeal of the defendant as unfounded.

Adopting Decision KSZh-205/18 on 23.04.2018, the Skopje Court of Appeal rejected the appeal lodged by the defendant and upheld the decision of the Court of First Instance Skopje 1 Skopje.

IV.45 NSK-KOZh No.11/18 (NSK-KO.no.1/15)

The Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication formed the case based on documents submitted by the Skopje Court of Appeal relating to the appeal of the defendant E.T. against Decision KSP-KOK.no.74/18 for extension of the house arrest rendered by the Court of First Instance Skopje 1 Skopje on 26.03.2018. On 19.04.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted a proposal to the Skopje Court of Appeal that the court should dismiss the request of the defendant as unfounded and uphold the decision of the Court of First Instance Skopje 1 Skopje.

Adopting Decision KSZh-257/18, at a nonpublic session held on 23.04.2018, the Skopje Court of Appeal dismissed the appeal of the defendant E.T. as unfounded.

IV.46 NSK-KOZh No.12/18 (NSK-KO. no.8/17)

The case was established with regard to the appeals lodged by the defendant I.T. and the accused legal entity SMART GROUP DOOEL Skopje against Verdict K no.144/18 based on admission of guilty delivered by the Court of First Instance Skopje 1 Skopje on 19.02.2018.

In response to Request for Opinion KZh No.341/18 sent by the Skopje Court of Appeal on 20.04.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted Proposal NSK-KOZh no.12/18 on 04.05.2018 that the court should dismiss the appeals of the defendant and the accused legal entity as unfounded.

The Council of the Skopje Court of Appeal heard the appeals lodged against the first instance verdict at a public session held on 09.07.2018, in the presence of a Public Prosecutor.

The decision of the Skopje Court of Appeal is pending.



IV.47 NSK-KOZh No.13/18 (NSK-KO.no.1/15)

On 23.04.2018, the Skopje Court of Appeal requested the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication to consider the criminal case against the defendant I.D. and to submit a proposal on the appeal lodged by the defendant against Decision KOK-KR no.741/18 of the Criminal Council of the Court of First Instance Skopje 1 Skopje from 22.03.2018. On 24.04.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted a proposal to the Skopje Court of Appeal that the court should dismiss the appeal of the defendant I.D. against Decision KOK-KR.no.741/18 of the Court of First Instance Skopje 1 Skopje from 22.03.2018 as unfounded.

Adopting Decision KSZh-271/18 at a nonpublic session held on 30.05.2018, the Skopje Court of Appeal dismissed the appeal of the defendant I.D. as unfounded and upheld the Decision rendered by the Court of First Instance Skopje 1 Skopje.

IV.42 NSK-KOZh no.14/18 (NSK-KO.no.9/16)

On 11.04.2018, the Court of First Instance Skopje 1 Skopje submitted to the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, the case KOK-KR no. 769/18, which was formed based on the application of the defense counsel of the defendant D.D. for removal of the injunction issued with Decision KOK-KSP.no.380/17 of the Court of First Instance Skopje 1 Skopje from 30.06.2017 i.e. an obligation of the defendant to report every working Monday at 10.00 am to an appointed official at the Court of First Instance Skopje 1 Skopje and an interim seizure of a travel document.

After inspecting the documents submitted by the Court of First Instance Skopje 1 Skopje, on 13.04.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted an opinion to the court finding defendant's application unfounded as the reasons for the issuance of the injunction with Decision KOK-KSP.no.380/17 of the Court of First Instance Skopje 1 Skopje from 30.06.2017 are still valid.

Adopting Decision KOK-KR no.769/18 on 18.04.2018, the Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rejected the request of the defendant D.D. as unfounded. The defense counsel of the defendant D.D. appealed this Decision.

Following the Request of the Skopje Court of Appeal for a proposal on the case KSZh no.309/18 formed on 09.05.2018 based on the Appeal lodged by the defense counsel of the defendant D.D. against Decision KOK-KR no.769/18 of the Criminal Council of the Court of First Instance Skopje 1 Skopje – Department for Organized Crime and Corruption from 18.04.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication formed the case NSK-KOZh no.14/18 on 15.05.2018 and afterwards



submitted proposal NSK-KOZ No.14/18 dated 15.05.2018 to the Skopje Court of Appeal that court should dismiss appeal as unfounded and should uphold Decision KOK-KR No.769/18 of the Criminal Council of the Department for Organized Crime and Corruption of the Court of First Instance Skopje 1 Skopje from 18.04.2018.

Adopting Decision KSZh no.309/18 on 04.06.2018, the Skopje Court of Appeal dismissed as unfounded the appeal lodged by the defense counsel of the defendant D.D., and upheld Decision KOK-KR no.769/18 of the Criminal Council of the Department for Organized Crime and Corruption of the Court of First Instance Skopje 1 Skopje from 18.04.2018.

IV.49 NSK-KOZh No.15/18 (NSK-KO.no.1/15)

The Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication received from the Skopje Court of Appeal a criminal case formed based on an appeal lodged by the defendant E.T. against Decision KSP-KOK.no.155/18 for extension of the house arrest of the defendant rendered by the Court of First Instance Skopje 1 Skopje on 25.04.2018. On 16.05.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted a proposal to the Skopje Court of Appeal that the court should dismiss the appeal of the defendant as unfounded.

Adopting Decision KSZh-355/18 on 04.06.2018, the Skopje Court of Appeal rejected the appeal of the defendant and upheld the decision adopted by the Court of First Instance Skopje 1 Skopje on extension of the house arrest.

IV.50 NSK-KOZh No.16/18 (NSK-KO.no.1/15)

On 01.06.2018, the Skopje Court of Appeal requested the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication to consider the criminal case against the defendant K.B. and to submit a proposal on the appeal lodged by the defendant against Decision KOK-KR no.814/18 rendered on 22.05.2018. On 06.06.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted a proposal to the Skopje Court of Appeal that the court should dismiss the appeal of the defendant K.B. as unfounded.

Adopting Decision KSZh-385/18 on 21.06.2018, the Skopje Court of Appeal rejected the appeal lodged by the defendant K.B. as unfounded and upheld the decision of the Court of First Instance Skopje 1 Skopje.

IV.51 NSK-KOZh No.17/18 (NSK-KO.no.3/17)

In response to the Request for an Opinion KOKZh-16/18 submitted by the Skopje Court of Appeal on 08.06.2018 to the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, on the appeal lodged by defense counsel Sterio Zikov of the defendant



Gjoko Popovski against Decision 09 KOK-40/17 rendered by the Court of First Instance Skopje 1 Skopje on 22.05.2018 for remanding the defendant Gjoko Popovski in custody, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted to the Skopje Court of Appeal on 11.06.2018, in accordance with Article 421, paragraph 2 of the Criminal Procedure Code, Proposal NSK-KOZh no.17/18, which suggested that the appeal should be rejected as unfounded, and the Decision of the judicial panel of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje 09 KOK-40/17 from 22.05.2018 should be affirmed.

Adopting Decision KOKZh-16/18 on 12.06.2018, the Skopje Court of Appeal dismissed the appeal of the defendant Gjoko Popovski as unfounded and upheld the decision rendered by the Court of First Instance Skopje 1 Skopje.

IV.52 NSK-KOZh No.18/18 (NSK-KO.no.17/15)

On 14.06.2018, adopting Decision KOK-KR.no.839/18, the Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rejected as unfounded the application of the defendant S.M. for removal on the injunction.

The defendant S.M. lodged an appeal against this decision to the Court of Appeal. The Skopje Court of Appeal submitted to the Public Prosecutor's Office a Request for Opinion KSZh-449/18 dated 28.06.2018, based on which this Public Prosecutor's Office formed case NSK-KOZh.no.18/18.

This Public Prosecutor's Office responded to the request by submitting Proposal NSK-KOZh.no.18/18 dated 04.07.2018 to the Skopje Court of Appeal proposing that the court should dismiss the application of the defendant S.M. as unfounded.

Deciding on the appeal of the defendant S.M., the Skopje Court of Appeal adopted Decision KSZh.no.449/18 on 11.07.2018 rejecting the appeal of the defendant as unfounded and affirming the Decision KOK-KR.no.839/18 rendered by the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje on 14.06.2018.

IV.53 NSK-KOZh No.19/18 (NSK-KO.no.6/17)

In response to the Request for an Opinion KSZh-477/18 submitted by the Skopje Court of Appeal on 06.07.2018 to the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, on the appeal lodged by Pavlina Stojanova, expert in the Association for Expert Analysis FORENZIK EXPERTS DOO, against the decision KOK-POV.No.10/18 from 06.06.2018, imposing a fine in the amount of 1.000 euros, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted to the Skopje Court of Appeal on 10.07.2018, in accordance with Article 421, paragraph 2 of the Criminal Procedure Code, Proposal NSK-KOZh no.19/18, which suggested that the



appeal should be rejected as unfounded, and that the Decision of the judicial panel of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje KOK-POV.No.10/18 from 06.06.2018 should be affirmed.

IV.54 NSK-KOZh No.20/18 (NSK-KO.no.6/17)

In response to the Request for an Opinion KSZh-478/18 submitted by the Skopje Court of Appeal on 06.07.2018 to the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, on the appeal lodged by Association for Expert Analysis FORENIC EXPERTS DOO, through the manager Kostadin Dukovski, against the decision KOK-POV.No.11/18 from 06.06.2018, imposing a fine in the amount of 2.000 euros, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted to the Skopje Court of Appeal on 10.07.2018, in accordance with Article 421, paragraph 2 of the Criminal Procedure Code, Proposal NSK-KOZh no.20/18, which suggested that the appeal should be rejected as unfounded, and that the Decision of the judicial panel of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje KOK-POV.No.11/18 from 06.06.2018 should be affirmed.

IV.55 NSK-KOZh No.21/18 (NSK-KO.no.1/15)

On 11.07.2018, the Skopje Court of Appeal requested the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication to consider the criminal case against the defendant E.T. and to submit a proposal on the appeal lodged by the defendant against Decision KOK-KR no.843/18 of the Court of First Instance Skopje 1 Skopje. On 13.07.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted a proposal to the Skopje Court of Appeal that the court should dismiss as unfounded the appeal of the defendant E.T. against Decision KOK-KR no.843/18 rendered by the Court of First Instance Skopje 1 Skopje on 25.06.2018.

Adopting Decision KSZh-486/18 on 17.07.2018, the Skopje Court of Appeal rejected the appeal lodged by the defendant E.T. as unfounded and upheld the decision of the Court of First Instance Skopje 1 Skopje.

IV.56 NSK-KOZh No.22/18 (NSK-KO.no.3/17)

In response to the appeals lodged by the defendant Nikola Gruevski, his defenders, as well as the defense counsel of the defendant Gjoko Popovski to the Skopje Court of Appeal against Verdict 09 KOK-59/17 of the Court of First Instance Skopje 1 Skopje delivered on 23.05.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, at the public session scheduled on 05.09.2018, submitted to the Skopje Court of Appeal Proposal NSK-KOZh.no.22/18 dated 30.08.2018, in accordance with Article 421, paragraph 2 of the Criminal Procedure Code, which suggests that the



court should dismiss the appeals as unfounded, and should uphold Verdict 09 KOK-59/17 of of the Court of First Instance Skopje 1 Skopje delivered on 23.05.2018.

IV.57 NSK-KOZh no.23/18 (NSK-KO no.11/16)

On 29.06.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication lodged an appeal against Decision VII KOK.no.79/16 of the Court of First Instance Skopje 1 Skopje from 27.06.2018, which granted the application of the defense counsel of the defendant Z.B. for removal of the injunction barring issuance of a passport and equivalent travel documents and obliging the defendant to report to an appointed person in the Court of First Instance Skopje 1 Skopje once a month.

On 30.07.2018, in accordance with Article 361 paragraph 2 with regard to Article 387 of the Criminal Procedure Code, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted Proposal NSK-KOZh no.23/18 to the Skopje Court of Appeal, which proposes that its appeal lodged by on 29.06.2018 should be upheld. Adopting Decision KOKZh-25/18 on 20.08.2018, the Skopje Court of Appeal upheld the appeal of this Public Prosecutor's Office and overturned the Decision of the Court of First Instance Skopje 1 Skopje KOK.no.79/16 from 27.06.2018 and remitted the case for a retrial in the first instance court.

IV.58 NSK-KOZ No.24 / 18 (NSK-KO.br.1 / 15)

On 27.07.2018, the Skopje Court of Appeal sent to the the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication a case established upon the appeal of the defendant B.B.B. against the decision KOK-KR.no.858/18 dated 16.07.2018 of the Court of First Instance Skopje 1 Skopje. On 03.08.2018, the Public Prosecutor's Office submitted to the Skopje Court of Appeal a proposal that the court should reject the appeal of the defendant as unfounded.

IV.59 NSK-KOZh No.25/18 (NSK-KO.no.15/15)

On 16.07.2018, adopting Decision KOK-KR.no. 862/18, the Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rejected as unfounded the application of the defendant A.Sh. for removal on the injunction.

The defendant A.Sh. lodged an appeal against this decision to the Court of Appeal. The Skopje Court of Appeal submitted to the Public Prosecutor's Office a Request for Opinion KSZh- 543/18 dated 09.08.2018, based on which this Public Prosecutor's Office formed case NSK-KOZh.no.25/18.

This Public Prosecutor's Office responded to the request by submitting Proposal NSK-KOZh.no.25/18 dated 14.08.2018 to the Skopje Court of Appeal proposing that the court should reject the application of the defendant A.SH. as unfounded.



The case is still under appeal.

IV.60 NSK-KOZh No.26/18 (NSK-KO No. 8/16)

On 16.08.2018, the Skopje Court of Appeal submitted to the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication a case formed upon the appeal of the defendant G.G. against Decision III KOK no.60/17 from 28.06.2018 of the Court of First Instance Skopje 1 Skopje. The legal representative of the defendant G.G. lodged the appeal against the allowance of the proposal of the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication for the defendant G.G. to be tried in absentia.

On 22.08.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted a proposal that the appeal should be rejected as unfounded.

The case is still under appeal.

IV.61 NSK-KOZh No.27/18 (NSK-KO.no.1/15)

On 17.08.2018, the Skopje Court of Appeal sent to the the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication a case formed upon the appeal of the defendant G.J. against the decision KOK-KR.no.857/18 dated 16.07.2018 of the Court of First Instance Skopje 1 Skopje.

On 21.08.2018, the Public Prosecutor's Office submitted to the Skopje Court of Appeal a proposal that the court should reject the appeal of the defendant as unfounded.

The case is still under appeal.

IV.62 NSK-KOZh No.28/18 (NSK-KO.no.1/15)

On 17.08.2018, the Skopje Court of Appeal requested the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication to consider the criminal case against the defendant M.J. and to submit a proposal on the appeal lodged by the defendant against Decision KOK-KR no.850/18 of the Court of First Instance Skopje 1 Skopje. On 21.08.2018, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted a proposal to the Skopje Court of Appeal that the court should dismiss the appeal of the defendant M.J. against Decision KOK-KR no.850/18 of the Court of First Instance Skopje 1 Skopje from 16.07.2018 as unfounded.

The case is still under appeal.



IV.63 NSK-KOZh No.29/18 (NSK-KO.no.2/17)

On 25.07.2018, adopting Decision KOK-KR.no.873/18, the Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rejected as unfounded the application of the defendant D.B. for removal on the injunction.

The defendant D.B. lodged an appeal against this decision to the Court of Appeal. The Skopje Court of Appeal submitted to the Public Prosecutor's Office a Request for Opinion KSZh-564/18 dated 20.08.2018, based on which this Public Prosecutor's Office formed case NSK-KOZh.no.29/18. This Public Prosecutor's Office responded to the request by submitting Proposal NSK-KOZh.no.29/18 dated 22.08.2018 to the Skopje Court of Appeal proposing that the court should reject the application of the defendant D.B. as unfounded.

The case is still under appeal.

IV.64 NSK-KOV No.3/18

Regarding the Requests for Opinion sent by the Court of First Instance Skopje 1 Skopje – Department for Execution of Sanctions to the the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication on 13.03.2018, 04.04.2018, 10.04.2018 and 20.04.2018, concerning the applications for extension of the suspension of the sentence of the convicted person A.D., the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted to the Court of First Instance Skopje 1 Skopje – Department for Execution of Sanctions, Judge for Execution of Sanctions on 14.03.2018, 12.04.2018, 23.04.2018 and 05.04.2018 Opinions on the applications for extension of the suspension of the sentence of the convicted person A.D. from Skopje.

On 25.04.2018, adopting Decision IIPK.no.37/17, the Court of First Instance Skopje 1 Skopje granted the application for suspension of the sentence of the convicted A.D.

IV.65 NSK-KOV No.4/18

Regarding the Request for Opinion sent by the Court of First Instance Skopje 1 Skopje – Department for Execution of Sanctions to the the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication on the application for extension of the suspension of the sentence of the convicted person M.E., the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted to the Court of First Instance Skopje 1 Skopje – Department for Execution of Sanctions, Judge for Execution of Sanctions on 23.05.2018 an Opinion on the application for extension of the suspension of the sentence of the convicted person A.D. from Skopje.



On 28.04.2018, adopting Decision 01 PK-36/17, the Court of First Instance Skopje 1 Skopje granted the application for suspension of the sentence of the convicted M.E. made by his legal counsel.

IV.66 NSK-KOV No.5/18

On 13.06.2018, the Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted to the Court of First Instance Skopje 1 Skopje a Request for Retrial of the case NSK-KOV No.5/18 dated 06.06.2018, which concluded with a verdict rendered by the Court of First Instance Skopje 1 Skopje, IV KOK.PP No.131/15 on 25.02.2015, against the convicted Z.K., on the count of Unauthorized Wiretapping and Sound Recording proscribed in Article 151 paragraph 4 with regard to paragraph 1 and with regard to Article 45 of the Criminal Code. The request followed the emergence of new facts and evidence that alone or in relation to the former evidence might be exculpatory, in reference to Article 449 paragraph 1 item 3 of the Criminal Procedure Code.

On 14.06.2018, the Criminal Council of the Department for Organized Crime and Corruption at the Court of First Instance Skopje 1 Skopje rendered decision KOK-POV No.12/18, allowing, in item 1, retrial of the criminal proceedings which concluded with a verdict based on a plea deal of the Court of First Instance Skopje 1 Skopje, IV KOK.PP No.131/15 from 25.02.2015, effective as of 25.02.2015, against the convicted Zvonko Kostovski for Unauthorized Wiretapping and Sound Recording proscribed in Article 151, paragraph 4, with regard to paragraph 1 with regard to Article 45 of the CC, and remitting the case, in item 2, for reinvestigation.

IV.67 NSK-KOV No.6/18

Regarding the Request for Opinion sent by the Court of First Instance Skopje 1 Skopje – Department for Execution of Sanctions to the the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication on the application for extension of the suspension of the sentence of the convicted person A.D., the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication submitted to the Court of First Instance Skopje 1 Skopje – Department for Execution of Sanctions, Judge for Execution of Sanctions on 05.07.2018 an Opinion on the application for extension of the suspension of the sentence of the convicted person A.D. from Skopje.

On 05.07.2018, adopting Decision IIPK.no.37/17, the Court of First Instance Skopje 1 Skopje granted the application for suspension of the sentence of the convicted A.D.

IV.68 NSK-KOV No.7/18

The Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication received, in addition to Missive III KOZ no.193/17 dated 11.07.2018 from the Public Prosecutor's Office of the



Republic of Macedonia, an initiative for putting forward a motion for protection of the lawfulness by the complainant V.C. from Kumanovo against the verdict of the Court of First Instance in Kumanovo K. no.88/16 delivered on 20.02.2017, and the verdict of the Skopje Court of Appeal KZh No.516/17 delivered on 11.07.2017, due to the fact that the Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication claimed jurisdiction with Decision A.no.130/15 made on 14.12.2015 over the case K.no.88/16 opened on the basis of the criminal complaint of the complainant V.C. from Kumanovo, against Z.Z, M .K. and one political party for a criminal offense proscribed in Article 151 of the Criminal Code.

Having received the above initiative on 17.07.2018, the public prosecutor will give an appropriate opinion i.e. response to the submitted initiative after the examination of the case files.

COURT HEARINGS FOR THE CASES OF THIS PUBLIC PROSECUTOR'S OFFICE

In order to acquaint the public with the course of the hearings on the cases under the jurisdiction of the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, a detailed and statistical overview of the holding and adjournment of the hearings is given below.

NSK-KO No.1/15 TITANIK – KOK.no.7/18

On 02.04.2018, the main hearing was adjourned.

On 12.04.2018, the main hearing was adjourned.

On 26.04.2018, the main hearing took place and the procedural objections of the defense were discussed. Public prosecutor attending the hearing Lile Stefanova.

On 02.05.2018, the main hearing was adjourned.

On 09.05.2018, the main hearing took place and the prosecution delivered its opening statement. Public prosecutor attending the hearing Lile Stefanova.

On 21.05.2018, the main hearing took place and the defendants and the defense delivered their opening statements. Public prosecutor attending the hearing Lile Stefanova.

On 28.05.2018, the main hearing took place and the defendants and the defense delivered their opening statements. Public prosecutor attending the hearing Lile Stefanova.

On 31.05.2018, the main hearing was adjourned.

On 03.07.2018, the main hearing was adjourned.

On 16.08.2018, the main hearing took place and the prosecution presented audio materials as evidence. Public prosecutor attending the hearing Lile Stefanova.

On 17.08.2018, the main hearing took place and the prosecution presented audio materials as evidence. Public prosecutor attending the hearing Lile Stefanova.

On 20.08.2018, the main hearing took place and the prosecution presented audio materials as evidence. Public prosecutor attending the hearing Lile Stefanova.



NSK-KO No.11/15 TITANIK 2 – KOK.no.62/17

On 24.04.2018, before opening of the main hearing with opening statements, the prosecution submitted a technically refined text of the disposition and legal qualification of the bill of indictment NSK-KO no.11/15 without the persons for whom the indictment was rejected. The main hearing was adjourned for the parties to get acquainted with the refined indictment. Public prosecutors attending the hearing Gavril Bubevski and Fatime Fetaj.

On 10.05.2018, the main hearing took place and the prosecution delivered its opening statement. Public prosecutors attending the hearing Gavril Bubevski and Fatime Fetaj.

On 22.05.2018, the main hearing was took place and the defendants and the defense counsels delivered their opening statements. Public prosecutors attending the hearing Gavril Bubevski and Fatime Fetaj.

On 06.07.2018, the main hearing took place, and the prosecution presented the evidence of the prosecution. Public prosecutors attending the hearing Gavril Bubevski and Fatime Fetaj.

On 27.08.2018, the main hearing took place, and proceeded with presentation of the verbal evidence – examination of the witnesses for the prosecution. Public prosecutors attending the hearing Gavril Bubevski and Fatime Fetaj.

On 06.09.2018, the main hearing took place, whereat a representative from the Office of the State Attorney of the Republic of Macedonia presented a claim for damages. Public prosecutors attending the hearing Gavril Bubevski and Fatime Fetaj.

NSK-KO No.15/15 TRANSPORTER – KOK no.30/17

On 07.03.2018, the main hearing took place, whereat evidence contained in the indictment were presented and witnesses, including a representative of the Ministry of Education and the Attorney General of the Municipality of Bitola, were examined. Public prosecutors attending the hearing Trajche Pelivanov and Ljubomir Lape.

On 09.03.2018, the main hearing took place, whereat evidence contained in the indictment were presented and witnesses were examined. Public prosecutors attending the hearing Trajche Pelivanov and Ljubomir Lape.

On 13.04.2018, before the beginning of the hearing, a motion for judicial disqualification was proposed to the court, whereafter the hearing proceeded with examination of witnesses. Public prosecutors attending the hearing Trajche Pelivanov and Ljubomir Lape.

On 27.04.2018, the main hearing took place, whereat evidence contained in the indictment were presented and witnesses for the prosecution were examined. Public prosecutors attending the hearing Trajche Pelivanov and Ljubomir Lape.

On 11.05.2018, the main hearing was adjourned.

On 30.05.2018, the main hearing took place, whereat evidence contained in the indictment were presented and witnesses for the prosecution were examined. Public prosecutor attending the hearing Trajche Pelivanov.

On 02.07.2018, the main hearing was adjourned.

On 05.07.2018, the main hearing took place, whereat evidence contained in the indictment were presented and witnesses for the prosecution were examined. Public prosecutor attending the hearing Trajche Pelivanov.



NSK-KO No.17/15 TARGET- TVRDINA – KOK No.47/17

On 27.03.2018, the main hearing was adjourned due to the fact that the procedure for extradition of the defendants G.G. and N.B. from the Republic of Greece to the Republic of Macedonia is ongoing and is currently under appeal and until this moment the judicial authorities of the Republic of Greece have not reached a final decision on the request for extradition of the defendants.

On 15.05.2018, a hearing took place, and taking into consideration the statement of the defense counsels of the defendant G.G. and N.B. that the Supreme Court of the Republic of Greece will announce its decision on 18.05.2018 on whether it will accept the extradition request or not, the prosecution proposed, in accordance with Article 29 of the Criminal Procedure Code, separation of the proceedings for the defendants G.G. and N.B. taking into account the public interest in this matter as well as expedience of the proceedings. The court, due to economy and expedience, decided to adjourn the main hearing, i.e. to wait for the outcome of the extradition procedure, and to make a decision at the proposal of the prosecution at the next hearing.

On 19.06.2018, a hearing took place, and taking into consideration the submission of the defense counsel of the defendant G.J. informing the court of the defendant's inability to attend the main hearing due to a high-risk pregnancy, after reviewing the submission, the prosecution proposed, in accordance with Article 29 of the CPC, a separation of the proceedings for the defendant G.J. For reasons of economy and expedience of the proceedings, the court rendered a decision for separation of the proceedings for the defendant G.J. Further at the hearing, having in mind that on 18.05.2018 the decision of the Supreme Court of the Republic of Greece was announced through the media, which rejected the request for extradition of the defendant G.G. and NB, as well as the fact that the defense counsel of the defendants submitted the decision for termination – release from custody of the defendants, the prosecution proposed separation of the proceedings for the defendants G.G. and N.B. For reasons of economy and expedience of the proceedings, the court rendered a decision for separation of the proceedings for the defendants G.G. and NB, and for forming separate cases for the defendants G.G. and NB and for the defendant G.J. Further, at the hearing, the defense counsels of the defendants S.M. and V.S. submitted a proposal for halting the proceedings against the defendants on the grounds of the Pardon granted by the President of the Republic of Macedonia. Since the judicial panel needed to decide at the proposal for halting the proceedings, the court decided to adjourn the hearing.

On 31.08.2018, a hearing took place, whereat the prosecution proposed that the court should revoke the previous decision for separation of the proceedings for the defendant G.J. and adopt a decision for conducting a single procedure in relation to the other defendants, including the defendant G.J. The court decided to render decision at the proposal for merging the proceedings with the defendant G.J. at the next scheduled hearing. The court afterwards decided to hold the main hearing. Before the beginning of the main hearing, the court rendered a decision at the proposal submitted by the defense at the previous hearing for halting the proceedings against the defendants on



the grounds of the presidential pardon, rejecting the proposal. The hearing continued with the opening statements of the prosecution and the defendant T.J. and his defense counsel. The Defense made an objection aimed at challenging the real competence of this Public Prosecutor's Office to appear as an authorized prosecuting attorney in this case. After a consultation, the court overruled the objection of the defense. Since the court needs to render a decision at the next scheduled hearing at the proposal of the prosecution for merging of the separated proceedings in relation to the defendant G.J., the court decides to adjourn the hearing.

NSK-KO 21/15 TNT – KOK no.53/17

On 16.03.2018, the main hearing took place, whereat the defense counsels and the defendants delivered opening statements. Public prosecutors attending the hearing Burim Rustemi and Stevcho Donev.

On 05.04.2018, the main hearing was adjourned because a request for recusal was submitted by the defense. Public prosecutors attending the hearing Burim Rustemi and Lile Stefanova.

On 13.04.2018, the main hearing was adjourned. Public prosecutors attending the hearing Burim Rustemi and Lile Stefanova.

On 04.05.2018, the main hearing was adjourned. Public prosecutors attending the hearing Burim Rustemi and Lile Stefanova.

On 11.06.2018, the main hearing proceeded with presentation of evidence including presentation of audio materials and text messages. Public prosecutor attending the hearing Burim Rustemi.

On 03.07.2018, the main hearing proceeded with reading of material evidence from the evidence list annexed to the bill of indictment of the prosecution. Public prosecutor attending the hearing Burim Rustemi.

On 29.08.2018, the main hearing was adjourned. Public prosecutor attending the hearing Burim Rustemi.

NSK-KO No.1/16 TITANIK 3

On 16.03.2018, the main hearing was adjourned.

On 27.04.2018, the main hearing was adjourned.

On 08.05.2018, the main hearing was adjourned.

On 11.05.2018, the main hearing began with the opening statement of the prosecution. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 19.06.2018, the main hearing was adjourned.

On 22.06.2018, the main hearing was adjourned.

On 28.06.2018, the main hearing proceeded to examination of the witnesses for the prosecution. Public prosecutors attending the hearing Fatime Fetai and Stevcho Donev.

NSK-KO No.2/16 TORTURA – K.no.1959/17

On 28.02.2018, the main hearing was adjourned. Public prosecutors attending the hearing Ljubomir Lape and Gavril Bubevski.



On 23.03.2018, the main hearing was adjourned. Public prosecutors attending the hearing Ljubomir Lape and Gavril Bubevski.

On 07.05.2018, the main hearing was adjourned. Public prosecutors attending the hearing Ljubomir Lape and Gavril Bubevski.

On 13.06.2018, the main hearing was adjourned. Public prosecutors attending the hearing Ljubomir Lape and Gavril Bubevski.

On 09.07.2018, the main hearing began with the opening statement of the prosecution. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski. The damaged party and his lawyer filed a claim for damages. Public Prosecutor attending the hearing Ljubomir Lape.

A PUBLIC SESSION BEFORE THE SKOPJE COURT OF APPEAL FOR THE CASE TVRDINA 2 (NSK-KO no.6/16)

On 28.03.2018, at a public session, the Skopje Court of Appeal heard the appeals lodged by Goran Grujevski and Valentina Simonovska against the first instance verdict of the Court of First Instance Skopje 1 Skopje K.no.1905/16 dated 08.11.2017. Public prosecutor attending the public session Trajche Pelivanov and Artan Ajro.

NSK-KO No.7/16 Violence in the Municipality of Centar

On 05.03.2018, (separated proceedings for Dimche Krstev) the main hearing was adjourned. Public prosecutor attending the hearing Fatime Fetai.

On 13.03.2018, the main hearing was adjourned. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 27.03.2018, (separated proceedings for Dimche Krstev), the main hearing was adjourned. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 03.04.2018, the main hearing was adjourned. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 05.04.2018, (separated proceedings for Dimche Krstev) the main hearing took place, whereat the expert witness testified about the psychiatric evaluation. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 13.04.2018, (separated proceedings for Dimche Krstev), the main hearing took place, whereat the prosecution submitted a technical amendment to the indictment proposal, whereupon the defense sought an adjournment of the hearing so that the defendant can examine the precise content of the indictment. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 19.04.2018, the main hearing was adjourned. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 03.05.2018, (separated proceedings for Dimche Krstev) the main hearing was adjourned. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 01.06.2018, the main hearing was adjourned. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 05.06.2018, (separated proceedings for Dimche Krstev) the main hearing was adjourned. Public prosecutor attending the hearing Fatime Fetai.



On 06.06.2018, the main hearing proceeded with examination of witnesses. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 22.06.2018, the main hearing proceeded with examination of injured parties as witnesses. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 09.07.2018, the main hearing proceeded with examination of the injured parties as witnesses. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 10.07.2018, (separated proceedings for Dimche Krstev) the main hearing was adjourned. Public prosecutor attending the hearing Fatime Fetai.

On 13.07.2018, the main hearing proceeded with examination of witnesses. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 30.08.2018, the main hearing proceeded with examination of an injured party as a witness. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

NSK-KO no. 8/16 TREZOR – III KOK. 60/17

On 29.03.2018, the scheduled hearing was adjourned.

On 17.05.2018, the scheduled hearing was adjourned.

On 28.06.2018, the scheduled hearing took place, whereat the Judicial Panel accepted the motion submitted by the prosecution, in accordance with Article 365 paragraph 3 of the CPC, that the defendant Goran Grujevski be tried in absentia, as he is not available to the prosecuting authorities of the Republic of Macedonia. Hence, the prosecution delivered its opening statement, and presented audio materials from the illegal interception of communication. Public Prosecutors attending the hearing Artan Ajro and Trajche Pelivanov.

NSK-KO 9/16 TOPLIK – KOK No.57/17

On 30.03.2018, the main hearing began with the opening statements of the prosecution, the defense counsels and the defendants. Public prosecutors attending the hearing Burim Rustemi and Lile Stefanova.

On 20.04.2018, the main hearing proceeded with presentation of the audio materials. Public prosecutors attending the hearing Burim Rustemi and Lile Stefanova.

On 11.05.2018, the main hearing proceeded with reading of the material evidence from the evidence list annexed to the bill of indictment. Public prosecutors attending the hearing Burim Rustemi and Lile Stefanova.

On 29.06.2018, the main hearing proceeded with presentation of the material evidence from the evidence list annexed to the bill of indictment. Public prosecutor attending the hearing Burim Rustemi.

NSK-KO no.10/16 TENDERI – X KOK. no.64/17

On 13.03.2018, the main hearing took place, whereat the court ruled on the objections of the defense, and the prosecution, the defense counsels and the defendants delivered their opening statements. Public prosecutors attending the hearing Stevcho Donev and Lile Stefanova.



On 13.04.2018, the main hearing proceeded with presentation of audio materials. Public prosecutors attending the hearing Stevcho Donev and Lile Stefanova.

On 14.05.2018, the main hearing proceed with reading of the material evidence from the evidence list annexed to the bill of indictment. Public prosecutor attending the hearing Lile Stefanova.

On 20.06.2018, the main hearing took place, whereat material evidence of the prosecution was presented, at the request of the defense. Public prosecutor attending the hearing Stevcho Donev.

On 13.07.2018, the scheduled main hearing was adjourned.

NSK-KO no.11/16 SHPION – 07 KOK.6p.99/16

On 19.04.2018, the main hearing was adjourned. Public prosecutor attending the hearing Stevcho Donev.

On 17.05.2018, the main hearing was adjourned due to absence of the defendant, and at the same hearing, the retrial KOK 99/16 was merged with the case established against the defendant Zoran Bozinovski KOK 79/16, at the proposal of the prosecution. Public prosecutor attending the hearing Elizabeta Josifoska.

On 27.06.2018, the main hearing took place, whereat the court rendered a decision for conducting a single procedure, whereafter the defense requested refinement the indictment. A decision was also rendered for halting the criminal proceedings against defendants on the count of number 27. A public prosecutor attending the hearing, Stevcho Donev.

NSK-KO no.12/16 SOPOT – KOK.no.53/10

At the court hearing held **on 19.03.2018** the prosecution withdrew the charges. The Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication Katica Janeva and Public Prosecutor Burim Rustemi attended the hearing.

NSK-KO No.2/17 TARIFA – KOK No.51/17

On 01.03.2018, a main hearing took place, whereat evidence contained in the indictment was presented and witnesses for the prosecution were examined. Public prosecutors attending the hearing Trajche Pelivanov and Stevcho Donev.

On 15.03.2018, a main hearing took place, whereat evidence contained in the indictment was presented and witnesses for the prosecution were examined. Public prosecutor attending the hearing Trajche Pelivanov.

On 22.03.2018, a main hearing took place, whereat evidence contained in the indictment was presented and witnesses for the prosecution were examined. Public prosecutors joined the hearing Trajche Pelivanov and Stevcho Donev.

On 29.03.2018, a main hearing took place, whereat evidence contained in the indictment was presented and witnesses for the prosecution were examined. Public prosecutors joined the hearing Trajche Pelivanov and Stevcho Donev.



On 11.04.2018, a main hearing took place, whereat evidence contained in the indictment was presented and witnesses for the prosecution were examined. Public prosecutor attending the hearing Trajche Pelivanov.

On 24.04.2018, a main hearing took place, whereat evidence contained in the indictment was presented and witnesses for the prosecution were examined. Public prosecutor attending the hearing Trajche Pelivanov.

On 26.04.2018, a main hearing took place, whereat evidence contained in the indictment was presented and witnesses for the prosecution were examined. Public prosecutor attending the hearing Trajche Pelivanov and Stevcho Donev.

On 07.05.2018, a main hearing took place, whereat evidence contained in the indictment was presented and witnesses for the prosecution were examined. Public prosecutor attending the hearing Trajche Pelivanov.

On 10.05.2018, the main hearing was adjourned.

On 16.05.2018, the main hearing took place, whereat evidence contained in the indictment was presented, and a witness for the prosecution – a representative of the damaged AD ELEM Skopje was examined. Public prosecutor attending the hearing Trajche Pelivanov.

On 29.05.2018, the main hearing was adjourned.

On 04.06.2018, the main hearing took place, whereat evidence contained in the indictment was presented, audio conversations were presented, and the written evidence was read and presented. Public prosecutor attending the hearing Trajche Pelivanov.

On 05.06.2018, the main hearing proceeded with presentation of the evidence of the indictment. Public prosecutors attending the hearing Trajche Pelivanov and Stevcho Donev.

On 12.06.2018, the main hearing proceeded with presentation of the evidence of the indictment. Public prosecutor attending the hearing Trajche Pelivanov.

On 26.06.2018, the main hearing proceeded with presentation of the evidence of the prosecution and with examination of witnesses for the prosecution. Public prosecutor attending the hearing Trajche Pelivanov.

On 09.07.2018, the main hearing proceeded with presentation of evidence of the prosecution and examination of the expert witness Kire Jakjimoski. Public prosecutor attending the hearing Trajche Pelivanov.

On 11.07.2018, the main hearing proceeded with presentation of evidence of the prosecution and examination of the expert witness Kire Jakjimoski. Public prosecutor attending the hearing Trajche Pelivanov.

On 12.07.2018, the main hearing proceeded with presentation of evidence of the prosecution and examination of the expert witness Kiro Kostov. Public prosecutor attending the hearing Trajche Pelivanov.

NSK-KO no.3/17 TENK – IX KOK.no.59/17

On 12.03.2018, a main hearing took place, whereat witnesses for the prosecution were examined. Public prosecutors attending the hearing Stevcho Donev and Gavril Bubevski.

On 15.03.2018, a main hearing took place, whereat witnesses for the prosecution were examined. Public prosecutors attending the hearing Stevcho Donev and Burim Rustemi.



On 21.03.2018, a main hearing took place, whereat witnesses for the prosecution were examined. Public prosecutors attending the hearing Stevcho Donev and Burim Rustemi.

On 10.04.2018, a main hearing took place, whereat a motion for judicial disqualification of the judicial panel, President of the Court of First Instance Skopje 1 Skopje as well as the Vice President of the Court of Appeal and his deputy was submitted, witnesses for the prosecution were heard and audio materials were presented. Public prosecutors attending the hearing Stevcho Donev and Lence Ristoska.

On 11.04.2018, a main hearing took place, whereat material evidence of the prosecution contained in the evidence list were read, and witnesses for the defense were examined. Public prosecutors attending the hearing Stevcho Donev and Lence Ristoska.

On 18.04.2018, a main hearing took place, whereat the proceedings for the defendant Gordana Jankuloska were separated due to a high-risk pregnancy at the proposal of the prosecution. The main hearing continued with the examination of defense witnesses. Public prosecutors attending the hearing Stevcho Donev and Lence Ristoska.

On 20.04.2018, the main hearing proceeded with examination of defense witnesses. Public prosecutors attending the hearing Stevcho Donev and Gavril Bubevski.

On 23.04.2018, the main hearing proceeded with examination of defense witnesses. Public prosecutors attending the hearing Stevcho Donev and Lence Ristoska.

On 25.04.2018, the main hearing proceeded with examination of witnesses for the defense including an expert witness for the defense. Public prosecutors attending the hearing Stevcho Donev and Lence Ristoska.

On 08.05.2018, the main hearing proceeded with presentation of material evidence of the defense. Public prosecutors attending the hearing Stevcho Donev and Lence Ristoska.

On 14.05.2018, the main hearing took place, whereat the prosecution and the defense introduced additional evidence. Public prosecutor attending the hearing Stevcho Donev.

On 17.05.2018, the main hearing concluded with the delivery of the closing statements. Public prosecutors attending the hearing Stevcho Donev and Gavril Bubevski.

On 23.05.2018, the court announced its verdict on the criminal case IX KOK.6p.59/17.

PUBLIC SESSION BEFORE THE SKOPJE COURT OF APPEAL FOR THE TENK CASE (NSK-KO no.3/17)

On 30.08.2018, the public session was adjourned.

On 31.08.2018, the Skopje Court of Appeal held a public session for the appeals lodged by the defense and the defendant against the first instance verdict of the Court of First Instance Skopje 1 Skopje on the criminal case 09 KOK -59/17.



On 05.09.2018, the Skopje Court of Appeal held a public session for the appeals lodged by the defense and the defendant against the first instance verdict of the Court of First Instance Skopje 1 Skopje on the criminal case 09 KOK -59/17.

NSK-KO no.3/17 TENK – IX KOK.no.21/18

On 01.06.2018, a main hearing was held, whereat the prosecution made an application for an expert opinion from a specialist in gynecology and obstetrics in order to determine whether the defendant Gordana Jankulovska is able to attend the trial. Public prosecutor attending the hearing Stevcho Donev.

On 13.06.2018, the main hearing proceeded with examination of the expert opinion provided by the defense and prepared by the PHI University Clinic for Gynecology and Obstetrics Skopje. Public prosecutor attending the hearing Stevcho Donev.

On 29.06.2018, the main hearing was adjourned.

On 29.08.2018, the main hearing proceeded with the prosecution, the defense and the defendants delivering opening statements, and with examination of witnesses. Public prosecutor attending the hearing Stevcho Donev.

On 30.08.2018, the main hearing proceeded with examination of witnesses for the prosecution. Public prosecutor attending the hearing Stevcho Donev.

On 04.09.2018, the main hearing proceeded with examination of witnesses for the prosecution. Public prosecutor attending the hearing Stevcho Donev.

On 05.09.2018, a main hearing proceeded with reading of material evidence from the evidence annexed to the indictment. Public prosecutor attending the hearing Stevcho Donev.

NSK-KO no.4/17 TRUST – XIX No.1459/17

On 06.03.2018, the scheduled main hearing was adjourned.

On 29.03.2018, the main hearing proceeded with presentation of evidence. The defense examined the technical advisor – expert witness for the defense. Public prosecutors attending the hearing Artan Ajro and Gavril Bubevski.

On 05.04.2018, the scheduled main hearing was adjourned.

On 10.04.2018, the scheduled main hearing was adjourned.

On 24.04.2018, the main hearing continued with examination of the technical advisor – expert witness for the defense. The prosecution cross-examined the technical adviser. Public prosecutors attending the hearing Artan Ajro and Gavril Bubevski.

On 08.05.2018, the scheduled main hearing was adjourned.

On 17.05.2018, the scheduled main hearing was adjourned.

On 22.05.2018, the main hearing proceeded with presentation of evidence. Public prosecutors attending the hearing Artan Ajro and Gavril Bubevski.

On 07.06.2018, the main hearing proceeded with presentation of evidence. The main hearing continued with examination of the defendant by the defense and the prosecution. Public prosecutors attending the hearing Artan Ajro and Gavril Bubevski.

On 14.06.2018, the main hearing continued with presentation of evidence. At the main hearing, the prosecution provided transcripts of audio conversations from the illegal interception of communication. Public prosecutors attending the hearing Artan Ajro and Gavril Bubevski.



On 03.07.2018, the main hearing continued with presentation of evidence. The audio conversations of the illegal interception of communication were presented at the main hearing. After presenting the evidence, the prosecution submitted a proposal for introducing additional evidence. Public prosecutors attending the hearing Artan Ajro and Gavril Bubevski.

On 12.07.2018, the main hearing took place, whereat the prosecution delivered its closing argument. Public prosecutors attending the hearing Artan Ajro and Gavril Bubevski.

On 16.07.2018, the main hearing took place, whereat the defense delivered its closing arguments. Public prosecutors attending the hearing Artan Ajro and Gavril Bubevski.

On 17.07.2018, the main hearing took place, whereat the defendants delivered their closing arguments. Public prosecutors attending the hearing Artan Ajro and Gavril Bubevski.

On 20.07.2018, the court announced the verdict on the criminal case XIX K. no.1459/17. Public Prosecutors at the hearing Artan Ajro and Gavril Bubevski.

NSK-KO no.6/17 TRISTA – IX KOK.no.40/17

On 20.03.2018, the main hearing proceeded with examination of witnesses for the prosecution. Public prosecutors attending the hearing Stevcho Donev and Fatime Fetai.

On 23.03.2018, the main hearing proceeded with examination of witnesses for the prosecution. Public prosecutors attending the hearing Stevcho Donev and Fatime Fetai.

On 28.03.2018, the main hearing proceeded with examination of witnesses for the prosecution. Public prosecutors attending the hearing Stevcho Donev and Fatime Fetai.

On 03.04.2018, the main hearing proceeded with examination of witnesses for the prosecution. Public prosecutors attending the hearing Stevcho Donev and Fatime Fetai.

On 24.04.2018, the main hearing proceeded with presentation of the material evidence contained in the evidence list of the indictment. Public prosecutors attending the hearing Stevcho Donev and Fatime Fetai.

On 30.04.2018, the main hearing took place, whereat the expert witness and the expert institution were fined for not justifying their absence from the main hearing. Public prosecutors attending the hearing Stevcho Donev and Fatime Fetai.

On 03.05.2018, the main hearing proceeded with examination of the expert witness and the technical adviser for the defense. Public prosecutors attending the hearing Stevcho Donev and Fatime Fetai.

On 10.05.2018, the main hearing proceeded with examination of the defendant and with introduction of additional evidence by the prosecution and the defense. Public prosecutors attending the hearing Stevcho Donev and Fatime Fetai.

On 16.05.2018, the main hearing concluded with the prosecution and the defense giving their closing arguments. Public prosecutors attending the hearing Stevcho Donev and Fatime Fetai.

On 22.05.2018, the court announced the verdict on the criminal case IX KOK.no.40/17, whereupon the prosecution made an application for remanding the



defendant in custody. The Court of First Instance Skopje 1 Skopje, on 22.05.2018, remanded Gjoko Popovski in custody until the commencement of the prison sentence. Public prosecutor attending the hearing Fatime Fetaj.

NSK-KO No.7/17 TOTAL – K No.1493/17

On 30.03.2018, the main hearing was adjourned. Public prosecutor attending the hearing Elizabeta Josifoska.

On 11.04.2018, the main hearing was adjourned. Public prosecutor attending the hearing Elizabeta Josifoska.

On 14.05.2018, the main hearing was held, whereat the prosecution provided the defendant and accused legal entities with copies of the transcripts, and the court ruled on the objections and application of the defense. Public prosecutor attending the hearing Elizabeta Josifoska.

On 02.07.2018, the main hearing proceeded with the opening statements of the prosecution, the defense and the defendants. Public prosecutor attending the hearing Elizabeta Josifoska.

On 11.07.2018, the main hearing moved to the stage of presentation of evidence, in the course of which the audio materials were presented. Public prosecutor attending the hearing Elizabeta Josifoska.

PUBLIC SESSION BEFORE THE SKOPJE COURT OF APPEAL FOR THE TIFANI CASE (NSK-KO no.8/17)

On 09.07.2018, Skopje Court of Appeal held a public session for the appeals lodged by the defendant, the accused legal entity and the prosecution, against the first instance verdict delivered by the Court of First Instance Skopje 1 Skopje K.no.144/18 on 19.02.2018. Public prosecutor attending a public meeting Stevcho Donev.

NSK-KO no. 9/17 TRAEKTORIJA - I KOK.no.52/17

On 01.03.2018, a main hearing was held, whereat the court overruled the objections made by the defense for exclusion of CDs with audio materials and text messages, and the expert reports from evidence. In addition, the prosecution, the defense and the defendants delivered their opening statements. Public prosecutors attending the hearing Lile Stefanova and Burim Rustemi.

On 20.03.2018, the main hearing was adjourned. Public prosecutors attending the hearing Lile Stefanova and Burim Rustemi.

On 17.04.2018, the main hearing was held, whereat the defense proposed a motion for judicial disqualification of the judicial panel, the President of the Court of First Instance Skopje 1 Skopje and the Vice President of the Court of First Instance Skopje 1 Skopje, as well as two judges from the Skopje Court of Appeal. The court rejected the motion for judicial disqualification of the President and the Vice President of the Court of First Instance Skopje 1 Skopje, and the judges from the Skopje Court of Appeal as inadmissible, and rejected the motion for judicial disqualification of the judicial panel as unfounded. The presentation of evidence started with presentation of material evidence of the prosecution and presentation of audio material. Public prosecutors attending the hearing Lile Stefanova and Burim Rustemi.



On 23.05.2018, the main hearing proceeded with presentation of audio materials given as evidence by the prosecution. Public prosecutors attending the hearing Lile Stefanova and Burim Rustemi.

On 29.05.2018, the main hearing proceeded with presentation of audio materials given as evidence by the prosecution. Public prosecutor attending the hearing Lile Stefanova.

On 26.06.2018, the main hearing proceeded with presentation of audio materials given as evidence by the prosecution. Public prosecutor attending the hearing Lile Stefanova.

On 04.07.2018, the main hearing proceeded with presentation of audio materials given as evidence by the prosecution. Public prosecutor attending the hearing Lile Stefanova.

On 12.07.2018, the main hearing proceeded with presentation of audio materials given as evidence by the prosecution. Public prosecutors attending the hearing Lile Stefanova and Burim Rustemi.

NSK-KO No.10/17 TREVNIK - K.no.238/18

On 14.03.2018, the main hearing was adjourned. Public prosecutor attending the hearing Elizabeta Josifoska.

On 16.05.2018, the main hearing was adjourned, but copies of the transcripts were given to the defendants in order to acquaint them with their content. Public prosecutor attending the hearing Elizabeta Josifoska.

On 27.06.2018, the main hearing proceeded with the opening statements of the prosecution, the defense and the defendants. Public prosecutor attending the hearing Elizabeta Josifoska.

On 04.07.2018, the main hearing moved to presentation of evidence with presentation of audio materials. Public prosecutor attending the hearing Elizabeta Josifoska.

On 09.07.2018, the main hearing proceeded with presentation of audio materials. Public prosecutor attending the hearing Elizabeta Josifoska.

NSK-KO No.5/18 MONSTRUM

On 17.04.2018, the hearing was adjourned.

On 16.05.2018, the hearing proceeded with examination of the defendants. Public prosecutors attending the hearing Fatime Fetai and Gavril Bubevski.

On 23.05.2018, the hearing proceeded with examination of the defendants. Public prosecutors attending the hearing Fatime Fetai, Gavril Bubevski, Artan Ajro and Trajche Pelivanov.

On 12.06.2018, the hearing took place, and a video of a statement given by a defendant before a Public Prosecutor of the Public Prosecutor's Office for Prosecuting Organized Crime and Corruption. Public prosecutors attending the hearing Fatime Fetai, Gavril Bubevski, Artan Ajro and Trajche Pelivanov.

On 25.06.2018, the hearing proceeded with presentation of evidence, ie examination of witnesses. Public prosecutors attending the hearing Fatime Fetai, Gavril Bubevski and Artan Ajro.

On 06.07.2018, the hearing was adjourned.



On 11.07.2018, the hearing was adjourned.

On 22.08.2018, the protected witness with the pseudonym "E1" was examined at the hearing. Public prosecutors attending the hearing Fatime Fetai, Gavril Bubevski, Artan Ajro and Trajche Pelivanov.

On 24.08.2018, the hearing proceeded with examination of the protected witness with the pseudonym "E1". Public prosecutors attending the hearing Fatime Fetai, Gavril Bubevski, Artan Ajro and Trajche Pelivanov.

On 31.08.2018, the hearing proceeded with examination of the protected witness with the pseudonym "E1". Public prosecutors attending the hearing Fatime Fetai, Gavril Bubevski, Artan Ajro and Trajche Pelivanov.

Court hearings by cases

1. TITANIK – 12 hearings
2. TITANIK 2 – 6 hearings
3. TRANSPORTER – 8 hearings
4. TARGET-TVRDINA – 4 hearings
5. TNT – 7 hearings
6. TITANIK 3 – 7 hearings
7. TORTURA – 5 hearings
8. TVRDINA 2 – 1 hearings
9. VIOLENCE IN THE MUNICIPALITY OF CENTER – 9 hearings, and a separate proceedings for D.K. (14K.no.1747/1) – 7 hearings
10. TREZOR – 3 hearings
11. TOPLIK – 4 hearings
12. TENDERI – 5 hearings
13. ShPION – 3 hearings
14. SOPOT – 1 hearings
15. TARIFA – 18 hearings
16. TENK – 16 hearings
17. TENK (separate proceedings for G.J.) – 7 hearings
18. TRUST – 15 hearings
19. TRISTA – 10 hearings
20. TOTAL – 5 hearings



21. TIFANI – 1 hearing
22. TRAEKTORIJA – 8 hearings
23. TREVNIK – 5 hearings
24. MONSTRUM – 10 hearings

NUMBER OF HEARING HELD AND ADJOURNED BY CASES

1. TITANIK – 12 hearings scheduled, 5 hearings adjourned on 02.04.2018, 12.04.2018, 02.05.2018, 31.05.2018 and 03.07.2018
2. TITANIK 2 – 6 hearings scheduled, one adjourned on 24.04.2018
3. TRANSPORTER – 8 hearings scheduled, 2 hearings adjourned on 11.05.2018 and 02.07.2018
4. TARGET-TVRDINA – 4 hearings scheduled, 3 hearings adjourned on 27.03.2018, 15.05.2018 and 19.06.2018
5. TNT – 7 hearings scheduled, 3 hearings adjourned on 05.04.2018, 04.05.2018 and 29.08.201/8
6. TITANIK 3 – 7 hearings scheduled, 5 hearings adjourned on 16.03.2018, 27.04.2018, 08.05.2018, 19.06.2018 and 22.05.2018
7. TORTURA – 5 hearings scheduled, 4 hearings adjourned on 28.02.2018, 23.03.2018, 07.05.2018 and 13.06.2018
8. TVRDINA 2 – 1 hearing – public session before the Skopje Court of Appeal
9. VIOLENCE IN THE MUNICIPALITY OF CENTER – 9 hearings scheduled, 4 hearings adjourned on 13.03.2018, 03.04.2018, 19.04.2018 and 01.06.2018, and for the separate proceedings for D.K. (14K.no.1747/1), 7 hearings scheduled, 5 hearings adjourned on 05.03.2018, 27.03.2018, 03.05.2018, 05.06.2018 and 10.07.2018
10. TREZOR – 3 hearings scheduled, 2 hearings adjourned on 29.03.2018 and 17.05.2018
11. TOPLIK – 4 hearings, no adjournments
12. TENDERI – 5 hearings scheduled, 1 adjourned on 13.07.2018
13. ShPION – 3 hearings scheduled, 1 adjourned on 19.04.2018
14. SOPOT – 1 hearing not adjourned
15. TARIFA – 18 hearings scheduled, 2 hearings adjourned on 10.05.2018 and 29.05.2018
16. TENK – 16 hearings, 1 adjourned – Public session on 30.08.2018 before the Skopje Court of Appeal



17. TENK (separate proceedings for G.J.) – 7 hearings (separate proceedings for Gordana Jankulovska only one adjourned on 29.06.2018)
18. TRUST – 15 hearings scheduled, 5 hearings adjourned on 06.03.2018, 05.04.2018, 10.04.2018, 08.05.2018 and 17.05.2018
19. TRISTA – 10 hearings, no adjournments
20. TOTAL – 5 hearings scheduled, 2 hearings adjourned on 30.03.2018 and 11.04.2018
21. TIFANI- 1 hearing – public session before the Skopje Court of Appeal held on 09.07.2018
22. TRAEKTORIJA – 8 hearings scheduled, onely 1 adjourned 20.03.2018
23. TREVNIK – 5 hearings scheduled, 2 hearings adjourned on 14.03.2018 and 16.05.2018

V. Cooperation with other State Bodies

The tendency for many of the institutions to demonstrate willingness to cooperate with this Public Prosecutor's Office, while acting within their prescribed obligations, continued in this reporting period.

At the same time, the established inter-institutional cooperation between this Public Prosecutor's Office and the Public Prosecutor's Office of the Republic of Macedonia, which we highlighted in the previous Report, continued during this reporting period, both in terms of the need for cooperation in the implementation of fundamental reforms in the judiciary, and in terms of respecting the legal obligations for delivering the cases requested by this Public Prosecutor's Office.

Furthermore, the Special Prosecutor took part in the sessions of the Council for Monitoring the Implementation of the Strategy for Reform of the Justice Sector (2017-2022). In addition, the Special Prosecutor and Public Prosecutors of this Public Prosecutor's Office actively participated in the workgroups that are drafting legislative amendments in accordance with the Strategy for Reform of the Justice Sector.

We consider that it is our duty to emphasize that it is still worrisome that the competent institutions did not take specific measures to produce appropriate legal solutions within the established timeframe, which would regulate and in a proper manner solve the legal status of the Special Prosecutor's Office in accordance with the objectives defined in the Strategy.

VI. International Cooperation with International Institutions and Bodies

An extremely important element in the support of the work of this Public Prosecutor's Office, which has been pointed out in the previous reports, is the need for



use of mutual legal assistance and international cooperation taking into account the international element present in a significant portion of the cases of this Public Prosecutor's Office, as well as the stage of the progress of the cases.

In this reporting period, the Special Prosecutor met with representatives of various international institutions and bodies who expressed interest in the work of this Public Prosecutor's Office and stressed the importance of accomplishing the mission given to the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication as one of the institutions that has the responsibility to uphold the rule of law in the Republic of Macedonia.

The significance of this Public Prosecutor's Office as one of the extremely important institutional mechanisms for upholding the rule of law, as well as the need to create legal conditions which will enable this Public Prosecutor's Office to fully investigate the criminal offences which come under its jurisdiction is also noted in the Progress Report of the Republic of Macedonia for 2017 of the European Commission stating that *"A sustainable solution must be adopted to ensure legal accountability for criminal offences surrounding and arising from the content of the wiretaps. This requires amending legislation to ensure that the work undertaken by the SPO can be pursued. It also notes that the country should take all measures to integrate the Special Prosecutor Office within the prosecutorial system on a permanent basis to complete the establishment of the legal accountability of the wiretaps."*

In accordance with the provisions of the ratified Cooperation Agreement between the Republic of Macedonia and EUROJUST, this Public Prosecutor's Office can now cooperate with EUROJUST, as liaison officers have been assigned by both parties. We express our conviction that this type of cooperation, which is of particular importance for the work of this Public Prosecutor's Office, will contribute to more effective cooperation at international level as an extremely important element and a precondition which will set the further course of the cases which require such cooperation.

Taking into consideration the jurisdiction of the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication, and the work experience gained thus far, this Public Prosecutor's Office, as of this reporting period, is part of the "Project – Judicial Guide to Interception of Communications", which is part of the DCAF Intelligence Sector Reform Program launched in 2017 in support of the national reform activities for ensuring accountability and governance in the security and the intelligence sector, in line with European standards and good practices. We are convinced that this project will assist the strengthening of the judicial capacities and will provide expertise in approving and overseeing the use of intrusive methods for collecting information by the intelligence services and law enforcement agencies. At the same time, one of the goals is to provide a concise, practical overview of the principles and existing standards that can serve as a guide to the members of the judiciary (judges and prosecutors).

As a result of the cooperation of the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted



Communication with the OSCE Mission to Skopje, on the “Project for monitoring of the court cases of the Special Prosecutor’s Office by the OSCE Mission to Skopje”, on August 29, 2018, the First Interim Report on the activities and cases under the competence of the Special Public Prosecutor’s Office was presented at an event, where the Special Prosecutor gave address. Appreciating the continued support of the OSCE Mission in Skopje, as well as the interest in monitoring the undertaken activities, this Public Prosecutor's Office will take into account the conclusions and recommendations given in the First Interim Report aimed at ensuring transparency and accountability in the operations. In this regard, we believe that *“this report gives for the first time a detailed account of the entire process starting from the establishment of the Special Prosecutor’s Office, the stages of institution building through the work done and the results achieved, the challenges and obstacles faced, but also the motivation and commitment to carry on, with the aim of accomplishing the mission entrusted, tackling impunity and upholding the rule of law in the Republic of Macedonia.”*

The Public Prosecutor’s Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication continued its activities with the support of the Project “Together for Accountability: Supporting the Special Public Prosecutor’s Office in Strengthening its Operational and International Judicial Cooperation Capacities” funded by the Netherlands Ministry for the Foreign Affairs through the Matra programme through utilization of all available mechanisms for mutual legal assistance and international cooperation in support of the work of this Public Prosecutor’s Office, aimed at full and thorough investigation and prosecution of criminal offences which come under its jurisdiction.

Furthermore, we continued to actively participate in the activities of IPA/2017 project “Tackling Serious Crime in the Western Balkans”, which in addition to its contribution through its project activities, it also provides support for the work of this Public Prosecutor’s Office.

Similarly to the previous reporting periods, in the period from March 2018 to September 2018, the public prosecutors, investigators and professional associates from this Public Prosecutor’s Office participated in conferences and trainings on protection of witnesses.

As one of the institutions directly involved in the fight against organized crime, but also in financial investigations, this Public Prosecutor’s Office is also involved in the UNODC Project – “Building Regional Anti-Money Laundering and Counter-Financing of Terrorism Capacity in South Eastern Europe”, whose main objective is to identify the main technical needs and training needs of officials in the institutions involved in the implementation of the law on serious and organized crime and financial investigations.

VII. Public Relations

The Public Prosecutor’s Office for Prosecuting Criminal Offences Related to and Arising from the Content of the Illegally Intercepted Communication continued the practice of regularly informing the media on its activities and remained open to cooperation with all media. Apart from being able to follow the trials of this Public



Prosecutor's Office, whose number significantly increased over this six-month period, journalists were also able to get direct information about the course and progress of the proceedings conducted by this Public Prosecutor's Office. The dynamics of scheduling and holding court hearings, having in mind the presentation of audio materials as part of the stage of exhibiting evidence, showed the continuity in the interest of the media about our work which was confirmed by the number of journalistic articles which in electronic form in this period amounted to more than 2500 articles relating to the work of this Public Prosecutor's Office.

The publishing of the more important information on the web site of this Public Prosecutor's Office jonsk.mk is another confirmation of the continuity in the transparent operation as well as the consistent commitment to inform the citizens and the wider expert public about the work of this Public Prosecutor's Office, while respecting the public interest.

In this reporting period, the Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of Illegally Intercepted Communication held one press conference in its premises and took questions from reporters. Moreover, we have participated as speakers at several conferences, workshops and seminars. At the same time, in addition to a television interview, the Public Prosecutor for Prosecuting Criminal Offences Related to and Arising from the Content of Illegally Intercepted Communication gave several public addresses expressing views about the work and talking about the activities undertaken by this Public Prosecutor's Office.

This Prosecutor's Office will continue to demonstrate transparency and openness towards all media in the forthcoming period, aimed at continuous application of the principles of transparency and accountability in the work.

VIII. Concluding Observations and Future Challenges

The Public Prosecutor's Office for Prosecuting Criminal Offences Related to and Arising from the Content of Illegally Intercepted Communication will continue to act exclusively within its legal powers using all the legal mechanisms available in order to fulfill its legally prescribed duties and to achieve the entrusted mission.

Since majority of the institutions showed their readiness to cooperate with this Public Prosecutor's Office within their legally prescribed obligations, we consider that this practice will continue in the upcoming period and in addition to the cooperation at national level, the cooperation with the international institutions will increase.

The commitment to finalizing the development of the functional concept of a fully staffed investigative team, which will be the pillar of a successful and efficient investigative center in support of the work of public prosecutors and the efficient conduct of the criminal proceedings, will continue in the upcoming period through the use of the experiences and the results of the successful cooperation and functioning of the investigative team within this Public Prosecutor's Office.



Although the necessary actions were not taken for adopting legal solutions, which would remove the obstacles in the operation of this Public Prosecutor's Office and would regulate the position of this Public Prosecutor's Office with the purpose of bringing criminal justice within the framework and enabling this Public Prosecutor's Office to fully investigate the criminal offences which come under its jurisdiction, having in mind its role in the process of upholding the rule of law in the Republic of Macedonia, as well as the public interest, we expect that in the forthcoming period the competent institutions will take the necessary measures to create the legal conditions for this Public Prosecutor's Office to be incorporated into the Public Prosecutor's Office of the Republic of Macedonia as an independent institution that will have autonomy in the prosecution of the criminal offences which come under its jurisdiction as well as prosecution of high-profile corruption offences.

Although one of the characteristics of the sixth reporting period is the attendance of the public prosecutors at hearings, we express our conviction that in the upcoming period the court will schedule the hearings for the approved indictments more intensively, which will give us an opportunity to prove in the appropriate court proceedings the criminal charges brought against the defendants.

We feel obligated to emphasize that the court needs to take into account the seriousness of the crimes that are subject of the charges brought by this Public Prosecutor's Office and thus ensure uninterrupted running of court proceedings and avoid their unnecessary postponement. We would again like to emphasize the obligation to refrain from actions aimed at putting back justice.

In the upcoming period, in addition to the trials, as a result of the scope of actions taken within the launched preliminary investigation, we will open investigations for cases in which the establishment of the truth as well as the provision of criminal justice is of great social importance and of exceptional interest to the citizens of the Republic of Macedonia.

This Public Prosecutor's Office will always strive to ensure equality of all citizens before the Constitution and laws, aimed at increasing the confidence of citizens in the judicial system through a transparent and independent operation, which is guaranteed by the autonomy of this Public Prosecutor's Office.

In this regard, this Public Prosecutor's Office will remain resolute in the intention to provide independent, impartial and professional conduct of investigations into the criminal offences related to and arising from the content of the illegally intercepted communication.