

# ANNUAL REPORT 2020

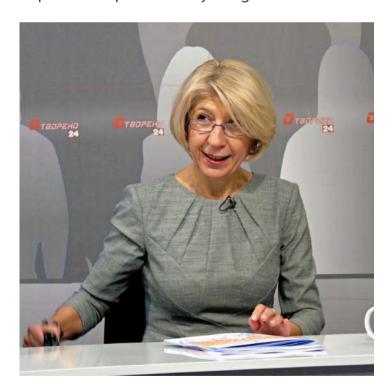
# INTRODUCTION

The year 2020 has been a challenging year, but at the same time it was one of the best years for Transparency International Macedonia. The organization has maintained a positive outlook throughout the whole year and produced some of its most valuable research and accomplished very important projects in the area of grand corruption, legal assistance to corruption victims and whistleblowers, vulnerability to assessment in the corruption legislative framework in regards to employments in the sector, as well as strengthened cooperation with the civil and public sector.

Transparency International Macedonia has continued in the implementation on on-going projects, but also it has implemented new ones. The Advocacy and Legal Advice Center (ALAC) has been active despite the pandemic and has increased online communication with clients and whistleblowers.

TI-Macedonia has also implemented several other projects: Vulnerability to corruption assessment of the employment policies and procedures, with special focus on nepotism, cronyism and clientelism, Ending Impunity for Grand Corruption in the Western Balkans and Turkey, Promoting Common Values Across Europe, Strengthening of the capacities of the institutions in the fight against corruption within the Platform of Civil Society Organizations in the Fight against Corruption.

Transparency International Macedonia will continue the fight against corruption and actively monitor every government measure and decision during the pandemic and post-pandemic recovery of the state. It is necessary for citizens to be informed about the developments in their country and to have the unobscured access to the right of information. Transparency International Macedonia will monitor the developments in the area of rule of law and democratic governance and will encourage citizens to report corruption or any irregularities.





Slagjana Taseva, Ph.D President



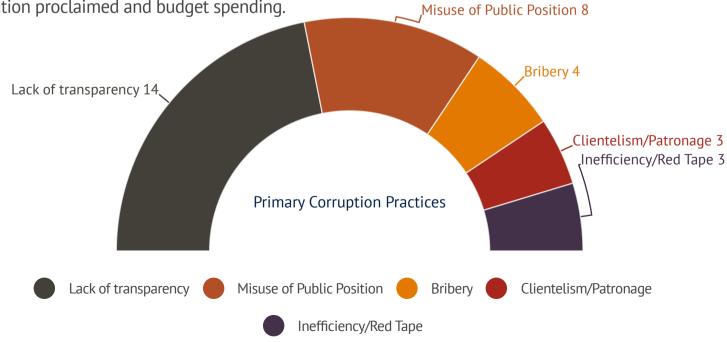
# Project: Advocacy and Legal Advice Center (ALAC)

Since March 2020 taking into account the extraordinary situation caused by the global coronavirus pandemic that has affected North Macedonia too, the ALAC Centre has been operating for nearly 2 months out of the physical office. Since 4th May the work at the office has returned to normal and meetings with clients were conducted with precautionary measures in place.

We have informed the public in several instances through the media and our Facebook and web-site that our ALAC Centre is still operative despite the crisis that has been proclaimed and despite the curfew hours that were in force for certain time periods. The ALAC team has encouraged the public to report any irregularities that they face related to the covid-19 and corruption. TI-Macedonia has sent 7 announcements to the media and the public informing citizens of their rights, urging the government to be more transparent in regards to the regulations and decisions adopted amidst crisis situation proclaimed and budget spending.

The legal team of TI-Macedonia has monitored 4 Government Regulations with legal force that may contain risks of corruption that were adopted amidst the crisis situation proclaimed by the President of the Republic. These Regulations were in the area related to the police force, government procurement calls during lockdown, etc.

TI-M has also submitted an announcement to the media and posted it online in regards to the adoption of the Law on Amendments to the Law on Protection of Whistleblowers, published in the Official Gazette of R.N. Macedonia no. 257 of 29.10.2020 in regards to changes in the misdemeanor provisions of the Law on Whistleblower protection with the fact that the sanctions for the responsible persons in the institutions and for the legal entities have been significantly reduced.



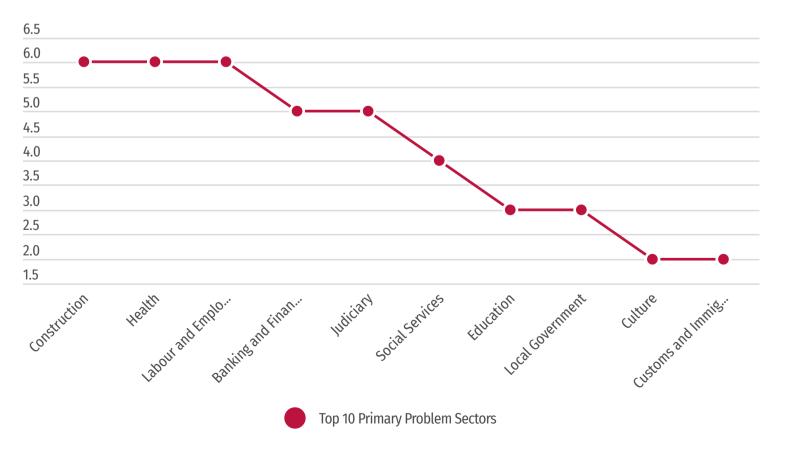


In 2020 the ALAC has had 66 complaints out of which 44 reports referred to lack of transparency, misuse of public position, bribery, clientelism, and inefficiency/red tape. The majority of the cases were resolved with an extensive legal advice by the ALAC legal team, communication with clients and meetings. The communication with the public institutions in regards to Requests to Free Access to Information of Public Character and Complaints was for the most part effective, and the ALAC has received answers to its Requests that were related to client case work.

The previous year was also a year of preparations in regards to the new database for client and case work that the ALAC should incorporate in its working in the coming period.

Therefore, there were webinars/meetings/trainings and communications established with the TI-Secretariat and various ALAC chapters worldwide that contained discussions and exchanges of ideas in regards to the development of the new database and establishment of a new secure reporting platform powered by GlobaLeaks - especially effective for whistleblowers. The pandemic that has been proclaimed in 2020 caused by the coronavirus has caused unemployment in the country and there were clients reporting in the ALAC Centre in regards to unlawful job firings and other irregularities. In general 85% of the reports were received by individuals whereas 7% were received by informal groups of citizens (mostly group of workers or citizens that were joined for a common cause).

The primary problem sectors that were related to the received complaints were in the area of: construction, health, labour and employment, banking and finance, judiciary, social services, education, local government, culture, customs and immigration (see below chart).





# **Advocacy & Outreach**



INTERNATIONAL

In the past period the ALAC has realized the importance the online of mechanisms and the power of social media. therefore it increased has online campaigning and promotion of the online reporting methods as well as the other available methods. The ALAC has produced infographics that were posted on the Facebook and Instagram accounts of TI-Macedonia every day. The infographics that were posted also called out citizens to submit if citizens felt victims of any reports irregularities and lack of transparency because of covid-19 pandemic.



Our media posts (Facebook, web-site, and media announcements) have been increased during lockdown and also the communication among the team was mainly established online. We have received three reports in relation to job firings by clients being unlawfully released from their workplace without prior notification, and group of employees from a private company being released at the end of their shift.

















The legal team of TI-M has been closely monitoring the Government decisions and Regulations with legal force that have been brought in times of emergency. The government measures that were related to improving the economic aspects of the industries that have had the most severe impact of the coronavirus pandemic, mainly the food and drink businesses (restaurants, cafes, bars, etc.) and the financial assistance that has been distributed to particular businesses in these sectors was something that was approached with particular attention from the ALAC.

In regards to the coronavirus pandemic, we have also had reports that were related to citizens requesting information from the ALAC in regards to their workers' rights amidst pandemic and crisis situation proclaimed, reports related to rights during curfew/lockdown.

TI-Macedonia has also sent an announcement to the media in regards to the <u>research by</u> the <u>Open Budget Index (OBI)</u> about budget transparency and has sent recommendations urging the Ministry of Finance, the Parliament and the State Auditor to encompass the citizens and civil society organizations in the process of public budget creation.

## Data source: Government Defence Integrity Index (GDI) published by Transparency International - Defence and Security

https://ti-defence.org/gdi/

#### **COUNTRY SCORECARD: NORTH MACEDONIA**

Political Risk
C 66

Financial Risk
C 59

Personnel Risk
B 79

Operational Risk

Procurement Risk B 68

Legend	Range of Scores	Corruption Risk
A	83 - 100	Very Low
В	67 - 82	Low
C	50 - 66	Moderate
D	33 - 49	High
E	17 - 32	Very High
F	0 - 16	Critical

TRANSPARENCY INTERNATIONAL

Overall Country Score C

62 Moderate Risk

The President of TI-Macedonia Slagjana Taseva has on a joint conference with the Minister of Defence Radmila Shekerinska presented the results of the Government Defence Integrity Index of Transparency International Defence and Security. Republic of North Macedonia was assessed as a country with moderate risk of corruption regarding the institutions of national defense.







# Media Presence, Conferences, Webinars



Eurofocus (TV Debate): The President of Tl-Macedonia, Slagjana Taseva, Ph.D talks about the report Examining State Capture: Undue Influence on Law-Making and the Judiciary in the Western Balkans and Turkey that has been prepared within the framework of the project: Ending Impunity for Grand Corruption in the Western Balkans and Turkey.

"

The fundamental principles of democracy and rule of law are still not fulfilled in Macedonia. The Parliament does not properly execute its functions encompassing control mechanisms and monitoring of the institutions it appoints.

Slagjana Taseva Ph.D, Eurofocus, TV Telma



EXAMINING STATE CAPTURE

Undue Influence on Law-Making and the Judiciary in the Western Balkans and Turkey

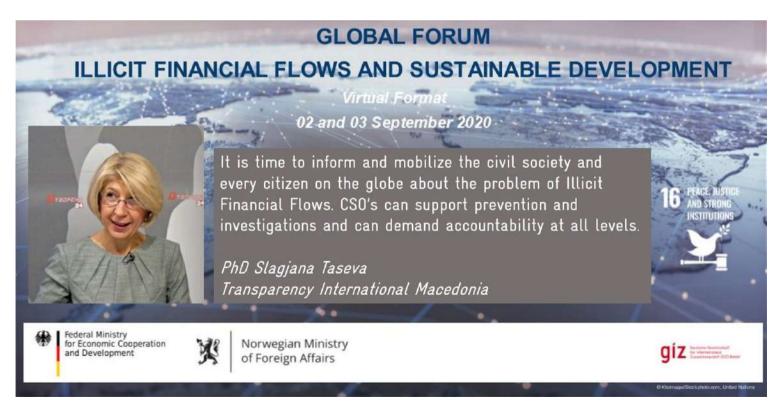




Pre-election bribes or necessary
economic measures? TI-Macedonia President Taseva
for an interview for TV Alfa,
June 2020

TI-M President Slagjana
Taseva has participated on
the Global Forum for Illicit
Financial Flows and
Sustainable Development







# Project: Vulnerability to Corruption Assessment of the employment policies and procedures, with special focus on nepotism, cronyism and clientelism

The State Commission for Prevention of Corruption and Transparency International Macedonia have implemented the project: "Vulnerability to Corruption Assessment of the employment policies and procedures, with special focus on nepotism, cronyism and clientelism" with a financial support of the Embassy of the Kingdom of the Netherlands. April 2020 recommendations developed within this project were presented. The research based on analysis of 19 laws and 32 resulted with 47 bylaws has Recommendations and suggested specific activities to be implemented for improvement of the employment procedures.



"The Covid-19 pandemic and the measures that were taken to prevent this situation showed that the most secure working place, once again is the one in the public administration. This presents one more evidence for the need of more research on the vulnerabilities of corruption in this sector."

Slagjana Taseva, Ph.D on the project's objectives



In September 2020 the final conference within the project was organized on which the final report was presented. At the conference the following speakers took part: the President of the State Commission for Prevention of Corruption Biljana Ivanovska, the President of Transparency International - Macedonia, Dr. Slagjana Taseva, the Ambassador of the Kingdom of the, H.E. Dirk Jan Kop, the Deputy Prime Minister for Fight against Corruption – Ljupcho Nikolovski and the Minister of Information Society and Administration Jeton Shaqiri.





Dr. Slagjana Taseva in her address has emphasized the essence of the conducted analysis, and has highlighted the problem of the risk of corruption that embodies itself through discretionary powers, clientelism, cronyism, nepotism, and political influence, as well as that the vulnerability to corruption in employments is not a new problem.

Additionally, she has emphasized that during the research analysis, number of irregularities and vulnerabilities have been found, as well as inadequate employments depending on political needs. institutions with five times larger number of employees and same number of people, as well as the existence of institutions with no employees.



Dr. Taseva, has especially pointed that

Transparency International Macedonia in the

following period on the basis of the research



The Ambassador of the Kingdom of the Netherlands in the Republic of North Macedonia, H.E. Dirk Jan Kop in his address has pointed that the fight against corruption is not necessary only for Macedonia's integration in the European Union, but primarily for the citizens of Macedonia, and that by eradicating corruption from the public administration, it will affect all other aspects of life.

The Deputy Prime Minister for Fight against Corruption – Ljupcho Nikolovski has also been part of the conference who has highlighted that the Government will appoint a special member who will monitor the work of the appointed officials and will propose dismissal if someone has violated the norms.

The Deputy Prime Minister for Fight against Corruption Ljupcho Nikolovski on a press-conference has committed to incorporate the recommendations in regards more transparency, accountability, effectiveness for the and employment procedures the include and to the country, recommendations in the drafting of the new laws for public officials, and employments.









## Project: Strengthening of the capacities of the institutions in the

# fight against corruption

The implementation of the project started in June 2020 and it will last for one year. The project is supported by USAID. The overall goal of the project is to contribute to more effective fight against corruption.

The purpose of the project is to enhance the rule of law and through cooperation transparency institutions. technical among assistance (expertise) and the capacities strengthening and collaborations between the State Commission for Prevention Corruption and State Audit Office as oversight institutions, and the Academy for Judges and **Public** Prosecutors that trains the prosecution institutions iudiciary as responsible investigation for and

processing cases.

**Objective 1**: Increased and more effective cooperation between the ACP, CSOs and the media with the SCPC, AJPP and the SAO:

**Objective 2:** Enhanced professional cooperation between the SCPC, SAO and AJPP in implementing and enforcing the anti-corruption, ethical and conflict of interest standards;

**Objective 3**: Strengthening the capacities of the beneficiary institutions and other relevant entities including the Parliament to effectively tackle corruption. SCO's Platform against corruption.



Methodology Until now а anticorruption analysis of the legal framework was prepared that will be used by the State Commission for Prevention of Corruption and an Ethics Module for judges and public prosecutors. Within this project other modules for trainings of the future judges and public prosecutors that will be directly implemented by the Academy for judges and public prosecutors will be prepared. Other documents, methodologies protocols will be developed for the work of the State Commission for prevention of Corruption and the State Audit Office.

# Јакнење на капацитетите на институциите во борбата против корупцијата

Антикорупциската проверка на легислативата (АПЛ) е клучен превентивен антикорупциски механизам кој се применува во голем број земји.

АПЛ е една од мерките од Приоритет 1 – Владеење на правото и правосудството – Антикорупциска политика и законодавство, утврдена во Планот на активности на Владата на Р.С. Македонија во согласност со Листата на итни реформски приоритети од Европската комисија. Исто така, воведувањето на антикорупциската проверка на легислативата претставува обврска која произлегува од Стратегијата за југоисточна Европа 2020, во согласност со клучната мерка 0.1 во рамките на антикорупциската димензија.



#### Цел

Целта на изработката и донесувањето на Методологијата за антикорупциската проверка на легислативата е донесување на јасни и образложени прописи со кои се намалуваат дискрециони овластувања и правните празнини кои оставаат простор за појава на корупција при нивното спроведување во пракса.



Оваа Методологија ќе биде од директна корист на Државната комисија за спречување на корупцијата.



Оваа Методологија е подготвека од Транспаренки Интернешил - Махедонија со подгршка на америкалскиот народ преку Астицијата на САД за меѓународск развој (УСАИД), Михлената инразени но овој документ им припаѓаат на "авторите и не ги изразуваат ставовите на Агенцијата на САД за меѓународен развој мли на Владата на Соединетите Американски Држави.



Модул за наставните содржини по етика за Академијата за судии и јавни обвинители.





#### Што содржи?

Овој документ содржи разработени теоретски и практични содржини на кои треба да се придржуваат предавачите и слушателите на Академијата за судии и јавни обвинители.

#### Опфат на документот

Насоки за тоа како треба да се создаде модул за наставните содржини предвидени со Програмата за обука Етика, деловна култура и деонтологија, донесена од страна на Управниот одбор на Академијата за судии и јавни обвинители.

### Цел на модулот

Да се користи при презентирање на предвидените наставни содржини и како содржина која треба да биде задолжителна за предавачите и за слушателите на Академијата за судии и јавни обвинители. Предавачите имаа слобода да додадат содржина релевантна во времето кога се реализира обуката.



\* Овој Модул за обука по етика е подготвен од Транспаренси Интернешки - Македонија со поддршка на американскиот народ преку Агенцијата на САД за меѓународен развој (УСАМД). Мислењата изразени во овој документ им припаѓаат на авторите и не ги изразуваат ставовите на Агенцијата на САД за меѓународен развој или на Владата на Соединетите Американски Држави.





## Project: Strengthening CSO's Platform in the fight against corruption

In June 2020, TI-M as part of the CSO's Platform in fight against corruption finished the 3 years of implementation of the project: "Strengthening CSO's Platform in fight against corruption". The purpose of the project is to enhance the impact of Civil Society Organizations related to the anticorruption progress in the country. Within the project 10 policy briefs and 5 investigative stories were developed, 2 researches were conducted and numerous meetings were held and cooperation was established with the relevant institutions in the fight against corruption.

TI-M as part of the Platform took part in the implementation of the project "Monitoring of the effectiveness of the work of the State Commission for Prevention of Corruption", supported by the Foundation Open Society Macedonia. The aim of the project is to decrease the level of corruption improvement of the institutional integrity. TI-M's team participated in preparation and organization of a training for anticorruption analysis of the legal framework for the Commission for Prevention Corruption. Within this project, the team was also doing an analysis of cases related employment in the administration that were opened by the Commission for Prevention State Corruption.



TI-M in 2021 will be part of another project implemented by the Platform which is supported Resilience Fund. The the project will explore the implementation of the Strategy for Financial Investigations uncover bottlenecks in hoth procedures and institutional capacity of enforcing better asset recovery. It will explore the implementation capacities proficiency of the financial police, intelligence, and prosecutorial Lastly, it research units. examine the levels international cooperation in such investigations.



# **Project: Promoting Common Values Across Europe**

March 2020. TI-M In started implementation of the project: "Promoting Common Values Across Europe" together with its partners: Transparency International Hungary, Asociatia Expert Forum from Romania and Kosovo Democratic Institute. The project implementation is until August 2021.



- Encourage active citizen participation
- Promote EU values (rule of law, democracy, transparency, press freedom, equality and solidarity)
- Broaden citizens' knowledge of their rights and responsibilities provided by EU membership
- Debating the future of Europe and challenging euroscepticism

# **Activity 1**

Local events (launch events, guided tours, public debates, closing ceremonies)

# **Activity 4**

Billboard/photo/short videos/essay-writing contest on European values

# **Activity 2**

International action



# **Activity 5**

Magazine-styled online project handbook

# **Activity 3**

Online survey for citizens -The European dimension of this project is further to be highlighted by a survey measuring citizen attitudes towards these values and the Union in general. The same online survey will distributed among citizens in countries. and outcomes will provide an opportunity for crossnational and cross-cultural comparison.



In the framework of the project an online promotional event was held on 21-st October 2020. The President of Transparency International- Macedonia Slagjana Taseva, the Deputy Prime Minister in charge of European Affairs of Republic of North Macedonia Nikola Dimitrov, the Ambassador of the Delegation of the European Union in the Republic of North Macedonia H.E David Geer, and the Ambassador of the Federal Republic of Germany in the Republic of North Macedonia H.E Anke Holstein have participated on the event.





# **Project: Ending impunity for Grand Corruption in the**

# **Western Balkans and Turkey**

The aim of the project is to decrease corruption and state capture in Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia and Turkey.

To accomplish that it is analyzed how state capture is achieved and sustained by highlighting shortcomings of the criminal justice system when handling cases of grand corruption.

TI-Macedonia has analyzed 30 cases 13 involving crimes of grand corruption. In these cases the abuse of official position and authorization is the most prevailing criminal offence followed up by money laundering and accepting a reward for unlawful influence. Less common crimes involve fraud, criminal associations. receiving a bribe, giving a bribe, embezzlement, forging official document, damage or privilege of creditors, reckless work in office, and helping perpetrator after a committed criminal offence.

The conducted analysis of the cases has shown 233 suspects and defendants high officials encompassing government. ministries, local municipalities, political party officials, Administration for security and counter intelligence, banking sector, president and members of the public procurement commission, official deputy of the President of the Government, former fifth department of the Ministry of Internal Affairs, Deputy Prime Minister and others.

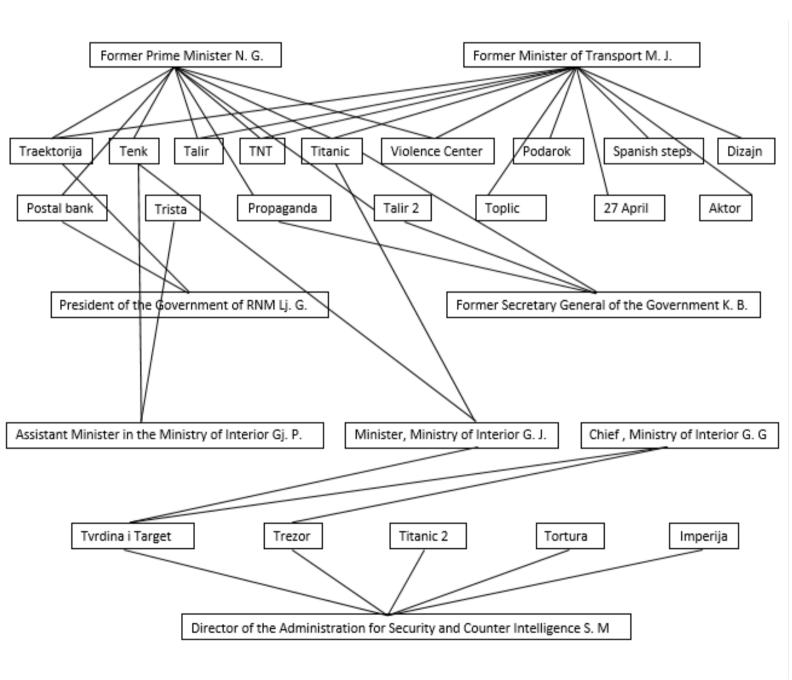
Many of the defendants appear in different cases. This creates a basis for better and clearer understanding of the existence of a network of powerful people created on the basis of interest that acts with abuse of the official position and influence.

The total amount of cost and damage for the state budget and individuals from all 30 cases is approximately 255,198,180.00 euros based on the Special Prosecutor's Office indictments and other relevant information. A total of frozen or confiscated property in cases is worth about 38 million euros.



The analysis of the cases has shown a pattern of behavior and creation of the organized crime networks and structures that are used both for crime and illicit personal gain but also for obtaining and manifestation of power that leads to state capture and a totalitarian regime.

Corruption cases involving powerful public officials are often parts of a scheme rather than random actions. Schemes are usually organized to function for a certain period of time in order to achieve a concrete goal. When determining whether corruption offences are part of a scheme, consideration has been given to the number of transactions, the duration of the offences, the number of participants, the amount misappropriated and the number of victims.





The cases show lack of autonomy, independence and impartiality of the judiciary. In all analyzed cases the court proceedings are long and prolonged, all the possibilities provided by the laws are utilized through the judiciary which failed to show independence in fulfilling its role as a separate power.

In almost all trials, two procedural aspects were identified: adjournments of hearings and starting again of trials as a result of such delays; as well as the presentation of material evidence, which in many cases it was a long time consuming process.

The analysis shows that high-level corruption is not prosecuted even when the ruling party in government changes.

The analysis shows that there is high degree of impunity for grand corruption.







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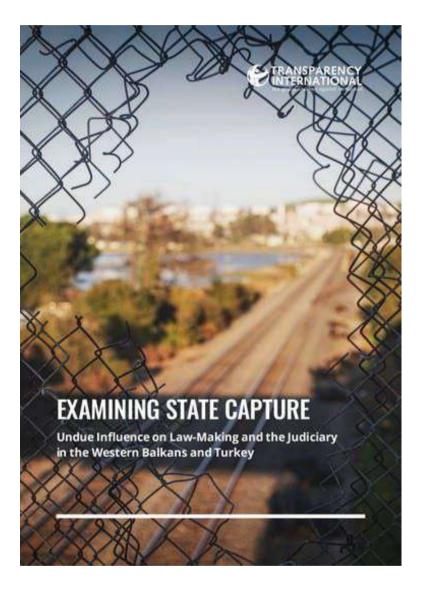
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The regional project has resulted with a report Examining State Capture: Undue Influence on Law-making and the Judiciary in the Western Balkans and Turkey. This report examines the key factors enabling state capture in the Western Balkans and Turkey: impunity for high-level corruption and tailor made laws. The report also provides insight into how the judiciary ineffectively handles grand corruption and other corruption by high-level officials. It also shows how this problem and undue influence on law-making in the service of private interests help to achieve and maintain state capture.



Transparency International Macedonia has produced two videos within the framework of this project and additionally promoting the regional project video on its social media platforms.

- https://www.youtube.com/watch?v=7Fatjf\_S4xl
- https://www.youtube.com/watch?v=xBQU6vSNC\_M&t=13s
- https://www.youtube.com/watch?v=CiA4ICWRQa8&t=22s



# Project: Combating Illicit Financial Flows, "How the Anti Money Laundering Regulations Respect the Data Protection"

This is the first regional project on Anti Money Laundering VS. Data Protection conducted between the four countries: North Macedonia, Albania, Kosovo and Montenegro. The project has started on 1 December 2020 and will last until May 31-st 2021.

The project team is composed of two experts from each one of the four countries, one who will be reflecting on Anti-Money Laundering, and another one who will be reflecting on Data Protection provisions. The experts will be analyzing the existing anti-money laundering practices in the four countries, and where possible, uncover the failures to address the issue of Data Protection both in the regulation and in practice.

There will be 4 national reports and a final regional report that will be presented to the authorities and will encompass information on how the Anti-Money Laundering/Combating Financial Terrorism VS. Data Protection is organized across the region.

A final conference/webinar will be organized, to discuss and review the findings with a regional audience.

The project is supported by the GIZ Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH as commissioned by the Federal Ministry for Economic cooperation and development of Germany and the Ministry of Foreign Affairs of Norway.



# For more information visit: <a href="http://transparency.mk/">http://transparency.mk/</a>





