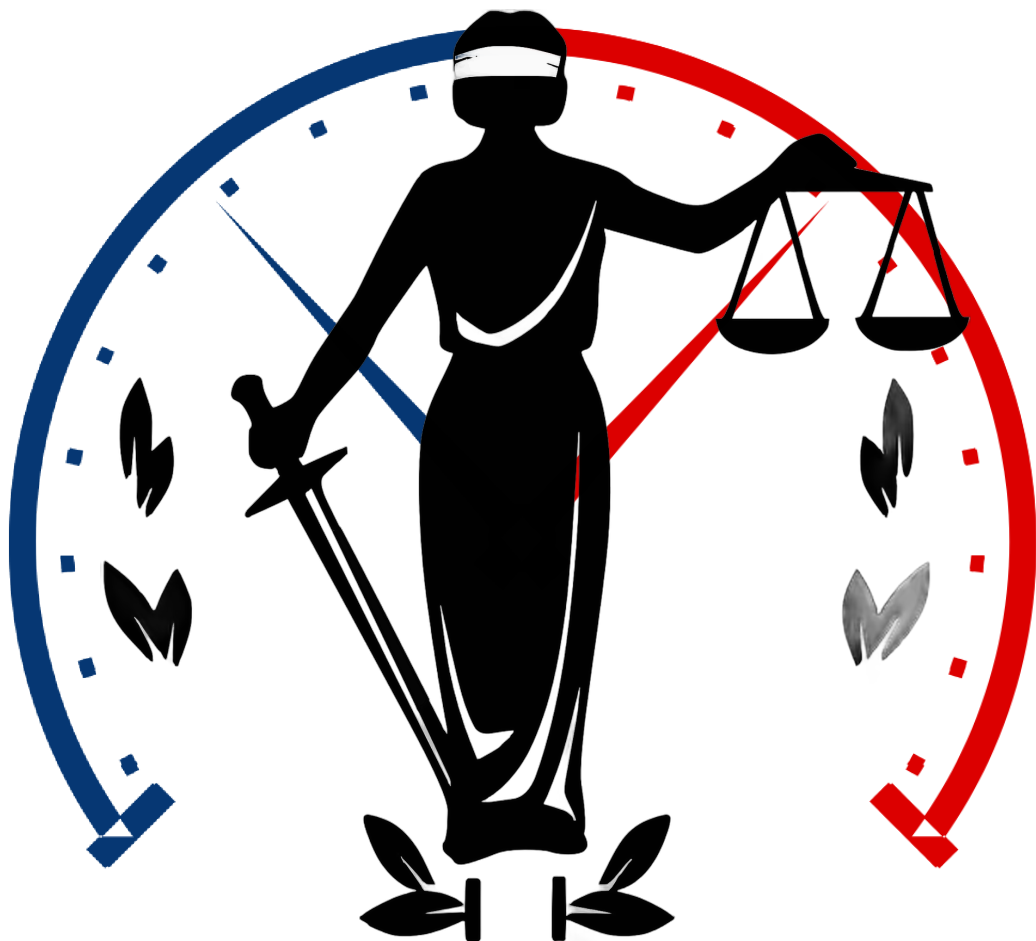


LIGHT

DARK



# CORRUPTION BAROMETER

OCTOBER 2024

## “DARK” OCCURRENCES FOR OCTOBER 2024

**The European Commission recommends adopting a new Criminal Code after the September 2023 amendments negatively impacted the fight against corruption**

The European Commission recommends adopting a new Criminal Code in line with EU law and international standards, as stated in the annual European Commission report on North Macedonia's progress. The EC notes that

“ *the amendments to the Criminal Code from September 2023 weakened the legal framework, negatively impacting the prosecution of corruption, especially in high-level cases* ”

In September 2023, changes were made to the Criminal Code, reducing or eliminating prison sentences for officials involved in crime.

“ *Many ongoing cases were halted either due to expired statutes of limitations or because specific offenses, such as abuse of office in public procurement, no longer exist* ”

states the EC report. Besides a new Criminal Code, the EC also recommends improving the implementation of the national strategy for preventing corruption and conflicts of interest and providing human and financial resources to the Public Prosecutor's Office for Organized Crime, as well as enhancing the verification of asset declarations of elected and appointed officials and overseeing election campaign financing.



**In the corruption section, the report states that the country is between a certain level of preparedness and a moderate level of preparedness and has not achieved progress in preventing and combating corruption. "Corruption remains widespread in many areas and is a matter of serious concern," the report says.**

## The government should be transparent regarding the Prime Minister's advisors

Several months have passed, and the government has still not published who the advisors to Prime Minister Mickoski are.

The government must disclose the names, salaries, and responsibilities of the Prime Minister's advisors. Citizens and the broader public have the right to know who advises the Prime Minister in shaping policies that affect everyone.



Certainly, the public's perception that not disclosing the advisors' names and salaries raises concerns of cronyism and nepotism; however, party affiliation and close relationships do not automatically imply cronyism and nepotism. When defining cronyism and nepotism, it is crucial to determine whether the only criterion for selection is party affiliation and proximity or whether the advisor's competence and success in their field are taken into account.

Therefore, if the government wants to dispel any doubts and suspicions regarding the Prime Minister's advisors, it must promptly disclose the names, salaries, and areas of expertise of the selected advisors.

## Concerns over secret voting decision by the Academy of Judges and Prosecutors' Board for Director selection

The Blueprint Group for Judicial Reform expressed concern about the decision by the Board of the Academy of Judges and Public Prosecutors to conduct the selection of the Academy's Director through secret voting, allowing for multiple candidates without providing adequate justification for the necessity of secrecy.

Although the selected candidate might be the most suitable for the position, the lack of public voting, appropriate discussion, and explanation for the candidate selection decision raises questions about the legitimacy of a process that was not conducted transparently. This could further affect the already low trust in the judiciary.



**Members of the Judicial and Public Prosecutors' Councils were appointed as members of the Academy's Board**

*leading the Coalition "All for Fair Trials" to question whether council members on the Academy's Board can impartially decide on candidate appeals while also participating in the councils that select candidates for judges and public prosecutors, as this may represent a conflict of interest and concentration of decision-making power.*

The Judicial and Public Prosecutors' Councils appointed members to the Academy's Board during sessions on the 24th and 29th of this month, but instead of appointing judges and prosecutors, both councils opted to assign their own members, prompting a reaction from the Coalition.

## Judge Lazar Nanev dismissed after 97 calls to a defendant in a case he was handling



The Judicial Council, in a closed session, dismissed Judge Lazar Nanev from the Kavadarci Court for making 97 phone calls over several days to a party (defendant) in a case he was personally overseeing. The Higher Public Prosecutor of Skopje, Mustafa Hajrulahi, reported Nanev to the Judicial Council last year, providing evidence of the calls made by Judge Nanev. Additionally, a prosecutor from Kavadarci reported him for exerting pressure and inappropriate behavior.

## State Audit Office Issues unfavorable Report for Ministry of Culture: 318 million denars disbursed for cultural projects without clear criteria

The State Audit Office conducted an audit of the Ministry of Culture's financial statements and compliance for 2023. The final audit report highlights various issues, irregularities, and inconsistencies that led the state auditor to issue an unfavorable opinion regarding the accuracy and objectivity of the financial statements, along with a qualified opinion on compliance with legal regulations, guidelines, and established policies.

## The State Audit also found irregularities in the management of inventory for medications and materials at the Oncology Department

There is a lack of alignment between the accounting records and the actual state of medical supplies, and delays were noted in recording the receipt and issuance of medications from the pharmacy to organizational units. Additionally, the value of medications received through donations was not included in financial records, impacting the accuracy of the balance sheet. In 2023, the clinic received medications worth 33 million denars through donations, yet this data was not recorded in the financial records.

This infographic is produced within the framework of the project: EU4 Rule of Law: Citizen Engagement for Public Integrity (CEPI) in the Western Balkans and Turkey supported by the European Union and the Government of Switzerland. The statements in this infographic do not represent the statements of the European Union and the Government of Switzerland



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## Third Prison Sentence for Gruevski expired, but 20 years still await

Former Prime Minister Nikola Gruevski's two-year prison sentence for the "Tank" case expired on October 4 of this year. He still has a year and a half remaining for the "Violence in Centar Municipality" case, which will expire in 2027, and nine years for the "Plots on Vodno" case, expiring in 2043.



## “DARK” OCCURRENCES FOR OCTOBER 2024

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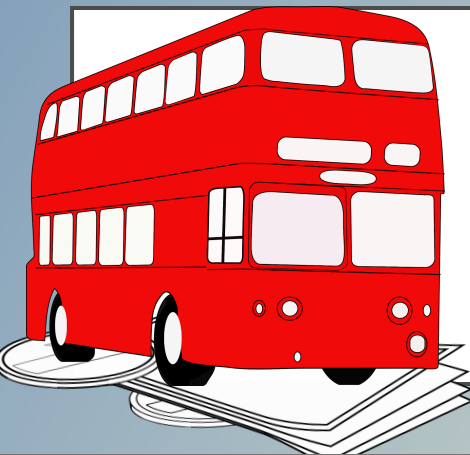
## “LIGHT” OCCURRENCES FOR OCTOBER 2024

### Sixteen officials suspected of accepting bribes, and two for abuse of office



Under the direction of a specialized prosecutor from the division for prosecuting crimes committed by individuals with police authority and members of the prison police, searches were conducted at 26 locations in the Strumica-Gevgelija region. Fourteen customs officials from the Customs Administration of North Macedonia, one retired customs officer, and one police officer were detained. During the searches, money received as bribes was found, totaling 50,000 euros. The Public Prosecutor's Office issued an order to conduct an investigation against 16 individuals suspected of committing the crime of accepting bribes under Article 357, Paragraph 1 of the Criminal Code, while a shortened procedure will be conducted for two individuals reported for abuse of office under Article 353 of the Criminal Code.

### Charges Filed for Embezzlement in JSP Skopje



The Basic Public Prosecutor's Office Skopje filed an indictment against three individuals accused of continuous embezzlement in the workplace under Article 354, Paragraph 5, in connection with Paragraphs 3 and 1 of the Criminal Code. The three co-defendants, as responsible employees of the Public Transport Company – Skopje, allegedly appropriated funds entrusted to them in the workplace, amounting to 23,133,245 denars, resulting in significant unlawful gain.

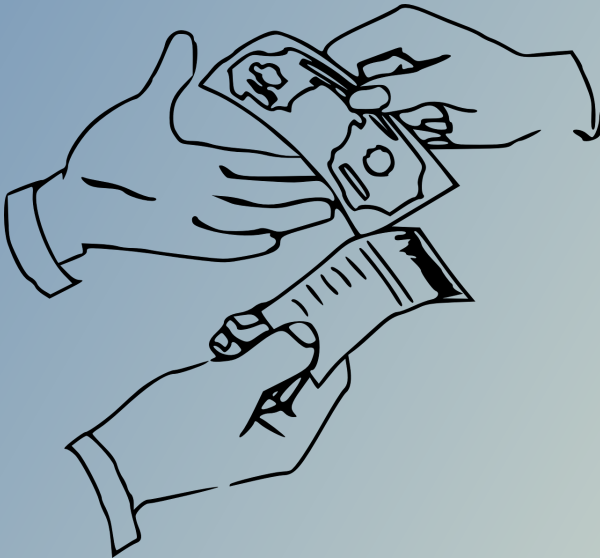
## Criminal Charges for Abuse of Official position Filed Against 12 Police Officers and Six State Roads Employees

The Department for Internal Control, Criminal Investigations, and Professional Standards within the Ministry of Internal Affairs submitted criminal charges to the Basic Public Prosecutor's Office for prosecuting organized crime and corruption.

The charges were filed against 18 officials, including twelve police officers from the Mobile Unit for Road Traffic Safety and six employees from the toll booth at Romanovce under the Public Enterprise for State Roads, due to reasonable suspicion of abuse of office and authority under Article 353 of the Criminal Code.



## Foreign national suspected of bribery at border crossing Blace, Prosecutor's Office Requests Detention



The Basic Public Prosecutor's Office Skopje issued an order to conduct an investigation against a Turkish citizen suspected of bribery under Article 358, Paragraph 1 of the Criminal Code.

On October 30, at the "Dolno Blace" border crossing, the 50-year-old suspect allegedly offered a gift directly to an official to perform a service they should not have executed.