

PERMANENT ANTI-CORRUPTION MONITORING OF THE KEY PRIORITIES IN THE EU PRE-ACCESSION PROCESS



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Skopje, 2009

For Transparency-Zero Corruption

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Content

Preface	5
Methodology for implementing the project activities	7
 1. FOCUS GROUPS SURVEY	 10
Subject 1: Political Dialogue	11
Subject 2: Implementation of the Police Law	12
Subject 3: Implementation of the anti-corruption legislation .	14
Subject 4: Reform of the judiciary	15
Subject 5: Reform of the public administration	17
Subject 6: Employment policy	18
Subject 7: Strengthening business opportunities	20
 2. ROUND TABLE	 23
Political dialogue	24
Reforms in public administration	25
Judicial reforms	26
Implementation of anti-corruption legislation	26
Implementation of the Police Law	27
 3. SURVEY CONDUCTED BY MEANS OF QUESTIONNAIRE (ANALYSIS)	 30
Introduction	30
Benchmark I: Political Dialogue	32
Benchmark II: Implementation of the Police Law	39
Benchmark III: Implementation of the anti-corruption Legislation	40
Benchmark IV: Reforms in the judiciary	43
Benchmark V: Reforms in the public administration	46
Benchmark VI: Employment policy	48
Benchmark VII: Enhancing the business environment	50
 4. TELEPHONE SURVEY	 52

ANNEXES:	57
Annex 1: Results from the survey conducted by means of questionnaire (Charts)	59
Annex 2: Survey questionnaire	101
Annex 3: Telephone survey	121
Annex 4: Campaign materials	139

Preface

Corruption cannot be seen and it cannot be thought of as an isolated phenomenon. Basically, it involves all aspects of the society. It interrupts the decision-making process at all levels, it restrains the economic development, it disturbs the social politics and undermines the political stability of the countries. Fight against the corruption in a coherent and effective manner should take central and clear place on the road towards economic reforms, towards building a democracy that respects the rule of law and human rights, in a manner consistent with the criteria established with the Association and Stabilization Agreement (Copenhagen criteria).

In order to provide a stabile and permanent gain from the further fight against the corruption in the future process of association of the Republic of Macedonia, Transparency Zero corruption, with financial support of the Government of the Kingdom of Norway, developed a project for the analysis of prevention and suppressing the corruption systems, within the framework of the benchmarks defined by the European Commission. In this manner, the Transparency Zero Corruption, as a part of the civil sector, wishes to seriously contribute to the activities directed towards the initiation of the negotiations and acquiring the status of a Member State of the European Union. In accordance with the action plan of the project, a Steering Commission has been established, comprising of a representative of the Parliament of the Republic of Macedonia, the Government, European Commission in Skopje and the business sector. Thus, apart from the financial support, the project gained strong political support in the country.

In order to provide comprehensiveness of the activities, the project “Permanent Anti-corruption Monitoring of the Key Priorities of the EU Pre-Accession Process” consists of several phases, realized through several survey instruments, involving more than 1,000 examinees, participants in focus groups and debates, domestic and foreign experts, representatives of all government and social segments, as well as representatives of legations and European

Commission. In this manner, we wanted to provide multiplied and multi-layer validation of the opinions presented by different groups in relation with the seven benchmarks. They are all completely presented in the contents of this brochure.

The approach we have chosen is supplemented with a multiple presentation of the results obtained with the research to the wider public, and we expected to get a feedback, which is extremely significant for further modelling of the survey instruments.

Our final goal is to differentiate and define indicators on the basis of which it would be possible to continuously monitor and evaluate the progress within the frames of each of the benchmarks, and it would be possible to compare the results during the entire process of EU-integration. Of course, having regard to the mandate of the organization, the main characteristic of all analyses are the indicators, which are essential to the benchmarks, and which are anti-corruption by nature.

One thing that is absolutely clear today, after a year of the implementation of the project is the knowledge that the project activities should continue until the complete and precise identification of the anti-corruption indicators. Today, after the conducted surveys there are large databases of indicators which should be analyzed additionally.

Should our results so far contribute to creating a uniformed methodology for permanent anti-corruption monitoring for the countries aspirants for EU membership from the Western Balkans within the frames of Transparency International, it would be seen as additional responsibility for further thorough and comprehensive engagement in the fulfilment of our professional and programme determinations.

Skopje, 09. 05. 2009

Slagjana Taseva, Ph.D
President of the
Transparency Zero Corruption

Methodology for implementing the project activities

The initiative is based on TI's vast experience as anti-corruption monitor in EU accession candidate countries. This project aims at systematizing the monitoring approach of TI and it is considered the starting point for the establishment of a permanent anti-corruption monitoring system in the EU pre-accession process.

“Maximised impact of the EU pre-accession process on the fight against corruption”

Outputs

- Anti-corruption monitoring benchmarks
- Questionnaire to assess the progress in the fight against corruption
- Quarterly anti-corruption assessment reports indicating the level of progress in the national fight against corruption
- Increased level of accountability of anti-corruption in all public sectors
- Increased level of citizen awareness on corruption as challenge of EU integration
- New coalitions between civil society actors in the fight against corruption
- Corruption cases to be reported to and supported by Transparency International

Activities

It is envisaged to establish a permanent anti-corruption monitoring system in the Republic of Macedonia, which helps ensuring that commitments of the national government to fulfilling the Copenhagen criteria and SAA conditions are incurring.

The monitoring system is going to be implemented by Transparency - Zero Corruption, a National Chapter of

Transparency International in the Republic of Macedonia as a respective EU accession candidate country.

The primary target groups of the project are the government and associated institutions. The secondary target groups are those civil society organizations which can help promote and effect change.

For the needs of the project, the team of experts, led by Slagjana Taseva, Ph.D as a national expert, consisted of Ms. Sandra Blagojevik, MA from Slovenia, and Ms. Gro Skaaren Fystro, TI Norway, proposed a special methodology based on several different survey instruments:

- Focus groups
- Debate upon public campaign
- Survey questionnaire
- Telephone survey

In cooperation with the Secretariat of TI, the team of experts developed a specific survey that incorporates in the EU consultations process related to the progress of the Republic of Macedonia in the accession process. All key priorities are evaluated from the aspect of the existence of legislation (*de jure*) and from the aspect of the actual field conditions (*de facto*). Enforcement of the legislation is controlled for each key priority, through a strength scale for the views expressed on certain indicators, and through expert analyses of the focus groups view.

Having regard to the document for European Partnership adopted by the Council on 18 February 2008, where the key priorities are identified, the expert team, as a part of the methodological approach of work, suggested that focus groups should be formed (for each key priority), and relevant representatives of institutions and civil sector took part in them.

The Steering Committee of the project verified the methodology of work and the structure of focus groups. The Steering Committee of the project met on 3 September, and members were introduced to the methodology of work developed by the team members. The Steering Committee adopted unanimously the

proposed methodology, anticipating that the proposed method would result in progress of quality indicators for key priorities monitoring.

Special survey questionnaires with 25-30 questions were prepared for each focus group individually. An efficient discussion was thus provided, which was fully recorded, and then transcribed, and the views expressed by the groups were taken for further analysis.

The goal of the debate upon the analysis of the focus groups results was to deepen the most notable specifics important for several sectors, and which could act as pillars for upgrading the further system mechanisms established within the frames of the seven benchmarks.

The goal of the survey questionnaire was to evaluate the progress of the anticorruption measures in a manner which would allow monitoring and overview of changes (progress or stagnation) in the reform realisation process, and especially their anticorruption elements.

The goal of the telephone survey was to identify general view of the citizens of the Republic of Macedonia in relation to the EU integration issue.

With this methodological approach, Transparency Zero Corruption provides its contribution to obtaining a significant amount of quantity and quality data (indicators) which will allow the establishment of anticorruption monitoring system that will enable the evaluation of each key priority progress. The monitoring will allow timely and adequate participation of the civil sector for faster realization of the reforms and anticorruption policies, in accordance with the Copenhagen Criteria arising from the Association and Stabilization Agreement.

During the realization of the project, the expert and project team tended to process and publish all reports, analyses and surveys before the submission of the official EC reports on the progress of the Republic of Macedonia.

1. FOCUS GROUPS SURVEY

Analyses ¹

According to the action plan prepared for the needs of the Project “Permanent anti corruption monitoring of the key priorities EU pre-accession process”, the following activities have been implemented:

The first Steering Committee (SC) took place on September 3, where the members got introduced with the working methodology. The SC members adopted the proposed methodology anticipating that the presented method will bring developing quality indicators for monitoring the key priorities.

At the same time the SC members adopted the structure of the focus groups for the key priorities, with few remarks taken into consideration by the project team.

The meetings of the focus groups have been organized and took place in the period from 4 - 16 September 2008. In total 42 members participated in the work of focus groups, i.e. each focus group consisted of 5-8 members. In accordance with the proposed structure, 22 of the members were the representatives of central and local government, 3 from media, 3 from a non-governmental sector, 5 were university professors, 4 were corresponding experts, 4 were politicians (coalition and opposition), 3 were from syndicate organizations and 6 were from the business sector (including the private). All, except 2 of the participants had university degrees (10 of which had a master or a ph-d degree). The participants exposed their views on a given subject, for which there were questionnaires designed that would correlate to the set benchmarks. The conversations' purpose was to acquire the participants attitudes, opinions and information about the given subject. 18 of the

¹ The analyses which are included in the project are prepared by Slagjana Taseva Ph.D., (who was also author and national expert of the project) and collaboration with the project team and foreign experts.

participants are female and 24 male. 35 were Macedonians and 7 Albanians.

Seven different questionnaires were prepared for the needs of this project including topics on political dialog, implementation of the police law, comparison on the anti corruption legislation, public sector reforms, public administration reforms, reforms in the judiciary system, employment policy comparison and business environment enhancement.

The qualitative indicators that will be developed using the analysis of the focus groups results shall support the implementation of the permanent anti corruption monitoring of the key priorities.

Subject 1: Political dialogue

General conclusion of the focus group participants is that in the Republic of Macedonia the division of power exists in the Constitution and laws, but independency of all three branches is not clearly defined and separated. Thus, focus group thought that here is a need to adopt additional laws as for example the law for the parliament, for the president, etc. There is a strong influence by the executive power on the other two branches of power.

It is important that the role of the parliament is strengthened and the position of the members of the parliament. The perception is that the new rules for the procedure in the parliament can significantly improve the work of the parliament itself. It will enable wider debates in the legislative activities and increase the possibilities for participation of different stakeholders and experts. The functional independency of the parliament will be therefore increased.

The political dialogue has been imposed after the parliamentary elections in 2006. The real basis for achieving the political dialogue has been established already with the Ohrid Framework Agreement. The implementation of this agreement is seen as a positive process and necessary for establishing new principles in the society based on the constitutional amendments in 2001. However, today there is a need that the political dialogue is re-established in institutions and to make it as a true institutionalized dialogue.

Focus group participants see the political dialogue as a part of political culture, morality and responsibility. Political dialogue should emphasize the respect among the political entities including the president and the opposition. The role of the opposition in the ongoing processes of the political dialogue and reforms is brought to a minimal level.

The procedures for adopting laws exist but the problem is that these procedures are being misused, thus ninety percent of laws are being adopted through short procedure. There is no efficient mechanism which could oversee the process of adopting the law, and the focus group believes that the Parliament and the MoPs should be the ones to decide on the acceptance of short procedure for law adoption. Additionally, the control mechanism in adopting the law procedure should be the President, who signs them. The highest level of control mechanism lies in hands of the Constitutional court with the high level of integrity, which is currently being undermined.

The political parties do not have democratic principles. There is an existing system of strong political figures or individuals, and strong concentration of power that has big impact on other parts of the performance of officials and separation of powers. The participants of the focus group see this concentration of power accompanied by connections to business oligarchs as a source of corruption.

Subject 2: Implementation of the police law

General conclusion of the focus group is that there is no clear division of power between legislative, executive and judiciary branches of power. Moreover, the executive branch controls the other two. The reform of judiciary has not been successful due to large political influence.

The newly adopted Law of police has been created to serve the political elites. There is no true decentralization of police powers even though the law itself envisages it. Municipalities are still weak; they lack funds and resources to properly carry out this decentralization. The most problematic is seen Article 94, which allows political party membership for police staff. Although minor steps have been made in strengthening the human resource and

technical capacity, the way in which this law is currently implemented is not in compliance with the EU standards.

Its content is not known to majority of public, even to the police. This is primarily due to the lack of coherent trainings and seminars. Even though ninety percent of police staff has attended one day trainings on implementing the new law, the belief is that there should be continuous trainings.

Since there is no collaboration between the police station chiefs and municipalities, this presents big problem for efficient police work. Some were of the opinion that this is due to incompetence of police station chiefs, who are not able to understand criteria and the law of police, thus they cannot properly implement it. Simultaneously, the mayors of towns should be the ones insisting on the implementation of the law provisions. In order to overcome some of the problems or at least to begin addressing them is also seen in organizing seminars for staff working in local government.

The trust in police by citizens is low. The existing perception is that police staff is close to political elites. General public is not aware of the police law and there is lack of cooperation with the police.

The criteria for selection of cadre in police are not known and unclear. In some instances the police station chiefs have been prior to their term in office suspended for criminal activities. Appointments of the local officials have to be properly implemented. Even more, the general system of hiring in police, dismissal from and promotion need to have clear criteria. Up till now, this has not been transparent and it is primarily done through political party membership.

The mechanism for monitoring and ensuring compliance with the police law is non existent. The belief is that there are two types of police officers. One type are police officers who went through entire police chain and are police officers in heart, those are professional and respect the law. However, the other type of police officers that came through political connections and short courses, those are the ones that do not respect the law. In cases where the violation of law has been detected they were reported to the Ombudsman, however its report had no final results as the Parliament lacks the will to address these violations. The conclusion is that the parliamentary and judiciary oversight on police's proper implementation of the law

must be strengthened. Such cases must have clear solutions and reach final outcomes.

Finally, there is no efficient fight against corruption and misconduct. Besides no end results on detected cases of misconduct or corruption within police itself, the negative perception of general police efficiency in fighting corruption is even stronger.

Subject 3: Implementation of the anti-corruption legislation

This group was also of the opinion that division among three branches of power *de jure* exists, however in practice it is different. There is a tendency of the executive power to be superior over legislative and judiciary branches. The unclear legislation itself creates a lot of interferences and confusion for not having the division of power. Additionally, the local government has to be separated from central government. This is very important in order to achieve efficient fight against corruption. The problem is seen in parliament's adoption of laws directly brought forward by the government without any debates. This causes procedures to be non democratic and in non compliance with the general parliamentary procedure. Political dimension is too strong, thus the reform and improvement of judiciary cannot be felt.

The law for preventing of corruption exists, but the capacity of institutions to implement anti corruption legislation is very weak. Even in these institutions political influence is evident, and this has to be removed. Prevention and fight against corruption is believed to be only the task of the State Commission for Prevention of Corruption even though there are other institutions responsible for assisting in fight against corruption such are the prosecution the financial police, etc. All institutions mentioned lack the capacity to support the fight against corruption.

The Law for prevention of corruption itself guarantees high level of efficient fight against corruption and it removes the taboo of corruption phenomena, still, the general opinion is that State Commission for Prevention of Corruption is not doing enough in implementing its provisions. Moreover, the law contains certain illogical aspects; different interpretations of the law provisions and lack of public awareness are all causes for inadequate implementation of the law.

The role and capacity of the State Commission for Prevention of Corruption must be strengthened and it needs to achieve the role of correcting body towards the Government. On the other hand the parliament needs to take seriously its reports and the reports from other independent institutions.

The Commission should have the leading role in anti corruption activities, as well as in educating general public and officials on the anticorruption legislation, integrity, transparency, conflict of interests, etc. Other institutions should support and complement anti corruption initiatives. Government itself needs to be role model in respecting anti corruption legislation, the rule of law has to be strengthened, and above all it needs to show clear political will for fight against corruption. Judiciary needs to reach final convictions since there are none up till now. Parliament should work towards building the policy for fight against corruption and implement it. The role of civil society as a watchdog and monitoring mechanism of anti corruption legislation should be strengthened.

Subject 4: Reform of the judiciary

The constitution and laws envisage the separation of powers, but in practice it is different. No proper reforms of judiciary can be done without removing the executive power's influence. Thus in order to create true division of powers and independent judiciary, it is very important how judges are selected.

Currently, there is a political influence in selection of judges and there is no control mechanism that would oversee Judicial Council in implementing the procedure and criteria of selecting judges. Even the election in Judicial Council is based on political party belonging, namely, half of the members are political party related. There have been some systematic laws adopted to improve the quality of judiciary and election of judges, yet the system is still not implemented in practice and it requires clearer criteria and transparency in selection of judges, as well as establishment of control mechanism in order to avoid the politization.

The belief is that judges are incompetent due to primarily being selected on the basis of political party membership. By adopting the new law on criminal procedure and especially interception of communication, the position of judiciary in the

system is even more weakened. This creates greater influence of the executive branch of power.

Working conditions of judges are poor, salaries are low and judicial administration operates in bad conditions. Judiciary staff is hardly motivated and are generally unhappy with their status. Promotion is heavily related to motivation. There is no system of job positions, and those who take those positions are elected permanently. At the same time, there is professional staff in courts that is well trained and with great experience but have no ability to be elected as judge due to not belonging to political party. The system of measuring performance of judiciary that will be able to detect the quality of judicial performance, objective system of employment selection, minimum entrance criteria, capabilities, and other objective criteria for promotion have to be established.

Judges need to be trained; they need to exchange the experiences and to build common practices. The existing training centre, Academy for Judges, needs to base its trainings more on practical examples and not only on theory. Additionally, the trainings should be on continuous basis due to very often and dynamic law changes. Additional problem with regards to common practices is that for similar cases judgments are made differently. This results in lack of trust in judiciary. Whether different judgments are result of insufficient knowledge on the law and honest mistakes, or corrupt practice, this clearly relates to enhancing stronger disciplinary procedure related for the responsibility of judges. This calls for establishment of clear procedure for incompetent or unbiased decision making and material responsibility, thus the system for the responsibility of judges has to be seriously amended and strengthened. In addition, there is a need for greater implementation of the Judicial Code of Ethics, implementation of the rules on conflict of interests, and development of integrity of judiciary in and outside the courts.

What regards the new laws in judiciary, they have somewhat improved and sped up court procedures, however, there are still great case backlogs and danger of mistakes being made due to rushing the procedures. There is no clear mechanism to control this and to enforce unification of judicial practice. Thus, the changes did not bring envisaged efficiency. This issue has to be addressed and proper

court statistics have to be established in order to have clear understanding of the real situation on the case backlogs.

In fight against corruption, the only positive impact and which showed positive results was the adoption of the law of execution. However, in judiciary the efficient fight against corruption is heavily related to human factor.

Subject 5: Reform of the public administration

This focus group was of the same opinion that relation between state and local government is not well defined. There is a lack of understanding the local government as a subsystem, causing mixing of the authorities on vertical and horizontal level.

Law clearly stipulates that public administration should be politically independent; however the practice shows it differently. There is no system of job positions and no clear distinctions what are the political positions in public administration. Each time the new government is established, it creates completely new structures, the systematization of new jobs is done based on the employment through political parties and outside any transparent public administration procedure. This creates problem of big inflation of new staff while old staff remains. The employees of public administration are not motivated due to common practice of getting job by being a member of political party and no other criteria. The superiors in public administration are appointed by the government and without any efficient mechanism for overseeing their practices. Employees in public administration are not motivated to adjust to the requirements of new modern public administration, their understanding that anybody can work in public administration as long as they have political party back up, and that promotion can only be based on political party support all causes lack of professionalism and competences of public administration employees.

Further negative impacts of all above mentioned is lack of understanding and lack of proper implementation of abiding laws, code of ethics and ethical rules are not known bringing the integrity standards to very low level. Low integrity brings the opportunity for malafide outsiders to improperly influence public administration employees to implement procedures contradictory to the existing

rules and regulations because there is no clear mechanism to control the procedures. Moreover, when such instances are detected, the only possibility to report is to complain to the State Agency for Civil Servants with usually no outcome.

The belief of employees is that they are not independent; however, it is rather interesting what they perceive as being independent. Since they are the ones that ‘only’ solve the case and prepare it for the signature of superior, they have no responsibility of it thus they are not independent. Moreover, this is why they also believe that they cannot be corrupted. This gives clear picture that the public administration lacks training on their role and responsibilities, duties as public employees. They crucially need internal procedures designed for clear definition of responsibilities in order to assist in fight against corruption.

The trainings are strongly recommended in relation to amendments in legislation, on the occurrences of the conflict of interests and above all which institution is competent for resolving this issue. Here again, it has to be mentioned that the State Commission for Prevention of Corruption has to play much better role in this segment. Additionally, there is a need for more competent trainers who know the system of public administration and not solely rely on the State agency for civil servants that does not have sufficient capacity to organize such trainings. Perhaps a good idea would be to introduce a new entity as a special training institution for public administration professionalism and training.

Subject 6: Employment policy

The focus group was of the opinion that there is no clear separation of powers, pointing out that the executive power has the supremacy of the other two and the judiciary as such is still not at the level to assist the business sector. The private initiative is suspended due to unsolved debt cases in the court. There is also an opinion that political influence is present in court cases business related. A representative of a foreign company expressed the position that the judiciary is stimulating criminal behaviour in the country.

The legal framework does not give the impression that there is clear employment procedure, yet they are very extensive and complicated, away from EU standards for employing. This is even

worse in cases when attempt is made to employ a foreign national in private companies. The problem is seen to lay in not having the dialogue between social partners. For example, the Trade Union was never invited to participate in preparing laws, while the Chamber of Commerce is often left out and not consulted when important laws for business society are being discussed and adopted.

There is no trust and horizontal cooperation among the institutions. The Ohrid Framework agreement was reached to create a consensus on issues related to employment policy. It did have an impact on number employed in public administration because it needed to provide for more ethical balance in the public administration, which resulted in increasing the number of newly employed public officials. However, the Ohrid Agreement does not have influence on private sector, which implemented rather the policy on competency and welcomed temporary employments. The same policy of temporary employment has been misused in public sector by employing large number of staff through inappropriate public administration procedures and only according to political party membership.

Additionally, the law stipulates for appropriate employment database, again there is a lack of responsibility for implementing these procedures. This is evidently the source for creating fictitious picture of a number of unemployed people. Moreover, there is no register of employed people, those actively looking for employment, and also no evidence of a number of people who have been registered as seekers of employment but refusing offers because this serves them only as means of getting social aid. The problem is that there is no institutional continuity in maintaining these registrars.

The country is facing big number of unqualified people, not sufficiently educated for the positions they occupy, and lack experience. There has been also the abuse of the change in concept 'employment term' with the 'work experience'. In public sector there is not motivation for additional training and gaining necessary skills due to the fact that the jobs are given through political channels. Meanwhile, the problem with the employment policy in private sector is primarily related to the need of making a public announcement for employment position.

Employees in public sector believe that they should attend trainings if they someone else pays for them, while in the private

sector there is a quite high understanding of a need in developing internal capacities due to continuously increasing competition, the need is changing from having only textile workers to having very qualified employees. However, both employees in private and public sector lack training on the concept of conflict of interest, integrity, and pantouflage. These trainings should be consistent and coherent, and not only based on foreign donations and programs.

Finally, the reward system based on the responsibility and that encourages creative thinking is poor. Private sector has this segment developed better, there is an award system for employees that show initiative and invest efforts, and nevertheless, it could be improved. On the contrary, the public sector does not have proper balance between the knowledge and experience versus the level of salary. The belief is that it as long as it is not in compliance with the EU regulation it will remain on competitive.

Subject 7: Strengthening business opportunities

Again, the participants were of the opinion that there is no separation of powers in practice and it creates a bad image for the country among the foreign and domestic investors. There are slight movements in judiciary by establishing the Administrative court, but in general it still remains weak point.

After the decentralization the influence of the politics on the business sector decreased. In some cases problems continue to appear in the communication between the local and central administration. Of course, for the foreign investors and managers it is unacceptable that there is no communication between the state authorities. The prime-minister is not communicating with the president; quite often ministers do not respect or even boycott the president. This has influence on the business especially when they are evaluating functioning of the state, decision making processes, the legal sustainability, before making any decision for investment.

There is lack of cooperation in adopting legislation related to the business performances and climate. The law for employment relations has been adopted without any discussion. On average 2/3 of the laws are adopted without any debate and consultation with the business society.

Initiatives to make a comment or suggestion related to a legal proposal are not welcomed. Often it is perceived as criticisms of the government or a minister, as well as solutions are defended as it is someone's life project.

There is a need to professionalize the administration and to make it independent and unbiased in order to be able to bring decisions according to the laws and regulations. Especially there is a need to strengthen the integrity and the accountability of the local administration. There are no efficient mechanisms for protecting a public official when influenced to make a decision.

There have been many projects supported by international donors aiming to create computerized data-basis. However, these activities have not been correctly coordinated and the results are not visible.

Number of the private companies and enterprises that are implementing the corporate governance principles is increasing but there is no good corporate governance in majority of the companies. All existing chambers of commerce are paying special attention to increase the awareness of their members about the corporate governance; small companies have difficulties with this issue.

For more significant improvement in the business environment it is necessary to increase the level of competences and knowledge of the employees. The private companies are paying attention to continued training of the employees but they have significant problems to find well trained and competent employee. Young people do not have necessary competences. Especially there is a serious deficiency in well trained and competent managers.

Changes in the government brought the biggest problem related to tender procedures. Whenever the government or a minister is changed the procedure has to start from the beginning. There is no continuity, so the money and the time are lost. Most of the bigger companies do not apply to state tenders. They are more interested in creating business relations with other private companies.

Bad examples for the country are contracts that have never been completed. Some of them have been related to the reconstruction of schools, water supply, roads. Most of these cases have been publicly presented but there are no court cases and decisions.

There are no political influences in employment policy in the private sector. The only leading rule is the competences and knowledge.

Regarding the unemployment rate it has been unanimously agreed that there are no unemployed people in the Republic of Macedonia. The belief is that everyone is employed but they are not reported. Most of the small businesses or individuals that are difficult to control are working in black and gray markets. There is a need that the government makes more accurate list of the people that are looking for a job.

2. ROUND TABLE

After the publication of the initial report of the focus groups, which was distributed to international and domestic public, media and institutions in the Republic of Macedonia, in accordance with the determined project activities, and with a goal to obtain additional and in-depth views and analyses, on 12.11.2008 a round table was organized and representatives of media, politics, university professors and intellectuals took part.

Participant in the round table particularly pointed out the problems in the key priorities, political dialogue, public administration and judiciary reforms, enforcement of the anticorruption legislation and the Police law, as essential areas where problems should be solved systematically, if we really wanted to bridge the road to faster integration in the European Union.

Views of the round table participants largely confirmed and supplemented the views of the focus groups participants. Analysis of the views expressed by the round table participants allows us to focus on the most essential problems that need to be immediately solved, and which significantly affect several segments of the social living.



Political dialogue

The participants on the roundtable were unanimous in their position that the bad practice the Parliament to be the cat's paw of the executive authority should be terminated. Such condition was created the moment the Parliament was established and this can present no basis for development of any democratic changes in the country. Maybe changes in the election model should be seriously considered so that a strong and independent parliament could be created. The citizens should vote for their representative, and not for a party. A possible solution is election with open lists.

The participants on the roundtable estimated that actual political dialogue did not exist. The parties define the political dialogue as verbal form and expression which means that two entities discuss, but they do not make any agreement. The impression is that the political dialogue is not considered as starting point for understanding and solving crucial issue important to the country, but it is artificial and imposed and simply irrelevant.

Such situation is normal consequence of the absence of democracy in the political parties. If no dialogue exists, within the political parties, then it will be less possible two or more political parties with different political determination to discuss crucial problems.

Furthermore, the participants think that in terms of the political dialogue the people will continue to be hostages of a verbalism which does not fall within the scope of the citizens, however it is quite symptomatic, which shows existence of high awareness among the citizens, and the surveys conducted show quite the opposite, if the citizens are so highly-aware of the situation then how come certain politicians have such high rating.

The absences of criteria for a profile of person who can be a party leader, an Parliament president, or a person who can manage the judicial authority and run the state in general is emphasized as fundamental problem. The entire power is focused on the people who guide the parties; so, the policy that will be conducted, the running of the state depends on these people. The absence of criteria on one hand and the assuming of important duties (running of a state) on the other, provides the picture for the conditions in which the state develops; the awareness and the courage of the citizens that they can

change something must be raised, if the citizen is not sure that by his/her vote he/she will elect a person who will represent him/her, then a number of vacuums and reserves appear in the field of the political dialogue. The awareness of the citizens that the building process of a country begins at the ballot boxes must be developed.

Reforms in public administration

The participants at the roundtable unanimously agreed that there was a great pressure upon the operations of the public administration. The trend of politicization has existed in the public administration for long time and it has been present in all political parties. The disturbing thing is that this trend has been strengthened in the past years and it seems more and more likely that Macedonia is headed towards creation of a totalitarian society.

The state administration is being equipped with unprofessional employees, with no working experience; supporters of political parties and billposters gain authority, obtain privilege and political support and protection. Since they are exempted from any responsibility they can freely do illegal actions without having to bear the consequences for such activities.

The politicization in the Police, as administrative body, has a negative reflection on the working activities due to the sensitivity of this segment in the country.

The application of ISO standards in the administration is one of the tools for prevention of politicization in the public administration. This implies adoption and definition of clear rules, criteria and procedures on detection of individual responsibility in the operations of individuals in the public administration. This might result in amendments to many laws, but if we want sooner accession to EU, we must transpose the EU legislation in the national legislation as soon as possible. However, the existence of political will is the main and fundamental thing for the implementation of these standards.

Judicial reforms

The participants on the roundtable were unanimous in their positions that there would be no objective and realistic criteria for the election of judges until criteria for election of the members of the Judicial Council are determined. The participant also expressed their opinion that only trained, expert individuals, dedicated to their profession, with moral integrity, can be a strong tool in the fights against the politicization present in the judiciary.

Despite the adoption of laws evaluated as positive, the basic problem for the whole bad situation in the judiciary remains and that is the absence of rules, clear criteria and operation procedures for most of the operations in the judicial practice. This often enables violation of the presumption of innocence; practice to promote the notion of presumed damage in court cases, something which actually does not exist in criminal law.

Implementation of anti-corruption legislation

The participants on the roundtable had unreserved position that the country had quality law; however, the anticorruption legislation remains on paper as a good notion without being implemented in practice. According to some of the participants, the fundamental problems for this is in the fact that the Parliament as the highest representative of the legislative authority in the country remains immune, or in other words, plays no significant role in this process. The parliamentary committees and the MPs somehow do not respect the law, and the basic role of the Parliament comes down to which MP would violate the law more skillfully. This is a bad signal and is further shaped in a behavior model accepted by other state institutions.

Some of the participants think that no government would be voluntarily willing to deal with the corruption completely; this depends on the political will of the parties and the Government ideals, and their level of tolerance in respect of corruption, the level of tolerance of the political factors in respect of this phenomenon, the cooperation and willingness to fight against corruption – these are probably the issues which require real dialogue.

The participants emphasized that there were two types of corruption: macro corruption, which is teamed with the organized crime - a comprehensive global program is needed for fight against such corruption; and micro corruption – according to the participants, only concrete pragmatic and practical measures can help in the elimination of such corruption. The political will and willingness to discuss these issues are the main preconditions in dealing with these negative phenomena.

Regarding the corruption in the Police, this corruption can be analyzed in a number of levels, starting with criminal charges which are not processed, release from mandatory traffic penalties, better access to services (issuance of documents for personal identification, IDs, passports, weapon licenses) and some minor corruption such as use of free meals, car services etc. According to the information obtained on the additional analysis and presented by one of the participants on the roundtable the abovementioned is considered to be a burden the society cannot deal with and the Police, as an organization must put more efforts to destroy such corruption in the Police.

An interesting fact is that the citizens tolerate the corruption; the survey data show that most of them would give bribe or a present to a policeman to help them with a service or to release them from some fine. The most frequent services for which bribe is requested are the following: release from paying traffic tickets, better access to the procedure for issue of documents, IDS, passports, weapon licenses, certificates of citizenship – all of this underlines the bad operations of the administration and shows the corruption level.

The awareness of the citizens regarding the corruption and their tolerance towards the corruption show that something must be done in this field.

Implementation of the police law

The participants on the roundtable expressed their position that de facto the adoption of the laws and by-laws presented a progress in the reforms in the Police, but de jure, the situation indicates absence of quality and quantity analysis about the scope of the reforms and the flaws in the implementation.

The basic reforms can be measured with three key points which are the following: demilitarization, depoliticization and decentralization of the Police.

The concept of community policing, i.e. local policy, is the milestone of the reforms and the success of the Police operations; the success, including the cooperation and the citizens' will to help in the implementation of the police tasks, is one of the main items for measurement of the long-term efficiency of the Police in solving crimes.

The role of the advisory services functioning within the municipal councils to inform the municipal councilors and the representatives of the Ministry of the Interior (MI) on the number of citizens involved in the implementation of the preventive programs must be strengthened. A number of citizens would participate in the preventive programs, if the Police and the Council have a program that includes the citizens (most commonly mentioned participation is the participation in the programs for prevention of drug abuse among young people, prevention of domestic violence, programs for protection of victims of human trafficking, prevention of use of weapons). So, the reform of the Police must be made by the Police in service of the citizens, and not as administrative body. Most of the citizens still consider the Police as a body serving the government, and not as a body serving the citizens. The citizens feel that the Police do not contribute in improving the safety within the municipalities and the Police are responsible for this opinion.

These are some of the main segments in which the reforms are considered to lag behind in terms of the pace we desire.

Regarding the media information on Police operations, the participants underlined that the political partiality in the provision of information has a negative effect on the objectivity in respect of the Police work.

MI regularly informs the public about the conducted activities, but it provides partial information and has a selective approach to some media to which it provides the complete information; some of the media even defend some Police activities which are detected by the citizens to be unethical and unprofessional; most of the citizens think that the Police does not respect the presumption of innocence, and some of the media tolerate this and do not satisfy all of the media standards on identity protection of the apprehended people and suspects - this is considered to be one of the key remarks.

The media do not represent a critical body that would reflect the real situation, even in the field of the depoliticization of the Police. In this period, around 3000 people have been removed from their offices, which means 50-60% of new personnel in the management. The public does not pay too much attention to this, the principle of objective responsibility and the principle of subjective responsibility in other cases of organized crimes are not observed, which actually implies that the head of the public security has not been informed about certain developments on the field.

3. SURVEY CONDUCTED BY MEANS OF QUESTIONNAIRE (ANALYSIS)

Introduction

In accordance with the Action Plan prepared according to the needs of the project **“Permanent Anti-Corruption Monitoring of the Key Priorities in the EU Pre-Accession Process”**, a poll by means of Questionnaire has been conducted in February 2009. The objective of the poll was to collect information on the opinion and knowledge of the citizens in regards the seven key benchmarks stipulated as priorities in the Report of the European Commission as of March 2008.²

The basic form, structure and contents of the questions were designed by the research team of Transparency International in Berlin. For the purposes of this project, the Questionnaire has been amended and adjusted to the current condition in the Republic of Macedonia. The Questionnaire has been divided into seven thematic parts/blocks, namely: political dialogue, implementation of the Police law, implementation of the legislation on anti-corruption, reforms in the public sector, reforms in the public administration, reforms in the judiciary system, implementation of the employment policies, as well as improvement of the business environment.

Within the frames of each topic, the questions were divided into two groups: De Jure and De Facto. De Jure questions demanded short answers – yes and no, and were referring to the legal provision of specific issues from specific areas. Unlike these questions, the provided scale for the possible answers to De Facto questions, which questions were referring to the current condition in the same areas, was between 1 and 7. Whereby 1 was the lowest degree, and 7 was

² COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Western Balkans: Enhancing the European perspective, {SEC(2008)288}, 5.03.2008

the highest degree in the scale. The total number of asked questions in all blocks was 180.

Following the adequate numeration of the Questionnaire, it has been considered as prepared for distribution. A total number of 120 Questionnaires have been sent per E-mail and personally submitted to each selected respondent. Within the time frame stipulated for filling in and collecting the Questionnaires, only 100 Questionnaires have been adequately filled in and submitted to the Project Office, on the same manner on which they were distributed. Within the same period, the software base for processing of the data in the SPSS Program was also prepared.

The selection of the respondents has been made according to the assumption that they were well familiar with the social and political system of the Republic of Macedonia, which could have served as a guarantee that their opinions and views were relevant for all groups of questions. The Questionnaires were distributed to relevant respondents, namely to: the business sector, politicians, scientists, judges and public prosecutors, civil servants, etc. According to the stipulated methodology for distribution of the Questionnaires, the structure of the respondents is the following: 75 have higher education, 6 have acquired the MA and Ph.D title, 19 have high education; 48 respondents were women, whereas 52 were men; 85 respondents were Macedonians, and 15 were Albanians.

The survey results have been presented in charts and pies, which present the frequency and percentage that represent the number of the respondents that answered the given question. By consulting the Project Leader, the questions from which adequate and important comparisons can be drawn have been defined, which comparisons are relevant and essential for determining the current condition in regards certain key priorities.

Within the frames of each topic there are two groups of questions, one of which refers to De Jure state, i.e. the legal structure of the specific questions, whereas the second group refers to De facto state, i.e. the implementation of the specific legal provisions and their actual application.

Benchmark I: Political dialogue

The first group of questions refers to the benchmark defined as **Dialogue between the political parties**. In regards the current legislation, the respondents have expressed the following opinions.

The opinions are divided as far as the **clear division of legislative, executive and judicial power** is concerned. Half (50%) of the respondents believed that such clear division existed, whereas the other half believed that there was no such clear division.

If we bring this question in connection to the answers of the question: Is the **Parliament independent in its functioning?**, we can conclude that the bulk of the respondents believe that the constitutional division of the power in legislative, executive and judicial is not implemented enough through adequate judicial decisions. This opinion was seriously predominant in the research conducted through the focus groups method in the first stage of this project, within the frames of which the respondents underlined the fact that there is a need of special Law on Parliament.

Political Dialogue in Parliament and Transparency in the Functioning of the Parliament. In regards the question *Whether the political dialogue is established in the Parliament*, 66% of the respondents provided negative answers, whereas only half or 50% of the respondents believed that there is transparency in the decision-making process in the Parliament.

This opinion also matches the opinions expressed in the focus groups, whereby the respondents believed that there was no political debate in the Parliament in regards the decisions made by the Parliament, which situation they believed would improve following the adoption of the Rules of Procedure of the Parliament. As far as the **Rules of Procedure of the Parliament** is concerned, the bulk of the respondents, namely 91,8% were familiar with the fact that it has been adopted.

In regards the **inter-ethnic dialogue**, a high percentage of 86,7% respondents believed that the Badinter Principle has been implemented in the activities of the Parliament, whereas 56% believed that there has been a consensus in regards the Ohrid Agreement.

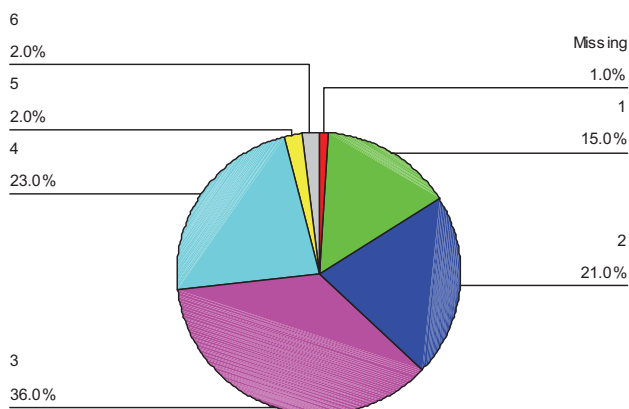
From the conducted comparisons it can be concluded that 36 or 72% of the respondents (50) who provided positive answer to the question: *Is there a clear division of legislative, executive and judicial power?*, have also provided positive answer to the question: *Is there a consensus reached in regards the provisions from the Ohrid Agreement?* 30 or 60% of the respondents who provided negative answer to the question: *Is there a clear division of legislative, executive and judicial power?*, have not agreed with the fact that *there is a consensus reached in regards the provisions from the Ohrid Agreement*.

The Badinter Principle and the Police Law. Within the frames of this set, the following two questions: *Does the Badinter Principle function?* and *To which level does the political employment affect the adequate application of the Police Law?*, have been interconnected. 56% of the respondents who believed that the Badinter Principle functioned, have rated the level of influence of the political employment on the adequate application of the Police Law on a scale of 1 to 4, the conclusion being that the political employment exercised poor influence on the adequate application of the Police Law.

As far as the existence of **consensus in regards the EU integrations related issues** is concerned, as well as whether such issues have been supported by the President, 86 or 86,9% of the respondents have provided positive answers, 36 or 41,9% of whom have given the consensus the highest mark 7. Only 13 of the total number of respondents believed that there was no consensus in regards the EU integrations related issues. 98% of the respondents believed that the President shall support the adoption of the laws connected to the EU integration process.

Chart 1

10	To which extent is the separation of power?
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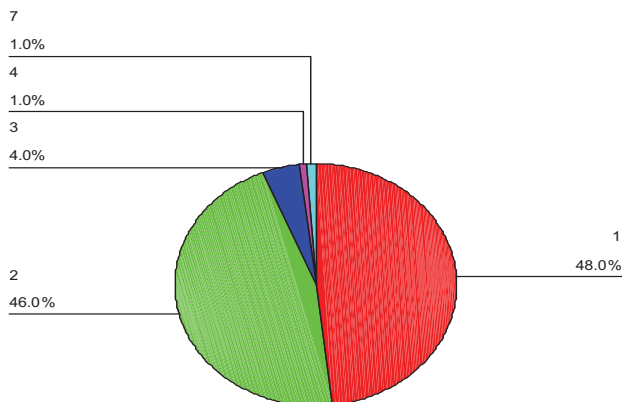


The bulk of the respondents believed that the division of power in legislative, executive and judicial did not exist in reality. 73% of the respondents rated their opinion on a scale of one to three, 23% have rated the condition of division of power with 4, and only 4% of the respondents have rated it with 5 or 6.

These opinions are very similar to the opinions expressed by the respondents in the focus groups. This is considered to be an essential problem which exercises strong influence on the democracy and rule of law, and which serves as a basis from which the issues noted in the other benchmarks occur.

Chart 2

11	To which extent is there a dialogue between President and the Prime Minister?
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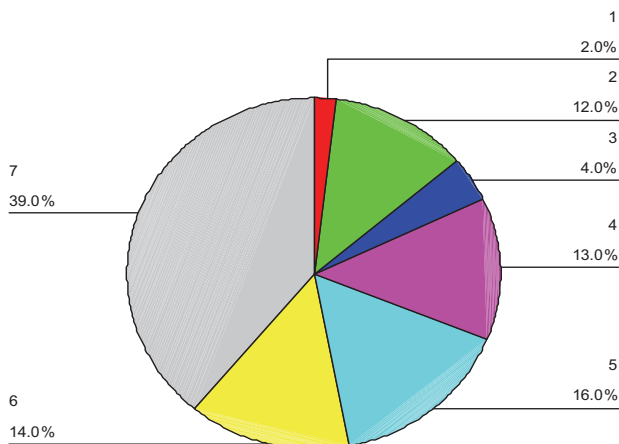


The bulk of the respondents believed that there is almost no established dialogue between the President of the country and the Prime Minister, both of which functions are considered to be the key functions of the executive power.

This opinion matches the opinion expressed in the poll conducted with focus groups, where it was also stated that it was necessary to further stipulate these relations in the current laws.

Chart 3

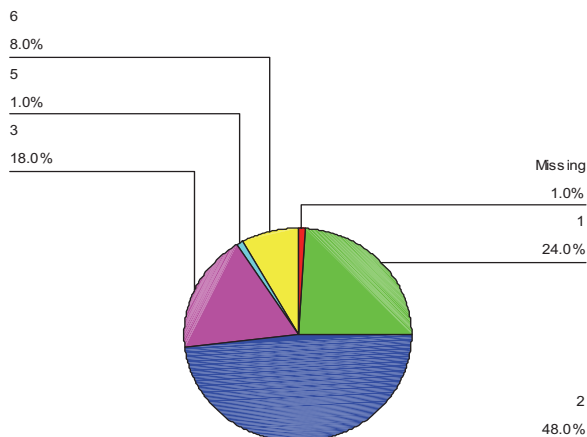
12	Relevant EU laws were supported by the President?
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The bulk or 72% of the respondents have rated the approach of the President to the adoption of the laws referring to the EU integration on a scale of 4 to 7, 39% of whom have rated it with the highest degree of 7. This confirms the fact that as far as the issue of European integration is concerned, the President strongly supports the activities of the Government referring to harmonization of the legislation.

Chart 4

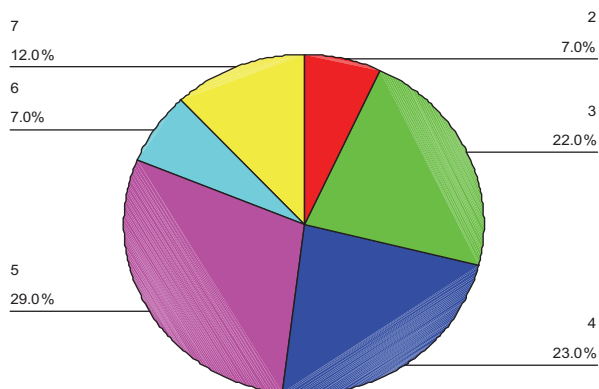
13	There is a satisfactory political discussion in the parliament?
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The bulk or 91% of the respondents believed that the political dialogue in the Parliament was not developing on the desired level.

Chart 5

15	To which extent is consensus on the Ohrid agreement achieved?
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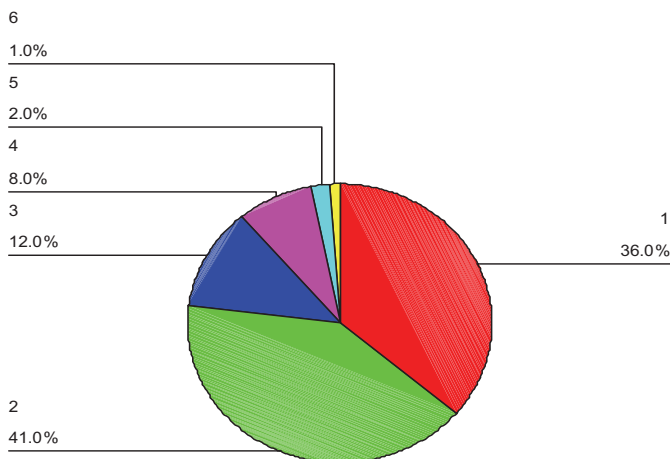


The bulk or 82% of the respondents rated the reached political consensus in regards the Ohrid Agreement on a scale of 4 to 7.

Moreover, the bulk of the respondents were not satisfied in regards the manner on which the laws were adopted, namely 77% of the respondents have rated the level up to which the public opinion was taken into consideration in the process of adopting the laws, on a scale of one to two.

Chart 6

18	To which extent is public opinion taking into consideration when adopting legislation?
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Benchmark II: Implementation of the Police Law

As far as the **implementation of the Police Law benchmark** is concerned, 11 questions have been asked referring to the legal provision of certain aspects of the application, as well as additional questions for comparison, the objective of which was to determine the opinion of the respondents in regards the manner on which the laws were applied in practice.

As far as the cooperation with the local self-government is concerned, in regards the question: Do the Heads of the Police Stations cooperate with the municipalities?, 64 or 65,3% of the respondents provided positive answer and stated that they were familiar with the fact that there was legal basis for this. However, in regards the question: *Up to which level do the responsible persons in the police cooperate with the municipalities?*, 40 respondents have rated the cooperation on a scale of 3 or less (Chart 6).

Regarding the training for the application of the Police Law, 63% of the respondents believed that there was no established system that can serve for the purpose of determining the level up to which the responsible persons in the police were familiar with the Police Law, despite the fact that 71% of the respondents believed that there was system for training the police officers in regards the Law. The bulk of the respondents (54,3%) believed that there was no system for comprehensive internal training of the police.

The bulk or 79% of the respondents have rated the level up to which the police officers were familiar with the Police Law on a scale of 1 to 3, which can be considered as low-rate assessment.

In regards the **employment, promotion and dismissal from police functions**, 83,7% of the respondents believed that there was no transparent system for employment de jure. 87% of the respondents believed that there was no transparent and fair system for promotion, whereas 86,6% of the respondents believed that there were no legal or other regulations that entailed a system for providing fair employment and dismissal.

When making the comparison, 95% of the respondents who believed that there was no established system for providing fair employment and dismissal, also believed that **the selection of the police officers was not based on established criteria**, whereas 99%

of the respondents have rated the level of transparency of the system for promotion on a scale of 1 to 3, from possible scale of 1 to 7.

69 or 70,4% of the respondents believed that there were no efficient preventive programs on local level, whereas 59 or 60,2% of the respondents believed that the media did not provide adequate information on the police activities.

Within the provided answers to the questions which represent the assessment of the **de facto** situation, 55 % of the respondents believed that the adequate application of the Police Law could be provided by means of adequate monitoring mechanism.

The opinions were divided in regards the influence that the political employments had over the application of the Police Law, namely: 51% of the respondents have defined the **influence that the political employment had over the application of the Police Law** as low (on a scale of 1 to 3), whereas 49% of the respondents believed that the political employment had a significant influence over the implementation of the Police Law.

The bulk or 93% of the respondents believed that the selection of the police officers was not based on established criteria, i.e. have presented their opinion on a scale of 1 to 3 (Chart 10).

Benchmark III: Implementation of the anti-corruption legislation

A) Access to official information

Within the first part of this set of questions, the implementation of the legislation on anti-corruption has been observed from the perspective of the application of the Law on Free Access to Public Information (Official Gazette of the Republic of Macedonia No. 13/2006)

In regards the **right to access to documents** from state institutions, 59% of the respondents were familiar with the fact that no elaboration was needed for exercising such right, whereas 66,7% knew that the right referred to all sorts of information considered as property of the state bodies, including all institutions established by

the state and private bodies that execute state functions, for instance water and electricity suppliers. However, the number of respondents who were not familiar with the fact that this constitutional right has adequately been stipulated in the Law, was quite high (40,6% and 33,3%).

The situation is similar in regards the issue of **expenses and the right to an appeal**. The respondents were relatively poorly informed of the fact that there **were no costs occurring as a result of the access to information** (only 58,3% of the respondents have provided positive answer to this question).

As far as the rest of the issues stipulated in this Law were concerned, the respondents were very well familiar with them. Thus 86,5% of the respondents were familiar with the fact that the state bodies had legal obligation for proactive provision of information, 96,8% were familiar with the fact that there were time frames for submitting the documents stipulated in the Law, 85.1% of the respondents were informed of the legal exceptions *whereby the disclosure of the information could lead to violation of the legal interests*, whereas 85,4% of the respondents knew that the Law stipulated the establishment of an independent body responsible for reviewing the rejected requests, for promoting the public awareness, as well as for promoting the right to access to information.

However, despite the fact that the citizens were quite familiar with the legal provisions, 76% of the respondents believed that the amendments to the laws contributed to a high rate of applying the legal exceptions which prevent the access to information.

B) Activities of the independent institutions

The second set of questions within this group referred to the activities of the independent institutions which had competencies over the field of corruption prevention. Generally speaking, the bulk of the respondents were very well familiar with the legal regulations which referred to the State Commission for Prevention of Corruption. Over 90% of the respondents were familiar with the fact that a **State Commission for Prevention of Corruption** has been established as an independent body, to which the citizens could submit appeals, and which had competencies for settling issues

connected to corruption. Over 80% of the respondents were familiar with the legally stipulated rules for preventing a possible conflict of interest, as well as for prohibition on accepting presents. There were also established procedures, the objective of which was to provide transparency in the activities and tasks of the Commission. Over 70% of the respondents believed that there were established procedures that should provide transparency in the activities of the Commission.

When making the comparison, the bulk of the respondents (57) who provided positive answer to the question: *Are there any mechanisms for guaranteeing the integrity of the members of the Commission?*, rated their opinion from scale of 1 to 3 in regards the question: *Up to which level is the Commission independent in its activities in practice?*, i.e. they believed that despite the fact that there were established mechanisms for guaranteeing the integrity of the members of the Commission, in practice, the Commission was not independent in its activities. 75% of the respondents who believed that there were established procedures, the objective of which was to provide transparency in the activities and tasks of the Commission, have rated the level of application of such procedures from a scale of 1 to 3.

Over 70% of the respondents were familiar with the legal procedures which referred to the set up of the **State Audit Office**. Over 85% of the respondents believed that there were Codes of Operation of the State Audit Office/ Chief State Auditor, as well as rules for conflict of interests, presents and hospitality of the Chief State Auditor. However, 42% of the respondents believed that there was no complete legal independence (functional, operational and administrative) of the State Audit Office.

When making the comparison, over 50% of the respondents who were familiar with the legal provisions referring to the functioning of the state audit, believed that in practice, there were no sufficient adequate sources for achieving the audit objectives.

In regards the set of questions referring to **the manner on which (and up to which level) the legal provisions are applied in practice**, the respondents have rated their opinion on a scale of 1 to 3, which showed that the prevailing opinion was that there **was a significant difference between the legal and actual condition**.

Thus 70% of the respondents have rated their opinion in regards the level up to which the State Commission for Prevention of Corruption had **adequate resources** for achieving its objectives in practice, on a scale of 1 to 3 (Chart 22); 70% of the respondents have rated their opinion in regards the **independency of the Commission** in its activities on a scale of 1 to 3; 69% of the respondents have rated their opinion in regards the **integrity of the members** of the Commission on a scale of 1 to 3; whereas 71% of the respondents have rated their opinion in regards the **transparency of the activities** of the Commission on a scale of 1 to 3.

The opinions referring to the activities of the State Audit Office were almost identical: up to which level the State Audit had **adequate resources** for achieving the objectives (60% of the respondents); up to which level the State Audit was **immune to external influences** in its activities (61%); up to which level **the public expenses were checked and reported** in practice (65%). The bulk or 82% of the respondents believed that the level of **transparency in the activities of the State Audit was insufficient**, i.e. have rated their opinion on a scale of 1 to 3 (Chart 28).

The bulk of the respondents have rated their opinion on a scale of 4 to 7 in regards the following question: *Up to which level does the State Auditor have specific competencies?*, i.e. they believed that the distinctiveness of the position of State Auditor could also be witnessed in practice.

Benchmark IV: Reforms in the judiciary

The answers to the block of questions referring to the legal set of the judiciary work express high level of familiarity of the respondents with the positive legal regulation.

In this context, 94,8% of the respondents believe that **the judiciary independence has been guaranteed** in all relevant legal regulations, 91,8% think that **mechanisms for providing integrity of court members** have been defined (Code of Conduct, Rules regarding conflict of interests, Rules on gifts and hospitality and limitations in the period of leaving the service); 87,6% believe that a

legal procedure for establishing responsibility of all court members that violate judicial laws exists, and 82,3% believe that the laws define provision of information to the public regarding the work of the judicial bodies and that the procedural law supports transparency and responsibility (82,3%) in judges' work. 79,4% of the respondents answered positively to the question: Does the law establish inspection of judicial court activities other than the right to appeal?

Regarding **the criteria and procedures for appointing judges**, 62,7% of the respondents believe that the law provides for objective appointment of judges; in the question the word *objective means merit based, impartiality, capability*.

Small number, or 57,3% of the respondents know that the Law determines provision of information to the public about the court decisions and the reasons for such decisions.

By comparing the answers, it can be noticed that a third (29 from the total of 89) of the respondents who answered positively to the question: Are there determined mechanisms that provide integrity of the court members?, have negative answers to the question: Is there an objective process for appointment of judges established by law?

76 or 85% of the respondents that answered YES to the question, Are there mechanisms determined that assure integrity of the court members?, rated their opinion to the following question from 1 to 3 on a scale of 1 to 7, and only 14% rated their opinion from 4 to 7 about: To what extend the judiciary works without any interference by the Government and other bodies? The conclusion is that besides the existing mechanisms established to assure the judges' integrity, the mechanisms have not provided complete independence of the judges and complete exclusion of interference in the judges' work by the Government and other bodies.

By comparing the answers to the question: Are there mechanisms determined that assure integrity of the judiciary members?, and the question: To what extend is the integrity of judges assured in practice?, it can be seen that most of the respondents (70 of the total of 89) that think that mechanisms have been established, believe that the integrity of the judges is not assured in practice.

A significant portion of the respondents that think the law provides legal conditions for objective appointment/appointment process of judges, believe that in practice this process is not sufficiently objective (49 of 79) and rate it on a level of 1 to 3.

De facto: Regarding the question: To what degree the judiciary works without any interference by the Government and other bodies? 87% of the respondents chose the level from 1 to 3; 72% of the respondents gave the same answer regarding the effective supervision of the court work in practice; and 78% chose the same level regarding the question: To what level the process of appointing/choosing judges is objective (*based on merits, impartiality, capability*) in practice?

Regarding the question: In your opinion, to what level the judicial authorities in higher courts in your country are subject to bribery in order to bring favorable decision? 33% of the respondents chose the level of 1 to 3, whereas the rest of the respondents gave higher grade, within the range of 4 to 7 (chart 78).

Only 43% of the respondents chose the level 1 to 3 to the question: In your opinion, to what level the judiciary authorities in higher courts in your country are subject to bribery in order to bring favorable decision?

Regarding the question: In your opinion, if the direct bribery is excluded, to what extent the court proceedings in higher courts are immune to other corruptive practices, for example illegal bargaining and unjust influence? - 61% of the respondents rated the level on 1 to 3. The answers to these questions do not reflect the perception and positions of the citizens regarding the corruptive practices in the judiciary, in other words the citizens believe that the judges are subject to bribery and are not sufficiently immune to corruptive practices.

Benchmark V: Reforms in the public administration

Regarding the benchmarks related to the reforms in the public administration, the respondents reported a **high level of information** in terms of the legal provisions (*De facto*) that refer to the responsibility of the elected MPs/civil servants **to declare their property and incomes**- 95,8%; as well as in terms of the obligation these declarations to be **publicly available** 95,9%.

The citizens are also well familiar with the legal obligation of the civil servants to report bad management/suspicious for corruption/breach of duties or code of ethics, which they might encounter in the process of performing their working activities – 94,8%.

80,2% of the respondents believe that there are rules on accepting gifts by civil servants; 74,7% of the respondents are familiar with the existence of provisions on prevention of conflict of interests between the civil servants and the private sector, and that the servants are obliged to report possible conflict of interests before being included in a decision-making process – 77,1%.

The respondents presented **lower level of familiarity** in the field of conflict of interests in terms of whether there are restrictions regarding engagement of former civil servants (for eg. temporary ban established by the companies supervised by civil servants in office) - 52,1%; as well as in terms of the existence of legal protection against dismissals or similar maltreatment of the civil servants at work for the reason of their report on bad management/ suspicions on corruption/breach of duties or code of ethics, which they might encounter while performing their working activities – 48,9%.

91,5% of the respondents think that the reform regarding the ethics in the public administration is not developed and implemented.

By comparing the questions: Does the law establish clearly defined sanctions for all cases of breach of provision for prevention of conflicts of interest? and To what extend the sanctions for violation of the provision on conflict of interest discourage the servants to perform violations?, most of the respondents, or 92.5% of the respondents that positively answered the first question, have presented their position regarding the second question between 1 and 3.

This can be interpreted as poor implementation of the law and the preventive mechanisms for conflict of interest in practice, which causes poor effect of these legal provisions.

By comparing the questions: Is the reform of ethics developed and implemented? and To what extend monitoring over the implementation of the code of ethics is performed? 71% of the respondents, who replied negatively to the first question, rated their position regarding the second question on between 1 and 3.

This can be also interpreted as poor implementation of the law and the mechanisms of ethics for the civil servants in practice, which leads to poor effect of these legal provisions.

The positions regarding the questions that refer to the actual situation in the field of the public administration present quite bad image for the implementation of the existing laws.

So, 91% of the respondents reported their position regarding the question: To what extend the internal agencies of the government bodies use mechanisms for detecting and checking conflict of interest? - on a level between 1 to 3, in other words they believe that the state bodies competent to act in this field do not practice their competence in an adequate manner. (Chart 40).

79% of the respondents reported their position on a level between 1 and 3 regarding the question: To what extend the civil servants declare their incomes, interests and property declaration in a timely manner? This also shows an opinion for high level of lack of application or improper application of the legal provisions in this field. (Chart 42).

70% of the respondents expressed their position on a level between 1 and 3 regarding the question: To what extend the sanctions for violation of the regulations on conflict of interest discourage the people to perform violations?

The analysis of the positions presented by the respondents show awareness and familiarity with the existing legal framework in the field of reforms in the public administration, and a high level of conformity between the positions that the legal regulation is inefficiently and poorly implemented in practice.

This conclusion is supported by the fact that 91% of the respondents think that the level of sanctions applied for all confirmed

cases of violations, *taking into consideration the established immunity, special exclusions from responsibility, special privileges for certain civil servants or other measures that exclude sanctions, common exemption from punishment*, varies within 1 to 3. (Chart 45).

Benchmark VI: Employment policy

This group of questions refers to employment policies expressed through the existing legal provisions, the existence and application of proper procedures and criteria, the influence of the employment policies and the promotion and awarding career system.

Most of the respondents are familiar with the existence of legal provisions in the employment process (99%); with the criterion on public announcement for vacant positions (89.8%) and with the discretionary rights of the political leaders in the employment policy within the public sector (74,2%).

Regarding the questions that refer to candidate selection and the requirement the selection to be based on non-discriminatory criteria, 41,2% and 46,8% of the respondents respectively confirmed that the criteria are regulated by law. This expresses conviction for absence of legal regulation, poorly implemented in practice.

The situation is more clearly expressed in terms of the question: Is there a system for protection of employees against improper and illegal actions (different from the judicial system)? Only 34,4% of the respondents answered affirmatively.

61,9% of the respondents answered positively to the question: Is there a legal requirement for continuous improvement of employees' knowledge and skills?; however only 37% of the respondents presented the same answer to the question: Is there an awarding system established to encourage responsibility and creative actions? Actually, 62,9% of the respondents think that such system does not exist within the laws in terms of employment in the Republic of Macedonia.

The comparison of the answers to the question: Is the selection performed on the basis of professional criteria and competences? and

to what extent the professional criteria are crucial for employment? shows that the respondents who answered negatively and those who answered positively to the first question, rated their position regarding the second question on a level between 1 and 3, in other words, they believe that the professional criteria are not crucial for employment.

The positions presented about the questions that refer to the actual situation show higher level of satisfaction with the announcements for vacant positions in the civil and private sector (55% of the respondents rated their level of satisfaction between 4 and 7); high level of dissatisfaction in terms of the fact that the professional criteria are not crucial in the employment process (60% of the respondents chose a level between 1 and 3).

50% of the respondents ranked their position regarding the question: **How important is to use network of people in order to find job in the civil sector?** on level 7, which is the highest expressed position in the entire research and shows the importance of connections for employment in the civil sector (Chart 56).

Regarding the question: How important is to use network of people in order to find work in the private sector? The answers are stretched in all groups, and only 41% of the respondents presented their position on a level between 1 and 3. This shows that there is a belief that the connections and informal networks are very important even for employment in the private sector in the Macedonian society. (Chart 57).

An interesting question is the following: To what extent the management personnel is prepared to respect the integrity of its employees, when the employees act contrary to their decisions? – 81% of the respondents presented position on a level between 1 and 3, in other words, they believe that the **management personnel is not willing to accept different opinion or position.** (Chart 59).

69% of the respondents think that the employees have insufficient access to the latest achievements in the fields they work in.

Benchmark VII: Enhancing the business environment

The questions in this group mostly refer to the field of **public procurements**. The respondents presented high level of knowledge of the laws in this area.

90% of the respondents are aware about the established public bidding as a rule, 86,6% of the respondents are informed about the use of standard documents for bidding, and 97,9% of the respondents know that the tender documentation must contain clearly defined requirements for participation, including selection and tender awarding criteria, as well as that there is an obligation for announcement of such criteria. 91,8% of the respondents are familiar with the legal requirements the adequate information that refer to the public procurement process to be made available to the public.

Small portion of the respondents, or 48,9% know that the civil servants having responsibilities in the public procurement process are legally restricted from subsequent arrangements with the individuals/companies awarded with an agreement. 50% of the respondents are aware that the violation of anticorruption laws in the field of public procurement is subject to legally defined penalty procedure, although 71,9% of the respondents are informed that the tender documentation/Agreement must contain special anticorruption clauses.

Only 35% of the respondents think that the companies should have internal policies on social and corporate responsibility, which would be in accordance with the international standards on anticorruption provisions that protect their business.

The comparison of the answers to the question: Are the civil servants responsible for public procurements subject to the Code of Conduct (as the other civil servants)? And To what extend the integrity of the employees included in the public procurement process is assured in practice? – most of the respondents (77) answered positively to the first question, whereas 80% of them rated their position between 1 and 3 in terms of the second question.

The group of questions that refers to the actual situation shows that the anticorruption is not sufficiently considered as significant for fair competition, and thus significant for good business practice.

58% of the respondents rated their position between 1 and 3 regarding this question. (Chart 65).

75% of the respondents rated their position between 1 and 3 regarding the question: To what extent the integrity of the employees included in the public procurement process is assured in practice? **This shows strong need for introduction of protective mechanism** against pressures and influences for the civil servants included in the public procurement process.

74% of the respondents rated their level of confidence between 1 and 3 in terms of whether the procurers are objectively selected in practice, and 76% similarly rated the efficiency of the supervising mechanisms for the implementation of the agreements on the public procurements. 74% of the respondents rated their position between 1 and 3 regarding the engagement of the civil society in monitoring public procurements.

4. Telephone survey

In the course of April, a Survey entitled “Macedonia and the European Union” was carried out. The survey was aimed at obtaining information on the position, level of familiarization and the opinion on to what extent the citizens of the Republic of Macedonia are informed on the key benchmarks to which the Republic of Macedonia has committed itself in the light of the negotiations commencement for accession to the European Union. The Survey was carried out by random selection of respondents. The entire process of surveying, starting from the training of the interviewers and ending with the drafting of the report, lasted for 15 days.

The telephone contact with random selection of telephone numbers was considered as the most suitable method for data collection, whereby the anonymity of the respondents was maintained. For the purposes of carrying out the survey, two teams were established: team of interviewers that underwent an adequate brief training on the objectives, methods and manner of realization of the survey, and a technical team that undertook the processing of the data obtained.

The survey question, nine in total, was divided in two groups. The first group entailed four question of a general demographic nature, the second group of questions entailed five questions directly related to the topic of the survey. Out of 584 respondents from the entire territory of the Republic of Macedonia that were contacted by the interviewers, 380 agreed to answer the questions, while 204 respondents refused to answer the questions.

On the question: *Should the Republic of Macedonia accede to the European Union*, 86,6 % of the respondents answered positively.

On the question: *Should the Republic of Macedonia meet certain requirements in order to commence negotiations for accession to the European Union*, 56% from the respondents answered with Yes, 27% answered with No, and 17 % with I don't know. This percentage of Yes answers crossed with the percentage for the need of Republic of Macedonia becoming EU member once more is showed that the citizens are not informed enough for the real

priorities for accession in EU and what are the obligations of Macedonia when she would be EU member.

On the question: *Do you know what are the key benchmarks/priorities that must be met so as to commence the accession negotiations*, 53 % of the respondents answered with No and I don't know, or they do not know the key priorities which should be fulfilled which is in accordance with the answers from the two already answered questions. From the other side, 47 % answered with Yes, so they know the key priorities.

In total, 232 respondents have not answered or they do not know one key priority, and from other side they think that Macedonia should be EU member state. That clearly shows that the public is not informed enough and involved in the process of accession in EU.

On the question: *Do you know what are the key benchmarks/priorities that must be met so as to commence the accession negotiations*, from the shown answers the respondents have chosen: Name issue 82, Judiciary 62, Economy 40, Corruption 38, Police 17, Human rights 15, Fair and free elections 15, Administration 11, Health 11, Judiciary 10 etc.

On the question: *Does the Government, in your opinion, work in direction of meeting the said priorities requisite for the accession to the European Union*, 58% from the respondents answered with Yes, 23% with No, and 19% with I do not know.

Wider in Annex 3

5.1 Comments for the results from the questionnaire which was carried out by phone and correlation with the benchmarks from the questionnaire

Question 1	Respondents	Participation in %
Yes	329	86,6
No	18	4,7
I don't know	33	8,7
Total	380	100%

Table 3.1. Should the Republic of Macedonia accede to the European Union?

In general, all indicators obtained by the survey questionnaire (SQ), Permanent Anti-Corruption Monitoring of Key Priorities in the EU Pre-Accession Process are worryingly alarming, and the opinion of the citizens that the Republic of Macedonia should access EU is extremely high – 86.6%. This indicates that the citizens are not aware of the meaning of the EU membership, or they are not well informed, which closely corresponds to the indicator that there is no transparency and publicity in the work of the institutions, as well as that the Law on Access to Information is not being implemented. It can be concluded that the EU membership is seen as a magic stick that would solve all the problems that citizens encounter. The only positive correlation between the answer to this question and questions from the SQ regards the passing of a legislation which is compatible to the EU legislation (the Parliament), as well as the consensus about the Ohrid framework Agreement. This confirms the fact that, only the formal fulfilled conditions are launched by the government, thus creating an impression of reforming dedication, while the public is not informed on how much and in what manner those legal solutions are being implemented.

Question 2	Respondents	Participation in %
Yes	213	56
No	102	27
I don't know	65	17
Total	380	100%

Table 3.2. Should the Republic of Macedonia meet certain requirements in order to commence negotiations for accession to the European Union?

When the public is better informed and institutions transparent, the percentage of “YES” answers should be much higher. Still, that percentage is higher than the percentage of “NO” answers, which corresponds to the condition of SQ indicators, as well as the ascertainment from the previous question that access to information is implemented with difficulty. The percentage of “YES” answers,

together with the percentage of the need for the Republic of Macedonia to become a member of the EU, once again confirm the ascertainment that citizens are not enough informed which are the true (real) priorities for the EU membership and what the obligations of the Republic of Macedonia as a EU member would be.

Question 3	Respondents	Participation in %
Yes	179	47
No	45	19
I don't know	156	34
Total	380	100%

Table 3.3. Do you know what are the key benchmarks/priorities that must be met so as to commence the accession negotiations?

Over 50 % of the examinees do not know the benchmarks that are required to be met, which is in consistency with answers to the two previous questions. on the other hand, 47% do know the key priorities, which combined with the SQ indicators once again confirm the ascertainment that high percent for EU membership is based either on a wish, or if it is firm belief, than it is based on other criteria, which of course are not EU Criteria too.

Question 3	Respondents	Participation in %
Yes	179	47
No	45	19
I don't know	156	34
Total	380	100%

Table 3.3. Do you know what are the key benchmarks/priorities that must be met so as to commence the accession negotiations?

Total number of 232 examinees (380 – 148) did not answer, or do not know any benchmark, and on the other hand, nearly all of them think the Republic of Macedonia should be member of the EU. This clearly shows that the public is not sufficiently informed and involved in the accession for membership process.

	Priority	Respondents
1	Name issue	82
2	Judiciary	62
3	Economy	40
4	Corruption	38
5	Police	17
6	Human rights	15
7	Fair and free elections	15
8	Administration	11
9	Healthcare system	11
10	Adequate legislation	10

Nearly all priorities pointed by the examinees, except for the name which is not a real benchmark, but more of a additional condition, are given as indicators in the SQ. There is a positive correlation between the indicators and the pointed benchmarks. That is why it is interesting to conclude that when mentioning any of the pointed benchmarks, number of the examinees knowing at least one benchmark (question 4) would be much higher. The explanation is simple. All pointed benchmarks are result of the problems the citizens encounter with. They are simply not informed that they are the EU benchmarks. Seen in this manner, we can say that citizens are ready for EU (which explains the 86%).

Activities for informing the citizens on EU benchmarks, especially the need for intensive participation and collaboration between the citizens and institutions, in order to reach equal level of readiness and understanding of the criteria and priorities are necessary.

ANNEXES:

Annex 1: Results from the survey conducted by means of questionnaire (charts)

Annex 2: Survey questionnaire

Annex 3: Telephone survey

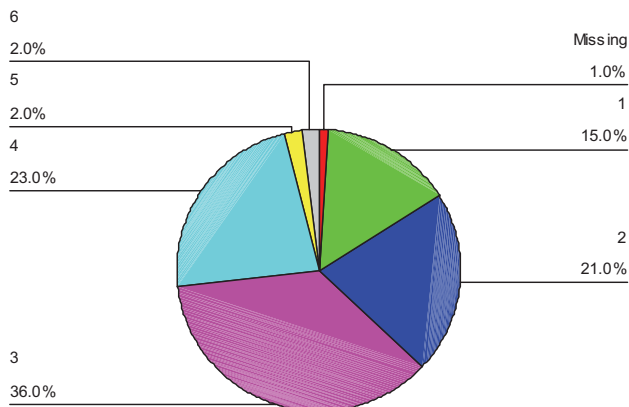
Annex 4: Campaign materials

Annex 1

Results from the survey conducted by means of questionnaire (Charts)

Chart 1

10	To which extent is the separation of power?
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**Chart 2**

11	To which extent is there a dialogue between President and the Prime Minister?
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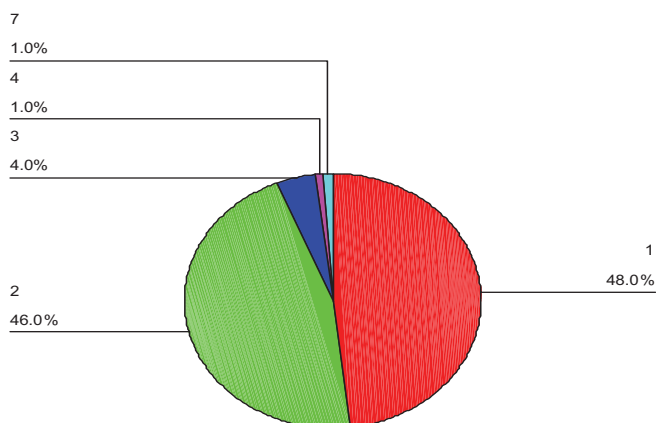
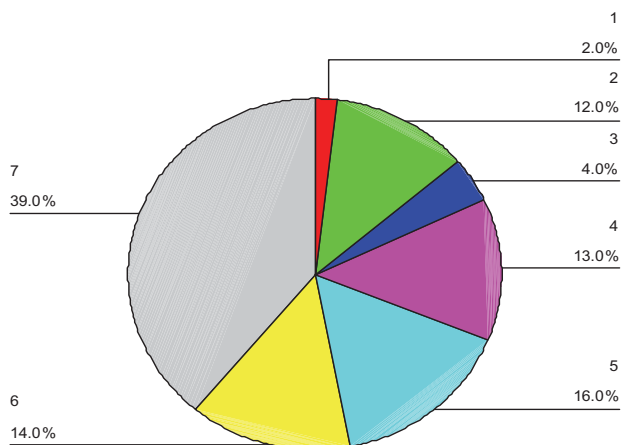


Chart 3

12	Relevant EU laws were supported by the President?
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**Chart 4**

13	There is a satisfactory political discussion in the parliament?
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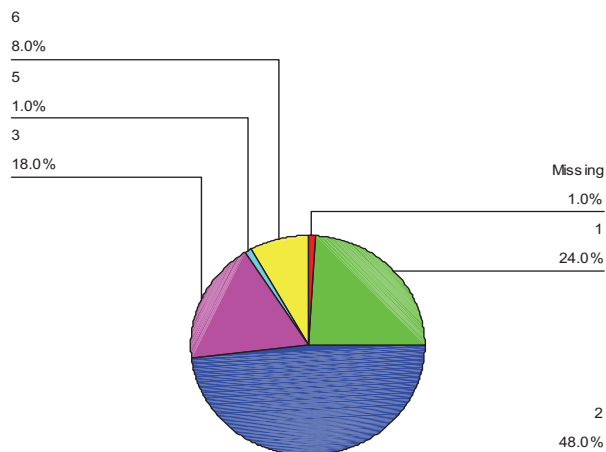
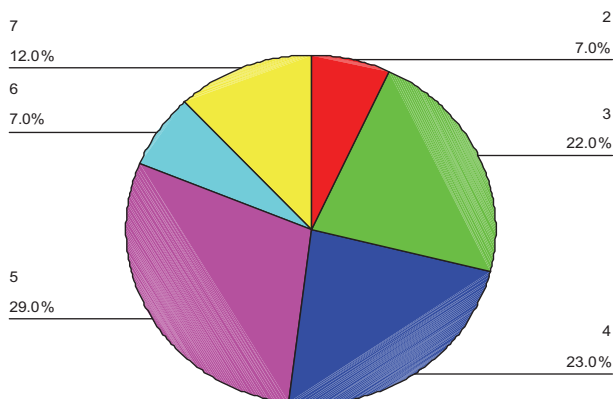


Chart 5

15	To which extent is consensus on the Ohrid agreement achieved?
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**Chart 6**

18	To which extent is public opinion taking into consideration when adopting legislation?
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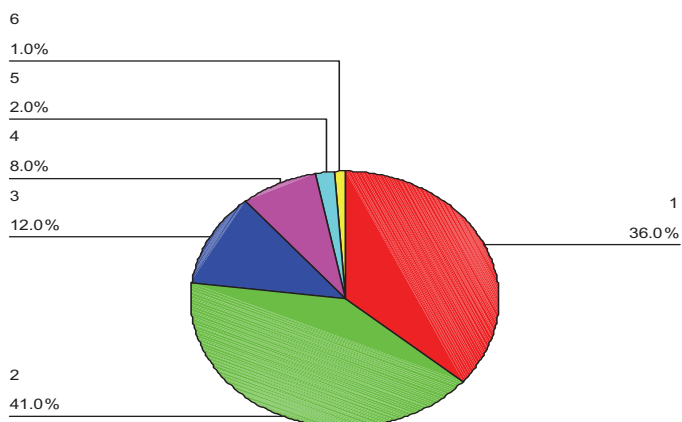
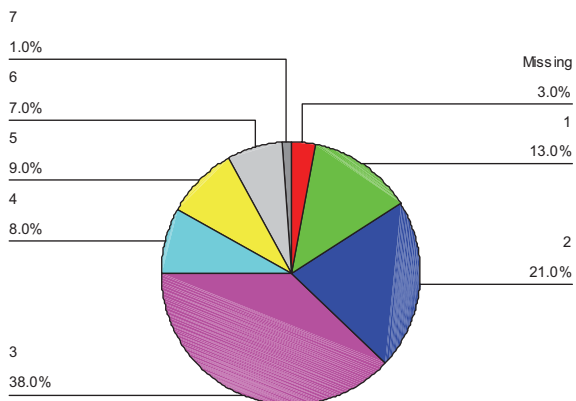


Chart 6

32	To which extent are the police station chiefs cooperating with the municipalities?
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**Chart 7**

33	To which extent are police officials aware of the content of the police law?
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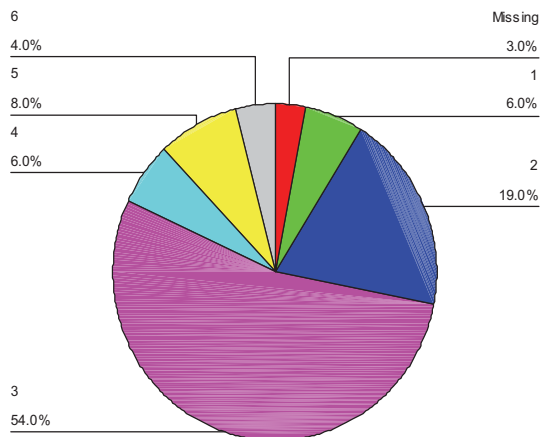
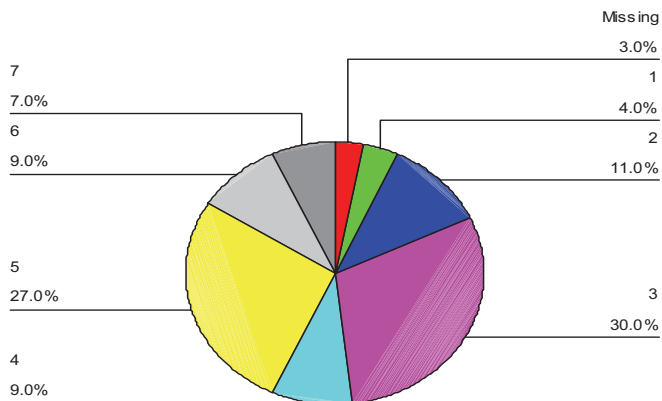


Chart 8

34	To which extent will the monitoring mechanism ensure compliance with the police law?
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**Chart 9**

35	To which extent is the political appointment affecting compliance with the police law?
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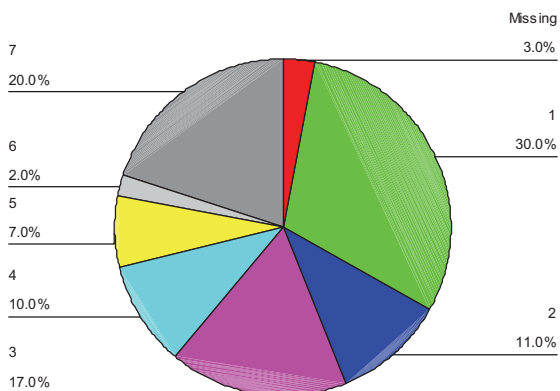
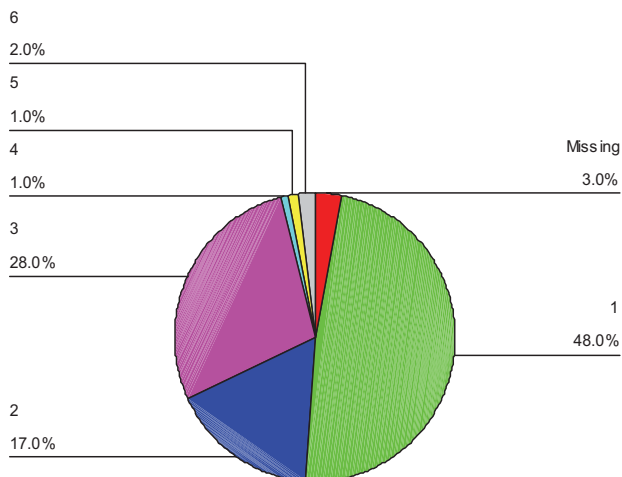


Chart 10

36	To which extent is the selection of the police officers done on the basis of established criteria?
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**Chart 11**

37	To what extent is the system for promotion transparent?
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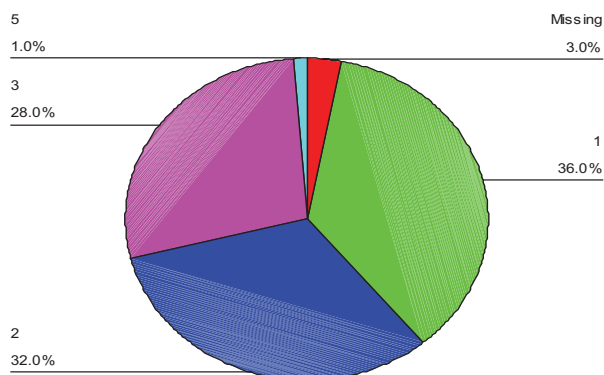
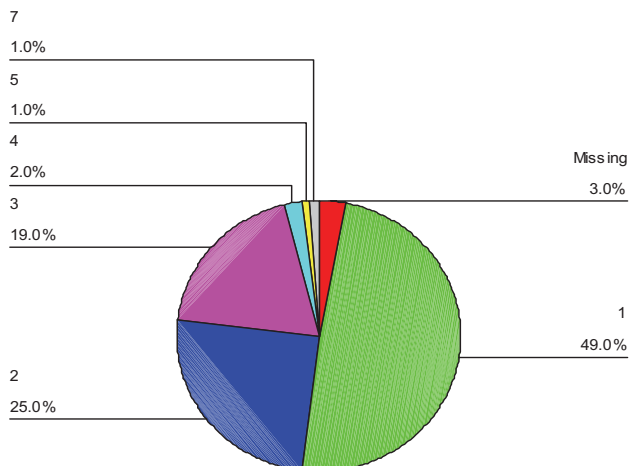


Chart 12

38	To which extent is hiring and firing based on professional criteria?
----	--

**Chart 13**

39	To which extent is there an efficient mechanism for reporting corruption and misconduct?
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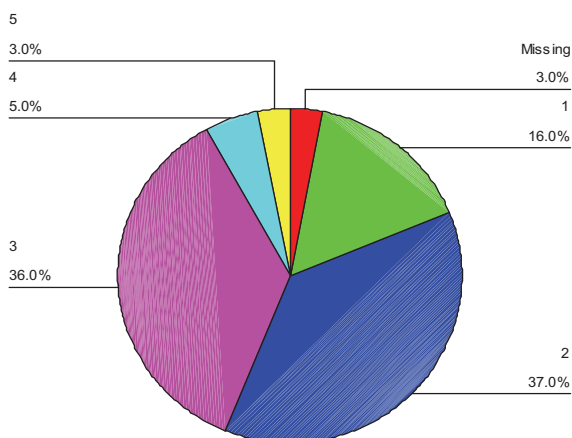
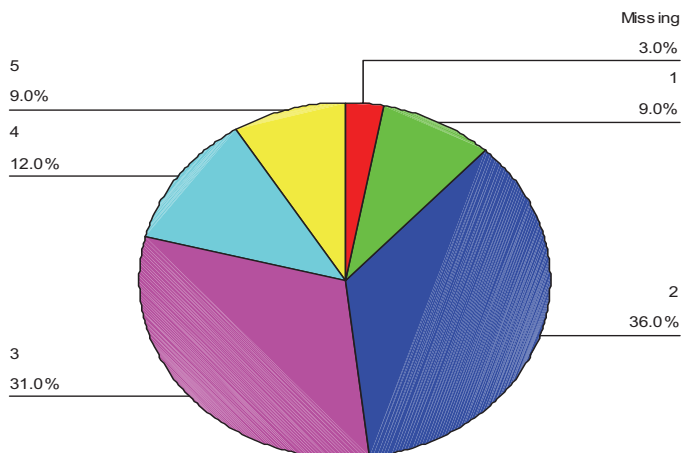


Chart 14

40	To which extent is the police efficient in the fight against corruption?
----	--

**Chart 15**

42	To which extent is the public informed about the police activities?
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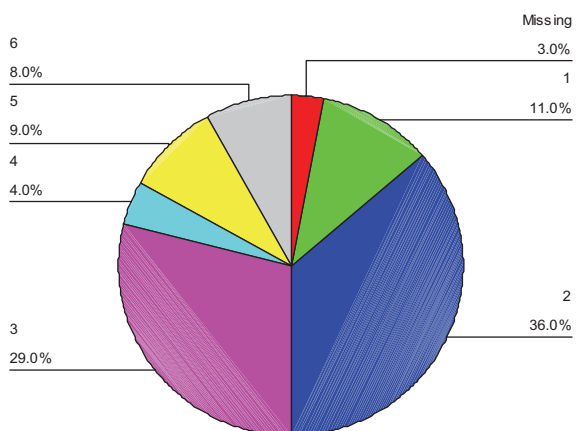
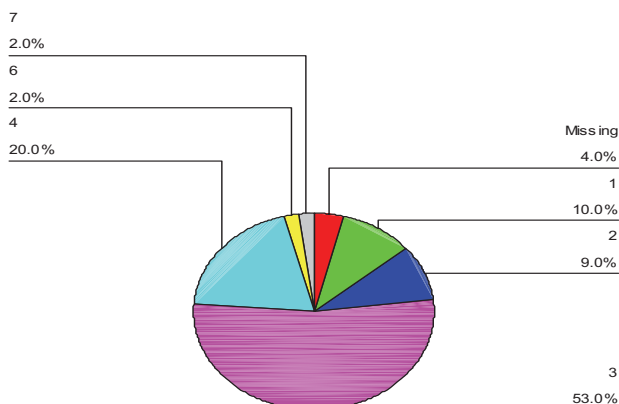


Chart 16

52	To what extent are exceptions to access to information to the public kept to a set of legitimate reasons set forth in international law? (mainly privacy and national security)
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**Chart 17**

53	To what extent do public bodies publish information pro-actively (<i>as regular exercise of their work</i>) and easily accessible?
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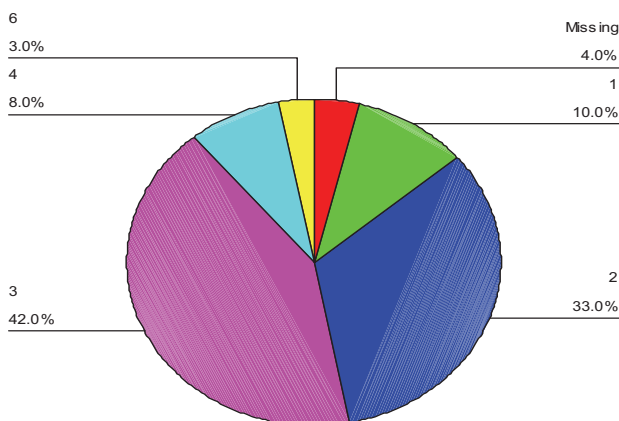
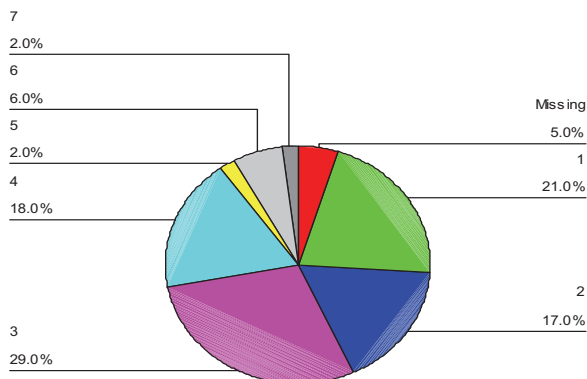


Chart 18

54	To what extent are requests for information simple? <i>[i.e. only requirements: supply name, address and description of information sought; can be filed in writing or orally]</i>
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**Chart 19**

55	To what extent are requests for information provided within the timeframe set by the law? <i>[i.e. information provided immediately or within short timeframe]</i>
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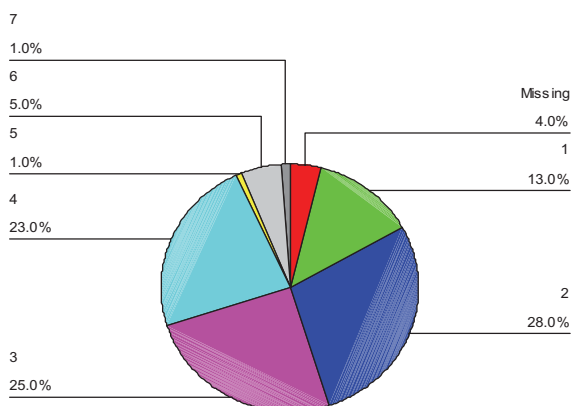
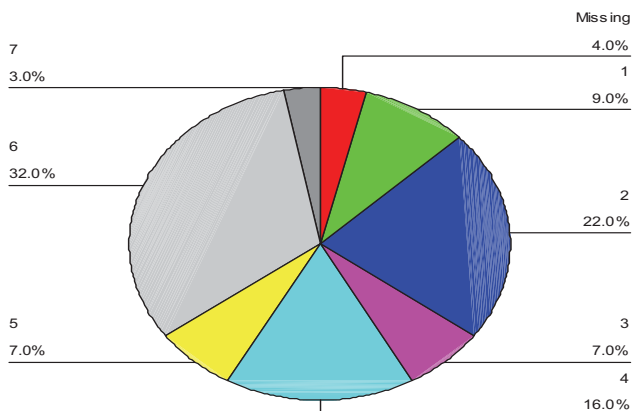


Chart 20

56	To what extent are requests for information free? [i.e. cost should not be greater than for reproduction of the documents]
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**Chart 21**

57	To what extent is public interest given high priority when decisions to grant access to information are made?
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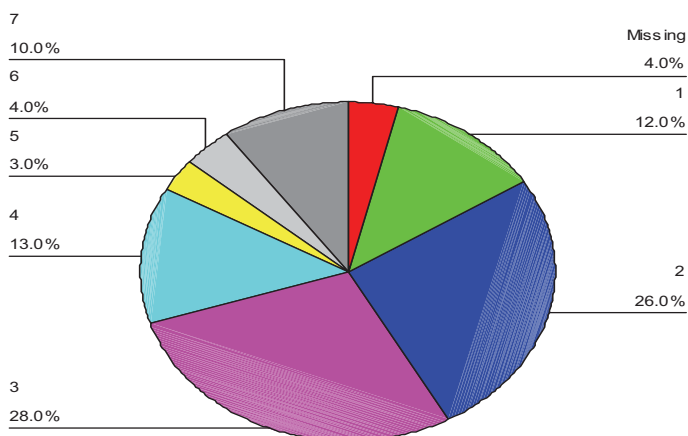
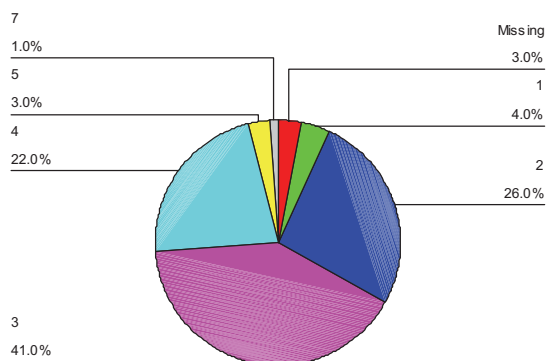


Chart 22

70	To what extent the State Commission for preventing corruption, has adequate resources to achieve its goals in practice?
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**Chart 23**

71	To what extent is the State Commission for preventing corruption independent in practice?
----	---

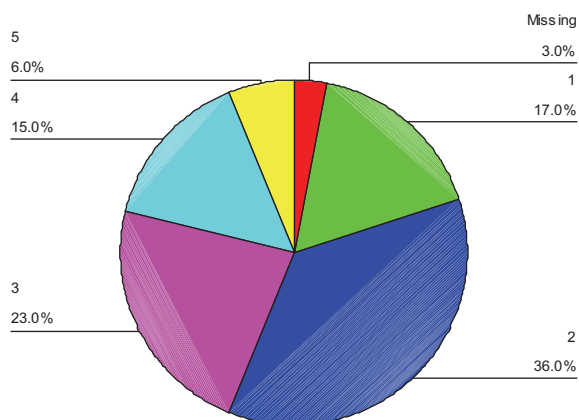
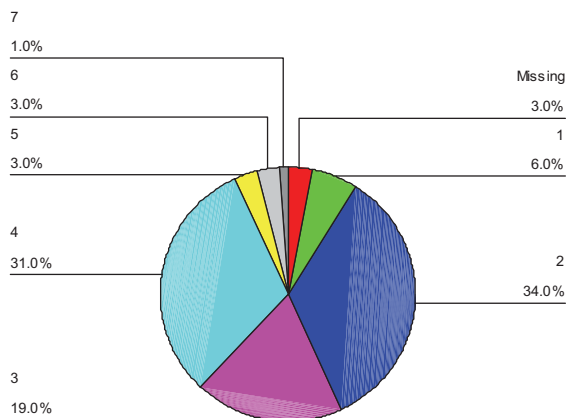


Chart 24

72	To what extent is the integrity of the members of the State Commission for preventing corruption ensured in practice?
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**Chart 24**

73	To what extent is there transparency in the activities and decision-making processes of the State Commission for preventing corruption?
----	---

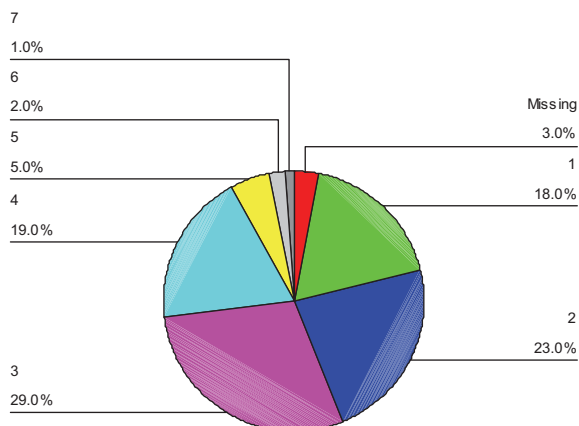
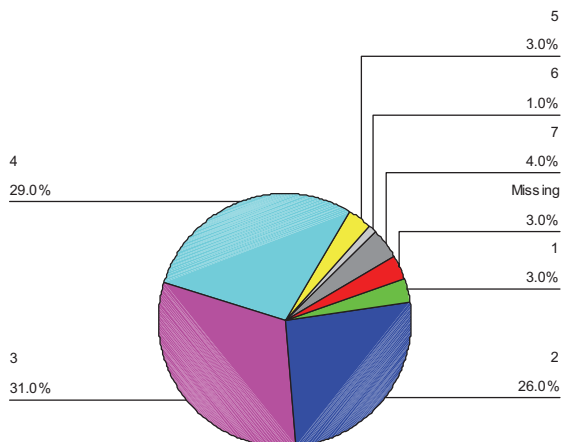


Chart 25

State Audit Office	
74	To what extent does the audit institution have adequate resources to achieve its goals?

**Chart 25**

75	To what extent is the audit institution free from external interference in the performance of its work?
----	---

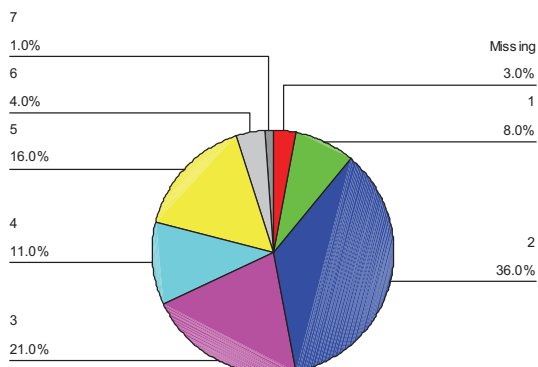


Chart 26

76	To what extent does the current auditor general have a specific competence(s)?
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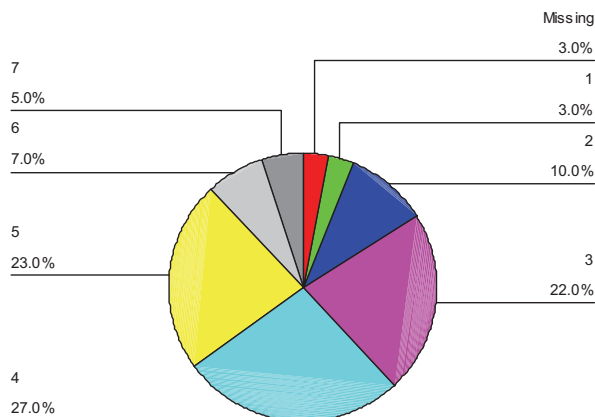


Chart 27

77	To what extent are public expenditures audited and reported on in practice?
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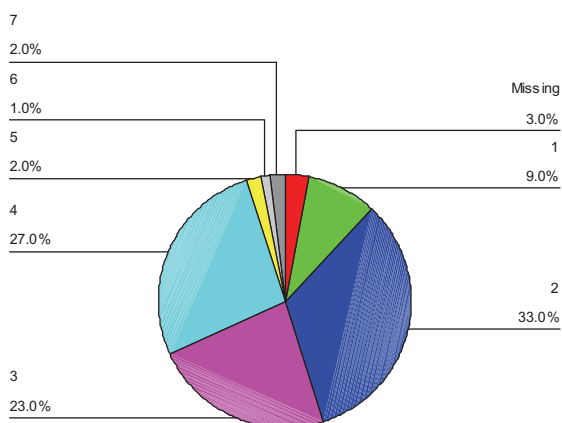
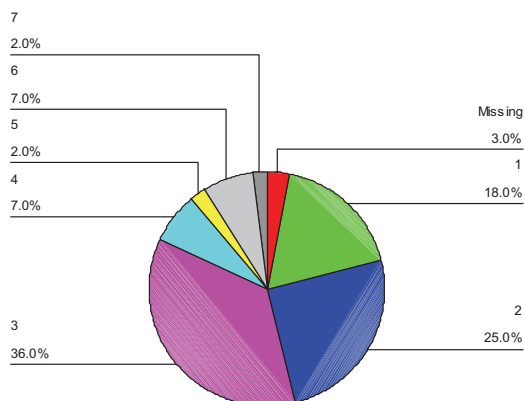


Chart 28

78	To what extent is there transparency in the activities and decision-making processes of the audit institution?
----	--

**Chart 30**

<i>De facto</i>	
89	To what extent does the judiciary have sufficient levels of financial resources, staffing, and infrastructure to operate effectively in practice?

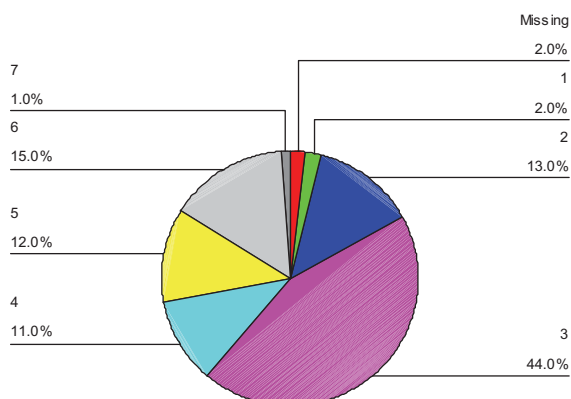
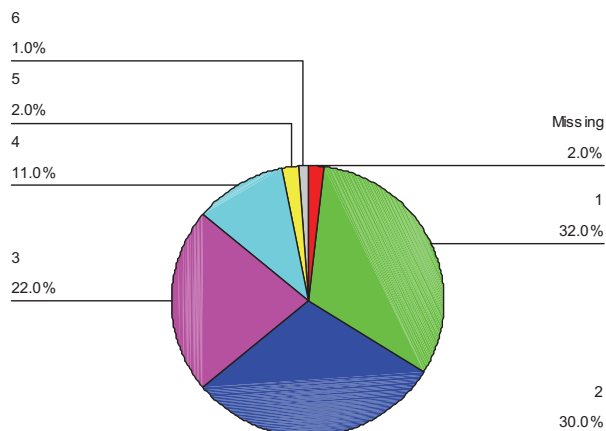


Chart 31

90	To what extent does the judiciary operate without interference from the government or other actors?
----	---

**Chart 32**

91	To what extent is the integrity of members of the judiciary ensured in practice?
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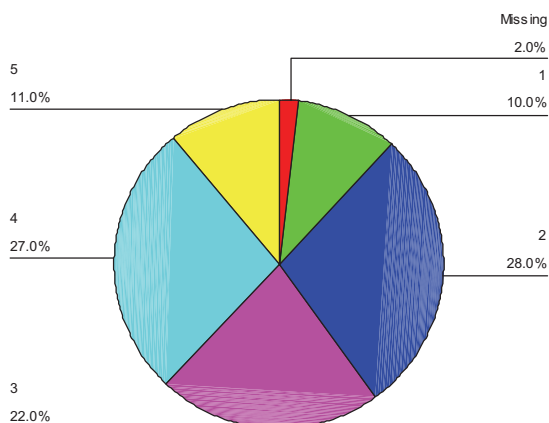
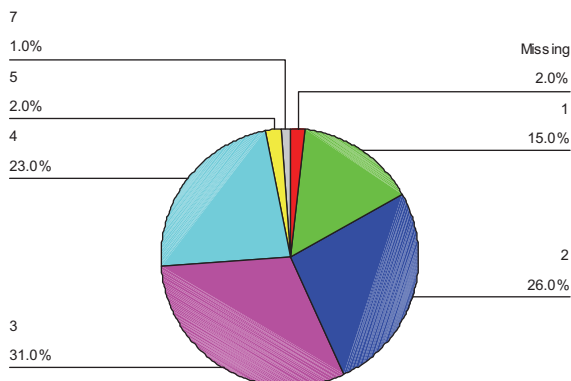


Chart 33

92	To what extent is there effective oversight of the judiciary in practice?
----	---

**Chart 34**

93	To what extent is the appointment/election process for judiciary objective (e.g. based on merit, equity, aptitude) in practice?
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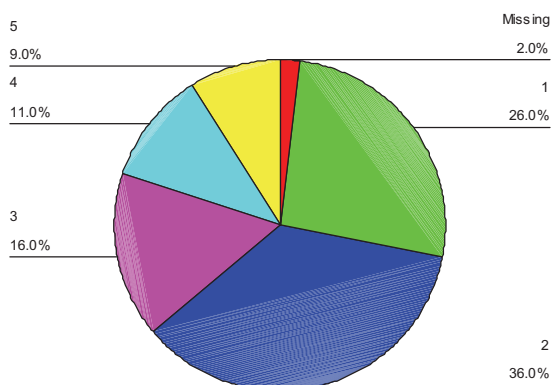
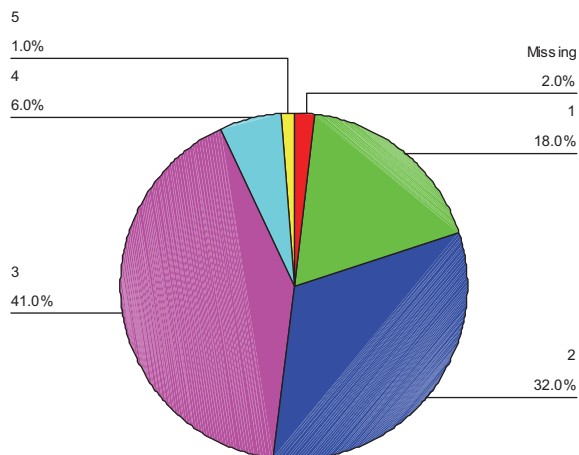


Chart 35

94	To what extent does the public have access to judicial information and activities in practice?
----	--

**Chart 36**

95	To what extent are members of the judiciary held accountable for wrongdoing in practice?
----	--

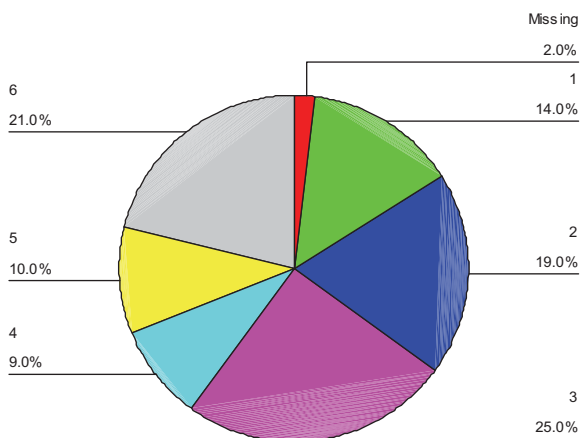
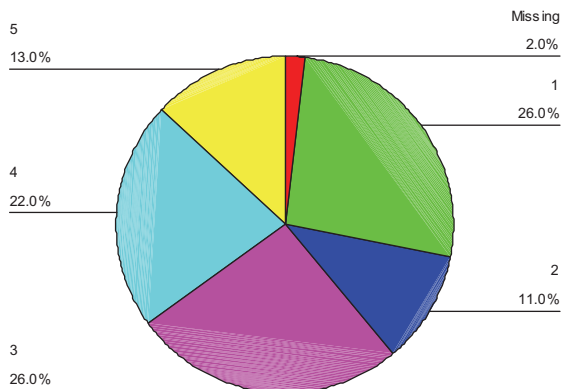


Chart 37

96	To what extent are judicial procedures conducted transparently?
----	---

**Chart 38**

97	In your opinion, to what extent are the judicial authorities in the higher courts in your country susceptible to bribes to secure favourable judgements?
----	--

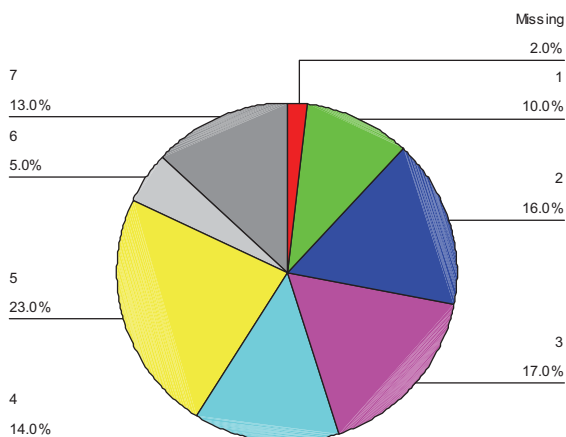
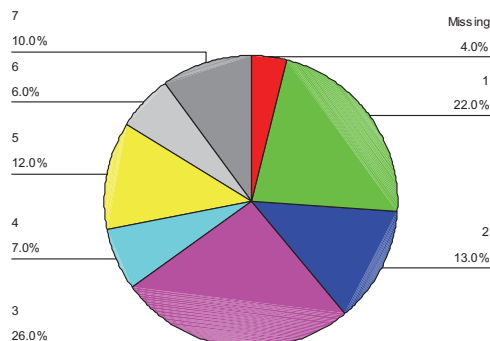


Chart 39

98	In your opinion, aside from direct bribery, to what extent is the judicial process in the higher courts free of other corrupt practices besides bribery such as illicit negotiations and unfair exercise of influence?
----	--

**Chart 40***De facto*

112	To what extent do internal agencies of governmental bodies apply mechanisms that detect or check for conflicts of interest? <i>[Incl. e.g. audits or reviews to detect potential family relationship, inspections of databases rating to staff members, financial audits etc.]</i>
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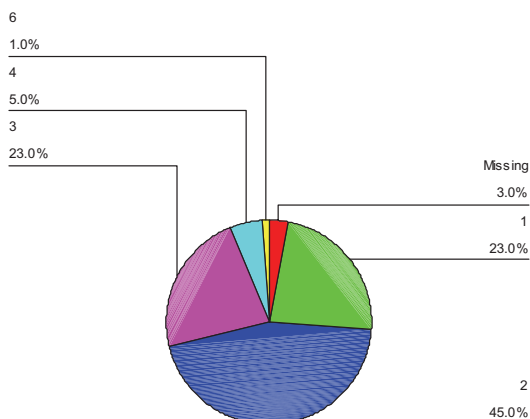
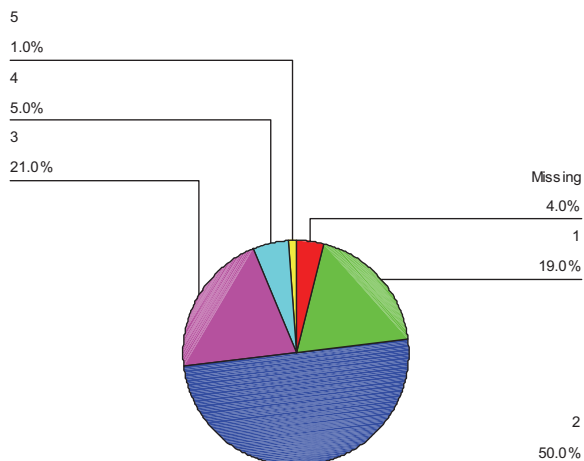


Chart 41

113	To what extent are income, interest and property declarations of public officials publicly accessible?
-----	--

**Chart 42**

114	To what extent are public officials submitting income, interest and property declarations in a timely manner?
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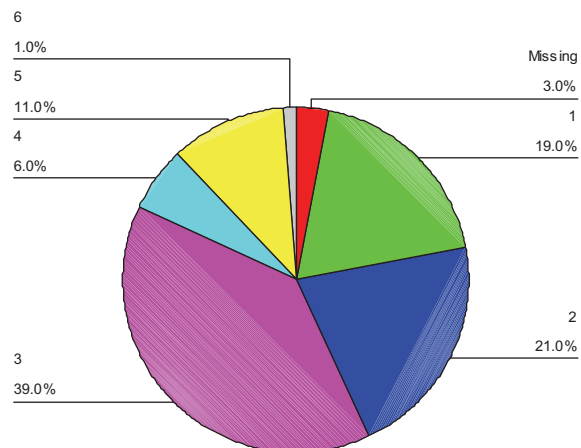
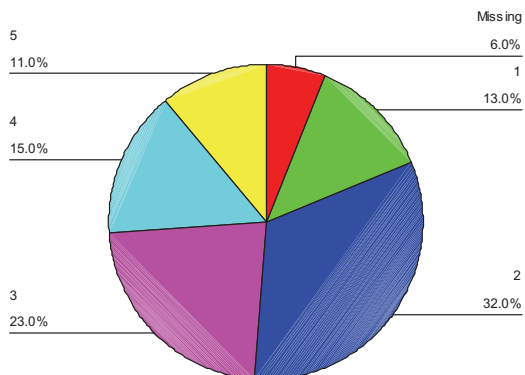


Chart 43

115	To what extent are means of controlling compliance of elected representatives/public officials with the obligation to declare their assets or income effective?
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**Chart 44**

116	To what extent are the penalties for violating conflict-of-interest provisions dissuasive?
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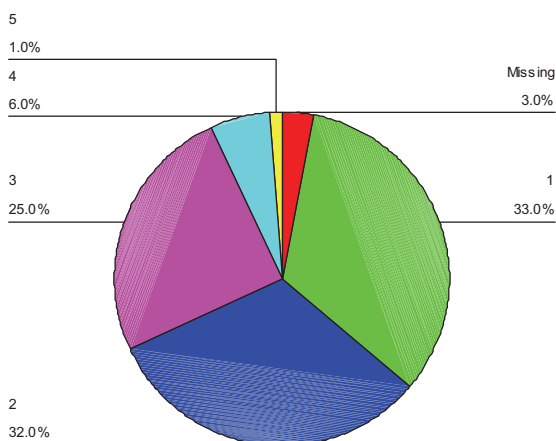
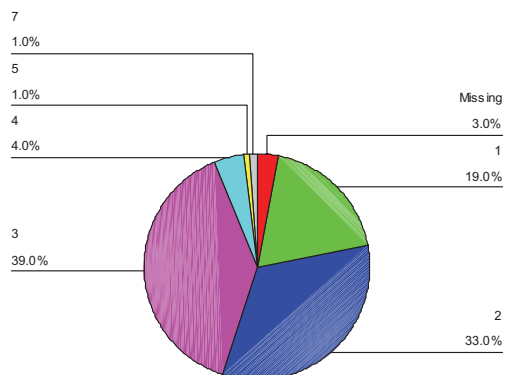


Chart 45

117	To what extent are sanctions applied in all confirmed cases of violation? <i>[Consider the existence of immunities, special exemptions from liability, special privileges for certain public servants or other measures that preclude the imposition of sanctions, e.g. customary impunity]</i>
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**Chart 46**

118	To what extent do oversight bodies exercise their authority in addressing conflicts of interest?
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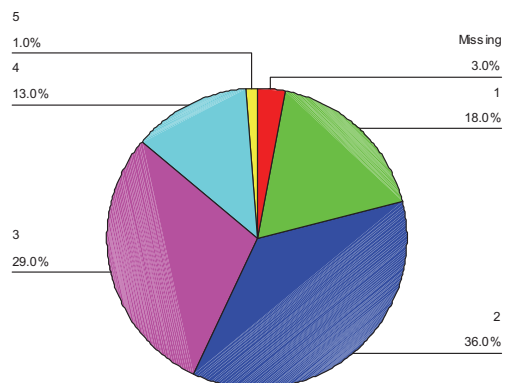
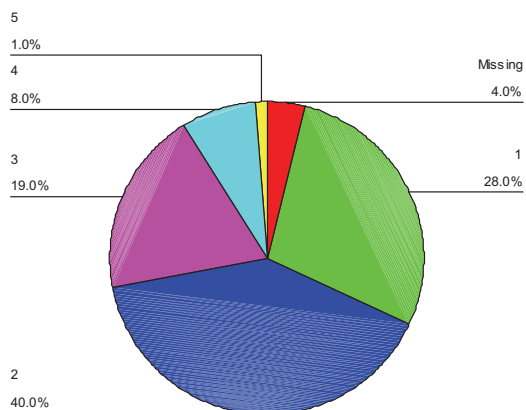


Chart 47

119	To what extent are there measures in place to prevent conflicts of interest and incompatibilities between functions, in particular between the public and private sector?
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**Chart 48**

120	To what extent do government bodies carry out training sessions/plans/programmes on public ethics and conflict of interest prevention geared towards public officials and authorities?
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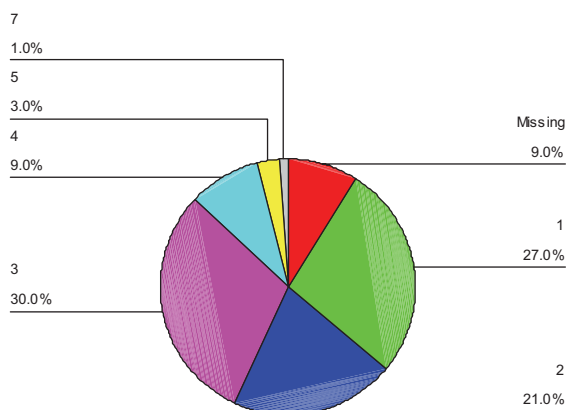
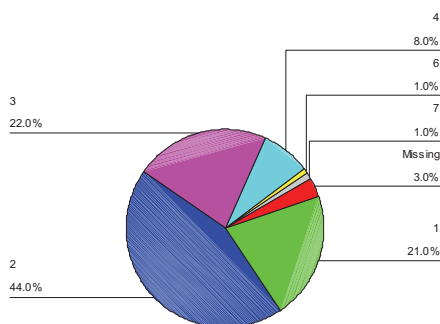


Chart 49

121	To what extent do governmental bodies apply mechanisms of internal administrative inquiry to determine the liability of public employees in having conflicts of interest? <i>[Mechanisms may include administrative inquiries, summary proceedings, disciplinary action]</i>
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**Chart 50**

122	To what extent are there measures in place to limit the phenomenon of public officials moving to the private sector where they can abuse their contract networks and knowledge of administrative mechanisms and decision-making processes?
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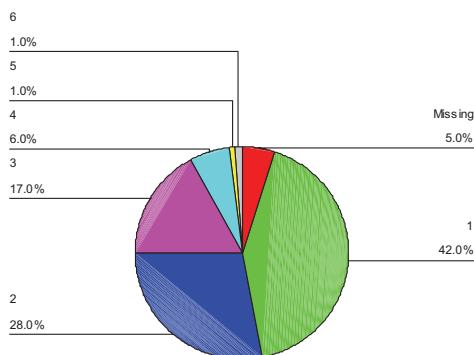
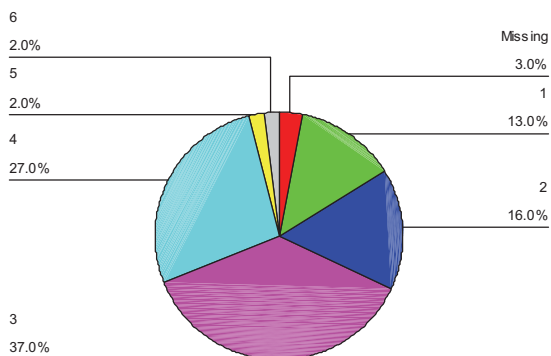


Chart 51

123	To what extent are services brought to the people? (from national to regional level)
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**Chart 52**

124	Integration of services – to what extent are governmental services coordinated to fit the needs of the citizens
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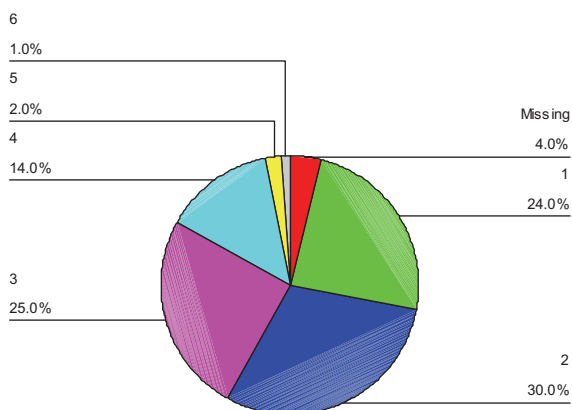
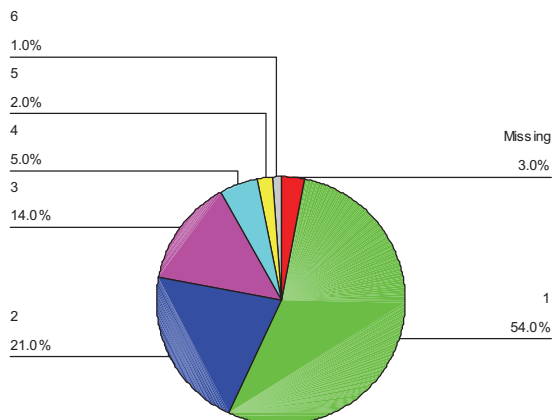


Chart 53

125	To what extent is done monitoring of the code of conduct implementation?
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**Chart 54**

<i>De facto</i>	
138	To what extent are jobs in the public and private sector advertised?

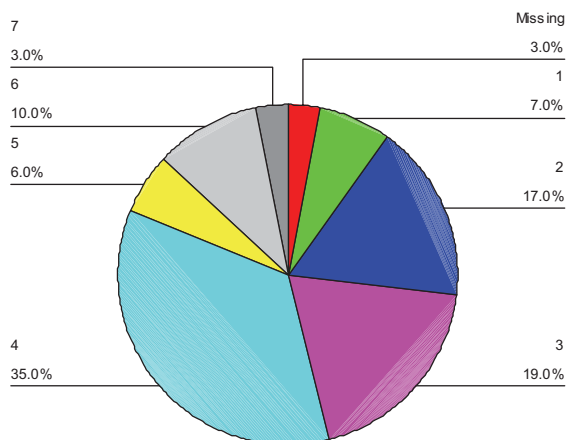
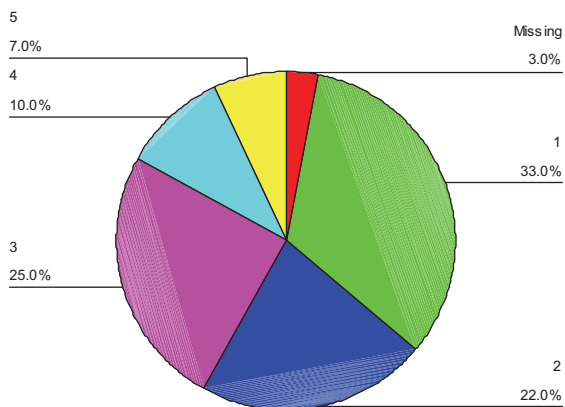


Chart 55

139	To what extent are professional criteria decisive for employment?
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**Chart 56**

140	How important is networking for getting a job in the public sector?
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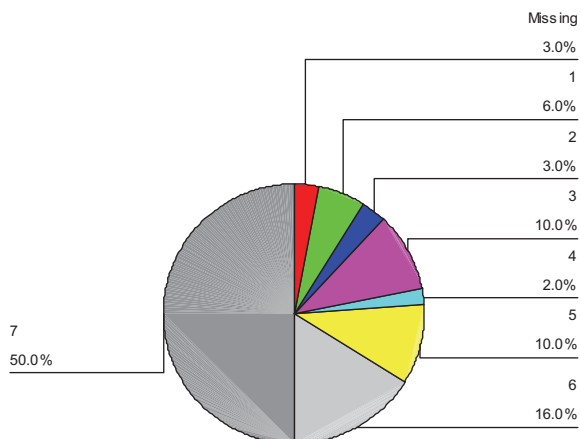
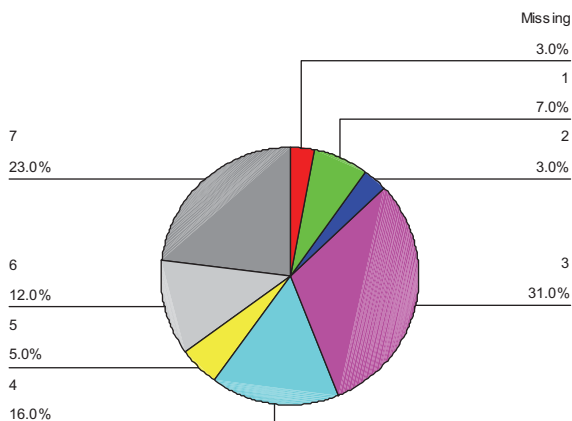


Chart 57

141	How important is networking for getting a job in the private sector?
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**Chart 58**

142	Are there drivers for change in the policies for employment, promotion, and dismissals?
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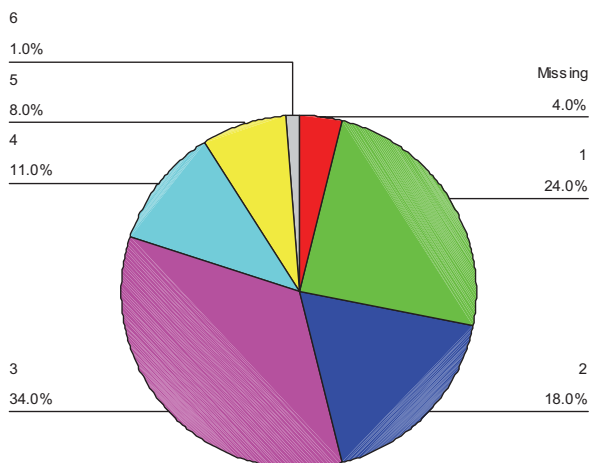
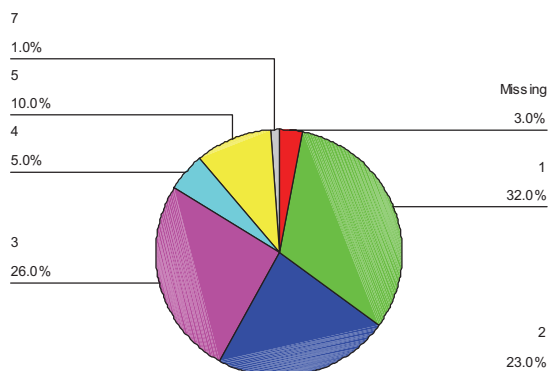


Chart 59

143	To what extent is the management willing to respect the employee's integrity when they are acting the opposite to their decisions?
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**Chart 60**

144	To what extent are public employees educated and trained?
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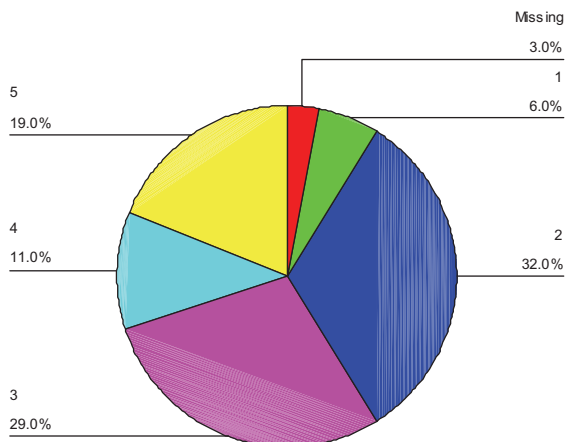
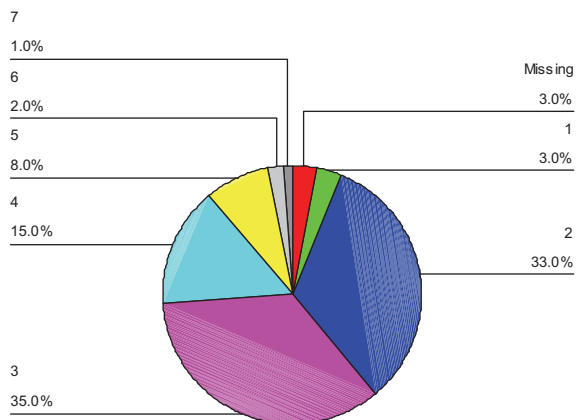


Chart 61

145	To what extent employees have access t recent developments in their respective areas of expertise?
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**Chart 62**

<i>De facto</i>	
164	To what extent will the number of prosecutions deter companies from corrupt practices?

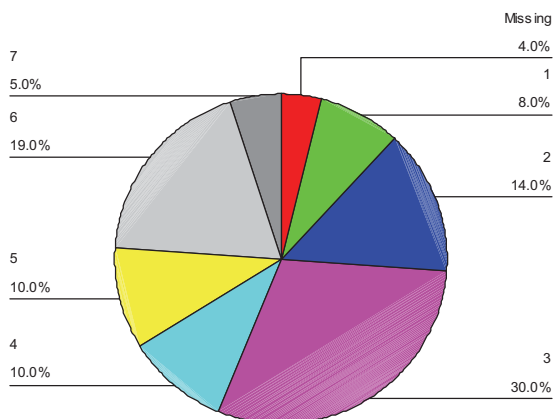
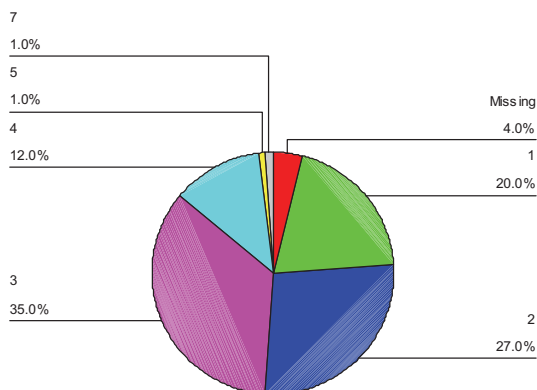


Chart 63

165	To what extent do companies have self-regulatory policies on CSR?
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**Chart 64**

166	To what extent will the self-regulatory CRS-policies including anti-corruption measures be followed-up/implemented?
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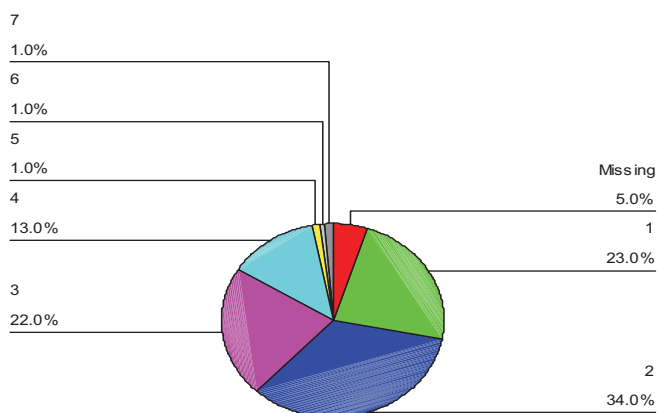
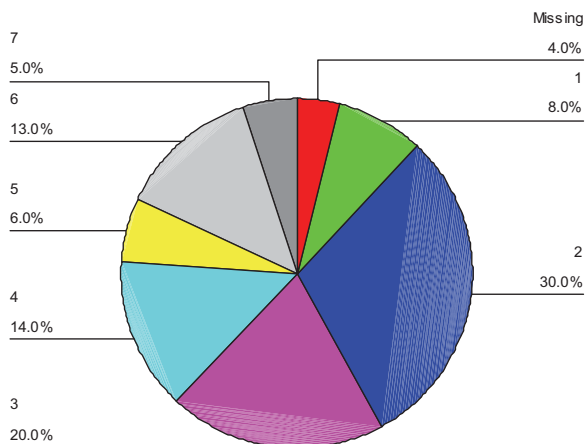


Chart 65

167	To what extent is anti-corruption perceived as important for a level playing field and thereby important for good business?
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**Chart 66**

168	Regulatory commissions
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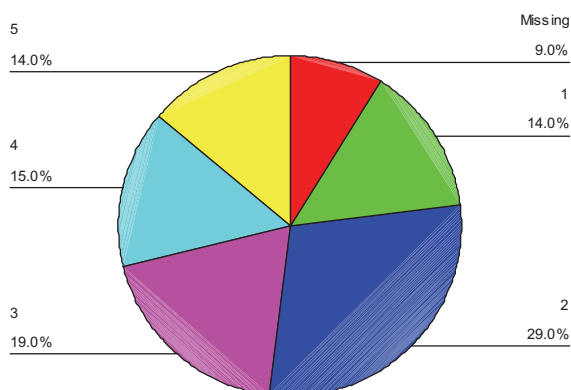
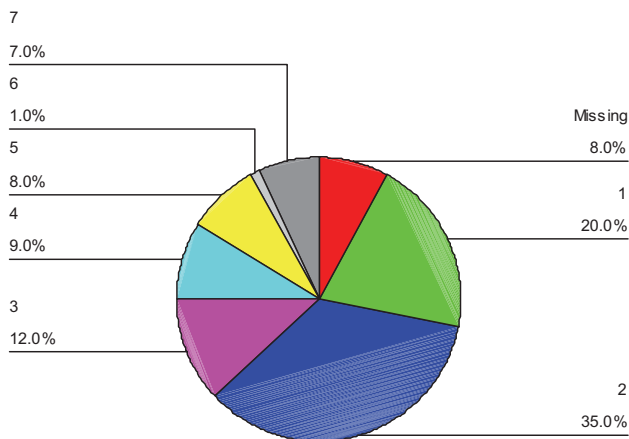


Chart 67

169	Foreign Direct Investment
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**Chart 68**

170	To what extent does open bidding occur in practice?
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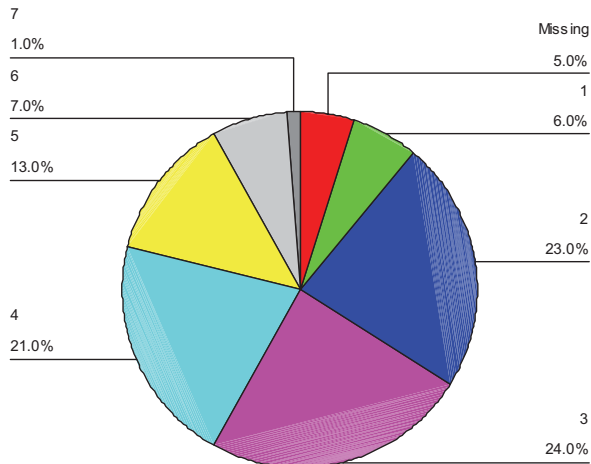
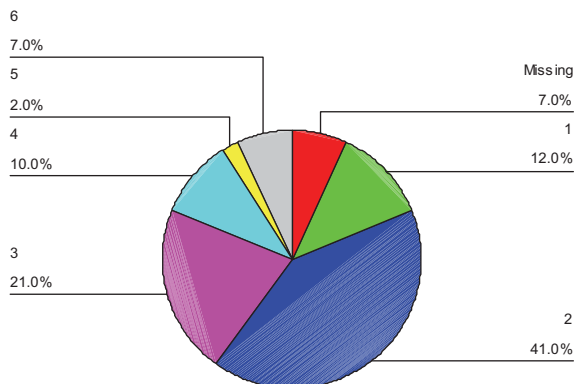


Chart 69

171	To what extent are human resources of public procurement agencies (PPA) sufficiently staffed and competent?
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**Chart 70**

172	To what extent is the integrity of the staff involved in the public procurement process ensured in practice?
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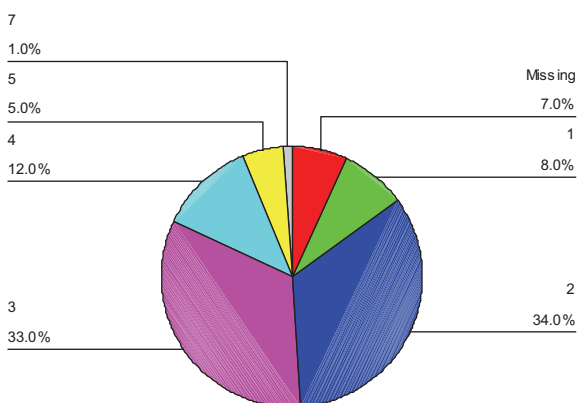
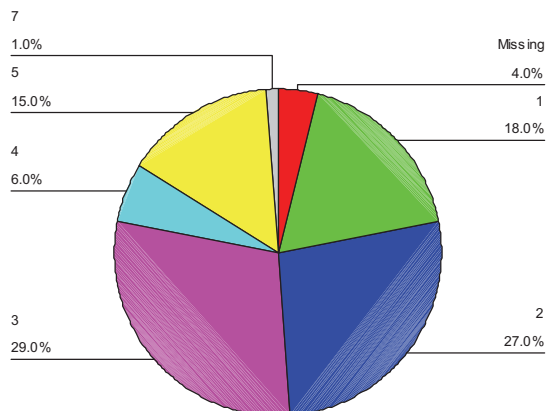


Chart 71

173	To what extent are contractors selected in an objective manner in practice?
-----	---

**Chart 72**

174	To what extent do supervision mechanisms for contract implementation operate in an effective manner in practice?
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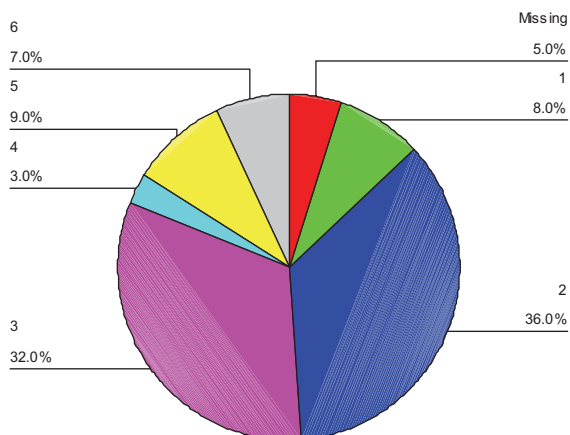
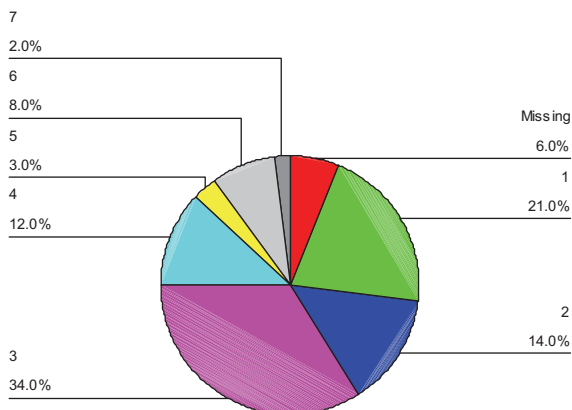


Chart 73

175	To what extent is information relevant to the public procurement process accessible to the public in practice?
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**Chart 74**

176	To what extent does monitoring on procurement by civil society occur?
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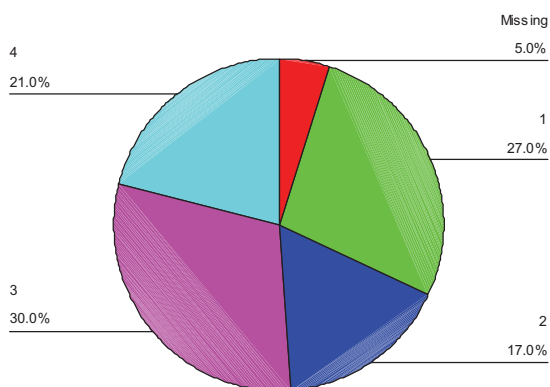
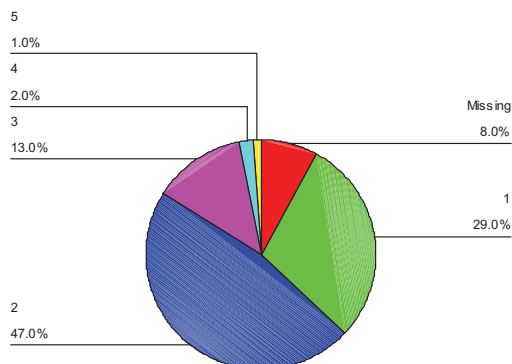


Chart 75

177	To what extent is privatization handled in a transparent and objective way?
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**Chart 76**

178	To what extent is information relevant to the privatization process accessible to the public in practice? [“relevant information” incl. terms of contract for privatization and conditions for qualifications of a company]
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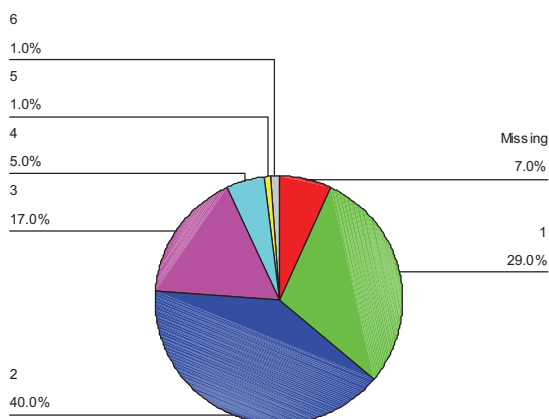
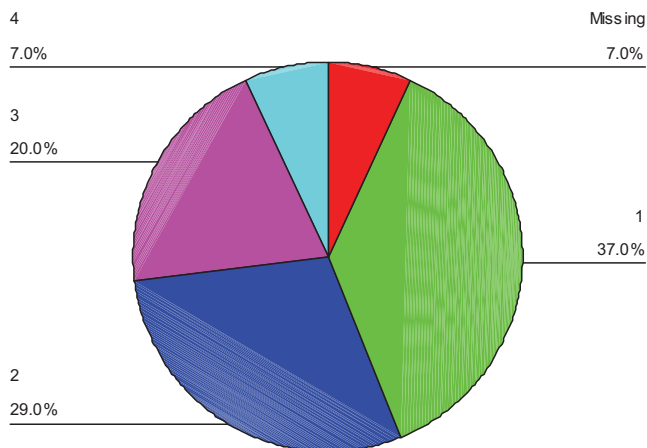


Chart 77

179	To what extent does monitoring on privatization by civil society occur?
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Annex 2

Survey questionnaire

Republic of Macedonia

Permanent Anti-corruption Monitoring of the key Priorities in the EU Pre-Accession Process

Benchmark I: Dialogue between political parties

<i>De jure</i>		Yes (=1)	No (= 0)
	Is there a clear division of power between legislative, executive and the judiciary?		
	Is there independency of the work of the Parliament?		
	Political dialogue is taking place in the Parliament?		
	Consensus concerning issues related to the Ohrid agreement?		
	Functioning of the Badintair principle?		
	The rulebook of the parliament adopted?		
	Is there transparency/participation in the decision-making process in Parliament?		
	Is there Consensus concerning issues related to EU Integration?		
	The President will support adoption of the EU related legislation?		

<i>De facto</i>		1	2	3	4	5	6	7
	To which extent is the separation of power?							
	To which extent is there a dialogue between President and the Prime Minister?							
	Relevant EU laws were supported by the President?							
	There is a satisfactory political discussion in the parliament?							

	To which extent is the Badintair principle applied?							
	To which extent is consensus on the Ohrid agreement achieved?							
	Is there improved efficiency of the work of the Parliament as a result of the adoption of the rulebook?							
	is there better communication between the parties in Parliament as a result of the Ohrid Agreement and Badintair principle?							
	To which extent is public opinion taking into consideration when adopting legislation?							
	Are there drivers for change (individuals) to promote participation, integrity and dialogue?							

Benchmark II: Implementation of the police law

<i>De jure</i>		Yes (=1)	No (= 0)
	Are the police station chiefs cooperating with the municipalities?		
	Is there a system to check the level of the police officials' awareness of the police law?		
	Is there system/mechanism for monitoring and ensuring compliance with the police law?		
	Is there a coherent system for training of officials on the police law?		
	Is there a system for coherent in-service training?		
	Do you have drivers for change (individuals) to promote integrity in the police work?		
	Is there a transparent system for employment?		
	Is there a transparent and fair system for		

	promotion?		
	Is there a system to protect fair hiring and firing?		
	Is there a whistleblower mechanism?		
	Are there effective programmers for prevention of community policing?		
	Are the media appropriately informing about police activities?		

<i>De facto</i>		1	2	3	4	5	6	7
	To which extent are the police station chiefs cooperating with the municipalities?							
	To which extent are police officials aware of the content of the police law?							
	To which extent will the monitoring mechanism ensure compliance with the police law?							
	To which extent is the political appointment affecting compliance with the police law?							
	To which extent is the selection of the police officers done on the basis of established criteria?							
	To what extent is the system for promotion transparent?							
	To which extent is hiring and firing based on professional criteria?							
	To which extent is there an efficient mechanism for reporting corruption and misconduct?							
	To which extent is the police efficient in the fight against corruption?							
	To which extent is the community policing prevented programmes existing?							
	To which extent is the public appropriately informed about police activities?							

Benchmark III: Implementation of the anticorruption legislation

<i>De jure</i>		Yes (=1)	No (= 0)
	There is a legal right to access documents of public entities without the need to justify why the information is being sought.		
	The legal right applies to all information in possession of public bodies, incl. any institution funded by the public and private bodies performing public functions, e.g. water and electricity providers.		
	Proactive provision of information is set by the law as duty of public bodies.		
	There is no cost or only the cost for copying the documents.		
	Deadlines for provision of documents are set by the law.		
	Legitimate exceptions <i>[where disclosure would cause demonstrable harm to legitimate interests, such as national security or privacy]</i> for provision of documents are defined clearly and specifically by the law.		
	There is the explicit right to appeal adverse decisions by a prompt and effective judicial review.		
	The law establishes an independent body, e.g. agency, ombudsman or commissioner, to review refusals, promote awareness, and advance the right to access to information.		
	There are special information offices or officials designated to deal with Access to Information requests.		

<i>De facto</i>		1	2	3	4	5	6	7
	To what extent are exceptions to access to information to the public kept to a set of legitimate reasons set forth in international law? (mainly privacy and national security)							
	To what extent do public bodies publish information pro-actively (<i>as regular exercise of their work</i>) and easily accessible?							
	To what extent are requests for information simple? [<i>i.e. only requirements: supply name, address and description of information sought; can be filed in writing or orally</i>]							
	To what extent are requests for information provided within the timeframe set by the law? [<i>i.e. information provided immediately or within short timeframe</i>]							
	To what extent are requests for information free? [<i>i.e. cost should not be greater than for reproduction of the documents</i>]							
	To what extent is public interest given high priority when decisions to grant access to information are made? [<i>Take into account: Information must be released when public interest outweighs any harm in releasing it. There is a strong presumption that information revealing corruption, among other reasons, should be released given the high public interest in it</i>]							

Benchmark III-a: Implementation of the anticorruption legislation

<i>De Jure</i>	Yes (=1)	No (= 0)
Ombudsman		
Provisions for SCPC ¹ , as an independent body to which citizens can make complaints about maladministration, exists.		
The SCPC has a legal mandate which includes corruption related concerns.		
There are mechanisms in place to ensure the integrity of the members of the SCPC.		
Staff of the SCPC is protected from removal without relevant justification.		
There are procedures in place aimed to ensuring transparency in the activities and decision-making processes of the SCPC.		
Codes of conduct for the SCPC exist.		
Rules on conflict of interest, gifts and hospitality for the SCPC exist.		
Supreme Audit		
Legal provisions for <i>Supreme Audit Institution</i> or <i>Auditor General</i> or an equivalent body exist.		
Full independence (functional, operational and administrative) of the supreme audit institution is legally ensured. <i>[Incl. constitutional provisions, recruitment and dismissing of head of staff, job security, budget independence]</i>		
Codes of conduct for the <i>Supreme Audit Institution</i> / <i>Auditor General</i> exist.		
Rules on conflict of interest, gifts and hospitality for this <i>Institution/the Auditor General</i> exist.		
Public institutions are generally audited by an independent Audit Institution.		

¹ In Republic of Macedonia this body is the State Commission for the Prevention of Corruption (SCPC).

<i>De facto</i>		1	2	3	4	5	6	7
Ombudsman								
	To what extent does the SCPC, with a mandate including corruption-related concerns, have adequate resources to achieve its goals in practice?							
	To what extent is the SCPC independent in practice?							
	To what extent is the integrity of the SCPC members ensured in practice?							
	To what extent is there transparency in the activities and decision-making processes of the SCPC?							
Supreme Audit								
	To what extent does the audit institution have adequate resources to achieve its goals?							
	To what extent is the audit institution free from external interference in the performance of its work?							
	To what extent does the current auditor general have a specific competence(s)?							
	To what extent are public expenditures audited and reported on in practice?							
	To what extent is there transparency in the activities and decision-making processes of the audit institution?							

Benchmark IV: Reform of the judiciary

<i>De jure</i>		Yes (=1)	No (= 0)
	The judiciary is independent by law - judicial independence is guaranteed in all relevant laws and regulations.		
	Mechanisms are foreseen to ensure the integrity of members of the judiciary (e.g. <i>a code of conduct, rules regarding conflicts of interest, rules on gifts and hospitality and post-employment restrictions</i>).		
	The law provides for oversight of judicial activities.		
	Reporting to the public on judicial activities is required by law.		
	Reporting to the public on the judicial budget is required by law.		
	Reporting to the public on judicial decisions and the reasons for judicial decisions is required by law.		
	There is an objective appointment/election process for the judiciary established by law. [<i>objective = based on merit, equity, aptitude</i>]		
	The law establishes a process for members of the judiciary to be held accountable for wrongdoing.		
	There is a process established under which lawyers, other judges and the public can register complaints against judicial misconduct without fear of retaliation.		
	The procedural law fosters transparency and accountability.		

<i>De facto</i>		1	2	3	4	5	6	7
	To what extent does the judiciary have sufficient levels of financial resources, staffing, and infrastructure to operate effectively in practice?							
	To what extent does the judiciary operate without interference from the government or other actors?							
	To what extent is the integrity of members of the judiciary ensured in practice?							
	To what extent is there effective oversight of the judiciary in practice?							
	To what extent is the appointment/election process for judiciary objective (e.g. based on merit, equity, aptitude) in practice?							
	To what extent does the public have access to judicial information and activities in practice?							
	To what extent are members of the judiciary held accountable for wrongdoing in practice?							
	To what extent are judicial procedures conducted transparently?							
	In your opinion, to what extent are the judicial authorities in the higher courts in your country susceptible to bribes to secure favourable judgements?							
	In your opinion, aside from direct bribery, to what extent is the judicial process in the higher courts free of other corrupt practices besides bribery such as illicit negotiations and unfair exercise of influence?							

Benchmark V: Reform of the public administration

<i>De jure</i>		Yes (=1)	No (= 0)
	The country has adopted statutory rules, codes of conduct or similar instruments governing the behaviour of elected representatives and/or public officials, incl. measures aimed at preventing undue influence from being exercised on them.		
	Members of all branches of government, other public institutions and local government are covered by CoI legislation, regulations or codes.		
	There are provisions to prevent conflicts of interest between public officials and the private sector.		
	Officials are obliged to report possible conflicts of interest before taking part in the decision making process.		
	The law establishes clearly defined sanctions for all cases of violation to the provisions for preventing conflicts of interest.		
	There are regulations on accepting gifts by public officials. <i>[e.g. prohibition to accept gifts with the exception of protocol souvenirs, or above certain value threshold]</i>		
	There are restrictions on post-office employment for public servants (pantouflage) <i>[e.g. temporary ban to be employed by firms which were supervised by the officials when in office]</i>		
	There are rules, apart from taxation requirements, that impose upon elected representatives/public officials the obligation to declare their assets or income.		
	These declarations are obliged to be publicly accessible.		
	Public officials are subject to an obligation to report misconduct/suspected corruption/breaches of duties or code of		

	ethics, which they would come across in the course of their duties.		
	There is legal protection for public official who make such reports. <i>[Protection against dismissal or other labour-related mistreatment]</i>		
	System for integration of the public services is introduced in the legislation		
	Is an ethics reform agenda developed and implemented?		

<i>De facto</i>		1	2	3	4	5	6	7
	To what extent do internal agencies of governmental bodies apply mechanisms that detect or check for conflicts of interest? <i>[Incl. e.g. audits or reviews to detect potential family relationship, inspections of databases rating to staff members, financial audits etc.]</i>							
	To what extent are income, interest and property declarations of public officials publicly accessible?							
	To what extent are public officials submitting income, interest and property declarations in a timely manner?							
	To what extent are means of controlling compliance of elected representatives/public officials with the obligation to declare their assets or income effective?							
	To what extent are the penalties for violating conflict-of-interest provisions dissuasive?							
	To what extent are sanctions applied in all confirmed cases of violation? <i>[Consider the existence of immunities, special exemptions]</i>							

	<i>from liability, special privileges for certain public servants or other measures that preclude the imposition of sanctions, e.g. customary impunity]</i>							
	To what extent do oversight bodies exercise their authority in addressing conflicts of interest?							
	To what extent are there measures in place to prevent conflicts of interest and incompatibilities between functions, in particular between the public and private sector?							
	To what extent do government bodies carry out training sessions/plans/programmes on public ethics and conflict of interest prevention geared towards public officials and authorities?							
	To what extent do governmental bodies apply mechanisms of internal administrative inquiry to determine the liability of public employees in having conflicts of interest? <i>[Mechanisms may include administrative inquiries, summary proceedings, disciplinary action]</i>							
	To what extent are there measures in place to limit the phenomenon of public officials moving to the private sector where they can abuse their contract networks and knowledge of administrative mechanisms and decision-making processes?							
	To what extent are services brought to the people? (from national to regional level)							
	Integration of services – to what extent are governmental services							

	coordinated to fit the needs of the citizens							
	To what extent is done monitoring of the code of conduct implementation?							

Benchmark VI: Employment policy

<i>De jure</i>		Yes (=1)	No (= 0)
	There are legal provisions for due employment processes.		
	The law provides for public advertising of jobs?		
	The employer is obliged to report any conflict of interest issues with the applicants/candidates?		
	The law establishes clearly defined sanctions for all cases of violation to the provisions for due employment processes?		
	There are restrictions on post-office employment for public servants [<i>e.g. temporary ban to be employed by firms which were supervised by the officials when in office</i>]		
	Recruitment is based on professional criteria and competences?		
	Recruitment is based on non-discrimination criteria?		
	The law provides for conflict of interest criteria in recruitment?		
	Is there a system in place for protecting employees from unfair or illegal treatment? (other than in the courts)		
	Do the political leaders have discretionary right in employment policy in the public sector?		
	Is there a reward system that establishes accountability and enhances creative thinking?		

	Is there a legal requirement for continuous upgrading of employees' knowledge and skills?		
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<i>De facto</i>		1	2	3	4	5	6	7
	To what extent are jobs in the public and private sector advertised?							
	To what extent are professional criteria decisive for employment?							
	How important is networking for getting a job in the public sector?							
	How important is networking for getting a job in the private sector?							
	Are there drivers for change in the policies for employment, promotion, and dismissals?							
	To what extent is the management willing to respect the employee's integrity when they are acting the opposite to their decisions?							
	To what extent are public employees educated and trained							
	To what extent employees have access to recent developments in their respective areas of expertise							

Benchmark VII: Enhancing the business environment

<i>De jure</i>		Yes (=1)	No (= 0)
	Legal provisions are established for anti-corruption in the private sector (prohibition for offering and excepting bribes as well as other forms of corruption including grand and petty corruption and facilitation payment)		
	Companies have CRS-policies that reflect international standards for anti-corruption provisions guiding their business		
	Are breaches of the anti-corruption laws investigated and prosecuted?		
	Legal provisions require open bidding as a general rule.		
	Exceptions to the rule of open bidding are clearly defined and kept to a minimum, basically conditions affecting national security, emergencies/ natural disasters and sole-source situations.		
	The law provides for the use of standard bidding documents.		
	Bidding documents are required to contain clearly established conditions for participation, incl. selection and award criteria and tendering rules, and their publication.		
	Bidding/contracting documents are required to contain special anti-corruption clauses.		
	The use of public hearings is legally required as mandatory in the contracting process.		
	The law provides rules to ensure objectivity in the contractor selection process, incl. objective selection criteria & selection committees operating required by law and possibility for bidders to contest official decisions granted.		

	The law requires that information relevant to the public procurement process is accessible to the public, <i>[with “relevant information” including public notices of bidding opportunities, bidding documents and addenda, bid opening records, bid evaluation reports, formal appeals by bidders and outcomes, final signed contract documents and addenda/amendments, claims and dispute resolutions, supervision reports, final payments]</i> .		
	The law requires criteria concerning the modification of awarded/ongoing contracts.		
	Procurement rules are required to be publicly accessible.		
	The law requires that the staff in charge of performing evaluations must be different from the staff responsible for elaboration of terms of reference/bidding documents.		
	Public employees who have responsibilities on procurement processes are legally prevented from contracting afterwards with the individuals/companies that were awarded the contracts.		
	Procurement officials are subject to a code of conduct (as other public officials).		
	An audit institution that supervises adherence to procurement regulations is foreseen by the law.		
	This audit institution is given the power by law to effectively investigate corruption cases.		
	There are provisions for whistle blowing on misconduct in contracting and contract implementation AND whistleblower protection mechanism <i>[both conditions]</i>		

	<i>have to be fulfilled for the answer “yes”]</i>		
	There are provisions for reviewing decisions through an efficient and functioning independent process.		
	The procurement law establishes clear procedures for the supervision of contract implementation, incl. acceptance of final products, issuance of contract amendments and payment provisions.		

<i>De facto</i>		1	2	3	4	5	6	7
	To what extent will the number of prosecutions deter companies from corrupt practices?							
	To what extent do companies have self-regulatory policies on CSR?							
	To what extent will the self-regulatory CRS-policies including anti-corruption measures be followed-up/implemented?							
	To what extent is anti-corruption perceived as important for a level playing field and thereby important for good business?							
	Regulatory commissions							
	Foreign Direct Investment							
	To what extent does open bidding occur in practice?							
	To what extent are human resources of public procurement agencies (PPA) sufficiently staffed and competent?							
	To what extent is the integrity of the staff involved in the public procurement process ensured in practice?							
	To what extent are contractors selected in an objective manner in practice?							
	To what extent do supervision mechanisms for contract							

	implementation operate in an effective manner in practice?							
	To what extent is information relevant to the public procurement process accessible to the public in practice?							
	To what extent does monitoring on procurement by civil society occur?							
	To what extent is privatization handled in a transparent and objective way?							
	To what extent is information relevant to the privatization process accessible to the public in practice? [<i>“relevant information” incl. terms of contract for privatization and conditions for qualifications of a company</i>]							
	To what extent does monitoring on privatization by civil society occur?							

Annex 3

Telephone survey

1. Background

In the course of April, a Survey entitled “Macedonia and the European Union” was carried out for the purposes of the organization "Transparency – Zero Corruption". The survey was aimed at obtaining information on the position, level of familiarization and the opinion on to what extent the citizens of the Republic of Macedonia are informed on the key benchmarks to which the Republic of Macedonia has committed itself in the light of the negotiations commencement for accession to the European Union. The Survey was carried out via telephone, by random selection of respondents. In the course of the Survey, opinion by 380 respondents was obtained. The entire process of surveying, starting from the training of the interviewers and ending with the drafting of the report, lasted for 15 days.

1.2. Survey method

The telephone contact with random selection of telephone numbers was considered as the most suitable method for data collection, whereby the anonymity of the respondents was maintained. This method allows for greater flexibility due to the short period of time, taken to the respondents.

1.3. Steps in the realization of the survey

For the purposes of carrying out the survey, two teams were established: team of interviewers that underwent an adequate brief training on the objectives, methods and manner of realization of the survey, and a technical team that undertook the processing of the data obtained.

The entire process of surveying entailed five clearly set and independent steps:

Step 1.1. Training of the team of interviewers (introduction of the interviewers with the survey questions, the survey method, manner of putting the question and manner of collection and noting of data).

- Step 1.2. Training of the technical team through familiarization with the relevant software package SPSS v. 13;
- Step 2. Compilation of a list of telephone numbers, randomly selected by using the existing digital phonebooks.
- Step 3. Entry of the gathered data into the relevant software package, by using the software package SPSS v. 13;
- Step 4. Data analysis, creation of tables and graphs for a visual presentation thereof,
- Step 5. Interpretation of the data and drafting of a report.

Step 1.1.	Step 2			
Step 1.2.	Step 3	Step 4	Step 5	

TABLE 1.1. Steps in the survey preparation procedure

The overall survey process was realized as follows:

Upon the completion of Step 1.1, it was proceeded with Step 2. Simultaneously, Step 1.2. was being realized. Upon gathering the data, it was proceeded with Step 3, being realized parallelly with Step 2, depending on the volume of obtained data. Upon the completion of Step 3, it was proceeded with Step 4. Upon the completion of Step 4, it was proceeded with Step 5. The steps in the survey preparation are given in Table 1.1

1.4. Survey questions

The survey question, nine in total, were divided in two groups. The first group entailed four question of a general demographic nature, namely:

Sex: male and female;

Age: the survey covered respondents ranging from 18 to over 60 years of age, divided in five age groups;

Nationality: the survey was planned to cover the following ethnic groups: Macedonian, Albanian, Turk, Serbian, Roma, other nationality (without stating it)

Educational degree: the multiple choice on education included the following answers: Ph.D, MA, university degree, secondary education, elementary education, other (without stating it).

The second group of questions entailed five questions directly related to the topic of the survey, namely:

Should the Republic of Macedonia accede to the European Union? Three options were offered as to this question: yes, no and I don't know

Should the Republic of Macedonia meet certain requirements in order to commence negotiations for accession to the European Union? Three options were offered as to this question: yes, no and I don't know

Do you know what are the key benchmarks/priorities that must be met so as to commence the accession negotiations? Three options were offered as to this question: yes, no and I don't know

Can you name the key priorities? The following options were offered as to this question: one (priority), less than three, more than four and eight. Apart from that, the respondents were free to give their comments on the priorities they consider to be of relevance for the accession of Macedonia to the European Union.

Does the Government, in your opinion, work in direction of meeting the said priorities requisite for the accession to the European Union? One of the three options could have been chosen as to this question: yes, no and I don't know

1.5. Response by the respondents

In Skopje, the interviewers made a telephone contact with 378 respondents. 260 of them accepted to be interviewed, whereas the rest of 108 persons refused to be interviewed. As per the other towns, the realized contacts were as follows:

Bitola (15 accepted, 14 refused),
 Gostivar (7 accepted, 4 refused)
 Veles (7 accepted, 6 refused)
 Strumica (11 accepted, 5 refused)
 Shtip (13 accepted, 3 refused)
 Ohrid (15 accepted, 7 refused),
 Tetovo (6 accepted, 2 refused)
 Kochani (17 accepted, 14 refused)
 Kumanovo (19 accepted, 24 refused)
 Gevgelija (2 accepted, 4 refused)
 Kichevo (8 accepted, 3 refused)

Town	Accepted	Refused
Bitola	15	24
Gostivar	7	4
Veles	7	6
Strumica	11	5
Shtip	13	3
Ohrid	15	7
Tetovo	6	2
Kochani	17	14
Kumanovo	19	24
Gevgelija	2	4
Kichevo	8	3
<i>Total</i>	<i>120</i>	<i>96</i>
Skopje	260	108
Total	380	204

TABLE 1.2. Response of the respondents by town

Out of 584 respondents from the entire territory of the Republic of Macedonia that were contacted by the interviewers, 380 agreed to answer the questions, while 204 respondents refused to answer the questions.

1.6. Territorial distribution of the respondents

The territorial distribution of the respondents would be as follows:

Out of the entire group of 380 respondents, 260 respondents were from Skopje and the vicinity, whereas the rest of 120 respondents were from the other towns from the Republic of Macedonia.

The entire territorial distribution of the respondents by towns is presented in Table 1.3.

Town	Respondents
Bitola	15
Gostivar	7
Veles	7
Strumica	11
Shtip	13
Ohrid	15
Tetovo	6
Kochani	17
Kumanovo	19
Gevgelija	2
Kichevo	8
Total	120

Table 1.3. Territorial distribution of the respondents by towns

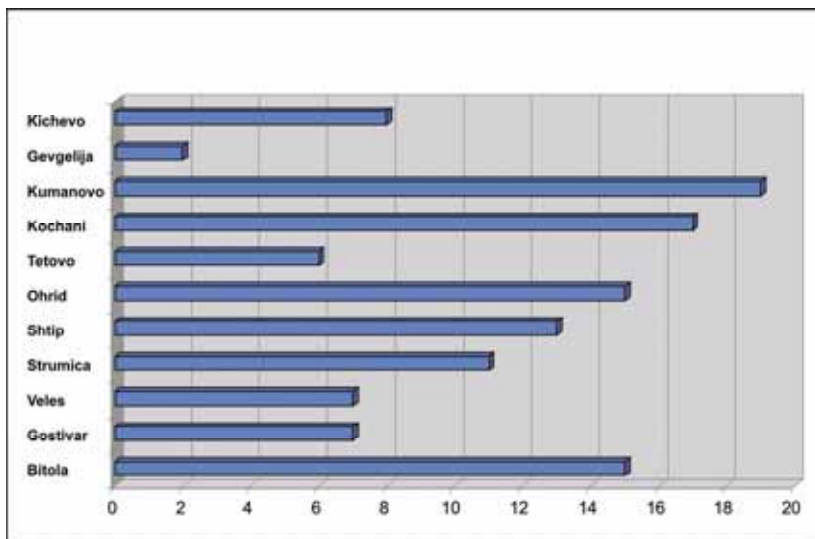


Chart 1.3. Territorial distribution of the respondents by towns

2. Survey results

2.1. Gender structure of the respondents

The gender structure of the 380 respondents was as follows:

Sex	Respondents	Participation in %
Male	171	45
Female	209	55
Total	380	100

Table 2.1. Gender structure of the respondents

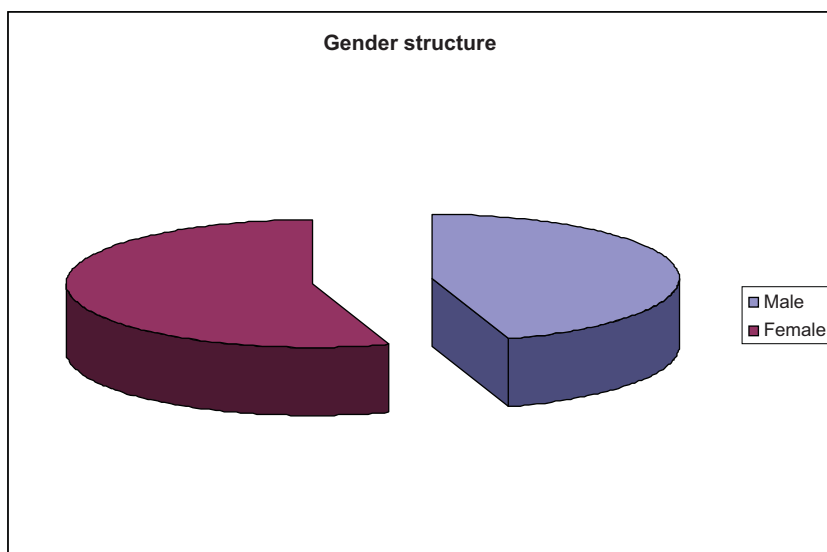


Chart 2.1. Gender structure of the respondents

2.2. Age structure of the respondents

The following multiple choice was offered as per the age structure of the respondents:

1. from 18 to 25 years
2. from 25 to 35 years
3. from 35 to 45 years
4. from 45 to 55 years
5. over 60

The answers obtained were classified as follows:

Age structure	Respondents	Participation in %
18-25 years	41	11
25-35 years	54	14
35-45 years	51	13
45-55 years	79	21
over 60 years	155	41
Total	380	100

Table 2.2. Age structure of the respondents

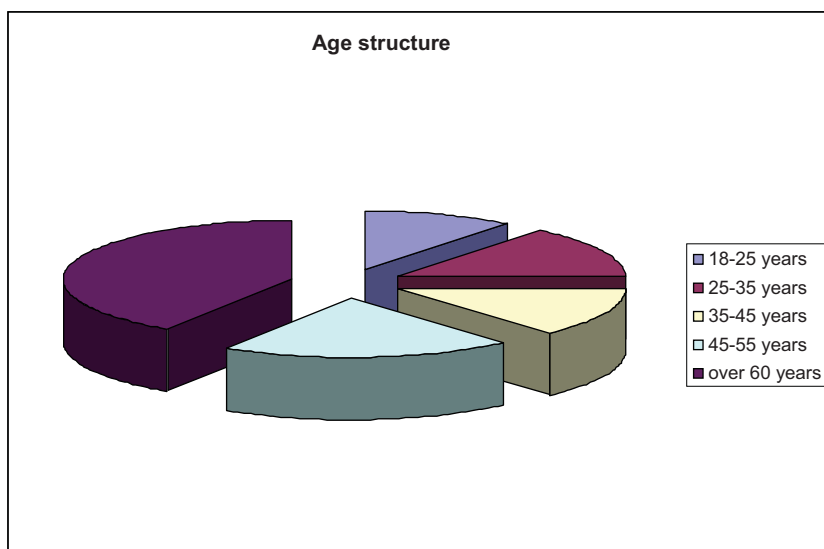


Chart 2.2. Age structure of the respondents

2.3. *Structure of the respondents by nationality*

as per the question of the nationality structure, the respondents were offered the following options:

1. Macedonian
2. Albanian
3. Turk
4. Serb
5. Vlach
6. Roma
7. Other (without stating the nationality)

The answers by the respondents by the nationality can be grouped as follows:

Nationality	Respondents
Macedonian	326
Albanian	21
Turk	8
Serb	14
Vlach	2
Roma	2
Other	7
Total	380

Table 2.3. Structure of the respondents by nationality

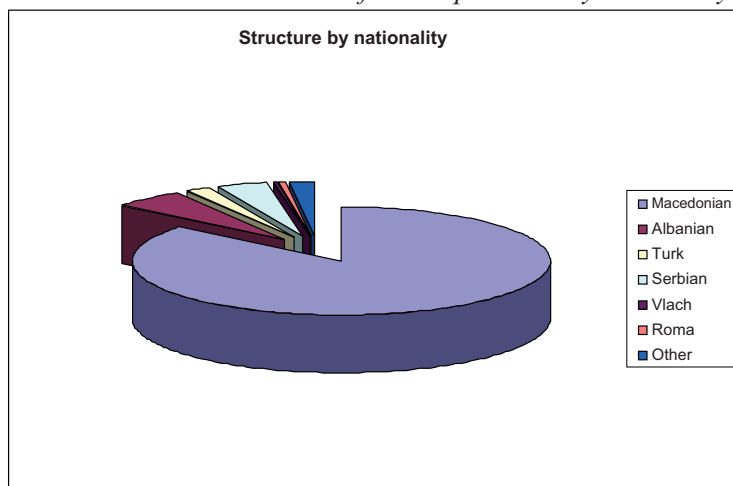


Chart 2.3. Structure of the respondents by nationality

Due to the greater domination of the respondents of the Macedonian nationality, the structure of the respondents of the other nationalities shall be presented in the Table 2.3.1.

Nationality	Respondents
Albanian	21
Turk	8
Serb	14
Vlach	2
Roma	2
Other	7
Total	54

Table 2.3.1. Structure of the non-Macedonian respondents by the national composition

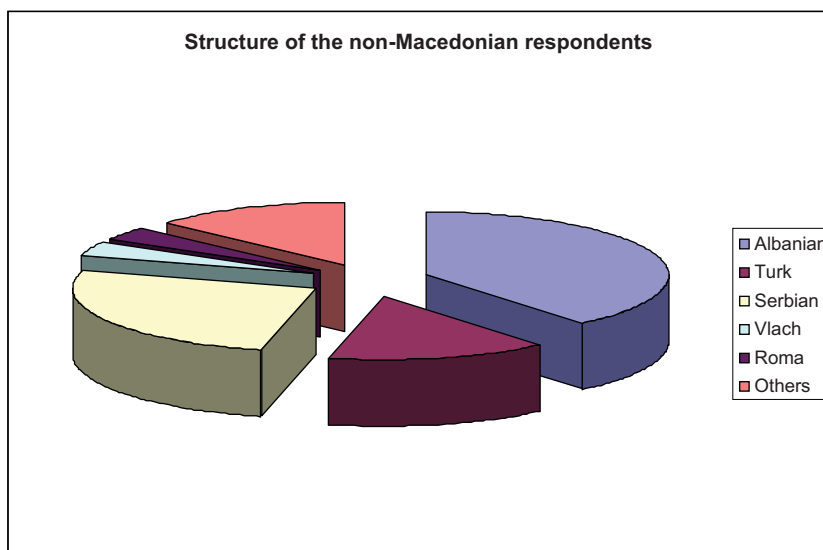


Chart 2.3.1. Structure of the non-Macedonian respondents by the national composition

The representatives of the ethnic communities in the Republic of Macedonia participated in the survey with 17.5%, compared to the 82.5% Macedonian respondents.

2.4. Structure of the respondents by educational degree

As per the question on the educational degree, the respondents were offered with the following options:

1. Ph.D
2. MA
3. University degree
4. Secondary education
5. Primary education
6. Other (without stating the educational degree)

The answers provided by the respondents on their educational degree were as follows:

Educational degree	Respondents	Participation in %
Ph.D	0	0
MA	2	0,5
University	103	27
Secondary	189	50
Primary	66	17
Other	20	5,5
Total	380	100%

Table 2.4. Educational degree of the respondents

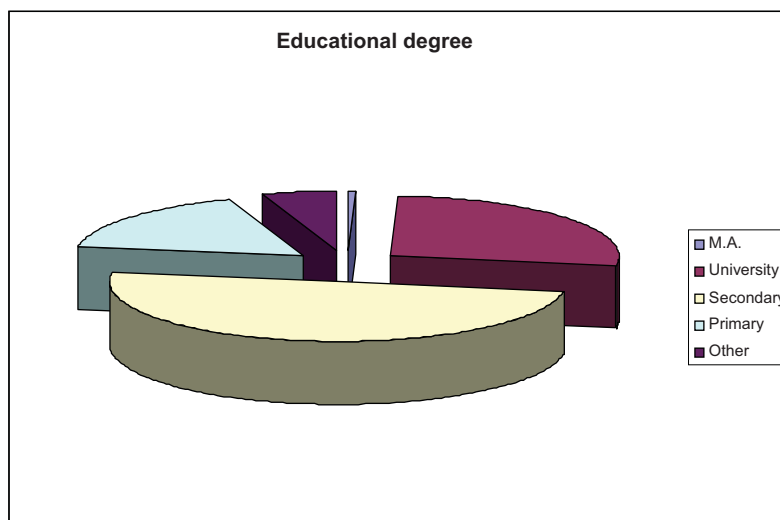


Chart 2.4. Educational degree of the respondents

3. Survey questions

3.1. Survey question no. 1: Should the Republic of Macedonia accede to the European Union?

As an answer to this question, three options were offered:

1. Yes
2. No
3. I don't know

The answers of the respondents to the question are as follows:

Question 1	Respondents	Participation in %
Yes	329	86,6
No	18	4,7
I don't know	33	8,7
Total	380	100%

Table 3.1. Should the Republic of Macedonia accede to the European Union?

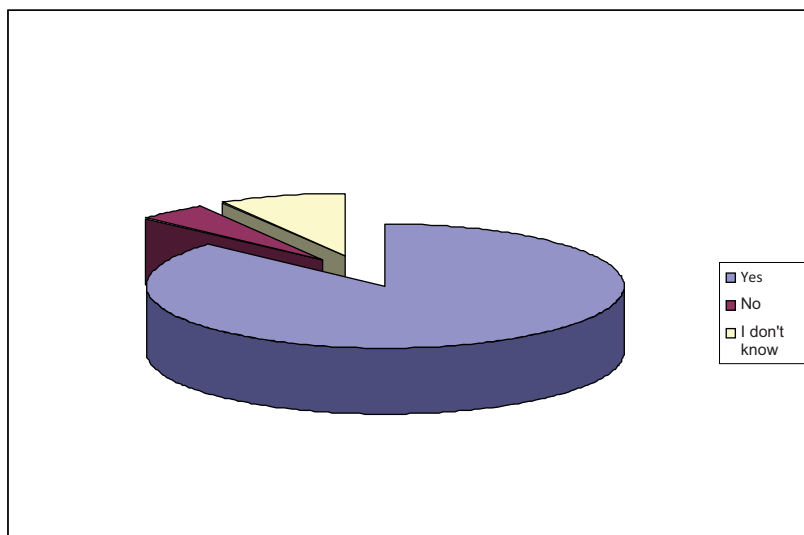


Chart 3.1. Should the Republic of Macedonia accede to the European Union?

3.2. Survey question no. 2: Should the Republic of Macedonia meet certain requirements in order to commence negotiations for accession to the European Union?

As an answer to this question, three options were offered:

- 1 Yes
- 2 No
- 3 I don't know

The answers of the respondents to the question are as follows:

Question 2	Respondents	Participation in %
Yes	213	56
No	102	27
I don't know	65	17
Total	380	100%

Table 3.2. Should the Republic of Macedonia meet certain requirements in order to commence negotiations for accession to the European Union?

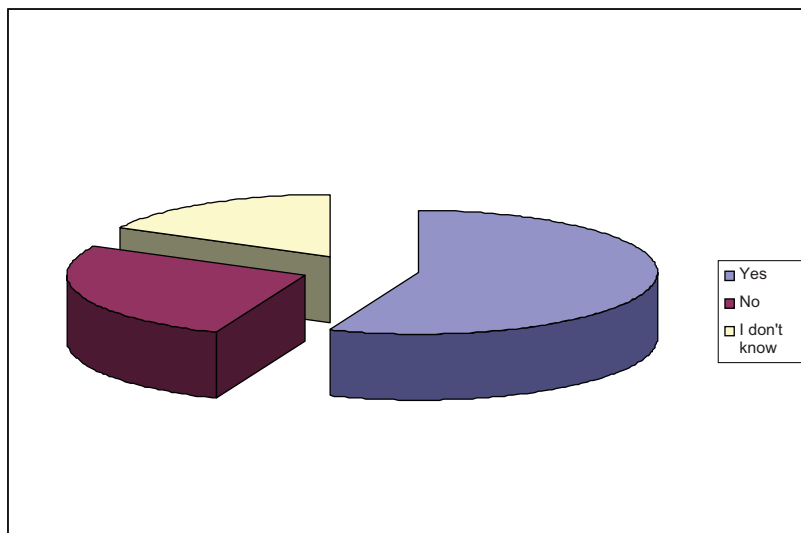


Chart 3.2. Should the Republic of Macedonia meet certain requirements in order to commence negotiations for accession to the European Union?

3.3. Survey question no. 3: Do you know what are the key benchmarks/priorities that must be met so as to commence the accession negotiations?

As an answer to this question, three options were offered:

- 1 Yes
- 2 No
- 3 I don't know

The answers of the respondents to the question are as follows:

Question 3	Respondents	Participation in %
Yes	179	47
No	45	19
I don't know	156	34
Total	380	100%

Table 3.3. Do you know what are the key benchmarks/priorities that must be met so as to commence the accession negotiations?

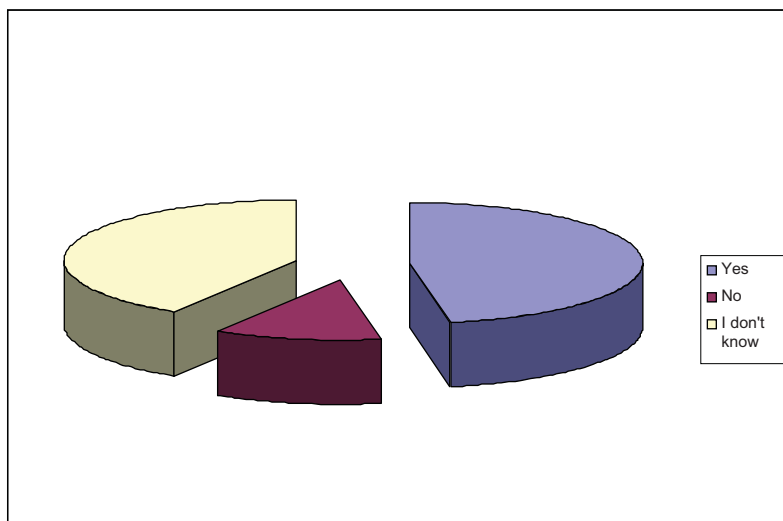


Chart 3.3. Do you know what are the key benchmarks/priorities that must be met so as to commence the accession negotiations?

3.4. Survey question no. 4: Can you name the key priorities?

As an answer to this question, four options were offered:

1. One
2. Less than three
3. More than four
4. Eight

As a correct answer considered was the *answer 3: More than four*.

The answers of the respondents to the question are as follows:

Question 4	Respondents
One	51
Less than three	56
More than four	39
Eight	2
Total	148

Table 3.4. Do you know what are the key benchmarks/priorities that must be met so as to commence the accession negotiations?

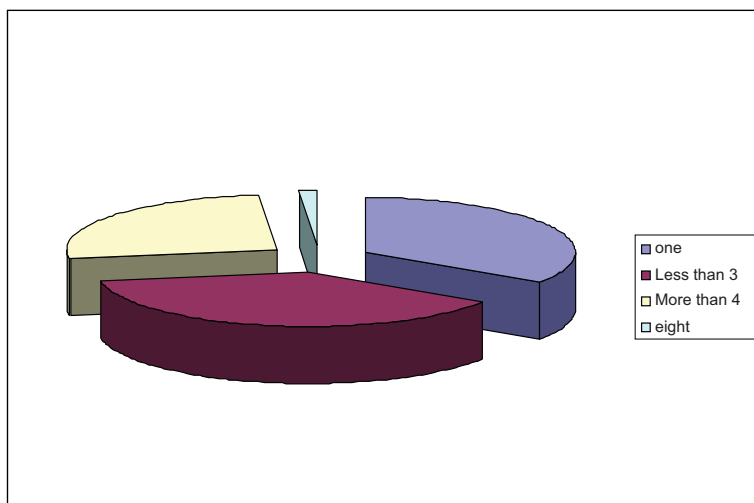


Chart 3.4. Do you know what are the key benchmarks/priorities that must be met so as to commence the accession negotiations?

Out of the total number of respondents that answered the question, 39 respondents provided a correct answer, which makes 26% of the respondents answering the question or 10% of the total number of respondents.

The answer to the question was voluntary, however the respondents were free to name which of the benchmarks/priorities they consider to be crucial in the process of accession of the Republic of Macedonia to the EU. Multiple answers to the question were allowed.

The respondents consider as key the following benchmarks/priorities:

	Priority	Respondents
1	Name issue	82
2	Judiciary	62
3	Economy	40
4	Corruption	38
5	Police	17
6	Human rights	15
7	Fair and free elections	15
8	Administration	11
9	Healthcare system	11
10	Adequate legislation	10
11	Employment	9
12	Democracy	7
13	Educational system	7
14	National minorities	7
15	International factors	7
16	Security matters	6
17	Inadequate infrastructure	4
18	Comprehensive reforms	3
19	Religion	2
20	Inadequate agriculture	2
21	Inadequate customs service	2

3.5. Survey question no. 5: Does the Government, in your opinion, work in direction of meeting the said priorities requisite for the accession to the European Union?

As an answer to this question, three options were offered:

4. Yes
5. No
6. I don't know

The answers of the respondents to the question are as follows:

Question 5	Respondents	Participation in %
Yes	221	58
No	88	23
I don't know	71	19
Total	380	100%

Table 3.5. Does the Government, in your opinion, work in direction of meeting the said priorities requisite for the accession to the European Union?

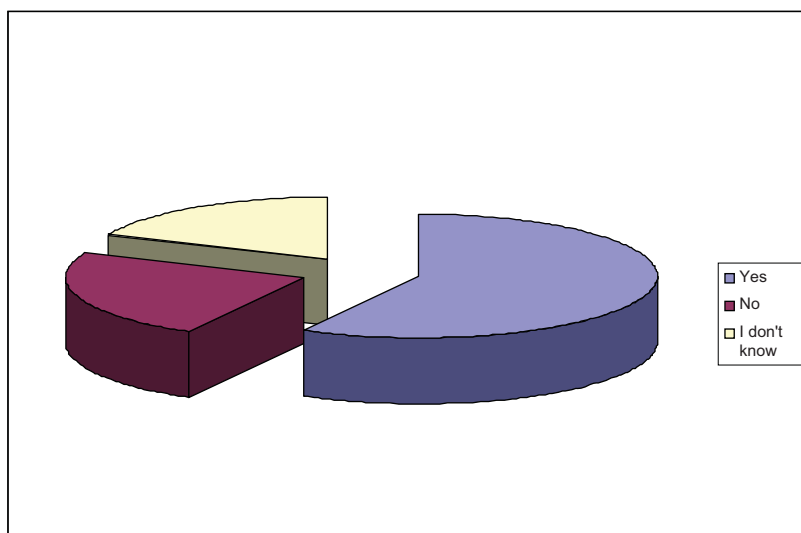


Chart 3.5. Does the Government, in your opinion, work in direction of meeting the said priorities requisite for the accession to the European Union?

4. Conclusion

In the course of April, a Survey entitled “Macedonia and the European Union” was carried out for the purposes of the organization "Transparency – Zero Corruption". The survey was aimed at obtaining information on the position, level of familiarization and the opinion on to what extent the citizens of the Republic of Macedonia are informed on the key benchmarks to which the Republic of Macedonia has committed itself in the light of the negotiations commencement for accession to the European Union. The Survey was carried by random selection of respondents. The entire process of surveying, starting from the training of the interviewers and ending with the drafting of the report, lasted for 15 days.

The telephone contact with random selection of telephone numbers was considered as the most suitable method for data collection, whereby the anonymity of the respondents was maintained.

For the purposes of carrying out the survey, two teams were established: team of interviewers that underwent an adequate brief training on the objectives, methods and manner of realization of the survey, and a technical team that undertook the processing of the data obtained.

The survey question, nine in total, were divided in two groups. The first group entailed four questions of a general demographic character, whereas the second group included the five question specifically related to the topic of the survey.

Out of 584 respondents from the entire territory of the Republic of Macedonia that were contacted by the interviewers, 380 agreed to answer the questions, while 204 respondents refused to answer the questions.

Annex 4

Campaign materials

3 x НЕЗАВИСНИ ВЛАСТИ = ДЕМОКРАТИЈА



Поддржано од:



3 x НЕЗАВИСНИ ВЛАСТИ = ФУНКЦИОНАЛНОСТ



Поддржано од:



3 x НЕЗАВИСНИ ВЛАСТИ = ПРАВДА



Поддржано од:









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The report contains necessary methodological correctness and consistency in the presentation of the fundamental findings from this empirical research and is reach with numerous useful information about the situation in this field in Macedonia

“This work contains a range of relevant and empirically confirmed conclusions that indicate significant progress in the field of harmonization of the anti-corruption legislation of Macedonia with the EU legislation, as well as relatively high level of information among the expert and general public about the opportunities this legislation provides for prevention of the corruption in Macedonia. This work also points out the great problems in the establishment of the rule of law system in Macedonia, the low level of confidence among the public in the institutions that must protect the law, and high level of politicization within the state institutions which makes the institutions politically biased, corruptive and inefficient”

Reviewer,

Professor Dr. Gorgi Spasov