

Who employs the municipality or the party?



C O N T E N T S

| | |
|-----------------------------------------------------------------------------------|----|
| INTRODUCTION AND IDENTIFICATION OF THE PROBLEM | 2 |
| MUNICIPALITIES AS UNITS OF LOCAL SELF GOVERNANCE: AN INTRODUCTION | 5 |
| Decentralization | 6 |
| THE MACEDONIAN LEGAL FRAMEWORK | 8 |
| The Law on Employment in the Public Sector | 9 |
| Law on Administrative Workers | 10 |
| Public Administration Reform Strategies | 12 |
| THE NOTION OF CORRUPTION | 13 |
| Political corruption | 14 |
| POLITICALLY MOTIVATED EMPLOYMENT ON MUNICIPAL LEVEL: CASE STUDY | 16 |
| PERCEPTIONS OF EMPLOYMENT PROCEDURES BASED ON THE FIELD RESEARCH FINDINGS | 19 |
| Data collection | 19 |
| Trends in calls | 19 |
| Trends in employment | 19 |
| INTERVIEWS | 21 |
| Publication of calls | 22 |
| Fulfillment of criteria by the applicants | 22 |
| The state exam for civil servants and the role of the Agency for Administration . | 23 |
| Applicants' interviews and the interview commission composition | 24 |
| The pool of applicants: who applies? | 25 |
| Complaints and appeals | 25 |
| Political employment | 26 |
| FOCUS GROUP | 29 |
| CONCLUSIONS AND RECCOMENDATIONS | 32 |
| BIBLIOGRAPHY | 35 |

INTRODUCTION AND IDENTIFICATION OF THE PROBLEM

A bloated public administration distorts the conduct of politics, policy making and weakens the national economy. The bloating in the public administration can be predominantly noticed in the domain of public employment.

A public administration that is overstaffed for political reasons affects all 3 branches of government: the judicial, the executive and the legislative; and it impedes the processes of policy making, law making, proceeding with democratic reforms and the overall democratic practices of a state. Furthermore, it affects the sustainability of public employment and leads to corrupt administrations, which then leads to economic distortion.

The notion of an independent, apolitical and efficient public administration is a driving force behind the processes of democratization and a fully functioning market economy. In summary, an ineffective public administration leads to a vicious circle of bad practices for (a democratic) state.

The Republic of Macedonia, since its independence from the Socialist Federal Republic of Yugoslavia, has been on the road to becoming a fully functioning liberal democracy. However, due to a variety of factors, including internal armed conflicts¹, ethnic disagreements², political instability³ and weak economic performance⁴ among others, Macedonia has regularly been ranked as a state with a transitional government or a hybrid regime⁵ rather than the liberal democracy it aspires to be.

The political connotations in the public administration have remained somewhat of a constant even in independent Macedonia. The notion of loyalty to a political party⁶ rather than to the state or its institutions is a lingering leftover from the communist regime, together with the hierarchical and heavily centralized form of public administration. A position within the public administration, civil service or any type of a governmental job has been regarded as prestigious⁷ and stable, a “job for life” - a sentiment that still lingers today.

Although membership of the ruling party, namely the Communist Party of Yugoslavia, was not a prerequisite for a job in the public administration, it was a widely spread practice. The hiring from within the party circle and having close connections to the party was the best manner in which one could secure a job in the civil service.

Since Macedonia's independence from Yugoslavia in 1991, the inner procedural works of the public administration and civil service have remained complex and convoluted.

However, the sentiments towards the stability and prestige of public administration jobs have not changed. Albeit the notion of a “job for life” has somewhat changed, due to the change in ruling and governing political structures⁸, with either politically motivated dismissals (of the ones loyal to the former political parties in position and replacing them with ones loyal to the current ones) or vertical and horizontal shifts within the system.

The negative aspects of this system of politically motivated employments trump the positive ones, if any, by a large margin. The frequent changes within the administration impede the day-to-day functioning of the public administration, leading to unprofessional, inadequate, overstaffed and poorly qualified public administration and civil service. In addition, a politically appointed public administration system is a gateway to corruption and other malpractices.

Moreover, part of the post-communist reform has taken the shape of decentralization. As a consequence, the structures of local governance have been granted greater decision making powers, control over different aspects of public life (for example, education⁹), oversight and implementation powers.

Whether the extent to which politically motivated employments occur is greater in centralized or decentralized structures of governance is not the question we seek to answer. In the Republic of Macedonia, politically motivated employments (can) occur on all levels and in all branches of government, and it concerns both elected and appointed officials. Nonetheless, on the municipal level, the notion of politically motivated employment may be more prominent on the basis of personal connections, family ties or communal influence, which can then influence the decision making processes.

Another issue that differentiates between the problems on local and on national level is the lack of accountability systems on local level. Besides the State Commission on Corruption Prevention¹⁰ there are no other bodies that have the core responsibility of dealing with corruptive practices, although the Ministry of Interior is tasked with detecting corruption cases, whereas the State Audit Office, the Financial Intelligence Unit, the Financial Police and the Public Revenue Office can deal with certain aspects of notion of corruption, predominantly related with the financial and monetary perspective of it.

As such, the notion of politically motivated employment in the Republic of Macedonia shall be treated as a sequential process in which the former practice has created boundaries that restrict future development, innovation and good governance, and further aids this negative trend with the current lack of action.

The issue of politically motivated employment and corruption, as a consequence, affect the overall functioning of the country and severely impact the democratization¹¹ and the Euro-Atlantic integration processes.

Corruption, excessive regulation and political patronage are problems that are regularly indicated as impediments to the proper functioning of Macedonia's public administration¹². Lack of a clear division of responsibilities within and between public institutions leads to the creation of operational delays and corruptive practices¹³ such as bribes, gifts and favors.¹⁴

The progress reports of the European Commission on Macedonia regularly¹⁵¹⁶ state that corruption and ill functioning of the civil service impact the EU accession processes. Other international organizations such as NATO¹⁷, OSCE¹⁸ and the UN¹⁹, as well as the US State Department²⁰, have further alluded their concerns about the politicized public administration over the years, and how it affects the institutional functioning, the citizens and the overall democratization in the Republic of Macedonia.

Having concluded that the notion of politically motivated employment is a serious issue affecting both political and public life in the Republic in Macedonia, we have decided to further examine the issue by selecting the system of local governance as a system in which the notion of politically motivated employment is deemed to be a more prominent issue.

Local governance units have been facing risks of political corruption since Macedonia's independence, and there has been a severe systematic abuse of power which then leads to grave consequences on institutional, political and communal levels.

Besides making the municipalities effectively dysfunctional, it provides for the breeding ground for other corrupting practices in the spheres of public procurement, education, public-private partnerships and spatial developments.²¹

MUNICIPALITIES AS UNITS OF LOCAL SELF GOVERNANCE: AN INTRODUCTION

Before delving into the details of the procedural safeguards and guidelines of the employment processes in the Republic of Macedonia, it is crucial to have an understanding of the place of municipalities as units of local self-governance in Macedonia's government structure.²²

The regional and administrative organization of the Republic of Macedonia is executed through municipalities as the highest administrative organ of local self-governance. Macedonia is also divided in 8 planning regions which do not constitute first degree administrative units, but rather are planning regions for development or serve as statistical planning regions. Currently, there are 8 planning/strategic regions.

Additionally, there may be "community centers"²³ established as part of a municipality, which albeit units of self-governance, fall under the municipalities and are directly linked to municipal governance. The organs of local governance have changed through the years. Historically, the Republic of Macedonia has also had regions and counties²⁴ as units of local governance; however, currently, only municipalities remain as such.

The notions related to the administrative division and organization of the local governance and self-governance units in the Republic of Macedonia are governed by the Law on Local Self-Government²⁵, Law on Territorial Organization of the Local Self-Governance²⁶, Law on the Financing of Local Self-Governance Units²⁷ and the Law on Local Elections.²⁸

The Law on Territorial Organization is a *lex generalis*. It regulates, among other things, the competences of the municipalities, direct participation of citizens in the decision making processes, the structures of the municipal organs, the municipal administration, the operational legal framework of the municipality, the processes of cooperation between the municipalities and the central government and other significant aspects of the work and functioning of the local self-government. However, there is an additional set of laws that govern the technical aspects of the functioning of the municipalities.

Going back to the notion of a municipality, a municipality is a first degree administrative unit in the Republic of Macedonia, since the territorial organization reforms of 2004 and 2013²⁹. Currently in Macedonia there are 80 municipalities in total, 10 of which constitute the City of Skopje, which itself is a separate unit of local governance³⁰. According to the Law on Territorial Organization of the Local Self-Governance, a municipality can be composed of one or more settlements as established by the State Estate Agency.

The territory of a municipality is naturally, geographically and economically linked, and links shall exist between settlements and populated areas of a municipality. Municipalities are established by law. No other act can establish or create a municipality.³¹ The administrative unit of a municipality took its present form after the process of decentralization and shifting of power in Macedonian governance and politics.

Decentralization

The idea of decentralization in Macedonian governance itself is a fairly recent phenomenon. In the aftermath of Macedonia's secession from the Socialist Federal Republic of Yugoslavia, a complete process of centralization of the government was carried out, so that the government of the newly independent state of Macedonia could reclaim complete power and control over its territory and hence re-establish its national sovereignty, which was a considerable shift in power from the former socialist, federal government.

However, the need for decentralization was brought up in the aftermath of the 2001 armed conflict and it has been embodied in the Ohrid Framework Agreement³². Art. 3 of the Framework Agreement, titled Development of the Decentralized Government, laid down the groundwork for the development of the decentralized governance system in Macedonia. The shift in power from the centralized executive government to the decentralized, local governmental bodies was modeled after the European Charter of Local Self Government³³ vertical organization principles and it reflected the values enshrined in the Constitution of the Republic of Macedonia³⁴ as well as the constitutional amendments envisaged with the Framework Agreement.

With mentioning of the Constitution, it is very important to note that local self-government is not a declared right; rather, it is one of the fundamental values of the constitutional order of the Republic of Macedonia.

The shift to and increase of competences to the units of local governance and local self-government were, mostly in the areas of public services, urban and rural planning, environmental protection, local economic development, local finances, education, culture, health and social protection³⁵.

Hence, the municipality, as a unit of local self-governance and as a governmental organ, is one of the fundamental institutions which ensure the day to day running of Macedonian government.

They are vested with powers in matters crucial for the functioning of every state. It is of utmost importance that civil servants on the municipal level are capable of carrying out the tasks necessary for the proper, smooth, and democratic functioning of the municipalities as the highest units of local self-governance.

Ethical behavior and professionalism shall be the highest aims of a properly functioning administration, irrespective whether the position of a civil servant is of an elected or appointed nature. Professional malpractices, such as corruption, are pervasive practices which have wide effects towards the citizens, other organs and agencies of public administration as well as the private sector.

However, monitoring the situation within the system of local self-governance has not shown allegiance to those principles. The Commission of the European Union has indicated through its reports³⁶ that although moderate progress has been achieved via institutional reforms, *“the ineffective accountability lines, the utilization of the public sector as a political instrument, the allegations of pressure exerted on public employees and the alleged politicization of the administration [...] continue to be of concern.”*³⁷

Consequently, the thorough examination of the phenomenon of politically motivated employment as a practice has severe effects not only on the notion of proper municipal functioning, but rather wide effects on the overall functioning of the Republic of Macedonia, as well as its integration into the European Union.

THE MACEDONIAN LEGAL FRAMEWORK

Generally, employments in the Republic of Macedonia are governed by the Labor Law³⁸. In addition, there are the Law on Minimum Wage³⁹ and the Law on Peaceful Settlement of Labor Disputes⁴⁰.

When it comes to employees in the public sector, the employment, positioning, competences and rights and obligations are governed by a special set of laws, namely the Law on Employment in the Public Sector⁴¹ and the Law on Administrative Workers⁴².

Additional rights and obligations of those employed in the public sector and state administration are vested within the set of *lex specialis* that governs particular subject matters, such as, for example, laws that govern the armed forces, the police force, judicial workers, diplomats, and customs officers, the President and Members of Parliament, among others.

Here, it is worth noting that not all municipal employees enjoy the status of civil servants or administrative workers. Municipal employees that perform executive and administrative duties enjoy the status of civil servants. The municipal employees whose primary tasks and duties are of technical or auxiliary nature are not considered to be civil servants or administrative workers.

Those include cleaning and janitorial staff, firefighters, housekeeping etc. However, their rights, duties and obligations are nevertheless governed by the Law on Employment in the Public Sector.

*Due to the nature of our Project, we have not focused **only** on employees that have the status of civil servants or administrative workers. We have decided to explore the hiring practice of **all** municipal employees, predominantly because in some municipalities, the sheer number of people whose work is of technical or auxiliary nature is quite large. Moreover, they still constitute municipal employees and are on the payroll of the municipality, and therefore could be exposed to politically motivated hiring and employment practices.*

It is important to note that prior to 2015, employment in the public sector was governed by the Law on State Workers. The Law on State Workers⁴³ is currently out of force; however its text was edited and changed and it currently takes the form of the Law on Administrative Workers. The changes, amendments and the reform in general will be elaborated on in the section on the Law on Administrative Workers.

The Law on Employment in the Public Sector

The Law on Employment in the Public Sector was enacted on 5 February 2014. The Law provides for the general provisions, classification and types of employments, the records and record keeping, obligations and responsibilities, employment mobility as well as other general topics of employment in the public sector⁴⁴. It further stipulates that among other institutions, a municipality constitutes an institution in the public sector⁴⁵.

Moving to the notion of employment, the law contains a stipulation to the principles of professionalism and competence. Stipulations are also made to set out the principles of human resource management, service to the citizens, professionalism, ethics and objectivity, transparency, prevention of conflict of interest and responsibility.

Further, the Law provides for the classification of working positions⁴⁶ and types of employees⁴⁷. It contains provisions on the Register of employees in the public sector as well as general regulations of the terms and conditions of employment within the public sector⁴⁸.

An extremely important feature of this Law is the Prohibition on Political Activity in the Workplace⁴⁹. With this Article, a person employed in the public sector, if member of a political party, shall not allow their political beliefs to interfere with their work.

Moreover, an employee in the public sector must not represent their political and party beliefs and affiliations, and are not allowed to partake in electoral or other political activities during the working hours of the institution in which they work.

Lastly, an employee in the public sector must not wear or display political party symbols in the premises of the institution in which they work.

If the above stated legal provisions are to be applied to the notion of municipal employment, a conclusion is drawn that in order for one to be employed within the municipal system, there has to be evidence of rationalization behind the selection process. Particular attention shall be given to the stipulation of ***fair, transparent and merit based employment*** as well as the notion of ***prohibition of all political activity in the workplace***.

Law on Administrative Workers

Formerly enshrined in the Macedonian legal system as the Law on State Workers⁵⁰, the Law on Administrative Workers was enacted in 2014. The Administrative Workers Law has had four amendments, one in 2014⁵¹, two in 2015⁵² and one in 2016⁵³.

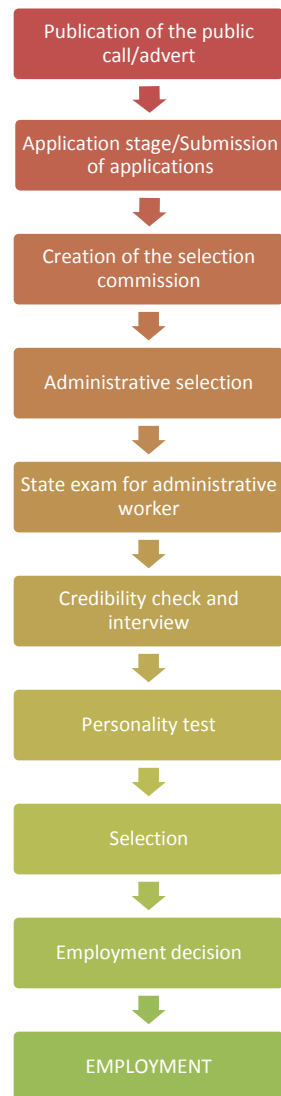
Besides the implementation of articles that would further guide the electronic examination of candidates via the means of the Agency for Administration⁵⁴, no substantial changes have been made to the law; hence the subject matter, temporal or territorial application of the law were not affected. The Law contains general provisions and lists the state institutions responsible for the coordination of employees in the state administration. One of the most important stipulations of this law, if not the most important one, is the establishment of the State Agency for Administration⁵⁵.

The Agency for Administration is the state organ tasked with the proper administration of the employment processes within the state and public administration. It plays a crucial role in the processes of employment, especially since it oversees the entire employment process from start to finish. The Agency for Administration, is notified when a public call is published, administers the State Exam for Civil Servants, assists in the selection of the appropriate candidates for certain posts⁵⁶ and considers first and second degree complaints related to the employment processes.

Similarly to the Law on Employment in the Public Sector, the Law on Administrative Workers stipulates the classification of working positions⁵⁷ and types of employees.

Next, the Law on Administrative Workers lays the employment procedure for administrative workers⁵⁸. Particular emphasis is put on the notion of a public call⁵⁹, which is regulated in detail with this Law.

The composition of a selection commission⁶⁰ as well as its tasks, rights, duties and obligations are elaborated on. Additionally, the entire breakdown of the selection procedure for an administrative worker⁶¹ is provided, with separate provisions for each stage of the employment process.



The procedures regarding annual employment plans, organization of workshops and trainings for the employees of the state administration, mentorship, follow up, progress and evaluation processes, as well as the special and general rights and obligations of administrative workers are elaborated on in the Law. In addition, there are stipulations towards the enforcement, oversight and violations of the Law.

Similarly, in the provisions on disciplinary measures⁶², it is stated that representing and expressing political beliefs in the processes of carrying out professional tasks, participating in electoral activities or any other politically or party motivated activities, or displaying party symbols in the institutional premises are violations of the status of an administrative worker. If the Law on Administrative Workers is to be compared to the Law on the Employment in the Public Sector, several differences can be noted.

Firstly, the Law on Employment in the Public Sector has quite the wider applicability and it encompasses **all** employees in the public sector, which means that it would include the workers in state owned, i.e. public enterprises.

The Law on Administrative Workers on another hand encompasses a particular subset of employees in the public sector, and it also has a more procedural character, as it sets out the different types of categorizations, employment procedures and other technicalities of the processes of becoming and working as an administrative employee.

Linking this to the notion of municipal employment, a conclusion can be drawn that the Law on Administrative Workers is extremely relevant to municipal human resources procurement, except for the hiring of technical and auxiliary staff, the entire procedure for municipal employment is enshrined in the Law on Administrative Workers. The provisions on political and party symbols and activity are similar, and both laws sanction or discipline such behaviors.

However, the biggest problem that exists with the Law on Administrative Workers is the politically appointed State Secretary at the respectful institution, who then makes the final decision on the employment. Similarly, when this is brought on municipal level, the Mayor, who is also a politically elected official, signs the final employment decision within the municipality.

Public Administration Reform Strategies

In addition to its reforms in the laws and bylaws on employment, the Republic of Macedonia has pursued two Public Administration Reform Strategies, which are highly valuable in the discussion on the types of units of local self-governance. The strategies, predominantly motivated by aspirations for European Union membership, take the form of five and ten year long strategies (1999-2009 and 2010-2015).⁶³ Another Public Administration Reform Strategy is in its draft stage⁶⁴ for the time period 2017 – 2022. The Strategies contain, among other information, details on the current state of the administration, financial planning processes, legal framework, strategic planning, revision and human resources.

The Strategies in question have yielded results to a certain extent. The first Strategy (1999-2009) failed to yield the desired results, which was later admitted in the 2010-2015 Strategy, especially in the area of executing laws that have entered into force. However, the latter Strategy reiterates that most of the reforms are still either in a legislative phase or are in the first phase of their implementation, and their tangible results cannot yet be seen or experienced.

The reforms elaborated in the Strategies have been analyzed and heavily commented on through different EU⁶⁵, OSCE⁶⁶ and OECD⁶⁷ reports, since they are crucial for Macedonia's Euro-Atlantic integration. A general comment towards the Strategies is that their contributions are rather small, since their implementation is dependent on plenty of other legal, political and governmental developments.

THE NOTION OF CORRUPTION

The notion of corruption plays an important, if not crucial role in examining the processes of politically motivated employment in the Republic of Macedonia.

The definition of corruption, besides the traditional criminal law definition, can be drawn from the interpretation of corruption as an economic, moral, ethical or accountability problem, or as a problem related to abuse of office and power. Corruption is a global challenge that undermines good governance, rule of law and democracy. It can be an external, internal, institutional, individual, material and a political problem.

In the Republic of Macedonia, the legal framework of corruption is governed by the Law on Prevention of Corruption⁶⁸. However, other laws, such as the Criminal and Penal Code⁶⁹, as well as other laws contain provision in which they criminalize, or otherwise penalize and sanction corruption and corruptive behavior. Some of the corruptive practices are to be sanctioned under the Law on Prohibition of Conflict of Interest⁷⁰.

The Republic of Macedonia ranks 90th out of 176 states in the Corruption Perceptions Index⁷¹ globally. The main issues remain the lack of political integrity, weakened law enforcement and the political influence in all spheres of public life, including the private sector. Moreover, political involvement in networks of organized crime is also a pressing issue⁷².

Corruption is among the largest impediments to Macedonia's EU accession, if not the largest.⁷³ Other institutions, including the Council of Europe⁷⁴ and NATO⁷⁵ have listed corruption as an obstacle to the process of full democratization and Euro-Atlantic integration.

Bribery, embezzlement and fraud, among other petty corrupt practices, exist throughout all spheres of public and private life and when combined, still pose a great threat to the proper functioning of many institutions. However, systematic, or grand corruption including political⁷⁶, police⁷⁷ and judiciary corruption⁷⁸ are the main types of corrupt practices that setback Macedonian society.

Political corruption

Cronyism, nepotism, political patronage, influence peddling and political graft are among the practices of political corruption that need to be combatted on national and local level, and have caused scandals in the Republic of Macedonia in the past.

The issues in the processes of identifying and combatting political corruption have ranged from finger pointing and blame shifting from one political party to another^{79 80}, to the relatively low trust in public institutions⁸¹ and urges for greater political responsibility and citizens' involvement in the trust building processes in the public institutions⁸², to the high unemployment levels⁸³.

Employment in the public sector is still preferred over private sector employment; job stability, difficulties in the processes of incitement of job creation and foreign investments and regularity of income have been cited⁸⁴ as the reasons for this. In return, this has created a heavily politicized public administration, utilized as a multi-purpose tool for the governing coalitions: on one hand, mass employments in the public sector have been utilized for lowering the rate of unemployment on national level, and on another, building loyalty to a political party.

The most recent figures state that 128.253 people are employed in the public sector in Macedonia, across 1291 institutions⁸⁵. Out of these, the number of municipal subjects (including all municipalities and the City of Skopje) is a staggering 765⁸⁶, which amounts to 59,26% of all institutions.

However, it is important to be noted that due to the processes of decentralization, the municipal subjects include, but are not limited to kindergartens, primary schools, local fire brigades, local public communal hygiene enterprises etc. As such, not all the persons employed within the municipal subjects are directly employed in the municipalities. The latest figures for the directly employed persons in the municipalities, including the City of Skopje, amount to 5677 people⁸⁷.

The overstaffing of the public administration leads to severe impediments that affect the proper functioning of the institutions; it has implications in the financial functioning of the institutions, the efficiency in providing services, logistical issues (sometimes the number of employed persons exceeds the physical capacities of an institution) and it can lead to the notion of "home employment", namely a person being on the payroll of a certain public institution without actually going to work⁸⁸. Practices like this further hinder the institutional efficiency while furthering the possibilities for political manipulations.

The notion of politically motivated employment and political manipulation within the public sector is embedded in every European Union Progress report on Macedonia to date. Media reports⁸⁹⁹⁰ have further shown that political involvement is an advantage to employment in the public sector.

As such, the utilization of the public administration apparatus as “property” of the governing party, with exclusive rights of control and manipulation leads to an ineffective, weak and overburdened public administration. The lack of qualified personnel, overstaffing and ineffective public service do not only burden the state budget and contribute to the great distrust in public institutions, but also severely impede the Euro-Atlantic integration processes of the Republic of Macedonia.

On another hand, citizens have closer contact with the units of local self-governance, i.e. the municipalities, due to the type of services that they offer. As such, the direct effect of corruptive practices is felt more strongly by the citizens on local institutional level.

POLITICALLY MOTIVATED EMPLOYMENT ON MUNICIPAL LEVEL: CASE STUDY

In the process of testing the assumptions as to whether politically motivated employments occur, we have decided to focus on the micro cosmos of municipalities.

The time frame for which the research and analysis is being carried out is the past 7 years (2009-2016) and it encompasses 2 local election cycles (2009⁹¹ and 2013⁹²). The time frame has been selected as such because it would provide for a better control over the sample; namely, random cases of corruptive practices can be singled out easily, particularly corrupt practices of a specific administration (under a certain mayor) can be recognized as patterns. The time period is long enough to follow the trends of improvement and/or deterioration in the employment practices.

14 municipalities have been selected for this analysis: Saraj, Lipkovo, Veles, Gjorche Petrov, Chair, Tearce, Tetovo, Gostivar, Centar, Shtip, Strumica, Struga, Bitola and Prilep.

The municipalities have been selected to represent a wide set of criteria:

- ◆ Municipalities with dominant Macedonian population
- ◆ Municipalities with dominant Albanian population
- ◆ Municipalities in which the mayor is from a ruling political party
- ◆ Municipalities in which the mayor is from an opposition political party
- ◆ Small municipalities
- ◆ Big municipalities
- ◆ Rural municipalities
- ◆ Urban municipalities

Firstly, we have carried out the **research phase**. The research has been formulative, descriptive as well as diagnostic, with the purpose of [i] identification of the problem of politically motivated employment, [ii] considering the municipality as a unit of local self-governance and the notion of decentralization, [iii] reviewing the legal framework on employment and [iv] analyzing the notion of corruption vis a vis the notion of politically motivated employment.

The second, and largest phase of the study is the **data collection and analysis phase**. The selected municipalities have been contacted via e-mail and asked to supply the public information (information of public character) for all employment and human resources procurement in the past 7 years, on the basis of the Law on Free Access to Public Information⁹³.

The information should include all published public and internal calls for employment, the selection procedure documents (records of administrative selection processes, records of the state exam for civil servants, records of the interview processes), decisions for employment and any other relevant documents.

The information from all municipalities has been requested either via e-mail or postal mail⁹⁴ and the municipalities were requested to submit either photocopies or digital copies of the requested information⁹⁵.

As to the prescribed deadline of 30 days⁹⁶ for responding to the request, almost half of the Municipalities have generally not complied with this legal requirement. Extensions have not been requested in accordance with the law⁹⁷; however, the repeated contact and further requests for information have yielded to obtaining the information in the cases in which the information was not supplied in the first instance.

Although this phase of the project does not directly provide an answer to the question whether politically motivated employment on municipal level exists, it provides crucial information as to the adherence to proper employment procedures and standards, trends in employment and points out to potential cases of misuse of power.

The following practices would be identified as **non-transparent** within the employment processes: untimely publication of employment calls, inconsistencies within the processes of administrative selection, inconsistencies within the interview rankings, lack of or an unclear appeal system.

The third phase of the project encompassed **interviews** and **focus groups** for gaining further insight in the processes of employment on municipal level.

The interviews were envisaged to be carried out with two target groups: **[i]** staff of the human resources units of the municipalities and **[ii]** other municipal employees, with different working positions, offices and titles. The interview format was a semi-structured interview, as the predetermined questions provide for uniformity and unified standards in the processes of obtaining information from different stakeholders, which in our case are the different profiles of people who work within the municipal system in Macedonia.

On another hand, the semi-structured interviews allow the interviewer to provide the interviewee with a wider context for discussion and further provision of information. The format of the interviews was face-to-face, and unless otherwise requested or specified, the interviews took place at the municipal premises.

The interviews were requested via written, e-mail correspondence, and were further arranged via e-mail and telephone. The interviews were conducted between the months of March and July 2017.

In the context of this research, as well as in the process of interview analysis, we will be identifying the **issues** that relate to the process of employment on local level, where the following factors are rationed in the employment process, instead of professional and academic competencies: political status, political party membership and connections within the system of municipal administration.

As indicated above, via the thematic analysis of the interviews, the opinions and attitudes of the persons interviewed will be presented. A set of questions will be identified as a guiding framework, on the basis of which we can provide a system of uniformity in the interviewing process.

The focus groups were planned as 4 focus groups in the 4 different planning regions in Macedonia, and were to be conducted with applicants who have not been selected or otherwise not chosen for employment in the municipalities.

However, due to the low interest and reluctance of the contacted applicants, we have decided to carry out 1 focus group, in Skopje, at the premises of ZIP Institute on July 25th 2017. We secured the participation of 20 persons who have applied but have been rejected for a position within the municipal system. We have identified the applicant information in the process of analysis of public information supplied to us by the municipalities themselves in the data collection and analysis phase of the research.

PERCEPTIONS OF EMPLOYMENT PROCEDURES BASED ON THE FIELD RESEARCH FINDINGS

Before commenting on the main perceptions and conclusions that have resulted from the field research process, notes on the data collection and analysis will be provided. In the process of data analysis, we have noticed several trends within all municipalities that have supplied information. Due to the lack of information supplied, the trends in employment in the Municipality of Tetovo cannot be objectively analyzed.

In summary, we can provide the following conclusions:

Data collection

6 municipalities have supplied the information within the time frame determined by the Law on Free Access to Public Information⁹⁸. The other 8 municipalities have supplied the information only after several other attempts and requests have been made.

6 municipalities have supplied the information via e-mail, whereas 8 municipalities have supplied the information via certified post.

6 municipalities have supplied the complete documentation requested (public calls, records of administrative selection processes, records of the state exam for civil servants, records of the interview processes) decisions for employment and any other relevant documents. The other 8 municipalities have supplied incomplete information. The trend here was supplying only copies of the public calls (scans from the publications of the calls in newspapers) or supplying information only for particular years.

Trends in calls

The total number of published calls is 142 calls across all examined municipalities.

The municipality of Struga has issued the most calls for the overall time period examined (2009-2016) – 28 calls in total per municipality, whereas the municipalities of Tearce and Saraj have issued the least calls for the overall time period – 2 calls per municipality.

Most calls have been issued in 2012 – 37 calls in total, whereas least calls have been issued in 2009 – only 3 calls.

Trends in employment

The total number of employed persons is 751, across all examined municipalities.

The municipality of Strumica has employed the biggest number of persons overall the time period in question – 142 people in total. Whereas the Municipality of Tearce has employed the least people– total of 4 people over the time period.

Most people have been employed during 2014, a grand total of 181 people, whereas the least people have been employed in 2009 – 12 people in total.

When it comes to election cycles, during this time period there have been 2 cycles of local elections; in 2009 and in 2013. There has been a surge in employment in 2010 – from 12 people being employed in 2009 to 63 people being employed in 2010. However, the biggest surge in employment has occurred in the aftermath of the 2013 election: in comparison, in 2013 only 80 people have been employed by the municipalities, whereas in 2014, 181 people have been employed.

Due to inconsistency and lack of detail in the information supplied, we cannot draw conclusions as to which municipality has employed the most technical or auxiliary staff in comparison to administrative workers.

INTERVIEWS

The initial request for interviews was immediately rejected by 2 municipalities: Veles⁹⁹ and Prilep. The other municipalities have not acknowledged the written request immediately; after which we resorted to telephone calls and telephone requests for interviews.

The interviews, as indicated above, were envisaged to be carried out with: (i) staff of the human resources units of the municipalities and (ii) other municipal employees, in different working positions, posts and titles.

Out of the 13¹⁰⁰ municipalities, we managed to engage with the target interviewees in 5 municipalities, namely interview one person from the human resources unit and one other employee. In the other municipalities, we have managed to carry out interviews with either one single employee or two employees from different sectors, due to either lack of availability and presence of other employees at the moment or unwillingness to participate in an interview from other employees.

The questions intended for the employees of the municipalities have been predominantly focused on the process of publication of calls, the descriptions of the positions, the need for employees, availability of information to the applicants, the application and selection processes and criteria, the content and the focus of the interviews with the candidates, the discussions between the members of the selection commissions, the factors weighed in the decision making process when hiring an employee and the general attitudes and opinions towards the processes of employment on local level.

Out of all the interview questions we have abstracted the following parameters in the process of analysis:

1. Publication of calls
2. Fulfillment of criteria by the applicants
3. State exam for civil servants
 - mThe role of the Agency for Administration
4. Applicants' interviews
 - Interview commission composition
5. Pool of applicants: who applies?
6. Complaints and appeals
7. Political employment

Publication of calls

According to municipal employees, as well as noted from the gathered information by ZIP Institute during the data collection phase, the calls are published via the Agency for Administration either on their website or in appropriate media outlets.

All interviewees have unanimously agreed that the publication of calls usually runs smoothly and the calls contain all relevant information, which we noted from the data collection as well. However, 2 interviewees pointed out that the calls do not contain “*a list or a summary of work tasks*” (Interview no.7) that the prospective employee would have, which could be useful.

When it comes to the calls themselves, there are certain issues that appear before a call is published. Sometimes, municipalities do not have the predicted budgets for new positions but need employees and are left with a shortage of staff (Interview no. 12).

On another hand, the politicization of the employment process can be noted here as well. There are cases when calls are published but it is already known who will be employed – either people already working in the municipalities on a temporary contract or otherwise internal hires (Interviews no.1 and no.9). As such, the people who are applying to a certain call are not given a fair and equitable chance at a certain position.

Generally, the process of publication of calls is deemed as **transparent** since it is administered by an independent body, namely the Agency for Administration.

Fulfillment of criteria by the applicants

When it comes to the fulfillment of criteria by the applicants, according to 3 of the Human Resources staffers at 3 municipalities, there are applicants that do and do not fulfil the criteria for a certain position. The process of administrative selection is utilized to select the applicants that fulfil the criteria and could advance to the next stage; however, there are times when due to relations with the Mayor or other higher ups, applicants who do not fulfill the criteria are advanced in the next stages of the application procedure (Interviews no.2, 4 and 11.)

“Our municipality is small [...] people know each other [...] one of the inspectors is a relative to the Mayor, and that is how they got here.” Interview no.4

In addition, the temporary contract positions are utilized as an instrument for mobilization of voters, not only in the municipalities but also in the public enterprises. (Interviews no.4

and 7). Such “methods” have been utilized by both current and former mayors, irrespective of their political alignments.

“The partisanship is deeply rooted [...] but the issue is on central level, the government turns a blind eye to such practices...It is not only the municipalities who are at fault” Interview no.4.

According to these statements, we can note a trend of employments not based on merit, but rather political favors, cronyism and nepotism, which are valued over professional qualifications, work experiences, education and other qualifications.

The state exam for civil servants and the role of the Agency for Administration

Generally, the role and involvement of the Agency for Administration is positively regarded by nearly all of the interviewees. The Agency has been a crucial player in the evolution of the employment processes in state institutions; it has modernized the procedure and the electronic system is deemed useful. However, the municipalities are reluctant to admit their own shortcomings when it comes to the employment procedures and pin the blame on the Agency for Administration often.

“The relevant body to which all of these questions should be addressed is the Agency for Administration, we cannot answer everything without them.” Interview no.7

A positive aspect of the Agency’s work is the logistical handling of the employment procedure, its oversight and its role as a watchdog (Interview no. 13). Its involvement certainly affects the possibilities for corruption and nepotism, however it does not completely remove them.

However, one of the interviewees pointed out to a “*flaw*” of the Agency:

“The Agency for Administration has its own way of doing things [...] its own rhythm...they sometimes interfere with the independence of the Municipality as an independent budgetary unit” Interview no.1

Besides in the process of publication of calls, the biggest involvement by the Agency for Administration is in carrying out the state exam for civil servants. The state exam, which is mandatory for **all** applicants that have passed the administrative selection phase, the only exception being auxiliary and technical staff, has been denoted as useful almost unanimously.

Since it provides for a uniform, standardized selection system. The Agency's role also helps in the process of *"granting complete authority to the municipalities to pick whoever they want"* (Interview no.8).

Applicants' interviews and the interview commission composition

The formation of the interview commission is enshrined in the Law on Administrative Workers, where provisions are laid out about the composition of the commission as well; it shall be composed of 3 administrative workers, a president and two members. The president is from the Agency for Administration, whereas the members are the immediate supervisor of the potential employee and the executive supervisor of the human resources unit.

However, the practice says otherwise when it comes to the composition of the commission. Namely, when there are open calls for more than one position, simply there aren't enough people for a new commission every time.

"When there are calls with 10, 20 open positions, shall we form a separate commission for each position or person?" (Interview no. 5)

Although the involvement of the Agency for Administration is once more positively regarded, the interviewees have different opinions on the involvement of the direct supervisor. Generally, there is acceptance that a member of the commission should come from the human resources unit.

When it comes to the **interviews** themselves, the questions asked are mostly about the motivation of the applicants, their professional experience and their abilities (to work independently, in a team etc.), so that the interviewees can learn more about the candidate and their motivations for working in a municipality.

According to two interviewees, the process is subjective, rather than objective (Interviews no.1 and no.3). Although there is a point based system, the points are not always equally granted to all candidates due to personal impressions. When the prospective employee is already known (due to connections, nepotism etc.) some of the prospective employees are purposefully given less points in the interview process, and since there is no outside monitoring of the interview, no one can check if the points are fairly given. (Interview no.2).

Constructive discussion is rarely held between the commission members (interview no.10), there is rarely any confrontation for the selection of a candidate (interview no.4).

The process of interviewing typically goes along the lines of introduction, general questions about local governance and municipalities, and questions related to the specific position for which the applicant applied. (Interview no.2)

Here, we can conclude that although certain aspects of the interview process are considered as well organized and good, there is still possibility for improvement, especially when it comes to the point based system as well as the composition of the commission itself.

The pool of applicants: who applies?

The issue with municipal employment is not a one-sided issue. The pool of applicants for a certain position can be problematic, and they cannot find compatible candidates and have to work with what they have (Interview no.5). Due to the way in which the public calls are formulated, virtually no weight is given to informal education or work on projects (Interview no.5), which for certain positions can be crucial experience.

Another very prominent issue is applicants who already work in the system of local governance. Although in accordance to the Law on Administrative Workers, a person working within the system can be up for promotion, the promotion is usually up one degree if conducted via an internal call. As such, people who are already working are utilizing the system for advancement in ways which are not prescribed. (Interview no.5).

Therefore, we can conclude that the issues with the employment process do not only arise out of the municipalities themselves, but are also dependent on the pool of applicants. There shall be a widening of the qualifications required for certain positions, as well as closing the loophole for potential misuse of the employment procedure.

Complaints and appeals

The complaints and appeals procedure is contained in the legal framework, and provisions as to the appropriate appeal procedure are contained in the decisions for dismissal or employment provided to the candidates, which we could note throughout the data analysis section of the research.

From the interviewed human resources staffers, we have found out that complaints are rarely submitted; they are usually very formal and their resolution is regarded as a formality as well (Interview no. 13). In 3 of the municipalities complaints are almost never received; and when asked why, we got the response that both the applicants and the municipal staff know that appeals and complaints would not resolve anything.

Therefore, actualization of the appeals procedure is necessary. The procedure should be actualized as a useful, reliable, confidential mechanism that can indeed bring change in the process of municipal employment.

Political employment

On the topic of politically motivated employment, we decided to utilize a subset of 6 questions as parameters in the process of analysis:

1. What is your opinion on the employment processes on municipal level?
2. Do you think that there should be reforms in the employment policies?
3. What are your opinions on politically motivated employments on municipal level?
4. In your opinion, does political influence exist in the processes of employment on municipal level?
5. In your opinion, are politically motivated employments an issue at your municipality?
6. Are there appropriate mechanisms for combatting politically motivated employments on local level? If yes, what are they?

Generally, the opinion held by the majority of the interviewees is that the employment processes on municipal level have improved since the legal reform of the Law on State Workers into the two “new” laws: Law on Administrative Workers and the Law on Public Employment.

The Agency for Administration’s involvement in the process was noted as an important feature of the employment process; however it was noted that there are still possibilities for abuse and advancing of personal agendas in the employment processes, especially since it is the Mayor, an elected official, who is signing every decision for employment.

When asked whether the frameworks on employment should be reformed and revised, nearly all interviewees have confirmed that reforms should be made. In particular, comments were made as to the length of the employment procedure, and the necessity for approvals from different state institutions.

“The procedure as it is, it is relatively okay. The process is very long and bureaucratic, there is very little room for changes and reshuffling of personnel within one municipality. What if someone gets a new job and leaves? We are left with an empty post, and we may not get approval for a new call to be opened for that position [by the Agency of Administration]. Even if a call is opened, a lot of time will pass until that person is employed, and it can render that sector or department of the municipality ineffective.” – Interview no. 8

The notion of politically motivated employment on municipal level was not as much of an uncomfortable topic as we expected it to be; however there was still reluctance for the issue to be discussed in depth. It was deemed as an existing, widespread practice that can and does have severe effects in different areas not only within the system of local governance, but also in general on the system of public employments and state administration. It impedes the provision of services, the day to day functioning of the municipalities, leads to corruptive practices and shall be combatted.

A couple of interviewees declined to comment on the notion of politically motivated employment directly, stating that the Agency for Administration is the competent body for employment and all of the questions about this shall be addressed to them. When directly asked if they are aware of the existence of political influences on municipal level in the processes of employment, most of the interviewees stated that it maybe exists, however they were not as open to discussing how exactly it manifests.

“We cannot turn a blind eye to the problem of political influence in different processes, not only employment processes on municipal level. [...]” Interview no. 6

A very important observation to be made here, on the topic of political influences on municipal level, albeit not directly related to the processes of employment, was the manifestation of political symbols within the municipal premises, which we have noted when we visited the municipalities for conducting the interviews, although such practices are explicitly prohibited by law, as mentioned above. In 5 out of the 14 municipalities, we have noted different political symbols on office supplies such as notebooks, mouse pads and USB devices, desk flags and election posters on the walls.

The most polarizing question throughout the interviews was whether political employment exists at the municipality at which the interviewees work. At half of the municipalities the answer was negative; the other half answered in the affirmative.

When answered in the affirmative, the emphasis was put on the external political pressure for political hires; not coming directly from the structures that are employed within the municipalities, but rather from political structures from outside of the municipalities. Although questions as to the political or party involvement are prohibited *de jure* and are *de facto* not asked at the interviewing stage, the political allegiance of the candidates is usually known beforehand. This is most prominent in the smaller municipalities.

“We are a small circle, everyone knows everyone [...] so if someone is a member of a political party and they go through the employment procedure, it is automatically known if that person is involved in the “(political) party life [...] since there are other people who hold

political views within the municipal system or are members of the same party, we can never know if a hire is not made on political or party basis [...]" Interview no. 2

"Of course politically motivated employment exists at our municipality! It is a problem, but we cannot do much about it. Some of the people employed at our municipality serve at both municipal and party functions so the political component in the municipality is natural." Interview no.5

"Yes, politically motivated employment exists. My municipality is a very interesting example for this, because the mayor was from an opposition party throughout the years (2009-2016) [...] and there was a lot of pressure from the governing structures on our municipality and all of the procedures were carefully followed [...] that did not prevent the governing party to use their influence and to pressure for hires in the municipality." Interview no. 8.

When answered in the negative, the interviewees would usually talk about the Agency for Administration and the Ministry for Information Society and Administration as the relevant structures that deal with the employment processes and how political influence cannot be manifested throughout the procedure due to the nature of the procedure itself.

"There is no political influence in the hiring processes in our municipality. You know it yourself, you know the law, you know that the Agency for Administration is doing everything in the process, you simply cannot pressure for a hire even if you'd wanted to." Interview no.1

In terms of the appropriate procedures for reporting and combatting such occurrences, most of the interviewees unconfidently responded that mechanisms do exist; however they are rarely used and utilized, there are reporting procedures, which often go unused due to different reasons, most often, *again*, the bureaucracy and the length of the procedures themselves.

"Corruption and nepotism are serious issues on municipal level, but they are rarely addressed appropriately due to fear, loss of jobs, returns of political favors and other similar factors. NGOs, municipalities and other state institutions should cooperate seriously and appropriately address this issue." Interview no.2

FOCUS GROUP

The purpose of the focus group was to [i] evaluate the knowledge, the attitude and the opinions of the applicants whose applications have been rejected within the processes of municipal employment with regards to the employment processes, [ii] to evaluate the perceptions on the possibilities on the topic of politically motivated employment on municipal level and [iii] to evaluate the attitude and perceptions of these persons with regards to any possibilities for improvement within these processes.

The target of the focus group, as indicated above, were 20 people, male and female, from different ethnic backgrounds. However, due to low interest, reluctance and potential fear, only 7 out of the 20 confirmed persons – applicants who have been rejected – attended the focus group.

We have abstracted the following questions to serve as guidance and parameters for the focus group:

1. Elaboration on one's experience in the process of application for employment in the units of local governance
2. Elaboration on the application process itself
 - The administrative application/selection process
 - The exam for administrative workers
 - The interview
 - Selection procedure
3. At any stage of the application process, have you been asked about any political or party affiliation or connection?
 - Have you been asked any other questions, relating to your religion, ethnicity, gender, sexual orientation, marriage or family status?
4. Have you utilized any of the reporting or appeal mechanisms to report on the negative aspects of the application procedure?
5. Generally, do you think that politically motivated employment occurs on municipal level?
6. What could be done so that the practice of politically motivated employment is curtailed?

On the basis of the discussion guided by these questions, we have noticed the following: The application procedure itself is not bad after the reform of the law, but there are plenty of costs to be borne by the applicants (2,000 denars for the psychological testing, 1,600 denars for the exam for administrative workers, administrative taxes etc.). The procedure is lengthy, and in the words of one of the participants

"Months can pass before you are even contacted for your application, if you are contacted at all." Focus group participant no. 7.

The procedure is considered exhausting, especially the process of gathering the appropriate and relevant documents for applying.

The participants consider that the calls are sometimes a mere formality; the candidate that is going to be employed is already known and the process is just a burden and waste of time. (Focus group participant no.2).

Often people apply just to pass the state exam for civil servants:

"I have applied just to pass the exam, it is a necessity for any type of employment in the governmental and state institutions and this is a common practice [...] everyone does it!" Focus group participant no. 7.

The exam is administered at the Agency of Administration in Skopje, which further poses a financial strain on the applicants.

"When you are jobless, and applying and applying [...] and have to pay for stuff like this, it adds up, it is expensive, and not everyone can afford it... [...] you are disadvantaged since the beginning, before they ask for your party membership." Focus group participant no. 1.

There are opinions that the Agency for Administration, although useful oversight body, is not always independent and impartial.

"There are cases when the exam answers are given, people know they will get the jobs, they know the commission members, the people who work at the Agency, everyone knows someone [...] connections get you a job, it is what it is" Focus group participant no.4.

The political affiliations of the applicants are usually known beforehand, through what they called *"inside research and intel"* (Focus group participant no. 4 and no.6).

"The structures already working in the municipality that have political party affiliations do their research and make everyone involved in the process aware of who the favorable candidates are." Focus group participant no.7.

The state does not invest into other areas, small businesses, agriculture, industry [...] it is normal that you expect to have a job when you have a family to feed [...] you need to get

what is the most stable job, and in Macedonia that is a public administration job [...]" Focus group participant no. 1.

"The mayor is a political appointee, it is somewhat even normal that political hires occur, it isn't surprising, is it?" Focus group participant no.6.

When it comes to the interview procedure, the first remark is the long waiting times. Sometimes two to three weeks can pass before a candidate is called for an interview, which despite not being in accordance to procedural standards, is a widely known practice. (Focus group participant no.5).

Questions asked at the interviews transcend every possible privacy and discrimination law; especially when it comes to women, questions about marriage and children are not uncommon.

The relevant questions are short and do not have a lot of substance. There are general, introductory questions, formal questions about the position and the motivation for application. The interviews are usually short and sometimes can barely 5 minutes.

"I was literally there for 5 minutes, no more no less [...] they asked me about my education, some sort of a definition of a division or something [...] and my motivation [...] I knew that the members of the Commission are active in a political party, it was obvious that it is a politically motivated employment..." Focus group participant no.3.

None of the participants have utilized any of the mechanisms; they find them existing only on paper. They think that no amount of complaining would result in a fairer practice, since the people who handle the complaints are also political hires.

"I do not trust the mechanism [...] it is a waste of time, the people who are in the system are political hires, so you kind of know the result of your complaint beforehand [...] it is a waste of time and money." Focus group participant no.1.

In commenting on the general situation, the focus group has jointly stated that the issue is a widespread practice in different institutions on both local and state levels. It needs to be taken into consideration with the reforms of the employments law, the functions of the Agency for Administration and the Ministry for Information Society and Administration. Without state level cooperation, municipalities on their own are quite powerless to address it.

CONCLUSIONS AND RECCOMENDATIONS

The presented research, data analysis, analysis of the interviews and focus groups portray a picture of the current landscape of political employments in the target municipalities, on the basis of which we will be providing tangible recommendations. However, we would like to point out the interlinked issues which are to be taken consideration in the processes of combatting corruption and corruptive practices such as [i] the general politicization of the administration in the Republic of Macedonia, [ii] the high national unemployment rate, [iii] the overstaffing of the public administration, and [iv] citizens' (un)awareness of these problems.

According to the findings of our research, politically motivated employments exist and generally do occur on municipal level. Although paradoxically, there is a reluctance to admitting that politically motivated employment occurs in the municipality in which they work, i.e. their place of employment.

Although the situation has gravely improved since the legal reform on employment, the bureaucratic procedures, slow pace and centralized structures contribute to the issue. There is virtually no flexibility in the employment procedure; the procedure is lengthy and formal; people who have already been employed in the administration have advantage, due to the requirement for a passed state administrative workers exam.

Although the centralization of the administration of the employment procedure by the Agency of Administration has been a step in the right direction, there is still place for improvement.

In a relatively small environment, such as the unit of local governance, due to the sheer size and inter-connectivity of people, sometimes there is no way to avoid or disregard someone's political or party affiliations.

The overstaffing of the public administration as well as the ongoing political crisis, in addition to the security that public employment provides have further contributed to the longing for a position within the administration. In securing such a position people resort to relying on their networks, beyond following the appropriate prescribed procedures. Again, this is even further noticeable in the microcosms of municipalities, due to its size and closeness in the local population.

It is important to be noted that the conclusions presented are based on the findings of the municipalities actively included in this research; the generalizations presented are made solely on the basis of the findings from those municipalities and hence no generalizations can be made on state level. The majority of the interviewees, as well as the participants in the focus group consider that the politicization is a generally accepted in all institutions of the state, which includes the municipalities.

An interesting finding is the fact that the attitudes of most of the interviewees and focus group participants are identical towards the notion of politically motivated employment. Other research projects have indicated similar findings.

On the basis of all of the findings above, we would like to indicate the following conclusions for improving the employment processes on local level, with prejudice to the notion of politically motivated employments:

- ◆ Reform of the employment procedure – although certain steps in this directions have been undertaken, there is a dire need for the reform of the employment processes, releasing the strains of the bureaucratic process and the lengthy 3 level procedure that is currently in place.
- ◆ Putting valuable emphasis on work experience, education, certified extracurricular activities, foreign languages and informal education – in line of the previous point, we are suggesting these subject areas to be emphasized in the procedure of combatting politically motivated employment.
- ◆ Greater institutional involvement in the processes of combatting politically motivated employment – the Agency for Administration, Ministry of Information Technology and Administration and the municipalities themselves shall be involved in the processes of combatting the corruptive practices and have a joint action plan to ensure a better, more effective employment procedure.
- ◆ Greater transparency in the processes of publication of the calls
- ◆ Outreach to rejected applicants – the persons whose applications have been rejected shall receive appropriate outreach and be made aware as to why their applications have been rejected; in appropriate form and format with information about the appropriate appeal procedures.
- ◆ Actualization of the mechanisms for appeal – the appropriate appeal procedures shall be made publicly available and easily available, and there shall be appropriate follow up mechanisms.
- ◆ Actualization of the mechanisms for reporting politically motivated employments – similarly to the point above, the appeal mechanisms shall be made publicly available and easily available, and there shall be appropriate follow up mechanisms.
- ◆ Further drawing attention to the problem via media and involving all relevant stakeholders in the solutions

These recommendations are provided with the purpose of raising awareness of the problematics of politicization of the employment procedures on local level in the Republic of Macedonia. The misuse of power for personal gain, political gain or party gain,

irrespective of the membership of a particular political party, within the structures of local governance are issues that affect all the targeted municipalities, big or small.

In conclusion, we consider our research as a starting point in the processes of increasing the transparency in the processes of employment on local level, and we believe that it can further and better the processes of employment, if all relevant stakeholders are engaged.

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⁴⁸ *Supra*, see 40, Section VI

⁴⁹ *Supra*, see 40, Art. 38

⁵⁰ *Supra*, see 42

⁵¹ Law on Amendments and Change of the Law for Administrative Workers (*Закон за изменување и дополнување на законот за административни службеници*) [2014] <http://bit.ly/2vbCQh7> last accessed 07 August 2017

⁵² Law on Amendments and Change of the Law for Administrative Workers (*Закон за изменување и дополнување на законот за административни службеници*) [2015] <http://bit.ly/2vb5lv6> last accessed 07 August 2017

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⁵³ Law on Amendments and Change of the Law for Administrative Workers (*Закон за изменување и дополнување на законот за административни службеници*) [2016] <http://bit.ly/2wzbFe2> last accessed 07 August 2017

⁵⁴ *Supra*, see 54

⁵⁵ *Supra*, see 41

⁵⁶ Procedures may vary per institution.

⁵⁷ *Supra*, see 41, Section IV

⁵⁸ *Supra*, see 41 section VI and VII

⁵⁹ *Supra*, see 41, Art. 35

⁶⁰ *Supra*, see 41, Art. 37

⁶¹ *Supra*, see 41, Art. 38 - 46

⁶² *Supra*, see 41, Art. 73

⁶³ Public Administration Reform Strategy in the Republic of Macedonia 2010- 2015 (*Стратегија за Реформа на Јавната Администрација во Република Македонија*) [2010] <http://bit.ly/2wlQjkz> last accessed 07 August 2017

⁶⁴ Draft Strategy for the Reform of the Public Administration 2017 – 2022 (*Нацрт-стратегија за реформа на јавната администрација*) [2017] <http://bit.ly/2uigr2R> last accessed 07 August 2017

⁶⁵ *Supra*, see 15

⁶⁶ *Supra*, see 18

⁶⁷ The OECD Secretary General's High Level Advisory Group (HILAG) on Anti-Corruption and Integrity, *On Combatting Corruption and Fostering Integrity: Executive Summary, Recommendations and Full Report* [2017] <http://bit.ly/2vGN3ng> Last accessed 07 August 2017

⁶⁸ Law on Prevention of Corruption (*Закон за спречување на корупција*) [2008] <http://bit.ly/2vbBbln> last accessed 07 August 2017

⁶⁹ Penal Code of the Republic of Macedonia (*Кривичен Законик на Република Македонија*) [2014] <http://bit.ly/2wzxSbO> last accessed 07 August 2017

⁷⁰ Law on Prevention of Conflict of Interest (*Закон за спречување судир на интереси*) [2009] <http://bit.ly/2uirCbP> last accessed 07 August 2017

⁷¹ Transparency International, *Corruption Perceptions Index 2016* <http://bit.ly/2vGEVCY> last accessed 07 August 2017

⁷² Transparency International, *Turkey and Western Balkans: National Integrity Systems* [2017] <http://bit.ly/2flU1aj> last accessed 07 August 2017

⁷³ *Supra*, see 15

⁷⁴ Group of States Against Corruption (GRECO), Council of Europe, Fourth Evaluation Round: *Corruption prevention in respect of members of parliament, judges and prosecutors, EVALUATION REPORT "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"* [2013] <http://bit.ly/2vzT1IY> last accessed 07 August 2017

⁷⁵ *Supra*, see 17

⁷⁶ *Supra*, see 15

⁷⁷ *Supra*, see 74

⁷⁸ *Supra*, see 77

⁷⁹ TV SITEL "VMRO makes accusations for party motivated employment" (*ТВ СИТЕЛ, ВМРО Обвинува за партиски вработувања*) [16 June 2017] last accessed 07 August 2017 <http://bit.ly/2vdLXw0> last accessed 07 August 2017

⁸⁰ 24 VESTI "Party employment" (*24 ВЕСТИ Партиски Вработувања*) [16 November 2012] <http://bit.ly/2flTG7k> last accessed 07 August 2017

⁸¹ Macedonian Center for International Cooperation, Krzhalovski, Aleksandar *Trust in people and Institutions (Доверба во луѓето и институциите)* [2013] <http://bit.ly/2wzP1SM> last accessed 07 August 2017

⁸² TV NOVA, *Danielson: Political Responsibility for institutional trust (ТВ НОВА: Даниелсон: Политичка одговорност за доверба во институциите)* [25 May 2015] <http://bit.ly/2wzERkT> last accessed 07 August 2017

⁸³ State Statistical Office, *Labor Market Statistics* <http://bit.ly/2vH0Mue> last accessed 07 August 2017

⁸⁴ *Supra*, see 7

⁸⁵ Ministry of Information Society and Administration, *Public Sector: Annual Report (Министерство за Информатичко Општество и Администрација, ЈАБЕН СЕКТОР: годишен извештај)* [2016] <http://bit.ly/2vF2o70> last accessed 07 August 2017

⁸⁶ *Ibid.* pg. 16 of the Report

⁸⁷ *Supra*. See 88, pg. 41 of the Report

⁸⁸ *Supra*, see 7

⁸⁹ BRIF.MK *Proof of Political Employment of a VMRO DPMNE Activist in MEPPO (БРИФ.МК Доказ за партиско вработување на активист на ВМРО ДПМНЕ во МЕРПО)* [9 April 2015] <http://bit.ly/2vdvNm9last> accessed 07 August 2017

⁹⁰ DOKAZM.MK *Photos: VMRO Parliamentarian offered employment for 5000 euros (ДОКАЗМ.МК ФОТО: ВМРОВСКИ Пратеник за 5000 евра нудел вработување)* [20 October 2016] <http://bit.ly/2vbGdo6> last accessed 07 August 2017

⁹¹ State Electoral Commission (archived page) *2009 Local Elections Data (Државна Изборна Комисија – архивирана страна, 2009 Локални Избори)* <http://bit.ly/2wzTMf1> last accessed 07 August 2017

⁹² State Electoral Commission *2012/3 Local Elections Data (Државна Изборна Комисија, 2013 Локални Избори)* <http://bit.ly/2wmAf2u> last accessed 07 August 2017

⁹³ Law on Free Access to Public Information (*Закон за слободен пристап до информации од јавен карактер*) [2006] <http://bit.ly/2ui5Qoi> last accessed 07 August 2017

⁹⁴ *Ibid.* Art 12 (1)

⁹⁵ *Ibid.* Art 12 (2)

⁹⁶ *Supra*, see 97, Art. 21

⁹⁷ *Supra*, see 97, Art. 22

⁹⁸ *Supra*, see 97, Art 21

⁹⁹ However, we were able to interview the former Mayor of the Municipality of Veles.

¹⁰⁰ 12 municipalities that have accepted the requests for interviews and the interview with the former Mayor of Veles.

P U B L I C A T I O N

Who employs, the municipality or the party?

P U B L I S H E R

ZIP INSTITUTE

A U T H O R

Jovana Perovska

D E S I G N

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P R I N T

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