



Republic Macedonia

**STRATEGY FOR PERSONAL DATA  
PROTECTION IN REPUBLIC OF MACEDONIA**

**2012 – 2016**

**Followed by an Action plan**



Directorate for  
Personal Data  
Protection

The project is implemented by:



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Directorate for  
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Republic of Macedonia

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## FOREWARD

Everyone has right to privacy. I own my privacy, is the motto of the Directorate for Personal Data Protection. Personal data protection is part of our everyday life and base for functioning of the modern and democratic society grounded on the constitutional guarantees for respecting the fundamental human rights. Guarantying privacy means establishing system for technical and organizational measures by the controllers and processors of personal data, as well as high public awareness in the society as a unavoidable condition for reaction in case of breach of the right of privacy and evaluation of the achieved results.

Because of those reasons, the Directorate for Personal Data Protection as the competent institution for personal data protection in our country decided to apply new mechanisms of work, to implement new methods and principles in the implementation of the legislation through the legal and institutional but moreover preventive measures and partner relations with the controllers from the public and private sector for consequent implementation of the European principles from the area of personal data protection in our country.

Creation of effective, efficient and in the same time sustainable system is our vision nut also those are the challenges draw down in this Strategy for Personal Data Protection 2012-2016. I am confident that the strategic approach and offered systematic solutions, elaborated and defined with precise terms in the Action Plan we will succeed in building stronger concept for personal data protection in the Republic of Macedonia.



## 1. INTRODUCTION

*Personal data protection is constitutional category, defined in the chapter of fundamental human rights. This right is guaranteed by the international documents: the United Nations' Universal Declaration of human rights; Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data regarding supervisory authorities and transborder data flows as well as in the Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data.*

Personal data protection in the Republic of Macedonia is guaranteed under the Article 18 of the Constitution of the Republic of Macedonia, "The security and confidentiality of personal information are guaranteed. Citizens are guaranteed protection from any violation of their personal integrity deriving from the registration of personal information through data processing."

Following the requirements for democratization of the relations and operationalization of the guaranties from the Constitution, implementation of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, the Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data regarding supervisory authorities and transborder data flows as well as the transposition of the Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data in the national legislation, the Law on Personal Data Protection was enacted in 2005 ("Official Gazette of the RM" 7/05). Simultaneously the Law on ratification on the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data was enacted. In the light of further harmonization of the respective Law with the EU regulations and use of the best practices of the EU Member States, the Law on Personal Data Protection was further amended at several occasions ("Official Gazette of the RM" 103/08, 124/10 and 135/11).



Pursuant to the Law on Personal Data Protection from 2005, the Directorate for Personal Data was established as a competent authority for performing inspection over the legality of the undertaken activities for processing of personal data and their protection on the territory of the Republic of Macedonia. The Directorate is established on 22 June 2005 when the first Director was appointed with the Decision of the Parliament ("Official Gazette of the RM" 50/05). The Directorate is an independent authority. The mandate of the Director lasts for 5 years. It differs from the mandate of the members of the parliament in its length. The Director may be granted one additional mandate i.e. to be re-appointed. However, the selection of the candidate is done through public call for applications for each mandate. Consequently, the independence of the Director and the Directorate toward the bodies of the executive, judicial and legislative power as well as from the bodies of the local self-government and economic lobby groups is ensured.

The Directorate was established to perform inspection over the legality of processing of personal data as well as to warn about the risks from the excessive collection of personal data. Further, to recommend use of less invasive methods of the personal data processing that does not infringe the privacy of the citizens. Finally, the Directorate inspects and punishes the excessive and illegal processing of personal data.

The legal and institutional framework for the protection of personal data in the Republic of Macedonia ensures implementation of another value of the European Union as the protection of privacy as inviolable right of the citizens is and which increasingly gaining importance, especially given the galloping advance of the daily development of the technique, the need for increased communication associated with worldwide economic growth and boundless flow of information.

Taking into consideration the development of the new technologies, communication systems, information systems, unlimited number of databases for different purposes, the high degree of development of social networks, the internet and other forms of communication, an easy access to the personal data has been created. Those are leading to increased opportunities for infringement of privacy and endangering the right to privacy. This global situation unavoidably reflects in our country. Therefore, a need for strategic approach in this area is necessity. It will ensure continuous upgrading of the normative and other preconditions for preventing the violations of this



right through creation of general, multiyear document followed by an action plan which will be further elaborated through annual programs and operational plans. Certainly, further harmonization of the legislation of the EU in the sphere of personal data protection and use of the best practices of other countries, following and applying the international standards in the area of personal data protection is in function of further strengthening of the guarantees for personal data protection.

Preparation of the Strategy for Personal Data Protection for the period 2012 – 2016 was supported by the EU pre accession instrument IPA, program 2008, Component 1, project “Support to drafting of strategic documents and corresponding action plans, including media awareness research, for improved implementation of the right of personal data protection.” In the same time, the Strategy presents realization of the development plans for personal data protection contained in the National program for approximation to the *acquis communautaire*. The Strategy for Personal Data Protection determines the directions for future development. Priorities for realization through projection of concrete goals in order to improve the protection of personal data, increased awareness for the need of personal data protection, implementation of the Law on Personal Data Protection by the controllers and processors and institutional positioning of the Directorate for Personal Data Protection which guarantees the protection of personal data.

### **1.1. Goals for creation of the Strategy**

The Strategy for development of the personal data protection is created to highlight the determination for strategic approach in the strengthening of personal data protection through the strengthening of the awareness for the need for privacy protection of the citizens, controllers and processors of personal data as well as to fortify the institutional protection of personal data by the Directorate for Personal Data Protection. This Strategy should answer the questions which are our priorities, to lead us to the results that we want to achieve and to help us to define the best approach for realization of our oaths.

### **1.2. Benefits from the Strategy**

Implementation of the envisaged goals of the Strategy in the Republic of Macedonia will ensure framework for continuous and complete harmonization of the national legislation with the EU legislation for personal data protection, increased public awareness for the right of personal data protection, more efficient system for inspection over the legality of the processing of personal data, secure and fast access to data from the register of personal data collections, continuous training of the controllers and processors of personal data, and increased institutional capacity of the Directorate for Personal Data Protection.

### **1.3. Monitoring and reporting**

The Strategy for Personal Data Protection is a document that aims to ensure continuous respect and guarantees of the right of personal data protection for all citizens of the Republic of Macedonia. Referring to the measures and activities envisaged in it, using the mechanisms and methods of prevention and response upon eventual breaches of the Law it is expected that individuals whose right of privacy is in question to involve in its implementation, as well as the subjects who during their operations are put into position of potential violators of the right of privacy. This is the reason why all the involved parties will have responsibility in the general prevention, because the personal data protection concerns everyone.

The Directorate for Personal Data Protection is the main carrier of the responsibility for monitoring of the implementation of the Strategy. . The adoption of the Strategy is recognized as an unavoidable need. Thus, it was adopted for the first time in the country. It shall also be constantly upgraded, revised and complemented.

Namely, the Directorate for Personal Data Protection will continuously follow and monitor the implementation of the measures and activities from the Strategy and will prepare a report as an integral part of the Annual Report for the work of the Directorate for Personal Data Protection annually submitted to the Parliament of the Republic of Macedonia. The Annual Report for the work of the Directorate for Personal Data Protection will be published on the web site of the Directorate for Personal Data Protection.



In the course of following the trends in the matter of personal data protection, the document shall be revised after the second year of implementation of the Strategy. The responsible authority for the revision is the Directorate for Personal Data Protection. If turn necessary, modifications and amendments may be suggested and apparently adopted.

## **2. LEGAL FRAMEWORK, IMPLEMENTATION OF THE LAW ON PERSONAL DATA PROTECTION, INSTITUTIONAL CAPACITY, SWOT ANALYSES**

### **2.1. Legal framework**

#### **2.1.1 International acts**

In 2005 Law on ratification of the Convention 108/81 of the Council of Europe for the Protection of Individuals with regard to Automatic Processing of Personal Data was enacted and published in the Official Gazette of the Republic of Macedonia 7/05 and in 2007 the Parliament of the Republic of Macedonia ratified the Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data regarding supervisory authorities and transborder data flows. During the preparation of the national legislation the harmonization with the Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data was taken into consideration.

Apart from the Convention 108/81 of the Council of Europe, Additional Protocol to this Convention which are integral part of the legal framework for personal data protection in the Republic of Macedonia and the Directive 95/46/EC to which the Law on Personal Data Protection is fully harmonized, the Directorate for Personal Data Protection follows all other directives, recommendations, opinions and resolutions adopted by the international expert groups working in the area of personal data protection in order to ensure full functioning of the concept of privacy protection and introducing the new standards in this area.

At the same time, the Directorate for Personal Data Protection is aware of the future amendments and modifications of the Directive 95/46/EC and of the modernization of the Convention 108/81 of the Council of Europe which will be in direction to additional stipulation of new, higher standards for personal data protection, resulting from fast development of the new technologies which will lead to improvement of the national legislations of the member states of the EU and candidate countries.



### 2.1.2 National legislation

Personal data protection in the Republic of Macedonia is guaranteed under the Article 18 of the Constitution of the Republic of Macedonia: “The security and confidentiality of personal information are guaranteed. Citizens are guaranteed protection from any violation of their personal integrity deriving from the registration of personal information through data processing.”

The first Law on Personal Data Protection which established the concept of personal data protection in the Republic of Macedonia in the spirit of the Convention 108/81 of the Council of Europe and the Directive 95/46/EC, was enacted in 2005. Recognizing the need for ensuring institutional competence for this human right, establishment of the Directorate for Personal Data Protection was stipulated in the Law on Personal Data Protection.

After the ratification of the Additional Protocol to the Convention 108/81 of the Council of Europe, in 2008 the Law on amendments and modifications of the Law on Personal Data Protection was enacted (“Official Gazette of the RM” 103/08), aiming to strengthen the inspection function of the Directorate for Personal Data Protection and additional harmonization with the EU legislation. In 2010 the second amendments and modifications of the Law on Personal Data Protection were enacted („Official Gazette of the RM“124/10)<sup>1</sup> which ensured:

- Harmonization of the legislation and enforcement of the laws as well as adapting the laws of the Republic of Macedonia to the law of the European union.;
- Harmonization of the Law on personal data protection with the national legislation of the Republic of Macedonia and
- Establishing more efficient protection of the right of personal data protection (legislation, institutional framework).

Further, by enactment of several by-laws the organizational and technical measures for personal data protection, the manner for video surveillance, the transfer of personal data in third countries, the manner of performing inspection and keeping the separate evidences were determined. The by-laws were developed as to be ensured consistent implementation of the Law on Personal Data Protection.

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<sup>1</sup> Basic text of the Law and all the amendments and modifications are available at [www.dzlp.mk](http://www.dzlp.mk)

Also, new provisions on personal data protection were inbuilt in other laws of the area of education, health, banking, employment, telecommunications, pension insurance, public administration, social protection, economy, judiciary, insurance and in the legal acts of law enforcement organs.

The Directorate for Personal Data Protection undertook all needed activities to implement provisions on personal data protection in the international agreements for transfer of personal data to other countries especially in the area of cross border cooperation and cooperation in combating terrorism and international crime.

### **2.2 Implementation of the Law on Personal Data Protection**

Competent authority for implementation of the provisions of the Law on Personal Data Protection is the Directorate for Personal Data Protection. Implementation is ensured through inspection over the legality of the processing of personal data, issuing opinions, prevention, trainings, continuous informing of the stakeholders and realization of international cooperation.

Considering the fact that the public awareness for the need for personal data protection in the Republic of Macedonia is still low, the Directorate for Personal Data Protection has put its efforts to highlight the preventive role of continuous advising the controllers regarding the internal acts, issuing reprimands in cases when a irregularities in the personal data protection occurred. The Directorate for Personal Data Protection organizes continuous education of the controllers and processors of personal data. Trainings organized by the Directorate for Personal Data Protection are realized according to the Annual program, published on the web page and the trainees are granted with certificate.

#### **» *Inspection***

Directorate for Personal Data Protection is competent authority for performing inspection over the legality of the processing of personal data. Inspections are performed as regular, on the basis on Annual program ([www.dzlp.mk](http://www.dzlp.mk)), incidental, upon received initiatives from citizens and control inspections performed in cases when a regular inspection was previously performed and obligations and deadlines for fixing the irregularities were established for the controller<sup>2</sup>. Pursuant to the Law on Personal Data Protection, the Directorate for Personal Data Protection conducts misdemeanor procedure and imposes misdemeanor sanction for the breaches of the right of personal data protection. The decisions may be contested at court.



» **Transparency**

Noticing the principle of transparency of the work, the Directorate for Personal Data Protection informs the public about the novelties in the area on regular basis, through various communication forms (press releases, news reports and through the web page [www.dzlp.mk](http://www.dzlp.mk)). The Directorate for Personal Data Protection is competent for keeping the register of personal data collections. Data for the personal data collections, controllers/processors and for the Officer for personal data protection are available for the public at [www.dzlp.mk/cr](http://www.dzlp.mk/cr). The Directorate for Personal Data Protection submits Annual report for its work to the Parliament of the Republic of Macedonia, the Annual report is reviewed and adopted on a plenary meeting of the Parliament.

» **International cooperation**

Having in mind the strategic priorities of our country for joining the European Union and Euro-Atlantic organizations the Directorate for Personal Data Protection's policy for strengthening the international cooperation. Namely, the Directorate for Personal Data Protection attends the meetings of the international groups for personal data protection, especially the Working Party 29 of the European Commission, Consultative Committee for Personal Data Protection of the Council of Europe (T-PD), International Working Group for Personal Data Protection in the Telecommunications, Working Party on Police and Justice, Case Handling Workshop, International Conference of the Personal Data Protection Authorities, Spring Conference of the European Data Protection Authorities, Conference of the Data Protection Authorities from the South-Easter Europe. International cooperation is enriched with signing of Declarations on cooperation with the authorities for personal data protection from other countries (signed Declarations with Republic of Italy, Czech Republic, Republic of Croatia, Republic of Bulgaria, Republic of Slovenia, Republic of Romania, Kingdom of Denmark, Republic of Lithuania, Republic of Poland, Republic of Montenegro, Federal Republic of Germany) as an instrument for strengthening of the experience exchange and knowledge transfer in the area of personal data protection on a bilateral level.

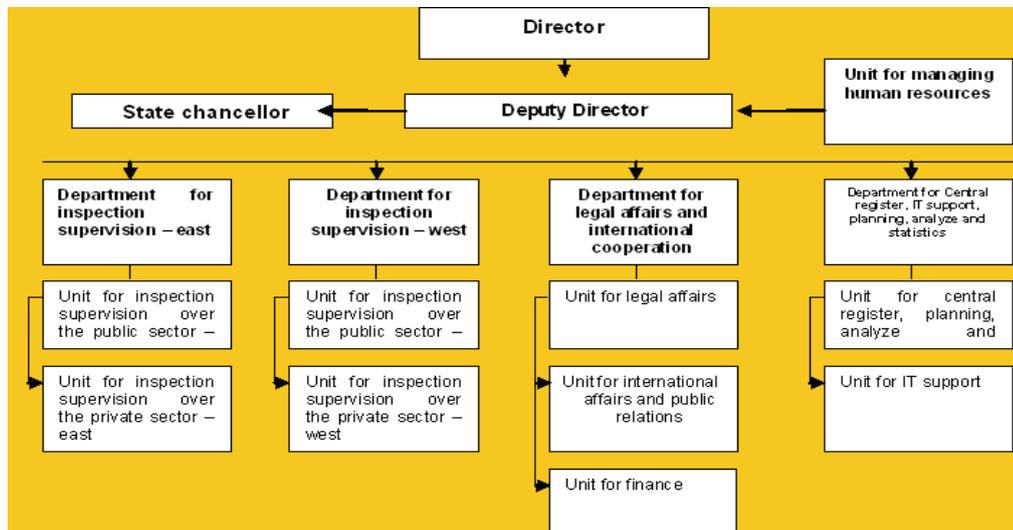
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<sup>2</sup> Facts and figures for the performed inspections are available in the Annual reports of the Directorate for Personal Data Protection at [www.dzlp.mk](http://www.dzlp.mk)

» **Institutional capacity**

The Directorate for Personal Data Protection was established 6 years ago. During this period it became a respectable and cognizable authority recognized as institution protecting the fundamental right of privacy and personal data protection of the citizens of the Republic of Macedonia. The institution is managed by Director elected by the Parliament of the Republic of Macedonia. Also, pursuant to the law, the Parliament elects Deputy Director.

Presently, the Directorate for Personal Data Protection employs 19 civil servants in 4 Departments. 89% of the employees hold university degree. This guarantees competent execution of the working assignments in all aspects, especially in the performance of inspection, in acting upon requests from citizens for protection of their right of personal data protection and in conducting the misdemeanor procedure. According to the organizational plan, the Directorate for Personal Data Protection is organized in 4 basic organizational departments.



*Review 1 –Organizational chart*

At the moment the Directorate for Personal Data Protection is equipped with sophisticated IT equipment which supports its functioning including the specific requirements of the inspection competencies.

### **2.3 Analyses of the strengths, weaknesses, opportunities and threats**

In order to identify the present situation a SWOT analyses was made. Based on findings the developing tendencies and priorities were identified. They were defined through the direct goals and activities that should be undertaken during the referring period. Adopted Annual reports, working programs, inspection plans, reports from the European Commission for the development 2008-2010 in the part of political criteria and fundamental rights, reports on realized projects for support of the Directorate for Personal Data Protection, Strategic plans of the Directorate for Personal Data Protection, National Program for approximation of the national legislation with the acquis communarie 2011-2014, Training programs and other documents of the Directorate for Personal Data Protection were used for conducting the analyses.

#### **2.3.1 Strengths:**

- In the Republic of Macedonia an independent state institution competent for performing inspection over the legality of the processing of personal data is established in 2005;
- National legislation is fully harmonized with the EU legislation. The Law on Personal Data Protection is harmonized with the provisions of the Directive 95/46/EC, Convention 108/81 of the Council of Europe and the Additional Protocol to this Convention. In the preparation of the Law on Personal Data Protection the best practices of the member states of the EU were taken into consideration;
- The Directorate's team is consisted of highly specialized and motivated employees. Through continuous trainings, employees have gained additional knowledge and skills in the area of personal data protection especially through following of the international experiences and good practices;
- The Directorate for Personal Data Protection has modern IT equipment; solid software and hardware equipment necessary for performing the basic functions especially for hosting the web site which is recognizable, for keeping the register of personal data collections, lap top computers for the employees. Solid data bases containing data for the controllers, proces-



sors, personal data collections and performed inspection supervisions are created;

- Team working is the real way of work of the employees in the Directorate for Personal Data Protection. Working in teams is a rule, especially when performing inspection and during preparation of the key documents for the work of the Directorate for Personal Data Protection;
- Established way of communication with the great number of controllers, processors and the public as a whole. The Directorate for Personal Data Protection prepares perennial strategies where the strategic and priority areas where developments are needed are being established (ex. public relations). Great contribution in the communication with the public has the web page of the Directorate for Personal Data Protection - [www.dzlp.mk](http://www.dzlp.mk) through which among the key information for personal data protection the process of registering the personal data collections in the register is performed;
- The legal competence - performing inspection based on annual programs which are published on the web page of the Directorate for Personal Data Protection is being completely fulfilled;
- System for educations and training for the controllers realized on the basis of previously adopted Annual program and Specific program for concrete trainings was established. Trainings are delivered by the employees in the Directorate for Personal Data Protection. Generic training for personal data protection and 13 modules of specialized trainings in different areas are available.

#### **2.3.2. Weaknesses**

- Deficient budget - the budget of the Directorate for Personal Data Protection is determined from the Ministry of Finance upon previously submitted proposal from the Directorate for Personal Data Protection. The same budget proposal is submitted to the Parliament for adoption. Usually, the estimated budget satisfies the basic needs of the institution but it is not sufficient for realization of the proactive policy for public awareness rising for the right of personal data protection and for realization of the activities for strengthening the public relations;
- Insufficient personnel – with the amendments and modifications of the Law on Per-



sonal Data Protection and with the enlargement of the competencies of the Directorate for Personal Data Protection, need for increasing the number of employees has appeared, especially in the inspection Department. At the moment, civil servants in the Directorate for Personal Data Protection perform assignments of two or more working positions in order to reach continuous and efficient functioning of the Directorate for Personal Data Protection;

- Discordance of one part of the substantive laws in separate areas with the Law on Personal Data Protection as a consequence of their adoption before the adoption of the Law on Personal Data Protection or not consulting the Directorate for Personal Data Protection for the questions connected to the implementation of the right of privacy;
- Absence of legal mechanism for participation of the Directorate for Personal Data Protection in the process of adoption of new laws and by-laws. Authorized nominators do not have a legal basis or obligation to request an opinion from the Directorate for Personal Data Protection when the proposed acts partially regulate the area of personal data protection and privacy protection;
- Insufficiently developed public awareness of the citizens for their right of personal data protection – in circumstances of fast development of the technology the possibilities for misuse of personal data are increasing enormously. Development of technology in the world has increased the significance of the personal data and privacy protection.

### **2.3.3. Opportunities**

- Easy access and use of information technology, increased use of Internet, technology and communication, easy access to information and their use in development purposes and informing of the citizens for the right of personal data protection;
- Start of the negotiations for the access of the Republic of Macedonia in the European Union will involve the country in the development processes of the area through the EU institutions. Closing of the chapters will mean full harmonization and direct implementation of the European legislation. The country will have the opportunity to involve in the development and the creation of the policies for personal data protection on a European level and to participate directly in the preparation of new regulations and creation of good practices;



- Use of EU funds through financing projects of the Directorate for Personal Data Protection and use of other donor's funds for overcoming the lack of financial resources for development of the area and following of the modern processes along with the member states of the EU;

- The interest of the subjects of personal data, media, controllers, processors of personal data, citizens, non-governmental organizations, for the significance of the right to privacy on a global level, gives the opportunity for spreading the information and raising the awareness for the right of personal data protection.

#### **2.3.4. Threats**

- Personnel drain from the Directorate for Personal Data Protection – as a consequence of the complicated administrative procedures for promotion and award of the employees;

- Insufficient awareness of the citizens on the mechanisms for legal aid for personal data protection which may result with various violations and no requests to DZLP for protection;

- Low awareness level of the controllers for ensuring technical and organizational measures for personal data protection.



### 3. PROJECTS

**3.1. CARDS Program – 2004 – Technical assistance to the establishment of the Directorate for Personal Data Protection and implementation of the principles for personal data protection (2006-2007)** realized through previously defined 5 components 1- Legal framework, 2 – Operational capacities, 3 – Capacity building, 4 – Public awareness rising and 5 – Information technology.

**3.2. IPA 2008, Component 1, project Support to the Directorate for Personal Data Protection**, realization started on 10 January 2011 and the project duration is 18 months. The project activities are defined in the 4 components: 1- Further alignment of the national regulations with the EU legislation; 2-Strengthened operational capacities of the DPDP; 3-Higher level of awareness of the general public for data protection as a fundamental right and 4 -Updated IT infrastructure at the DPDP, including new Web page.

**3.3. IPA 2008, Component 1, project Support to drafting of strategic documents and corresponding action plans, including media awareness research, for improved implementation of the personal data protection right**, realization started on 14 March 2011 and project duration is 9 months. The project activities are defined in 2 components: 1 - Support to the staff of the beneficiary in drafting the Strategy on implementation of right of personal data protection with the relevant action plan/s as well as the mechanisms for monitoring and 2 - Media awareness research for improved implementation of right of personal data protection.

#### **3.4. Project Access to court decisions and the right of personal data protection**

This project is launched as a result of the cooperation between the Directorate for Personal Data Protection and the Organization for Security and Cooperation, Mission in Skopje, defined in a Memorandum on cooperation in implementation of the project. The project idea is supported by the Supreme Court and the Academy for judges and public prosecutors. According the expected results the project should continue with development of a curriculum for trainings of court



#### **4. VISION AND MISSION**

##### **VISION**

Controllers, processors and the general public the Directorate for Personal Data Protection to be recognized as an arbitrator who secures high quality in the personal data protection and as subject who disposes with trained personnel for adoption of prompt and relevant decisions for fulfillment of the projected goals and intended place for work and professional development.

##### **MISSION**

The Mission of the Directorate for Personal Data Protection is to ensure lawfulness and fairness of the processing of personal data and transparent and efficient system for implementation of the right of personal data protection of every citizen.



## **5. STRATEGIC GOALS**

With the adoption of the Strategy for personal data protection 2012–2016 the following goals will be realized:

- 5.1. ENSURING EFFICIENT SYSTEM FOR PERSONAL DATA PROTECTION
- 5.2. CONTINUOUS HARMONIZATION OF THE NATIONAL LEGISLATION FOR PERSONAL DATA PROTECTION
- 5.3. FACILITATION OF THE APPROACH AND IMPROVEMENT OF THE EFFICIENCY OF EVIDENCE OF THE PERSONAL DATA COLLECTIONS
- 5.4. FURTHER INCREASING OF THE PUBLIC AWARENESS LEVEL FOR THE RIGHT OF PERSONAL DATA PROTECTION
- 5.5. OPTIMISATION OF THE INSTITUTIONAL CAPACITY
- 5.6. INCREASED PARTICIPATION IN THE INTERNATIONAL COOPERATION
- 5.7. COOPERATION WITH THE COMMISSION FOR PROTECTION OF THE RIGHT OF FREE ACCESS TO PUBLIC INFORMATION, THE OMBUDSMAN AND OTHER STATE AUTHORITIES



## STRATEGIC GOAL 1

### 5.1. ENSURING EFFICIENT SYSTEM FOR PERSONAL DATA PROTECTION

Guaranties of the right of personal data protection and inspection over the legality of the processing of personal data are developed in direction of ensuring easy access to the forms and ways in which the citizens can identify and report the violation of their right personal data to be protected. Efficient system is needed in order to identify the violations and to ensure appropriate measures for respecting the fundamental principles of personal data protection.

#### ***Specific goals:***

#### **5.1.1. Strengthening the mechanisms for legal protection**

The Law on Personal Data Protection provides a possibility the citizens or a citizens' association where a natural person is a member to request legal protection of the right on personal data protection in procedure at front of the Directorate for Personal Data Protection or the competent court in case an alleged infringement of rights is assumed. Violation of the right of personal data protection can also be a criminal offence or misdemeanor assault

#### **Activities:**

**5.1.1.1.** Analyses of the Chapter IV „Rights of the subject of personal data “of the Law on Personal Data Protection and the decisions of the Director on the requests from the citizens for violation of the right of personal data protection

**5.1.1.2.**Introducing a system for unified and recognizable mechanism for submission of requests for violation of the right of personal data protection

#### **5.1.2. Raising the level of cooperation with the controllers and processors**

Continuous cooperation with the controllers and processors which was intensified by the Directorate for Personal Data Protection during 2010 results positively and contributes to nearing of the principles of personal data protection to the controllers and processors.



**Activities:**

**5.1.2.1.** Adoption of annual training programs for controllers and processors of personal data collections

**5.1.2.2.** Categorization of the opinions and reprimands of the Directorate for Personal Data Protection in areas and publishing selected opinions and reprimands on the web page

**5.1.2.3.** Analyses of the effects from the educations and suggested measures given to the controllers and processors of personal data collections performed pursuant to the Law on Personal Data Protection

**5.1.3 Improving the efficiency of the inspection**

**Activities:**

**5.1.3.1.** Analyses of the inspection's effectiveness and efficiency by using international comparative experiences as well

**5.1.3.2.** Implementation of software for inspection which will ensure access to the whole documentation of the inspectors

**5.1.3.3.** Unification of the process of creation of the minutes and decisions from the performed inspections

**5.1.4 Improving the efficiency of the execution of the decisions of the Directorate for Personal Data Protection**

Pursuant to the Law on Personal Data Protection, the Directorate for Personal Data Protection is competent to make decisions when inspects; upon submitted requests from the citizens; and in the misdemeanor procedure under the conditions provided by the law. The Directorate's decisions may be either contested at court or appealed.



**Activities:**

**5.1.4.1.** Analyses of the situation including the analyses of the execution of the decisions of the Directorate for Personal Data Protection

**5.1.4.2.** Analyses of the EU experiences in the area of execution of the competent authorities for personal data protection decisions

**5.1.4.3.** Informing the competent authorities on findings and suggesting measures for improving the efficiency of the decisions' execution

**5.1.5 Unification of the implementation of the legislation for personal data protection**

In function of ensuring unique approach in the implementation of the Law on Personal Data Protection, the Directorate for Personal Data Protection will prepare guidelines in different areas, opinions and reprimands in relation with established states or upon submitted request. Publishing of those materials will be in different forms which will ensure access from the stakeholders.

**Activities:**

**5.1.5.1.** Organizing seminars for personal data protection in different areas

**5.1.5.2.** Preparation of Guidelines for personal data protection in different areas

**5.1.6 Strengthening the role of the Data Protection Officers**

The appointment of Data Protection Officers at the controllers and processors was introduced with the amendments and modifications of the Law on Personal Data Protection. Details on the Data Protection Officers including the basic data about the controller/processor are available at the web page of the Directorate for Personal Data Protection.

**Activities:**

**5.1.6.1.** Preparation of guidelines for the work of the Data Protection Officer



**5.1.6.2 .Delivery of trainings for the Data Protection Officers**

**5.1.7 Improving the efficiency in the exercising the right of access to personal data by the citizens**

**Activity:**

**5.1.7.1.** Preparation of manuals for protection of the rights of the citizens for access to their personal data which rises from the Law on Personal Data Protection

**5.1.8 Anonymisation and publishing of the misdemeanor sanctions**

**Activities:**

**5.1.8.1.**Preparation of the Instruction for making written decisions of the Misdemeanor Commission anonymous

**5.1.8.2.**Publishing the anonymised final decisions of the Misdemeanor Commission

**5.1.9 Introducing the on-line inspection<sup>3</sup>**

**Activities:**

**5.1.9.1**Analyses of the opportunities for introduction of on line inspections over the controllers and processors by using comparative analyses

**5.1.9.2**Creating legal basis for implementation of the concept of on line inspection

**5.1.9.3.**Training of the inspectors to perform on-line inspection

**5.1.9.4**Implementation of on-line inspection

**5.1.10 Developing and implementation of an General and Specific Check lists**

**Activities:**

**5.1.10.1.**Analyses of the results and states of the two year practical implementation of the Check lists by using the comparative approach from the EU member states

**5.1.10.2.**Preparation of general and specific check lists and starting the delivery to the controllers on regular basis

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<sup>3</sup> On line inspection is used in this document as a term for performing inspection from the work place of the inspector



## STRATEGIC GOAL 2

### 5.2. CONTINUOUS HARMONIZATION OF THE NATIONAL LEGISLATION FOR PERSONAL DATA PROTECTION

The Directorate for Personal Data Protection aims to fully harmonize the national legislation for personal data protection with the legislation of the EU in the Strategy reference period and to be involved into creation and full respect of good practices for personal data protection as one of the fundamental human rights. Ensuring good quality of the legal framework, starting from the Law on Personal Data Protection, the by-laws, substantive laws from different areas that are fully harmonized with the Law on Personal Data Protection is the base that will preventively guarantee the right of privacy. Implementation is obligation of the Directorate for Personal Data Protection but as well of all the legal entities that have common interests to protect the personal data.

#### ***Specific goals:***

#### **5.2.1 Adoption of amendments and modifications or new Law on Personal Data Protection**

In order to follow international trends and legislation, especially due to upcoming changes in the major international documents regulating the right to protection of personal data in the following period will be in need of alignment and updated of the text of existing law for the protection of personal data. The change in the text is also necessary for further regulation of the Directorate's competences and harmonization with national legislation.

#### **Activities:**

**5.2.1.1.**Analyses of the need for harmonization of the Law on Personal Data Protection with the EU legislation

**5.2.1.2.**Submission of the Draft to the Ministry of Justice

**5.2.1.2.**Harmonization or adoption of new by-laws that arise from the Law on Personal Data Protection



## **5.2.2 Harmonization of the national legislation in separate areas with the documents of the Council of Europe, European Commission, use of good practices of the EU member states**

### **Activities:**

**5.2.2.1.** Following and analyzing the impact of the documents of the Council of Europe (Convention 108, Additional protocol and the recommendations in different areas) as well as the Directive 95/46/EC and analyses of the impact and the need for upgrading the national legal framework and involvement in the international flows through giving concrete suggestions

**5.2.2.2.** Preparation of suggestions for harmonization with the documents of the Council of Europe and the European Union in the practical work of the stakeholders

## **5.2.3 Involvement of the Directorate for Personal Data Protection in the process of policy creation and adoption of regulations**

### **Activities:**

**5.2.3.1.** Analyses of the actual regulations in different areas

**5.2.3.2.** Informing the competent authorities for the conditions and needs for amending the concrete regulations with suggested measures

**5.2.3.3.** Informing the competent authorities for the need of involving the Directorate for Personal Data Protection in the process of adoption of new and harmonization of the actual regulations

**5.2.3.4.** Submission of initiative to the competent authorities of the Republic of Macedonia for ensuring legal mechanism for inclusion of the Directorate for Personal Data Protection in the process of adoption and harmonization of the legislation

## **5.2.4 Improvement and harmonization of the by-laws**

Directorate for Personal Data Protection as a competent authority pursuant to the law, adopts the sub legal act and directions which according to the provisions of the law, are adopted in



order to regulate the relations in the area especially for regulation the minimum of technical and organizational measures.

**Activities:**

**5.2.4.1.**Preparation of Plan for amendments of the existing or adoption of new secondary legislation

**5.2.4.2.** Support in the preparation and adoption of the secondary legislation

**STRATEGIC GOAL 3**

**5.3. FACILITATION OF THE APPROACH AND IMPROVEMENT OF THE EFFICIENCY OF EVIDENCE OF THE PERSONAL DATA COLLECTIONS**

**Specific goals:**

**5.3.1 Improvement of the register of personal data collections**

**Activities:**

**5.3.1.1.**Improving the applicative solutions for the content and the access to the Register of personal data collections (of the controllers and the public as a whole)

**5.3.1.2.** Raising the level of information of the controllers for the obligations for registration and of the public for the availability of the data included in the Register

**5.3.2 Promotion of the Register of personal data collections in the public**

**Activities:**

**5.3.2.1** Promotion of the content of the Register

**5.3.2.2.** Adjusting the application of the Register in order to ensure easy access to the data by the citizens



#### **STRATEGIC GOAL 4**

##### **5.4. FURTHER INCREASING OF THE PUBLIC AWARENESS LEVEL FOR THE RIGHT OF PERSONAL DATA PROTECTION**

###### ***Specific goals:***

###### **5.4.1 Adoption and implementation of a Communication Strategy**

###### **Activities:**

**5.4.1.1.** Research of the situation in different areas

**5.4.1.2** Preparation of the Communication Strategy

**5.4.1.3** Updating the existing and creation of new profiles, accounts and subpages of the Directorate for Personal Data Protection on the social networks

###### **5.4.2 Creation and publishing of electronic newsletter of the Directorate for Personal Data Protection**

###### **Activities:**

**5.4.2.1.**Analyses of the conditions for preparation of electronic newsletter of the Directorate for Personal Data Protection

**5.4.2.2.**Distribution of the electronic newsletter

**5.4.2.3.**Informing the public for the launching of the electronic newsletter

###### **5.4.3 Involvement of the civil sector, education authorities and media in the process of public awareness raising**

###### **Activities:**

**5.4.3.1.**Signing declarations for cooperation with the Faculties of law, journalism, political science, information technology etc.

**5.4.3.2.**Active participation of the civil sector in the public awareness raising

**5.4.3.3.**Education of the media and media workers for the principles of personal data protection in the Republic of Macedonia and the EU

###### **5.4.4. Opening Info Centers for personal data protection**



**Activities:**

**5.4.4.1.**Analyses of the need for opening Info Centers in several cities in the Republic aimed to directly inform the citizens about their right on personal data protection

**5.4.4.2.**Opening pilot Info Center for gaining experience for further planning of this activity

**5.4.4.3.**Adoption of directions for functioning of the Info Centers

**5.4.4.4.**Informing the public for the opening of the Info Centers and their aim

**5.4.5.Creation of a sustainable system for continuous basic, medium and advanced education of the pupils and teachers/professors about the principles of personal data protection in the primary and secondary education**

**Activities:**

**5.4.5.1.**Analyses of the state of play in the area of education by using comparative experiences from EU

**5.4.5.2.**Signing declarations of cooperation with the Ministry of education and other competent authorities and organizations

**5.4.5.3.**Informing the competent authorities about the existing conditions and suggesting measures for overcoming the weaknesses

**5.4.5.4.** Preparation of draft education programs, school books, brochures, pamphlets, posters and adding contents from the area of personal data protection

**5.4.5.5.**Training of the teachers/professors in pilot schools

**5.4.5.6.**Training of pupils in pilot schools

**5.4.5.7.**Realization of projects



## STRATEGIC GOAL 5

### 5.5. OPTIMALIZATION OF INSTITUTIONAL CAPACITY

#### ***Specific goals:***

#### **5.5.1 Improvement of the IT surrounding (redesign of the web page, register of personal data collections) and purchase of IT equipment, software and hardware**

##### **Activities:**

**5.5.1.1.**Analyses of the conditions and needs of IT and other equipment for functioning and performing inspection

**5.5.1.2.**Preparation of plan for purchase of IT equipment and other infrastructure and implementation of the plan

#### **5.5.2 Mobilisation of personnel and trainings**

##### **Activities:**

**5.5.2.1.**Preparation of analyses of the conditions and needs for mobilisation of personnel of the Directorate for Personal Data Protection

**5.5.2.2.**Preparation of annual programs for trainings (generic and specialized) for the employees

**5.5.2.3.** Submission of information to the Government and the Parliament of the Republic of Macedonia for the possible manners of financing of the Directorate for Personal Data Protection

#### **5.5.3. Submission of information and suggested measures to competent authorities for the possible manners of financing of the Directorate for Personal Data Protection**

##### **Activities:**

**5.5.3.1**Preparation of the information and the suggested measures

**5.5.3.2**Submission of information and suggested measures to competent authorities and involvement of the Directorate for Personal Data Protection in the debates



## STRATEGIC GOAL 6

### 5.6. INCREASED INTERNATIONAL COOPERATION

#### Specific goals:

**5.6.1 The Directorate for Personal Data Protection actively participate and contribute to the work of European bodies for personal data protection**

#### Activities:

**5.6.1.1.**Preparation of analyses on the cooperation of the Republic of Macedonia with bodies of the Council of Europe, European Union and their bodies working in the area of personal data protection and suggested measures for improvements of the cooperation

**5.6.1.2.**Signing of documents on cooperation

**5.6.1.3.**Active participation in the work of the bodies of the EU and involvement in the developing processes of the legislation

### 5.6.2. Establishment of library of domestic and foreign literature

#### Activities:

**5.6.2.1.**Providing foreign newspapers and editions

**5.6.2.2.**Supply of literature for personal data protection

**5.6.3 Involvement of the Directorate for Personal Data Protection in organization of regional and international events for personal data protection**

#### Activities:

**5.6.3.1.**Participation on international events for personal data protection

**5.6.3.2.** Organization of international meetings in the area of personal data protection in the Republic of Macedonia



## STRATEGIC GOAL 7

### **5.7. COOPERATION WITH THE COMMISSION FOR PROTECTION OF THE RIGHT OF FREE ACCESS TO PUBLIC INFORMATION, THE OMBUDSMAN, CIVIL SOCIETY SECTOR AND OTHER STATE AUTHORITIES**

#### ***Specific goals:***

#### **5.7.1 Deepening of the cooperation with the Commission for Protection of the Right of Free Access to Public Information and signing memorandum for cooperation**

##### **Activities:**

**5.7.1.1.**Preparation of joint analyses for the proportion between the right of personal data protection and the right of free access to information and identifying the points of tangency

**5.7.2.2.**Signing declaration on cooperation and organization of joint events, briefings, project activities in light of mutual solution of existing open issues and balancing the practical working

#### **5.7.2 Cooperation with the Ombudsman, state administration bodies and other state authorities and organizations**

##### **Activities:**

**5.7.2.1.**Strengthening of the cooperation with the Ombudsman

**5.7.2.2.**Holding consultative meetings on regular basis

**5.7.2.3.**Signing declaration on cooperation for implementation of the regulations for personal data protection

**5.7.2.4.**Realization of joint activities, briefings, project activities in light of mutual solution of existing open issues and balancing the practical working



## 6. FINANCIAL RESOURCES

During the preparation of this Strategy, analyses of the financing, goals and activities that need additional financing were made.

The Budget of the Republic of Macedonia is the basic source of financing of the Directorate for Personal Data Protection and the resources are strictly allocated for the following year. The generic and partially specialized trainings for the employees will be financed from the budget. The other part of the specialized trainings will be funded through the ongoing EU projects as well as from the own incomes generated from the trainings for the controllers and processors. Financial resources for the activities aimed to strengthen the public awareness will be generated through other donor's projects and cooperation with the civil sector.

Financial resources will be projected strategically, in accordance to the dynamics of the planned activities in the period of three years ahead. Directorate for Personal Data Protection, the Ministry of finance and other partners will follow and plan the needs, allocations and consumption of the resources.



## 7. ACTION PLAN

5.1 ENSURING EFFICIENT SYSTEM FOR PERSONAL DATA PROTECTION				
Num-ber	Specific goals	Activities	Expected results	Dead-lines
<u>5.1.1.</u>	<b>Strengthening the mechanisms for legal protection</b>	5.1.1.1. Analyses of the Chapter IV „Rights of the subject of personal data “of the Law on Personal Data Protection and the decisions of the Director on the requests from the citizens for violation of the right of personal data protection.	<ul style="list-style-type: none"><li>• Prepared Analyses of the Chapter IV „Rights of the subject of personal data “of the Law on Personal Data Protection</li><li>• Review of the court practice and decisions of the Directorate</li><li>• Presented results to the competent authorities and stakeholders</li></ul>	2012
		5.1.1.2. Introducing a system for unified and recognizable mechanism for submission of requests for violation of the right of personal data protection.	<ul style="list-style-type: none"><li>• Ensured technical and other pre-conditions for establishing recognizable telephone number and other mechanisms for submission of requests</li><li>• Promotion of the above mentioned mechanisms</li><li>• Prepared instruction for evidence of the submitted requests and the manner of delivery and acting</li><li>• Ensuring easy access to the Directorate by the citizens</li><li>• Increased transparency of the Directorate</li></ul>	By the end of 2012 2012



<b>5.1.2.</b>	<b>Raising the level of cooperation with the controllers and processors</b>	<b>Activities:</b> <b>5.1.2.1.</b> Adoption of annual training programs for controllers and processors of personal data collections	<ul style="list-style-type: none"><li>• Adopted annual programs</li><li>• Adopted annual reports and evaluation of the effects of the trainings</li></ul>	континуирано
		<b>5.1.2.2.</b> Categorization of the opinions and reprimands of the Directorate for Personal Data Protection in areas and publishing selected opinions and reprimands on the web page	<ul style="list-style-type: none"><li>• Instruction for the manner of publishing selected opinions</li><li>• Published categorized opinions</li><li>• Evaluation of the popularity of the web page where the opinions are published</li><li>• Increased transparency of the Directorate</li></ul>	2012/2014
		<b>5.1.2.3.</b> Analyses of the effects from the educations and suggested measures given to the controllers and processors of personal data collections performed pursuant to the Law on Personal Data Protection	<ul style="list-style-type: none"><li>• Prepared Analyses and suggested measures for improvement of the education process</li></ul>	2013



<b>5.1.3</b>	<b>Improving the efficiency of the inspection</b>	<b>5.1.3.1.</b> Analyses of the inspection's effectiveness and efficiency by using international comparative experiences as well	<ul style="list-style-type: none"><li>• Prepared Analyses and suggested measures</li><li>• Performed trainings of the inspectors</li></ul>	2013-2014
		<b>5.1.3.2.</b> Implementation of software for inspection which will ensure access to the whole documentation of the inspectors	<ul style="list-style-type: none"><li>• Implemented software solution – case management system</li><li>• Performed training of the inspectors for the use of the system</li><li>• Increased efficiency of the inspectors</li></ul>	2012
		<b>5.1.3.3.</b> Unification of the process of creation of the minutes and decisions from the performed inspections	<ul style="list-style-type: none"><li>• Prepared unified templates</li><li>• Performed check of the contents by chosen sample</li><li>• Trained inspectors for the use of the samples</li></ul>	2012/2013
<b>5.1.4</b>	<b>5.1.4 Improving the efficiency of the execution of the decisions of the Directorate for Personal Data Protection</b>	<b>5.1.4.1.</b> Analyses of the situation including the analyses of the execution of the decisions of the Directorate for Personal Data Protection	<ul style="list-style-type: none"><li>• Prepared analyses by the different sectors involved in the decision making process</li></ul>	2013
		<b>5.1.4.2.</b> Analyses of the EU experiences in the area of execution of the competent authorities for personal data protection decisions	<ul style="list-style-type: none"><li>• Prepared analyses by using comparative approach</li></ul>	2013
		<b>5.1.4.3.</b> Informing the competent authorities on findings and suggesting measures for improving the efficiency of the decisions' execution	<ul style="list-style-type: none"><li>• Prepared Information</li></ul>	2014



<b>5.1.5</b>	<b>Unification of the implementation of the legislation for personal data protection</b>	<b>5.1.5.1.</b> Organizing seminars for personal data protection in different areas	<ul style="list-style-type: none"><li>• Prepared Annual Plan for organization of seminars in different areas</li><li>• Realization and evaluation of the seminars</li></ul>	Continuously
		<b>5.1.5.2.</b> Preparation of Guidelines for personal data protection in different areas	<ul style="list-style-type: none"><li>• Prepared Guidelines</li><li>• Promotion of the Guidelines</li></ul>	2012
<b>5.1.6</b>	<b>Strengthening the role of the Data Protection Officers</b>	<b>5.1.6.1.</b> Preparation of Guidelines for the work of the Data Protection Officer	<ul style="list-style-type: none"><li>• Prepared Guidelines</li><li>• Promotion of the Guidelines on the web page of the Directorate and electronic delivery to the controllers</li></ul>	2012
		<b>5.1.6.2.</b> .Delivery of trainings for the Data Protection Officers	<ul style="list-style-type: none"><li>• Prepared annual programs for trainings in different areas</li><li>• Evaluation of the trainings</li><li>• Prepared analyses of the effects of the performed trainings</li></ul>	Continuously
<b>5.1.7</b>	<b>Improving the efficiency in the exercising the right of access to personal data by the citizens</b>	<b>5.1.7.1.</b> Preparation of manuals for protection of the rights of the citizens for access to their personal data which rises from the Law on Personal Data Protection	<ul style="list-style-type: none"><li>• Prepared Guidelines</li><li>• Promotion of the Guidelines and dissemination to the general public</li></ul>	Continuously



<b>5.1.8</b>	<b>Anonimization and publishing of the misdemeanor sanctions</b>	<b>5.1.8.1.</b> Preparation of the Instruction for making written decisions of the Misdemeanor Commission anonymous	<ul style="list-style-type: none"><li>• Prepared Instruction</li></ul>	2012
		<b>5.1.8.2.</b> Publishing the anonymised final decisions of the Misdemeanor Commission	<ul style="list-style-type: none"><li>• Anonymised and published final decisions of the Misdemeanor Commission</li></ul>	Continuously from 2013
<b>5.1.9</b>	<b>Introducing the on-line inspection</b>	<b>5.1.9.1</b> Analyses of the opportunities for introduction of on line inspections over the controllers and processors by using comparative analyses	<ul style="list-style-type: none"><li>• Prepared Analyses</li></ul>	2014
		<b>5.1.9.2</b> Creating legal basis for implementation of the concept of on line inspection	<ul style="list-style-type: none"><li>• Harmonized legal framework</li><li>• Prepared manuals for the inspectors</li><li>•</li></ul>	2015-2016
		<b>5.1.9.3</b> Training of the inspectors to perform on-line inspection	<ul style="list-style-type: none"><li>• Performed trainings of the inspectors for on line inspection</li></ul>	2015-2016
		<b>5.1.9.4</b> Implementation of on-line inspection	<ul style="list-style-type: none"><li>• Performed informative campaign for the controllers and processors for the on line inspection</li><li>• Publishing of the documents related to the inspection on the web page of the Directorate</li><li>• Launching of the on line inspection</li><li>• Rationalized inspection</li></ul>	2015/2016



5.1.10	<b>Developing and implementation of an General and Specific Check lists</b>	5.1.10.1. Analyses of the results and states of the two year practical implementation of the Check lists by using the comparative approach from the EU member states	<ul style="list-style-type: none"><li>• Prepared analyses and suggested measures</li></ul>	2013
		5.1.10.2. Preparation of general and specific check lists and starting the delivery to the controllers on regular basis	<ul style="list-style-type: none"><li>• Introduction of Check Lists in the regular work of the Directorate</li></ul>	2014



5.2. CONTINUOUS HARMONIZATION OF THE NATIONAL LEGISLATION FOR PERSONAL DATA PROTECTION				
5.2.1	<b>Adoption of amendments and modifications or new Law on Personal Data Protection</b>	5.2.1.1. Analyses of the need for harmonization of the Law on Personal Data Protection with the EU legislation	<ul style="list-style-type: none"><li>• Prepared Analyses by using comparative approach for harmonization of the Law on Personal Data Protection with the EU legislation</li></ul>	2013-2014
		5.2.1.2. Submission of the Draft to the Ministry of Justice	<ul style="list-style-type: none"><li>• Prepared Draft Law on Personal Data Protection by the Directorate</li><li>• Consultations with the stakeholders about the Draft Law</li><li>• Submission of the Draft Law to the Ministry of Justice</li></ul>	2012-2016
		5.2.1.3 Harmonization or adoption of new by-laws that arise from the Law on Personal Data Protection	<ul style="list-style-type: none"><li>• Prepared Plan for bylaws to be amended and for the new bylaws</li><li>• Adopted by laws</li><li>• Publishing the bylaws on the web page of the Directorate</li><li>• Performed trainings of the employees in the Directorate</li></ul>	2012-2016



<b>5.2.2</b>	<b>Harmonization of the national legislation in separate areas with the documents of the Council of Europe, European Commission, use of good practices of the EU member states</b>	<b>5.2.2.1.</b> Following and analyzing the impact of the documents of the Council of Europe (Convention 108, Additional protocol and the recommendations in different areas) as well as the Directive 95/46/EC and analyses of the impact and the need for upgrading the national legal framework and involvement in the international flows through giving concrete suggestions	<ul style="list-style-type: none"><li>• Prepared Analyses of the impact of the EU legislation in the national legislation and suggested measures</li></ul>	2012/2016
		<b>5.2.2.2.</b> Preparation of suggestions for harmonization with the documents of the Council of Europe and the European Union in the practical work of the stakeholders	<ul style="list-style-type: none"><li>• Prepared Plan for approximation of the national legislation to the EU legislation in different areas</li><li>• Prepared Draft for ratification of the Conventions of the Council of Europe related to personal data protection</li></ul>	2013/2016



<b>5.2.3</b>	<b>Involvement of the Directorate for Personal Data Protection in the process of policy creation and adoption of regulations</b>	<b>5.2.3.1.</b> Analyses of the actual regulations in different areas	<ul style="list-style-type: none"><li>• Prepared Analyses for the actual regulations in different areas</li><li>• Prepared Draft for amendments of the regulations in different areas related to the personal data protection</li></ul>	2012/2013
		<b>5.2.3.2.</b> Informing the competent authorities for the conditions and needs for amending the concrete regulations with suggested measures	<ul style="list-style-type: none"><li>• Prepared information for the conditions and needs for amending the concrete regulations with suggested measures</li></ul>	2013
		<b>5.2.3.3.</b> Informing the competent authorities for the need of involving the Directorate for Personal Data Protection in the process of adoption of new and harmonization of the actual regulations  <b>5.2.3.4</b> Submission of initiative to the competent authorities of the Republic of Macedonia for ensuring legal mechanism for inclusion of the Directorate for Personal Data Protection in the process of adoption and harmonization of the legislation	<ul style="list-style-type: none"><li>• Prepared and delivered Initiative</li></ul>	2013
<b>5.2.4</b>	<b>Improvement and harmonization of the by-laws</b>	<b>5.2.4.1.</b> Preparation of Plan for amendments of the existing or adoption of new secondary legislation	<ul style="list-style-type: none"><li>• Prepared Plan by sectors</li></ul>	2013-
		<b>5.2.4.2.</b> Support in the preparation and adoption of the secondary legislation	<ul style="list-style-type: none"><li>• Involvement of the Directorate in the preparation of the secondary legislation</li></ul>	2013/2014



<b>5.3. FACILITATION OF THE APPROACH AND IMPROVEMENT OF THE EFFICIENCY OF EVIDENCE OF THE PERSONAL DATA COLLECTIONS</b>				
<b>5.3.1</b>	<b>Improvement of the register of personal data collections</b>	<b>5.3.1.1.</b> Improving the applicative solutions for the content and the access to the Register of personal data collections (of the controllers and the public as a whole)	<ul style="list-style-type: none"><li>• New application for the Register</li></ul>	2012/2013
		<b>5.3.1.2.</b> Raising the level of information of the controllers for the obligations for registration and of the public for the availability of the data included in the Register	<ul style="list-style-type: none"><li>• Performed campaign for introducing the new contents of the Register</li></ul>	2013-
<b>5.3.2</b>	<b>Promotion of the Register of personal data collections in the public</b>	<b>5.3.2.1</b> Promotion of the content of the Register	<ul style="list-style-type: none"><li>• Promotion of the Register</li><li>• Prepared Guidelines for the access to data from the Register by the citizens</li></ul>	2012/2013
		<b>5.3.2.2.</b> Adjusting the application of the Register in order to ensure easy access to the data by the citizens	<ul style="list-style-type: none"><li>• Changes in application and ensured easy access for the citizens</li></ul>	2012/2013

<b>5.4. FURTHER INCREASING OF THE PUBLIC AWARENESS LEVEL FOR THE RIGHT OF PERSONAL DATA PROTECTION</b>				
<b>5.4.1</b>	<b>Adoption and implementation of a Communication Strategy</b>	<b>5.4.1.1</b> Research of the situation in different areas	<ul style="list-style-type: none"> <li>Performed research and established conditions</li> </ul>	2012
		<b>5.4.1.2</b> Preparation of the Communication Strategy	<ul style="list-style-type: none"> <li>Prepared Strategy</li> </ul>	2012/2013
		<b>5.4.1.3</b> Updating the existing and creation of new profiles, accounts and subpages of the Directorate for Personal Data Protection on the social networks	<ul style="list-style-type: none"> <li>Regular up-date</li> </ul>	2012-2016
<b>5.4.2</b>	<b>Creation and publishing of electronic newsletter of the Directorate for Personal Data Protection</b>	<b>5.4.2.1</b> Analyses of the conditions for preparation of electronic newsletter of the Directorate for Personal Data Protection	<ul style="list-style-type: none"> <li>Providing preconditions for preparation of the electronic newsletter of the Directorate</li> <li>Providing tool for creation of the newsletter and for delivering it to the stakeholders</li> </ul>	2013
		<b>5.4.2.2.</b> Distribution of the electronic newsletter	<ul style="list-style-type: none"> <li>List of recipients</li> </ul>	From 2012 - continuously
		<b>5.4.2.3.</b> Informing the public for the launching of the electronic newsletter	<ul style="list-style-type: none"> <li>Performed promotion campaign for the electronic newsletter</li> </ul>	2012



5.4.3	<b>Involvement of the civil sector, education authorities and media in the process of public awareness raising</b>	5.4.3.1 Signing declarations for cooperation with the Faculties of law, journalism, political science, information technology etc.	<ul style="list-style-type: none"><li>• Signed Declarations</li><li>• Adopted plans for cooperation</li></ul>	continuously
		5.4.3.2 Active participation of the civil sector in the public awareness raising	<ul style="list-style-type: none"><li>• Prepared plan for active participation of the civil sector in the public awareness raising and suggested measures</li><li>• Signed declarations on cooperation with the NGO's</li></ul>	2012/2013
		5.4.3.3 Education of the media and media workers for the principles of personal data protection in the Republic of Macedonia and the EU	<ul style="list-style-type: none"><li>• Prepared program</li><li>• Signed declarations on cooperation</li><li>• Realized educations</li><li>• Realized projects</li></ul>	continuously
5.4.4	<b>Opening Info Centers for personal data protection</b>	5.4.4.1 Analyses of the need for opening Info Centers in several cities in the Republic aimed to directly inform the citizens about their right on personal data protection	<ul style="list-style-type: none"><li>• Prepared analyses</li></ul>	2015



		<b>5.4.4.2</b> Opening pilot Info Center for gaining experience for further planning of this activity	<ul style="list-style-type: none"><li>• Informing the competent authorities</li></ul>	2015
		<b>5.4.4.3</b> Adoption of directions for functioning of the Info Centers	<ul style="list-style-type: none"><li>• Adopted Instruction and training for the persons appointed to work in the Info Centers</li></ul>	2016
		<b>5.4.4.3</b> Informing the public for the opening of the Info Centers and their aim	<ul style="list-style-type: none"><li>• Direct cooperation with the citizens and availability of the Directorate's services</li><li>• Increased transparency of the Directorate</li><li>• Cooperation with the civil sector</li></ul>	2016



5.4.5	<b>Creation of a sustainable system for continuous basic, medium and advanced education of the pupils and teachers/professors about the principles of personal data protection in the primary and secondary education</b>	5.4.5.1 Analyses of the state of play in the area of education by using comparative experiences from EU		2014 -2016
		5.4.5.2 Signing declarations of cooperation with the Ministry of education and other competent authorities and organizations	<ul style="list-style-type: none"><li>• Signed declarations on cooperation</li></ul>	
		5.4.5.3 Informing the competent authorities about the existing conditions and suggesting measures for overcoming the weaknesses	<ul style="list-style-type: none"><li>• Prepared Information</li></ul>	
		5.4.5.4 Preparation of draft education programs, school books, brochures, pamphlets, posters and adding contents from the area of personal data protection	<ul style="list-style-type: none"><li>• Prepared drafts and delivered to the Ministry of Education</li></ul>	
		5.4.5.5 Training of the teachers/professors in pilot schools	<ul style="list-style-type: none"><li>• Trained teachers/professors</li></ul>	
		5.4.5.6 Training of pupils in pilot schools	<ul style="list-style-type: none"><li>• Raised level of student's knowledge</li></ul>	
		5.4.5.7 Realization of projects	<ul style="list-style-type: none"><li>• Realized projects</li></ul>	



5.5. OPTIMALIZATION OF INSTITUTIONAL CAPACITY				
5.5.1	<b>Improvement of the IT surrounding (redesign of the web page, register of personal data collections) and purchase of IT equipment, software and hardware</b>	5.5.1.1. Analyses of the conditions and needs of IT and other equipment for functioning and performing inspection	<ul style="list-style-type: none"><li>• Prepared analyses</li></ul>	continuously
		5.5.1.2. Preparation of plan for purchase of IT equipment and other infrastructure and implementation of the plan	<ul style="list-style-type: none"><li>• Prepared plan</li><li>• Purchased software</li><li>• Purchased licenses</li><li>• Improved infrastructure</li><li>• Adopted internal rules for optimization of the capacities</li></ul>	continuously
5.5.2	<b>Mobilisation of personnel and trainings</b>	5.5.2.1. Preparation of analyses of the conditions and needs for mobilisation of personnel of the Directorate for Personal Data Protection	<ul style="list-style-type: none"><li>• Prepared Analyses</li></ul>	2012
		5.5.2.2. Preparation of annual programs for trainings (generic and specialized) for the employees  5.5.2.3. Submission of information to the Government and the Parliament of the Republic of Macedonia for the possible manners of financing of the Directorate for Personal Data Protection	<ul style="list-style-type: none"><li>• Prepared and implemented programs</li><li>• Strengthening of the capacities of the employees</li></ul>	On annual basis



5.5.3	<b>Submission of information and suggested measures to competent authorities for the possible manners of financing of the Directorate for Personal Data Protection</b>	5.5.3.1 Preparation of the information and the suggested measures	<ul style="list-style-type: none"><li>• Prepared and submitted Information to the competent authorities</li></ul>	2014/2015
		5.5.3.2 Submission of information and suggested measures to competent authorities and involvement of the Directorate for Personal Data Protection in the debates	<ul style="list-style-type: none"><li>• Providing new additional financial sources</li><li>• Strengthening of the institutional capacity</li></ul>	2014/2015



5.6. INCREASED INTERNATIONAL COOPERATION				
5.6.1	<b>The Directorate for Personal Data Protection actively participate and contribute to the work of European bodies for personal data protection</b>	5.6.1.1. Preparation of analyses on the cooperation of the Republic of Macedonia with bodies of the Council of Europe, European Union and their bodies working in the area of personal data protection and suggested measures for improvements of the cooperation	<ul style="list-style-type: none"><li>• Prepared Analyses with the established conditions and suggested measures</li></ul>	continuously
		5.6.1.2. Signing of documents on cooperation	<ul style="list-style-type: none"><li>• Participation of the Directorate in the international activities</li></ul>	continuously
		5.6.1.3. Active participation in the work of the bodies of the EU and involvement in the developing processes of the legislation	<ul style="list-style-type: none"><li>• Promotion of the Directorate as an active subject in the creation of the documents of the CoE and EU</li></ul>	continuously
5.6.2	<b>Establishment of library of domestic and foreign literature</b>	5.6.2.1. Providing foreign newspapers and editions	<ul style="list-style-type: none"><li>• Making the editions available to the general public</li></ul>	2013 - continuously
		5.6.2.2. Supply of literature for personal data protection	<ul style="list-style-type: none"><li>• Making the editions available to the general public</li></ul>	continuously



5.6.3	<b>Involvement of the Directorate for Personal Data Protection in organization of regional and international events for personal data protection</b>	5.6.3.1. Participation on international events for personal data protection	<ul style="list-style-type: none"><li>• Gaining the observer or member status of the Directorate in the international bodies and organizations</li></ul>	continuously
		5.6.3.2. Organization of international meetings in the area of personal data protection in the Republic of Macedonia	<ul style="list-style-type: none"><li>• Organized international meetings</li><li>• Promotion of the Directorate and the state on an international level</li></ul>	continuously

**5.7. COOPERATION WITH THE COMMISSION FOR PROTECTION OF THE RIGHT OF FREE ACCESS TO PUBLIC INFORMATION, THE OMBUDSMAN, CIVIL SOCIETY SECTOR AND OTHER STATE AUTHORITIES**

5.7.1	<b>Deepening of the cooperation with the Commission for Protection of the Right of Free Access to Public Information and signing memorandum for cooperation</b>	5.7.1.1. Preparation of joint analyses for the proportion between the right of personal data protection and the right of free access to information and identifying the points of tangency	<ul style="list-style-type: none"><li>• Undertaken activities for defining common approach</li></ul>	2012
		5.7.2.2. Signing declaration on cooperation and organization of joint events, briefings, project activities in light of mutual solution of existing open issues and balancing the practical working	<ul style="list-style-type: none"><li>• Signed declarations</li><li>• Strengthened cooperation between the institutions</li></ul>	2012-continuously



5.7.2	<b>Cooperation with the Ombudsman, state administration bodies and other state authorities and organizations</b>	5.7.2.1. Strengthening of the cooperation with the Ombudsman	<ul style="list-style-type: none"><li>• Signed declaration on cooperation</li><li>• Strengthened cooperation between the Directorate and the Ombudsman</li></ul>	2012/2013
		5.7.2.2. Holding consultative meetings on regular basis	<ul style="list-style-type: none"><li>• Strengthened cooperation between the Directorate and other state authorities and civil organizations</li></ul>	continuously
		5.7.2.3. Signing declaration on cooperation for implementation of the regulations for personal data protection	<ul style="list-style-type: none"><li>• Signed declarations on cooperation between the Directorate and other state authorities and civil organizations</li></ul>	
		5.7.2.4. Realization of joint activities, briefings, project activities in light of mutual solution of existing open issues and balancing the practical working	<ul style="list-style-type: none"><li>• Strengthened cooperation and transparency between the Directorate and other state authorities and civil organizations</li></ul>	continuously