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**ECURIA E KRIMIT TË FËMIJËVE NË REPUBLIKËN E
MAQEDONISË SË VERIUT NË PERIU DHËN NGA VITET 2008-
2017**

**ДВИЖЕЊЕТО НА КРИМИНАЛОТ НА ДЕЦА ВО
РЕПУБЛИКА СЕВЕРНА МАКЕДОНИЈА ВО ПЕРИОДОТ ОД
2008-2017**

**THE MOVEMENT OF CHILD CRIME IN THE REPUBLIC OF
NORTH MACEDONIA IN THE PERIOD 2008-2017**

Abstract

The topic of this paper is the movement of child delinquency in RNM in the period 2008-2017. It first defines the term child delinquency and its basic characteristics and emphasizes the importance of determining its movements over a period of 10 years through the analysis of statistical data.

Through the data received from the Ministry of Internal Affairs, but also through statistical data from the State Statistical Office, the child delinquency, the number of reported, accused and convicted children who have committed a crime are shown. It is concluded that

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the most common groups of crimes in child delinquency are crimes against property, public order and against life and body.

The paper with tables and comments also shows the policy of punishment for a period of 10 years as well as the percentage representation of sanctions that represent deprivation of liberty (i.e. institutional measures and child imprisonment) in the total number of sanctions. The analysis concludes that the data from the Ministry of Internal Affairs and the data from the State Statistical Office on the number of reported crimes and the number of reported child perpetrators who have committed a crime are not identical, which indicates either a different methodology of data collection or some omissions when collecting data, and thus calls into question the accuracy of the data, the ability to conduct credible research and get a true picture of the movement of child delinquency in our country.

Keywords: children, child delinquency, penal policy, educational measures, imprisonment.

1. Introduction

When we talk about child crime, first of all we need to see methodologically what are the causes of this serious social problem, i.e. why children have a disorder of normal behavior and why they violate socially accepted norms of behavior. According to research, children often do this to express revolt against the current situation in which they find themselves or in society and to express disagreement with the imposed patterns of behavior.³ Direct antisocial behavior has its own recognizable specifics as opposed to the average grumbling about everyday things, but still both types are interrelated. Given the age and a number of other factors (bio-psycho-social, criminal policy, legal and many others) that are characteristic of children, this form of crime shows certain features from which arises the complexity of defining the very notion of child crime.⁴

Child crime is a serious problem also because the recidivism rates of children are very high and many of them continue their “criminal career” as adults.

3 Todorovska-Gjurchevska, S., "Criminology", Skopje 2015, p. 30-40

4 Arnaudovski, Lj., "Criminology" 2nd August S, Shtip, Skopje 2007, p.60-68

In order to obtain information on the direction of child delinquency in our country, this paper presents a table of the number of crimes and the number of reported children who have committed crimes according to statistics obtained from the Ministry of Internal Affairs and numbers for reported crimes and numbers of accused and convicted child offenders according to data from the State Statistical Office. This is in order to get a picture of the dynamics of child delinquency in RNM for the period 2008-2017. Analyzes of the statistical data were made on which chapters of the Criminal Code of RNM are most represented as a type of crime, which crimes are declining, and which are increasing in number from year to year. The statistical data on the number of reported crimes and the number of children - perpetrators of crimes were compared between two institutions, namely the Ministry of Internal Affairs and the State Statistical Office. By comparing this data we need to come to another important realization - do we have accurate and relevant data from the institutions that will be a solid basis for future research.

2. About child delinquency

Every child must be provided with the means for normal growth and development, provided with adequate protection, a healthy learning and living environment, assistance in the event of an accident and, among other things, the child must be protected from any kind of exploitation.⁵

The principles of the Geneva Declaration, adopted in the first quarter of the last century, are fully accepted and applied in the basic international act on the rights of the child - the Convention on the Rights of the Child adopted by the General Assembly of the United Nations on November 20, 1989. and which entered into force on 2 September 1990. According to the Convention, the most general principles for exercising and respecting the rights of the child are: non-discrimination of children, respect for the best interests of the child and the participation of the child in all decisions concerning him. These principles represent the so-called triangle of children's rights, which in turn give rise to individual rights that are usually grouped into five groups, namely:

⁵ Excerpts from the Declaration of the Rights of the Child adopted by the League of Nations in 1924 in Geneva

economic rights; social rights; political and civil rights; the right to a juvenile judiciary and humanitarian rights.⁶

Experience shows that the disrespect in practice of the universally declared and internationally accepted rights of the child are the main reason or criminogenic factor that leads to criminal behavior in the youngest. This is because the disrespect of the foundation of children's rights means de facto absence of the minimum conditions that a child should have to grow and develop healthily. This leads to antisocial, deviant and even criminal behaviors of children, and this phenomenon is not unknown in our country. The scientific justification of the research on the dynamics of child delinquency, especially on the review of property crimes, crimes against public order, etc. performed by children as the most common forms, naturally builds on the abovementioned.

But what is child (or previously called juvenile) delinquency?

“With the gradual emancipation of children from the general criminal justice regime that was for adults, the term juvenile delinquency is differentiated, the content of which means something different from what is considered adult crime.” This attitude is a step forward, also in terms of the notion of juvenile delinquency, which has long been equated with the perception of children as petty criminals. The juvenile or child was considered a “juvenile offender” and was often subjected to the same penalties as an adult. This comes from the fact that the policy of suppression of delinquency was based on the belief in the omnipotence of punishment, that it is a convenient means of expelling the evil that has entered the person. Among the minors, the rule was that “malice complements the minority”.

⁶ The 1989 UN Convention on the Rights of the Child was adopted by the UN General Assembly. by Resolution 44/25 of 20 November 1989. Under Article 1 of the Convention, States members undertake to respect and safeguard the rights of every child under the Convention under their jurisdiction, without discrimination of any kind, regardless of race, skin color, gender, language, religion, political or other belief, national, ethnic or social origin, property status, disability, birth or other status of the child or his or her parent or legal guardian.

The provision in Article 40 .3 3 of this Convention provides that: Signatory states are encouraged to enact laws, i.e. prescribe procedures, i.e. create bodies that refer to the children for whom there is a suspicion that they have committed a crime, or are accused or found to have violated it the law “and especially” the adoption of regulations to avoid court proceedings in cases where it is possible whereby human rights will be respected and observed...”

In the very definition of the term juvenile delinquency, there is a great variety that can be seen today from numerous terms that denote the same essence are found in both criminological and criminal theory in general. Thus, in addition to the juvenile delinquency acceptable to us, this criminal behavior is also marked as delinquency of young people, child delinquency, etc. However, according to the provisions of the Convention on the Rights of the Child, the most appropriate term today is juvenile delinquency or juvenile criminality.

Even the perpetrators of these behaviors were not spared from various names such as: criminals-delinquents, neglected juveniles, morally failed juveniles and the like.

Some authors define child delinquency as follows: “The criminal behavior of young people is any behavior of an individual or a group of young people that is against socially, i.e. socially unacceptable, i.e. everything that violates the legal and moral norms of a certain society and which, when it is socially visible, provoke a spontaneous or organized social reaction with the intention to protect the social goods and values as well as the actors of that behavior. “

With the separation of children from the criminal law for adults and the adoption of special legislation for justice for children, in fact we have accepted the modern tendency to abandon the view of “petty criminals”, acknowledging the guilt that society and its institutions have for the emergence of child delinquency and the introduction of a system of restorative justice.

3. Dynamics of child crime in RNM

3.1. Statistical data from the Ministry of Internal Affairs that refer to registered crimes and child perpetrators for the period 2008-2017

Part of the dynamics of child delinquency in RNM is shown through the following tables, which refer to the number of crimes and children - perpetrators for the period 2008-2017. These are data obtained from the Ministry of Internal Affairs and they refer to children who were reported to have committed a crime, i.e. reported and found offenses, and not for convicted cases.

The official numbers for the reported, accused and convicted child perpetrators will be shown below in the analysis of data according to the statistical yearbooks of the State Statistical Office.

3.1.1. Reported property crimes committed by children

Property crimes among the juvenile population (and if we consider the adult, the case is the same) are evidently the most common, so it can be concluded that property crime is the core of crime in our country, along with several other forms.

Offenses against property are systematized in Chapter 23 of the Criminal Code and according to the internal system are divided into criminal offenses against movable property and criminal offenses against property in general, property rights and interests.⁷

Table 1. Number of ascertained criminal offenses and child perpetrators, from Chapter 23 of the Criminal Code

Year	Criminal offenses	Perpetrators of criminal offenses
2008	2028	3475
2009	2069	3657
2010	1863	3078
2011	1592	2494
2012	1369	2222
2013	1312	2106
2014	956	1526
2015	713	1204
2016	738	1059
2017	863	1337

Table 1 shows the recorded data from the Ministry of Internal Affairs for the total number of crimes and perpetrators of crimes and they refer to Chapter 23 of the Criminal Code for the period 2008-2019. It is noteworthy that the number of crimes and the number of perpetrators of crimes from year to year, looking from 2008 to 2017, are decreasing without exception. Thus, the highest number of criminal acts is in 2008, namely 2028, and the lowest in 2017 is 863. While the perpetrators of criminal acts are mostly registered in 2008, 3475, and the lowest in 2017, 1337.

⁷Kambovski, V., Tupancheski, N., Criminal Law – special part, Skopje, 2011, p. 280

Table 2. The most common criminal offenses from Chapter 23 of the Criminal Code

Year	Theft	Serious theft	Robbery	Rob. theft	Seizure of Motor Vehicle	Damage to other people's objects	Violation of other people's rights	Fraud	Concealment
2008	499	1285	71	7	139	3	3	14	6
2009	510	1220	93	8	218	1	1	3	5
2010	341	1316	64	12	113	1	1	1	11
2011	331	1066	57	5	105	/	/	3	19
2012	312	889	65	5	64	17	17	3	11
2013	205	906	62	2	112	5	5	1	16
2014	130	709	28	6	65	/	/	3	10
2015	113	504	32	1	46	1	1	1	10
2016	118	521	23	8	52	2	2	2	6
2017	125	620	40	9	57	1	1	1	9

From Table 2 it can be noticed that out of a total of 2028 property crimes in 2008, most of them refer to the crime of serious theft, in second place is the crime of theft, and in third place is the crime of seizure of a motor vehicle.

The number of the crime of hard theft from 2008-2013 is gradually decreasing and in 2013 there is a slight increase in the number, and from 2014 to 2017 the number of the crime of hard theft decreases by 50 percent, compared to 2008, i.e. counts 620. Second in representation is the crime of theft and here we have a decrease in the number of crimes from year to year and it can be concluded that the dynamics of this crime for ten years has decreased 4 times. Third in number among property crimes is the crime of seizure of motor vehicle. This crime in 2009 recorded the highest number of 218, the lowest number of recorded cases were recorded in 2015 and 46, so that number increased slightly in 2017 to 57 crimes. The criminal acts follow - fraud and concealment, and the other acts are significantly smaller.

Table 3. Number of child perpetrators for offenses under Chapter 23 of the Criminal Code

Year	Theft	Serious theft	Robbery	Rob. theft	Seizure of Motor Vehicle	Damage to other people's objects	Violation of other people's rights	Fraud	Concealment
2008	746	2308	103	8	275	5	/	15	6
2009	790	2275	154	13	400	2	/	3	5
2010	512	2185	135	19	207	1	/	1	11
2011	510	1686	103	7	157	/	/	4	21
2012	425	1458	131	6	123	61	/	3	11
2013	267	1503	115	10	183	7	/	1	16
2014	172	1135	51	10	137	/	1	3	10
2015	148	903	61	1	70	2	/	1	12
2016	150	745	38	12	96	3	/	3	6
2017	174	969	72	10	100	1	/	1	9

Table 3 shows the number of registered children in the Ministry of Internal Affairs who committed property crimes. Most of the children are registered as perpetrators of serious theft. There has been a decline in the number of perpetrators of this crime from 2008 to 2016. Thus, in 2008 there were 2308 registered enforcement perpetrators and that number decreased until 745, i.e. 745, i.e. the number decreased by more than 2 times. In 2017, there is a slight increase in the number but it is insignificant, i.e., 969. The number of children who committed the crime of theft is in second place and the highest number was recorded in 2009. The number for the research period increases and decreases cyclically, and the lowest number was recorded in 2015, 148 children. The third most common crime where the perpetrators are children is seizure of motor vehicle. Fourth is the crime of robbery according to the number of perpetrators, and robbery, coercion and other acts record the number of perpetrators from 1 to a maximum of 21.

3.1.2. Reported crimes against public order committed by children

When we talk about public order and peace, violations against public order and peace are most often committed. Such a punishable act is committed by anyone who by his behavior or action disturbs the peace, work or normal way of life, belittles, humiliates and insults the citizens, endangers their safety or creates insecurity in a public place, hinders the work and execution of the competencies of the state authorities and other

institutions exercising public authority, etc. But higher levels of wrongdoing are criminalized and often committed by children.

Table 4. Number of registered child perpetrators and crimes from Chapter 33 of the Criminal Code

Year	Criminal offenses	Executors of criminal offenses
2008	46	99
2009	43	84
2010	42	65
2011	40	72
2012	38	66
2013	66	182
2014	70	153
2015	43	86
2016	39	64
2017	57	115

Table 4 shows the total number of crimes and perpetrators of children related to Chapter 33 of the Criminal Code of the Republic of Macedonia for the period 2008-2017. From the recorded data, there is generally an increase in the number, with some oscillations in the meantime. Thus, the number of crimes is the lowest in 2012, the highest in 2014 and 70 to be reduced by 27 and 39 respectively in 2015 and 2016. In 2017, the number of 57 increased again. The number of children - perpetrators of these crimes also increases from year to year but there are slight oscillations. Considering that the number of perpetrators is greater than the number of acts, it can be concluded that often it is not about one, but several perpetrators, i.e. co-perpetration, complicity or even execution of acts in a group is observed.

Table 5. The most common criminal offenses committed by children under Chapter 33 of the Criminal Code

Year	Preventing an official from performing an official action	Assault on an official while performing security duties.	Participation in a mob that will prevent an official from performing an official action	Violence	Illegal manufacture, possession and trade in weapons or explosives
2008	2	3	2	25	6
2009	7	5	/	19	12
2010	4	9	4	14	7

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2011	1	6	2	23	5
2012	5	5	2	23	3
2013	5	7	2	42	5
2014	2	6	2	50	6
2015	1	6	1	33	2
2016	3	4	/	26	6
2017	4	8	/	34	2

Table 5 presents the number of crimes committed by children, referring to Chapter 33 of the Criminal Code. In the criminal offenses of preventing an official person from performing an official action, the highest number of criminal offenses was registered in 2009, and the lowest in 2015. The number of criminal offenses during all 10 years ranges from 1 to 7. In the criminal offense of assault on an official while performing security duties, the highest number was recorded in 2010, namely 9, and the lowest in 2008, namely 3. The criminal act of participation in a mob that will prevent an official person from performing an official action recorded the lowest number in 2015, namely 1 and the highest in 2010, namely 4. The most common criminal act is violence. The highest number was recorded in 2014, 50 crimes, and the lowest in 2010, 14. In the crime of Illegal manufacture, possession and trade in weapons or explosives, the lowest number was recorded in 2017, 2. and the highest in 2009 - 12.

Table 6. Number of child perpetrators from Chapter 33 of the Criminal Code

Year	Preventing an official from performing an official action	Assault on an official while performing security duties.	Participation in a mob that will prevent an official from performing an official action	Violence	Illegal manufacture, possession and trade in weapons or explosives
2008	2	4	4	57	6
2009	8	5	/	59	12
2010	5	10	6	31	8
2011	1	9	10	37	5
2012	5	6	3	49	3
2013	7	7	2	133	5
2014	2	6	9	124	6
2015	1	7	1	75	2
2016	3	5	/	50	6
2017	5	9	/	74	2

Table 6 presents the number of perpetrators of the respective crime from Chapter 33 of the Criminal Code. The numbers of perpetrators are higher, but they correspond in the representation as in the cases from this chapter. Most perpetrators were registered in the crime of violence in 2013 - 133, and in 2014 there was also a high number of registered perpetrators - 124. The lowest number of perpetrators in this crime was recorded in 2010, namely 31.

3.1.3. Reported crimes against life and body committed by children

Characteristic of crimes against life and body is the presence of human aggression and violence.

These acts are grouped into: acts of deprivation of life, acts of destruction of future life, acts of bodily injury, acts of endangerment, etc.⁸

Table 7. Number of registered perpetrators - children and criminal offenses from Chapter 14 of the Criminal Code

Year	Criminal offenses	Perpetrators of criminal offenses
2008	48	60
2009	62	86
2010	64	86
2011	43	62
2012	48	60
2013	47	71
2014	44	65
2015	40	63
2016	30	38
2017	39	47

Table 7 shows the total number of criminal offenses and child perpetrators of criminal offenses related to Chapter 14 of the Criminal Code. From the table it can be seen that the number of criminal offenses varies from year to year as well as the number of perpetrators. The most committed crimes are recorded in 2009, 62 and in 2010, 64, and the least in 2016 - 30. That number is not the same among the perpetrators of those criminal offenses, and the table shows that the largest number of perpetrators of such acts were registered in 2009 and 2010, recording the same number 86, but a large number of perpetrators of this type of

⁸Kambovski, V., Tupancheski, N., Criminal Law – special part, Skopje, 2011, p. 28

crime in 2008, 48 perpetrators and in 2013 - 71 perpetrators. The lowest number of perpetrators was registered in 2016, 38.

Table 8. The most common crimes committed by children from Chapter 14 of the Criminal Code.

Year	Murder	Physical injury	Severe physical injury	Participation in a fight	Threatening with a dangerous weapon during a fight or quarrel
2008	3	/	25	13	7
2009	1	6	29	12	14
2010	2	6	33	7	16
2011	2	4	20	10	7
2012	1	7	16	16	8
2013	5	5	22	8	7
2014	4	8	20	6	6
2015	2	6	17	8	7
2016	3	7	12	4	4
2017	3	11	13	5	7

Table 8 shows the number of criminal offenses by type for the period 2008-2017, and refer to Chapter 14 of the Criminal Code. From the table it can be noticed that the largest number is recorded for the crimes of severe physical injury and participation in a fight. In the crime of severe physical injury in 2008, 25 reported crimes were recorded, so that in 2010 it reached its culmination, i.e. number 33. From 2010 to 2017, the number decreases with small concessions. In the criminal offenses of participation in a fight in 2008, 13 criminal offenses were registered and here the number of criminal offenses with slight oscillations in 2017 is reduced to 5, i.e. the reduction is by 50% from 2008. In the crime of murder we record the same number in 2008 and 2017 and it is number 3 and in the crime of threatening with a dangerous weapon during a fight or quarrel in 2008 7 crimes were recorded, so with small increases and decreases the number in 2017 is again 7. In the crime of physical injury, an increase in the number of this type of crime was recorded and the number 6 starting from 2009, because in 2008 it was not recorded, until 2017 notes an increase with small oscillations and in 2017 the number of crimes is 11.

Table 9. Number of children who committed crimes under Chapter 14 of the Criminal Code

Year	Murder	Physical injury	Severe physical injury	Participation in a fight	Threatening with a dangerous weapon during a fight or quarrel
2008	3	/	30	20	7
2009	1	6	44	21	14
2010	2	6	41	18	19
2011	2	4	29	20	7
2012	1	7	16	27	9
2013	6	5	35	17	8
2014	4	8	24	21	8
2015	2	6	26	22	7
2016	3	7	15	8	5
2017	3	11	15	10	8

According to Table 9, which contains data obtained from the MIA, it can be noticed that the largest number of children - perpetrators of crimes of severe physical injury and participation in a fight. In third place is the threat with a dangerous weapon during a fight or quarrel. In fourth place is the number of perpetrators of physical injury, and the murder is recorded with the lowest number of perpetrators. In this group of crimes, it can be noticed that the number of crimes is lower than the number of perpetrators of the same crimes. This does not lead to the conclusion that in most cases one crime was committed by several perpetrators.

From the data submitted by MIA, it appears that the highest frequency of juvenile delinquency is recorded in crimes against property (Chapter 23 of the CC), crimes against public order (Chapter 33 of the CC), and crimes against life and body (Chapter 14 to the CC).) and that is why they are shown. This trend is constant throughout the research period.

3.2. The dynamics of child crime according to the statistical data from the State Statistical Office of RNM for the period 2008-2017

Every year, the State Statistical Office publishes official data on perpetrators of crimes for the previous year. The data are processed through a different prism and in terms of many variables and are an

excellent source for scientific research. In the following, we will present the basic determinants to determine the movement of child crime. Given that data on three important and well-represented groups of crimes were presented in the previous section, the following data refer to the same groups.

Table 10. Total number of reported, accused and convicted children who have committed crimes⁹

Year	Reported	Defendants	Convicted
2008	1 355	981	715
2009	1519	1030	748
2010	1244	750	547
2011	1163	1002	722
2012	1001	778	556
2013	1005	657	473
2014	972	712	461
2015	772	465	348
2016	587	702	468
2017	578	554	368

Table 10 shows data on total reported, charged and convicted children for crimes in the period 2008-2017. From the table it can be noticed that the total number of reported children, as well as the number of accused and convicted children has a decreasing trend.

Thus, the number of reported children who committed crimes in 2009 increased the most, 1519, and then from year to year without exception the number of reported children decreases. Thus, in 2017 there is the lowest number of reported children who have committed a crime, 578, which is 3 times less than the number in 2009, i.e. 1519.

Among the number of accused children who committed a crime, we also record the largest number of perpetrators in 2009, 1030. In 2010, that number decreased to 750. Starting from 2014 until 2017, there has been a constant decrease in accused children for committed crimes, so at the end of the research period were recorded almost 50% less compared to 2009.

The number of convicts for the period from 2008-2017 starts with 715 so that immediately the next year in 2009 it increases to 748, and a

⁹ Source: State Statistical Office, publications on perpetrators of crimes for 2008-2017, available at www.stat.gov.mk

year later in 2010 to decrease to 548. Among the convicts there are also cyclical declines and increases in the number, the lowest number of convicts were recorded in 2015, 348, in 2016 there was a slight increase of 468 and in 2017 to be reduced again to 368.

Table 11. Number of reported children according to the most common groups of crimes¹⁰

Year	Criminal offenses against property	Criminal offenses against life and body	Criminal offenses against public order
2008	1023	84	53
2009	1192	103	70
2010	937	107	56
2011	917	88	45
2012	773	60	52
2013	745	66	117
2014	654	4	156
2015	520	8	100
2016	399	3	66
2017	374	5	71

Table 11 presents the number of reported children by groups of chapters of the CC that contain the largest number of acts and perpetrators for the period 2008-2017. According to the table, it is evident that most of the reported during all 10 years belong to the chapter criminal offenses against property, followed by criminal offenses against public order and criminal offenses against life and body.

The initial conclusion when looking at the statistics published by the SSO is that children as perpetrators of criminal offenses occur, almost all types of crimes provided in the Criminal Code of RNM. This is certainly a worrying fact, considering that this is a young population that is at the beginning of its life, that is, it has not yet “stepped into the world of adults, and has already entered the criminal life”, which in itself is a strong indicator that it is necessary to undertake complex social, legal and other measures and activities for prevention and “treatment of the painful condition of the country”.¹¹

¹⁰ Ibid.

¹¹ Ignjatovikj, Gj., "Criminology" NOMOS, Belgrade 2000, p.70

3.2.1 View statistical data from the State Statistical Office for convicted children for the three most common types of crimes

Table no.12 Number of convicted children who committed a property offense¹²

Year	Theft	Serious Theft	Robbery	Robbery theft	Seizure of a motor vehicle	Other
2008	198	562	77	2	35	15
2009	223	518	104	13	61	13
2010	122	441	43	13	43	16
2011	145	533	97	11	40	20
2012	125	468	74	1	23	12
2013	100	425	43	/	30	14
2014	63	324	42	2	35	5
2015	76	204	34	/	25	13
2016	51	272	28	3	32	48
2017	79	274	42	3	14	6

According to Table 12, it is obvious that the largest number of convicted children are those who committed the crime of serious theft and in 2008 562 children were convicted, which fluctuates slightly over the years, but generally decreases and in 2017 the number of convicted children is 274, i.e. about 50% less than in 2008. Second in number are convicted children who have committed the crime of theft. In this crime we record the largest number of convicts in 2009, 223, and the lowest number in 2016, 51. Robbery, seizure of a motor vehicle and the rest follow.

Table no.13 Number of convicted children who committed crimes against public order

Year	Preventing an official from performing an official action	Violence	Illegal manufacture, possession and trade in weapons or explosives	Other
2008	1	9	/	5
2009	/	74	4	3
2010	9	20	/	1
2011	1	53	6	6

¹²Source: State Statistical Office, publications for perpetrators of crimes for 2008 - 2017, available at www.stat.gov.mk

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2012	2	63	4	16
2013	5	32	4	6
2014	/	112	/	61
2015	4	71	2	4
2016	/	136	1	7
2017	3	45	3	12

Table 13 tabular presents the number of children convicted of crimes under Chapter 33 of the CC. According to the table, most of the convicts are children who have committed the crime of violence. The number of convicted children viewed for a period of 10 years from 2008-2017 can be concluded to increase by 4-5 times. Thus, in 2008 the number of convicted children was 9, and in 2009 the number increased dramatically to 74. The largest increase in the number of convicts was recorded in 2016, and in 2017 that number decreased to 45, but still that number is 4-5 times higher than the number in 2008.

Table 14. Number of convicted children who committed crimes against life and body¹³

Year	Murder	Physical injury	Severe physical injury	Participation in a fight	Threatening with a dangerous weapon during a fight or quarrel
2008	/	38	25	15	5
2009	1	25	33	20	4
2010	4	46	40	/	11
2011	3	48	53	17	4
2012	2	48	23	5	/
2013	1	26	22	9	6
2014	9	27	38	12	/
2015	14	25	15	12	5
2016	4	35	38	38	9
2017	6	34	8	4	4

¹³ Ibid.

Table 14 presents the number of convicted children who committed crimes against life and body. In the crime of murder we can see that there is an increase in the number of convicts and the lowest number was recorded in 2009 while the highest number in 2015 was 14. The largest number of convicted children are the perpetrators of the crime of physical injury. The number of convicts for 10 years is approximately the same, so it starts from 2008 with the number of convicts 38 so that in 2017 the number of convicts is 34. In the crime of severe physical injury the number of convicts in 2008 was 25 to in 2011 reaches its culmination, namely 53. In other years oscillations are observed. In terms of the number of convicted children, the crime of participation in a fight is in third place.

4. Policy of penalty of children - perpetrators of criminal offenses in the period from 2008-2017

Table 15. Types of penalties imposed on children for the period 2008-2017¹⁴

Year	Total criminal sanctions imposed	Disciplinary measures	Intensified surveillance measures	Institutional measures	Imprisonment for children
2008	715	118	561	25	11
2009	748	86	633	15	14
2010	547	107	409	22	9
2011	722	92	608	20	2
2012	556	57	471	21	7
2013	473	80	381	12	/
2014	461	63	370	25	3
2015	348	79	250	11	8
2016	468	50	404	10	4
2017	368	50	300	13	8

From the data in Table 15, one can get a picture of what (and to what extent) sanctions for children in accordance with the positive legislation were imposed in the period covered by the analysis. As we can conclude, the courts impose primarily the extracurricular, i.e. educational measures of intensified supervision and disciplinary

¹⁴ Ibid.

measures. This is understandable, given the fact that different categories of sanctions are provided depending on the age of the child and the type of crime committed.

Table 16. Percentage participation of disciplinary measures, institutional measures and imprisonment for children, in the total number of imposed criminal sanctions.¹⁵

Year	Total criminal sanctions imposed	Disciplinary measures	%	Institutional measures	%	Imprisonment for children	%
2008	715	118	16,5	25	3,5	11	1,5
2009	748	86	11,5	15	2	14	1,9
2010	547	107	19,5	22	4	9	1,5
2011	722	92	12,7	20	2,8	2	0,3
2012	556	57	10,3	21	3,8	7	1,25
2013	473	80	9,6	12	2,5	/	0
2014	461	63	13,7	25	5,2	3	0,6
2015	348	79	22,6	11	3,2	8	2,2
2016	468	50	10,6	10	2,2	4	0,8
2017	368	50	13,5	13	3,6	8	2,2

Table 16 shows that the lowest percentage of the total number of imposed sanctions for children belongs to the prison sentence for children, and the highest percentage of sanctions in the total number of imposed sanctions are disciplinary measures, continuously for the entire analyzed period 2008-2017. This is understandable, given the fact that juvenile detention is imposed in exceptional cases and only for children in conflict with the law who have reached 16 years of age.

5. Conclusion

Child crime, as we have already elaborated above in this paper, is a negative phenomenon conditioned by a number of circumstances arising from economic, socio-cultural, educational, social, health and other aspects of social life that negatively affect life and the development of the young person. It is therefore necessary to constantly apply general and special prevention measures, both in the country and globally.

¹⁵Ibid.

It can be noticed that from the adoption of the Law on Juvenile Delinquency until the new Law on Justice of the Children in all aspects: terminological, conceptual, etc., RNM is making continuous progress. The situation in practice, however, is not at such a satisfactory level. The trend that children have come out of the shadow of adults is positive in the sense that the sanctions that were imposed in the past for adults were imposed on children without taking into account the vulnerability of the child and the inability of the child to consciously assess life situations.

Monitoring child crime is extremely important. It should be noted that the statistical data from the MIA and the State Statistical Office specifically on the number of reported crimes as well as the number of child perpetrators who have committed a crime do not match which indicates that either the institutions use different research methodologies or there are other shortcomings in the system. This negative trend of non-uniformity of methodologies, i.e. the existence of different statistical data from different institutions is a problem, i.e. an opportunity for the analyzes not to lead to incompletely accurate findings and conclusions.

From the analysis of the statistical data it can be noticed that the most common groups of crimes are property crimes, acts against public order and against life and body and that crime child is generally decreasing. However, if we look more closely at the specific acts, we will notice that in some crimes such as physical injuries, endangerment with a dangerous weapon during a fight or quarrel, and especially in violence, the numbers fluctuate, but in certain years they also increase.

Hence, the concern remains not only about the possible high dark number, but also the fact that the above indicates the fact that violence against children is still at a very worrying level and future preventive activities should be planned starting from this conclusion.

Reviewers:

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2. Prof. Dr. Afrim Osmani

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