

Ph.D. Gordana Buzarovska – Lazetik
Professor and Vice Dean for Science – Faculty of Law Justinian I
State University of St. Cyril and Methodius, Skopje, Macedonia

Ph.D. Olga Koshevaliska
Teaching Assistant - Faculty of Law
State University Goce Delcev, Shtip, Macedonia
e-mail: olga.gurkova@ugd.edu.mk

Lazar Nanev, Ph.D
Judge, Basic Court Kavadarci
Part time Professor at Faculty of Law - University Goce Delcev, Shtip, Macedonia
E-mail: lazar.nanev@ugd.edu.mk

Protection of personal data in criminal legislation in Macedonia vs. its protection in EU

ABSTRACT

Data protection is emerging as a key EU policy area, and the EU has been the key driving force for implementing the right of protection of personal data in the criminal legislation of many States, including Macedonia. The undeniable fact that our lives are now becoming a continuous exchange of information, and that we live in a continuous stream of data, means that data protection regime is gaining importance and moving to the center of the political and institutional system. The protection of personal data in cases when data are being processed for the purposes of preventing, investigating, detecting or prosecuting a criminal offence or of executing a criminal penalty, is of extreme importance. The use and processing of personal data for the purposes of criminal proceedings must be lawful, specified, explicit and exceptional and supervised by a competitive authority. The supervision body should have real and effective powers for intervention in case of abuse. Most frequent abuses and manipulations of this right are done by the investigative authorities when using special investigative measures.

Key words: personal data, criminal legislation, special investigative measures, EU, Macedonia, criminal procedure, supervisory bodies.

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