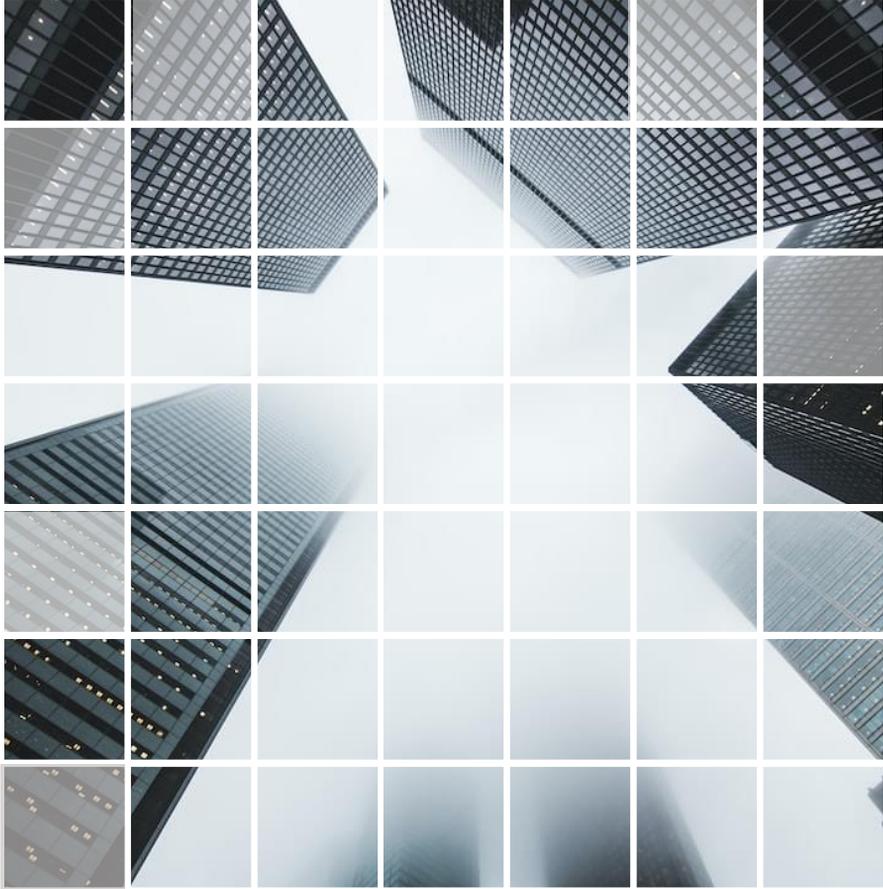


CORRUPTION BAROMETER



LIGHT

DARK

November 2023



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“DARK” OCCURRENCES FOR NOVEMBER 2023

There is no progress in
the fight against
corruption

● **EC demands reforms and results:
the judiciary remains a weak point**

In the latest report of the European Commission, it is noted that the reforms related to the EU should be carried out, there are fierce criticisms of the judiciary, the insufficient fight against corruption, the abuse of the EU flag...

The USA reacted; the
state's response is awaited

● **On the latest U.S. blacklist are also included
Samsonenko, his spouse Irina, and Ratka Kamcheva**

The U.S. Department of the Treasury has added several new individuals from the Western Balkans to the Blacklist due to corruption, three of whom are from North Macedonia. These include Russian businessman Sergey Samsonenko, his spouse Irina, as well as Ratka Kamcheva, the mother of businessman Orce Kamchev, who was added to this list on July 19th this year. The U.S. Treasury Department's statement mentions that Samsonenko holds two citizenships in Russia and Macedonia.

Another head of the public
prosecutor's office that
prosecutes organized crime
has been dismissed!

● **Vilma Ruskovska dismissed by public prosecutor,
the Council of Public Prosecutors voted unanimously**

Former chief of the Public Prosecutor's Office for Prosecution of Organized Crime and Corruption, Vilma Ruskovska, is no longer a public prosecutor. The Council of Public Prosecutors unanimously adopted the proposal from the Commission for Determining Disciplinary Responsibility to dismiss the prosecutor, after disciplinary proceedings were initiated against her and two of her colleagues following an investigation within the Financial Police nearly a year and a half ago.

There is a lack of reaction to the initiatives of the SCPC

The State Commission for Prevention of Corruption initiated criminal proceedings against the acting head of the Film Agency, as well as against current and former mayors of Radovish

The State Commission for Prevention of Corruption has decided to initiate responsibility proceedings and criminal prosecution against the acting head of the Film Agency, as well as against current and former mayors of Radovish. The Anti-Corruption Commission chair, Biljana Ivanovska, outlined the case involving the Film Agency, citing an audit report on the agency's financial operations and the reviewed documents. She emphasized that the Government should listen to their recommendations and reconsider the audit reports.

The consequences of the amendments to the Criminal Code continue...

“TNT” becomes history: Appeal court overturned it, guilt seen in the Criminal Court where the decision was made by dismissed jurors

The Appellate Court: Addressing criminal case KOKZH-157/22, publicly known as “TNT”, the Appeal Court Skopje, in closed session on November 16, 2023, upheld the appeals of the accused J.M. from S. and E.N from S., filed against the rectification solution of the Basic Criminal Court Skopje dated September 1, 2023 and annulled the same.

Instead of abuse of official position, Mijalkov will be charged with a lesser criminal offence of exceeding official powers

The prosecution altered the indictment for the “Trezor” case, where the former director of the Administration for Security and Counter Intelligence, Sasho Mijalkov, was initially charged. Instead of abuse of official position, prosecutor Trajche Pelivanov requested the accused to be tried for exceeding the boundaries of their official powers. This comes just under two months after changes and amendments to the Criminal Code.

The amendments to the Criminal Code halted the criminal proceedings for the “Traektorija” case – Gruevski, Janakieski and Peshevski will not be held accountable for the Chinese highways

The changes to the Criminal Code also halted the criminal procedure for the “Traektorija” case, initiated by former Special Public Prosecution, related to the case of selecting a company for the construction of highways Miladinovci - Shtip and Kichevo-Ohrid.

Prosecutor Lenche Ristovska, during the hearing for the case of illegal financing of VMRO-DPMNE, “Talir” in the Basic Criminal Court Skopje, amended the indictment due to changes in the Criminal Code, resulting in the statute of limitations for the charge of Abuse of Official Position and Authority.

The Prosecution amended the indictment in the “Talir” case, one of Mile Janakieski’s charges is statute-barred



Accountability for actions is necessary



The prosecution kept a case in a drawer for six years, and a judge unsuccessfully handled it for four years until it expired – Judicial Council will demand accountability

The Judicial Council accepted the justified complaint from citizen Dragan Jakimov, who complained to the Ministry of Justice about the slow proceedings of the judiciary, resulting in the expiration of a case against individuals and legal entities in which he was a victim, having suffered a severe workplace injury. The injury occurred in July 2012, yet the public prosecution filed the indictment proposal in 2018! One judge in the Criminal Court unsuccessfully presided over the case for four years, and in 2022, another judge took over, holding three hearings, after which in July 2022, the case expired due to the absolute statute of limitations! Citizen Jakimov lodged complaints with the Ministry of Justice regarding the actions of the Prosecution, the State Labor Inspectorate and the Criminal Court.

“LIGHT” OCCURRENCES FOR NOVEMBER 2023

The Police Union in Macedonia filed a criminal report against the Ministry of Interior (MOI) and responsible individuals

The Police Union in Macedonia reported to the Public Prosecutor’s Office for Organized Crime and Corruption against an assistant to the minister in the General and Joint Affairs Department, the head of the Procurement, Management and Logistics Sector, the head of the Public Procurement and Standards Implementation Department within the MOI, other responsible individuals in the MOI and against the legal entity Ministry of interior. The report is based on reasonable suspicion that all the individuals above collectively committed the criminal offense of “Violation of Social Security Rights” under Article 167 Paragraphs 1 and 2 of the Criminal Code, and other criminal offenses prosecuted in the line of duty.

The prosecution has opened a case about contentious legalizations of unauthorized constructions in Municipality of Chair

The proceedings have been initiated following public outcry, particularly based on stories where “360 stepeni” unequivocally demonstrated that buildings constructed in the last few years were legalized as if they were built no later than March 2011. We even encountered instances where, absurdly, the request for legalization was submitted before the construction of the building for which the legalization was sought had even started.

The State Commission for Prevention of Corruption has made a decision to initiate actions to the competent public prosecutor’s office for launching a criminal procedure against the Mayor of the municipality of Chair, Visar Ganiu, and an authorized construction inspector due to founded suspicion of abuse of office and duty in the beginning of 2023. Anti-corruption authorities believe that there is a founded suspicion that by failing to act, both the Mayor of the municipality of Chair and the authorized construction inspector enabled the acquisition of benefits for another person through illegal construction of a building on “Vojdan Chernodrinski” Street in the municipality.



Criminal charges against an employee of “Macedonian Post”, accused of abusing their position and misappropriating over 3 million denars

Debar Regional Police Department filed criminal charges against a 29-year-old, E.M. from Debar, due to reasonable suspicion of committing the criminal offense of abuse of official position and authority, reported the Ministry of Interior. In 2023, while employed at Macedonian Post – a subsidiary in Municipality of Centar Zhupa, the suspect, using their official position and bypassing their official authority, illicitly misappropriated funds from the company’s account. As a result, the accused acquired unlawful property gain of 3.095.358 denars, stated the Ministry of Interior.

Criminal charges against employees of “Lopushnik” Forestry – Kichevo causing damage of 334.758 denars

Kichevo Regional Police Department filed criminal charges against a 64-year-old Z.K. and a 39-year-old S.S. both from Kichevo, due to reasonable suspicion of committing the criminal offense of negligence in service, reported the Ministry of Interior. During 2022, both individuals, through neglecting their duties of oversight within their authority, enabled double booking and double payment of invoices to a legal entity in Skopje, causing damage to the Public Enterprise “National Forests” in the amount of 334.758 denars, stated the Ministry of Interior.

After the action by the financial police, The Basic Public Prosecutor's Office in Bitola initiated an investigation for tax evasion

The Basic Public Prosecutor's Office in Bitola issued an order to investigate two individuals, one of whom is suspected of committing the continuous criminal offense of tax evasion under Article 279 Paragraph 2 of the Criminal Code, while the second individual assisted in the committing of the offense. As announced by the Public Prosecutor's Office the 62-year-old suspect, owner and manager of a legal entity in Bitola, with the assistance of the 41-year-old employee, evaded paying profit tax and unlawfully reduced the VAT obligation of the legal entity.

State Market Inspectorate Inspector arrested for bribery

Police arrested a 33-year-old individual, K.G. from the village of Podareshe, Radovish region, an employee at the State Market Inspectorate, on suspicion of "receiving a bribe".

According to reports, the inspector received 3000 denars from two residents of the Radovish area, after requesting the money from them not to report an offense under the Law Amending and Supplementing the Law on Prohibition and Prevention of Unregistered Activity, or to refrain from taking official action that he was obliged to perform. At the time of his arrest, the money received as bribe was found in his possession.

Criminal charges against two individuals: Unauthorized construction of a bus parking garage

Kumanovo Regional Police Department filed criminal charges against I.N. (72) from Kumanovo, due to suspicion of committing the criminal offense of unauthorized construction, and against L.T. (59) from Kumanovo, due to suspicion of committing the criminal offense of abuse of official position and authority.