

The step under review	Adoption of the Criminal Code in line with the EU acquis and European standards, including the definition of abuse of functions, with sufficiently long statutes of limitations and effective, proportionate and dissuasive sanctioning
Baseline	(2024) 0
Deadline of the step	By December 2025
Actual results	<p>On 15 December 2020, the Ministry of Justice, by Decision No. 21-512/11, established a broader official Working Group for the preparation of the new Criminal Code (ANNEX 1), taking into account the integral draft law prepared by an expert working group.</p> <p>The Working Group of the Ministry of Justice continued the work on the Criminal Code through a transparent, broad, and inclusive process of cooperation and consultations with all institutions whose functioning is connected to criminal legislation, including: courts, public prosecutor's offices, the legal profession (the Bar), the State Attorney, the Ombudsman, ministries, financial and other institutions, and in particular non-governmental organizations, domestic civil society organizations, and experts working in the field of gender-based violence and violence against women, who made a significant contribution to the preparation of the final text.</p> <p>At the same time, from the very beginning, the entire process of drafting the new Criminal Code was also supported by the German organization IRZ, which facilitated more than 15 expert opinions from German criminal law experts on various aspects regulated in the proposed new Criminal Code. In addition to representatives of domestic institutions and IRZ experts, the Working Group also met with representatives of various international organizations and institutions, including UN Women, the British Embassy, the Council of Europe, UNICEF, UNODC, MONEYVAL, and others.</p> <p>In the period between the establishment of the official Working Group and the completion of the drafting process of the new Draft Criminal Code (Dec. 2020 – Oct. 2023), with the support of the OSCE, 109 online sessions and 7 working days were held as one- or two-day intensive sessions, including expert debates, five public hearings in each appellate region, and one central public hearing in Skopje.</p>

The Draft Criminal Code was published on ENER on 07 July 2022, made available for public comment, and distributed to all relevant institutions and organizations, with more than 50 opinions received.

The aim of the new Criminal Code is to harmonize with European policies in the field of combating organized crime and corruption, as well as with the applicable EU directives and international conventions. In addition, certain criminal offenses are specified and regulated in detail, and new offenses related to financial crime are introduced. One of the key objectives is to improve sanctions for serious crime, particularly economic crime and corruption.

The Draft Law is aligned with the following EU acts:

- Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC, OJ L 197, 24.7.2012.
- Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorized entry, transit, and residence, Official Journal of the European Union.
- Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (“UN Firearms Protocol”), and establishing export authorization and import/transit measures for firearms, their parts and components, and ammunition.
- Directive 2009/123/EC of the European Parliament and of the Council of 21 October 2009 amending and supplementing Directive 2005/35/EC on ship-source pollution and introducing penalties for infringements.
- Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and the introduction of penalties for infringements.
- Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 laying down minimum standards on sanctions and measures against employers of illegally staying third-country nationals.

- Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law.
- Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law.
- Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection, or prosecution of criminal offenses or the execution of criminal penalties, and the free movement of such data, and repealing Council Framework Decision 2008/977/JHA.
- Council Framework Decision of 28 November 2002 on strengthening the criminal-law framework for the facilitation of unauthorized entry, transit, and residence, Official Journal of the European Union.
- Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, replacing Council Framework Decision 2002/629/JHA.
- Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union.
- Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives.
- Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (Market Abuse Regulation) and repealing Directive 2003/6/EC and Commission Directives 2003/124/EC, 2003/125/EC, and 2004/72/EC (Consolidated text of 9.1.2024).
- Directive 2014/62/EU of the European Parliament and of the Council of 15 May 2014 on the criminal-law protection of the euro and other currencies against counterfeiting, replacing Council Framework Decision 2000/383/JHA.
- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support, and protection of victims of crime, replacing Council Framework Decision 2001/220/JHA.
- Council Framework Decision 2005/212/JHA of 24 February 2005 on the confiscation of crime-related proceeds, instrumentalities, and property.

- Directive 2010/53/EU of the European Parliament and of the Council of 7 July 2010 on standards of quality and safety of human organs intended for transplantation.
- Council Framework Decision of 26 June 2001 on money laundering, identification, tracing, freezing, confiscation, and seizure of criminally obtained property and proceeds.
- Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism, replacing Council Framework Decision 2002/475/JHA, and amending Council Decision 2005/671/JHA.
- Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law.
- Directive (EU) 2024/1260 of the European Parliament and of the Council of 24 April 2024 on asset recovery and confiscation.
- Council Framework Decision 2008/841/JHA of 24 October 2008 on combating organized crime.
- Council Directive 2000/43/EC of 29 June 2000 on implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.
- Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012, and repealing Directive 2005/60/EC and Commission Directive 2006/70/EC (EEA-relevant text, consolidated 9.7.2024, OJ L 141, 05.06.2015, pp. 73–117).
- Directive (EU) 2024/1203 of the European Parliament and of the Council of 11 April 2024 on the protection of the environment through criminal law, replacing Directives 2008/99/EC and 2009/123/EC.
- Directive 2013/40/EU of the European Parliament and of the Council of 12 August 2013 on attacks against information systems, replacing Council Framework Decision 2005/222/JHA.
- Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, replacing Council Framework Decision 2004/68/JHA.

On 26 September 2025, a new Working Group was established for the preparation of a Draft Criminal Code (ANNEX 2), which continued to work on the new Criminal Code.

	<p>The Working Group, tasked with preparing the new Draft Criminal Code is working on the already prepared text, aiming to revise it and align it with the latest EU directives that were not taken into account during the preparation of the initial working version of the new Code:</p> <ul style="list-style-type: none"> - Directive (EU) 2024/1203 of 11 April 2025 on the protection of the environment through criminal law (environmental crime), - Directive (EU) 2024/1260 of the European Parliament and of the Council of 24 April 2024 on asset recovery and confiscation, - Directive of the European Parliament and of the Council on combating corruption, replacing Council Framework Decision 2003/568/JHA, and - Directive 2024/1385 of 14 May 2024 on preventing and combating violence against women and domestic violence. <p>Preparation of concordance tables is ongoing. The concordance tables along with the final draft of the law will be sent to the EC for opinion after its adoption in government procedure. After the incorporation of the EC opinion and government adoption the draft-law will be sent for adoption in the Parliament.</p> <p>The working version of the new Criminal Code includes a transitional provision according to which the new Criminal Code will enter into force one year after its adoption, in order to create the necessary conditions for its effective implementation. During this vacatio legis period, other laws and by-laws will be aligned with the new Criminal Code, and training will be organized for judges, public prosecutors, lawyers, and other stakeholders responsible for its application.</p>
<p>Evidence provided</p>	<p>Annex 1 - Decision of the Ministry of Justice No. 21-512/11 of 15 December 2020 on the establishment of a Working Group for the preparation of the Criminal Code.</p> <p>Annex 2 - Decision of the Ministry of Justice No. 08-1885/1 of 26 September 2025 on the establishment of a Working Group for the preparation of the Draft Criminal Code.</p>
<p>Checks performed in the verification of the step and related findings</p>	<p>In the preparation of the draft text of the law, the Working Group took into account the expert opinions, analyses and the relevant standards and legislation of the European Union.</p>

Compliance with general principles and DNSH principle	The implementation of the step does not contravene the general principles outlined in Article 4 and 11(4) of Regulation (EU) 2024/1449 and Article 3 of the Facility Agreement.
Double funding	The support of the German organization IRZ mentioned above was given before the adoption of the Reform Agenda and is used only for drafting expert opinions and is not double funding.
Clear conclusion on the achievement of the step	Not achieved