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*Oliver Bačanović, Angelina Stanojoska* ■**Crime and criminality in the Republic  
of North Macedonia: A general overview  
of the period 1991–2018****Przestępczość w Republice Macedonii Północnej  
w latach 1991–2018**

**Abstract:** Yugoslavia's disintegration in the 1990s resulted in the differentiation of five different countries, meaning the building of five different criminal legal systems with many similarities at that time, but also with differences in the years to come. The Republic of North Macedonia brought its first Criminal Code in 1996, decriminalising some of the previous crimes connected to socialist system norms, and criminalising activities characteristic of capitalist social systems. From its basic draft, the Criminal Code had been changed twenty-eight times by 2018 in accordance with crime changes and flows, and societal changes. Using crime statistics published by the Republic of North Macedonia's State Statistical Office in an annual publication, 'Perpetrators of Crimes', this paper's goal will be to present the trends in crime volume and dynamics, the changes in the breakdown of crimes as result of decriminalisation and criminalisation, and the possible future challenges and changes, as well as the trends and changes to the state's criminal policy, the frequent use of imprisonment as a sanction, and the very rare use of alternative measures apart from probation. The authors will use the comparative method, basic statistics, and content analysis in the general overview of crime volume and dynamics, crime structure, and structural changes. Such an analysis can help in tackling the most important chronological points during the period in question and connect them with political, social, security, and economic challenges for the country.

**Keywords:** crime, criminality, Republic of North Macedonia, statistics, cybercrime

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**Abstrakt:** W wyniku rozpadu Jugosławii w latach 90. powstało pięć różnych krajów, co zrodziło potrzebę utworzenia pięciu różnych systemów prawa karnego. W momencie ich tworzenia były one pod wieloma względami podobne, w latach kolejnych zaczęły się jednak coraz bardziej różnić. Pierwszy kodeks karny Republiki Macedonii Północnej z 1996 r. dekryminalizował część dotychczasowych przestępstw związanych z systemem socjalistycznym i kryminalizował działania charakterystyczne dla kapitalistycznych systemów społecznych. Z uwagi na zachodzące zmiany społeczne, w tym zmieniającą się przestępczość, do 2018 r. kodeks ten był zmieniany 28 razy. W niniejszym artykule na podstawie statystyk kryminalnych Republiki Macedonii Północnej (publikowanych przez Państwowy Urząd Statystyczny w corocznej publikacji „Sprawcy Przestępstw”) autorzy starają się pokazać zmieniającą się trendy w przestępczości – jej rozmiary i dynamikę, zmiany w strukturze przestępczości w wyniku kryminalizacji oraz dekryminalizacji, a także możliwe przyszłe wyzwania. W artykule scharakteryzowano również politykę kryminalną Republiki Macedonii Północnej – częste stosowanie kary pozbawienia wolności i bardzo rzadkie stosowanie środków alternatywnych, z wyjątkiem probacji. Do zbadania rozmiarów i dynamiki przestępczości, jej struktury oraz zmian w tej strukturze autorzy artykułu wykorzystali metodę porównawczą, analizę statystyczną i analizę treści. Dzięki temu możliwe było chronologiczne wypunktowanie najważniejszych zmian w badanym okresie na tle politycznym, społecznym i ekonomicznym kraju.

**Słowa kluczowe:** przestępstwo, przestępczość, Republika Macedonii Północnej, statystyki, cyberprzestępczość

## Introduction

Societies use criminal law as one means of combatting crime as a negative social phenomenon that threatens the social and legal order. It is an organised state coercion, with the ultimate goal being the protection of the general public and an attempt to help the perpetrator in the process of re-socialisation. Therefore, criminal law is a system of legal regulations (norms) which define the conduct of a person as criminal offences, and perpetrators of these offences are subject to criminal sanction as punishment (Bacik 1972: 1). With these criminal norms, states criminalise socially dangerous and prohibited behaviour; they define the conditions of criminal liability and regulate other issues related to criminal conduct.

The way in which one country treats its transgressors paints the picture of its civilisation, culture, and democracy. Criminal law has always been a part of the general political and cultural history of every nation and of all mankind. The process of criminalisation begins when a new behaviour that has not been previously defined as a criminal offence is now incorporated into the criminal law of a society. This means that societies must follow the problems that emerge in the criminal sphere as a consequence of socioeconomic development. These are the changes that can occur: 1) new, previously unknown criminal acts can surface that are not covered by existing crimes, 2) existing criminal acts can be committed in a new way, with new means, or with new motives, and 3) existing criminal offences with new characteristics can be classified under a new criminal category (Kokolj 1986: 211).

Sulejmanov speaks of the need to introduce new offences in the following areas: border crossings, terrorist attacks, kidnappings, and similar threats to citizens for political reasons, such as protecting the natural environment, violating the right to privacy, cybercrime, and similar crimes. All these areas (the economic system, the advancement of medicine and health, computerisation, the protection of human rights) are exposed to perpetual changes, so transformations in crime-related activities connected to these processes are inevitable (Sulejmanov 2001).

The notion of decriminalisation implies an exemption of certain conduct which is currently criminalised under criminal law from the criminal system, and declaring it to be non-criminal. This is a *de facto* legalisation of some acts that are criminalised in the criminal law, but which almost no-one believes should be the subject of criminal reaction (Milutinovic 1984: 236).

In the next chapters of this paper, we will analyse the amendments that have been made to the Criminal Code since the independence of the Republic of North Macedonia. Then we will present statistical data regarding the total numbers of convictions in order to see the dynamics of criminal activity in North Macedonia, the differences between the sexes and their criminal activity, the characteristics of adult perpetrators convicted according to chapters of the Criminal Code, and the most frequent crimes by the number of convictions.

## **1. Overview of the criminal code and law in the Republic of North Macedonia**

The development of criminal law in the Republic of North Macedonia since its independence in 1991 can be divided into two stages. The first Criminal Code was the one that was inherited from the Socialist Federal Republic of Yugoslavia and since 10 June 1992 has been modified and renamed the Criminal Code of the Republic of Macedonia, though the previous Criminal Code of the Socialistic Republic of Macedonia was still in force. The second stage began on 23 July 1996 with the adoption of the Criminal Code of the Republic of Macedonia (Official Gazette [OG] 37/1996); this law is still in force with numerous changes and additions to its provisions (OG 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 87/07, 7/08, 139/08, 114/09, 51/11, 135/11, 185/11, 42/12, 166/12, 55/13, 82/13, 14/14, 27/14, 28/14, 115/14, 132/14, 160/14, 199/14, 196/15, 226/15, 97/17, and 120/18).

In the Criminal Code of the Socialist Republic of Macedonia (OG 25/1997) several acts characteristic of socialistic societies were criminalised. For example, in the chapter entitled 'Crime against honour and reputation', a provision of Article 90 of the Criminal Code stated that no-one may damage the reputation of the socialist states or the autonomous provinces, and in Article 91 activities that can damage the reputation of the people and other nationalities that live in the Socialist Federal

Republic of Yugoslavia were criminalised. In the chapter that criminalises acts against dignity, activities that constitute homosexual conduct were defined as criminal acts.

The first codification of Macedonian criminal law was adopted by the Macedonian Parliament on 23 July 1996, and with this Criminal Code the Macedonian legislators started the much needed reform that entailed leaving behind the values of the socialist system and its criminal law and moving towards an effective criminal protection of the new democratic values, the constitutional state, and basic human rights and freedoms. The basic idea of the criminal provisions is that criminal law is an instrument of the legal state in the process of protecting basic human rights and freedoms from being violated (Kambovski and Krstanoski 2010).

In 1999, several changes were adopted in the direction of straightening of the criminal repression towards corruption, but the changes were also made to better harmonise with European law regarding organised crime. These changes came with a delay, because of unknown political reasons and opposition from the corrupt government. Several novelties were implemented in 2002 for a better harmonisation with other domestic legal solutions or with the state's international obligations. An offence from Article 205 (Transmitting an infectious disease) was widened, cyber-crime was redefined, and new crimes regarding human trafficking (418-a) were made in accordance with the ratified United Nations Convention against Transnational Organised Crime and its Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children. In 2004 several changes were made in the general provisions of the criminal code regarding the criminal liability of legal entities, provisions on the types of punishment for people as well as legal entities, and on the types of alternative measures and the practical implementation of them. Also, a large number of new crimes were introduced with this law from 2004, such as Customs fraud (a.278-a), Covering of goods that are subject to smuggling and customs fraud (a.278-b), Violation of the guarding of the state border (353-a), Not executing an order (a.353-b), Unscrupulous operation within the service (a.353-c), Abuse of state, official, or military secrets (a.360-a), Computer forgery (a.379-a), Terrorist organisation (a.394-a) Crime against humanity (a.403-a), Approving or justifying genocide, crimes against humanity, or war crimes (a.407-a), Abuse of chemical or biological weapons (a.407-b), Smuggling of migrants (a.418-b), Organizing a group and instigating performance of crimes of human trafficking or trafficking in juveniles and migrants (a.418-c), Abuse of the visa-free regime with the member states of the European Union and of the Schengen Agreement (a.418-e), etc. Some especially important changes were made in regard to domestic violence, about what constitutes domestic violence in Article 122 Paragraph 21: the criminalisation was not made in separate provisions, but rather in previous crimes as qualified criminal activities (Murder, Murder in the heat of passion, Bodily harm, Grievous bodily harm, Coercion, Unlawful deprivation of liberty, Endangering security, Mediation in conducting prostitution, and Sexual assault by the abuse of one's position) (Stanojoska and Aslimoski 2019).

The changes from 2008 were in regard to newly criminalised criminal activities – in Violation of a distributor's right to a technical, specially protected satellite signal (a.157-a), Audio-visual piracy (a.157-b), and Phonogram piracy (a.157-c) – then crimes against children – the Production and distribution of children pornography (a.193-a) – and new provisions for Terrorism (a.394-b), Financing terrorism (a.394-c), Trafficking a child (a.418-d), etc.

Next, in 2009 a large number of changes were made to the existing Criminal Code. In the general part, many of the new provisions regulated the criminal activities of minors and sanctions, the conditions under which they are imposed, the enforcement of fines, and the especially significant Article 98-a on Enlarged confiscation of property that derives from any criminal activity. The new wave of electronic payments has brought about the need for criminalisation of activities connected with the production and use of counterfeit pay cards (a.274-b) and crimes connected with the misuse of new technology, such as Spreading racist and xenophobic material via information systems (a.394-d). The theft of electricity, heat energy, or natural gas is a new crime which has been introduced with the changes made in 2012 (166/12); two crimes, Defamation and Insult, were decriminalised in 2012. In 2014 (27/14) new sanctions were defined in Article 38-d – Prohibition on attending sports competitions, Article 65-a – Medical and pharmacological treatment, and two crimes were introduced to the chapter of crimes against life and body, Article 128-a – Cloning, and Article 128-b – Prohibited genetic manipulations for fertilisation. Article 129 has been renamed and is now defined as Unlawful termination of pregnancy and coercive sterilisation. Article 210-a was added to criminalise actions of Unlawful taking and use of genetic and biological material; then Article 218-a on the Production, trade, or use of substances that impoverish the ozone layer, in the chapter of crimes against the environment and nature, several crimes were added, such as Unauthorised hunting, keeping, and transferring of ownership of wild animals and birds (a.228-a), Killing or destroying protected species of wild flora and fauna (a.232-a), Unauthorised introduction of wild species into nature (a.232-b), and Unauthorised trade, import, or transport of wild flora and fauna (a.232-c). The multicultural, religious, and ethnical diversity in the Republic of North Macedonia is fertile grounds for several criminal activities that can endanger or harm people based on that diversity, which is why the crime Causing hatred, discord, or intolerance on national, racial, religious, or any other discriminatory grounds (a.319) was renamed and redefined with the changes of the Criminal Code in 2014. The last changes that were made to the Criminal Code are the ones from 2018 (120/18). Paragraph 42 was added to Article 122, in which the legislature defined what hate crimes are and in which hate is criminalised as a motive for committing several crimes and is qualified as a type of the following crimes: Murder, Grievous bodily harm, Coercion, Unlawful deprivation of liberty, Torture and other cruel, inhuman, or degrading treatment and punishment, Endangering security, Preventing or disturbing a public gathering, Rape, Sexual assault upon a child who has not turned

14 years of age, Not providing medical help, Aggravated theft, Robbery, Armed robbery, Damage to the property of others, Extortion, and Acts of violence (Stanojoska and Aslimoski 2019). Violence against a child is in Article 201-a, and Article 368-a has been renamed to Obstruction of justice and contains new provisions.

The frequent and numerous amendments to the Criminal Code and, in particular, the large number of non-criminal laws has led to the loss of a sense of codification of all crimes in the Criminal Code. These factors have caused problems on several levels: first, in prescribing crimes, deviating from the principles and nomotechnics contained in the Criminal Code, and secondly, by creating difficulties for judges, public prosecutors, and other relevant authorities in the applying the provisions of crimes in other laws, having in mind their confusion and non-compliance with the Criminal Code. At the same time, the non-compliance of sanctions in relation to the severity of the crimes was found. There is also a need to align the criminal area with the latest EU law (Draft Strategy for the Reform of the Judicial Sector for 2017–2022 with Action Plan).

## **2. Criminological characteristics and statistical data regarding crimes committed on the territory of the Republic of North Macedonia**

In this part of the paper we will present the statistical data that are available in the annual publications from the State Statistical Office of the Republic of North Macedonia about perpetrators of crime. We chose this method of data gathering for two reasons. Firstly, the Ministry of Internal Affairs has some statistical data about reported crimes, but the information on its website is not up-to-date and is only available for a period of 10 years. Also, it refers only to reported crimes in general and to the most common criminal offences. Secondly, the Basic Courts in the Republic of North Macedonia do not update their websites regularly, do not upload all final judgements, and destroy the files after a certain period of time (depending on the criminal offence and the sentence). At the same time, we must emphasise that academics and researchers have the right to access and use institutional data for research purposes, but this right is not acknowledged by the institutional staff. Namely, they do not fulfil requests for data access from academics, with the explanation that they are not an active party in the court procedure. When the requests are approved, we have a hard time accessing the court files.

We will present and analyse data regarding reported crimes and accused and convicted perpetrators – both adult and juvenile – and will present and analyse the statistical data regarding the crimes with the highest numbers of convictions, and the available data on female offenders and the proportion they constitute in the total numbers of convictions.

Table 1. Reported, accused, and convicted adult perpetrators on the territory of the Republic of North Macedonia between 1991 and 2018

Year	Reported adult perpetrators	Base index	Accused adult perpetrators	Base index	Convicted adult perpetrators	Base index
1991	13,429	100	9,678	100	7,095	100
1992	17,149	127.7	8,801	90.9	6,660	93.8
1993	22,816	169.9	8,496	87.7	6,538	92.1
1994	20,283	151	8,534	88.1	6,724	94.7
1995	19,969	148.7	9,579	98.9	7,711	108.6
1996	19,452	144.8	8,012	82.7	6,341	89.3
1997	19,277	143.5	7,167	74	4,732	66.6
1998	20,582	153.2	7,891	81.5	6,128	86.3
1999	19,383	144.3	8,533	88.1	6,783	95.6
2000	20,220	150.5	8,078	83.4	6,496	91.5
2001	18,018	134.1	7,509	77.5	5,952	83.8
2002	18,171	135.3	8,450	87.3	6,383	89.9
2003	20,161	150.1	9,926	102.5	7,661	107.9
2004	22,591	168.2	9,916	102.4	8,097	114.1
2005	23,814	177.3	10,639 <sup>1</sup>	109.9	8,845 <sup>2</sup>	124.6
2006	23,514	175	11,317	116.9	9,280	130.7
2007	23,305	173.5	11,648	120.3	9,639	135.8
2008	26,409	196.6	11,310	116.8	9,503	133.9
2009	30,404	226.4	11,905	123	9,801	138.1
2010	30,004	223.4	11,239	116.1	9,169	129.2
2011	31,284	232.9	12,219	126.2	9,810	138.2
2012	31,860 <sup>3</sup>	237.2	11,311	116.8	9,042	127.4
2013	34,436	256.4	12,297	127	9,539	134.4
2014	37,164	276.7	13,699	141.5	11,683	164.6
2015	26,069	194.1	11,951	123.4	10,312	145.3
2016	20,502	152.6	9,320	96.3	8,172	115.1
2017	20,582	153.2	7,423	76.6	6,273	88.4
2018	19,779	147.2	6,829	70.5	5,857	82.5

Source: State Statistical Office of the Republic of North Macedonia

<sup>1</sup> Missing data from Primary Court Kumanovo.

<sup>2</sup> Missing data from Primary Court Kumanovo.

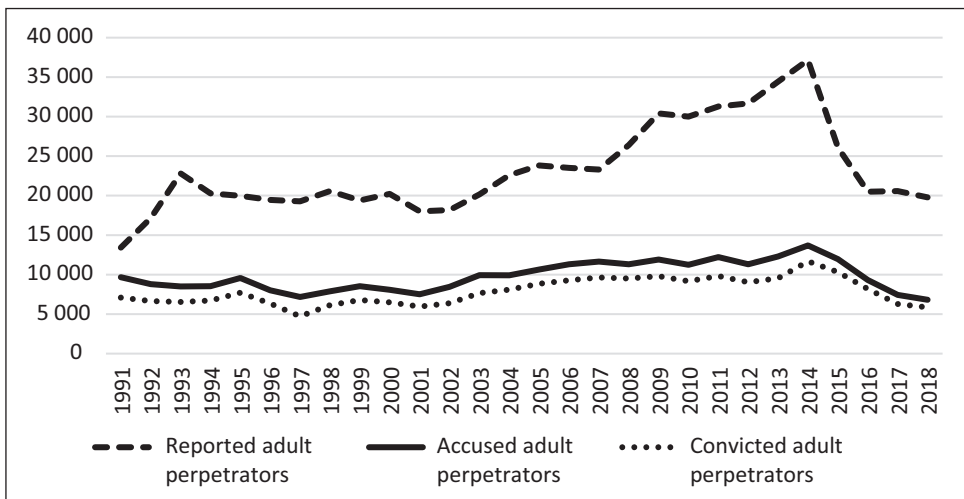
<sup>3</sup> Missing data from the Public Prosecutor's Office in Radovis.

Table 1 presents the statistical data regarding reported, accused, and convicted adult perpetrators from 1991 to 2018. The time period spans from the year of independence of North Macedonia until the last publication from the State Statistical Office on criminal offenders. When it comes to reported crimes, we can see that the lowest number is from 1991 and the highest from 2014, and that since 1991 there was a constant increase in the number of reported crimes until 2014, and a decline in the last four years. The year with the fewest accused perpetrators was 2018 and the highest was 2014; during the time period being studied, this figure fluctuated from 1991 to 2004, then constantly increased until 2014, after which it began to increasingly decline. The fewest convicted perpetrators were reported in 1997 and the most in 2014; in the 1990s the numbers were at their lowest and from the beginning of the 2000s they began to constantly increase until the last three years, where we can observe a decline in convictions. The same trends can be detected by analysing the values of the base index.

Regarding the fluctuations in the volume of reported, accused, and convicted perpetrators, we can notice that during 2001 the number of convicted perpetrators was at its second-lowest point from the research period. These numbers can be attributed to the Civil Conflict that was active in some parts of the country.

The numbers are at their peak in 2014 because of several factors happening at the same time. This was the period of the migration crisis in Europe and the opening of the Balkan Route, when many crime groups were smuggling migrants through Macedonian territory towards the EU countries. These trends continued in 2015 and 2016.

Figure 1. Reported, accused, and convicted adult perpetrators on the territory of the Republic of North Macedonia between 1991 and 2018



Source: State Statistical Office of the Republic of North Macedonia



A lot of the convictions in 2014 and 2015 were connected to the crime from Article 380 of the Criminal Code – Use of a document with false content. This crime was committed in order for the perpetrators to acquire the right to free health insurance by giving false information in their statements that their annual income does not exceed the legally prescribed limit. Most of the perpetrators were farmers whose only source of income is agriculture. They committed this crime in order to obtain more material resources, which is the purpose of non-payment of funds for obtaining free health insurance.

Figure 1 presents the dynamics of reported, accused, and convicted adult perpetrators from 1991 to 2018.

Table 2. Reported, accused, and convicted children on the territory of the Republic of North Macedonia between 1991 and 2018

Year	Reported children	Base index	Accused children	Base index	Convicted children	Base index
1991	2,211	100	1,683	100	1,357	100
1992	2,668	120.6	1,714	101.8	1,453	107
1993	2,616	118.3	2,238	132.9	1,861	137.1
1994	2,289	103.5	1,927	114.4	1,542	113.6
1995	2,314	104.6	1,542	91.6	1,184	97.2
1996	1,699	76.8	1,548	91.9	1,162	85.6
1997	1,888	85.3	1,021	60.6	745	54.9
1998	2,132	96.4	1,285	76.3	934	68.8
1999	1,999	90.4	936	55.6	1,190	87.6
2000	1,815	82.2	1,154	68.5	939	69.1
2001	1,446	65.4	1,088	64.6	877	64.6
2002	1,266	51.2	999	539.3	776	57
2003	1,278	57.8	1,027	61	826	60.8
2004	1,488	67.2	1,004	59.6	877	64.6
2005	1,262	57	889 <sup>4</sup>	52.8	762 <sup>5</sup>	56.1
2006	1,500	67.8	987	58.6	844	62.1
2007	1,229	55.5	839	49.8	676	49.8
2008	1,355	61.2	981	58.2	715	52.6
2009	1,519	68.7	1,030	61.2	748	55.1

<sup>4</sup> Missing data from Primary Court Kumanovo.

<sup>5</sup> Missing data from Primary Court Kumanovo.

Table 2. Continue

Year	Reported children	Base index	Accused children	Base index	Convicted children	Base index
2010	1,244	56.2	750	44.5	547	10.3
2011	1,163	52.6	1002	59.5	722	53.2
2012	1,001	45.2	778	46.2	556	40.9
2013	1,005	45.4	657	39	473	34.8
2014	972	43.8	712	42.3	461	33.9
2015	772	34.9	465	27.6	348	25.6
2016	587	26.5	702	41.7	468	34.4
2017	578	26.1	554	32.9	368	27.1
2018	554	25	403	23.9	330	24.3

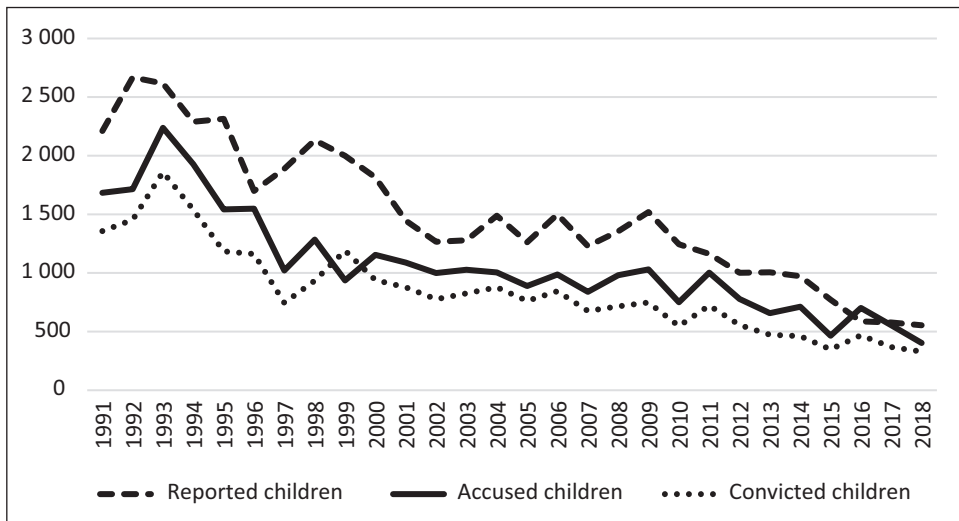
Source: State Statistical Office of the Republic of North Macedonia

The statistical data on children as perpetrators is shown in Table 2. The highest number of reported children was in 1992 and the lowest was in 2018. The rate of reported crimes was higher during the 1990s and started to decline in the 2000s, reaching a low in 2018. 1993 saw the most children accused, while 2018 had the least; the rate of accused children was similar to that of reported children. When it comes to the numbers of convicted children, the peak was in 1993 and the low was in 2018. The same rate can be observed by analysing the values of the base index.

The tendency of the number of reported, accused, and convicted children in the Republic of North Macedonia to decrease can be explained by the fact that Macedonian society has experienced a low birth rate over the last two decades. This situation is due to the fact that there are fewer multi-child families compared to the second half of the twentieth century. At the same time, there is a trend of emigration – mostly of young people and families – in search for employment, financial stability, and a better life.

In 2010, for the first time a *lex specialis* for minors was adopted. This law refers to the special criminal procedure regarding minors and the types of sanctions which can be imposed on minors who have committed a crime. In 2013 the legislature changed the terminology from minor to child and adopted a new *lex specialis* – the Law of justice for children. In this law new court procedures are defined for cases of children who have committed a crime, as well as other non-court procedures. The Law also defines the types of sanctions and new, more sophisticated methods of treatment, which should help in the process of socialisation and re-education.

Figure 2. Reported, accused, and convicted children on the territory of the Republic of North Macedonia between 1991 and 2018



Source: State Statistical Office of the Republic of North Macedonia

Figure 2 presents the dynamics of reported, accused, and convicted child perpetrators from 1991 to 2018.

Table 3 presents the total number of convicted perpetrators and the ten Chapters from the Criminal Code of the Republic of North Macedonia in which are the highest numbers of convicted perpetrators. We will analyse the five Chapters that have the highest numbers of convictions, namely, Crimes against property, Crimes against safety on the public roads, Crimes against life and body, Crimes against the public order, and Crimes against legal transactions.

In the group of crimes against property, the highest number of convictions was in 2015, while the lowest was in 1997. As in every other country, crimes against property in the Republic of North Macedonia are the most frequently committed crimes. An explanation for these numbers can be found in the high unemployment rate and the number of people who receive financial help from the social welfare system.

There are several reasons for the high numbers of traffic accidents and crimes, such as speeds not being adjusted to the conditions on the roads, weather conditions, driving above the speed limit, non-compliance with traffic rules, driving under the influence, etc.

Violent crimes are usually connected with the traditional social values in Macedonian society, such as gender roles, traditional family relations, patriarchal social structure, and financial pressure. Many of the crimes are committed within the household and are inter-family crimes, but there others which are committed among football fans, in pubs and restaurants, and between juvenile groups.

Table 3. Breakdown of convicted adult perpetrators by Chapter of the Criminal Code, 1995–2018

Year	Total number	Crimes against life and body	Crimes against the freedoms and rights of humans and citizens	Crimes against sexual freedom and sexual morality	Crimes against marriage, family, and youth	Crimes against public finances, payment operations, and the economy
1991	7,095	1,309	156	72	161	831
1992	6,660	1,073	115	52	123	700
1993	6,538	976	87	48	88	710
1994	6,724	977	96	56	124	691
1995	7,711	1,303	101	64	158	783
1996	6,341	1,014	97	58	123	578
1997	4,732	722	86	21	109	119
1998	6,128	775	90	48	149	136
1999	6,783	810	67	51	146	143
2000	6,496	724	37	54	158	191
2001	5,952	529	58	52	121	186
2002	6,383	567	47	66	147	216
2003	7,661	684	75	59	183	298
2004	8,097	674	91	76	205	257
2005	8,845 <sup>6</sup>	689	105	84	238	292
2006	9,280	857	127	91	262	259
2007	9,639	828	109	89	265	268
2008	9,503	835	173	92	272	251
2009	9,801	905	185	65	255	204
2010	9,169	872	217	54	272	293
2011	9,810	945	240	54	317	240
2012	9,042	881	223	47	305	212
2013	9,539	920	283	64	304	255
2014	11,683	924	301	49	275	277
2015	10,312	790	272	56	308	277
2016	8,172	761	321	39	301	261
2017	6,273	664	234	38	252	177
2018	5,857	659	219	44	215	119

Source: State Statistical Office of the Republic of North Macedonia

<sup>6</sup> Missing data from Primary Court Kumanovo.

Crimes against property	Crimes against the general safety of people and property	Crimes against safety on the public roads	Crimes against official duty	Crimes against legal transactions	Crimes against the public order
1,546	95	1,543	467	357	
1,801	79	1,432	357	446	
2,157	77	1,206	250	514	
2,347	61	1,050	256	649	
2,570	85	1,202	208	709	
2,052	61	1,176	170	534	
1,540	44	888	65	268	216
2,136	69	1,080	49	385	347
2,597	64	1,180	82	342	312
2,496	63	1,077	61	391	329
2,133	64	1,050	66	421	310
2,423	75	1,126	58	396	305
2,852	95	1,395	66	567	401
2,995	94	1,348	102	843	519
3,589	132	1,306	138	721	541
3,690	109	1,572	117	97	577
3,888	128	1,753	153	665	628
3,770	124	1,885	175	544	537
3,952	134	1,903	167	534	592
3,612	100	1,764	142	481	535
3,850	126	1,770	133	477	665
3,652	125	1,595	150	372	601
4,073	138	1,670	137	285	622
3,965	117	1,708	243	1,990	931
4,296	126	1,432	201	858	821
3,370	98	1,322	133	244	653
2,427	83	1,165	96	154	401
2,339	81	975	92	154	483

Table 4. Breakdown of convicted adult perpetrators by category of crime, 1995–2018

Year	Murder, all types	Bodily harm	Grievous bodily harm	Rape	Unauthorised production and release for trade of narcotics, psychotropic substances, and precursors	Theft	Aggravated theft	Fraud	Endangering traffic safety	Acts of violence
1995	40	899	131	18	-	1,110	922	143	981	-
1996	33	690	104	22	-	865	747	148	993	-
1997	23	450	105	7	56	597	547	118	880	32
1998	30	454	148	18	91	813	843	143	1,074	52
1999	49	434	179	14	115	738	1,271	206	1,174	55
2000	35	410	144	19	125	630	1,261	227	1,068	57
2001	27	276	128	19	169	604	1,021	160	1,041	51
2002	43	261	149	23	163	706	1,219	179	1,120	82
2003	52	322	190	15	168	797	1,463	221	1,387	75
2004	61	326	174	31	204	855	1,559	201	1,342	78
2005	40	297	225	23	242	1,086	1,819	286	1,298	125
2006	40	442	228	28	184	1,281	1,670	288	1,567	112
2007	41	430	211	25	191	1,633	1,602	275	1,737	146
2008	33	471	194	27	234	1,462	1,573	276	1,872	119
2009	53	531	181	19	246	1,320	1,748	320	1,897	159
2010	32	524	175	12	293	1,144	1,526	289	1,752	145
2011	37	533	234	18	420	1,017	1,839	311	1,742	171
2012	37	519	173	13	322	1,121	1,707	272	1,586	215
2013	32	554	189	21	364	1,331	1,845	337	1,662	190
2014	34	526	211	15	391	1,112	1,634	326	1,700	321
2015	32	476	169	24	356	1,197	1,687	307	1,421	275
2016	28	487	145	14	281	845	1,027	235	1,313	232
2017	20	423	137	13	254	496	699	200	1,159	146
2018	16	399	124	17	184	430	793	148	973	227

Source: State Statistical Office

The statistical data presented in Table 4 show which crimes are most frequently committed according to the number of convictions from 1995 to 2018. Overall, in the period under study the most frequent crimes are those against property;

from this group of crimes we selected the three with the highest numbers of convicted perpetrators: Theft, Aggravated theft, and Fraud. The crime with the second-highest number of convictions is from the group of Crimes against safety on the public roads – Endangering traffic safety. The most common reasons for traffic accidents in the Republic of North Macedonia are driving above the speed limit, failure to comply with the rules of overtaking other vehicles, driving under the influence, etc. In the chapter from the Criminal Code about Crimes against life and body, we selected three criminal offences which have the highest rates of conviction, namely, murder (all types), bodily harm, and grievous bodily harm.

Property crimes usually are committed when people leave their homes, because of everyday work activities, family gatherings and celebrations, agricultural and farming activities, and during winter and summer holidays. Even though people undertake precautionary measures to prevent criminal activity on their properties, criminals are modern and use sophisticated methods to commit crime.

One exception is the crime Theft of electricity, heat energy, or natural gas, when the owner of the property illegally connects to the official network and avoids metering of the energy used. This crime is easily detectable through the automatic electrical grid, which is why this crime is one of the most frequently committed in the group of crimes against property since its introduction in 2012.

Murders in the Republic of North Macedonia occur between close and distant family members, intimate partners, and acquaintances. The crimes Bodily harm and Grievous bodily harm are connected to domestic violence in most cases.

Table 5. Breakdown of convicted adult perpetrators in the Republic of North Macedonia by gender, 1995–2018

Year	Total number of convicted adults	Women	Percentage	Index (women)
1995	7,711	554	7.1%	100
1996	6,341	406	6.4%	82.2
1997	4,732	312	6.5%	61.3
1998	6,128	373	6%	79.4
1999	6,783	372	5.4%	87.9
2000	6,496	357	5.4%	84.2
2001	5,952	298	5%	77.1
2002	6,383	374	5.8%	82.7
2003	7,661	394	5.1%	99.3
2004	8,097	463	5.7%	105
2005	8,845 <sup>7</sup>	574	6.4%	114.7

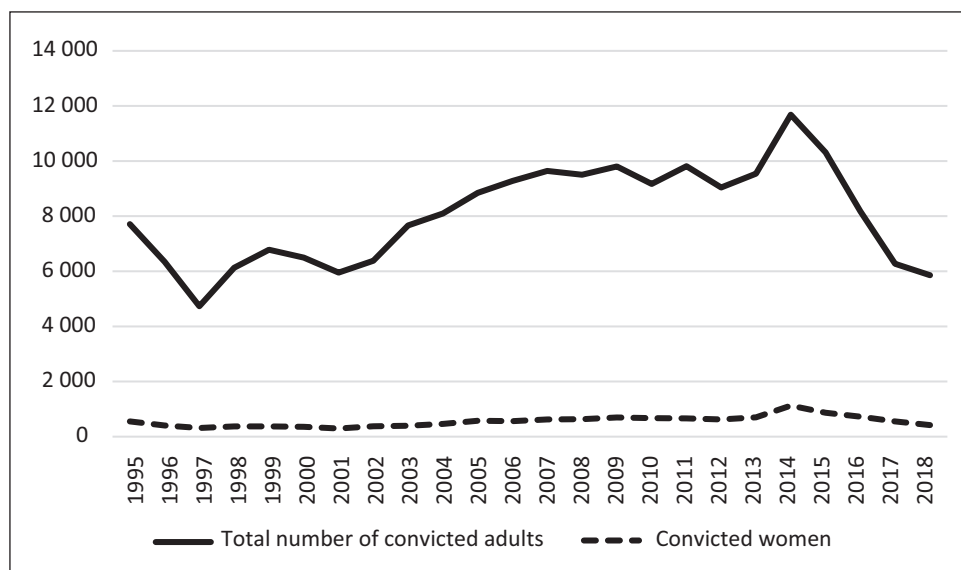
<sup>7</sup> Missing data from Primary Court Kumanovo.

Table 5. Continue

Year	Total number of convicted adults	Women	Percentage	Index (women)
2006	9,280	560	6%	120.3
2007	9,639	622	6.4%	125
2008	9,503	635	6.6%	123.2
2009	9,801	695	7%	127.1
2010	9,169	669	7.2%	118.9
2011	9,810	661	6.7%	127.2
2012	9,042	624	6.9%	117.2
2013	9,539	701	7.3%	123.7
2014	11,683	1126	9.6%	151.5
2015	10,312	865	8.3%	133.7
2016	8,172	723	8.8%	130.5
2017	6,273	550	8.7%	99.2
2018	5,857	419	7.1%	75.6

Source: State Statistical Office of the Republic of North Macedonia

Figure 3. Structure of convicted adult perpetrators by gender in the Republic of North Macedonia, 1995–2018



Source: State Statistical Office of the Republic of North Macedonia



Through the statistical data in Table 5, we try to present the number of female perpetrators compared with the total number of convictions between 1995 – the year of the first publication from the State Statistical Office with information regarding women – to 2018, the latest publication. From the presented data, we can conclude that the proportion of women convicted is below 10% in all 24 years. The lowest percentage was in 2001, and the highest was in 2014.

Figure 3 presents the dynamics of convicted adult perpetrators by gender from 1995 to 2018.

Table 6. Rates of convicted offenders and convicted women per 100,000 criminally liable citizens\* and convicted women per 100,000 criminally liable women\* in the Republic of North Macedonia (2007–2016)

Year	Total number of criminally liable citizens	Total number of criminally liable men	Total number of criminally liable women	Total number of convicted perpetrators	Total number of convicted women	Number of convicted perpetrators per 100,000 criminally liable citizens	Number of convicted women per 100,000 criminally liable citizens	Number of convicted women per 100,000 criminally liable women
2007	1,667,690	830,604	837,086	9,639	622	578	37	74
2008	1,678,404	835,865	840,539	9,503	635	566	38	76
2009	1,689,265	841,122	848,143	9,801	695	580	41	82
2010	1,698,313	845,516	852,797	9,169	669	540	39	78
2011	1,706,069	849,304	856,765	9,810	661	575	39	77
2012	1,711,140	851,792	859,348	9,042	624	528	36	73
2013	1,717,353	854,737	862,616	9,539	701	555	41	81
2014	1,721,528	856,864	864,664	11,683	1,126	679	65	130
2015	1,726,369	859,324	867,045	10,312	865	597	50	100
2016	1,730,164	861,114	869,050	8,172	723	472	42	83

\* Criminally liable individuals are those who have reached the age of 14 years.

Source: State Statistical Office of the Republic of North Macedonia

The volume of crime can be determined by using the crime rate, which is the number of convicted perpetrators per 100,000 criminally liable citizens. For example, the crime rate in the Republic of North Macedonia in 1952 was 850 convicted perpetrators per 100,000 criminally liable citizens; in 1962 it was 111 convicted perpetrators, 105 in 1972, 121 in 1982, and 90 in 1996 (Arnaudovski

2007: 246). Our research shows that the crime rate per 100,000 criminally liable citizens was 578 convicted adult perpetrators in 2007, 540 in 2010, 679 in 2014, and 472 in 2016 (Stanojoska and Aslimoski 2019). This statistical overview begins in 2007 for one reason, namely, that the State Statistical Office started to publish data about the natural population changes in 2007 and the last report of its kind was published in 2016. Furthermore, the last official population census in the Republic of North Macedonia was in 2002.

### **3. Discussion and conclusions**

When it comes to the breakdown of crime in the Republic of North Macedonia and its connection to the territorial distribution, we can conclude that some types of criminal behaviour are typical for rural areas, such as crimes against life and body, and some are typical for urban areas, such as property crimes, sex crimes, cyber-crime, financial crime, and juvenile delinquency (Arnaudovski 2007: 274; Stanojoska and Aslimoski 2019). If we compare this territorial distribution with victimisation surveys in the United States of America, the structure of crime in the two countries differ – for example, violent and property crimes are more prevalent in the cities, while arson is more likely in villages (Konstantinovic-Vilic et al. 2010: 105).

In relation to the seasonal distribution of crime in the Republic of North Macedonia, previous research shows that violent and sexual crimes are committed in the spring and summer, while property crimes are committed at the end of the autumn and winter. Why does this type of seasonal distribution exist? For example, during the winter, it is more difficult for individuals from lower social classes to fulfil their basic needs, so they resort to criminal activity as a means of meeting these needs. On the other hand, during the spring and summer, people are more active, have everyday social contact and communication, which can end in conflict (Arnaudovski 2007: 277; Stanojoska and Aslimoski 2019).

When taking into account the amendments to the Criminal Code regarding certain crimes – such as the Smuggling of migrants, domestic violence offences, and Theft of electricity, heat energy, or natural gas – in relation to the statistical data available from the annual publications of the State Statistical Office, we noticed that even though the smuggling of migrants has been a crime since 2004, in the publications there are no data on this crime prior to 2014, when the number of convictions for this crime increased, mainly due to the increase in the number of migrants who passed along the Balkan Route between 2011 and 2018. Thus, there were 98 convicted people in 2014, 177 in 2015, 73 in 2016, 50 in 2017, and 39 convictions in 2018 for smuggling migrants.

Human trafficking was criminalised in 2002, with the widest amendment in 2004, when the obligations from the Palermo Protocol were implemented. Before

it was criminalised, there were high profile cases of organised criminal groups trafficking women for sexual exploitation, but the perpetrators were convicted under another offence from the Criminal Code: Intermediation in prostitution, from Art. 191 of the Criminal Code.

After the criminalisation, there were many cases of human trafficking where the victims were foreign citizens. This was connected with the civil conflicts in 1999 in Kosovo and in 2001 in the northern part of North Macedonia, and with the presence of peacekeepers afterwards; additionally, though, many of the victims were lured into the trafficking business because of their financial situation, the lack of employment opportunities in their countries of origin, and the false promises for a better life – most of those victims have been sexually exploited. Since 2007, most of the victims were Macedonian citizens, moving from rural areas or small towns into the big cities. These victims have been sexually exploited and forced to work more than 12 hours a day (Stanojoska 2011; 2014).

The introduction of qualified forms of certain crimes committed in the course of domestic violence punishes all related acts. However, statistics do not provide the paragraph of the article under which criminal offences are criminalised, only information about the article itself. Therefore, we cannot determine which crimes were committed in the context of domestic violence, and the State Statistical Office only has data on the number of adult and child victims: there were 834 in 2015, 774 in 2016, 601 in 2017, and 337 victims in 2018. From the group of crimes against property, we treated the newly criminalised Theft of electricity, heat energy, or natural gas as a separate crime, since from 2012 to 2018 this crime was one of the most frequently committed crimes against property. Thus, in 2014 there were 232 convictions, 411 in 2015, 799 in 2016, 626 in 2017, and in 536 in 2018.

We must emphasise that there are no statistical data when it comes to legal entities as perpetrators of crimes. The State Statistical Office does not keep such data and in order to research this aspect of crime, one must pay for information on each legal entity.

Air pollution has been a problem in the past few years, but from the statistical data about crimes against the environment and nature, we could not find convictions related to this problem. This may be because the perpetrators are legal entities or because there have not been convictions for crimes against the environment and nature, even though there have been changes to the Criminal Code in regards to this group of crimes.

In the latest amendments to the Criminal Code, hate crimes have been defined in Article 122, which refers to the terms used in the text of the Criminal Code. There is no independent crime, but hate crimes have been criminalised as a qualified category of several crimes. Until today, the only source of statistical data for this type of criminal activity was the daily bulletin of the Ministry of Internal Affairs and the Annual Reports from the Helsinki Committee for Human Rights. The Ministry of Internal Affairs had a special section on its website, called the Red

Button, where citizens could report hate crimes, trafficking in human beings, or other violent crimes (with the warning that false reporting is itself a crime). Unfortunately, before criminalisation there were no reported or convicted perpetrators of hate crimes. Using the statistics from the website of the Helsinki Committee for Human Rights, we can conclude that hate crimes in the Republic of North Macedonia are connected with bias towards ethnicity, religion, political opinion, sexual orientation, and social status.

Also, in the past few years, changes have been made in an unorthodox way (accelerated procedure and without any public or academic discussion) when it comes to passing amendments to the Criminal Code about the involvement of a group of citizens – among whom were MPs and other high-ranking political figures – in the unconstitutional breach of the Macedonian Parliament. These amendments resulted in amnesty for some of the perpetrators and prison sentences of 7–12 years for others.

With all that has been presented in this paper we can suggest that there is a need for codification of all crimes into one Criminal Code, so that we have a more efficient judiciary system and to make sure that all criminal offences are reported and that the perpetrators are punished. Further, we must not allow future amendments to be passed in an accelerated procedure, because criminal matters – criminalisation and changes in sanctions – require more comprehensive work that must be based on scientific research and must represent the societal changes in our societies.

The available statistical data from the publications of the State Statistical Office have a paucity of details related to the crimes committed, and in this paper only general numbers are presented in order to create some kind of overview of criminal activity in North Macedonia. That is why there must be a change in the way data are collected from the judiciary institutions and in the way these data are presented in the annual publications. We must also work on the access to data for academic work in the courts and create a system for more comprehensive data collection. This will help in the process of research on criminal activity, and the results from this research will portray the reality and help in the process of prevention – lowering the rates of recidivism and playing an important role in the changes to the Criminal Code – and in the process of creating policies in the area of crime.

Victimisation surveys should be conducted as a source of statistical data in North Macedonia. Why is this important? Victimisation surveys are used to study the real crime rate in regards to those crimes that have been reported and those which have not. The results from such surveys can be used in discovering the risks of victimisation, and being aware of the victimisation risks we can work on preventing some types of crimes.

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