

# **CHALLENGES IN THE FIGHT AGAINST CORRUPTION IN THE EU INTEGRATION PROCESS – CASE STUDY: NORTH MACEDONIA, SERBIA AND MONTENEGRO**

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## **Abstract**

An effective fight against corruption is a condition for the rule of law, building a state with functional institutions and respecting human freedoms and rights. Achieving positive results is a challenge for both developed democracies and countries in transition.

The paper analyzes the normative and institutional frameworks for fighting corruption in three countries from the Western Balkans, North Macedonia, Serbia and Montenegro, as well as their strategic documents for fighting corruption. Despite the results achieved in the last few decades, the problems with corruption are still complex, and in this direction the focus of this paper is research into the reasons for such a situation as well as the challenges for the future.

In the efforts for faster integration into the EU, the three countries are implementing reforms with the aim of more effectively fighting corruption, but there is one key factor for achieving this goal, and that is the existence of political will to fight corruption. This aspect is particularly emphasized in the paper because without political will it is impossible to achieve visible successes

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in the fight against corruption. The authors emphasize that the best laws can be written, quality strategic documents can be adopted, but if they are not implemented, it is as if they do not exist.

The paper pays special attention to the transition process in North Macedonia as well as to the implementation of the current National Strategy for the Prevention of Corruption and Conflict of Interest. In addition, the authors present several proposals for changes in the normative and institutional framework of North Macedonia for the fight against corruption.

The methodological approach is a combination of several methods, content analysis, comparative legal research, historical and statistical methods.

**Keywords:** *rule of law, integrity, national strategy, reforms, transparency, accountability, political will*

## Introduction

The transition process in North Macedonia, Serbia and Montenegro began in the early 1990s, with the fall of communism and the end of the Cold War (Marolov, 2013:253). The process was a domino effect that began in East Germany and Poland, through the remaining communist states, until the bloody unfolding in the former Yugoslavia (Čurić, 2016:5).

The process of transition to pluralism and a market economy meant a radical change in systems, the adoption of new constitutions and laws, the building of different institutions, but it also required a change in mentality (Schneider, 2014).

Numerous legal gaps appeared, because the legislation failed to criminalize new forms of illegal behavior (Bovenkerk, 2003:45) in a timely manner, privatization processes were implemented that resulted in large social differences, unemployment rose sharply, and wars were fought (Dimitrova, Pridham, 2004).

At the beginning of the 21st century, North Macedonia, Serbia and Montenegro joined the global processes to fight corruption by signing and ratifying the legal acts of the UN (UN, 2003) and the Council of Europe (CE, 1999). This resulted in the adoption of special laws as well as the building of specialized institutions for the prevention and repression of corruption. The global anti-corruption acts, among other things, require countries to adopt strategic documents with action plans for their implementation, aiming for a substantive approach by defining problems as well as measures and activities to overcome them. The adoption of strategic documents is a process that requires the involvement of entities from various sectors, but the point is in their

implementation. The best strategy for combating corruption can be developed, but if it is not implemented, it is the same as if it did not exist.

The three countries have been adopting strategic documents for the past decades, with different characteristics and features, but have not overcome the problems with corruption, which is confirmed by both the annual progress reports prepared by the European Commission and the CPI Transparency International.

Political will is basic to the fight against corruption (Grimes, Huss, Ivanyshyn, 2016:2), without which it is illusory to talk about achieving results in the fight against corruption. The test of political will is seen at the moment when institutions conduct investigative and prosecutorial actions against persons who at the moment of investigation/prosecution are holders of public authority. The fight against corruption must not be reduced to political revanchism towards opponents because this will be associated with abuse of institutions (Mungiu-Pippidi, 2006).

The fight against corruption has its own roadmap: political will; quality legislation; independent institutions; results. In the entire structure, the transparency factor is of key importance, because "corruption hides in the darkness while transparency is the strongest tool for its suppression" (Mihajlova, 2024).

On their path to EU integration, North Macedonia, Serbia and Montenegro have numerous challenges in the direction of suppressing corruption, i.e. transitioning to a society based on the rule of law, in accordance with the Copenhagen criteria which represent a set of political, economic and legal conditions that candidate countries must meet in order to become members of the European Union, established at the European Council in Copenhagen in 1993 (Marktler, 2006:344). In order for better cooperation in the fight against corruption, in 2021 the three countries signed the Agreement on Regional Data Exchange on Asset Disclosure and Conflict of Interest (Regional Anti-Corruption Initiative, 2021), an instrument that will improve the performance of the bodies responsible for fighting corruption and conflict of interest through regional cooperation, will strengthen the fight against corruption and improve transparency in the public sector through efficient data exchange, detection of transnational corruption and advancement of regional standards.

## **Methodology**

Several methods have been applied within the framework of the paper. The comparative method has been applied in order to present the results and differences between the three countries. The method of content analysis is also used in order to determine the essential characteristics of the legal solutions. Through the statistical method, data from several segments have been presented and analyzed. Finally the historical method was also used.

## 1. Serbia

The 90s of the XX century and the beginning of the 2000s were very dynamic for Serbia. It was the period of the bloody break-up of the former Yugoslavia, international isolation, hyperinflation, social protests, the refugee crisis, the NATO bombing, the secession of Kosovo, and the change of the old regime, the assassination of the Prime Minister (Perović, 2015:46).

In short, too many high profile events in a short period of time, while it was also necessary to make a transformation of the institutions, in order to build a democratic society and privatize of state-owned enterprises (Joković Pantelić, 2024:289).

In the field of anti-corruption, the first National Anti-Corruption Strategy of the Republic of Serbia was adopted in 2005 (Pavlović, Đukić, Đorđević, 2015:283) while its Action Plan was adopted in 2006 (Agencija za borbu protiv korupcije, 2006). The focus of the Strategy was the establishment of the legal and institutional framework for preventing and combating corruption, preventing conflict of interest in the public sector, being involved in the regional and international fight against corruption, and establishing of ethical standards and transparent funding of political parties.

The 2019 - 2023 defines the following strategic goals (Agency for Prevention of Corruption, 2019): strengthening the integrity of the public sector; increasing the level of involvement of society in preventing corruption; improving the implementation of anti-corruption regulations; improving international cooperation and implementation of international standards in the field of preventing corruption; improving the execution of the agency's competencies.

The National Strategy (Vlada Republike Srbije, 2024, pp.10) for the fight against corruption for the period 2024-2028 has been adopted by the Government of the Republic of Serbia and is motivated by the need to plan the processes aimed at the fight against corruption in a comprehensive and systemic manner. One of the expected effects of the Strategy is that its implementation will contribute to the fulfillment of the 14 transitional benchmarks for Chapter 23 in the negotiation process for full membership in the European Union.

The Strategy has a horizontal approach and covers the following areas at risk: police, health, education, local self-government, construction, financing of political activities, taxes and customs, public procurement, privatization and public enterprises, with a special emphasis on whistleblower protection and lobbying. The Strategy is adopted by the Government, but the implementation is supervised by the Agency for Prevention of Corruption, which has the obligation to inform the National Assembly once a year about the degree of implementation of the Strategy. In terms of implementation, the level of activities from the previous National Strategy (for the period 2013-2018) can

be presented as data, i.e. 37% of the planned activities have been implemented (Vlada Republike Srbije, 2024, pp.11).

Another important strategic document is the Revised Action Plan for Chapter 23 – Sub-chapter Fight against Corruption, which contains a total of 130 activities in three areas: prevention, repression and implementation of anti-corruption measures. It is an extremely important document in relation to the process of negotiations for membership in the European Union, and in the period 2020-2023, about 70% of the activities have been implemented (Agencija za sprečavanje korupcije, 2024).

In the institutional framework, the leading institution is the Agency for Prevention of Corruption, as an autonomous and independent state body (Đekić, Čukanović Karavidić, Filipović, 2018:105). The competencies and organizational structure of the Agency are defined in the Law on Prevention of Corruption (Službeni glasnik Srbije, 2019). Thus, the primary competence of the Agency is supervision over the implementation of strategic documents. In this regard, it submits an annual report on the implementation of strategic documents to the National Assembly, recommendations for action, and initiates their amendments. According to the law, the Agency acts on conflicts of interest, cumulation of functions, monitoring of property status, asset declarations, integrity, financing of political parties, and lobbying.

The bodies of the Agency are the Director and the Agency Council. Despite the fact that the procedure for their selection is complex, with the participation of several entities, the final decision on selection has a political character (Cvejin, 2018:6).

In order to specialize in the fight against corruption, particular departments for combating corruption have been established in the higher public prosecutor's offices and high courts in Belgrade, Novi Sad, Niš and Kraljevo. The role of the Public Prosecutor's Office for Organized Crime and the Anti-Corruption Department in the Ministry of Interior is particularly significant. However, most of these institutions face a lack of staff and financial resources (Vlada Republike Srbije, 2024, pp.11).

The National Criminal Intelligence System should also be mentioned as a body for connection between multiple institutions and data exchange. The idea is good, but the practice so far does not give the expected results (Vlada Republike Srbije, 2024, pp.12).

The EU's 2024 progress report on Serbia's fight against corruption highlights weaknesses in the investigation and prosecution of high-level corruption cases, insufficient human resources and finances in the work of key bodies in the field of anti-corruption, as well as the need for better coordination between institutions (European Commission, 2024a).

Recently, Serbia is ranked 105th with 35 index points on the Transparency International CPI 2024. Starting from 2016, when it had 42 index points, Serbia has been in a constant decline in the corruption perception index (Transparency International, 2025a).

In connection with the above, the Report on Human Rights Practices (US Department of State, 2023a) emphasizes that anti-corruption legislation is poorly implemented, that there are numerous reports of government corruption but that verdicts for highly exposed political figures have not been pronounced, so they can apparently act with impunity. It also criticizes the work of anti-corruption institutions in cases where there are suspicions of involvement of high-ranking political figures. In its report (Freedom House, 2024a) defines Serbia as a transitional or hybrid regime. It emphasizes that progress in the fight against corruption is mostly on paper. In addition, in corruption cases involving high-ranking political figures, the prosecution's actions are very slow and passive, and government officials and pro-government media attempted to discredit the investigations.

Serbia has created the prerequisites for the fight against corruption, adopted laws, strategies, established institutions. But the question is what is the effect of these processes. All the above-mentioned reports show that there is a lack of a decisive fight against corruption, i.e., weak implementation of laws in practice, no convictions for high-level corruption. In short, the form is good, but the essence is unrealized.

## **2. Montenegro**

Montenegro gained its independence in 2006, after the break-up of the former Yugoslav federation, Serbia and Montenegro formed the Federal Republic of Yugoslavia (1992) and in 2003 transformed it into a state union - Serbia and Montenegro, which lasted only until 2006.

As a result, Montenegro suffered all the negative consequences of the transition process, as did Serbia, including the fact that Montenegrin territory was bombed by NATO during a military operation in 1999. In addition, the first 15 years of the transition the country experienced high inflation, social problems, legal uncertainty, rising crime and corruption (Selić, Vujovic, 2020:9).

When it comes to political corruption in Montenegro, numerous reports point to longtime Montenegrin Prime Minister and President Milo Djukanovic for involvement in high-level corruption. In 2015 the Organized Crime and Corruption Reporting Project (OCCRP - consortium of investigative centers, media and journalists operating in Eastern Europe, the Caucasus, Central Asia and Central America founded in 2006) named him person of the year, citing numerous events related to his connections with organized crime, cigarette smuggling, abuse of public finances, and control over the media (OCCRP,

2025). It states that Djukanovic and his close associates engaged in extensive cigarette smuggling with Italian criminal families. He was indicted in Bari and admitted trafficking, but said his country needed money. He invoked diplomatic immunity to drop the charges (Barlovac, 2010).

Regarding the normative framework for combating corruption, it should be noted that a new law on the prevention of corruption entered into force in Montenegro in mid-2024 (Sluzbeni list Crne Gore, 2024a). The law contains provisions on conflict of interest, gifts, sponsorships, cumulation of functions, property status, asset declarations, whistleblower protection and integrity. The competent body for the implementation of the law is the Agency for Prevention of Corruption, which, in addition to the above, also has competences for the control of lobbying and the financing of political parties. Its bodies are the Council of the Agency and the Director. However, the Agency has no competences for the implementation or supervision of the implementation of strategic documents for the fight against corruption.

The competent body for the preparation of the Strategy for the fight against corruption, and the action plan and for the supervision of its implementation is the National Council for the fight against corruption. This is a body established by a Decision of the Government of Montenegro (Sluzbeni list Crne Gore, 2024b), composed of 23 members, of which 10 are government representatives (Vice President/Ministers), and four directors of institutions. The State Prosecutor, the Chief Special Prosecutor, the President of the Supreme Court, a representative from the Chamber of Commerce, a representative from the Academy of Sciences and Arts, a representative from the community of municipalities, as well as three representatives from the civil sector are also included. The Agency for Prevention of Corruption is represented by its Director.

The National Council submits periodic reports to the Government on the implementation of the activities of the Strategy. In terms of transparency in its work, in accordance with article 8 of the Decision, the Council may allow the media to attend its sessions. This is an optional approach, but it seems that when it comes to the fight against corruption, the openness of the Council sessions should be the rule. What can be noted in this way of composing the Council is the lack of an "opposition element." In addition, the Parliament of Montenegro is not included in the process, giving the impression that the entire process is dominated by the Government.

The Strategy (Vlada Crne Gore, 2024) for the fight against corruption 2024-2028 (with the action plan) was adopted by the Government of Montenegro in mid-2024. The Strategy correlates with the measures envisaged in the negotiation chapters 23 and 24 of the EU association process. The document sets out three strategic objectives: prevention (strengthening the normative and institutional framework, transparency, merit system), repression and international cooperation.

An important institution in the fight against corruption is the Special State Prosecutor's Office. The work of the Special Prosecutor's Office is regulated by a special law (Sluzbeni list Crne Gore, 2015) and is responsible

for prosecuting criminal offenses (abuse of official position, fraud in office, unlawful influence, accepting bribes, giving bribes, money laundering, terrorism, war crimes) committed by high-ranking public officials (Đodić:7). The Chief Special Prosecutor is elected by the Prosecutors' Council upon the proposal of the Supreme State Prosecutor.

Areas of particular risk for corruption include: judiciary, police and customs, environment, urban planning (Čalović, 2005:5), public procurement (Muk, Marović, 2015:9), local self-government and state-owned enterprises (Popović, Đukanović, Vuković, Božović, 2019:30).

In the Transparency International CPI ranking, starting from 2015, Montenegro has a stable position from 61 to 67th place, i.e. from 44 to 46 index points. In 2024 it is ranked 65rd with 46 points (Transparency International, 2025b).

The Report on Human Rights Practices (US Department of State, 2023b) in the section on Montenegro notes that the regulation on combating corruption is not effectively implemented and that corruption is a significant problem. It notes the inadequacy of the exchange of information between the institutions for combating corruption, as well as the politicization of public servants. However, the Report lists several cases of high-level corruption for which indictments have been filed.

From the above, the conclusion is that Montenegro faces serious problems in the fight against corruption, new normative solutions are not a guarantee of success because in creating the institutional system, a large space has been left for political influence. In fact, there may be progress in certain segments, but Montenegro is still included in the group of transitional or hybrid regime (Freedom House, 2024b). It is particularly problematic that the National Council for the fight against corruption is created by the Government, and on the other hand the National Council is obliged to periodically send reports to the Government on the level of implementation of the activities of the Strategy. Perhaps it would be better if this entire process were implemented in the Assembly.

### **3. North Macedonia**

North Macedonia as one of the successor states of the former Yugoslavia feels the consequences, like other countries in the process of transition and transformation from communist system to pluralism and parliamentary democracy, from state planning economy to market economy. The Macedonian society, to a certain extent, was not prepared for the processes that followed the disintegration of the former Yugoslavia. In the economy, private ownership was less present, the dominant economic structure being the social ownership of companies, through the system known as "self-management" by the workers. For more than 40 years, the planned economy



functioned, which means planned production with known buyers in advance, and the products were mainly sold to other republics of the federation. However, with the beginning of disintegration, the traditional domestic markets were briefly lost, and at the same time the foreign markets, most often markets in other communist countries, which were already in the transition process, were also unavailable. As a result of the above, in a short period of time a major economic and social crisis occurred because there were enterprises with several thousand employees, who were suddenly unemployed.

The privatization process began in 1989, still within the framework of the former Yugoslavia, with the Law on Social Capital (Službeni list na SFRJ, 1989). The concept of privatization under that law was internal shareholding, when employee shareholders became owners of the majority of their companies at large discounts. Later, in June 1993, the Macedonian Law on Transformation of Socially Capital Enterprises (Sluzben vesnik na Republika Makedonija, 1993) was adopted, which introduced a different and much more market-based privatization model which intensified the privatization process. The law contained provisions for the transformation of small, medium and large companies through several models.

Macedonian citizens paid a high price in the privatization process, the transformation of social (common) property into private property. In 1996, the unemployment rate in Macedonia was 38.80%, in 2005 it was 37.32% (Macrotrends, 2025a), while in 2006 a downward trend began. Thus, in 2022 it was 14.8% (Državen zavod za statistika, 2022) while at the end of 2024, the unemployment rate was 11.9% (Državen zavod za statistika, 2025).

But if we analyze the data on the youth unemployment rate, it will be noticed that the situation in that category was/is dramatic. The percentage of unemployed youth in 1996 was 69.90%, in 2003 it was 65.81% (Macrotrends, 2025b). Then began a process of reduction, so in 2008 it was 56.80%, in 2015 it was 47.50%, in 2019 it was 35.40%, while in 2023 it is reduced to 29.7% (World bank group, 2025).

From the above data, it can be concluded that the reduction in the unemployment rate is a positive indicator and that after a long and difficult transition, society has established certain standards. But here several facts should be taken into account. In 1991, per capita income was \$2,425, while in 2023 it was \$8,146 (Macrotrends, 2025c). For comparison, Slovenia, with which North Macedonia was in a union, in 1991 had a per capita income of \$7,224, while in 2023 it was \$32,164 (Macrotrends 2025d).

Secondly, when talking about reducing the unemployment rate in North Macedonia, the level of emigration from the country of the working-age population should be taken into account. According to the data from the 2002 census, there were 2,022,547 inhabitants (State Statistical Office, 2002) in

Macedonia, while according to the 2021 census 1,836,713 inhabitants live in North Macedonia (State Statistical Office, 2022).

The fact is that North Macedonia for a long time has experienced mass emigration of the population, so it is not only a worry for young people but also for the adult working population, and whole families. Precise data on the numbers are difficult to find, but the data from the Economist Intelligence Unit can be taken as a reference, according to which about 600,000 citizens (The Economist Group, 2017) have emigrated from Macedonia since independence. These numbers are also confirmed by other research. According to research by the European Training Foundation, by the end of 2019, about 650,000 citizens or about 1/3 of the population, had emigrated from the country (European Training Foundation, 2021).

- *Anti-corruption approach*

The first essential steps in the field of anti-corruption taken by North Macedonia are a result of the joining of global initiatives and bodies. The Criminal Law Convention on Corruption of the Council of Europe from 1999 was ratified that year, entering into force on July 1, 2002. It is similar with the 2003 UN Convention against Corruption, which was ratified in 2007. Based on the provisions of the Criminal Law Convention on Corruption, the Law on Prevention of Corruption (Sluzben vesnik na Republika Makedonija, 2002) was adopted, which established the legal basis for the establishment of a specialized body for combating corruption, the State Commission for Prevention of Corruption.

In the following period, several laws in the field of anti-corruption were adopted: the Law on Prevention of Conflict of Interest (Sluzben vesnik na Republika Makedonija, 2007); the Law on Lobbying (Sluzben vesnik na Republika Makedonija, 2008); and the Law on Whistleblower Protection (Sluzben vesnik na Republika Makedonija, 2015). In 2019, a new Law on Prevention of Corruption and Conflict of Interest (Sluzben vesnik na Republika Makedonija, 2019) was adopted, while in 2021 a new Law on Lobbying (Sluzben vesnik na Republika Severna Makedonija, 2021) was adopted.

A crucial document in the working of the State Commission is the State Program/National Strategy for Prevention of Corruption and Conflict of Interests.

In the past two decades, the State Commission has adopted the following State Programs:

- State Program for Prevention and Repression of Corruption (2003),
- State Program for Prevention and Repression of Corruption (2007),
- State Program for Prevention and Reduction of Conflict of Interest (2008),
- State Program for Prevention and Repression of Corruption and State Program for Prevention and Reduction of Conflict of Interest (2011), as well as

- State Program for Prevention and Repression of Corruption and Prevention and Reduction of Conflict of Interest (2015).

The current National Strategy for Prevention of Corruption and Conflict of Interest for the period 2021-2025, was adopted by the State Commission in December 2020, and in April 2021 was confirmed by the Assembly of North Macedonia. Any change to the National Strategy requires confirmation by the Assembly, which highlights the importance of the political factor in the entire process.

The National Strategy is a comprehensive document that envisages measures and activities to prevent corruption and conflict of interest. It emphasizes public procurement and employment in the public sector as common problems in all segments of society. In addition, similar to the previous State programs, the sectoral approach is applied in the Strategy, in which 13 sectors susceptible to corruption are defined, the political system, judiciary, law enforcement, health, education, labor and social policy, urbanism, environment, agriculture, sports, economy and business, public enterprises and media, and civil society, with specific problems and measures and activities to overcome within a set time frame.

The National Strategy (Državna komisija za sprečavanje na korupcijata, 2020) identifies 54 problems, for the overcoming of which 111 measures and 191 activities are envisaged. The highest institutions of the legislative, executive and judicial branches, as well as the local self-government units, are responsible for implementing the activities.

In the first Annual Report (DKSK, 2022) on the implementation of the measures and activities contained in the National Strategy, the State Commission concluded that of the planned activities for 2021 only 20% are fully implemented, while 53% have not started at all. In 2022, only 10% of the planned activities were implemented (DKSK, 2023), while in 2023, 13% of the planned activities for the current year were implemented (DKSK, 2024).

Several conclusions can be drawn from the above data:

1. Despite the fact that the National Strategy is a good document, its implementation in practice is at a very low level.
2. High-level institutions are responsible for most of the activities, which means they are not fulfilling the activities.
3. High-level institutions are, in general, managed by politically elected or appointed individuals, and if these institutions do not implement the activities for which they are responsible in accordance with the National Strategy, it means that there is no political will among those who manage the institutions to implement the activities.
4. If the activities envisaged in the National Strategy are not implemented, it has the same effect as if the Strategy did not exist or

5. If the activities from the National Strategy are not implemented, it means that the state does not have a strategic approach to the fight against corruption.

***- How to improve the implementation of the National Strategy?***

Perhaps one of the solutions for better implementation of the National Strategy of North Macedonia would be the establishment of an external body that would oversee the implementation. For comparison, with the new law on prevention of corruption in Montenegro, such a body has been created, the National Council for the fight against corruption. This is a very good approach because it gives more energy to the implementation, but some weaknesses of the Montenegrin model have been listed above, for instance the influence of the Government in the entire process, especially in the part of its composition.

Perhaps a better solution is the Croatian one. The Croatian Council (Narodne novine sluzbeni list Republike Hrvatske, 2006) for monitoring the Implementation of the Strategy for the Suppression of Corruption (Narodne novine sluzbeni list Republike Hrvatske, 2009) has eleven members, of which three are opposition MPs, two are MPs from the ruling parties, one representative from each of the following: an employers' association, a trade union, the media, academia, experts and civil society organizations in the field of fighting corruption. The President of the Council is an MP from the opposition and represents the Council, while the MP from the ruling party is the Vice-President. The mandate of the Council lasts until the end of the mandate of the current composition of the Assembly. In addition to supervising the implementation of the Strategy, the Croatian Council analyzes the reports of the competent bodies that are responsible for implementing activities in accordance with the Strategy, and also analyzes information on the occurrence of corruption submitted to it by the competent state authorities. Once a year, it submits a Report to the Assembly on the level of implementation of the Strategy and its work.

Such a solution is good from several reasons. In almost every country, the fight against corruption is one of the main topics that the government and the opposition face. The topic also acquires political elements, and therefore, the supervision of the implementation of the Strategy by a working body of the Assembly brings new dynamics and energy to the entire process. It is particularly significant that an MP from the opposition leads such a body, and conditionally speaking, the opposition has a "majority", with three MPs are from the opposition, while only two are from the ruling parties, in the body of eleven members.

This creates an opportunity for an objective and critical approach, with timely detection of non-fulfillment of activities as well as pointing to the institutions that are responsible for the realisation of activities. Starting from the fact that the implementation of a large part of the activities is the responsibility of the highest institutions, as in the Macedonian situation, and

that their heads are elected/appointed in the Assembly, this opens up space for interpellation and other accountability mechanisms.

The above data show that the implementation of the National Strategy 2021-2025 in North Macedonia is extremely weak and that a mechanism must be found to improve the situation. For these reasons, the above solution from Croatia is very good and should be applied in North Macedonia as well.

In terms of international reports on combating corruption, North Macedonia has experienced oscillations. In the Transparency International CPI ranking for 2014, it was in 64th place with 45 index points, in 2017 was in 107th place with 35 points, the worst ranking was in 2020 - 111th place, again with 35 points. In 2024, it was in 88th place with 40 index points (Transparency International, 2025c).

Freedom House, in its 2024 Report, groups North Macedonia in the Transitional or Hybrid Regime group, listed multiple corruption scandals and the institutional reaction/inaction to them (Freedom House, 2024c). The report places special emphasis on the amendments to the Criminal Code from September 2024 (Sluzben vesnik na Republika Severna Makedonija, 2023), which significantly undermined the normative framework for the fight against corruption. The penalty for the crime of “abuse of official position and authority” was reduced, thus opening up space for the statute of limitations to run out for the prosecution of a large number of criminal cases related to high-level corruption. In addition, the provision for abuse of office linked to public procurements was deleted. The amendments also reduced the penalty for the crime of “criminal enterprise” so that the crime’s maximum sentence was slashed from ten years to three.

A new Criminal Code is currently being drafted that will restore the sanctioning of the aforementioned corruption offenses, but the law cannot have retroactive effect, which means that a large number of individuals will escape criminal liability for corruption offenses. In some way, this is another example of how “political will” can negatively affect the fight against corruption.

The US State Department Report of Human Rights Practices 2023 notes that Macedonia's anti-corruption legislation is not being implemented effectively. In addition, the Report also mentions amendments to the Criminal Code and several corruption scandals (US Department of State, 2023c).

The EU Progress Report on North Macedonia in 2024 in the fight against corruption (European Commission, 2024b) places special emphasis on the harmfulness of the amendments to the Criminal Code, the incomplete connection between the competent institutions for checking asset declarations, the limited use of mechanisms for freezing and confiscating assets acquired through the commission of a crime. In addition, the weak implementation of the law on lobbying and the law on the protection of whistleblowers is highlighted.

The situation of North Macedonia in its fight against corruption cannot be improved without substantial normative and institutional changes. A minimalist approach, with minor legal amendments, is not enough because it is just a waste of time and resources without achieving significant results. The central institution in the fight against corruption should be the Basic Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption, and a special law should be passed for this purpose. This institution should have increased powers, following the example of the Croatian Office for the Suppression of Corruption and Organised Crime.

Here another essential topic comes up, integrity. The state can pass the best laws to fight corruption, but the key is in the implementation, for example the integrity of those who are supposed to apply the laws, their professionalism, honesty, and their putting the public interest before the private. If people with integrity do not dominate, then it is impossible to achieve success in the fight against corruption, because the system from within, from the institutions, will be undermined and dysfunctional (Azizi & Neziri-Ceka, 2022).

Furthermore, the State Commission for the Prevention of Corruption should be transformed into a Commission for the Prevention of Conflict of Interest. As such, the subject of work will be conflict of interest, property status, integrity, lobbying, protected reporting (whistleblowers), education, awareness-raising. The current Law on the Prevention of Corruption and Conflict of Interest (adopted in 2019) is a collection of the competencies of the SCPC from the previous two laws, the Law on the Prevention of Corruption and the Law on the Prevention of Conflict of Interest. Basically, the SCPC does not have operational competencies. It is an administrative body and in such a situation, the results that the institution can provide in the fight against corruption are limited, in accordance with its competencies.

Furthermore, a fundamental reform of the judiciary is needed in North Macedonia, starting from the most important bodies: the Judicial Council, the Council of Public Prosecutors, as well as the Management Board of the Academy for Judges and Prosecutors. The procedure for selecting personnel in these institutions, based on the principles of integrity and transparency, is particularly important. Strengthening the integrity of these institutions opens up space for purification in the judiciary, something that is necessary for North Macedonia if wants to establish itself as a functional democracy with the rule of law.

Above were presented the Strategic documents of North Macedonia for the fight against corruption, the current situation, as well as proposals for improvement. Implementing quality reforms that will give results in the medium and long term requires political will. It is a prerequisite for the reform processes to be successful.

### **Conclusion**

The transition process in North Macedonia, Serbia and Montenegro lasted too long and resulted in many negative consequences. Although some of the listed countries are defined as "post-transition", relevant international rankings still classify them as Transitional or Hybrid regimes.

In the past decades, they have passed legislation to fight corruption and built institutions, paying special attention to strategic documents to fight corruption. But in practice, the results are not enough. It is true that Serbia and Montenegro, in their efforts to fulfill the benchmarks of chapters 23 and 24 for full membership in the EU, show stronger dynamics in these processes. However, the problems are similar: insufficient resources, lack of staff and finances, problems with integrity and transparency, weak implementation of laws, especially on lobbying and whistleblower protection.

North Macedonia will have to undertake substantial changes in the fight against corruption with an emphasis on reforms of the main institutions in the judiciary, through the principles of transparency and integrity. The insignificant implementation of the National Strategy is a sign of the failure of the entire society in the fight against corruption (at the time of writing this paper, the preparation of the National Strategy 2026-2030 has begun). A lesson should be learned that the formal existence of normative acts or institutions does not mean automatic success, but a deeper approach should be taken, involving essentially the integrity of the persons who are responsible for implementing strategic anti-corruption policies.

Worth mentioning is the 2021 Agreement on Regional Data Exchange on Asset Disclosure and Conflict of Interest which established regional cooperation in several segments of the fight against corruption. The agreement was signed by North Macedonia, Serbia and Montenegro. The purpose of the Treaty is to prevent corruption by providing direct administrative exchange of information concerning asset declarations between the Parties of the Treaty.

In front of the three states are many challenges to improve the effects in dealing with corruption and for this purpose many normative, institutional or operational changes can be made, but a key factor for success is the existence of political will to fight corruption.

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