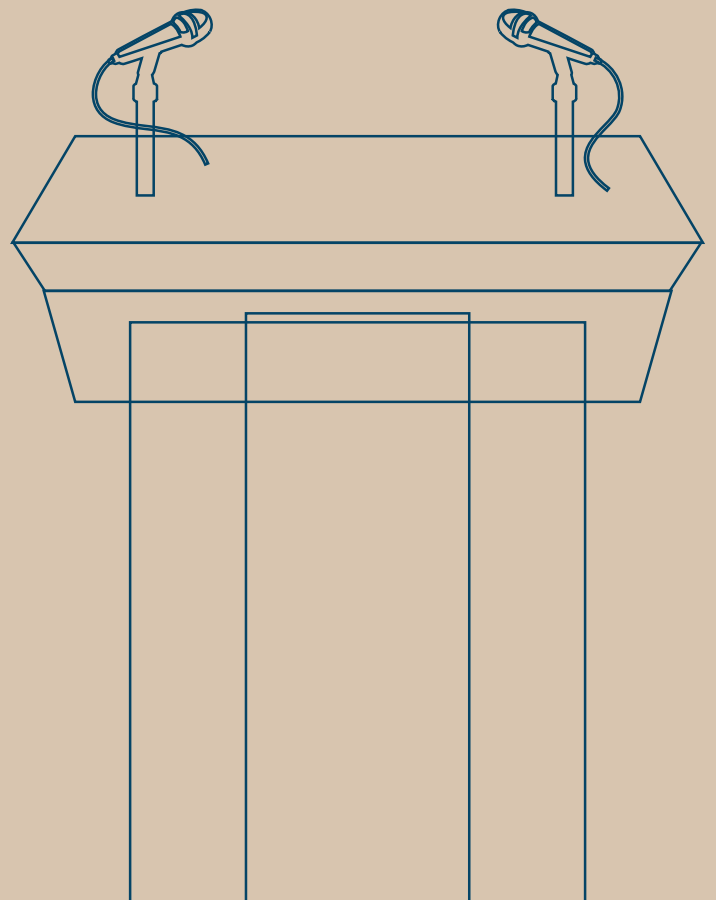


ASSESSMENT OF GOOD GOVERNANCE OF THE EXECUTIVE POWER IN NORTH MACEDONIA AND THE REGION THROUGH THE OPENNESS INDEX



METAMORPHOSIS 

 **ActionSEE**



ASSESSMENT OF GOOD GOVERNANCE OF THE EXECUTIVE POWER IN NORTH MACEDONIA AND THE REGION THROUGH THE OPENNESS INDEX

ACCORDING TO THE MEASUREMENT FOR 2022

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ABBREVIATIONS

ACTION SEE – Accountability, Technology and Institutional Openness Network in South East Europe

SNERR – Single National Electronic Registry of Regulations

SPI – Free access to public information

BiH – Bosnia and Herzegovina

CSO – Civil society organization

CV – Curriculum vitae / Short biography

EU – European Union

FBiH – Federation of Bosnia and Herzegovina

LFAPI – Law on Free Access to Public Information

GREKO – The Group of States against Corruption

IRM – International Reporting Mechanism

NATO – North Atlantic Alliance

OGP – Open Government Partnership

OECD – Organization for Economic Cooperation and Development

RIA - Regulatory Impact Assessment

TAIEX – Technical Assistance and Information Exchange instrument of the European Commission

With the support of the National Endowment for Democracy and the Open Society Foundation - Macedonia, the Metamorphosis Foundation, in cooperation with the partners from the regional network of CSOs - Accountability, Technology and Institutional Openness Network in South East Europe (ACTION SEE)¹ - prepared an assessment of the state of good governance of the assemblies and the executive branches of the central authorities of four countries from the Western Balkans: North Macedonia, Serbia, Montenegro, and Bosnia and Herzegovina. The assessment is the result of comprehensive empirical research based on the Openness Index², which aims to determine the extent to which the principles of good governance are complied with in the region. Through the Openness Index, an in-depth analysis of the operation of the executive power and the Assembly of the Republic of North Macedonia is carried out, but it also provides a summary of the overall performances of the respective institutions in our region. The regional perspective is used as a reference for the progress of the countries in the region towards the enhancement of good governance and the rule of law that leads them to their strategic goal – EU membership.

The analysis is enriched with practical recommendations on how the executive power in North Macedonia can improve the compliance with the principles of good governance in the future. The recommendations will be communicated to the higher civil servants in all monitored institutions through meetings, as well as to the general public through social media and by holding public events.

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- 1 Accountability, Technology and Institutional Openness Network in South East Europe (ACTION SEE) is a network of civil society organizations working together on the promotion and provision of accountability and transparency of the government in the region of South East Europe, raising the potential for civic activism and civic participation, the promotion and protection of human freedoms and rights on the Internet, and building capacities and interest among civil society organizations and individuals in the region for using technology during work for the promotion of democracy.
 - 2 The Openness Index consists of four different components: (1) transparency, (2) accessibility, (3) integrity, and (4) efficiency and each of them measures the openness of a different branch of governance: local government, central government, judiciary, and assembly.

1. INTRODUCTION

In the North Macedonia Report³ 2022, the European Commission noted the intensive efforts leading to the commencement of the process of accession negotiations. The holding of the first Intergovernmental Conference in July 2022 was a historic moment, and it marked a new phase of the EU accession process for the Republic of North Macedonia. North Macedonia continued its efforts to strengthen democracy and the rule of law, despite certain challenges. Efforts are needed to improve transparency in policymaking and inclusiveness in the consultative processes.

In January 2022, the new government was elected in the Republic of North Macedonia, which committed itself “to be guided by the basic and advanced principles of good governance, i.e., responsibility, efficiency, accountability, honest work, inclusiveness, and availability”⁴. The characteristic that should be noted in the composition of the new government is the election of the Deputy Prime Minister in charge of good governance policies, which is foreseen in order to “ensure that the creation and implementation of good governance policies are an imperative, aimed at providing professionalism, efficiency, and transparency in the society”⁵.

This paper analyzes the openness of the central government institutions in North Macedonia in 2022. Considering that openness is a key requirement for democracy, as it allows the citizens to obtain the required information and knowledge for equal participation in political life, efficient decision-making, and accountability of the institutions for the policies they implement, this paper, on the basis of the analysis of the situation, contains recommendations for the institutions on how to improve their performances.

The analysis and recommendations provided here will be used as the basis for the advocacy activities that the Metamorphosis Foundation will undertake in order to promote the principles of good governance of the institutions. The research is repeated on an annual basis and allows us to compare the degree of action according to the previously provided recommendations. The information and data on the results, individually and comparatively, by institution in North Macedonia and the countries of the region are available on the web page [Index of openness of regional institutions \(cdtmn.org\)](https://www.cdtmn.org/index.php?option=com_content&view=article&id=101&Itemid=101).

3 North Macedonia Report 2022 of the European Commission. Secretariat for European Affairs. Retrieved from <https://www.sep.gov.mk/post/?id=5657>

4 Work program of the Government of the Republic of North Macedonia for the period 2022-2024. Government of the Republic of North Macedonia. Retrieved from: <https://cutt.ly/WKKSjQK>.

5 Ibid.

2. METHODOLOGY

It is worth mentioning that although the term good governance is often used in political discourse and policy analysis, it remains a fluid concept without a clear definition. Its meaning is mainly shaped by the purpose of its use and the components it focuses on. The widely accepted interpretation is that this term refers to a system of governance that produces results that meet the needs of the society by best utilization of the available resources.

This definition corresponds to the standards applied in Western liberal democracies that developing countries, such as North Macedonia, look up to and aspire to reach.

The Openness Index is guided by this framework of principles; however, it remains cognizant of both cultural and historical developments in the country and the region that affect the institutions as well. Its methodology guarantees that the research results are technically and politically valid, and conclusions can be drawn therefrom regarding the level of good governance of the country's institutions. The Openness Index assesses the performances of the executive power and the assemblies in the area of good governance by focusing on four pillars: (1) accessibility, (2) efficiency, (3) integrity, and (4) transparency, with one common domain present in all four pillars – open data.

The four pillars of the Openness Index define and assess good governance, along with the following principles:

accessibility – assesses the extent to which the right of access to information is guaranteed by law and in practice, as well as the quality of the mechanisms for inclusion and consultations during the policy-making processes;

efficiency – reviews the institutions' commitment to learn from the ongoing processes and to improve them through established monitoring, evaluation, and learning systems – by using key points/indicators during strategic planning and reporting;

transparency – assesses the public availability of organizational information, the budget, and public procurement procedures,

integrity – assesses the presence of mechanisms to prevent conflicts of interest and to regulate lobbying, as well as the availability of a code of ethics that will guide and sanction the behaviour of civil servants and the public administration.

Each pillar of the Index consists of sub-domains and indicators measured according to a corresponding value within the pillars.

The methodology was developed in consultation with a number of credible resources, while emphasizing the best international practices and standards for good governance, such as the World Bank and the Institute, the Organization for Economic Co-operation and Development, the Open Government Guide, the Global Integrity Report, and the Governance and Institutional Quality Indicators developed by the World Bank.

The research was conducted in the period from March to June 2023. The sample of targeted institutions consists of a total of 36 institutions, including the Government/General Secretariat, 16 ministries, and 19 randomly selected executive bodies within the ministries. The research methods consist of (1) monitoring the websites of the targeted institutions according to a series of indicators; (2) a questionnaire delivered to the institutions to confirm the findings obtained from the online monitoring; (3) a request for access to

public information sent to each institution with the intention of assessing the degree of fulfilment of this fundamental right by each of the institutions; and (4) a check of the legislative framework.

The measurement error is +/- 3%. On the basis of the research results, we conducted an analysis of the key critical points and problems in the field of openness of the institutions that we hope they will find useful in order to improve their work.

It is important to mention that in cases where the institutions did not submit the answered questionnaires, the indicators for this were marked with 0, as indicators that were not fulfilled. Namely, out of 36 targeted institutions of the executive power, 22 (60%) answered the questionnaire, while the remaining 14 (40%) automatically received 0 according to the corresponding indicators. The institutions that did not answer the questionnaire include 4 ministries (the Ministry of Finance, the Ministry of Local Self-Government, the Ministry of Health, and the Ministry of Transport and Communications) and 10 executive bodies (Financial Police Office, Agency for Emigration, State Statistical Office, Administration for Execution of Sanctions, State Archive, Secretariat for European Affairs, State Inspectorate for Forestry and Hunting, State Education Inspectorate, State Market Inspectorate, and Bureau for Forensic Expertise).

3. OPENNESS OF THE INSTITUTIONS OF THE EXECUTIVE POWER IN THE REGION AND IN THE REPUBLIC OF NORTH MACEDONIA

3.1. OPENNESS OF THE INSTITUTIONS OF THE EXECUTIVE POWER IN THE REGION

3.1.1. Introduction

The concept of open governance encompasses a wide range of policies and practices that can lead to a new way of governance, both from the government's and citizens' perspective – it can promote good governance, and encourage better decision-making, reduced corruption, and more efficient services that governments deliver to citizens.⁶

One of the key characteristics of open governance is transparency, that is, the availability of required information and data for democratic control of public authorities. In addition to transparency, the key principles that open governance rests on include accessibility, efficiency, and integrity. Guided by these principles, the non-governmental organizations from the region of the Western Balkans – the Center for Democratic Transition (CDT) from Montenegro, the Metamorphosis Foundation from North Macedonia, the Partners for Democratic Change Serbia (Partners Serbia), and the Association of Citizens Why Not? from Bosnia and Herzegovina are developing their analytical instrument – the Regional Openness Index – which provides us reliable data about the extent to which the institutions apply the standards of good governance in their operation.

Therefore, the Regional Openness Index measures how open the institutions of the executive power are to the citizens and the society based on four principles: transparency, accessibility, integrity, and efficiency, whereby an additional domain emerges through these dimensions: how much open data is published and used.

The purpose of our activities is to provide an analysis of the state in the field of openness and transparency in the operation of the institutions of the executive power and to contribute to the creation and implementation of reforms in these areas by building partnerships with all institutions.

This research is being conducted for the seventh year in a row. After each round of research, our organizations strive to help the reform processes in their countries, to participate in various domestic and international initiatives dealing with these issues, and to collaborate with the institutions in order to help develop and implement the transparency and openness policies of the governments. Each country in the region has its own specific political conditions in which these policies are developed; however, we consider that there is significant potential for regional cooperation in this field.

In this document, we present the key results of the research on the openness of the executive power in 2022/2023. We will respect the principles of transparency of the research and familiarize the institutions with all the details of its implementation and the adopted conclusions.

⁶ Report from the 35th session of the Congress of Local and Regional Authorities of the Council of Europe on the topic "Transparency and Open Administration" from November 7 2018.

3.1.2. Openness of the executive powers in the region

The continuous political instability in the Western Balkan region affects the development of policies and the culture of openness among governments. Although all the countries in the region are declaratively committed to improving openness and transparency, i.e., greater availability of information about the operation of public authorities, citizen participation, digitization, and improvement of access to services, in reality little is being done so that the public can understand and control the operation of the governments.

The results of this year's monitoring demonstrate that the governments of the two countries in the region have not made significant progress in terms of proactive transparency and openness towards the citizens. The best results among the governments are achieved by the Government of North Macedonia, which fulfils 79.14% of the openness indicators, and the Council of Ministers of BiH, which fulfils 73.31% of the openness indicators. This is followed by the Government of Montenegro (68.87%) and the Government of the Republic of Serbia (54.94%), while the Government of the Republic of Srpska (38.2%), the Government of the FBiH (37.57%), and the Government of the Autonomous Province of Vojvodina (31.3%) are at the bottom of the list. When it comes to the ministries, the best results on average are achieved by the ministries of North Macedonia, which fulfilled 61.58% of the openness indicator. In the other countries, the ministries meet less than half of the set indicators: 51.48% in Serbia,⁷ 45.48% in Montenegro,⁸ and 37.40% in Bosnia and Herzegovina. On average, the administrative bodies in North Macedonia meet 54.04% of the openness indicators, followed by the administrative bodies in Montenegro (43.63%), Bosnia and Herzegovina (38.27%), and Serbia (35.10%).

The indicated data prove that the level of openness of the executive power has not reached a satisfactory level yet. The reasons for this state emerge from the lack of political will to systemically arrange and implement public policies in this area. An additional obstacle to the implementation of the reforms is the constant election processes, which paralyze the operation of most state institutions. In 2022 and in the first half of 2023, each of the four countries included in the research organized elections and/or went through a process of government reconstruction. In Montenegro, in the period from February to August 2022, the Assembly conducted a vote of no-confidence in the Government twice, which is currently functioning under a technical mandate, and extraordinary parliamentary elections in this country were held on June 11, 2023. In North Macedonia, two government reconstructions took place in a period of less than two years, which led to staff changes in the ministries and the state administration, and they significantly slowed down the reforms. General elections were held in BiH in October 2022, subsequently initiating the process of government formation at all levels. These processes were decelerated in most cases, usually due to political conditioning at all levels, and hence the governments in some cantons have not been formed yet. In the Republic of Serbia, the general elections were held in April 2022. Although the elections did not significantly affect the political power of the largest party in the country, the new government was formed at the end of October 2022. Frequent elections burden the budget, interrupt legislative activity, and slow down reforms, which is also evident in the results of this year's openness monitoring.

7 The percentage obtained for the ministries of the Republic of Serbia should be considered with special attention because a new Government with seven new ministries was formed in 2022 (this refers to newly formed ministries and ministries that were created based on a change in the scope of work, i.e., takeover of jobs). The research methodology had to be adapted to the newly emerged situation; hence, the openness of these ministries was measured based on a reduced number of indicators. Therefore, the results of these ministries are not directly comparable with the results of other ministries, and they are excluded from the openness index of Serbian ministries, which was calculated taking into consideration the results of 18 ministries that have continuity in their operation, and it was possible to investigate their practices and work in the field of transparency and openness.

8 In this round of research, the openness of the Ministry of European Affairs was measured on the basis of a reduced number of indicators, taking into consideration that for a long period of time there was no separate ministry engaged in European affairs, and therefore it was not possible to check whether this ministry had established practices of openness and transparency in the same way as for the other ministries. Having this in mind, the openness index of the ministries of Montenegro is obtained by excluding the results achieved by the Ministry of European Affairs.

3.1.3. The openness policy is not a priority for the countries in the region

The Western Balkan countries are generally committed to improving the transparency and openness of governments and public administration bodies. In the process of accession to the European Union, these areas are marked as priority areas, especially when it comes to improving the availability of information about the operation of governments and information about the spending of state funds. Simultaneously, the countries in the region are announcing the digitization of administrations and the facilitation of access to services for citizens. The monitoring we conduct every year shows that these countries have not made progress in creating and implementing an openness policy.

The last several cycles of monitoring show that **North Macedonia** has advanced the farthest in terms of drafting strategic documents in the field of transparency and openness. As the first country in the region to decide to regulate the openness policy through a separate document, North Macedonia adopted the Transparency Strategy of the Government of North Macedonia in 2019. However, the implementation of the strategy proved to be a challenge. The experience of this country confirms that it is not enough only to plan activities that will lead to greater government transparency, but it is also necessary to establish an adequate system of monitoring and evaluation in order to ensure the quality completion of the planned activities. Based on these conclusions, lessons learned, and new developments in the field of openness, with the support of the Metamorphosis Foundation and other experts, the Government of North Macedonia is preparing a new Transparency Strategy for the period 2023-2025.⁹ In addition, at the beginning of 2023, the Agency for Protection of the Right to Free Access to Public Information of North Macedonia prepared mandatory guidelines for the public authorities in order to improve transparency in their operation¹⁰. This document contains a list of information that citizens usually request, divided into 37 areas. The document obliges the public authorities to publish all the information they have within a period of 6 months, systematized by area, and to publish all the answers they submit to requests for free access to information. Although it is commendable that North Macedonia is taking measures in order to develop a policy of openness and transparency, stronger efforts should be made in order to implement these laws.

At the end of 2018, the Council of Ministers of **BiH**, at the proposal of the Office of the Public Administration Reform Coordinator, adopted the Proactive Transparency Policy and Standards and tasked all institutions of the Council of Ministers of BiH to regularly update the data published on their websites. Some institutions have shown progress after the adoption of the abovementioned policies and standards; however, as shown by the results of this regional research, it is still necessary to improve the overall openness and transparency of the institutions in this country. The new Conclusion of the Council of Ministers of BiH from 2022 obliges the institutions of BiH to adopt internal acts/rulebooks on the proactive publication of information of public interest. According to the available data, 30 out of 65 institutions have adopted these acts so far.¹¹

Although Bosnia and Herzegovina was the first country in the region to adopt the Law on Freedom of Access to Information in 2001, the law was never fully implemented, and the new Draft Law on Freedom of Access to Information reduces the level of the right to access public information. Civil society organizations

9 Metamorphosis Foundation: https://metamorphosis.org.mk/en/aktivnosti_arhiva/by-supporting-the-process-of-creating-the-strategy-for-transparency-of-the-government-metamorphosis-will-contribute-to-the-advancement-of-the-transparency-process-of-the-government-and-the-institutio/

10 Center for Change Management: https://cup.org.mk/publication/%D0%A3%D0%BF%D0%B0%D1%82%D1%81%D1%82%D0%B2%D0%BE_mkd%20%D1%84%D0%B8%D0%BD%D0%B0%D0%BB%D0%BD%D0%BE.pdf

11 Office of the Public Administration Reform Coordinator: <https://parco.gov.ba/hr/2023/06/13/cuzulan-i-cuzic-potrebno-je-jos-intenzivnije-i-sistematicnije-raditi-na-promociji-standarda-i-principa-proaktivne-transparentnosti/>

in BiH several times pointed out the harmfulness of these provisions and sent over 200 proposals on the draft law; however, the Ministry of Justice of BiH did not accept any of them.¹²

In **Montenegro**, the laws and strategic documents that regulate transparency and openness await a new government and more responsible political elite.

Three previous governments announced changes to the Law on Free Access to Information, but this process was never completed. The draft law, which foresees significant improvements in relation to the existing one, remained stuck in the parliamentary procedure, whereby it contains very limiting restrictions on access to intelligence-security data. The restrictions on the application of laws, such as trade or tax secrets, have proven to be particularly contentious in practice, opening up space for abuse and concealment of public information.

Although announced, the Law on Government remained only in draft form. The proposals of the Center for Democratic Transition (CDT), which will ensure greater transparency in the government's decision-making process, were accepted during the drafting of the law. Hence, the draft law included the obligation to publish the agendas of the government sessions, including the names (classifications) of the materials classified with a level of secrecy; publication of materials proposed for each item on the agenda of the sessions, except for those classified with a corresponding level of secrecy; publication of materials and decisions made by the Government in telephone sessions; publication of the minutes of the government sessions.¹³ It remains to be seen whether the drafting of the Law on Government will be a priority of the new government and whether the transparency of government sessions will be regulated in the aforementioned manner.

The Government of Montenegro did not work on the development of special strategies that would improve the openness and transparency of the executive power, with the exception of the activities for drafting the Open Government Partnership National Action Plan.

In **Serbia**, there are no special strategies that would refer exclusively to the openness and transparency of state authorities. However, through sectoral strategies and strategies for the development of administration bodies, transparency and digitization of the administration are often indicated as priorities. And in the exposé of the Government of Serbia from 2022, it is indicated that one of the five priorities of the Government is the continuation of digitization and the development of robotics and artificial intelligence.¹⁴ Serbia has not made significant progress in the field of transparency of public authorities' operations, neither according to the results of the regional research nor according to the reports of the Commissioner for Information of Public Importance and Personal Data Protection. From a normative point of view, the new Law Amending and Supplementing the Law on Free Access to Public Information has created conditions for eliminating some of the key problems in this area, such as the impossibility of administrative execution of the Commissioner's decision. However, it opens space for new abuses of rights, therefore the Commissioner's institution calls for new amendments to the Law¹⁵.

12 Transparency International BiH and civil society organizations warn that the draft Law on Freedom of Access to Information will threaten the rights of citizens: <https://ti-bih.org/organizacije-civilnog-drustva-upozoravaju-prijedlog-zakona-o-slobodi-pristupa-informacijama-ce-ugroziti-prava-gradjana/>

13 Draft Law on Government. Available at: <https://www.gov.me/dokumenta/497c3769-17b1-4c03-85e8-afb406ea4067>.

14 Exposé of the Government of Serbia, October 2022: <https://www.srbija.gov.rs/tekst/330252/ekspoze.php>

15 <https://www.paragraf.rs/dnevne-vesti/260922/260922-vest6.html>

3.1.4. Open Government Partnership - an opportunity or a chance that is being missed

All countries involved in the monitoring participate in the international initiative Open Government Partnership (OGP)¹⁶, the purpose of which is to provide support and greater engagement to governments around the world in order to improve the integrity, transparency, efficiency, and accountability of the countries. North Macedonia is finishing the implementation of the fifth Open Government Partnership National Action Plan for the period 2021-2023, and simultaneously, the process of preparing a new Open Government Partnership National Action Plan for the period 2024-2026 has started. The current action plan contains 23 ambitious commitments, especially regarding the transparency of public procurement, the provision of public services, and access to justice for vulnerable groups. On the OGP website, it is indicated that the full implementation of the Action Plan can position North Macedonia as a leader in the Western Balkans in the field of openness.¹⁷ So far, Bosnia and Herzegovina has prepared two national action plans. The first, for the period from 2019 to 2021, had limited success, and most of the undertaken obligations were only partially fulfilled.¹⁸ The second Action Plan, for the period from 2021 to 2023, was adopted only at the end of 2022, which illustrates the level of commitment of the country to the implementation of reforms in the area of openness.¹⁹ Montenegro has been inactive in the Partnership for several years, which is why it was exposed to possible exclusion from the membership. Two years passed, waiting for the preparation of the third action plan. In December 2022, the Government of Montenegro adopted a new National Action Plan for the period 2023-2024.²⁰ In Serbia, the process of drafting the fifth Action Plan is underway. The last action plan was focused on digitization and public participation in decision-making. Half of the obligations were either entirely or essentially completed, but only one (simplification of administrative procedures) had a significant transformational impact on improving the openness of administrations.²¹ The recommendations for future action plans, outlined in the independent report, refer primarily to greater support from the top level of the executive power for the planning and implementation of action plans.

The Open Government Partnership is an opportunity for the civil society and the countries to jointly create priorities that should contribute to strengthening the participation of citizens in governance, the fight against corruption, simplified access to information and services, etc., all with the aim of achieving more effective and more responsible work of the public governments. Hence, the action plans should necessarily contain commitments that target these areas and have transformational potential, and the main prerequisite for success is the clear commitment of the governments to implement the action plans in practice.

3.1.5. No surveillance of confidential information

For the second year in a row, through this research, information is collected on the number of pieces of data that public authorities classify with confidentiality classifications. The reason for that is the fact that secrecy is often used as an argument for hiding information that is of public importance. This year, we sought to determine how countries in the region are monitoring the application of data privacy laws. The results are worrying and require immediate reactions.

Still, a large number of the public authorities in the countries of the region refuse to provide information about the number of pieces of data they have marked as secret, despite the fact that the publication of that

16 Open Government Partnership: <https://www.opengovpartnership.org/>

17 Open Government Partnership, North Macedonia: <https://www.opengovpartnership.org/members/north-macedonia/>

18 Independent Reporting Mechanism (IRM): Interim Report on the Results for Bosnia and Herzegovina for 2019-2021 <https://www.opengovpartnership.org/documents/bosnia-and-herzegovina-transitional-results-report-2019-2021/>

19 Open Government Partnership, Bosnia i Hercegovina <https://www.opengovpartnership.org/members/bosnia-and-herzegovina/>

20 Open Government Partnership, Montenegro: <https://www.opengovpartnership.org/members/montenegro/>

21 Open Government Partnership, Serbia: <https://www.opengovpartnership.org/documents/serbia-results-report-2020-2022/>

data cannot threaten the security interests of the countries. Of the 241 executive and legislative authorities to which requests for access to public information were sent, 25 refused to provide information, and as many as 57 authorities did not respond to the requests at all. Regarding the supervision, based on the answers of the institutions, it is concluded that the supervision over the confidentiality of data in the region of the Western Balkans is almost not carried out at all. This creates two serious problems. Where there is no supervision, information can be arbitrarily classified as secret, thereby jeopardizing the citizens' right to access public information and preventing the possibility of reviewing the operation of state authorities. Second, without an appropriate system of control and supervision, there may be disclosure or misuse of classified information that is legally designated as secret, which may contribute to threatening the national or public security, defence and other important interests of the countries and their citizens. Although none of the four countries is well-positioned in this field, the most alarming situation is in Serbia, because supervision of data secrecy is not being carried out at all, and the number of data classified as secret in 2022 alone is more than 1 million four hundred thousand. The data for each country is presented below.

In **Serbia**, the Ministry of Justice is responsible for the supervision of data secrecy. The Ministry's response to the request for access to information indicates that the Ministry does not supervise data secrecy at all, with the explanation that in practice there has been a problem with the implementation of the provisions on supervision from the Law on Data Secrecy, which are of a systemic nature and require an amendment to the Law.²² This would not be such a major issue if the same answer had not been received from the Ministry in September 2020 as well as in December 2017, which means that the Ministry has not taken measures to eliminate the observed problems in practice for more than five years. This is alarming data when compared to the information about the number of data that are classified as secret in Serbia in 2022. Based on a sample of 73 public authorities, which includes all ministries, two governments, two assemblies, and a sample of 44 administrative bodies, we reach a figure of over 1 million four hundred thousand pieces of data that are classified as secret. One should consider that the sample does not include all authorities in Serbia and that the Government of the Republic of Serbia, the Military Security Agency, and the Military Intelligence Agency refused to respond, which means that the number of data classified as secret is much higher in 2022 only.

The Ministry of Security of **Bosnia and Herzegovina** refused to provide information on the supervision and activities conducted in the field of data secrecy. In the submitted decision, they indicate that the release of this information could harm the legitimate objectives of Bosnia and Herzegovina related to security interests. This answer contradicts the basic principles on which the right to free access to public information is based, which exist so that the public can have an insight into the operation of public authorities. The information on the number of conducted supervisions includes information based on which the public can reassess the operation and responsibility of the bodies that, according to the laws, should exercise their powers. In this manner of action, one gets the impression that the institutions are hiding something or that they are not doing their job, which creates additional mistrust among the citizens in the operation of the institutions and creates a perception that the institutions do not protect the interests of the citizens. Out of 98 public authorities in BiH to which a request for access to information was sent, 31 authorities refused to provide the requested information. Based on the institutions that submitted responses, we reach a figure of 1651 data classified as confidential in 2022. However, it is difficult to indicate an approximate number of pieces of data that are actually marked as secret by the executive and legislative authorities because the information has been refused by, among others, the Government of Republika Srpska, the Parliament of BiH - the House of Representatives, the Parliament of BiH – the People's House, the Parliament of FBiH – the House of Representatives, as well as part of the ministries with competences in the field of internal affairs and security, which leads to insufficiently clear representation of how much data in BiH is classified as secret.

22 Partners Serbia: <https://www.partners-serbia.org/post?id=526>

The Directorate for the Protection of Classified Information of **Montenegro** submitted information on the activities in the field of supervision of data secrecy. In the answer, they indicated that in 2022 they performed 12 regular and 7 extraordinary inspections, in the General Secretariat of the Government of Montenegro and in the airports of Montenegro.

Of the 33 authorities to which a request for information regarding the number of data classified as secret in 2022 was sent, six did not provide a response to the request. Based on the answers of the institutions, we come to the conclusion that the largest number of documents classified with some level of secrecy, 3502 of them, is owned by the Ministry of Defence.²³

The Directorate for Security of Classified Information of **North Macedonia**, in response to the request, referred to its report on the operation. In the part of the report that refers to inspection supervision, it is indicated that the institution did not carry out regular inspections in 2022 due to a lack of human capacity; however, it carried out four extraordinary inspections based on reports, one of which resulted in the filing of a criminal charge. Out of a sample of 37 institutions, 29 institutions provided information on the number of pieces of data classified as secret. These institutions classified a total of 142.182 pieces of data as secret.

The argument that the institution does not have enough employees, which is why it cannot carry out the inspection supervision, is a common case in the countries of the region, which justifies their nonfunctionality in this manner. The countries need to have systems to control the institutions and mechanisms for control and supervision of the executive power in areas where abuses are frequent and of particular importance.

3.1.6. Basic information about the operation of the governments is not known yet

To enable the citizens to gain trust in the operation of the institutions, it is necessary to improve the institutions' communication with the citizens. Today, this primarily refers to communication through the institutions' websites and social networks, as well as by acting upon requests for access to information.

Unfortunately, this year's regional monitoring results show that the largest number of the institutions from the sample still do not publish basic information about the operation, such as annual work reports, annual financial reports, information about the names and salaries of employees in the institutions, etc.

The results are even worse when it comes to the questionnaire that we traditionally send every year to the institutions involved in this research. The questionnaire is being completed on a voluntary basis, and this year only 40% of the institutions included in the sample completed it. Observing this as one of the indicators and the level of cooperation between the institutions and the civil sector, one can conclude that more than half of the institutions do not consider that cooperation with the civil sector is important.

The publication of data in a machine-readable format is another indicator by which we measure the progressiveness of the institutions in the field of data access. Although the use of open data has been promoted for years and most of the countries in the region have dedicated open data portals, on the institutions' websites, no data have been found in a machine-readable and open form, as in XML, CSV, or JSON formats. By opening data, institutions provide a higher level of transparency in their operations, while at the same time providing citizens and businesses with new opportunities to create new value from the data, regardless of whether it is a matter of a new application, business model, visualization, map, research project, etc.

23 In response to the request for free access to information, the Ministry of Internal Affairs replied that it has 208 data classified with a specific level of secrecy (197 "internal", seven "confidential", and four "secret"), the Ministry of European Affairs replied that it has nine cases classified as "internal" which include 69 "internal" documents and that it received 10 documents classified as "internal" from other institutions, the Ministry of Ecology, Physical Planning and Urbanism replied that two data are classified at the level "internal" and one at the level "secret", the Ministry of Science and Technological Development has one "internal" data, the Human Resources Administration has six "internal" data. The General Secretariat of the Government of Montenegro replied that it had brought one decision wherein the data is classified as "internal".

We call on the governments in the region to set openness and transparency as priority areas of their mandates and to implement the necessary reforms in order to improve the situation in these areas.

In addition to this analysis, we have also prepared a guide with guidelines and proposals for systemic improvement of the situation in the field of proactive transparency.²⁴

Through approximately 40 to 100 indicators, depending on the institution, we measured and analyzed the openness of 232 institutions of the executive power. The research was conducted from March to the end of June 2023. The measurement error is +/- 3%. Based on the results of the research, we conducted this analysis, which we hope will be useful for improving the operation and practices of the institutions in the field of openness and transparency.

3.2 SUMMARY OF THE EXECUTIVE POWER IN THE REPUBLIC OF NORTH MACEDONIA

According to the Openness Index, **the total result of the executive power in North Macedonia** (the Government, the ministries, and the executive authorities), **reaches 64.92% fulfilment of the openness indicators.**

Openness by groups of institutions



Compared between the groups of institutions (the Government, the ministries, and the executive authorities), **the Government of North Macedonia is the most open, meeting 79.14% of the set criteria for openness.** This is followed by the ministries that meet 61.58% of the indicators, then the executive authorities that have the lowest score according to the Index, i.e., 54.04% fulfilment of the indicators. If analyzed from a regional perspective, the average of the governments is 59.9% fulfilment of the indicators, which is a very good result because, for four consecutive years in the region, the Government of North Macedonia is positioned in the first place in regard to fulfilment of the indicators.

It is noted that **8 ministries**, including the Ministry of Agriculture, Forestry and Water Economy, the Ministry of Health, the Ministry of Economy, the Ministry of Justice, the Ministry of Culture, the Ministry of Local Self-Government, the Ministry of Transport and Communications, and the Ministry of Political System and Inter-Community Relations, **are below the average of the ministries that fulfil 61.58% of the indicators for openness.**

²⁴ Proactive publication of information: Guidelines and practices: <https://www.cdtmn.org/wp-content/uploads/2023/04/Proaktivni-pristup-informacijama-Smjernice-i-Prakse-25.02..pdf>

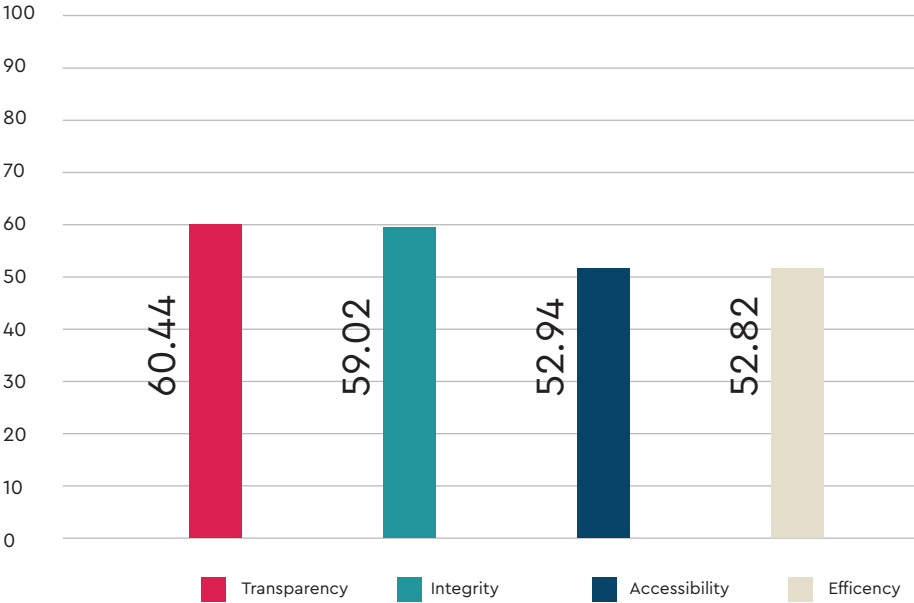
A general **conclusion** that emerges from the monitored institutions in the Openness Index, which is being repeated several years in a row, is **the existence of a direct correlation between the hierarchy of the institutions and the decline in their ratings**. This means that the engagement and application of openness standards are at different levels among the different structures of the executive power, and therefore the concept of openness must be addressed systemically. Therefore, the central policies, such as the Transparency Strategy and the established minimum standards for public transparency and accountability, should be accepted and implemented by all institutions of the central government.

Top 3 open institutions in North Macedonia



From the individual measurement of a total of 36 institutions, **the Ministry of Defence (89.72%)** is the leading institution in terms of fulfilment of the openness indicators, followed by **the Government (79.14%)** and **the Ministry of Internal Affairs (78.9%)**.

Executive power – openness by subcategories

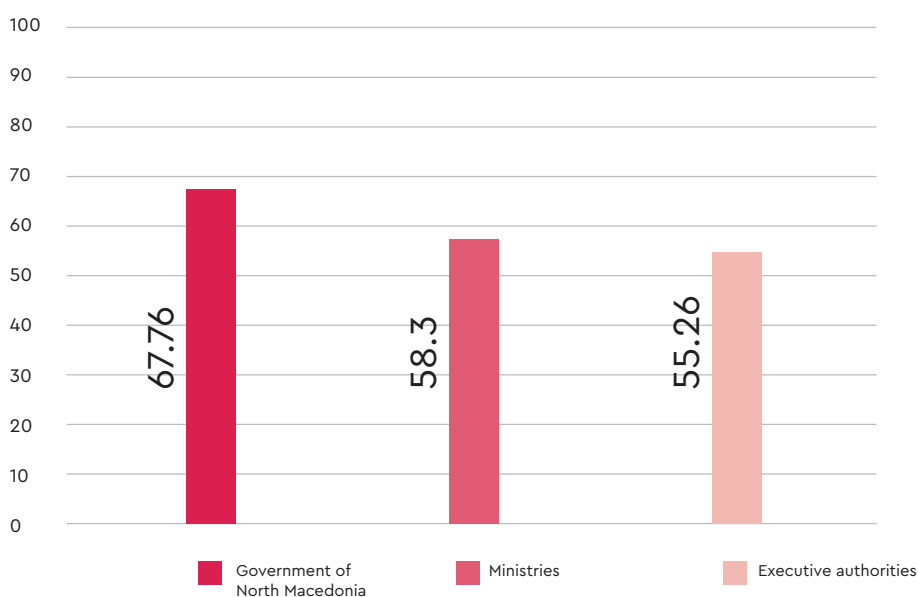


The analysis of the database of the Openness Index, divided by the four subcategories (**transparency, integrity, accessibility, and efficiency**), shows that the total result of the executive power reaches **the highest score of 60.44% fulfilment of the transparency indicators** (same as the previous year) and **the lowest efficiency score of 52.82%**. The performance indicators review the institutions' commitment to learn from current processes and improve them through established monitoring, evaluation, and learning systems by using key points/indicators during strategic planning and reporting.

Hence, **the conclusion** is that it is necessary to implement the role of the General Secretariat of the Government for quality control and monitoring of the implementation of the existing policies. In addition, it is recommended that institutions use performance indicators in planning as well as performance indicators in the preparation of reports on their operations.

From the analysis of the indicators in **the transparency subcategory**, it was observed that **the transparency** of the executive power, with **60.44%** fulfilment of the indicators, has increased by 6% compared to last year. Individually analyzed, the executive authorities are at the bottom of the scale in terms of fulfilment of the transparency indicators with 55.26%, followed by the ministries with 58.83%, and the Government has the highest position with 67.76% fulfilment of the transparency indicators.

TRANSPARENCY – % of fulfilment separately by groups of institutions

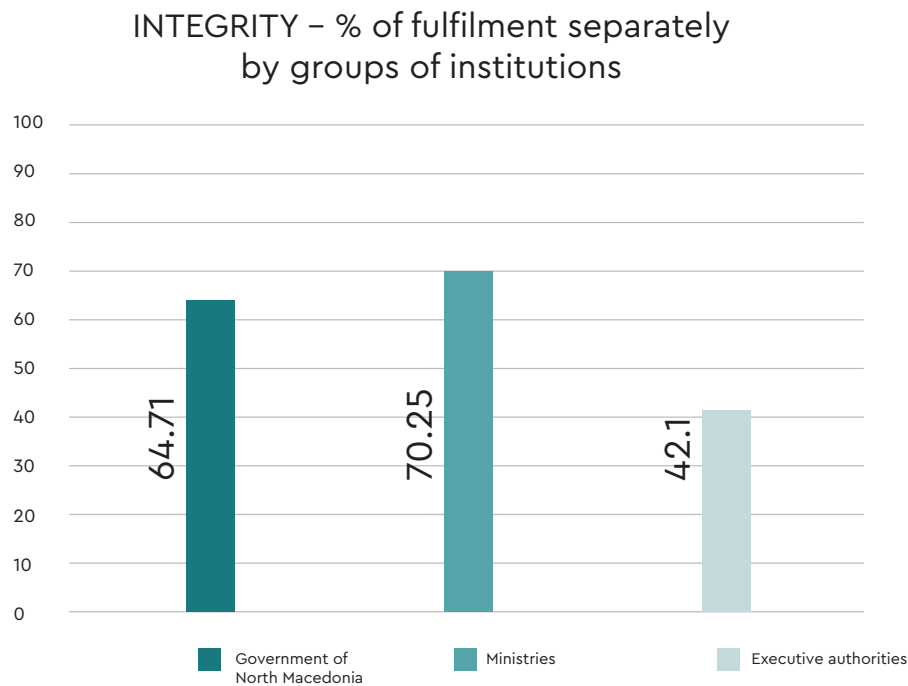


Transparency subcategory: Top 3 institutions in North Macedonia



From the individual measurement of a total of 36 institutions in the transparency subcategory, the Ministry of Defence (78.23%) is first-ranked, followed by the Ministry of Health (70.65%) and the State Market Inspectorate (69.18%). It should be noted that on the regional level in this subcategory, the Ministry of Defence of the Republic of North Macedonia is first-ranked.

From the analysis of the indicators in **the integrity subcategory**, the executive power achieves **59.02%** fulfilment of the indicators. Individually analyzed, the ministries are best ranked with 70.25%, followed by the Government with 64.71%, and the executive authorities are the lowest ranked on the scale, with 42.1% fulfilment of the integrity indicators.



Integrity subcategory: Top 7 institutions in North Macedonia



100%

Ministry of Defence



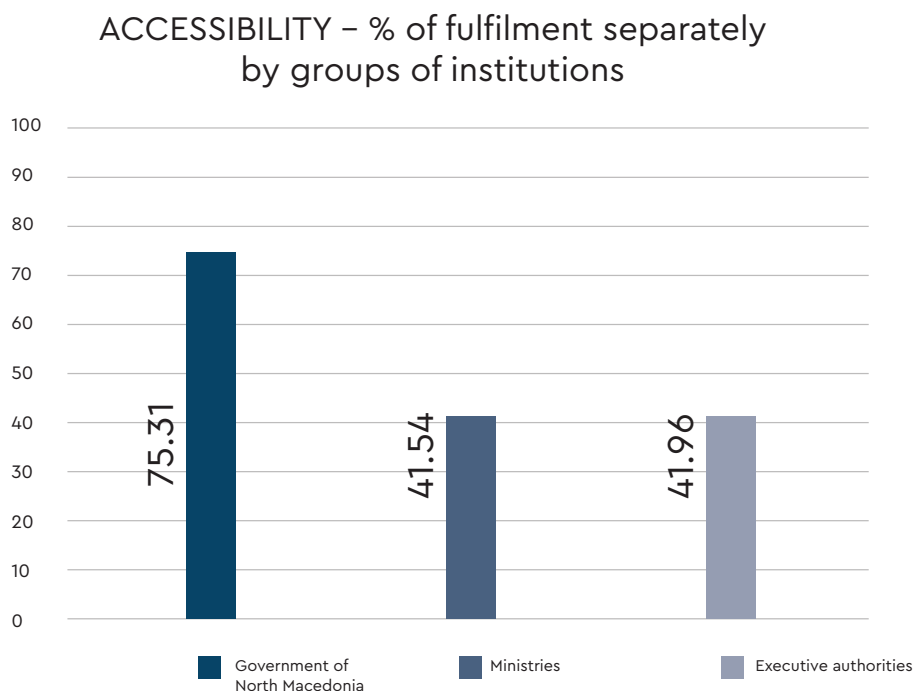
84%

Ministry of Internal Affairs
Ministry of Economy
Ministry of Education
Ministry of Labour and Social Policy
Ministry of Environment and Physical Planning
Ministry of Justice

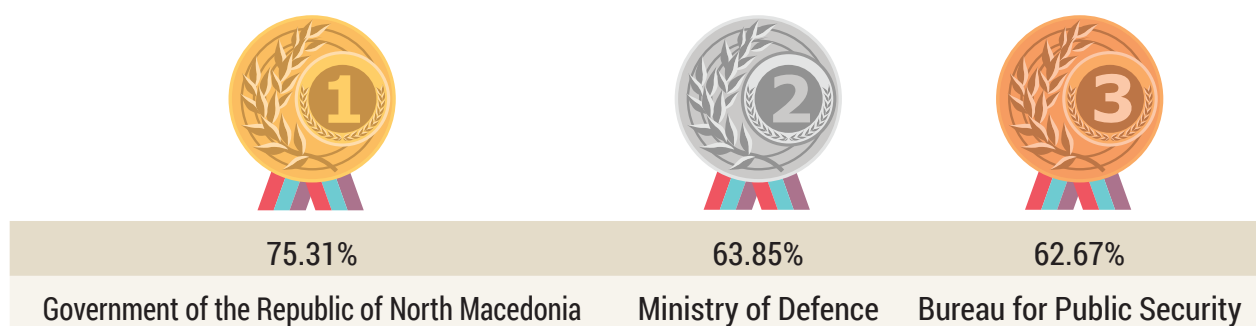
From the individual measurement of a total of 36 institutions in the integrity subcategory, the Ministry of Defence is first-ranked with 100% fulfilment of the indicators, while the second position is shared by 6 ministries with 84% fulfilment of the indicators, that is: the Ministry of Internal Affairs, the Ministry of Economy, the Ministry of Education, the Ministry of Labour and Social Policy, the Ministry of Environment and Physical

Planning, and the Ministry of Justice. It should be noted that at the regional level in this subcategory, the Ministry of Defence of the Republic of North Macedonia is first-ranked.

From the analysis of the indicators in the **accessibility subcategory**, the executive power achieves an average score of **52.94%** fulfilment of the indicators. The average score is affected by the low fulfilment of the accessibility indicators by the ministries (41.54%) and by the executive authorities (41.96%), which are below the total average score in the accessibility subcategory. Unlike them, the Government fulfils 75.31% of the accessibility indicators.



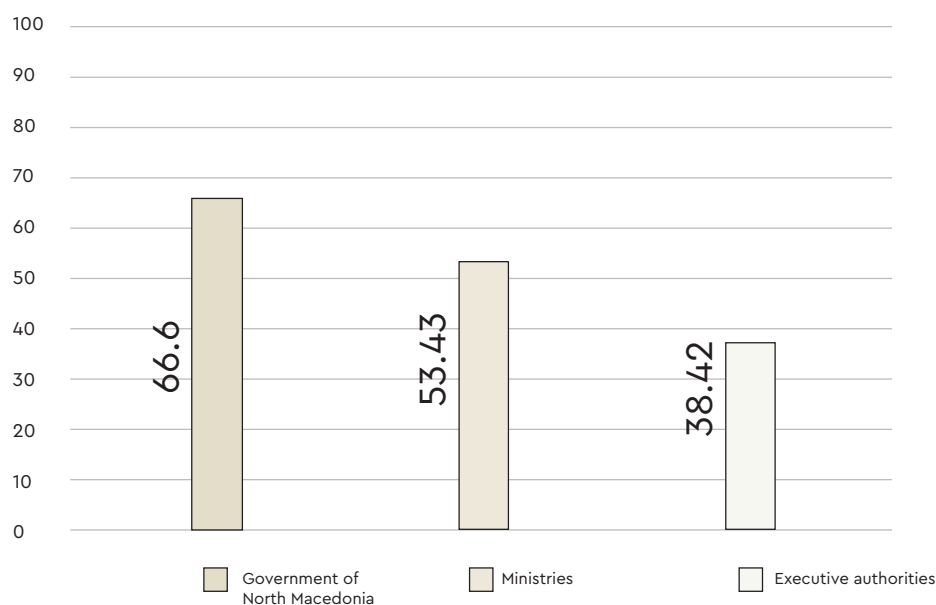
Accessibility subcategory: Top 3 institutions in North Macedonia



From the individual measurement of a total of 36 institutions in the accessibility subcategory, the Government is first (75.31%), followed by the Ministry of Defence (63.85%), and the Bureau for Public Security (62.67%).

From the analysis of the indicators in **the efficiency subcategory**, the executive power reached **52.82%** fulfilment of the indicators. Individually analyzed, the executive bodies in this category are at the bottom of the scale in terms of fulfilment of the efficiency indicators, with 38.42%; the ministries are higher ranked, with 53.43% fulfilment of the indicators; and the Government has the highest ranking, with 66.6% fulfilment of the efficiency indicators.

EFFICIENCY – % of fulfilment separately by groups of institutions



Efficiency subcategory: First ranked institutions in North Macedonia



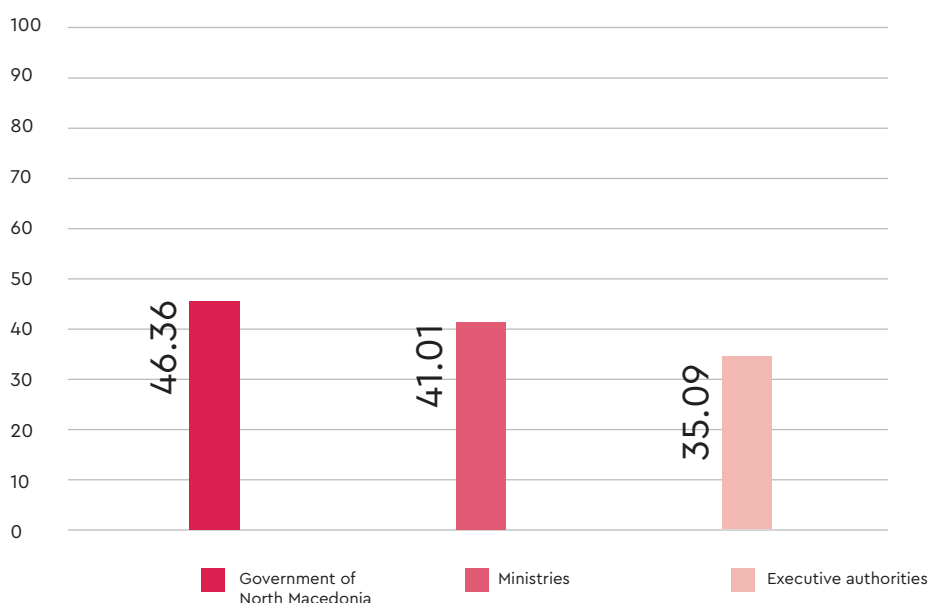
90%

Ministry of Defence	Ministry of Agriculture, Forestry and Water Economy
Ministry of Internal Affairs	State Inspectorate for Technical Inspection
Ministry of Foreign Affairs	State Inspectorate for Construction and Urbanism
Ministry of Education	Bureau for Public Security
Ministry of Labour and Social Policy	
Ministry of Information Society and Administration	

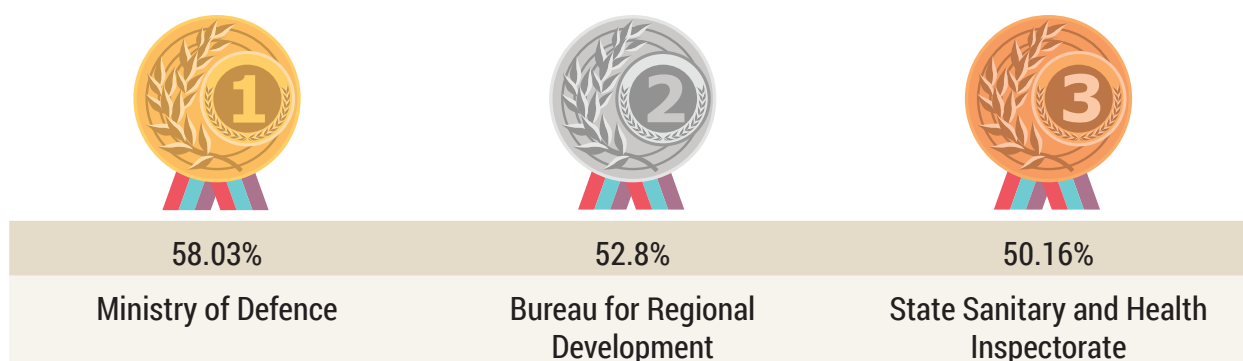
From the individual measurement of a total of 36 institutions in the efficiency subcategory, the first place is shared by 7 ministries and 3 executive bodies with a fulfilment of 90% of the indicators, that is: the Ministry of Defence, the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Education, the Ministry of Labour and Social Policy, the Ministry of Information Society and Administration, the Ministry of Agriculture, Forestry and Water Economy, the State Inspectorate for Technical Inspection, the State Inspectorate for Construction and Urban Planning, and the Bureau for Public Security.

The open data is observed in this research as a common pillar of good governance by assessing the degree of openness of all documents and data reviewed through the Openness Index. The regional index shows the best results for North Macedonia, although the executive power has a modest 38.81% fulfilment of the indicators. Individually, the Government fulfils 46.36%, the executive authorities fulfil 41.01%, and the ministries fulfil 35.09% of the open data indicators.

Open data – separately by groups of institutions



Open data: Top 3 institutions in North Macedonia



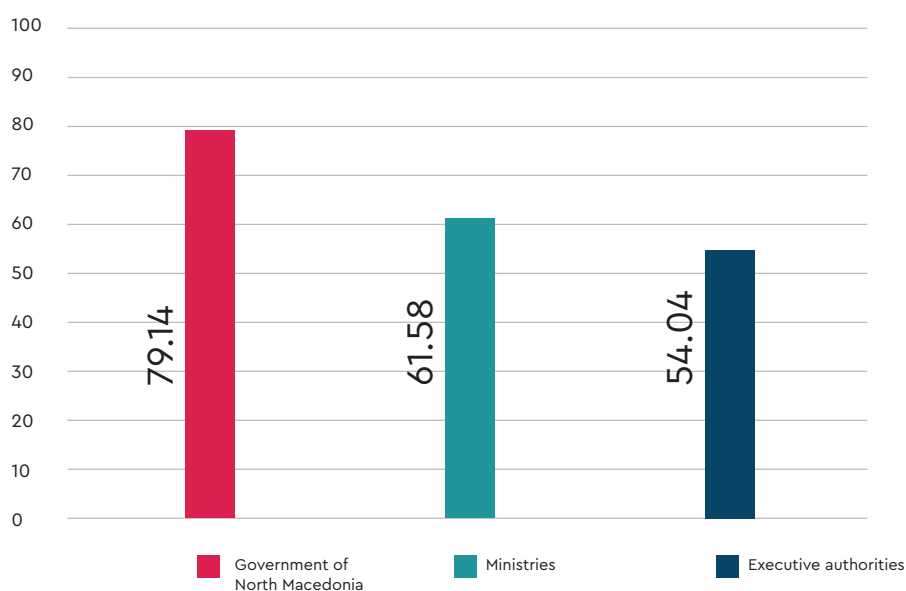
From the individual measurement of a total of 36 institutions in regard to fulfilment of the indicators that measure the availability of open data, the Ministry of Defence is first-ranked with 58.03%, followed by the Bureau for Regional Development with 52.8%, while the State Sanitary and Health Inspectorate is third with 50.16%.

The general conclusion from the Openness Index is that the Republic of North Macedonia has progressed the furthest in terms of drafting strategic documents in the field of transparency and openness. It is the first country in the region that regulates the openness policy through a separate document, Transparency Strategy of the Government of North Macedonia, as early as 2019 and continued this practice in 2022. However, on the other hand, considering that the accessibility index points assess the extent to which the right to access information is exercised in practice and assess the quality of mechanisms for inclusion and consultation in policy-making processes, effective implementation of the existing policies by the ministries and the executive authorities is necessary.

Hence, the government, but also each institution separately, can be guided by the Openness Index and use it as a tool to promote good governance. The institutions' focus must be on the proactive publication of all documents in the most open format available. Consequently, websites should have a central position in all openness policies of the institutions in order to improve both the availability and quality of information and data.

3.3. THE STATE OF GOOD GOVERNANCE IN THE INSTITUTIONS OF THE EXECUTIVE POWER IN NORTH MACEDONIA

Openness – separately by groups of institutions



In this year's measurement of the Openness Index, compared between the groups of institutions (Government, ministries, and executive authorities), **the Government of North Macedonia is the most open, and it fulfils 79.14% of the set openness criteria.** Compared to last year, there has been an insignificant drop in the fulfilment of the criteria by the Government. However, analyzed from a regional perspective, the average fulfilment of the indicators by the governments is 59.9%, which is a very good result because for four consecutive years in the region, the Government of North Macedonia is positioned first in the fulfilment of the indicators, and it also corresponds to the commitment of the Macedonian Government to focus on digitization of the processes in the institutions in order to create efficient and effective systems of good governance with increased transparency and accountability in the public finance management²⁵.

The last few cycles of measurement show that North Macedonia has progressed the farthest in terms of drafting strategic documents in the field of transparency and openness. It is the first country in the region that decided to regulate the openness policy through a separate document, the Transparency Strategy of the Government of North Macedonia²⁶, as early as in 2019 and continued this practice in 2022. With expert and financial support from the Metamorphosis Foundation²⁷, the Government is preparing a new Transparency Strategy of the Government for the period 2023-2026²⁸. In addition, at the beginning of 2023, the Government came to the conclusion that the holders of information, covered by the Guidelines for Improving Transparency

25 Work program of the Government of the Republic of North Macedonia for the period 2022-2024. Government of the Republic of North Macedonia. Pg. 8, retrieved from: <https://cutt.ly/WKKSjQK>.

26 Transparency Strategy of the Government (2019-2021) with an Action Plan, available at <https://vlada.mk/nacionalni-strategii>

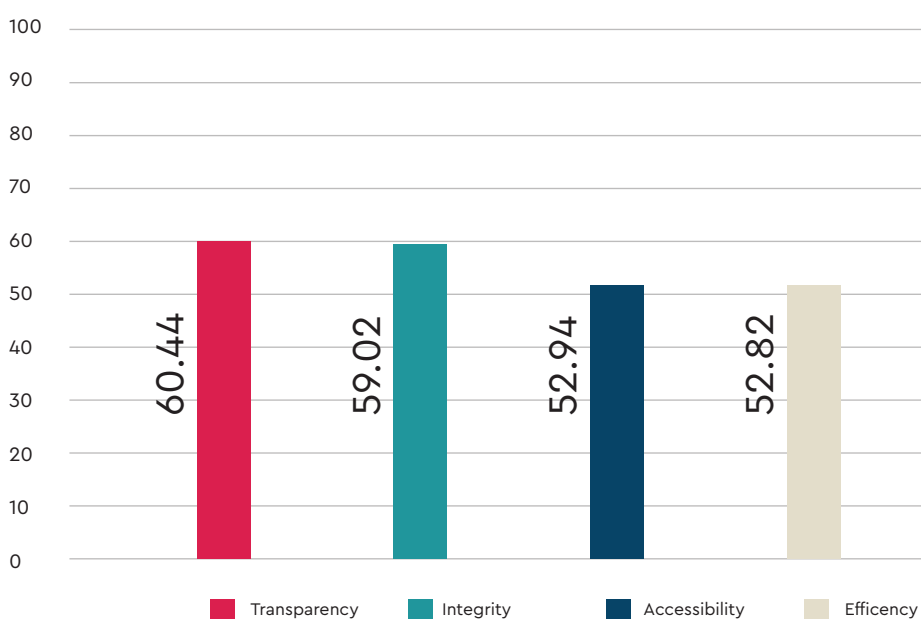
27 Metamorphosis Foundation: https://metamorphosis.org.mk/aktivnosti_arhiva/metamorfozis-so-poddrshka-na-procesot-za-kreiranje-na-strategija-na-transparentnost-na-vladata-ke-pridonese-vo-unapreduvanje-na-procesot-na-transparentnost-na-vladata-i-instituciite/

28 121st session of the Government, 24.01.2023, Information on the need to develop a Transparency Strategy with an Action Plan (2023-2026) of the Government of the Republic of North Macedonia, available at <https://vlada.mk/vladini-sednici?page=1>

of Public Sector Institutions,²⁹ should publish all information systematized by areas that have previously been determined to be the most frequently requested information by the citizens, and obliged the Agency for the Protection of the Right to Free Access to Public Information to inform about the implementation of the obligations from the conclusion. In addition, the pressure and conditioning of the country from the process of accession to the EU contributed, through the reform in the public administration, to one of the priorities being “responsibility, accountability and transparency”.³⁰ In North Macedonia, a Roadmap on Good Governance³¹ for 2023 was also adopted, with 24 objectives followed by a series of activities that need to be fulfilled.

Observed as a whole, the retention of the first place in the fulfilment of the openness indicators is the result of the preparation and adoption of the indicated acts, but also of a series of other legal acts and tools³² that both directly and indirectly regulate the openness and transparency of the executive power in North Macedonia.

Executive power – openness by subcategories



The analysis of the database of the Openness Index, divided by the four subcategories (transparency, integrity, accessibility, and efficiency), shows that the total score of the executive power reaches the **highest score of 60.44% fulfilment of the transparency indicators** (same as last year) and **the lowest score of 52.82% in terms of efficiency**. The efficiency indicators review the institutions’ commitment to learn from ongoing processes and improve them through established monitoring, evaluation, and learning systems by using key points/indicators during strategic planning and reporting. Hence, the recommendations outlined in this document actually indicate that it is necessary to implement the role of the General Secretariat of the Government for quality control and

29 The Agency for the Protection of the Right to Free Access to Public Information, in cooperation with the Cabinet of the Deputy Prime Minister in charge of good governance policies and the Center for Change Management, has prepared Guidelines for Improving Transparency of Public Sector Institutions, available here: <https://aspi.mk/%D0%BD%D0%BE%D0%B2%D0%BE%D1%81%D1%82%D0%B8/%D0%BF%D1%80%D0%B5%D0%B7%D0%B5%D0%BD%D1%82%D0%B8%D1%80%D0%B0%D0%BD%D0%BE-%D1%83%D0%BF%D0%B0%D1%82%D1%81%D1%82%D0%B2%D0%BE%D1%82%D0%BE-%D0%B7%D0%B0-%D0%BF%D0%BE%D0%B4%D0%BE%D0%B1%D1%80%D1%83%D0%B2/>

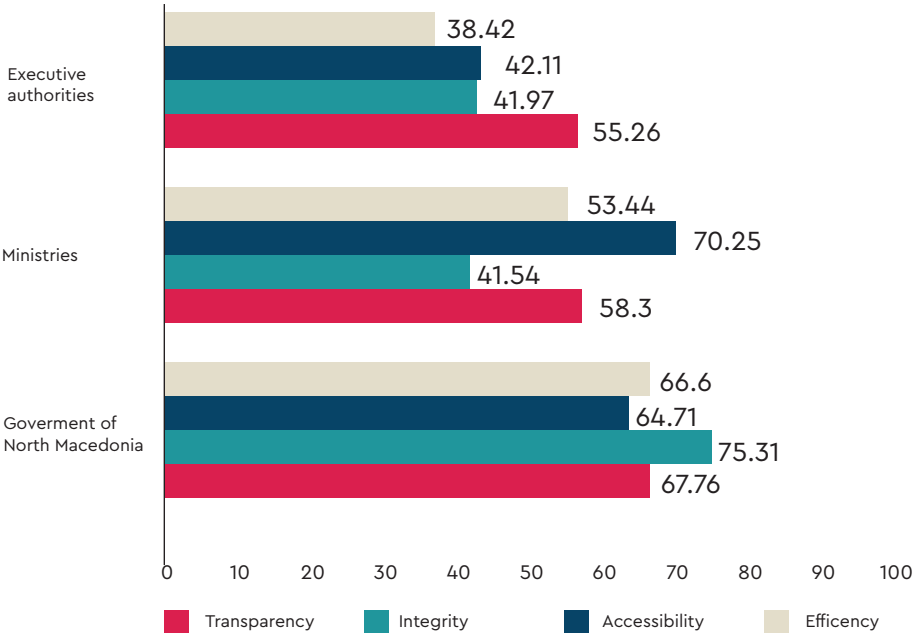
30 Public Administration Reform, available at: <https://mioa.gov.mk/?q=mk/node/2103>

31 Good Governance Policy Plan, available at https://vlada.mk/sites/default/files/dokumenti/plan_2023_public_final_mk.pdf

32 The Public Administration Reform Strategy (2023 – 2030), Public Finance Management Reform Program 2022 – 2025, Law on Free Access to Public Information (Official Gazette number: 101/2019), Open Data Strategy 2018 – 2020, Portal <https://data.gov.mk/>; The policy for 21 documents, which obliges all ministries to publish a set of documents on their websites as a means of accountability and transparency before the public, the Law on Use of Public Sector Information, etc.

monitoring of the implementation of the existing policies. In addition, it is recommended that institutions use performance indicators in planning as well as in the preparation of the reports on their operations.

Openness of the institutions in subcategories



Another general conclusion that emerges from the monitored institutions in the Openness Index and which is repeated several years in a row is the existence of a direct correlation between the hierarchy of the institutions and the decline in their ratings. Although the executive authorities have made progress this year compared to last year's measurement, they again have the lowest score according to the Index, i.e., 54.04% fulfilment of the indicators, compared to the average of the ministries that fulfil 61.58%, and the Government, which has the highest total score, i.e., 79.14% fulfilment of the indicators. This means that the engagement and application of openness standards are at different levels among the different structures of the executive power, and therefore the concept of openness must be addressed systemically. It is evident that the higher the hierarchy of the institution, the more likely it is to invest funds for the visibility of its operation and for public relations. It should also be noted that there are still institutions from the central government that do not comply with the Government's guidelines from 2021 on the publication of 22 mandatory pieces of information in accordance with the Law on Free Access to Public Information, nor did they act on the Government's conclusion to publish all information, systematized by area,³³ in accordance with the Guidelines for Improving Transparency of Public Sector Institutions. Considering that most indicators of the Openness Index refer to websites as a source of information, this aspect reflects significantly on their overall score, and therefore there are some institutions that are below the average fulfilment of the indicators.

The data below offer an overview of the results and achievements of the institutions for each principle separately, that is, **compliance with the transparency, accessibility, efficiency, and integrity**. The index also provides an in-depth analysis individually by institutions, as follows: it assesses the public availability of the organizational information, the budget, and the public procurement procedures (**transparency**); it assesses the degree to which the right of access to information is guaranteed by law and in practice, as well as the quality of the mechanisms

33 The Agency for the Protection of the Right to Free Access to Public Information, in cooperation with the Cabinet of the Deputy Prime Minister in charge of good governance policies and the Center for Change Management, has prepared Guidelines for Improving Transparency of Public Sector Institutions, available here: <https://aspi.mk/%D0%BD%D0%BE%D0%B2%D0%BE%D1%81%D1%82%D0%B8/%d0%bf%d1%80-%d0%b5%d0%b7%d0%b5%d0%bd%d1%82%d0%b8%d1%80%d0%b0%d0%bd%d0%be-%d1%83%d0%bf%d0%b0%d1%82%d1%81%d1%82%d0%b2%d0%be%d1%82%d0%be-%d0%b7%d0%b0-%d0%bf%d0%be%d0%b4%d0%be%d0%b1%d1%80%d1%83%d0%b2/>

for inclusion and consultations in the policy-making processes (**accessibility**); it reviews the institutions' commitment to learn from ongoing processes and improve them through established monitoring, evaluation, and learning systems by using key points/indicators during strategic planning and reporting (efficiency); and evaluates the presence of mechanisms for the prevention of conflict of interests, regulation of lobbying, as well as the availability of the code of ethics that guides and sanctions the behaviour of civil servants and public administration (integrity). An added value of the Openness Index is that, through the analysis of all principles, the work is also assessed through practice and commitment to the concept of **open data**. The results are obtained separately for each level of governance (government, ministries, and executive authorities), whereby the good examples that stand out in each group are emphasized.

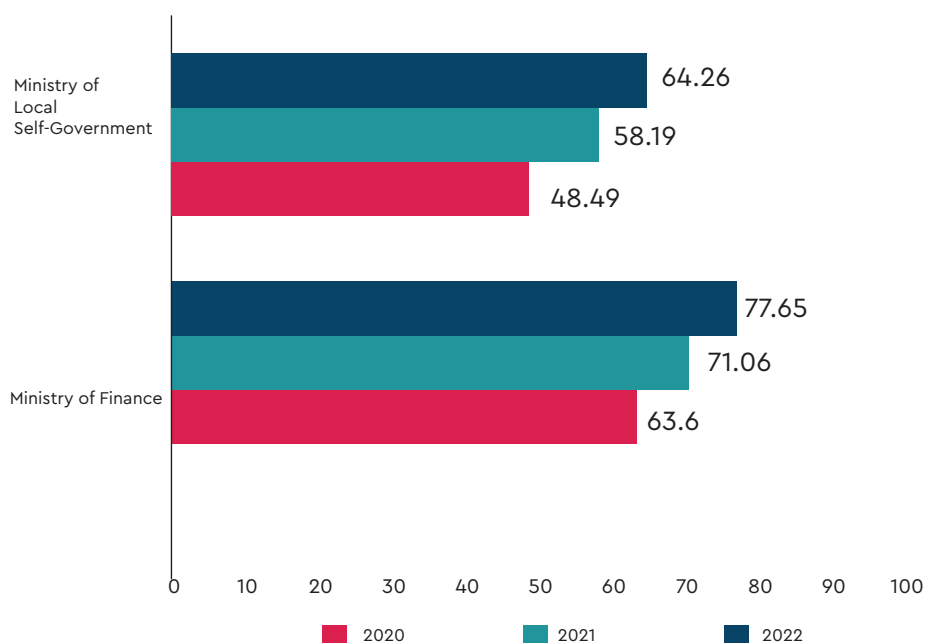
Top 3 open institutions in North Macedonia



From the measurement of a total of 36 institutions, **the Ministry of Defence (89.72%)** is the leading institution in terms of fulfilment of the openness indicators, followed by **the Government (79.14%)** and **the Ministry of Internal Affairs (78.9%)**. The Ministry of Information Society and Administration (75.35%) and the Ministry of Labour and Social Policy (72.56%) come next on the ranking list, occupying the first 5 positions in terms of fulfilment of the indicators.

A trend of decreasing fulfilment of the indicators was observed in the last three measurements of the Ministry of Finance (63.6%) and the Ministry of Local Self-Government (48.49%).

Trend of decreasing openness



Ranking list of institutions with degree of fulfilment of the openness indicators

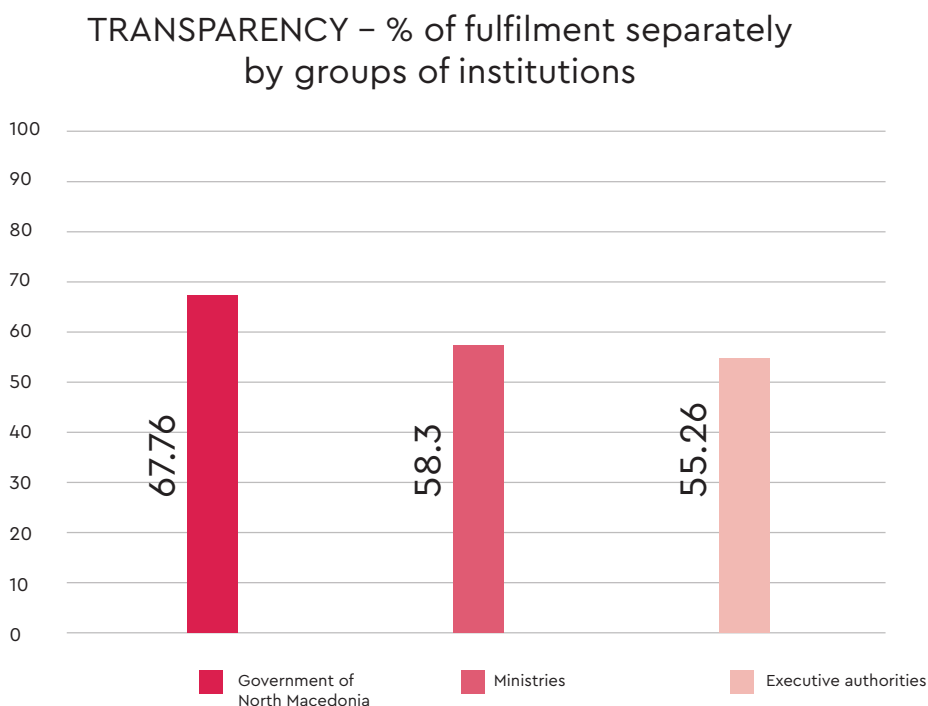
RANK	Government and Ministries of the Republic of North Macedonia	% of fulfilment of openness indicators
1	Ministry of Defence	89.72%
2	Government of the Republic of North Macedonia	79.14%
3	Ministry of Internal Affairs	78.9%
4	Ministry of Information Society and Administration	75.35%
5	Ministry of Labour and Social Policy	72.56%
6	Ministry of Education and Science	68.08%
7	Ministry of Environment and Physical Planning	66.96%
8	Ministry of Finance	63.6%
9	Ministry of Foreign Affairs	61.92%
BELOW THE AVERAGE OF 61.58% OF THE MINISTRIES		
10	Ministry of Agriculture, Forestry and Water Economy	61.18%
11	Ministry of Health	59.87%
12	Ministry of Economy	58.75%
13	Ministry of Justice	58%
14	Ministry of Culture	50.54%
15	Ministry of Local Self-Government	48.49%
16	Ministry of Transport and Communications	43.82%
17	Ministry of Political System and Inter-Community Relations	27.59%

RANK	Executive authorities	% of fulfilment of the openness indicators
1	Bureau for Public Security	71.7%
2	Bureau for Regional Development	67.17%
3	State Inspectorate for Construction and Urbanism	65.16%
4	State Market Inspectorate	63.33%
5	State Educational Inspectorate	62.87%
6	State Environmental Inspectorate	58.8%
7	State Sanitary and Health Inspectorate	57.9%
8	State Statistical Office	57.44%
9	Public Procurement Bureau	54.28%
BELOW THE AVERAGE OF 54.04% OF THE EXECUTIVE AUTHORITIES		
10	Agency for Emigration of the Republic of North Macedonia	51.11%
11	Geological Institute of the Republic of North Macedonia	50.68%
11	State Inspectorate for Technical Inspection	50.66%
13	Bureau for Forensic Expertise	48.85%
14	State Archive of the Republic of North Macedonia	48.39%
15	State Forestry and Hunting Inspectorate	47.94%
16	Administration for the Execution of Sanctions	47.49%
17	Public Revenue Office	47.04 %
18	Secretariat for European Affairs	38.89%
19	Financial Police Office	37.08 %

3.3.1. Transparency

Transparency is a broad concept related to the availability of information and the access and usability of information by citizens, that is, information requesters. Defined in this way, it includes active transparency, that is, proactive publication of information by public institutions, and passive (reactive) transparency, where the provision of information is initiated by the requester of the information (through the use of the right of access to information). In essence, transparency affects the reduction of corruption, the increase in the participation of stakeholders in decision-making, as well as efficiency of institutions, that is, the degree of transparency, among other things, and good governance.

Through the indicators that assess the public availability of organizational information, the participation of stakeholders in the creation of the budget, and the transparency in the spending of the budget by the executive power, as well as the transparency in public procurement procedures, the executive power (government, ministries, and executive authorities) is assessed **with the highest score in terms of the transparency indicators of 60.44% fulfilment**. In this year's measurement, transparency has increased by 6% in terms of fulfilment of the indicators. Individually analyzed, the executive authorities are at the bottom of the scale in terms of fulfilment of the transparency indicators with 55.26%, followed by the ministries with 58.83%, while the Government is ranked the highest with 67.76% fulfilment of the transparency indicators.



Given that websites are, legitimately, the main source of information about the operation of the institutions, and at the same time they are a tool for the fastest, easiest, and safest access, it must be noted that there are still institutions from the central government that do not comply with the Government's guidelines from 2021 on the publication of 22 mandatory pieces of information in accordance with the Law on Free Access to Public Information, nor did they act on the Government's conclusion to publish all information, systematized by area,³⁴ in accordance with the Guidelines for Improving Transparency of Public Sector Insti-

34 The Agency for the Protection of the Right to Free Access to Public Information, in cooperation with the Cabinet of the Deputy Prime Minister in charge of good governance policies and the Center for Change Management, has prepared Guidelines for Improving Transparency of Public Sector Institutions, available here: <https://aspi.mk/%D0%BD%D0%BE%D0%B2%D0%BE%D1%81%D1%82%D0%B8/%d0%bf%d1%80%d0%b5% d0%b7% d0%b5%d0%bd%d1%82%d0%b8%d1%80%d0%b0%d0%bd%d0%be-%d1%83%d0%bf%d0%b0%d1 %82%d1%81%d1%82%d0%b2%d0%be%d1%82 %d0%be-%d0%b7%d0%b0-%d0%bf%d0%be%d0%b4%d0 %be%d0%b1%d1%80%d1%83%d0%b2/>

tutions. Considering that most indicators of the Openness Index refer to websites as a source of information, this aspect reflects significantly on their overall score, and therefore there are some institutions that are below the average fulfilment of the indicators.

3.3.1.1. Organizational information

The institutions are transparent when they enable the citizens, i.e., stakeholders, to see and understand how they function and operate. In order to achieve transparency, the organization must provide **accurate, complete, and timely available information about its competence, activities, and operation**. The Government's website is regularly updated and provides important information and data about the competences it carries out, as well as basic contact information, data on officials (biographies), lists of employees with a position, e-mail and telephone number, laws related to competences, regulations on internal organization, and systematization of jobs, as well as an organizational chart of the internal organization. The Government's website provides contact details for civil servants and departments in the General Secretariat, however, in this measurement it is noted that the data related to the salaries of Government officials have not been updated.³⁵ Government sessions, when announced, are accompanied by published agendas for the sessions; however, in this measurement, late announcement of the sessions was observed and thus late publication of agendas and minutes of the meetings and press releases.³⁶ This year again, the recommendation regarding the improvement of the Government's transparency remains, following the best international practices, to publish the documents that are reviewed and discussed during the sessions of the Government, as well as the publication of transcripts from the meetings. The government should consider establishing a channel that would allow the public to directly monitor the adoption of policy decisions that directly affect them, following the example of the Assembly.

Regarding the quality of the ministries' websites, all are positively assessed in regard to the regular updating of their websites, while the Ministry of Local Self-Government, the Ministry of Political System and Inter-Community Relations, and the Ministry of Finance are singled out as negative examples of their non-functional search engines on the websites. The number of official websites among the executive authorities with functional search engines is 16 out of 19 authorities; that is, only 3 do not have functional search engines, as follows: the Geological Institute of the Republic of North Macedonia, the State Inspectorate for Construction and Urbanism, and the State Environmental Inspectorate.

The ministries publish the biographies of the ministers, while in the executive bodies, omissions were found in 20% of the evaluated institutions that do not publish the biographies of their directors. All ministries have published the organizational charts of the ministry, while the majority have provided a description of the ministry's competences, which is not the case with the Ministry of Culture, the Ministry of Transport and Communications, and the Ministry of Environment and Physical Planning, which have not published a description of the ministry's competences. All executive authorities, within the legal possibilities³⁷, have published the organizational charts of the institutions. Updated contact information for civil servants is missing only at the Ministry of Political System and Inter-Community Relations and at 1/4 of the executive authorities.

35 Salaries of the president and the ministers in the Government of the Republic of North Macedonia. Retrieved from: <https://vlada.mk/plati>.

36 The last announcement for a session of the Government was made 1 month ago (22.08.2023); accessed on 21.09.2023. <https://vlada.mk/vladani-sednici>

37 The acts for internal organization and systematization of jobs in the Financial Police Office (which include the organizational chart as an integral part) are classified with an appropriate level of classification in accordance with the Law on Classified Information; therefore, they cannot be subject to free access.

Half of the ministries have published annual work programs, and 60% (7 out of 16) have not published annual reports on their operations, which is quite a high percentage. The result is also poor when it comes to the publication of annual work programs by the executive authorities, where only 36% of the executive authorities have published these reports, and as many as 80% of the executive bodies do not publish annual reports on the implementation of these programs. Regarding the quarterly or semi-annual reports, the ministries do not publish them, except the Ministry of Finance and the Ministry of Defence which regularly publish reports, while among the executive authorities, 1/3 of them stand out as a good example because they publish quarterly or semi-annual reports.

Information on the salaries of the ministers is missing from the websites of 13 ministries, as well as from last year's measurement, although it is unclear why this was not carried out when the data is publicly available on the Government's website, and the data have not been updated.³⁸ The salaries of the Ministers of Internal Affairs, Defence, and Local Self-Government are published on the websites of the respective ministries. Of the executive authorities, only one published this data on the salaries of the directors (Bureau for Public Security). Two ministries (the Ministry of Defence and the Ministry of Internal Affairs) have published communication (PR) strategies. Compared to the previous measurement, there is a general observation that most of the institutions have maintained the level of published information; however, they are expected to improve it.

Hence, the Ministry of Defence (78.23%), the Ministry of Health (70.65%), and the Ministry of Finance (68.58%) are ranked in the first 3 positions in the ranking list in terms of fulfilment of the transparency indicators. Among the executive authorities, the highest fulfilment of the transparency indicators was achieved by the State Market Inspectorate (69.18%), the Bureau for Regional Development (68.82%), and the State Sanitary and Health Inspectorate (67.65%).

3.3.1.2. Budget

Considering that transparency in the planning and implementation of public finances is a key element for good governance, in this Openness Index the budget transparency of the central government is measured through a series of indicators. Namely, budget transparency is significant in terms of the provision of information to taxpayers, that is, to citizens, about the purpose for which the institutions plan and spend the taxpayers' funds. In addition, the timely and systematic disclosure of relevant fiscal information was measured because it contributes to corruption reduction, as well as ensuring the effective participation of citizens in the budget processes.

In order to increase transparency and bring the information about the spending of the state budget closer to the citizens and all interested parties, as well as to use the data for analytical, scientific, and research purposes, in 2019, the Ministry of Finance opened the data to the public through the portal "Open Finances", which enabled the public to have an insight into the data on the realization of the transactions of all budget beneficiaries of the state budget at the disposal of the treasury.

The state budget for 2022 is published on the Government's website. The Ministry of Finance, as the competent ministry, has published the state budget in an open format, but also on the website <http://budget.finance.gov.mk>, which was established in 2017, and this year the budget for the citizens was published in an understandable manner in the form of a citizen's budget, which distributes the state budget by economic classification, then by functional area, by budget users, and a presentation of the gender-budget initiatives is also provided. The practice of publishing the civil budget has been maintained by the Government as

³⁸ Salaries of the president and the ministers in the Government of the Republic of North Macedonia. Retrieved from: <https://vlada.mk/plati>.

well.³⁹ The Ministry of Finance also publishes the state of the public debt,⁴⁰ among other things. Documents on the current and planned public finance management reform have also been published. Regarding the financial reports, they are also periodically published on the website of the Ministry of Finance. The other ministries do not publish this information, except for the Ministry of Defence and the Ministry of Internal Affairs. The Ministry of Foreign Affairs, the Ministry of Culture, and the Ministry of Political System and Inter-Community Relations did not publish the information related to the budget, that is, the financial plan. The recommendation from last year remains that public consultations need to be introduced and information on the spending of budget reserves needs to be published in order to advance the consultations with the public during budget planning.

Of the executive bodies, 58% regularly publish annual financial plans, and in regard to reporting, 68% of them publish final accounts, and only two of them, the Bureau for Regional Development⁴¹ and the Bureau for Public Security⁴², publish periodic financial reports on their website.

3.3.1.3. Public procurement procedures

Public procurement is listed as the first of several priority horizontal areas with a high risk of corruption in the National Strategy for the Prevention of Corruption and Conflict of Interest⁴³ 2021-2025. The public procurement system in the Republic of North Macedonia is well developed,⁴⁴ with an established legal and institutional framework, which needs to be improved according to the Roadmap on Good Governance⁴⁵ in order to create a system with greater control over public procurement tenders by improving the form of the specifications, whereby their abuse will be avoided.

The Public Procurement Bureau is the only institution in charge of publishing documents related to public procurement procedures through the electronic public procurement system. A recommendation was given in the Roadmap on Good Governance to publish the basic information on public procurement on the websites of the different institutions, which is not implemented by the Ministry of Economy and the Ministry of Justice. The Ministry of Defence is a commendable exemplar of such implementation.⁴⁶ Therefore, in the Draft Transparency Strategy of the Government (2023 – 2026), in the chapter “Active Transparency of the Government and the Other Bodies of the Executive Power”, strategic directions have been established for the purpose of connecting the data on public procurement attached to the websites of the ministries and other executive authorities and those of the Electronic Public Procurement System, to make sure that the data correspond.

39 Civic budget 2022. Government of the Republic of North Macedonia. Retrieved from: <https://vlada.mk/node/27005>.

40 Ministry of Finance; Public debt available at <https://javendolg.finance.gov.mk/>

41 Available at: <https://brr.gov.mk/%d0%b3%d0%be%d0%b4%d0%b8%d1%88%d0%bd%d0%b8-%d1%84%d0%b8% d0%bd%d0%b0%d0%bd%d1%81%d0%ba%d0%b8-%d0%bf%d0%bb%d0%b0%d0%bd%d0%be%d0%b2%d0%b8-%d0%bf%d0%be-%d0%ba%d0%b2%d0%b0% d1%80%d1%82%d0%b0/>

42 Available at: [Republic of North Macedonia - Ministry of Internal Affairs \(mvr.gov.mk\)](https://mvr.gov.mk/)

43 The National Strategy for the Prevention of Corruption and Conflict of Interest was adopted by the State Commission for the Prevention of Corruption in December 2020 and by the Assembly of the Republic of North Macedonia in April 2021.

44 The goals, measures, and activities in the field of public procurement were included in the Public Finance Management Reform Program (2018-2021). And, at the beginning of 2021, in the “Anti-corruption Plan - Action 21”, the Government, at the suggestion of the civil society, included several anti-corruption measures in the field of public procurement, wherewith it obliged all contracting authorities to develop internal procedures for the implementation of the public procurement procedures and for the implementation of the agreements.

45 Roadmap for Good Governance available at: https://vlada.mk/sites/default/files/dokumenti/ggpp2022_final_mk.pdf for 2022 and for 2023 available at https://vlada.mk/sites/default/files/dokumenti/plan_2023_public_final_mk.pdf

46 Available at: <https://mod.gov.mk/%D0%BE%D0%B1%D1%98%D0%B0%D0%B2%D0%B5%D0%BD%D0%B8-%D0%BE%D0%B3%D0%BB%D0%B0%D1%81%D0%B8>

This year again, the general finding remains about the frequent problems and violations⁴⁷ in the public procurement procedures that should be overcome with the implementation of the legal framework, the adopted Strategy for Improvement of the Public Procurement System⁴⁸ in the Republic of North Macedonia (2022 - 2026) and the Action Plan, as well as taking specific measures in the standardization of public procurements.⁴⁹

The openness index, through a set of indicators in this area, forms the assessment of the achievements of the central government through the publicly available, that is, published plans, calls, decisions, agreements, and annexes for public procurements on the institutions' websites.

The government fulfils 12 out of 13 indicators in this subcategory, with the only weakness being that the real owners of the bidders and the companies that entered into an agreement with the institutions in the public procurement procedure have not been announced yet. The government is positively assessed for the publication of plans, calls, decisions, and agreements with annexes on public procurement on its website. The government also has a positive practice and publishes the last annual report on all public procurements.

In the past several years, in order to improve the procedure for public procurement and to reduce the possibility of misuse of funds, a recommendation was made, which is repeated this year again, that the officials who conduct public procurement should be obliged to fill out a declaration on conflict of interest and to submit asset declarations. Furthermore, the recommendation is repeated regarding the need to publicly announce the real owners of the companies that have made public procurements on the electronic public procurement system, which will prevent corruption, significantly reduce the abuse of public procurement bids, and be applied in order to ensure fair competition between the bidders. As a measure, this is foreseen in the fifth National Action Plan for Open Government Partnership (2021-2023)⁵⁰.

The table below provides an overview of the extent to which the ministries and executive authorities fulfil the indicators that evaluate transparency in public procurement procedures. An overall improvement has been observed in the performance of both the ministries and especially the executive authorities compared to last year. For the first time, 100% fulfilment of an indicator has been measured regarding the publication of public procurement plans by the ministries on their websites. Regarding the publication of annual reports by the executive authorities, this year, at both levels, there has been a decrease in the number of institutions that publish annual reports on public procurement. Compared to last year, this year's measurement showed that following the recommendations of the Openness Index, regarding the publication of annual reports on public procurement, the following ministries did not act thereon: the Ministry of Internal Affairs, the Ministry of Economy, the Ministry of Transport and Communications, the Ministry of Agriculture, Forestry and Water Economy, and the Ministry of Justice. Although this is not a legal obligation, it is a good international practice, and the institutions should continue with the commitment to establish it as a practice. Hence, this year as well, the recommendation remains for the institutions to prepare an annual summary report for all public procurements for the previous year.

47 Shadow Report on Public Procurement 2021, Center for Civic Communications. Retrieved from: <https://cutt.ly/vKKGy53>

48 Strategy for Improvement of the Public Procurement System 2022 - 2026. Public Procurement Bureau. Retrieved from: <https://cutt.ly/bKKGhWJ>

49 Grkovska: We need a system for public procurement and standardization so that there are no abuses. Telma. Retrieved from: <https://cutt.ly/lKKGchs>. Roadmap for Good Governance for 2023 https://vlada.mk/sites/default/files/dokumenti/plan_2023_public_final_mk.pdf

50 OGP National Action Plan (2021 – 2023). Retrieved from: <https://cutt.ly/dKKGdos0>

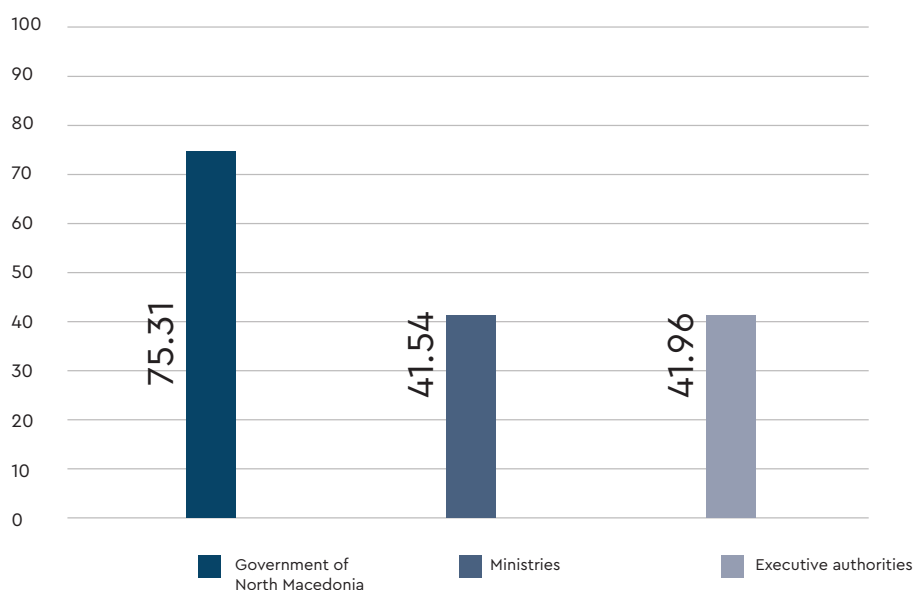
% of fulfilment of the indicators by the ministries and executive authorities that measure the progress in the transparency of public procurement procedures, separately by indicator, with a comparison between 2022 and 2021				
Indicators	Ministries		Executive authorities	
	2021	2022	2021	2022
Are public procurement plans published on the website?	94%	100%	60%	84%
Are calls for public procurement publicly available on the website?	81%	87.5%	60%	74%
Are public procurement decisions publicly available on the website?	81%	87.5%	57%	68%
Are public procurement agreements publicly available on the website?	81%	87.5%	39%	79%
Are the annexes on public procurement agreements publicly available on the website?	56%	87.5%	60%	74%
Is the last annual report ⁵¹ on all public procurements available on the website?	75%	68.75%	24%	16%

3.2.2. Accessibility

The openness index in the accessibility subcategory measures the degree of openness through the indicators, wherein it assesses the degree to which the right to access information is guaranteed by law and in practice, as well as the quality of the mechanisms for engagement and consultations with the public in the policy-making processes. The institutions of the executive power (including the Government, the ministries, and the executive authorities) achieve an average rating in the accessibility subcategory of 52.94% fulfilment of the indicators. **The average rating is affected by the low fulfilment of the accessibility indicators by the ministries (41.54%) and by the executive authorities (41.96%), which are below the overall average score in the accessibility subcategory. Unlike them, the Government fulfils 75.31% of the accessibility indicators.** According to the scope of the accessibility subcategory, the Government is mainly assessed in regard to the quality of the legal framework that guarantees the right of access to information, as well as its practices, and the results of the ministries and the executive authorities entirely rest on the extent to which they practice the legal provisions and international standards observed through the Openness Index. Therefore, most of the recommendations outlined in this document actually require effective implementation of the existing policies by the ministries and the executive authorities.

51 Although the institutions have made a positive step forward by mainly integrating parts of the public procurement portal on their websites, they still need to publish separate annual reports on all public procurements in a separate document in an open format.

ACCESSIBILITY – % of fulfilment separately by groups of institutions



Individually, among the ministries, the Ministry of Defence (63.85%), the Ministry of Environment and Physical Planning (56.924%), and the Ministry of Internal Affairs (56.928%) are in the first 3 positions of the ranking list in terms of fulfilment of the accessibility indicators. Among the executive authorities, the highest fulfilment of the accessibility indicators was achieved by the Public Security Bureau (62.67%), the Agency for Emigration of the Republic of North Macedonia (54.67%), and the State Environmental Inspectorate (54.67%).

3.3.2.1. Access to information

Access to information is a key component of a transparent and accountable government. The purpose of access to information is to enable citizens to see how the government works, that is, to be able to detect corruption or deficiencies in the creation of policies. In that regard, the information created and held by public authorities belongs to the public. The Law on Free Access to Public Information prescribes an obligation for the holders of the information⁵² to respond to requests for access to public information (reactive access); however, it also contains provisions for proactive publication of information, i.e., independent publication of information, known as active transparency. The implementation of active publication of information is strengthened by the enactment of a conclusion of the Government in regard to information holders, covered by the Guidelines for Improving Transparency of Public Sector Institutions, to publish all information systematized by areas that have previously been determined to be the most frequently requested information by the citizens.

The openness index through the websites assesses the institutions of the central government (the government, the ministries, and the executive bodies), whether they have updated information on exercising the right to free access to information; whether they publish already answered requests for free access; as

⁵² Official Gazette of the Republic of North Macedonia no. 101/2019, dated 22.05.2019. Novelties from 2019 that were introduced in the Law: the list of information holders was expanded; a wider list of information was established that the institutions are obliged to publish proactively; the public interest was defined; the deadline for a response to a request was shortened to 20 days; the list of exceptions for free access was shortened; and the expanded competences of the authority of the second instance were established with the possibility to conduct a misdemeanour proceeding, all with the aim of ensuring publicity and openness of the institutions, with the result of an informed citizen.

well as whether the website has a special section intended for exercising the right of access to information, where the relevant information is contained; whether they have published an updated list of information, etc. The Government's website fully meets the criteria for exercising the right to free access, and the fact that it does not publish the answers it prepares to the requests for free access to information is again recorded as a weakness. This practice has been observed in several ministries, including the following: the Ministry of Transport and Communications, the Ministry of Culture, the Ministry of Labour and Social Policy, the Ministry of Defence, and the Ministry of Environment and Physical Planning. Of the executive authorities, this is practiced by the following: the Bureau for Regional Development, State Statistical Office, State Environmental Inspectorate, State Educational Inspectorate, Public Revenue Office, and Bureau for Public Security. It can be concluded that, compared to last year, there has been an improvement in practice in terms of publishing the answers that provided access to information after a request was submitted on the websites.

Taking into consideration the new trends and digitization processes that are being used worldwide and which are being imposed as a necessity in our country as well, it is expected that an increasing emphasis will be placed on active transparency in the near future, which should significantly reduce the number of submitted paper copy requests for free access. Therefore, the best international and regional practices will have to be followed in terms of the waiting time for a response to a paper copy request for free access, which ranges between 7 and 15 days, and it will be necessary to intervene in our country again within the deadline, so the waiting time should be reduced from 20 days to a maximum of 15 days. In order to estimate the waiting time after submitting a request to the institutions, Metamorphosis, during the monitoring of the openness of the institutions, sent one request for access to information to all 36 institutions, of which 27 institutions (75%) timely responded within the legal deadline. Some of the institutions that responded within the legal deadline include 2 ministries: the Ministry of Culture and the Ministry of Health and three executive authorities: the Financial Police Office, the State Inspectorate for Technical Inspection, and the Secretariat for European Affairs. On the other hand, 4 executive authorities tacitly refused the request for free access, i.e., they did not respond at all, and include the following: State Archive; Bureau for Forensic Expertise; State Forestry and Hunting Inspectorate; State Market Inspectorate.

All ministries (93.75%), except the Ministry of Political Systems and Inter-Community Relations, have created a special space (section) on their websites dedicated to the procedure involving requests for free access to information. This year, a downward trend was observed in the last three measurements regarding the training of officials on the procedure for free access to information from the ministries. In 2020, 68.75% of the ministries reported that they trained officials on the procedure for free access to information; in 2021, the percentage of ministries that trained their staff was 62.5%; and in 2022, only 50% of the ministries indicated that they trained their employees on the procedure for free access to information (the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Economy, the Ministry of Culture, the Ministry of Labour and Social Policy, the Ministry of Defence, the Ministry of Information Society and Administration, and the Ministry of Agriculture, Forestry and Water Economy). For the first time in the last three measurements of openness, it was noted that the Government did not train its officials this year on the procedure for free access to information.

In regard to the executive authorities, this year progress was observed in regard to the establishment of a special section on the websites with the procedure for free access to information. Only the Administration for the Execution of Sanctions does not have a separate section on the right of free access on its website. However, this year, an extremely poor result was found among the executive authorities in terms of trained staff for the procedure for free access. Namely, all executive authorities, except one, reported that their officials did not attend trainings on free access.

3.3.2.2. Interaction with the citizens

The opportunities offered by the role of digital media in today's communication are indisputable, especially on social networks, in terms of the exchange and dissemination of information, raising public awareness of issues of public interest, familiarizing citizens with the scope of work of the institutions, and opening opportunities for citizens' participation in the processes of policy-making, as well as the simple and quick use of services. Therefore, in the **accessibility** subcategory, the extent to which the institutions facilitate the interaction and delivery of services to citizens is observed.

The nature and frequent use of websites and other online tools ("Facebook", "Twitter", and many others) puts them in a central position for interaction with the citizens; however, the observation showed shortcomings when it comes to the use of fast communication channels. Hence, a direct channel on the websites for online communication through which the citizens can express concerns, submit petitions or complaints, or file a complaint, identical as last year, is available on websites of the Government, only 4 (25%) ministries (the Ministry of Information Society and Administration, the Ministry of Education and Science, the Ministry of Foreign Affairs, and the Ministry of Finance), and 11 executive bodies (57.89%). It has been observed that the Government does not have a current Communication Strategy.⁵³

Social media contribute to facilitated communication and interaction with the public; however, under no circumstances can they replace websites in terms of the amount of shared information. As many as 29 out of 36 monitored central institutions have official profiles on "Facebook", and 12 of them have profiles on "Twitter" (i.e., "X"). The conclusion from last year remains that the practice of using only the personal profiles of officials as official on social media is slowly being abandoned; however, they still abound in information, unlike the official social channels of the institutions. The main problem with the personal profiles of the officials is that they are no longer being used as sources of information and interaction with the respective institutions as soon as the official's term ends, and as such, they do not contain long memories of the developments in the institutions.

Considering that the civil society is (or should be) an equal partner and corrector of the government's decisions and that a continuous, transparent, and fully inclusive dialogue with the civil society is necessary, the ministries were monitored through their websites in regard to whether they have published contents about joint activities with the civil society in the last 6 months. It has been concluded that this year, half of the ministries, i.e., 50%, regularly publish such contents about joint activities with civil society.

Regarding the facilitation of public services, the central government is supplementing the online portal for e-services, available at www.uslugi.gov.mk. However, it has been concluded that there is no unified database that would allow the determination of the total percentage of citizens who use e-services.⁵⁴ Still, uslugi.gov.mk is a tool that plays a key role in the provision of easily accessible services for the citizens, as a characteristic of good governance. Although efforts are being made for all e-services from state institutions to be networked, set on uslugi.gov.mk, such services are offered in other ways as well. For example, e-services are offered individually by the institutions themselves. Through the basic websites of the ministries, in 80% of them, sections are available with lists of all services provided through the ministry with links to the description of the service and the required documentation. This type of list of e-services offered by the other executive bodies does not exist on their websites.

53 Communication Strategy of the Government for 2019/2020. Government of the Republic of North Macedonia. Retrieved from: <https://vlada.mk/komunikaciska-strategija>.

54 North Macedonia "Digital Agenda Observatory", June 2022. Metamorphosis Foundation, available at <https://metamorphosis.org.mk/aktivnosti-arhiva/opservatorija-za-digitalnata-agenda-izveshtaj-za-tekovnata-sostojba-i-patokaz-za-unapreduvanje-na-digitalnata-agenda-vo-severna-makedonija-2022/>

3.3.2.3. Public consultations

Timely and substantial citizen participation in policy-making is a prerequisite for a democratic society to be recognized as transparent and accountable. On the one hand, through the participation of the public in the processes of policy preparation, stakeholders are able to influence the development of the policies that affect them. On the other hand, through the participation of stakeholders in these processes, policy makers gain new ideas, information, and access to significant resources in the policy making process. Ultimately, consultations contribute to building mutual trust and developing democratic principles. Consultations are conducted in three ways: (1) through the announcement of the commencement of the process, which is the first step in the consultations, where the public is a passive actor but allows time for preparation for the stakeholders; and (2) through the consultations, which implies an active solicitation of opinions and views from those who are affected. This is, in essence, a process of gathering information but also of continuous dialogue; and (3) through active participation, that is, the involvement of stakeholders in the policy-making process.

The development of civil society is of exceptional importance for the democratic values of a country, and the promotion of civil awareness is indicated in the “Strategy of the Government of the Republic of North Macedonia for Cooperation with and Development of the Civil Society 2022-2024”. The vision of the Strategy is to improve the environment in which civil society functions and develops, which contributes to the strengthening of democratic governance and the establishment of a structural dialogue with civil society. In the past years, several consultative mechanisms have been established in North Macedonia with representatives from civil society that contribute to more dynamic consultative processes, such as the Council for Coordination and Monitoring of the Open Government Partnership⁵⁵, the Council for Cooperation between the Government and the Civil Society⁵⁶, the Sector Working Groups,⁵⁷ the National Council for Reforms in the Media Sphere, the Council for Reforms in the Judiciary, etc. However, additional efforts are needed to involve civil society in the creation of policies and structural policies in a more inclusive and transparent manner.⁵⁸

In regard to the legal acts,⁵⁹ there are several acts that provide the basis for the inclusion of the public in the policy-making processes, i.e. they regulate this issue, such as, for example: the Rules of Procedure of the Government of the Republic of North Macedonia, the Strategy of the Government for Cooperation with and Development of the Civil Society,⁶⁰ the Code of Good Practices for the participation of the civil sector in the policy-making process, the Methodology for assessing the impact of the regulation, the Guidelines on the manner of action in the operation of the ministries in the process of implementing the assessment of the regulation’s impact, the Rulebook on Organization of public consultations at the commencement of the legislative process, etc. The Single National Electronic Registry of Regulations is the channel through which electronic consultations on policy proposals take place.

Due to the existence of a central platform, such as the Single National Electronic Registry of Regulations, the Government and all ministries have been positively evaluated for providing the opportunity to conduct online consultations. However, on the websites of the ministries, except for the Ministry of Information Society and Administration, there is no special section with the necessary information for the

55 It is established in order to introduce a more structured approach to OGP processes by maximizing participation and engagement, as well as monitoring and providing guidance for the implementation of the OGP action plans. Retrieved from: <https://cutt.ly/LKKGXcO>.

56 It is established as an advisory body of the Government for the promotion of cooperation, dialogue, and support of the development of the civil society in the Republic of North Macedonia. Retrieved from: <https://www.nvosorabotka.gov.mk/?q=mk/node/99>.

57 Dialogue towards the EU. Sector Working Groups. Retrieved from: <https://cutt.ly/iKKG06Y>.

58 North Macedonia Report 2022 of the European Commission. European Commission. Retrieved from: <https://www.sep.gov.mk/post/?id=5657>

59 The Constitution of the Republic of North Macedonia, the Law on Referendum and other forms of direct declaration, the Law on the Operation of the Government of the Republic of North Macedonia, the Law on the Organization and Operation of State Administration Bodies, etc.

60 Strategy of the Government for Cooperation with and Development of the Civil Society. Retrieved from: <https://www.nvosorabotka.gov.mk/sites/default/files/Strategija%20usvoena%2028%2012%202021.pdf>

announcement of the policy-making processes with a direct link to the Single National Electronic Registry of Regulations. Identical to last year, only 6 ministries recorded calls for public debates on their websites (37.5%); however, none of them publish annual plans for public debates. Reports on conducted consultations are not published on the websites of the ministries; however, they are integrated in the reports on assessments of the regulation's impact. Only the Ministry of Defence publishes minutes of public debates held with stakeholders, on its website.⁶¹ According to the guidelines for the development of strategic plans and annual work plans,⁶² coordinated planning and implementation of the Government's policies are expected to be ensured by the state administration bodies. However, the general conclusion is that the electronic public consultation system has not been used to its full potential, and proper planning and consultations are needed in order to limit the use of summary proceedings to enable effective scrutiny and consideration of the legislation.⁶³

3.3.3 Efficiency (strategic planning, reporting, monitoring, and evaluation)

Efficiency is an assessment of the institutions' commitment to plan and learn from ongoing processes and improves them through established monitoring, evaluation, and learning systems by using key targets and indicators during strategic planning and reporting. To this end, there are two subcategories: *reporting* and *monitoring and evaluation*. The institutions from the central government were assessed: whether they timely submitted a report on the implementation of the work program; whether they timely submitted an annual financial report for the current year; whether they use performance indicators when formulating the annual program, that is, for the annual report on the previous year's operations. The General Secretariat of the Government has been assessed in terms of the existence of mechanisms and the comprehensiveness of the legal framework for strategic planning, creation, and coordination of policies. One should consider that the interaction with the public and the involvement of stakeholders in the policy-making processes, as well as the assessment of the regulation's impact as principles of good governance, which were evaluated in the *accessibility* category, affect the performance of the institutions.

The strategic planning process is a tool through which strategies and policies are determined and decisions are made about key priorities and goals, as well as the allocation of resources. That is why it is said that strategic planning is one of the basic steps towards mission fulfilment, that is, the competence of an institution. The monitoring of policy implementation as well as proactive public consultations are part of the same sequence of development of evidence-based, responsible policy. **In this subcategory, special attention is paid to the availability of systematic mechanisms that regularly assess the impact, costs and effects of policies, and as such, they serve to develop strategic plans for the future, relying on data as evidence.**

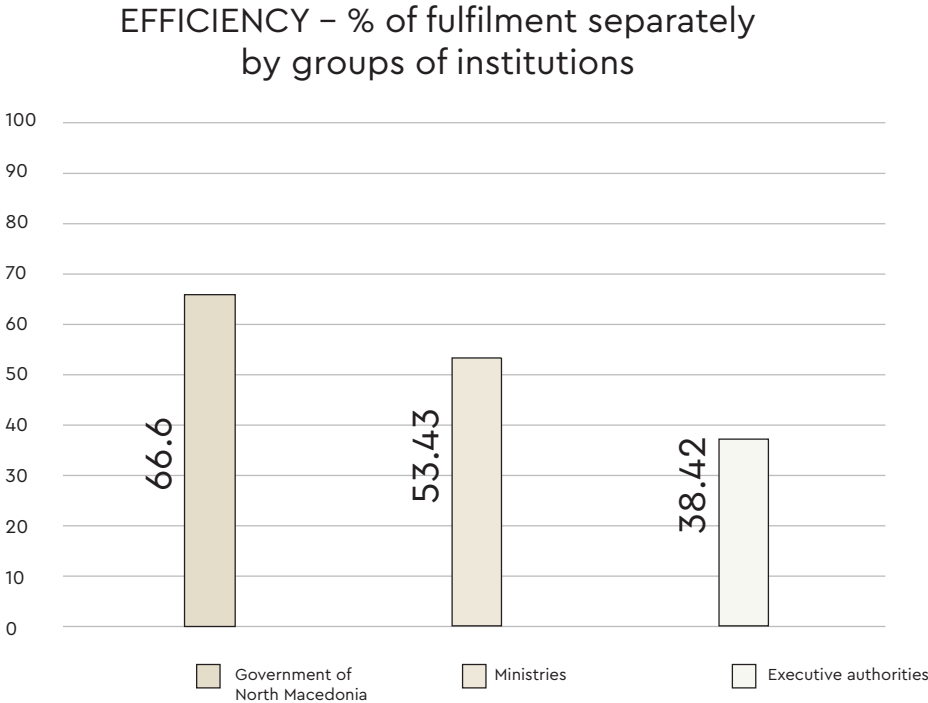
61 Minutes of public hearings. Ministry of Defence. Retrieved from: <https://mod.gov.mk/javna-rasprava-za-zvmo>

62 Guidelines on the manner of action of the ministries and other state administration bodies in the process of preparation of the strategic plan and the annual work plan (Official Gazette of the Republic of Macedonia no. 131/18).

63 North Macedonia Report 2022 of the European Commission. European Commission. Retrieved from: <https://www.sep.gov.mk/post/?id=5657>.

The legal framework for strategic planning, creation, and coordination of policies⁶⁴ has been defined, and it includes harmonized legislation and by-laws through which efficient mechanisms and procedures are provided for the implementation and monitoring of the process with appropriately determined competence. The ministries prepare medium-term (three-year) strategic plans that should contain the planned policies within their competence and on the basis of which the budget in the respective area should be planned. However, this process is carried out formally, whereby not enough attention is paid to the interconnection of the government and sector priorities, the planned and undertaken activities for the next period, and the appropriate allocation of the necessary funds. Therefore, with the new Public Administration Reform Strategy (2023- 2030), general and specific goals have been envisaged, as well as measures that reflect the sectoral approach in policy making, resource planning, strengthening of administrative capacities, and commitment to harmonizing the national legislation with the European legislation.

Strategic planning helps the ministries and executive authorities structurally and continuously plan the programs, projects, and activities provided for in the National Programme for Adoption of the Acquis Communautaire (NPAA)⁶⁵, to monitor their implementation and to adapt to all changes. In fact, the measures and



64 Law on Government, Law on Budgets, Rules of Procedure of the Government of the Republic of Macedonia, Methodology for Policy Analysis and Coordination (Official Gazette of the Republic of Macedonia, no. 56/06), Methodology for Strategic Planning and Preparation of the Annual Work Program of the Government of the Republic of Macedonia (Official Gazette of the Republic of Macedonia, no. 124/08 and 58/18), Guidelines on the manner of action of the ministries and the other state administration bodies in the process of preparation of the strategic plan and the annual work plan (Official Gazette of the Republic of Macedonia, no. 131/18), Guidelines on the preparation of the strategic plans of the ministries and the other state administration bodies, Guidelines on the manner of action of the ministries and the other state administration bodies in the process of monitoring, evaluation and reporting on the implementation of the strategic plan and the annual work plan (Official Gazette of the Republic of Macedonia, no. 130/18), Methodology on assessment of the regulation’s impact (Official Gazette of the Republic of Macedonia, no. 107/13 and 173/17), Methodology on assessment of the regulation’s implementation (Ministry of Information Society and Administration, 2013), Guidelines on the manner of action in the operation of the ministries in the process of implementing an assessment of the regulation’s impact (Official Gazette of the Republic of Macedonia, no. 106/13), Decision on the form and content of the Report on the assessment of the regulation’s impact (Official Gazette of the Republic of Macedonia, no. 106/13), Code of good practices for the participation of the civil sector in the policy-making process (Official Gazette of the Republic of Macedonia, no. 99/11, Rulebook on the organization of public consultations at the commencement of a legislative process.

65 Database. Secretariat for European Affairs. Retrieved from: <https://cutt.ly/RKKH4QL>.

activities provided for in the NPAA should be elaborated on in detail in the strategic plans of the ministries and other state administration bodies; that is, compliance with the two acts should be ensured.⁶⁶

The General Secretariat follows a monitoring and assessment framework according to which they plan and report their work on an annual basis. The strategic plan of the General Secretariat of the Government of the Republic of North Macedonia for the period 2022-2024 is aligned with the Budget of the Republic of North Macedonia.⁶⁷ However, until the end of the third quarter of 2023, the General Secretariat of the Government has not published a Report on the implementation of the Annual Work Plan of the Government for 2022.⁶⁸

Through the efficiency indicators, the executive power (the Government, ministries, and executive authorities) was assessed with 52.82% fulfilment of the indicators. Individually observed, the executive authorities in this category are at the bottom of the scale in terms of fulfilment of the efficiency indicators with 38.42%, the ministries have a higher ranking with 53.43% fulfilment of the indicators, and the Government has the highest position with 66.6% fulfilment of the efficiency indicators.

Regarding the use of performance indicators during planning, 62.5% of the ministries report that they apply them, and half of them (56.25%) also use performance indicators when preparing reports on their operation. The result is almost identical among the executive authorities; that is, 68.42% of the executive authorities' report that they use performance indicators in planning, but only 26.31% of them use performance indicators in the preparation of reports on their operation.

Furthermore, 62.5% of the ministries timely submitted a report on the implementation of the work program to the Government, and slightly less, 56.25% of them timely submitted an annual financial report for the current year. The fulfilment by the executive authorities is lower; that is, 36.84% timely submitted an annual report, and as many authorities submitted an annual financial report for the current year.

It remains necessary to enhance the institutional and human capacities for coordination of the medium-term planning process and connection with sector strategies, budgeting, and annual planning. In the end, the role of the General Secretariat as a central body for coordination and quality control remains insufficient.⁶⁹

3.3.4. Integrity

Corruption is one of the most corrosive problems today. Corruption leads to wrong public policies, wastes public resources unnecessarily, widens economic and social inequalities, creates discontent and political polarization, and reduces trust in institutions that should serve the public interest.

Traditional approaches, based on creating as many rules as possible, stricter compliance with legislation, and stricter enforcement, clearly have limited effectiveness. Many authors who research this topic have come to the conclusion that the strategic and sustainable response to corruption must be public integrity.⁷⁰

Integrity is an intersection of the values of individuals and the institution concerned, and as such, it is difficult to define and control it. However, in essence, integrity implies legal, independent, impartial, ethical, responsible, and transparent execution of works wherein the officials protect their reputation and the reputation of the institution in which they are either a responsible person or an employee; they eliminate risks and suspicions about the possibility of the emergence and development of corruption; and thereby ensure

66 Guidebook for Strategic Planning. Government of the Republic of North Macedonia. Retrieved from: <https://cutt.ly/LKKHC6r>.

67 Strategic Planning. Government of the Republic of North Macedonia. Retrieved from: <https://cutt.ly/PKKJffN>.

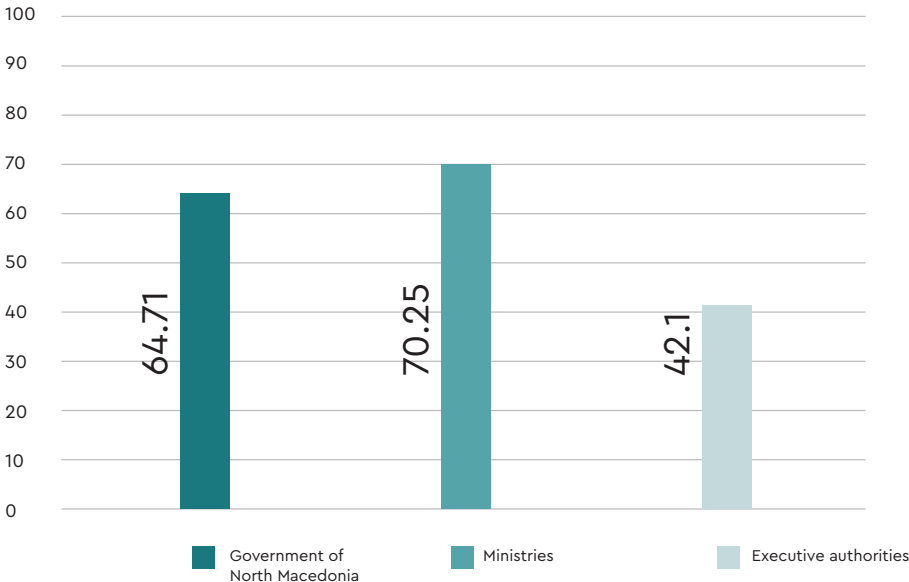
68 See on: <https://vlada.mk/strateshko-planiranje> Last accessed on 28.09.2023.

69 North Macedonia Report 2022 of the European Commission. European Commission. Retrieved from: <https://www.sep.gov.mk/post/?id=5657>.

70 Terms and Conditions, OECD. Retrieved from: <https://www.oecd.org/termsandconditions/>.

the confidence of citizens in the performance of public functions and in the operation of public institutions.⁷¹ From today's point of view, the country, for two consecutive years, has shown a trend of improving its position in the fight against corruption,⁷² but it remains important to create and impose a vision for a public integrity strategy, removing the focus from ad-hoc integrity policies, through an approach that is based on the culture of integrity. Since the conclusion is that in 2022, corruption will remain widespread in many areas, and it is a matter of concern.⁷³ That is why it is important to have mechanisms that will prevent cases of exposure to bribery and the use of personal connections, as well as widespread practices of nepotism, cronyism, and clientelism, that is, the abuse of political influence that occurs among the elites.⁷⁴ Some of these mechanisms include integrity policies, codes of ethics, whistleblower protection rules, mechanisms for the prevention of conflict of interest, regulation of lobbying, etc. Hence, in this subcategory, they are observed as manners through which the emergence of political influence, that is, the abuse of power, can be prevented and controlled.

INTEGRITY – % of fulfilment separately by groups of institutions



Through the integrity indicators, the executive power (the Government, ministries, and executive authorities) was assessed with 59.02% fulfilment of the indicators. Individually observed, the executive bodies in this category are at the bottom of the scale in terms of the fulfilment of the integrity indicators with 42.1%, the Government has a higher ranking with 64.71%, and the ministries have the highest position with 70.25% fulfilment of the integrity indicators.

The government was assessed for the existence and availability of policies affecting the prevention of corruption, building a system of integrity, the rules for the publication of asset declarations by elected and

71 Integrity policy of state authorities. State Commission for Prevention of Corruption. Retrieved from: <https://cutt.ly/JKKFc86>.
 72 Corruption Perception Index for 2021 and 2022, "Transparency International". Retrieved from: <https://cutt.ly/hKKJVPD> and <https://transparency.mk/?s=%D0%98%D0%BD%D0%B4%D0%B5%D0%BA%D1%81+%D0%BD%D0%B0+%D0%BF%D0%B5%D1%80%D1%86%D0%B5%D0%BF%D1%86%D0%B8%D1%98%D0%B0+%D0%BD%D0%B0+%D0%BA%D0%BE%D1%80%D1%83%D0%BF%D1%86%D0%B8%D1%98%D0%B0%D1%82%D0%B0+%28%D0%98%D0%9F%D0%9A%29+%D0%B7%D0%B0+2022>.
 73 North Macedonia Report 2022 of the European Commission. European Commission. Pg. 19. Retrieved from: <https://www.sep.gov.mk/post/?id=5657>.
 74 Anti-corruption efforts in North Macedonia: strategies for building constructive engagement. "Open Society" Foundation of Macedonia, 2020. Retrieved from: <https://cutt.ly/6KKKjBW>.

appointed officials to submit data on their property status,⁷⁵ and the rules for the protection of whistleblowers. Compared to last year (84.6%), a decline can be observed in the Government's fulfilment of the index points in this subcategory, which amounts to 64.71%. The Code for Administrative Officials and the Code of Ethics for Government members and Government-appointed public office holders, have been published on the Government's website,⁷⁶ and a special section with information on the protection of whistleblowers has been established.⁷⁷ It is also positive that the Government has adopted an integrity policy that is also publicly available.⁷⁸ However, it received negative index points because it did not publish an Annual Report on the implementation of the integrity policy and because of the absence of educational activities for officials on topics such as conflict of interest, prevention of corruption, and protection of whistleblowers. It can be concluded that a stronger implementation⁷⁹ of the policies is required in order to be able to assess their efficiency, which will be felt by the citizens for whom corruption is the biggest problem.⁸⁰

Regarding the achievements of the ministries, all of them have information about the protection of whistleblowers on the websites, except for the Ministry of Political System and Inter-Community Relations, and 7 report that the officials participated in educational activities on topics such as prevention of corruption, conflict of interest, and protection of whistleblowers in 2022. This year, 87.5% of the ministries have published an integrity policy on their websites; that is, this was completed by other ministries as well, in addition to the Ministry of Foreign Affairs and the Ministry of Political System and Inter-Community Relations. Among the executive authorities, the fulfilment of the indicators in this subcategory is significantly lower, with a fulfilment of 41.1% of the indicators. Namely, 84.2% of the executive authorities have information on their websites about the protection of whistleblowers, but only two institutions (10.5%) reported that the officials participated in educational activities on topics such as prevention of corruption, conflict of interest, and protection of whistleblowers in 2022. Furthermore, 68.42% of the executive authorities' report that they have internal integrity policies. These data show that, despite the available legal framework, it is necessary to work on its enhanced implementation. The development of a merit-based public and professional service will increase the accountability and prevent politicization, thus significantly reducing the risk of conflict of interest and corruption.

The percentage of fulfilment of the indicator by the ministries (6.25 %) and the executive authorities (5%) is very low in terms of the preparation and publication of reports on the implementation of integrity policies and/or any other internal anti-corruption policy that provides measures for the prevention and elimination of various forms of corrupt and unethical behaviour in the institution. Of the ministries, only the Ministry of Defence⁸¹ has published a report on the implementation of the Integrity Plan for 2022, and of the executive bodies that were observed, the Geological Institute of the Republic of North Macedonia has completed this.

In terms of lobbying as part of the framework wherewith it is regulated, there is partial progress in the observed year, considering that a new Law on Lobbying was adopted and the DCSC⁸² adopted internal acts to prepare the entry into force of the law in June 2022 in order to prevent the illegitimate influence on public policies and processes and possible corruptive effects.

75 The data from the asset declarations of the elected and appointed officials. State Commission for Prevention of Corruption. Retrieved from: https://www.dksk.org.mk/imoti_2/.

76 Code. Government of the Republic of North Macedonia. Retrieved from: <https://vlada.mk/kodeks>

77 Protection of whistleblowers. Government of the Republic of North Macedonia. Retrieved from: <https://vlada.mk/ukazuvaci>.

78 Integrity policy of the General Secretariat of the Government of the Republic of North Macedonia. State Commission for Prevention of Corruption. Retrieved from: <https://cutt.ly/OKKK6WK>

79 GRECO 2021, Fifth Evaluation Round Compliance Report on North Macedonia - Preventing Corruption and Promoting Integrity in the Central Government (Top Executive Functions and Law Enforcement). Retrieved from: <https://cutt.ly/JKKLvwe>

80 Corruption Assessment Report, Macedonian Center for International Cooperation. 2021 Retrieved from: <https://cutt.ly/pKKLEZe>

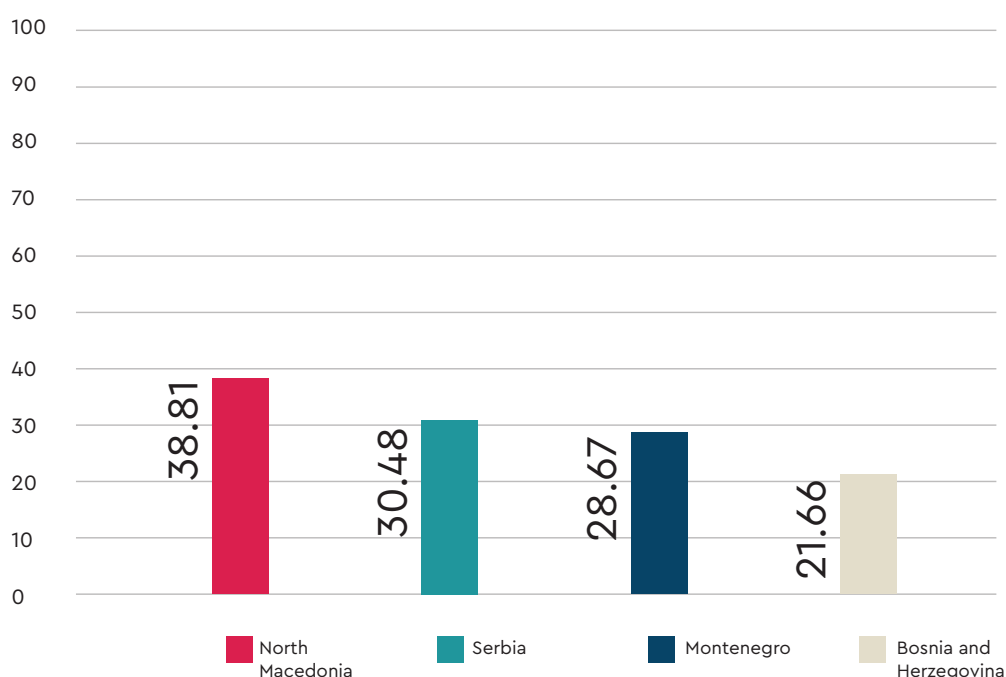
81 Strategic documents. Ministry of Defence. Retrieved from: <https://mod.gov.mk/storage/2023/01/Plan-za-integritet-sestmesecen-izvestaj-Juli-Dekemvri-2022.pdf>

82 Lobbying. State Commission for Prevention of Corruption. Retrieved from: <https://cutt.ly/xKKZlnb>

3.3.5. Open data

Open data is observed in this research as a common pillar of good governance by assessing the degree of openness of all documents and data reviewed through the Openness Index. The regional index shows the best results for North Macedonia, although it has a modest 38.81% fulfilment of the indicators (individually, the Government fulfils 46.36%, the executive authorities fulfil 41.01%, and the ministries fulfil 35.09% of the open data indicators).

Open data –results with % of fulfilment of the indicators in the Western Balkan countries



At the level of policies, one can say that an agreement has been reached between the political actors on the importance of e-governance, and this is observable in the numerous activities undertaken to that end.⁸³ As part of the so-called “Digital Agenda for Europe”, North Macedonia continued to implement the priorities set in the National Broadband Strategy, 2019-2023, and in the National Cybersecurity Strategy, 2018-2022.⁸⁴ Modern and efficient public administration, based on digitization, which provides quality and fast services for citizens and business entities, is part of the strategic priorities of the Government of the Republic of North Macedonia and part of the Government’s Program for 2022, and several projects as well as the initiation of appropriate legal solutions have been planned within it. The need for digitization is also recognized in the Public Administration Reform Strategy (2023-2030)⁸⁵ and the action plan, and the unimplemented measures and activities from the Open Data Strategy, 2018-2020⁸⁶

83 North Macedonia “Digital Agenda Observatory”, June 2022. Metamorphosis Foundation, available at https://metamorphosis.org.mk/aktivnosti_arhiva/opservatorija-za-digitalnata-agenda-izveshtaj-za-tekovnata-sostojba-i-patokaz-za-unapreduvanje-na-digitalnata-agenda-vo-severna-makedonija-2022/

84 Report on North Macedonia. October, 2021. European Commission. Available at <https://www.sep.gov.mk/post/?id=5657>

85 Public Administration Reform Strategy (2023-2030). Available at https://ener.gov.mk/PublicDocuments/Nacrt%20tekst%20na%20strategieta%20za%20RJA%202023-2030_Nacrt_id=47_version=1.pdf

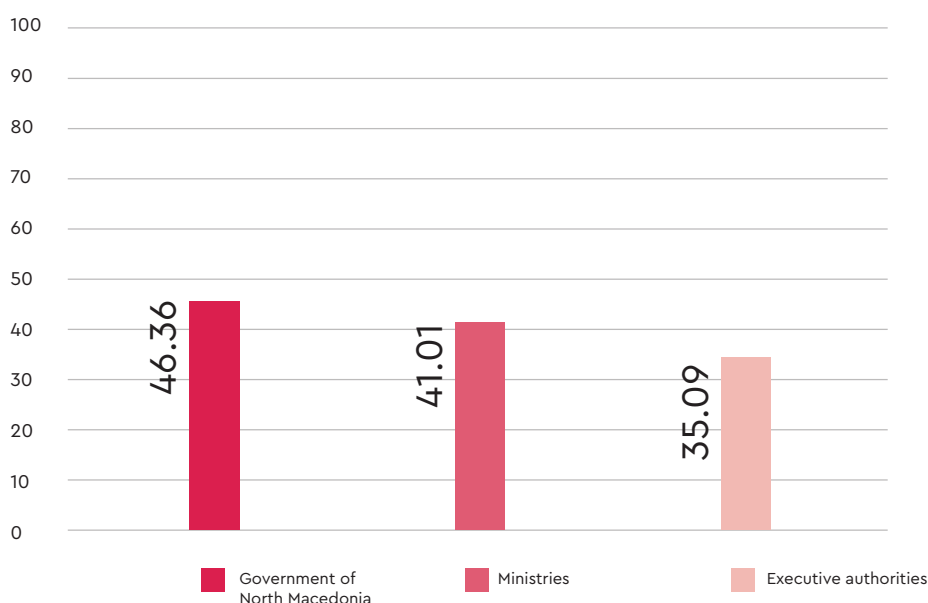
86 Open Data Strategy (2018 – 2020) and Action Plan. Ministry of Information Society and Administration. Retrieved from: <https://cutt.ly/jkkZPYr>

are incorporated in the Draft Transparency Strategy of the Government (2023-2026) and the action plan.⁸⁷ In the Open Government Partnership National Action Plan (2021 – 2023), all commitments are intertwined with measures to increase the data sets in an open format.

The majority of institutions (83%) report that they do not have trained staff for the use and publication of open data, and it is evident that the civil society plays a key role in the development of public sector capacities in this field. In 2022, Metamorphosis conducted training on open data for representatives of ministries and bodies.

Out of a total of 36 institutions that make up the sample of institutions that were monitored by our research, only five ministries (the Ministry of Information Society and Administration, the Ministry of Internal Affairs, the Ministry of Environment and Physical Planning, the Ministry of Agriculture, Forestry and Water Economy, and the Ministry of Justice) and one executive body (the Bureau for Public Security) reported that officials from their institutions had educational activities/workshops/trainings on open data in 2022.

Open data – separately by groups of institutions



Moreover, Metamorphosis continuously trains institutions to open their data sets. Continuing its cooperation with the state institutions, in 2022, mentoring support was provided to 4 institutions in the process of cataloging and publishing their datasets. The four institutions (the Employment Agency, the Personal Data Protection Agency, the Pension and Disability Insurance Fund, and the Ministry of Environment and Physical Planning) adopted open data procedures, catalogued, and prioritized the data sets from the catalogue. In addition, in 2022, Metamorphosis organized the first international open data conference in the Balkans, which was attended by numerous experts and practitioners from the country, the region, and Europe.

⁸⁷ Draft Transparency Strategy of the Government (2023-2026). Available at <https://ener.gov.mk/Default.aspx?item=newdocumentdetails&detailid=64>

Ranking list of institutions with degree of fulfilment of the open data indicators

Government and Ministries of the Republic of North Macedonia		% of fulfilment of open data indicators
1.	Ministry of Defence	58.03%
2.	Government of the Republic of North Macedonia	46.36%
3.	Ministry of Finance	42.9%
4.	Ministry of Internal Affairs	40.7%
Below the average of 40.67% of the Government and the ministries		
5.	Ministry of Labour and Social Policy	39.6%
6.	Ministry of Information Society and Administration	38.5%
7.	Ministry of Environment and Physical Planning	37.4%
8.	Ministry of Health	37.4%
9.	Ministry of Education and Science	37.4%
10.	Ministry of Local Self-Government	36.81 %
11.	Ministry of Culture	34.1%
12.	Ministry of Agriculture, Forestry and Water Economy	31.9%
13.	Ministry of Foreign Affairs	30.8%
14.	Ministry of Economy	27.5%
15.	Ministry of Justice	26.4%
16.	Ministry of Transport and Communications	23.1%
17.	Ministry of Political System and Inter-Community Relations	19.04%

Executive authorities		% of fulfilment of open data indicators
1.	Bureau for Regional Development	52.8%
2.	State Sanitary and Health Inspectorate	50.16%
3.	Bureau for Public Security	47.52%
4.	State Inspectorate for Construction and Urbanism	47.52%
5.	State Market Inspectorate	47.52%
6.	State Educational Inspectorate	44.88%
7.	Geological Institute of the Republic of North Macedonia	44.88%
8.	State Forestry and Hunting Inspectorate	44%
9.	State Statistical Office	42.24%
Below the average of 41.29% of the executive AUTHORITIES		
11.	State Environmental Inspectorate	39.6%
12.	Public Procurement Bureau	39.6%
13.	Bureau for Forensic Expertise	39.6%
14.	State Archive of the Republic of North Macedonia	39.6%
15.	Administration for the Execution of Sanctions	39.6%
16.	Agency for Emigration of the Republic of North Macedonia	34.32%
17.	State Inspectorate for Technical Inspection	34.32%
18.	Public Revenue Office	34.32%
19.	Financial Police Office	30.36%
20.	Secretariat for European Affairs	26.4%

4. RECOMMENDATIONS FOR THE EXECUTIVE POWER IN THE REPUBLIC OF NORTH MACEDONIA

TRANSPARENCY

- All executive authorities must have a separate section on their website in order to enable active transparency, direct interaction with the public, and accountability. Functional search engines should be enabled on all websites of the executive authorities.
- The institutions need to introduce internal procedures that will advance the process of reactive, but also active, transparency, with established deadlines and responsible persons for sharing and updating information on the websites.
- The institutions must publish annual work programs and regularly publish reports on their operation, as well as to increase the frequency of the preparation and publication of quarterly or semi-annual reports.
- The government should publish the documents that are being reviewed and discussed during the sessions, as well as the transcripts of the meetings. On the other hand, audio and/or video transmission of the sessions that would provide direct access to the public to follow the decision-making of policies that directly affect them would be an additional good practice to consider.
- The government should conduct consultations with the public when planning the budget, and it should publish information on its website about the spending of the budget reserves.
- The government should submit the draft Law on the Budget to the Assembly at least three months before the end of the fiscal year to ensure sufficient time for an effective review.
- The institutions must regularly publish their own budget plans and annual and semi-annual financial reports.
- To regulate the possibility for the officials who carry out public procurements to be obliged to fill out a declaration on conflict of interest and to submit asset declarations.
- To publish the real owners of the bidders and the companies that respond to calls for public procurement and of those that have entered into an agreement with the institutions in the public procurement procedure. A register of the real owners needs to be established.
- The institutions need to connect the data related to public procurements (with a link), which are part of the Electronic Public Procurement System, with their own websites.
- The institutions should take specific measures to standardize public procurement.

ACCESSIBILITY

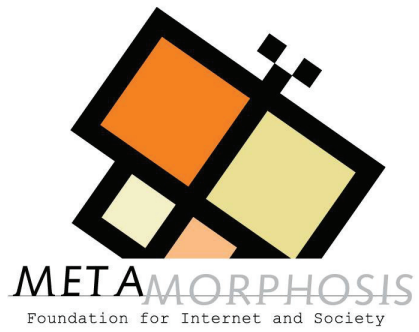
- The institutions should publish on their website the answers wherewith they provided access to information upon a submitted request (from reactive to active access), which would reduce the repetition of obtained requests received in writing for the same information.
- The institutions need to proactively publish the set of documents, data, and information set out in Article 10 of the Law on Free Access to Public Information, which will increase active transparency. The Guidelines for Improving Transparency of Public Sector Institutions need to be applied.
- To reduce the maximum deadline for a response to requests for free access to public information from 20 to 15 days, considering that this is a reasonable waiting period according to international standards and established regional practice.
- The executive authorities need to introduce a special space (section) on the websites dedicated to the procedure with requests for free access to information.
- The officials need to be regularly trained on international and domestic standards for improving access to information, which will affect the increase in the rate of responses and the quality of the responses to requests.
- The institutions should introduce direct channels for online communication on the websites in order to facilitate the interaction with the citizens. The channels should provide an opportunity for the citizens to submit petitions or proposals.
- The websites should provide clear instructions and promote available complaint mechanisms.
- The institutions, in parallel with the improvement of the websites, need to improve their presence on social media by regularly publishing service information for the public and focusing on raising awareness of rights, processes and mechanisms that are not so well known among the wider public.
- The institutions, especially the executive authorities, should publish lists of the services they offer on their website and place a link to the portal www.uslugi.gov.mk in a visible position. In addition, the institutions should increase the promotion of the portal www.uslugi.gov.mk on social media.
- Policy-making processes should be planned in advance and therefore need to be predictable; that is, the annual plans for stakeholder consultations should be published on the websites. In addition, these plans should be timely shared and distributed to the stakeholders, and they should be promoted so that the public can know the timeline to plan and prepare for the upcoming policy-making processes. Timely and effective communication with the public about public consultation processes is of the utmost importance in obtaining substantive input from stakeholders.
- The institutions should establish a special section on their websites with the necessary information for announcing the policy-making processes and a direct link to the Single National Electronic Registry of Regulations.
- It is necessary to establish quality control over public consultations. In order to ensure trust in the consultation process and encourage participation, institutions should provide feedback from the consultations; that is, they should create minutes from the consultation processes as a follow-up activity with explanations for why some proposals were not accepted.

EFFICIENCY

- The institutions should use performance indicators in planning and in the preparation of reports on their operations.
- It is necessary to implement the role of the General Secretariat for quality control and monitoring of the implementation of the existing policies.
- The government must reduce the trend of the number of draft laws that are proposed during a summary proceeding, especially before an election period, to make sure that their quality is not jeopardized and/or reduce the participation of the stakeholders in the consultations.
- The government must avoid policy changes without evidence that the proposed changes will provide significant improvement. Commitment and establishment of a practice for conducting ex ante and ex post analyses are required.
- All institutions should improve the consistent use of data for administrative purposes and base their planning and reporting thereon.

INTEGRITY

- The institutions should work rapidly on the preparation of the integrity policy that is expected to be published on their websites and should devote themselves to the preparation and publication of reports on the implementation of the integrity policies.
- The institutions should significantly increase the frequency of educational activities for officials on topics such as conflict of interest, prevention of corruption, and protection of whistleblowers.
- It is necessary to improve the system for monitoring the property status of elected and appointed persons. Furthermore, improvement of the format in which asset declarations are published in an open format is needed. Strengthening the competences of the State Commission for Prevention of Corruption to enable public availability of asset declarations even after the end of the period in which the office is performed.
- It is necessary to strengthen the monitoring and reporting instruments regarding the legal and political framework in this field, in order to generate data on its implementation and increase the confidence in the system.



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