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NEWSLETTER 3

WORKING GROUP III
JUDICIARY AND FUNDAMENTAL RIGHTS

Preparatory meeting

Date: 21.12.2018

Attending: Prof. Mileva Gjurovska, National Coordinator, Simonida Kacarska, NCEU-Expert, Aleksandra Deanoska, NCEU-Expert and Prof. Konstantin Minoski, working group 3 coordinator were present.

The main topic of this meeting was defining a theme of the upcoming session, as well as some of the participant that should specifically be invited to partake in the session. Fifth session was also a talking point, as it should be held outside of Skopje.

During January there were more than 3 meetings with the main expert Prof. Dr. Gordana Siljanovska, where topics regarding the upcoming session were discussed.

Fourth working group 3 –
Judiciary and Fundamental Rights

REFORMS IN THE CONSTITUTIONAL COURT RELATED TO CHAPTER 23

The fourth session of the Working Group 3 (WG 3) was held on 12 February 2019 at the Club of the Members of Parliament of the Republic of North Macedonia in Skopje in from 12:30 to 17:00 hours. Topic title of the session was: "Reforms in the Constitutional Court related to Chapter 23." More than 40 participants - members of the working group and representatives from all concerned segments in the society, took part in the session:



from the Government of the Republic of North Macedonia - representatives from the competent Ministry of Justice, led by Minister Renata Deskoska, representatives from the Ministry of Foreign Affairs, representatives from the Secretariat for European Affairs, then representatives of civic associations whose activity is related to the topic and work of the WG 3, experts from the relevant field, representatives of the judiciary, representatives of the diplomatic corps in the Republic of North Macedonia, Radoslav Prochazka - candidate for Constitutional Judge of the Slovak Republic and expert from the Slovak Republic, and representatives from the academic community - Gordana Siljanovska, Professor of Constitutional Law, and Denis Presova, Assistant Professor at the Iustinianus Primus Faculty of Law at the University "St. Cyril and Methodius" in Skopje, and Prof. Dr. Natasa Gaber – Damjanovska, Director of the Academy for Judges and Prosecutors.

The work of the fourth session of the Working Group 3 (WG 3) - Judiciary and Fundamental Rights (Chapter 23) was co-chaired by Ms. Frosina Taseva, Head of the Sector for European Union at the Ministry of Justice in the Republic of North Macedonia and Mr. Mohamed Halili, former ambassador and representative of the European Movement in the Republic of North Macedonia.

The first speaker at the fourth session of the WG 3 was Prof. Dr. Renata Deskoska, Minister of Justice in the Government of the Republic of North Macedonia. At the beginning, Deskoska expressed the satisfaction of participating in a debate on an important topic such as the Constitutional Court reforms, noting that this topic has been frequently discussed, but serious reforms have never started, because the constitutional framework is the one that sets the foundations, but also sets the limits for reform.



Thus, whenever the Constitution was to be opened in order to make reforms in the section on the Constitutional Court, many other issues were raised that required changes in the Constitution, so the changes relating to the Constitutional Court section remained on the side.

The session continued with the presentation by Prof. Dr. Gordana Siljanovska, professor of constitutional law at the Faculty of Law "Iustinianus Primus" at the University "St. Cyril and Methodius" in Skopje. She pointed out that "the Constitutional Court is a 'sui generis' state institution and does not form part of the ordinary judiciary, which does not mean that "the ordinary courts and the Constitutional Court do not relate to one another, because the road leads to constitutionalism and we reach constitutionalism through the rule of law."

The next speaker was Prof. Dr. Natasa Gaber - Damjanovska, Director of the Academy for Training of Judges and Prosecutors and former constitutional judge. In the further discussion, Gaber-Damjanovska pointed out what the Constitutional Court's reforms would consist of: there is a need for expanding the constitutional complaint and the list of human rights and freedoms that fall within the competence of the Constitutional Court. She believes that these changes "would lay the ground for larger changes in the Constitutional Court and in its very work." . Regarding the constitutional complaint, she spoke of two dimensions that differ among themselves: legal efficiency and legal effectiveness; in other words, that each constitutional court should be not only efficient but also effective as such.

According to her, in terms of efficiency, the work of the Constitutional Court can be assessed as efficient, given the cases processed in accordance with its narrow constitutional competence; however, the Court is not effective because in the period when she was a judge of the Constitutional Court there was only one single case in which on the basis of a preliminary public hearing, the Constitutional Court passed a decision on violation of the right of a citizen, i.e., the right to be elected.



In continuation of the work of the session, the floor was given to Mr. Radoslav Prochazka, candidate for constitutional court judge in the Slovak Republic and legal expert. In his career, he was a Member of the Slovak Parliament, a Counselor at the Constitutional Court of Slovakia and represented his country at the Venice Commission, a lawyer and a member of the academic community, which enabled him to perceive this issue from different perspectives. Given the event time frame and what had been said so far, he would not stick to the presentation he had prepared, but would be involved in the discussion on four issues that he considered relevant, which were discussed by the previous participants: the idea of fear of the judicial activism (discussed previously by Prof. Siljanovska and Prof. Deskoska), the process of election of judges, the constitutional complaint, and a law on the Constitutional Court.

In the continuation of the fourth session of the WG 3, the discussion was conducted in context of asking questions and giving answers related to the discussions of the participants, commenting, and then elaborating, discussing and adopting the proposed recommendations. The discussion was mainly focused on the over-dominance of politics over the law, which may stem from the shortcomings of the political system that arose in the transition period in which gradually the rule of law was replaced by the rule of political parties, and decisions were made in direct and tête-à-tête agreements solely among political party leaders. This situation has greatly become an obstacle for the functioning of the rule of law in all segments, so political decisions are those that govern both the Constitution and the law. Certainly, such discussions point to the seriousness of the reform needs not only within the constitutional judiciary in the Republic of North Macedonia, but also in the entire justice system as such.



Aleksandra Deanoska, Professor at the Faculty of Law "Iustinianus Primus" at the University "St. Cyril and Methodius" in Skopje, concluded that in the legal reforms "we have to start from scratch", because we should be sincere and admit that it is difficult to avoid the mentality that "everyone is waiting for their 'five minutes' to come to power". She elaborated the expert-proposed recommendations. After discussing these proposed recommendations and after accepting the suggestions from the present legal experts and members of the WG 3, eight recommendations were accepted as such.



First preparatory meeting

Date: 27 March 2019

Place: Faculty of Law – Skopje

Present: Aleksandra Deanoska, NCEU-MK expert; Nikola Tupanceski, Law Professor, Mileva Gjurovska, NCEU-MK National coordinator

At the initiative of the NCEU-MK coordinator, a meeting of the expert team was held where the forthcoming fifth session of the NCEU-MK was discussed. Professor Aleksandra Deanoska, as a continuous expert of the NCEU-MK, proposed to discuss the topic related to high corruption in the next session, and Professor Nikola Tupanceski was pointed out as an expert working in this area, but also as a former representative to GRECO. First of all, there was explanation of the manner of operation of the NCEU-MK for which the Professor showed a special interest, and it was a challenge for him to tackle the high corruption whose actuality will be even greater in the coming period. During the discussion, the other speakers were identified, noting that obligatorily there should be a representative from the Special Prosecution Office, the Skopje Basic Court - Department for Organized Crime. Professor Tupanceski was engaged in the communication with the potential speakers of the session ensuring their presence.

Second preparatory meeting

Date: 16 May 2019

Present: Professor Nikola Tupancheski, NCEU-MK Expert and Professor at the Faculty of Law "Iustinianus Primus" – Skopje, Professor Aleksandra Deanoska, NCEU-MK Expert and Professor and the Faculty of Law "Iustinianus Primus" – Skopje, Professor Mileva Gjurovska, Professor Konstantin Minovski, co-chair of WG3, Biljana Stojanoska and Julijana Karai, Representatives of the Secretariat for European Affairs in the Government, Dr Trpe Stojanovski, Expert in WG4, Nikola Todorovski, Nikola Jazadziski, Elena Gacheva.

The Members of the Program Council for WG3 met in preparation for the fifth Session, scheduled for 05 June 2019, right after the second Plenary Session of the National Convention. On the agenda for the meeting were the usual points of deciding the title of the Session, the list of participants, and preparatory materials for the Session



The first point of discussion was the title of the Session. After detailed consideration, all members agreed on the following topic "The Judiciary and High Corruption: Approaching or Moving Away from European Standards". Immediately it was stressed that given the topic it will be essential to have representatives from the Judiciary, the Public Prosecutor's office and the Special Prosecutor's Office, as speakers at the Session. It was settled that the representatives of EMMK will see to the invitations and ensure the presence of representatives of these institutions. Speaking on the subject of the topic, Professor Tupanchevski, brought the attention to the GRECO Compliance Reports and the advances, or indeed their lack of, that the Country has made in the past period. He pointed out that Macedonia is in a unique position, to have a regression in the Marks presented by the Council of Europe. This, he argued, should figure in one of the recommendations at the Session. What followed was a discussion on the existing regulation and Strategies available on the subject of the upcoming Session. As usual, it was concluded that in general we have the necessary legal framework, but implementation or selected implementation remains a challenge.

Finally, the meeting ended with a note to consider topics for the sixth Session in WG3. Most members present expressed their opinion that it would be best to schedule the sixth Session in September, after the vacation period.

Fifth session of the Working group 3- Judiciary and Fundamental Rights

JUDICIARY AND HIGH CORRUPTION: MOVING TOWARDS OR BACKWARDS FROM THE EUROPEAN STANDARDS?

The fifth session of the Working group 3 (WG3) took place on 5 June 2019 (Wednesday) at the Club of MPs in Skopje, from 9 to 13:45 hours. The topic considered was: Judiciary and high corruption: moving towards or backwards from the European standards?

The work of the session involved the presence of more than 40 participants as members of the working group and other relevant stakeholders such as: representatives of the competent Ministry of Justice, NGOs, experts, representatives of the Basic Public Prosecutor's Office, the Special Prosecutor's Office, representatives of the judiciary and of the academic community.



The fifth session of Working Group 3 (WG3) - Judiciary and Fundamental Rights was co-chaired by Muhamed Halili, vice president of EMRM and NCEU-MK, and by Frosina Tasevska, Head of the European Union sector at the Ministry of Justice. The two sessions included presentations by Nikola Tupanceski, an expert, professor at the Faculty of Law "Iustinianus Primus" - University "St. Cyril and Methodius"-Skopje; Katica Janeva, Special Public Prosecutor; Pavol Zilinchik, expert, Office of the Ombudsman and Judicial Council of the Slovak Republic; Vesna Dimiskova, judge, Basic Court Skopje 1, Department of Organized Crime and Corruption; Maja Koneska, Public Prosecutor, Basic Public Prosecutor's Office for Prosecuting Organized Crime and Corruption. In the part of the session intended for discussion and adoption of the recommendations, the expert in the Working Group 3 of the NCEU-MK, Aleksandra Deanoska, professor at the Faculty of Law "Iustinianus Primus" - University "St. Cyril and Methodius" - Skopje, presented and explained the recommendations of WG3.

The session was opened by Muhamed Halili, vice president of EMMK and co-chair of WG-3 at NCEU-MK. In his brief address, he stressed that today's topic is very important for the reform and functioning of all other institutions, and hopes that the work of the sessions in this Chapter will contribute to faster advancement towards reforms and approximation to EU standards.

He highlighted the dilemmas in the public about the success of institutions in the fight against corruption and organized crime in our country. Therefore, the theme of this session is not only very important, but it is timely and constantly present in the current political debates and analyzes, especially in the media. According to him, the fight against corruption in all spheres of our society, especially in the judiciary (high corruption) will have a greater effect if the very confiscation of illegally acquired property is established as such.



According to the agenda, the expert analysis started with Nikola Tupanceski, a professor of criminal law at the Faculty of Law "Iustinianus Primus" - University "Ss. Cyril and Methodius" Skopje, stressing that the topic is very serious, but also intriguing and inspiring for discussion.

Tupanceski began his speech with the latest Progress Report by the European Commission, noting that he would be more critical than the Commission itself. This year, the Commission noted that there was "good progress" in the fight against corruption and the rule of law. He expressed his satisfaction with this assessment, but also from a semantic point of view, he indicated that it is not clear how "a bad progress" would look? In Socratic spirit, he ironically posed the question of whether the Republic of Macedonia is the best today in 2019 in the fight against corruption, or in 2010, when Transparency International ranked Macedonia at the 62nd place in the fight against corruption, which is the highest place in the history of the Republic of Macedonia in this ranking, in the period when Macedonia was called a "captured state". The expert Nikola Tupanceski then stressed that the Republic of Macedonia abounds with legislative frameworks, and practically every day there is adoption of some strategy, some kind of action plan, etc. In the domain of Chapter 23, a Strategy for Judicial Sector Reform (2017-2020) was adopted, but this is not a guarantee for resolving the issues.

Reacting to the recommendations in the Priebe Report as well as the EU Commission's Report for 2018, where a situation of corruption and organized crime was noted in the Republic of Macedonia, the State undertook measures such as: Plan 3-6-9, then Plan 18, but the question of their implementation is again raised. In order to speed up reforms, the Government has set up a specialized body for monitoring the reforms in the justice sector, but unfortunately, there is no concrete result. According to him, real refreshment on the Macedonian social scene (in the field of the fight against organized crime and high corruption) is the establishment of the Special Prosecutor's Office. Then, the State Commission for the Prevention of Corruption was established, to which a large number of reports were submitted, but still without visible results. Filing reports, complaints, and indictments against individuals is not enough; the process must be completed with a final court decision. The State Commission for the Prevention of Corruption should use Article 359 (a) of the Criminal Code as an instrument - which criminalizes the illegal acquisition and hiding of property; and Article 353 (c) of the Criminal Code - which criminalizes the unethical work in the state service and administration.



In the fight against corruption, account should also be taken of the nature of the phenomenon itself, said Tupanceski. He raised the question of whether we can equalize high corruption and systemic corruption. According to him, corruption in our country is systemic - systematic: on the one hand, it is produced by the system, and on the other hand, systematically it is made by whoever comes to power. This suggests that the manner in which the institutions operate depends to a large extent on the politics and influences by the political parties, which is especially present in the domain of the judiciary. His general impression is that the reforms of the justice system move one step forward, two steps backward. The systemic problem can be seen in the negotiations on the newly proposed Law on the Public Prosecutor's Office whose adoption is retained by political parties: two major political parties are negotiating the scope and competence of the law. He concluded that in the Republic of Macedonia it is necessary to take steps for the law to be above politics; one should not allow politics to be dominant in resolving the situation in Macedonia.

Katica Janeva, Special Public Prosecutor. She began her address, building upon the questions put up by Tupanceski, noting that they may not be answered, but with this debate some concrete conclusions can be reached that could be applicable to professionals in the field of the fight against corruption. According to her, the Special Prosecutor's Office (SPO) has been imposed as a driver in the judiciary, as a prosecution prosecuting the high structures of the former government because they were part of the wiretapped conversations that were disclosed by the then opposition. Despite the positive EU report for the Republic of Macedonia, EU is not fully satisfied and believes that the Macedonian government still has a lot of work to do. Furthermore, Janeva pointed out that they have court decisions about a former prime minister and former interior minister, but they are for minor and less serious crimes. They currently have cases being processed for major violations of the law.



She expects the EU Commission would commend the SPO at the moment when the SPO becomes successful in fully prosecuting the manner by which the former government organized and conducted voting in the Republic of Macedonia during several elections. Janeva also referred to the proposed new Law on Public Prosecution in whose work she participated. She confirmed that it is not known which is the current draft version negotiated by political parties. According to her, the biggest obstacle to the adoption of the Law is the cases that are processed by the SPO for corruption of former high officials who want now to stop them from being processed, because these cases are at the stage of a pre-investigation and investigation. In addition to the political agreement that gives the mandate of the SPO for 18 months, she believes that legal professionals should work according to the Criminal Procedure Law, i.e., the prosecution should be within the scope of this Law, not the Law on the SPO; something that the politicians do not want to hear, because it does not suit their wishes and their political careers. This is the main reason for impeding the adoption of the newly proposed Law on Public Prosecutor's Office, which should have been adopted long time ago; furthermore, a sticking point is the provisions for harmonization with the Law on Criminal Procedure, which solves the problems in the functioning of the public prosecutor's office.

She once again expressed dissatisfaction with the interference of politics in the judiciary, as well as the relevant recent decision of the Supreme Court that has negative consequences even for their cases that are currently pending. She hopes that in the near future, the Law on Public Prosecution will be adopted, which will be implemented by the Special Public Prosecutor's Office, enabling the already prosecuted cases to get a final court sentence. According to her information, representatives of the international community and senior representatives of the EU Commission are continuously raising the issue of adopting the newly proposed Law on Public Prosecution; she hopes this will be resolved during this month. In addition to her statement, Janeva expressed dissatisfaction with the way in which the Criminal Court treats the SPO cases. A little after two years upon filing the SPO cases before the Criminal Court, only a dozen people were convicted by enforceable verdicts, and sanctions (prison) were initiated only for one person.



The Court of Appeals in Skopje has not sent the SPO the written document of its verdict for the 'Trust' case for three months already; on the other hand, the verdict with the enacting clause somehow was published in several media outlets and so the general public was also informed about it; this is an indicator of disclosing information and corruption in the judicial institutions themselves (here it is about corruption of court registry office and its delivery clerks). Regarding high corruption, the newly proposed Law on Public Prosecution will achieve better results. Prosecutors feel great responsibility, but politics should remove its hands from the judiciary and the prosecution. A special measure of achieving this is the significance of financial independence of courts and especially of SPO and regular prosecution offices.

Pavol Zilincik – legal expert from the Slovak Republic, member of the Judicial Council of the Slovak Republic, who also works at the Ombudsman Office of the Czech Republic. At the beginning of his presentation, he thanked for the opportunity to participate in the work of this session, but also for the open and critical discussion that prompted him to continue in that direction, that is, to critically address the situation in the Slovak Republic in order to be able to recognize the problems they faced and what measures were taken to address them.



He noted that he has two jobs in two states: he is a member of the Judicial Council in Slovakia (he was appointed by the President of the Slovak Republic; he is not a judge - but an attorney-at-law) and in the Office of the Ombudsman in the Czech Republic where he mainly works on the reforms of the judicial system that allows him to compare the two present states that once were part of a single joint state.

In his presentation, he considered three things. The first message was that the rule-of-law system, the judicial system, the anti-corruption system are significant, but what is far more important are the people inside the system. He then addressed the failure - in Slovakia the highest EU standards were implemented by 2005, with an almost perfect judicial framework, but then the system collapsed. In the third part, he considered various solutions, which can be an inspiration for some local solutions in the case of North Macedonia as well.

Significantly for judicial reforms in Slovakia is the separation of the judiciary from the government, guaranteeing the independence of the judiciary that has been successful until 2000 in the pre-accession process. The EU was quite clear with regard to the independence of the judiciary (financial and political). In 2002, they established the Judicial Council in Slovakia, and in 2005, a Special Criminal Court was set up to combat corruption and organized crime in order to break the ties between judges, lawyers and prosecutors at the local level. Slovakia is a small country and everyone knows everyone, which was a serious problem in the fight against corruption and organized crime. In order to achieve this goal, people with strong personal integrity and high ethical standards were selected and recruited. Zilincik stressed that, immediately after the formation of the Special Criminal Court, the court was heavily attacked, mainly by corrupt political elites, by the mafia, by the corrupt part of the judiciary, who did not want to fight corruption and organized crime. Due to this pressure, in 2009 the Supreme Court ruled that the special court was unconstitutional.



However, the public reaction to this decision was so strong that the government was forced to re-establish the special court. He pointed to other problems in the judiciary in the period after 2006, in particular the "disciplining" of uncorrupt judges with integrity, manipulating the system of distribution of court cases, manipulation of appointing judges, manipulation of selecting judges, etc.. The result of this situation was the petition by the judges, i.e., more than 100 judges signed a petition on the "atmosphere of fear" in the judiciary, that they felt threatened, that they were not independent and could not perform their function. Also, public confidence in the judicial system was very low, especially as the judicial system was not fair even to those working there. What were the solutions to get out of this situation? According to Zilincik, the government's change in 2010 led to significant radical reforms whose main principle was transparency. Thus, the court proceedings - the sessions of the Judicial Council - were public, but they were filmed and could be viewed online as well. Changes were made in the selection process of judges, which ensured equal treatment of all candidates, and the oral part of the exam was recorded, there were more public and transparent court judgments, etc. He pointed out that these things are not present in the Czech Republic.

For example, it is important to mention that there is no Judicial Council in the Czech Republic, while the judiciary is still headed by the Ministry of Justice, although the Czech Republic is a member of the EU, since the Czech judiciary was not prepared for such a degree of independence. But it does work; it can be noted that public confidence in the judiciary is higher in the Czech Republic than it is in Slovakia, which has an ideal judicial system.

From the experience of Zilincik in the Slovak Republic and the Czech Republic, one can learn that the system is important, but the people who make up it are even more important. Transparency of the process is necessary and improves the situation, and there are no cases of abuse of disciplinary procedures against judges or prosecutors. The merit-based fair selection process is key to improving the system. At the end of his speech, he emphasized the importance of ethics. He believed that so far, the emphasis of reforms proposed by international organizations has been put on laws and institutions as such, and not on the very character, integrity and ethics of the people that make up the system and the institutions. He believed that the Slovak Republic, the Czech Republic, and Macedonia should work more in the field of ethics, especially in the field of practical application of the theoretical principles of the Code of Ethics.

Vesna Dimiskova, judge, Primary Court-Skopje 1 as competent criminal court, Department of Organized Crime and Corruption. According to her, the topic is intriguing and can be talked about a lot, but in a negative connotation. She agreed with Prof. Tupanceski that the effective and enforceable judgments are an indicator of the efficiency in the fight against corruption, especially with high corruption, but unfortunately, such judgments are almost non-existent in the Republic of Macedonia.



Dimiskova also pointed to another part of the corruption, which will be mentioned in the reports of the EU Commission in the near future. According to her, in the Basic Criminal Court in Skopje, and the Department for Organized Crime and Corruption, which is part of this court, there have been few corruption-related cases, unlike the cases of unauthorized drug production, smuggling of migrants, trafficking in children.

Dimiskova agreed that corruption is systemic and practiced by official deliverers of court writs, court clerks, and judges. Even when there is evidence that a judge takes bribe in order not to impose a pre-trial detention, no charges are initiated against such judge. The situation is similar with the public release of classified data about the defendants' cases (what court decision or measure and against which defendant would be imposed); although it is known who they are, nobody is made legally accountable for such classified court data public disclosure. Sometimes even an obstruction is made impeding the very investigations. In cases of high corruption, cooperation and greater accountability are necessary for the Parliament as well; the Parliament very often does not reply to the court's demands for detention of senior officials and MPs in the Parliament who have immunity as such. There are similar reactions made by the Judicial Council, which does not give approval for a detention of a judge who is being investigated for a corruptive wrongdoing. It is about two vital institutions on which the rule of law is based. Also very harmful situations exist when there are a verdict and an enforceable decision about the verdict, and still the punishment is not enforced. She points out that generally in all institutions the subjective approach is predominant, which is characterized by the adoption of decisions that are driven by personal interests, and not by the legal provisions and the public good.

According to her, it is necessary to undertake an initiative for review of the criminal justice legislation, which is full of inconsistencies and contradictions, thereby preventing the quality provision of the necessary court evidence. Regarding the question of the session whether we are approaching or moving away from the EU standards, she believes that in terms of harmonization of legislation, Macedonia is closer to the European standards, but in terms of the effective and enforceable judgments of high corruption we have not even come closer in order to be able to say that we are now moving away.



Maja Koneska, Public Prosecutor, Basic Public Prosecutor's Office for Prosecuting Organized Crime and Corruption with 22 years of experience in the prosecution. Her experience in prosecution of crime and corruption indicates that court procedures are being conducted for corruption in national cultural heritage and for other types of crime such as drug trafficking, organized crime, trafficking in migrants, abuse of office and others; however, she has never processed, as prosecutor, any bribe case (giving or receiving a bribe).

The main reason is therefore the collection of pieces of evidence that are collected in legal manner and to be strong enough to convince the trial court of the truthfulness of the factual situation; anyway, it is very difficult to gather pieces of evidence in these cases. There are numerous examples of bribing judges and even there is a very case when a detention of a judge and his removal from office was demanded because he influenced three witnesses during the proceedings, but the judge is still free and presently is conducting trials.

According to her, the new Law on Criminal Procedure, which came into force in 2013, made a positive revolution in two segments. First, the public prosecutor was placed at the center of the investigative procedure, something like in the USA; and second, for a faster resolution of those cases where there is sufficient evidence to use plea bargaining, excluding cases that cover abuse of official duty and authorization where the procedure is being conducted to the very end. Providing evidence of bribery is extremely complex as it takes place *inter partes* – in private and *tête-à-tête*, with both sides being satisfied with the agreed and concluded things. Regarding financial investigations, it is very important to emphasize that they have the support of the Financial Police, the Financial Intelligence Unit, and the State Commission for the Prevention of Corruption.

She noted that financial investigations are very important, especially in the context of money laundering prevention. She expressed the need for transparency and slowly to restore confidence in these institutions.

Aleksandra Deanoska, NCEU-MK expert, elaborated the principles of work of the NCEU-MK. Prior to elaborating the recommendations, she opened the discussion of Working Group 3. The discussion participants included attendees at the session, especially as there was shocking insider information regarding the situation in the judiciary and corruption in it. The interest in the topic continued the session for an hour. Different segments of the legal proceedings and procedures, as well as the role of other factors in dealing with corruption, such as the education of judges and prosecutors, the integrity of judges and prosecutors, were discussed as well, including the role of the media in informing the public about the topic.



It was pointed out that in the fight against corruption there cannot be two different standards: European and national. Special attention was paid to GRECO's recommendation for the removal of the Minister of Justice's participation in the work of the Judicial Council ex officio.

Besides the systemic problems, consideration was also made of the spatial and technical conditions in which the courts and the public prosecutor's office operate, which in turn make conducting their activities rather difficult.

Finally, Prof. Deanoska presented the draft recommendations, which were considered and discussed by the participants in the WG3. By their discussions, they sent relevant remarks and suggestions, which were implemented in the recommendations and then were unanimously adopted at the session.

