

**NATIONAL CONVENTION FOR THE EUROPEAN UNION IN  
NORTH MACEDONIA (NCEU-MK)  
RECOMMENDATIONS**

**Ninth session of Working group 4 – Justice, freedom and security (Chapter 24)**

**Skopje, 06.07.2021 (Tuesday), 09:30 – 13:00**

***Topic: What stands in the way of the application of anti-corruption legislation?***

1. In order to protect against political and other corruption in the appointment of public officials, the existence of which is noted in the analysis of the SCPC, it is recommended: The Ministry of Information Society and Administration should complete the legal framework, as soon as possible, in order to redefine and specify the employment criteria for administrative staff, as well as the criteria for recruitment and selection of public officials, by providing an open opportunity for recruitment through a public competition.
2. Transparency is one of the most important tools in preventing corruption in the process of recruiting public officials. The Ministry of Information Society and Administration should consider the need for strengthening the legal regulations and precise definition of tools for selection of candidates for public office. The list of applicants should be announced on the WEB page of the Agency and should be accessible to the public. The process to recruiting the right person would be done according to the professional capacities (merit based) of the short listed candidates.
3. The Ministry of Information Society and Administration should consider the suggested need for creating an *Integrity Plan*, which will make easier to recognise potential risks related to integrity in accordance to the level of responsibility, which will further strengthen the mechanisms for prevention of risks for damaging the integrity, as well as the developing of instruments for establishing the integrity of employees of the public administration and especially of public officials.
4. The reduction of corruption is an ongoing and continuous process always approaching towards the ideal that all citizens are equal before the law. This is achieved by building mechanisms for control of actions, and more frequent audits and controls. It is recommended to the Ministry of Interior to consider the possibility of applying modern techniques / procedures in the work of the police (installation of cameras 24/7 on uniforms) cameras in the administrative segment of the police (issuance of personal documents), as well as consistent implementation of sanctions (house arrest, imprisonment and other punitive measures) for illegal actions.
5. Considering the fact that only 1/3 of the recommendations for prevention and fight against corruption proposed by the SCPC have been adopted and implemented in practice, it is

recommended that the Government of North Macedonia initiate a public debate on obstacles to the implementation of anti-corruption measures (with the participation of representatives of Government, Members of Parliament, civil society organizations, representatives of NCEU-MK and other stakeholders).

6. The Government of the Republic of North Macedonia should provide financial resources (in the Budget for 2021) for the realization of the planned new employments in the State Commission for Prevention of Corruption in order to timely and efficiently perform the extremely important activities in the fight against and prevention of corruption.
7. The Government of the Republic of North Macedonia should support the practice of conducting anti-corruption scrutiny of the draft-legal solutions in order to incorporate legal mechanisms for prevention and sanctioning of corruption.
8. It is recommended that the Ministry of Interior in the basic training for profiling of police officers to increase the volume of curriculum (number of hours) on the subject of police integrity and prevention of corruption in the police.
9. Experts analysis show that the Prosecution is one of the weak points in the fight against financial crime and corruption, especially because of political and other forms of influence in all levels of the prosecution process. It is recommended to the high representatives of the Prosecutor's Council to lead the reform of the prosecution service in line with international standards strictly adhering to the principles of efficiency, statistical transparency and independence from outside influence.
10. The Ombudsman should initiate a public discussion and respond to the expressed need to amend the Law on Ombudsman (Article 11d) related to the mandate of the representatives of the civil society in the Office of the External Mechanism, in accordance with the foreign and domestic expertise, including that of the Council of Europe.
11. The Ministry of Information Society and Administration should organise an expert consultative discussion with civil society organizations, NCEU-MK and other stakeholders to take concrete initiatives for raising awareness among employees of state institutions to fight corruption by establishing mechanisms based on the examples of other countries (survey questionnaire, evaluation, simulations, positive practices).<sup>1</sup>
12. Civic platforms working in the field of prevention and fight against corruption should pay special attention to the public affirmation of the importance of the Law on Whistleblowers in order to strengthen citizens' awareness of their role in protecting against abuse of power, corrupt practices, as well as their prevention. Also, to develop practices of providing legal aid

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<sup>1</sup> In the United States, a government-prepared form is filled out once a year with about 30 short questions: What is corruption, is it a corruption to be treated to a lunch in exchange for a favour, to what amount can a reward be received, should a bribe be reported ... If the questionnaire is not filled, the employment contract is not extended or in our country that would be grounds for a disciplinary procedure. These repetitive mechanisms are used for raising awareness among employees in state institutions.

to whistleblowers, financial support and other necessary support in case of their suspension from work.

13. The media, as an important instance for providing the much-needed publicity and transparency in the fight against corruption, is encouraged to increase their research initiatives to monitor public procurement data, as well as to closely monitor the work of appointed public officials.