BRATISLAVA LAW REVIEW

PUBLISHED BY
COMENIUS UNIVERSITY BRATISLAVA
FACULTY OF LAW

p-ISSN 2585-7088
e-ISSN 2644-6359

EFFECTIVENESS AND LEGAL COMPLIANCE OF SANCTIONS FOR CORRUPTION-RELATED CRIMINAL OFFENCES

Gjorgi Slamkov
Associate Professor
Goce Delcev University
Faculty of law
Krste Misirkov Street 10
2000 Stip
North Macedonia
gorgi.slamkov@ugd.edu.mk
ORCID: 0009-0005-2647-9616

Abstract: ***Corruption represents a global phenomenon, particularly pronounced in states characterised by weak institutions, economic crises, and challenges in the rule of law. In order to address corruption, states establish both normative and institutional frameworks, whereby, as regards the normative aspect, the fundamental legal act is the Criminal Code, which contains the criminal offences related to corruption. The focus of this research is the effectiveness and legal compliance of the sanctions imposed by the courts in the Republic of North Macedonia for corruption-related criminal offences-specifically, the most frequently sanctioned corruption offences, the type and severity of sanctions, and their compliance with the provisions of the Criminal Code. The research covers a period of eight (8) years, namely from 2017 to 2024, and is based on data obtained from the State Statistics Office and the Public Prosecutor's Office of the Republic of North Macedonia. The findings of the research indicate several conclusions, in particular that the Macedonian judiciary tends to apply a relatively "lenient" penal policy in cases related to corruption, often imposing sentences below the prescribed statutory minimum. What is particularly striking is that 70% of the sanctions imposed during the observed period for perpetrators of corruption offences consisted of the alternative measure of suspended sentence (with a determined term of imprisonment), a measure that is not subject to supervision by the Probation Service. Regarding methodology, the research employed several methods from both qualitative and quantitative perspectives, including the method of content analysis, statistical method, and the method of secondary data analysis.***

Keywords: ***Corruption-Related Criminal Offences; Sanction Effectiveness; Rule of Law; Convicted Offenders; Criminal Justice; North Macedonia***

Suggested citation:
Gjorgi Slamkov, 'Effectiveness and Legal Compliance of Sanctions for Corruption-Related Criminal Offences' (2026) 10(1) *Bratislava Law Review* 249 https://doi.org/10.46282/blr.2026.10.1.1169

Submitted: 12 November 2025
Accepted: 01 April 2026
Published: 01 August 2026

1. INTRODUCTION

The fight against corruption necessitates the establishment of a robust normative framework[1] aimed at addressing all conduct involving the abuse of public office, public authority, official duty, or position for the purpose of obtaining a benefit-, whether directly or through an intermediary, for oneself or another person.[2]

[1] Annelie De Man, 'Strengthening the Fight Against Corruption through the Principle of Accountability' (2022) 25 *Potchefstroom Electronic Law Journal* 1, 11 https://doi.org/10.17159/1727-3781/2022/v25i0a8341 accessed 14 February 2026.
[2] Dedi Pulungan, Boy Nurdin and Faisal Santiago, 'Criminal Act of Corruption Abuse of Authority of Office' (2023) 2(1) *Journal of Edunity: Social Science and Educational Studies* 125, 126 https://doi.org/10.57096/edunity.v1i05.44 accessed 14 February 2026.

In such activities, the focus is placed on conducts that constitute the elements of a criminal offence of a corruptive nature,[3] as the most serious violations of legally protected values and interests. In addition, actions that cause lesser infringements of protected legal goods are classified and sanctioned as misdemeanours.[4]

In Macedonian criminal legislation, approximately twenty criminal offences of corruptive nature are prescribed, distributed across several chapters depending on the collective object of legal protection. These offences constitute the most effective instrument within the legal framework of the Republic of North Macedonia for the sanction of corrupt practices.

Within the scope of this paper, the analysis focuses on corruption-related criminal offences, their normative framework and practical application, the number of convicted persons, and the types and severity of sanctions imposed. This constitutes an essential element of the overall criminal policy, as the effectiveness in this area ensures the attainment of justice, the primary purpose of punishment, along with special and general prevention. Conversely, if the fight against corruption is merely superficial and the criminal law provisions are inadequately applied, this results in a fundamental problem concerning the rule of law within a given society.

This paper analyses corruption-related criminal offences from the perspective of their legal structure and the object of legal protection, complemented by empirical data concerning their practical application in judicial practice.

The research is guided by the following hypothesis: Sentencing practice in corruption-related criminal offences is characterised by a predominant focus on abuse of official position and authority and by the frequent imposition of lenient sanctions, particularly suspended sentences without supervision and penalties below the statutory minimum, which collectively undermines the effectiveness and deterrent capacity of the criminal law framework in combating corruption.

2. METHODOLOGY

The research focuses on the practical implementation of sanctions for violations of the provisions concerning corruption-related criminal offences contained in the Macedonian Criminal Code. To achieve this objective, several research methods have been applied.

Through the application of the content analysis method, the objective and subjective elements of the legal characteristics of each investigated corruption-related criminal offence, as defined in the Macedonian Criminal Code, are identified and assessed.

Subsequently, using the statistical method, data are presented on the number of individuals convicted in North Macedonia of corruption-related criminal offences over an eight-year period, specifically from 2017 to 2024. The data is analysed by type of offence, type of sanction, and gender, thus also employing the Secondary Data Analysis method. These data are of essential importance for the research and were obtained from the State Statistical Office and the annual reports of the North Macedonian Public Prosecutor's Office.

---

[3] Louise Porter and Celia Warrender, 'A multivariate model of police deviance: Examining the nature of corruption, crime and misconduct' (2009) 19(1) *Policing & Society* 79, 82 https://doi.org/10.1080/10439460802457719 accessed 14 February 2026.

[4] Roman Ilic Login, 'Corruption criminal offences: Concept and classification' (2024) 104(1) *Bulletin of Kharkiv National University of Internal Affairs* 152 https://doi.org/10.32631/v.2024.1.13 accessed 14 February 2026.

The period 2017–2024 has been selected as the focus of this investigation as it provides a coherent and verifiable framework to analyse the development of sanctions for corruption offences in the Republic of North Macedonia. This choice is based on both legislative and socio--political factors. The 2015 wiretapping scandal, which affected more than 20,000 citizens, exposed systemic governance weaknesses and led to the establishment of the Special Public Prosecutor's Office (SPO), which began prosecutions in 2017. In the same year, the Criminal Code was amended twice (Official Gazette Nos. 97 and 170), including amendments to corruption-related criminal offences, and the country registered an exceptionally low TI CPI score of only 35 index points, thus marking 2017 as a critical starting point for analysing criminal justice responses.

Subsequent reforms include the 2019 Law on the prevention of corruption and conflict of interest, strategic initiatives, and international monitoring by the European Commission and GRECO. The SPO's activities were curtailed in 2019 following a corruption scandal involving its head, who was sentenced to prison, highlighting the challenges of prosecuting high-level corruption. Additionally, the September 2023 amendments to the Criminal Code, which reduced penalties for abuse of official position, further shape the sanctioning landscape.

The period ends in 2024, allowing for a comprehensive assessment of trends in sanctioning, the evolution of criminal policy, and the impact of legal and institutional reforms. This eight-year interval is sufficiently long to identify patterns and assess the effectiveness and consistency of anti-corruption measures.

3. CORRUPTION-RELATED CRIMINAL OFFENCES IN THE MACEDONIAN CRIMINAL CODE

North Macedonia is confronted with considerable challenges in addressing corruption,[5] with implications for the socio-political system,[6] a situation consistently highlighted by relevant stakeholders, who underscore the need for substantive anti-corruption measures, with particular emphasis on strengthening the capacities of the judiciary.[7] [8] [9]

Within the Macedonian legal framework, the preventive approach to corruption is regulated through the Law on Prevention of Corruption and Conflict of Interest,[10] whereas the enforcement and suppression of corrupt practices are implemented through the provisions of the Criminal Code.[11]

---

[5] Gjorgi Slamkov, 'Effectiveness of Macedonian anti-corruption legislation and implementation gaps' (2025) 10(1) *VISION - International Refereed Scientific Journal* 75, 76 https://doi.org/10.55843/ivisum2510175s accessed 14 February 2026.

[6] Ilija Jovanov, 'The influence of corruption on the socio-political system: Criminological and criminal-legal aspects' in *Proceedings from the International Scientific Conference: The great powers influence on the security of small states* (2019) 244, 247.

[7] Transparency International, *Corruption Perception Index* (2024) https://www.transparency.org/en/cpi/2024/index/mkd accessed 2 November 2025.

[8] US Department of State, *Country Reports on Human Rights Practices: North Macedonia* (2023) https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/north-macedonia/ accessed 2 November 2025.

[9] European Commission, *North Macedonia 2025 Report* (2025) 26 https://enlargement.ec.europa.eu/document/download/267b368e-6b55-4a42-bb72-6395593de4da_en?filename=north-macedonia-report-2025.pdf accessed 10 November 2025.

[10] Law on Prevention of Corruption and Conflict of Interest (Закон за спречување на корупцијата и судирот на интереси) (North Macedonia) Official Gazette of the Republic of Macedonia No 12/2019.

[11] Criminal Code (Кривичен законик) (CC) (North Macedonia) Official Gazette of the Republic of Macedonia No 37/1996 (as amended).

The Criminal Code contains several corruption-related criminal offences, primarily systematised under offenses against official duty, followed by offenses against public finances, payment transactions, and the economy, as well as offenses against elections and voting.

The principal corruption-related offenses are those against official duties, regulated in Chapter XXX of the CC, which possess the following fundamental characteristics: they are directed against official positions, are committed in the course of performing official duties or exercising official authority, and are carried out by a public official.

The term "official duty" encompasses the exercise of a wide range of powers and tasks related to the functions of state authorities, as well as the execution of public powers within legal entities performing public functions,[12] but in addition to public officials, perpetrators of these offences may also include holders of public functions and persons in positions of responsibility. The autonomy of an individual in performing specific official tasks, along with their authority to manage and make decisions, establishes their status as a public official.

The corruption-related criminal offences contained in the chapter on offences against official duties include:

- Abuse of Official Position and Authority (article 353, CC);
- Passive Bribery (article 357, CC);
- Active Bribery (article 358, CC);
- Negligent Misconduct in Public Office (article 353-c, CC);
- Embezzlement in Office (article 354, CC);
- Fraud in office (article 355, CC);
- Misappropriation in Office (article 356, CC);
- Offering Rewards for Unlawful Influence (article 358-a, CC);
- Acceptance of a Reward for Unlawful Influence (article 359, CC);
- Unlawful Acquisition and Concealment of Property (article 359-a, CC).ß

Corrupt crimes included in the chapter on criminal offences against public finances, payment transactions, and the economy include:

- Money Laundering and Other Proceeds of Crime (article 273, CC);
- Abuse of the Public Tender Procedure, the ward of a Public Procurement Contract, or the Public-Private Partnership (article 275-c, CC).

The corruption crimes contained in the chapter on criminal offences against elections and voting include:

- Bribery in elections and voting (article 162, CC);
- Electoral fraud (article 165, CC);
- Misuse of Election Campaign Financing Funds (article 165-a, CC);
- Unlawful disposition of budget funds during elections (article 165-c, CC).

Corruption-related criminal offences in the Republic of North Macedonia are mainly aimed at protecting the lawful exercise of public authority, the integrity of public finances, and the fairness of electoral processes,[13] targeting the misuse of public powers or entrusted assets for private gain, for the benefit of others or to the detriment of the

[12] Bojana Golubovic, 'Criminal offences committed by authorized officials: A critical review of the mechanism of criminal law protection against corruption' (2017) 34(4–6) *Pravo - teorija i praksa* 29, 31 https://doi.org/10.5937/ptp1706029G accessed 14 February 2026.

[13] Blerta Ahmedi, 'Systemic corruption in North Macedonia: Phenomenology, criminogenic factors and institutional trust' (2025) X(2) *Systemic Corruption – The Greatest Security Threat: Security and Strategic Approaches to Addressing Complex Challenges, Skopje* 29, 31.

public interest, and collectively safeguard public trust and the proper functioning of institutions.

The general penal framework provides custody sentences as the principal form of punishment, with statutory minimum and maximum terms depending on the seriousness of the offence. Minor offences may carry imprisonment of a few months, while more serious offences-particularly those involving public procurement, electoral manipulation, or substantial financial loss- may result in sentences of up to ten years. Courts may also impose sentences below the statutory minimum in cases where the offender demonstrates restitution, cooperation, or mitigation circumstances. Complementary sanctions, such as fines or confiscation of illegally obtained property, may be applied alongside or in place of imprisonment, depending on the case. High-profile cases involving senior officials or significant harm generally attract enhanced sentences, reflecting both punitive and deterrent considerations.

Generally, under Macedonian criminal law, people found criminally responsible for offences may be subject to the following types of sanctions: (1) imprisonment; (2) fines; (3) prohibition of practising a profession, activity, or holding a specific office; (4) prohibition of operating a motor vehicle; (5) expulsion of a foreign national from the country; and (6) prohibition of attending sporting events (article 33, CC).

According to article 39 of the CC, in determining the appropriate sentence, the Court shall impose a sanction within the limits prescribed by law for the relevant offence, taking into account the offender's criminal responsibility, the gravity of the offence, and the punishment objectives. In doing so, the Court shall consider all circumstances that may justify a lighter or heavier sentence, including, in particular: the degree of criminal culpability; the motives underlying the offence; the extent of the threat to, or harm caused to, the protected legal interest; the circumstances in which the offence was committed; the contribution of the victim to the commission of the offence; the prior life, personal circumstances, and conduct following the offence; and other factors relevant to the offender's personality.

When determining the sentence, the Court shall also give special consideration to the overall effect of the sanction and its consequences for the offender, with particular regard to the need for rehabilitation and social reintegration.

3.1 Discussion

The following section presents data on convicted people for the most common corruption-related criminal offences, analysed by sex and type of sanction, for the period 2017-2024.

I. *Thus, during the examined period, a total of 398 persons were convicted for one of the core corruption offences - Abuse of Official Position and Authority. Of these, 314 were men and 84 were women. The majority of the convicted, 291 in total, were sentenced to alternative measures, while 107 received custodial or other penalties*.

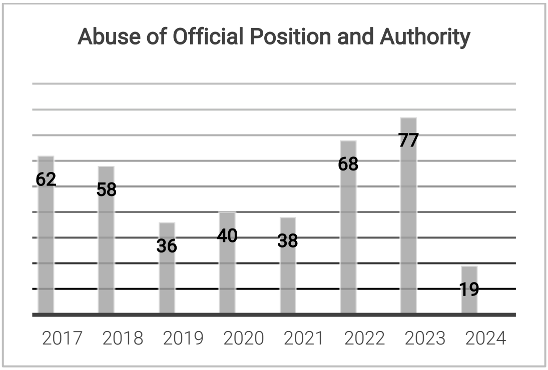

Figure 1. Number of persons convicted of the criminal offence of Abuse of Official Position and Authority during the period 2017–2024

Of the alternative measures, the most frequently imposed was the suspended sentence (with a determined term of imprisonment), applied to 287 convicted persons, whereas four (4) convicted persons were subsequently subjected to the same alternative measure - a suspended sentence - but with a fixed monetary penalty.

Imprisonment was imposed on 61 convicted persons, most frequently for a duration of six (6) months to two (2) years. Fines were imposed on 46 convicted persons, most commonly in an amount exceeding 30,000 denars (m 500 euros).

The data analysed reveal an exceptionally lenient sentencing policy of the courts in relation to one of the predominant corruption offences. It should be noted that 100% of the alternative measures imposed were suspended sentences, which essentially entail the determination of a sentence for a convicted person who remains at liberty, and which will not be enforced provided that no new criminal offense is committed during the probationary period. With regard to this alternative measure, it should be emphasised that during the probationary period, the convicted person is not placed under supervision. It is further notable that in none of the cases was a suspended sentence imposed with protective supervision or community service - alternative measures whose execution is subject to supervision by the Probation Service.

A similar conclusion may be drawn with respect to the imposed prison sentences, as shorter terms of imprisonment predominate, despite the fact that the offences in question play a substantive role in the fight against corruption.

This sentencing policy fails to produce a deterrent effect on potential offenders, since courts impose sentences considerably below the statutory range of one (1) to five (5) years of imprisonment prescribed for the offence concerned.

II. *For one of the most significant corruption offences, Active Bribery, 21 individuals were convicted during the examined period (2017–2024), all of whom were male*.

In terms of sanctions, nine (9) convicted persons were imposed with penal sanctions, while twelve (12) were subjected to alternative measures.

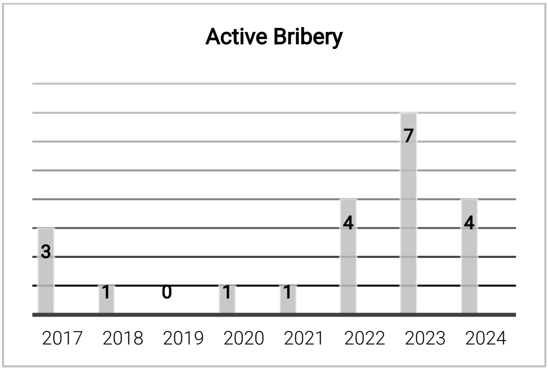

Figure 2. Number of persons convicted of the criminal offence of Active Bribery during the period 2017–2024

Under the CC, the prescribed penalty for the aforementioned criminal offence is a term of imprisonment ranging from one (1) to ten (10) years. However, the analysed data indicate that, in practice, sentences of imprisonment ranging from six (6) months to two (2) years are imposed. Regarding alternative measures, all twelve (12) convicted persons were given suspended sentences (with a determined term of imprisonment).

According to article 49 of the CC, the Court may impose a sentence below the statutory minimum or apply a more lenient type of sanction in two circumstances:

- where the law expressly provides for the possibility of a mitigated penalty; or
- where the Court determines that there exist particularly mitigating circumstances such that the objectives of sentencing can still be achieved with a reduced sanction.

This provision constitutes a general rule on sentence mitigation, which is unlikely to be applicable in cases of Active Bribery.

From these data, it can be concluded that the criminal offence of active bribery is rarely committed or difficult to detect and prove, indicating a high level of the so-called "dark figure" of crime. Furthermore, courts apply an exceptionally lenient sentencing policy, which directly contradicts the fundamental purposes of sanctioning.

Offering a bribe lies at the core of corruption, undermining the foundations of the rule of law, and circumventing established procedures to achieve private objectives at the expense of the public interest. The ineffective penal policy for sanctioning this criminal offence stands in direct contradiction to the overall anti-corruption efforts.

III. *According to the data, a larger number of persons have been convicted for the criminal offence of Passive Bribery, compared to those convicted for Active Bribery, which essentially constitutes the consent of a public official to receive a good or service for personal benefit at the expense of the public interest, an act that directly contradicts the integrity system. The higher number of convictions for Passive Bribery compared to Active Bribery is largely due to the fact that Passive Bribery is committed by public officials, a clearly defined group whose actions are more easily monitored and investigated. In contrast, Active Bribery can be committed by any person, making detection and prosecution more difficult.*

Thus, in the period 2017–2024, a total of 41 people were convicted of the criminal offence of Passive Bribery, of whom 36 were men and five (5) were women, with 19 penalties and 22 alternative measures imposed.

Of the penalties imposed, more than half (11) were custodial sentences, ranging from six (6) months to two (2) years, although the Criminal Code prescribes a prison term of four (4) to ten (10) years for the basic form of the offence. The remaining penalties were primarily fines, generally exceeding MKD 30,000 (approximately EUR 500). However, these fines are often substantially lower than the amounts involved in the bribery transactions, which in many cases exceed the imposed penalty severalfold. This disparity indicates that, on their own, financial sanctions may be insufficient to serve as an effective deterrent, as the economic gain from committing the offence can significantly outweigh the risk of punishment. Indeed, bribes accepted by public officials often exceed the fines imposed, highlighting the limited preventive effect of the current penal policy.

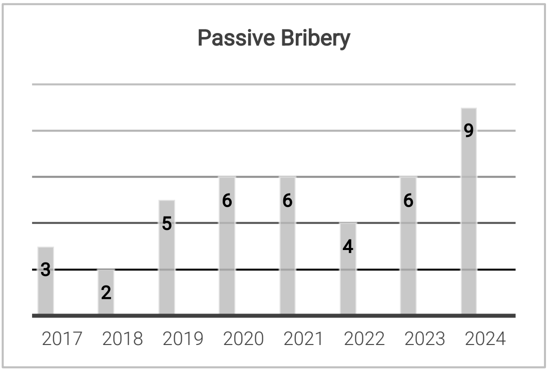

Figure 3. Number of persons convicted of the criminal offence of Passive Bribery during the period 2017–2024

With regard to alternative measures, the situation is similar: all 22 alternative measures imposed were suspended sentences (with a determined term of imprisonment). Recall that this is an alternative measure that does not carry supervision, which means that the convicted person is released without oversight.

This penal policy for the criminal offence of Passive Bribery, characterised by the predominance of suspended sentences and custodial sentences below the statutory minimum, negatively affects the effectiveness of the prescribed penal framework for combating this corruptive offence.

IV. *For the criminal offence of Negligent Misconduct in Public Office, a total of 113 persons were convicted in North Macedonia during the examined period. Of this number, the majority were men (89), while 24 convicted persons were women*.

With regard to sanctions, alternative measures predominate, totalling 94, while only 19 convicted persons were given penalties.

Regarding the structure of alternative measures, 93 convicted persons were given suspended sentences (with a determined term of imprisonment), while one (1) convicted person received a suspended sentence (with a determined fine). This again raises the question of why the courts did not impose any supervised alternative measures for any of the 93 convicted persons, such as community service or a suspended sentence with protective supervision, for which execution control mechanisms exist through the Probation Service. The answer to this question can be traced, consistent with established judicial practice, both to resistance to change and to concerns regarding whether the Probation Service has sufficient capacity to implement the legally mandated measures, given its modest staffing resources.

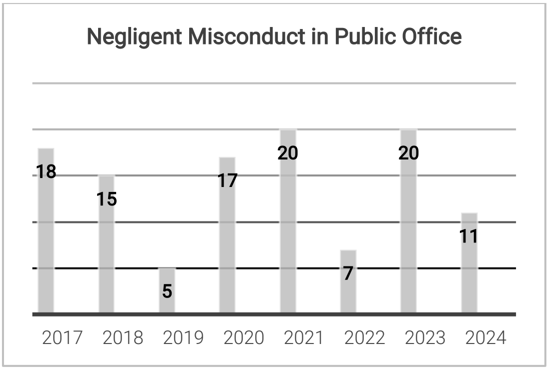

Figure 4. Number of persons convicted of the criminal offence of Negligent Misconduct in Public Office during the period 2017–2024

However, this raises another question: will the courts in North Macedonia base the fight against corruption-related criminal offences primarily on alternative measures?

The analysis of the sentences imposed shows that the convicts received prison sentences ranging from six (6) months to one (1) year, while the fines exceeded 30,000 denars (500 euros). For comparison, the Criminal Code prescribes a prison sentence of three (3) months to three (3) years for the basic form of the offence.

V. *In the period 2017 - 2024, 40 people were convicted in North Macedonia for committing the crime of stealing in the Office, of whom 35 were men and five (5) were women. Regarding sanctions, the courts imposed 15 penalties and 25 alternative measures*.

Eleven convicts were sentenced to prison, mainly for terms ranging from one (1) to two (2) years, while four (4) convicts were fined amounts ranging from 10,000 to 30,000 denars (160 to 500 euros). According to the Criminal Code, the basic form of the crime of Embezzlement in Office carries a prison sentence of six (6) months to five (5) years. This indicates that even in the case of this corruption-related offence, the courts impose relatively low sentences on offenders.

DOI: 10.46282/blr.2026.10.1.1169

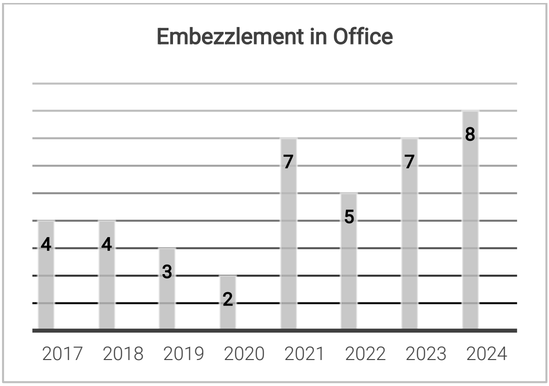

Figure 5. Number of persons convicted of the criminal offence of Embezzlement in Office during the period 2017–2024

With regard to alternative measures, the pattern observed in the aforementioned offences is repeated. Specifically, 23 convicts were given a suspended sentence (with a determined term of imprisonment), one (1) convict was given a suspended sentence with protective supervision, and another convict received a judicial warning, which constitutes a mere admonition.

VI. *Money laundering is a criminal offence through which organised crime groups attempt to introduce proceeds obtained from criminal activity into the legal financial system;*[14] *the successful detection and prosecution of such offences largely depend on the effectiveness of supervisory authorities, particularly the Financial Intelligence Units (FIUs),*[15] *which play a central role in identifying suspicious transactions and supporting criminal investigations*.[16]

In the period under review, 2017–2024, the courts of North Macedonia convicted a total of 30 people for the crime of Money Laundering and Other Proceeds of Crime, of which 23 were men and 7 women. Thirteen convicts were given penalties, while the majority, i.e., 17 convicts, were given alternative measures.

[14] Friedrich Schneider and Ursula Windischbauer , 'Money Laundering: Some Facts' (2008) 26(3) *European Journal of Law and Economics* 387, 390 https://doi.org/10.1007/s10657-008-9070-x accessed 14 February 2026.

[15] Katarzyna McNaughton, 'The Variability and Clustering of Financial Intelligence Units (FIUs) – A Comparative Analysis of National Models of FIUs in Selected Western and Eastern (Post-Soviet) Countries' (2023) 2 *Journal of Economic Criminology* 1, 2 https://doi.org/10.1016/j.jeconc.2023.100036 accessed 14 February 2026.

[16] Donato Masciandaro and Alessio Volpicella, 'Designing Financial Supervision: The Puzzling Case of the FIUs Against Money Laundering' (2016) *Journal of Financial Regulation* 79 https://doi.org/10.1093/jfr/fjw002 accessed 14 February 2026.

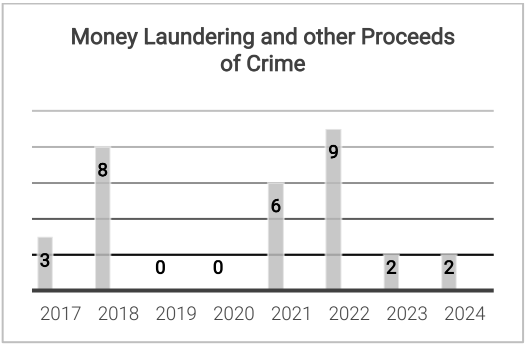

Figure 6. Number of persons convicted of the criminal offence of Money Laundering and Other Proceeds of Crime during the period 2017–2024

All 13 convicts were sentenced to six (6) months to three (3) years of imprisonment. For comparison, the Criminal Code prescribes a prison sentence of one (1) to ten (10) years for the basic form of the crime, while more serious forms carry a minimum prison term of five (5) years.

All convicts who received an alternative measure were sanctioned in the same manner, namely with a suspended sentence (with a determined term of imprisonment). Although the courts had the legal option to impose alternative measures with supervision, such as community service, a suspended sentence with protective supervision, or house arrest, this was not applied, which in itself constitutes a weakness in the implementation of penal policy with respect to the principle of individualisation.

VII. *The remaining corruption-related crimes are less frequently encountered in judicial practice during the examined period*.

Thus, in 2024, a male convict was convicted of the crime of Fraud in Office and was given an alternative measure, namely a suspended sentence (with a determined term of imprisonment), although the Criminal Code prescribes a prison sentence of six months to five years for the basic form of the crime.

For the crime of Misappropriation in Office in 2022, two (2) male convicts were sentenced to imprisonment ranging from six months to one year. For comparison, the Criminal Code prescribes a prison sentence of three months to five years for the basic form of the crime.

In 2024, two (2) male convicts were sentenced to imprisonment of one to three years for the crime of corruption in Elections and Voting. For comparison, the Criminal Code prescribes a prison sentence of at least five years for the basic form of this crime.

In 2024, two (2) male convicts were convicted of the crime of Acceptance of a Reward for Unlawful Influence. The first was given an alternative measure of a suspended sentence (with a determined term of imprisonment), while the second was sentenced to three years of imprisonment. For this crime, the Criminal Code prescribes a prison sentence of one to five years.

***

According research data, during the period 2017-2024, the courts in North Macedonia convicted a total of 650 people for corruption-related crimes, namely:

Type of Criminal Offence	Number of Convicts
Abuse of Official Position and Authority	398
Negligent Misconduct in Public Office	113
Passive Bribery	41
Embezzlement in an Office	40
Money Laundering and Other Proceeds of Crime	30
Active Bribery	21
Misappropriation in Office	2
Bribery in Elections and Voting	2
Acceptance of a Reward for Unlawful Influence	2
Fraud in Office	1

Table 1. Number of Convicted Offenders by Type of Corruption-related Criminal Offence

Research data show that during the period 2017-2024, slightly less than two-thirds of those convicted for corruption-related crimes were convicted for the crime of Abuse of Official Position and Authority, while nearly one-sixth were convicted for Negligent Misconduct in Public Office. The remaining corruption-related crimes are represented by a smaller number of convictions, and for some, no convictions were issued at all.

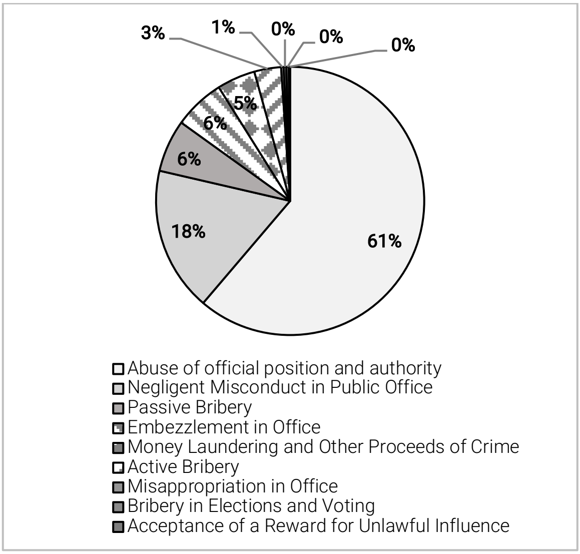

Figure 7. Percentage of people sentenced for Corruption-Related offences during the period 2017–2024

In almost all crimes analysed, a relatively lenient penal policy by the courts towards perpetrators of corruption offences is observed. The data indicate that in many cases, sanctions are imposed below the prescribed special legal minimum.

The data presented are related to all individuals convicted of corruption-related offences, including high-level corruption, within the examined period. However, when considering the prosecution of high-level corruption cases, it is important to note that, following the amendments to the Criminal Code in September 2023, the majority of such cases initiated by the former SPO, which concerned the offence of Abuse of official position and authority, were directly affected. The reduction of the statutory maximum penalty for this offence simultaneously shortened the applicable limitation periods, resulting in a substantial number of these cases becoming statute-barred.

Type of Imposed Sanctions	Number of Convicts
Suspended sentence (with a determined term of imprisonment)	456
Prison sentence (from six months to two years)	81
Fine	58
Suspended sentence (with a determined fine)	14
Prison sentence (from six months to three years)	13
Prison sentence (from six months to one year)	12
Prison sentence (from one year to two years)	11
Prison sentence (from one year to three years)	3
Suspended sentence with protective supervision	1
Judicial warning	1

Table 2. Number of Convicted Offenders by Type of Imposed Sanctions

It is surprising that 70% of those convicted of corruption offenses were given an alternative measure by the courts - a suspended sentence (with a determined term of imprisonment). Such a practice is problematic for several reasons. First, the application of an alternative measure for corruption offenses should be exceptional, whereas in reality, suspended sentences are applied extensively. Second, this raises the question of why, when the courts decide to impose an alternative measure, they do not choose measures that include supervision, such as community service, a suspended sentence with protective supervision, or house arrest.

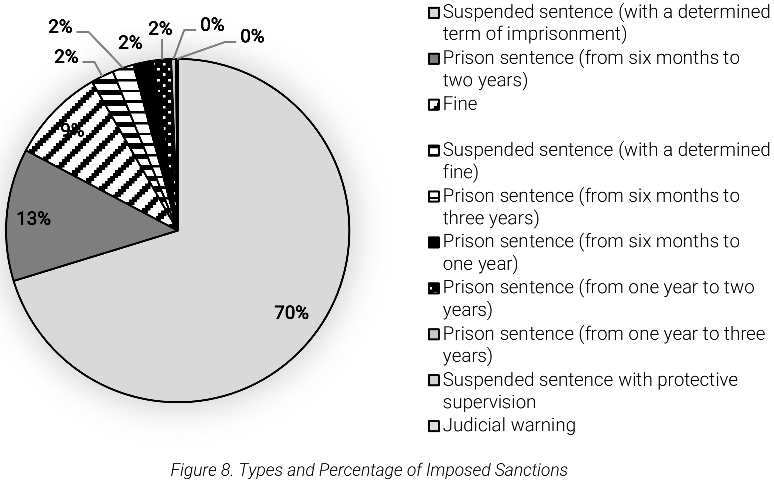

Figure 8. Types and Percentage of Imposed Sanctions for Corruption-Related Offences during the Period 2017–2024

The research, based on convicted people, showed that in North Macedonia corruption offences are predominantly committed by males. Thus, in the period 2017–2024, 543 men and 107 women were convicted of corruption offences.

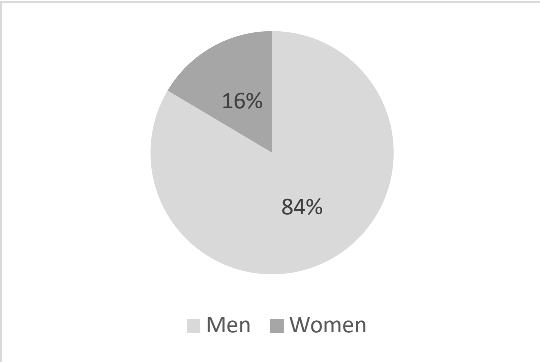

Figure 9. Percentage of Convicted Persons for Corruption-Related Criminal Offences by Gender for the Period 2017–2024

The above data corroborate the hypothesis of this research, namely that the effectiveness of the criminal-legal framework for suppressing corruption crimes cannot be expected if the courts apply a relatively lenient sentencing policy, often imposing sentences below the legal minimum or opting for lighter types of sanctions.

This research illustrates precisely such a situation, which must be considered in light of the significant level of unreported or hidden corruption offences.

The findings of this research underscore the need for adjustments in the criminal justice policy concerning corruption-related offences, advocating for a more stringent approach while duly respecting the principle of individualisation in sentencing. During the period under examination, the Transparency International Corruption Perceptions Index (CPI) for North Macedonia ranged from 35 to 42 points, ranking the country between 78th and 111th place, a position indicative of states facing significant challenges in combating corruption.

Current judicial sentencing policy does not appear to be geared towards overcoming these challenges; rather, it seems designed to maintain the *status quo*, which is detrimental to society. Established judicial practice cannot be invoked as a justification for maintaining the current situation; in contrast, such practice within sentencing policy should be reformed. Positive comparative examples, such as Hong Kong and Singapore, which confronted systemic corruption in the second half of the twentieth century but are now ranked among the least corrupt states worldwide, illustrate the potential benefits of a robust and consistent approach.

The public interest necessitates a reform of the sentencing policy, as the lenient sanctions identified in this research fail to achieve the fundamental objectives of punishment, namely justice and prevention, thus creating conditions conducive to recidivism. To uphold the maxim that "crime does not pay," perpetrators of corruption-related crimes must experience the criminal-legal consequences imposed by the state. Critically, such offences should entail mandatory confiscation of illicitly obtained benefits, since material gain constitutes the primary motive for committing corruption offences. Confiscation not only acts as a counter-motive, but also facilitates the restitution of assets to the state budget.

3.2 Confiscation Practice in Corruption-Related Offences

An evaluation of sanctioning effectiveness must take into account not only the imposition of custodial or financial penalties, but also the practical application of confiscation measures. According to official data published by the State Statistical Office of the Republic of North Macedonia,[17] the number of confiscation measures imposed remains limited in the categories of crimes relevant to corruption.

For criminal offences against public finances, payment transactions and the economy, confiscation was imposed in 37 cases during 2017-2024, while for criminal offences against official duty, encompassing core corruption offences, only 21 cases involved confiscation during the same period. No confiscation orders were imposed on corruption-related offences under the chapter on offences against elections and voting. However, despite minor fluctuations, these figures suggest that confiscation is applied sparingly and without a clear upward trend.

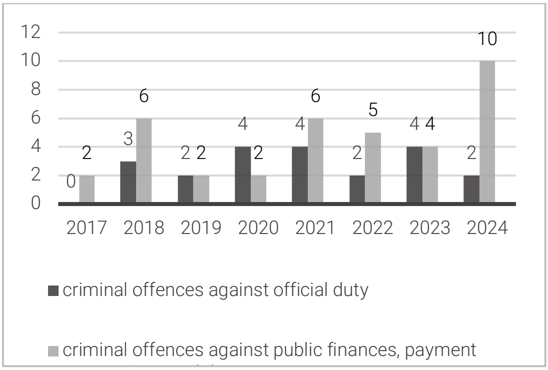

Figure 10. Number of confiscation orders imposed by courts in corruption-related criminal offences for the period 2017–2024

Although there are legal provisions for the confiscation of proceeds and assets obtained through corruption, practical implementation often fails to achieve the intended outcome. A notable example is the Trust case,[18] initiated by the former SPO as a high-level corruption matter. Although the court ordered the confiscation of assets, the measure was not effectively executed in practice: portions of the property were

[17] State Statistical Office, Convicted adults by criminal offense groups and total security measures imposed, property confiscation imposed and objects seized (Осудени полнолетни лица според групите на кривични дела и вкупно изречените мерки на безбедност, изречената конфискација на имот и одземените предмети) (2024) https://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat__Sudstvo__ObvinetiOsudeniStoriteli/326_SK2_Mk_T16_ml.px/ accessed 14 February 2026.

[18] Aleksandar Dimitrievski, 'The "Trust" case: How the state became a debtor instead of collecting 17 million euros in damages (Случај „Труст": Како државата стана должник наместо да си наплати 17 милиони евра штета)' (360stepeni.mk, 29 March 2022) https://360stepeni.mk/sluchaj-trust-kako-drzhavata-stana-dolzhnik-namesto-da-si-naplati-17-milioni-evra-shteta/ accessed 14 February 2026.

transferred or sold before the state could assume control, resulting in a loss of potential revenue and undermining the purpose of confiscation. The value of the assets designated for confiscation in this case amounted to approximately EUR 17 million. The failure to realise these confiscations demonstrates a significant gap between judicial decisions and practical enforcement. This case illustrates how procedural shortcomings and institutional coordination issues may can affect the substantive application of confiscation, and underscores the gap between formal compliance with EU-oriented asset recovery standards and actual results.

When evaluated against the European Union's EMPACT priorities[19], which emphasise systematic asset recovery and the deprivation of criminal proceeds, the national practice in North Macedonia reveals a notable gap between formal legal provisions and substantive effectiveness. Despite the Criminal Code providing for the confiscation of assets, the limited number of enforced measures indicates that offenders may retain illicitly obtained property, weakening both the deterrent and preventive functions of the sanctioning framework. This shortfall can be attributed to structural and procedural factors, including limited institutional capacity, legislative ambiguities, and delays in enforcement.

An assessment against EU expectations highlights that these deficiencies limit comprehensive asset recovery and hinder alignment with EMPACT objectives. To improve compliance, measures such as stronger institutional coordination, clarified legislative provisions, and the introduction of systematic monitoring mechanisms are essential. Improved enforcement would not only increase the recovery of criminal proceeds but also reinforce the deterrent effect of sanctions, thereby advancing national anti-corruption efforts and ensuring that illicit gains are effectively deprived from offenders.

4. CONCLUSION

The Criminal Code of North Macedonia contains multiple offenses aimed at combating corruption and represents the strongest legal framework for the protection of the assets, values, and interests of the state from the harmful effects of corruption. In addition to defining the offenses, the Code prescribes the corresponding sanctions, which are fundamentally adequate for punishing unlawful conduct.

However, the research presents data that significantly affect the effectiveness of the fight against corruption. The key finding is that courts impose "relatively" low sanctions on perpetrators of corruption crimes, often below the specific legal minimum. Particularly concerning is the dominance of the alternative measure of a suspended sentence (with a determined term of imprisonment), which does not require supervision by the Probation Service, which represents 70% of all sanctions imposed on perpetrators of corruption crimes.

This sentencing policy directly affects the effectiveness of the overall efforts North Macedonia to combat corruption, as the relatively "lenient" sanctions negatively impact the achievement of the punishment goals - both in terms of special and general prevention - and, even more importantly, the attainment of justice.

In such a situation, it is advisable for the courts to adopt a stricter sentencing policy, of course, in accordance with the principle of individualisation, within the specific legal minimum and maximum prescribed for the respective criminal offence.

[19] Europol, 'EMPACT (European Multidisciplinary Platform Against Criminal Threats)' https://www.europol.europa.eu/crime-areas-and-statistics/empact accessed 14 February 2026.

DOI: 10.46282/blr.2026.10.1.1169