

Training for Evaluators

GRECO Sixth Evaluation Round on *Preventing corruption and promoting integrity at the sub-national level*

Preventing corruption: building an ethical infrastructure, transparency and control mechanisms:

**"Conflicts of interest and control mechanisms – the practice when a national body
is in charge for sub-national level "**

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Conflicts of interest – assessment focus

1. Legislative framework / rules and Mechanisms for preventing conflicts of interest
2. Procedures for identifying and resolving conflicts of interest applied in practice
3. Sanctions for breaches
4. Documentation and Disclosure

National authority responsible for promoting integrity and preventing corruption in the public service

- Whether the specialized national authority (anti-corruption / integrity body, anti-corruption council, dedicated office of the government etc.) is in charge of ensuring compliance of public officials at sub-national level with anti-corruption and integrity legislation
- Whether this authority is in charge of drafting and / or coordinating the implementation of national anti-corruption strategic documents at the sub-national level

The practice of North Macedonia - National authority

***Reference to the relevant sections of the questionnaire – Part B, Sections 7- Col, 8 - Incompatibilities, prohibitions or restrictions of certain activities, 9 - Declarations of assets, liabilities and interests, 11.4 - non-criminal enforcement mechanisms in place...**

The State Commission for Prevention of Corruption (SCPC) is assigned to apply the rules for prevention of conflicts of interest for both, national and sub-national politically elected or appointed office-holders and public officials. The SCPC monitors implementation of the Integrity system in LSGUs.

- Accountable to the Parliament
- Budget approved by the Ministry of Finance
 - insufficient
- Procedures followed
 - the LPCCI, internal procedures
- Grounds for initiating proceedings
 - complaints by citizens, whistleblowers, news in the media, anonymous reports
- Manner of conducting investigations
 - the SCPC collects all relevant information, may summon the person against whom the procedure is conducted

The practice of North Macedonia - National authority

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- Modalities for taking decisions
 - decisions are taken by the majority of votes of the total composition (seven commissioners) of the SCPC
- Providing opinions on the request of the public officials on how to prevent conflicts of interest in particular situation (advice)
 - Regular practice
- Training and awareness on Col for elected and appointed public officials and staff of the LSGUs,
 - insufficient
- Sanctions and measures applicable
 - Fines, initiatives for responsibility (dismissal) / disciplinary proceeding, public reprimand (in previous GRECO eval rounds fines were assessed as not being effective, proportional and dissuasive / no sanctions for all violations of the integrity rules). Initiative for criminal prosecution
- Disclosure of conflicts of interest cases and of fines imposed to public officials in the public
 - Yes / the Law on Personal data protection is applied

Other GRECO member states with National authority in charge for sub-national level

Member state	Legislation	Authority
Slovenia	Integrity and Prevention of Corruption Act	Commission for Prevention of Corruption
Croatia	Law on Prevention of Conflicts of interest	Commission for Deciding on Conflict of Interest
Serbia	Law on Prevention of Corruption (*exceptions: reporting of assets and income by members of municipal and city councils...)	Agency for Prevention of Corruption
Montenegro	Law on Prevention of Corruption	Agency for Prevention of Corruption
Albania	Law on Prevention of Conflicts of Interest in the Exercise of Public Functions	High Inspectorate of the Declaration and Audit of Assets (*periodic declarations of assets and interests)
...		