VOLUME 1, APRIL 2026

ОСНОВЕН КРИВИЧЕН СУД СКОПЈЕ

BASIC CRIMINAL COURT SKOPJE

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Aleksandar Kambovski, President of the Judicial Council

Dear citizens,

The Court is an institution in which decisions important for people, for their rights and for trust in justice are made every day. That is why we believe it is important for the public to have access to clear, accurate and timely information about our work.

Our goal is to contribute to greater awareness, trust and understanding between the Court and the public through open and transparent communication.

COURT STATISTICS

Resolved cases

Overview of delivered judgments by department

620 judgments

judgments delivered in the adult criminal department

60 judgments

judgments for juveniles

6,534 judgments

judgments for misdemeanours

COURT STATS
FIRST QUARTAL 2026

IN THE FIRST QUARTER, THE SPECIALIZED COURT DEPARTMENT COMPETENT FOR CRIMINAL OFFENSES IN THE FIELD OF ORGANIZED CRIME AND CORRUPTION DETERMINED THE FOLLOWING:

42

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COURT PRACTICE

The information is published for educational purposes, respecting the principles of presumption of innocence, protection of personal data and the rights of the parties in the procedure.
The publication also has an informative character with the aim of promoting legal certainty and legal culture, through insight into specific judgments.

CONVERSION OF AN ACQUITTAL INTO A CONVICTION DUE TO A CHANGE IN THE INDICTMENT IN AN APPEAL PROCEDURE

What happens when the charge is filed for a crime "committed with intent," and the evidence suggests that the crime was "committed through negligence"?

In criminal law, the form of guilt is very important. Intent exists when the perpetrator was aware of his act, wanted it to be committed, and was aware that such action could result in a harmful consequence. Negligence, on the other hand, means that the perpetrator was obligated and could have foreseen the harmful consequence, but did not foresee it or foreseen it but frivolously believed that it would not occur or that it would be prevented.

In the specific case, the charge was filed for a crime committed with intent. After the first-instance decision was revoked and the court re-acted, the public prosecutor did not amend the charge. Therefore, the first-instance court decided within the framework of the charge thus filed.

The evidence established that the injured party - a migrant - was hit by a bullet that came from the service pistol of the defendant - a police officer. Immediately before the shooting, the defendant had a weapon in his hand and there was physical contact and pushing with another person, which was followed by a shooting.

The first-instance court assessed that it had not been proven that the defendant acted with intent. Since the indictment was filed precisely on that basis, the court issued an acquittal. In the appeal proceedings, the higher public prosecutor amended the indictment in the area of guilt, i.e. the indictment was directed at negligence instead of intent.

The Court of Appeal accepted this amendment and assessed that the established facts entailed criminal liability of the defendant in the form of negligence.

According to the Court of Appeal, the defendant, as an official who handled a weapon, was obliged and could have foreseen the harmful consequence.

The Court assessed that he did not take sufficient measures for the safe handling of the weapon, especially in a situation in which there was physical contact and pushing. Therefore, the Court of Appeal reversed the first-instance acquittal and rendered a guilty verdict.

LEGAL POINT

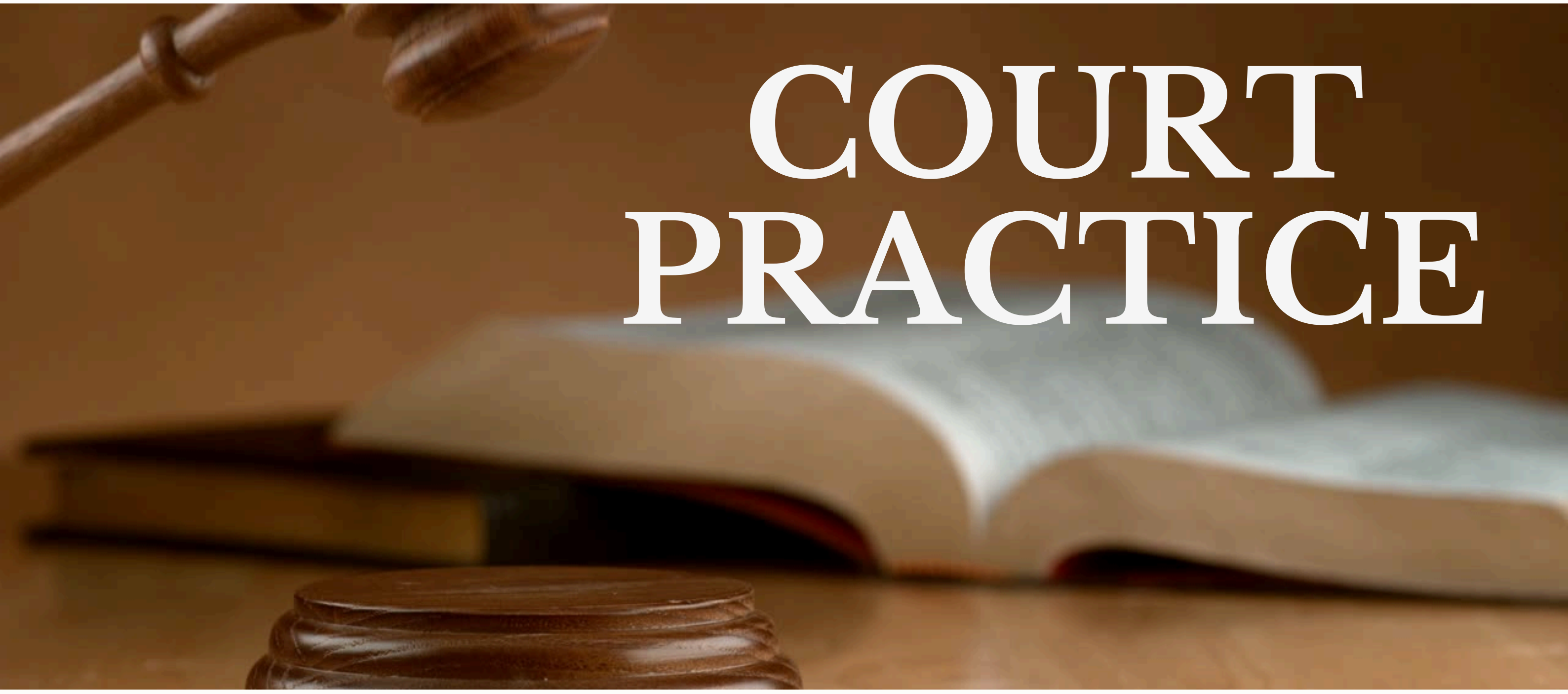
This case shows how important it is for the indictment to accurately cover the form of guilt. When the indictment is only for intent, and the evidence points to negligence, the court, under strictly defined legal conditions, can independently change the form of guilt.

Amending the indictment in appeal proceedings can be decisive if it allows the court to assess criminal liability in accordance with the factual situation established by the evidence.

Why is this important?

This decision is significant because it explains the relationship between the indictment, the evidence and the court decision. The court decides within the framework of the indictment, and when the indictment is amended at an appropriate procedural stage, this can lead to a different outcome of the proceedings.

Court case KOK.No.12/25



FIRST-INSTANCE VERDICT FOR COUNTERFEITING MONEY AND CRIMINAL ASSOCIATION

The confiscation of counterfeit money and the means used to produce - it is just as important as the sentence

The Basic Criminal Court in Skopje has issued a first-instance verdict based on a guilty plea, finding the defendant guilty of the criminal offenses of "criminal association" and "counterfeiting money".

According to the findings of the proceedings, the defendant was part of an organized group that operated on the territory of the Republic of North Macedonia, Serbia and other countries. The group was focused on the production, procurement and circulation of counterfeit euro and US dollar banknotes.

The counterfeit money was distributed through a network of associates, and the defendant played an active role in its distribution, finding buyers, mediation and hiring people for transport.

The counterfeit money was distributed through a network of associates and sold at a price of 25–30% of its nominal value.

During the investigation, counterfeit banknotes were seized, as well as objects used to commit the crimes.

Court case KOK. No.8/26

LEGAL POINT

This case shows that participation in an organized group is not limited to persons who directly produce counterfeit money. Criminal liability also exists for persons who participate in distribution, mediation, finding buyers or creating conditions for counterfeit money to be released into circulation.

Why is this important?

Counterfeiting money is a crime that threatens trust in the payment system and the financial system. Therefore, in addition to the penalty, the confiscation of the counterfeit money and the means used for its production is also important.

Court Decision

With the judgment KOK No. 8/26 of 03.02.2026, the court sentenced the defendant to a single prison sentence of 3 years and 6 months, which also includes the time spent in detention.

The court ordered the defendant to pay a court fee and costs of the procedure, and also made a decision to permanently seize the counterfeit money and the funds used to make it.

ECONOMIC CRIME

FICTITIOUS EMPLOYMENTS AND MISUSE OF MATERNITY BENEFITS – A MONEY LAUNDERING SCHEME THROUGH THE HEALTH INSURANCE FUND

The Basic Criminal Court in Skopje has issued a first-instance verdict in a case related to fictitious employment and illegal use of benefits from the Health Insurance Fund.

FIRST-INSTANCE VERDICT FOR MONEY LAUNDERING THROUGH FICTITIOUS EMPLOYMENT

The Basic Criminal Court in Skopje has issued a first-instance verdict finding the defendant guilty of money laundering and other proceeds of crime. The case concerns a scheme of fictitious employment, through which formal conditions were created for the payment of benefits on the basis of pregnancy, childbirth and maternity. According to the findings of the procedure, the employments were presented as regular, but without actual performance of work tasks.

In this way, through false presentation of salaries and contributions, illegal payments were made from the Health Insurance Fund. The funds were then withdrawn, transferred and re-released in circulation, in order to conceal their illegal origin. In the specific case, the defendant was formally employed. Funds were paid to her account on the basis of salary and benefits, after which part of the funds were withdrawn or transferred by another person. The court found that the defendant received and released into circulation 122,806 denars, although she knew or should have known that the funds originated from a criminal offense.

Court decision

With the judgment KOK No. 13/25 of 27.01.2026, the court sentenced the defendant to a suspended sentence, with a fixed prison sentence of 3 months, which will not be executed if she does not commit a new criminal offense within 2 years. The defendant is obliged to pay court costs and compensate the damage of 122,806 denars to the Budget of the Republic of North Macedonia.

LEGAL POINT

Formal employment and reported payments do not create a legal right to compensation on the grounds of pregnancy, childbirth and maternity if they are based on fraud. When the defendant receives, disposes of or puts into circulation funds that he knows, or should have known, are derived from a criminal offence, such conduct constitutes money laundering.

Why is this important?

This case shows that the abuse of social and health care systems is not only an administrative irregularity, but can also give rise to criminal liability when public funds are fraudulently obtained and then their origin is concealed.

Court case KOK. No. 13/25

MIGRANT SMUGGLING – PRISON SENTENCE AND EXPULSION OF FOREIGN CITIZENS

WHAT DID THE COURT DETERMINE?

According to the procedure, the defendant, a foreign citizen, received and transported four people from Afghanistan who were illegally residing in the country in a rented vehicle on the territory of the Republic of North Macedonia. Shortly thereafter, the vehicle was stopped by police officers, and the defendant was discovered in the act.

LEGAL POINT

For the existence of the criminal offence of migrant smuggling, it is sufficient to enable or facilitate the illegal entry, transit or residence of an alien in the territory of the State.

The duration of the transport or the distance covered are not decisive for the existence of the offence.

COURT DECISION

By the verdict KOK no. 21/26 of 26.03.2026, the court declared the defendant guilty of the crime of migrant smuggling and sentenced him to a prison sentence of 8 months, with the time spent in detention being taken into account. In addition to the prison sentence, the court also imposed a measure of expulsion from the country for a period of 5 years, which will be carried out after serving the sentence. The defendant is obliged to pay the court costs, and the object used to commit the crime was also confiscated.

WHY IS THIS IMPORTANT?

THIS CASE SHOWS THAT THE COURT ASSESSES THE VERY ESSENCE OF THE ACTION, THE RECEPTION AND TRANSPORTATION OF MIGRANTS — REGARDLESS OF WHETHER THE TRANSPORTATION LASTED FOR A SHORT TIME OR WAS INTERRUPTED IMMEDIATELY AFTER IT BEGAN.

HOT TOPIC
SAFE CITY

The role of the court in proceedings for traffic violations determined through an electronic system begins when the person does not accept responsibility and requests that the case be reviewed in court. In that case, the court does not act as the authority that registered the violation, but as an independent authority that should provide legal protection, evaluate the procedure and evidence, and make a decision in accordance with the law.

THE COURT - GUARANTOR OF THE RIGHT TO LEGAL PROTECTION

What if you do not accept responsibility for a traffic violation?

When a traffic violation is registered through a special electronic system, the owner of the vehicle or the responsible person in a legal entity receives a notification of the report and the misdemeanor payment order.

If the person accepts responsibility, the procedure can end with the payment of the fine within the stipulated period. However, if the person does not accept responsibility, he or she has the right to request the initiation of misdemeanor proceedings before the competent court.

For this, within 8 days of receiving the report, the person must print the report with the misdemeanor payment order, sign it and submit it to the competent court in person or by mail.

By submitting the signed report to the court, misdemeanor proceedings are initiated. At this stage, the person is not obliged to submit additional evidence or explanations.

Upon receipt of the report, the court acts in accordance with the law and notifies the authority that issued the misdemeanor payment order, in order to further conduct the procedure.

More info on this link:

It is important to know

If the person does not pay the fine and does not submit a request to initiate a misdemeanor procedure within the legal deadline, the record with the misdemeanor payment order may become enforceable and be submitted for forced collection.

If the person files a request for court proceedings, but then cancels, does not appear at the hearing without justification or submits a written withdrawal, the court may conclude that the person has abandoned the request to conduct the procedure. In such a case, the record may become enforceable, and the person may also be liable for the costs of the procedure.

If the vehicle was driven by another person

If the owner was not driving the vehicle at the time of the misdemeanor, and knows who was driving it, it is necessary to act before the competent authority within the legal deadline and submit the necessary data about the person who was driving the vehicle.

This is important because misdemeanor liability should be directed to the person who was actually driving the vehicle at the time of the misdemeanor.

Remember:

If you do not accept responsibility for a traffic violation, you have 8 days from the date of receipt of the report to request the initiation of misdemeanor proceedings in court. To do this, you need to print, sign and submit the report with the misdemeanor payment order to the competent court.

INTERVIEW

PRESIDENT OF THE JUDICIAL COUNCIL ALEKSANDAR KAMBOVSKI

What activities are being undertaken to strengthen citizens' trust in the judicial system?

Trust in the judiciary is built gradually, through transparent, consistent and responsible conduct. It is particularly important for citizens that cases are resolved in a timely, fair and lawful manner.

It is crucial that the public has a clear and understandable insight into the work of the courts, the manner of proceeding and the meaning of court decisions. When information is timely, accurate and accessible, the space for misunderstandings and doubts is reduced.

The integrity, expertise and professionalism of judges remain the basis of a credible judicial system. Only through openness, principledness and accountability can the judiciary strengthen trust and its legitimacy in society.

As President of the Judicial Council, I believe that transparency and timely information are essential for strengthening the integrity of the judiciary.

What are the priorities regarding transparency in the coming period?

In the coming period, the priority remains to promote transparency through proactive, timely and consistent communication with the public.

In accordance with the communication policies and strategic commitments, the focus will be on providing clear and unified information on the work of the judiciary, in order for citizens to more easily understand judicial processes and competencies.

Transparency and accountability remain fundamental principles for strengthening citizens' trust and for building a more open, responsible and credible judicial system.

Special attention will be paid to greater accessibility of court decisions and information, the use of digital tools for information, as well as strengthening cooperation with the media.

In addition, it is important to develop mechanisms for two-way communication with the public, as trust is not built only with information, but also with constant dialogue.

> "TRUST IN THE JUDICIARY IS BUILT THROUGH TIMELY INFORMATION, CLEAR COMMUNICATION, PROFESSIONALISM AND RESPONSIBLE BEHAVIOR"

ОСНОВЕН КРИВИЧЕН СУД СКОПЈЕ

BASIC CRIMINAL COURT SKOPJE

Thank you for reading this edition of the e-bulletin of the Basic Criminal Court Skopje. Our goal is to contribute to greater public awareness and a better understanding of the work of the court through clear, timely and understandable information.

Note: The contents of the e-bulletin have an informative and educational purpose. They do not constitute legal advice, do not influence current or future proceedings and are published with respect for the principles of judicial independence, presumption of innocence, protection of personal data and the rights of the parties to the proceedings.

Basic Criminal Court Skopje
E-bulletin, issue 1, April 2026
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