

REPUBLIC OF MACEDONIA

MINISTRY OF JUSTICE

PROGRESS REPORT

Skopje, November 2005

I. ADHESION TO RELEVANT INTERNATIONAL CONVENTIONS

*Additional Protocol to the Criminal Law Convention
(ratified on September 2004)

*United Nations Convention against Transnational Organised Crime and
Additional Protocols
(ratified on September 2004)

*United Nations Convention on Fight against Corruption
(signed in august 2005)

2. LEGISLATIVE ACTIVITIES IN THE FIGHT AGAINST CORRUPTION

ENACTED LAWS:

*Amendments of the Law on Criminal Procedure
(enacted in October 2004)

The aim of the Law is to establish regulations for prevention of organized crime and other serious forms of crime, as well as for harmonization of domestic legislation with the legislation of the European Union and with provisions of ratified international documents

* Amendments of the Law on Prevention of Corruption (adopted in June 2004)

The aim of the Law is to strengthen the independence of the State Commission for Prevention Corruption and to expand the competencies regarding other entities in the legal and financial traffic.

* The Law on Public Procurements (adopted in April 2004)

The aim of the Law is to reduce possibilities for corruptive behavior in public procurement procedures.

* The Law for internal audit in public sector(adopted in September 2004)

The aim of the Law is to strengthen the role of the control over the budget users, aiming to prevent of abuse of such funds, and narrow of the possibility for abuse of power and the corruption.

* Law for State audit(adopted in 2004)

The aim of the Law is to strengthen the role of the State auditor and provide the competence of the control the financing of the political parties.

* The Law on Political Parties (adopted in October 2004)

* The Law on Witness Protection (adopted in May 2005)

The provisions of this Law incorporates the basic guidelines, contained in the new Recommendation for Protection of Witnesses and Collaborators of Justice, adopted by the Council of Europe Committee of Ministers in April 2005.

IN PROCEDURE:

* The Law on Intercepting Communications (in parliamentary procedure)

* The Law on Free Access to Information of Public Character (in parliamentary procedure)

• The Law on Conflict of Interests (in drafting procedure)

3. COORDINATION AND COOPERATION BETWEEN LAW ENFORCEMENT BODIES

* On 04 March 2005, a Memorandum of Understanding was signed by the Public Prosecutors Office of the Republic of Macedonia and the National Bureau for fight against Mafia of the Republic of Italy. The Memorandum envisages cooperation between Prosecutor Offices of both countries in the fight against corruption;

*On June 2005 a Memorandum was signed on the Cooperation in the Detection of Criminal Perpetrators in the Field of Organized Crime, between the Public Prosecutors Office of the Republic of Macedonia, the Ministry of Internal Affairs, the Directorate for Prevention of Money Laundering , Public Revenue Office, Custom Office and the Financial Police.

4. COOPERATION with the Council of Europe GRECO continues. 15 (out of 17) recommendations included in the GRECO Report on the Republic of Macedonia (First cycle of evaluation).

Evaluation Report on the Republic of Macedonia (Second cycle of evaluation) was adopted by GRECO on 14 october 2005.

5. In order to improve the awareness of **public servants** about the ethical and anti corruptive rules of conduct, the Civil Servants Agency distributed 11.695 brochures of the Code of Ethics of Civil Servants.

6. STATE COMMISSION FOR THE PREVENTION OF CORRUPTION

*The State Commission for the Prevention of Corruption continues its intensive activities in the implementation of its competencies in accordance with the Law on Corruption Prevention.

*The cooperation between the Commission and state institutions is significantly improved.

*The State Program for Prevention and Repression of Corruption has been amended and supplemented with measures for prevention and repression of corruption in the local self-government. The aim of the Annex to the State Program is the establishment of system of measures for prevention of corruption in the local self-government in conditions of transfer of powers from central to the local level. It envisages measures and activities in the areas of local administration and self-government, public sector, transparency, accountability, responsibility, and financing of local self-government units.

*The Second Conference for the Assessment of the Implementation of State Program for Prevention and Repression of Corruption was held on 29-30 June 2005, in Ohrid. The level of implementation of the State Program was assessed as generally satisfactory, while the need for further strengthening the efficiency in the fight against corruption was emphasized.

7. Implementation of the Justice System Reform Strategy

* The reform of the justice system is continually implemented in accordance with the Justice System Reform Strategy - adopted by the Government of the Republic of Macedonia in November 2004, its Annexes and Implementation Action Plan.

The following measures and activities have been undertaken for the purpose of strengthening the independence and enhancing the efficiency of the Judiciary, Public Prosecutor's Office, the Penitentiary system, the National Ombudsman, the Bar Association and the Notary Public

The Action Plan includes a timetable for implementation of measures and activities under the Strategy. Its implementation is underway and will be completed by the end of 2007.

The Strategy's principle objectives are strengthening the independence, impartiality and increasing the efficiency of the judiciary, in order to enhance the functionality and efficiency of the justice system, in accordance to international standards.