



EVALUATION OF

**GOOD GOVERNANCE IN THE UNITS OF
LOCAL SELF-GOVERNMENT IN
THE REPUBLIC OF NORTH MACEDONIA
THROUGH THE OPENNESS INDEX**

MEASUREMENT FOR 2020





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INDEX - MEASUREMENT FOR 2020

Skopje, November 2020



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1. INTRODUCTION

The Metamorphosis Foundation, with the support of USAID's Civic Engagement Project, evaluated the state of good governance of the local self-government units in the Republic of North Macedonia.

The evaluation is the result of a survey based on the Openness Index, which aims to determine the extent to which the principles of good governance are respected.

The Openness Index is a methodology for evaluating the performance of institutions, which was developed in cooperation with the partners of the regional network of civil society organizations „ACTION SEE“ in 2016 and since then has served as a tool for assessing the openness of institutions in the country.

This report provides an analysis of the work of the local self-government units in the Republic of North Macedonia in terms of the principles of transparency, accessibility, awareness and integrity. Based on the assessment, recommendations are given for improving the work of the local self-government units in the areas covered by the research.

The findings and recommendations from the conducted research will be presented to the representatives of the municipalities covered by the research as well as to the general public through social media and public events.

2. METHODOLOGY

The Openness Index evaluates local government performance in the area of good governance by focusing on four principles: (1) accessibility, (2) accountability, (3) integrity, and (4) transparency with a common domain present in all four principles - open data.

Accessibility evaluates 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 involvement and consultation in policy-making processes. **Awareness** considers the commitment of institutions to learn from ongoing processes and improve them through established systems for monitoring, evaluation and learning using key points/indicators during strategic planning and reporting. **Transparency** assesses the public availability of organizational information, budget and public procurement procedures, while **integrity** assesses the presence of mechanisms for prevention of conflict of interest, lobbying regulation, and the availability of a code of ethics to guide and sanction the conduct of civil servants and public administration. Each principle of the Index consists of areas and indicators measured according to an appropriate value within the principle.

The methodology was developed in consultation with many credible resources, highlighting international best practices and standards for good governance, such as the World Bank, the Organization for Economic Co-operation and Development, the Open Government Guide, the Global Integrity Report, and Worldwide Governance Indicators developed by the World Bank.

The research was conducted by the Metamorphosis Foundation, and in the process of conducting the research were involved 8 local civil society organizations: Agtis - Prilep, Center for Intercultural Dialogue - Kumanovo, Foundation for Local Community Development - Štip, Center for Social Innovation Blink 42- 21 - Skopje, Multikultura - Tetovo, Sky Plus - Strumica, Local Development Agency - Struga and Quantum Prima - Kavadarci.

This research covered 17 municipalities from the 8 regions of the Republic of North Macedonia.

Table 1: Municipalities monitored by the Openness Index

REGION	MUNICIPALITY
POLOG REGION	Tetovo Želino
VARDAR REGION	Kavadarci Rosoman
PELAGONIJA REGION	Prilep Dolneni
SOUTHEAST REGION	Strumica Vasilevo
NORTHEAST REGION	Kumanovo Lipkovo
SKOPJE REGION	Aerodrom Gjorče Petrov City of Skopje
EASTERN REGION	Štip Zrnovci
SOUTHWEST REGION	Ohrid Vevčani

The research was conducted between January 2020 and April 2020. The research methods are the following: (1) monitoring the websites of the targeted municipalities according to a series of indicators, (2) a questionnaire submitted to the institutions to confirm the findings obtained from the online monitoring, (3) a request for access to public information sent to each municipality to assess the degree of fulfillment of this basic right by each of the municipalities, as well as (4) review of the legislative framework.

The measurement error is +/- 3%. Based on the results of the research, we analyzed with key critical points and problems in the field of openness of the municipalities, which we hope will be used to improve their work.

Out of the 17 monitored municipalities, only 7 answered the questionnaire (or 41%).

It is important to note that in the cases when the municipalities did not submit answered questionnaires, a score of 0 was given for the indicators, i.e. it was evaluated as indicators that have not been met. Namely, out of 17 targeted municipalities, 7 (41%) answered the questionnaire, while the remaining 10 (59%) automatically receive 0 for the respective indicators. Considering that the data requested in the questionnaire are public information, this data is an indication of a low level of openness of the municipalities. Failure to respond to a request received from an individual citizen, civil society organization or another user must not be a practice of the local self-government units (LSGUs). This undermines the citizens' trust in the local self-government and affects the image of the municipality.

As part of the process, consultative meetings were organized with representatives of municipalities and representatives of civil society organizations to get acquainted with the preliminary results of municipal monitoring and develop a discussion on the results, where municipality representatives had the opportunity to give their opinions, suggestions and comments.

3. OPENNESS OF THE LOCAL GOVERNMENT INSTITUTIONS IN THE REPUBLIC OF NORTH MACEDONIA

3.1. THE STATE OF GOOD GOVERNANCE IN THE LOCAL GOVERNMENT INSTITUTIONS IN NORTH MACEDONIA

Decentralization is a complex process whose ultimate goal is to improve the lives of citizens through the delivery of better services at the local level.

The right to local self-government is defined in the Constitution of the Republic of North Macedonia and local self-government is defined as one of the fundamental values of the constitutional order of our country. The system of local self-government in the Republic of North Macedonia is built on the principles of the European Charter of Local Self-Government and good international practices.

The 2002 Law on Local Self-Government increased the authority of the elected local representatives and greatly increased the competencies of the municipalities. Following the adoption of the law, the Operational Program for Decentralization of Government for 2003-2004 was adopted, which defined the time frame for the adoption of the necessary legislation, including the three key laws adopted in 2004 that promoted the development of the decentralization system: Law on Financing of the Units of Local Self-Government, the Law on Territorial Organization of the Local Self-Government and the Law on the City of Skopje.

According to the Law on Territorial Organization of Local Self-Government, local self-government is territorially organized in 80 municipalities and the City of Skopje, as a separate unit of local self-government. Forty-three units of local self-government, including the ten in the city of Skopje, as a separate unit of local self-government, are based in the city, and thirty-seven are based in the village. According to our Constitution, the units of local self-government, i.e. the municipalities, are equal in their rights and duties, regardless of their urban or rural character, level of development, spatial and demographic size and other differences and specifics.

The decentralization process is a long process that requires commitment from many stakeholders. In this regard, the European Commission 2020 Report on the Progress of the Republic of North Macedonia¹ notes that “The country has been committed to decentralization since the signature of the Ohrid Framework Agreement in 2001. In 2019, municipalities had improved their financial management and collection of local taxes. The government initiated, in partnership with municipalities and the Association of the Units of Local Self-Government (ZELS), a process to reform the legislation on the local self-government system, to grant municipalities additional powers and financial resources.”

The Work Program of the Government of RNM² states that „The Government will continue the second phase of institutional decentralization which should provide the best services to the citizens following the European Charter on Local Self-Government. To overcome the weaknesses of the first phase of decentralization, we will increase the block grants to cover all the real needs of the local institution.“ The new mandate envisages that „the Government of the Republic of North Macedonia will continue the decentralization process. In this process, we see additional democratization of society, more efficient and economical provision and delivery of services, but also enhanced local development. The meaning is to transfer the competencies to the level of management (government) that is closest to the citizens, which can perform them most effectively, with adequate financial resources and guaranteed involvement of the citizens in decision making. We continue with the policies for the development of the municipalities, i.e. fiscal decentralization and balanced regional development to strengthen the financial resources of the municipalities, but also to increase the responsibility and transparency of their work.“

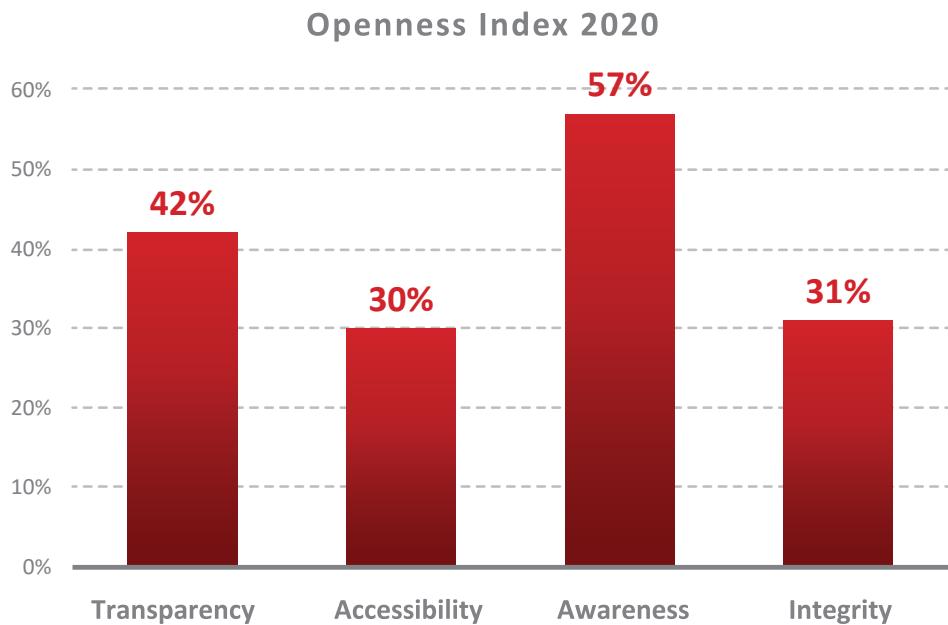
Modern local self-governments are based on competent governance in municipalities. Acceptance of the standards for good governance in the functioning of the local self-government includes the development of a new open organizational culture that puts the citizen at the center of all activities and works on efficient and effective fulfilment of their needs and interests.

The principles of openness contained in the Openness Index are covered in several laws, bylaws and guidelines that aim to improve the openness of local government institutions and improve the quality of life of citizens. Of particular importance for improving the openness in the LSGU is the new Law on Free Access to Public Information, adopted by the Assembly in May 2019, which provides a basis for self-promotion of proactive and reactive transparency. In this regard, the legal framework for fighting corruption and promoting a culture of integrity should be mentioned, which includes the Law on Prevention of Corruption and Conflict of Interest, the Law on Lobbying and the Law on Whistle-Blower Protection.

¹ north_macedonia_report_2020.pdf (europa.eu)

² https://vlada.mk/sites/default/files/dokumenti/programa-na-vlada-agenda2024-finalno_programa_1.pdf

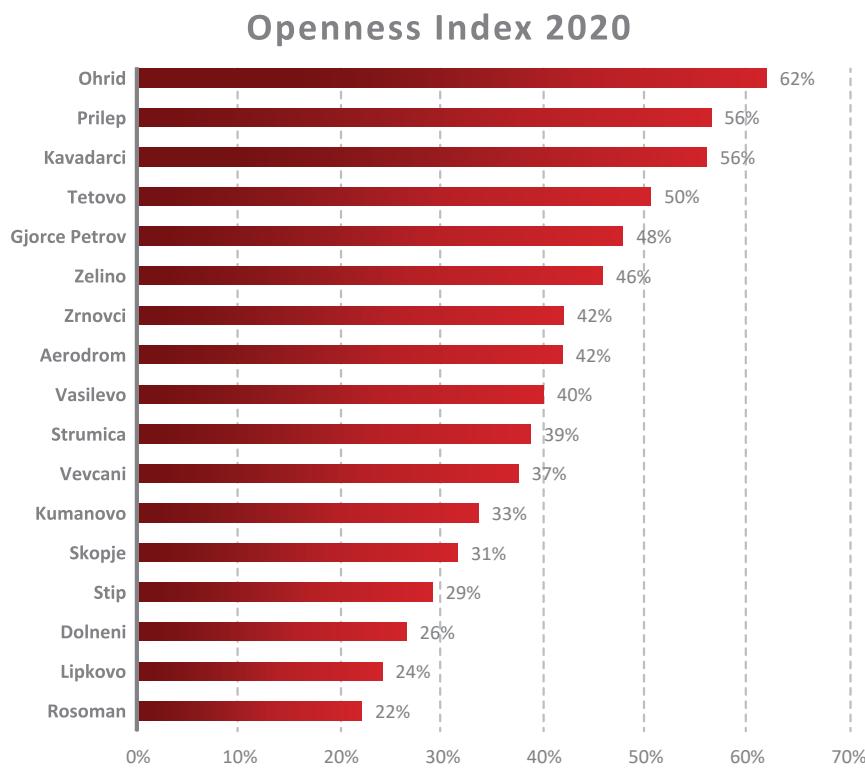
Graph 1. Openness of LSGUs according to the Openness Index principles



The survey through the Openness Index shows that the total score of the local government reaches 40%, with the highest score for the indicators for the principle of awareness- 57%, and the lowest score for the principle of accessibility - 30%. This average score shows a low level of commitment of municipalities to meet the principles of openness. The low scores of the municipalities for the indicators in the areas of public consultation and access to information require significant efforts for greater involvement and participation of the citizens in the decision-making process at the local level and increasing the access to information as one of the ways to reduce corruption. The measurement for 2020 from the Openness Index shows insufficient openness of the local government.

According to the Openness Index, in the measurement for 2020, the best results are shown by the Municipalities of Ohrid (62%), Prilep (56%) and Kavadarci (56%), while the lowest results are from the Municipality of Rosoman (22%).

Graph 2. Openness of LSGUs according to the Openness Index



The consultative meetings held with the representatives of the municipalities and the representatives of the civil society organizations generally confirmed the findings from the monitoring of the municipalities within the Openness Index. Some of the participants stated that in some of the indicators the real situation does not reflect the high results of some of the municipalities. This indicates that LSGUs should not only focus on fulfilling their legal obligations but should also pay attention to the impact that policies and activities have on the daily lives of citizens.

There is an overview of the LSGU's results in each principle, as well as an overview of the areas within the principles. In addition to the results, the good examples that stand out are also given.

3.2. TRANSPARENCY (ORGANIZATIONAL INFORMATION, BUDGET AND PUBLIC PROCUREMENT PROCEDURES)

„Transparency“ assesses the availability of information and efficient systems

Good governance in local self-government units should be based on transparent and accountable operations. For citizens to be able to participate in the creation and implementation of policies at the local level, they must be informed about the work of the municipalities.

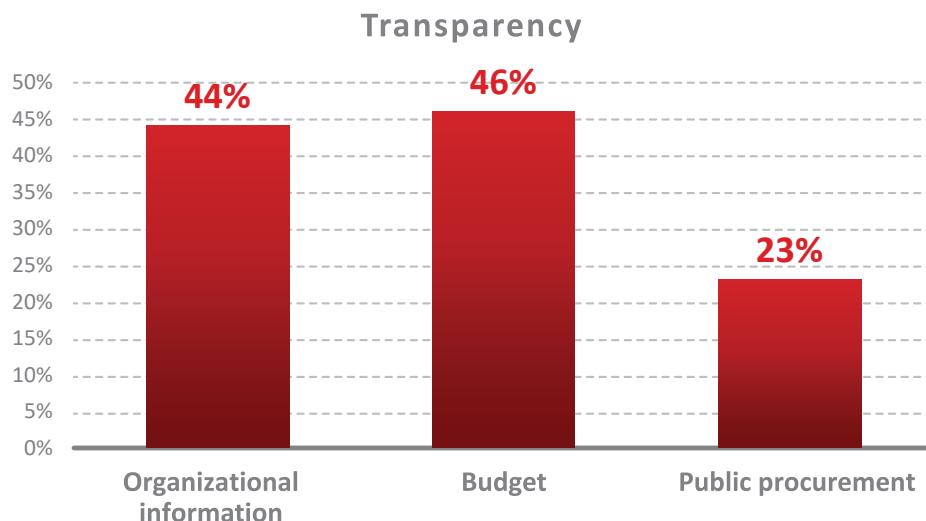
The transparent and accountable operation of the municipalities is regulated by several laws such as the Law on Local Self-Government, the Law on Free Access to Public Information, the Law on Utilization of Public Sector Data and several substantive laws. In addition to the legal framework, the civil society sector has prepared E-Transparency Standards for the Local Self-Government³ that define the standards for e-transparency or the information and data that local self-government units (LSGUs) should publish on their websites in narrative form as well as in the form of open data.

Introducing transparency mechanisms is much easier in today's modern digital age. Publishing and accessing the information on municipal operations, budgets, public procurement, employment decisions or public procurement via the Internet strengthens external control and oversight by CSOs, experts and the general public. Local governments should proactively publish as much information as possible on municipal websites as they are now the main source of information on the quality of governance.

The research showed that all 17 municipalities have active websites that are regularly updated. Given that most of the indicators of the Openness Index refer to the websites as a source, this aspect is a significant part of their overall result.

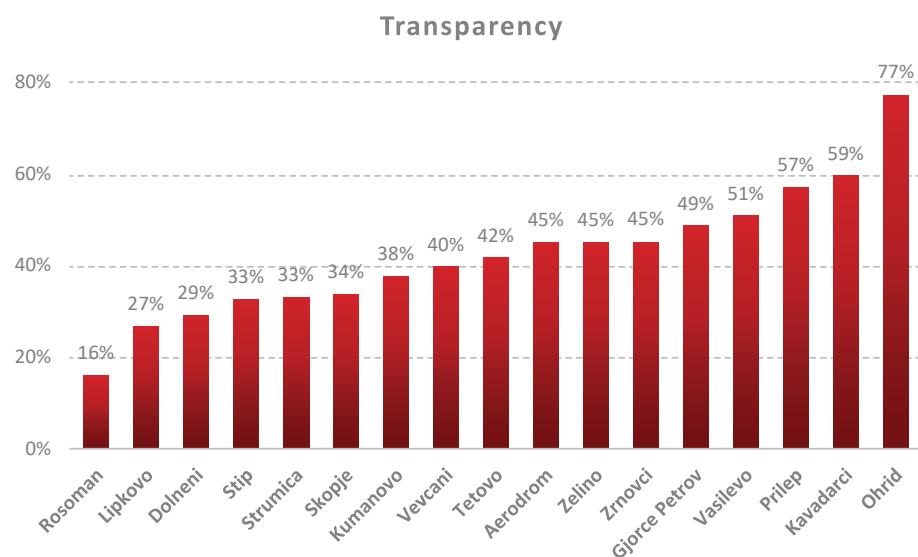
³ https://cup.org.mk/publication/Standardi%20za%20e-transparentnost_MK.pdf

Graph 3. Transparency of LSGU according to the three areas



The research showed that LSGUs meet 42% of the indicators covered by the principle of transparency. This result is an indication that the transparency of the LSGUs is still not at a satisfactory level. **Municipalities need to make additional efforts to increase the overall transparency of their operations and in particular the publication of public procurement data..**

Graph 4. Transparency of LSGU



In terms of transparency, best results had the Municipality of Ohrid (77%), and the lowest results were recorded by the Municipality of Rosoman (16%).

The participants in the consultative meetings pointed out the importance of internal communication in the municipality for increasing transparency. Namely, the inadequate internal communication in the municipalities causes the citizens to remain uninformed about important issues of local importance, which results in a lack of trust in the institutions. Because of this, LSGUs need to improve internal communication to increase transparency.

The participants also stressed that transparency and efficiency of LSGUs should be high on their agenda. Mayors should be involved in increasing transparency by raising the importance of free access to public information.

3.2.1. Organizational information

Nowadays, citizens are increasingly using the Internet as a way to inform about the work of state institutions. The publication of information by municipalities on their websites provides easier access to information on the functioning of the municipalities within their competencies but also simplifies the communication with the citizens to fulfill their rights and obligations.

The research showed that the **LSGUs should improve the quality of the websites in terms of the content published on the websites of the municipalities and their organization for the different types of users to easily find the necessary information.** In general, LSGUs have functional websites and update them promptly. Out of the 17 municipalities, only 4 municipalities (Dolneni, Vevčani, Zrnovci and Štip) do not have functional search tools on their websites. All municipalities publish biographies of mayors, and most of them publish organizational charts (except Strumica and Dolneni) and statutes (except Lipkovo, Strumica and Rosoman).

According to the legal framework in our country, LSGUs have obligations for collecting a large number of data and keeping records. If these data are not covered by the Law on Personal Data Protection, they should be published on the websites of the municipalities.

The websites of most municipalities (14) have published at least one decision of the mayor made in the last 3 months, which shows that most municipalities publish timely data on their websites. LSGUs generally publish the decisions made at the sessions of the Council on their websites, except for the municipalities of Kumanovo, Lipkovo, Rosoman and Tetovo. Most municipalities (11) publish strategies on their websites and data on municipal administration employees.

Many municipalities do not publish the annual work program of the municipality (14 municipalities) and the annual work program of the Municipal Council (11 municipalities) and quarterly or semi-annual reports on the implementation of these programs. Positive examples are the municipalities of Ohrid, Prilep and Vasilevo which publish the annual work programs of the municipality and the Council, while Dolneni, Gjorče Petrov and Vevčani publish only the annual work program of the Council on their websites. Kavadarci and Ohrid are the only municipalities that publish quarterly or semi-annual reports on the implementation of the annual work programs of the municipality and the Council.

What is especially noteworthy is the low level of published information and data on the work of the Municipal Councils. Namely, on most of the websites of the LSGUs, there is no data on the agendas for the sessions of the Council, no press releases from the meetings of the Council, no reports on the work of the Council, no minutes from the sessions of the Council, and there is no video/audio recordings from the sessions of the Council (only Kumanovo and Strumica have video/audio recordings from the sessions of the Council).

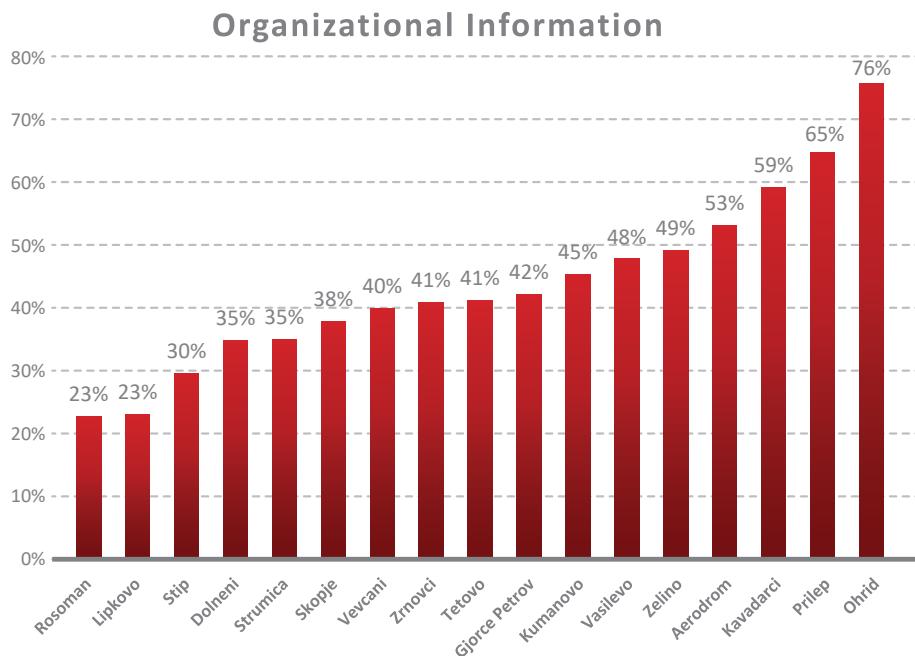
The Rules of Procedure of the Council have been published on the websites of 10 municipalities, while this document cannot be found on the websites of the municipalities of Gjorče Petrov, Kavadarci, Lipkovo, Prilep, Rosoman, Strumica and Štip.

Most municipalities (13) have not published reports on their work on the website, except for the municipalities of Ohrid, Prilep, Želino and Zrnovci. No information on the salaries of public servants has been published in any municipality. Most LSGUs (15) do not publish a single register of municipal property on the website, only the municipalities of Vevčani and Zrnovci have published this register. Also, on the websites of 13 municipalities no information can be found on the property for sale/rent by the municipality, and in only 4 municipalities, Ohrid, Kavadarci, Zrnovci and Prilep this information has been published. 10 municipalities do not publish the names of the presidents of the local communities with contacts on their website.

In general, the municipalities (14) do not provide information on the websites about the shares in the public enterprises owned by the municipality. Positive examples are the municipalities of Prilep, Tetovo and Kavadarci that publish such data.

Most municipalities (12) do not have a document (strategy, policy, procedure, etc.) that deals with its openness and transparency, and positive examples in this regard are the municipalities of Aerodrom, Gjorče Petrov, Prilep, Strumica and Želino which have such a document.

Graph 5. Fulfillment of the indicators in the field of organizational information by the LSGUs



In terms of organizational information, the research showed that the municipality of Ohrid has the best results (76%), and the municipalities of Rosoman (23%) and Lipkovo (23%) have the lowest results.

It can be concluded that the municipalities publish limited information about their operation on the websites. LSGUs should work on publishing all data and records that are their responsibility as well as those additional data that are of interest to the citizens.

3.2.2. Budget (financial operations)

Disclosure of budget information and spending of public money contributes to reducing corruption, as well as ensuring effective citizen participation in the budgeting process.

The legal framework that regulates the financial operations at the local level is composed of many laws that impose numerous obligations on LSGUs: the Law on Budgets, the Law on Execution of Budgets of the Republic of Macedonia, the Law on Local Self-Government, the Law on Financing of Local Self-Government Units, the Law on Public Internal Financial Control, the Law on Accounting on the Budget and the Budget Users and others.

The research showed that all municipalities, except the municipality of Strumica, have published the municipal budget on their website. This indicates that municipalities are taking steps to improve budget transparency, but publishing the budget alone is not enough. LSGUs must practice participatory budgeting, which enables citizens to be involved in the process of budget preparation and financial planning. Thus, citizens can be part of the most important part of policymaking at the local level. This is not a practice in all municipalities. Namely, 7 LSGUs did not hold public consultations on the last draft budget, 14 municipalities did not publish a report on a public consultation on the draft budget, and only 5 municipalities (Prilep, Ohrid, Gjorče Petrov, Vevčani and Želino) published the call for participation in public consultations for the budget on their website.

Managing public finances in a responsible, transparent and accountable manner is extremely important for maintaining citizens' trust in those to whom they have entrusted the spending of their money. In this regard, the Work Program of the Government of the RNM envisages that "Each unit of local self-government that will use funds from the state budget will have to accept clear rules for transparency in its work and make available to the public all financial costs through the system of Open Finance."

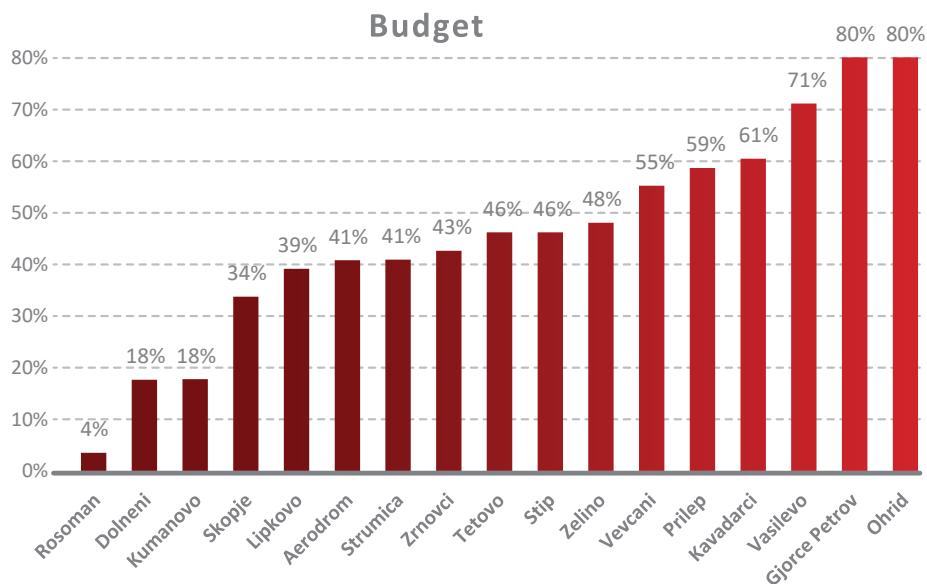
Municipalities should submit a draft budget decision to the Municipal Council at least 3 months before the start of the fiscal year to allow sufficient time for the Council to properly review the decision, hold public consultations on the draft annual budget and publish them on the official websites, as well as to publish the reports from the public consultations and to display detailed information on the level and type of debts of the municipality. In 11 municipalities the draft budget decision was submitted to the Municipal Council in time to enable proper review (3 months before the beginning of the fiscal year), while the municipalities of Aerodrom, Dolneni, Kumanovo, Rosoman, Zrnovci and the City of Skopje do not practice such a process.

The research showed that no municipality has published a citizens' budget, which denies the possibility for the citizens, simply, through graphs and illustrations, to understand the budget, i.e. what are the sources of funds in their municipality, and what are the priorities for which the municipality spend its money.

After the end of the fiscal year, the Municipal Council adopts the final account of the municipal budget, which contains all the elements contained in the municipal budget expressed as planned and realized revenues and expenditures for all municipal budget users. After the adoption of the annual account, the mayor informs the public about its content. In general, most municipalities have published the final accounts of the budget on the websites, except for the municipalities of Kumanovo and Rosoman, which have not published these accounts. 11 municipalities have not published semi-annual reports on budget implementation and have not published detailed information on the level and composition of the municipal debt.

The UNDP project „Strengthening Municipal Councils“ developed a financial indicator for the budgets and quarterly reports of 28 municipalities. A map of all municipalities in Macedonia is provided, on which, by clicking on a certain municipality we get an overview of its financial indicators, operating incomes and expenses, capital incomes and expenses, unsettled liabilities, debt balance and due and paid liabilities, broken down by years. For the municipalities, which are not part of the project, there is no data. The tool can be found at <http://indikatori.opstinskisoveti.mk/>

Graph 6. Openness of the budget (financial operations) of LSGUs



Regarding the area of budget (financial operations), the research showed that the municipalities Gjorče Petrov (80%) and Ohrid (76%) have the best results, and the lowest result is shown by the municipality of Rosoman (4%).

Municipalities should publish a wider range of financial information within their competence, including quarterly and annual financial reports, as well as information on the work of the mayor and the council, the administration, information on current municipal projects with financial structure and sources of funds, etc.

3.2.3. Public procurement procedures

The publication of data regarding the public procurements conducted by the LSGUs shows a result of 23%, which is a very low level.

The Public Procurement Bureau is the only institution that is obliged to publish the documents related to the public procurement procedures through the Electronic Public Procurement System, although as a good practice, the institutions and the municipalities are expected to provide access to them.

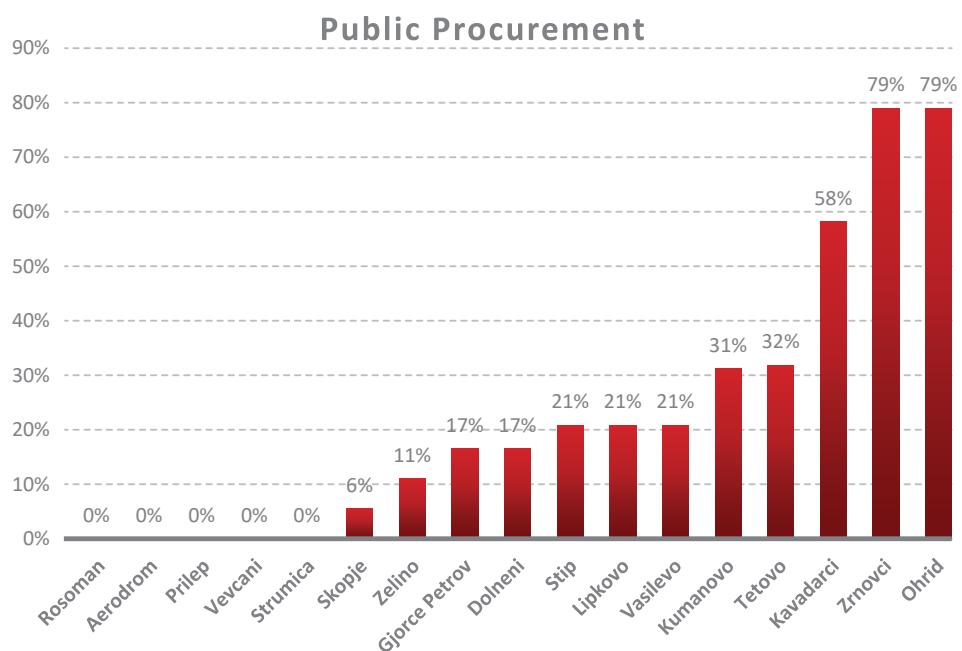
The research showed that 9 municipalities do not publish public procurement plans on their websites, while good examples in this regard are the municipalities of Dolneni, Gjorče Petrov, Ohrid, Kavadarci and Zrnovci which publish public procurement plans on their websites on time.

Calls for public procurement procedures are publicly available on the website of 10 municipalities, while only 3 municipalities (Ohrid, Vasilevo and Zrnovci) publish decisions on public procurement procedures.

Most municipalities (13) do not publish the contracts from the conducted public procurement procedures. Only the municipalities of Kavadarci and Štip publish data on the annexes to the contracts from the public procurement procedures on their websites.

The graph below illustrates the extent to which LSGUs meet the indicators that assess their implementation of public procurement procedures.

Graph 7. Openness of data on public procurement procedures of LSGUs



The research showed that in the area of public procurement, the municipalities of Ohrid, Zrnovci and Kavadarci publish the most data, while the municipalities of Vevčani, Strumica, Rosoman, Prilep and Aerodrom are ranked lowest.

According to the abovementioned facts, the municipalities should significantly improve the efficiency in publishing information related to public procurement, i.e. to publish public procurement plans, calls and decisions.

3.3. ACCESSIBILITY (ACCESS TO INFORMATION, INTERACTION WITH CITIZENS AND PUBLIC CONSULTATIONS)

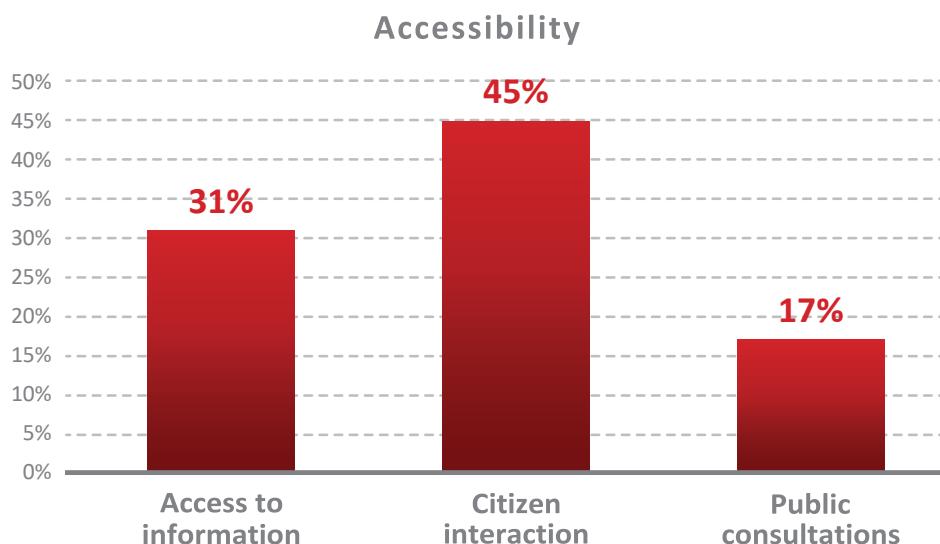
„Accessibility“ assesses the extent to which the right of access to information is guaranteed by law and in practice, as well as the quality of the mechanisms for engaging and consulting with the public in policy-making processes.

The availability of information on the operation of the municipalities, the approach for consultations and the interaction with citizens are of particular importance in the operation of the LSGUs. Citizens' participation in the decision-making process is especially important for local democracy. This element leads to increased transparency but also makes local officials more accountable in decision-making.

The OECD⁴ distinguishes three ways of operationalizing and analyzing the concept of participation: access to information, active participation and consultation at different stages of the decision-making process.

The Openness Index, in the principle of „accessibility“, assesses the extent to which the right of access to public information is exercised and participation enabled, i.e. the quality of mechanisms for interaction and public consultation in the policy-making and decision-making processes at the local level.

Graph 8. Accessibility of LSGUs according to the three areas

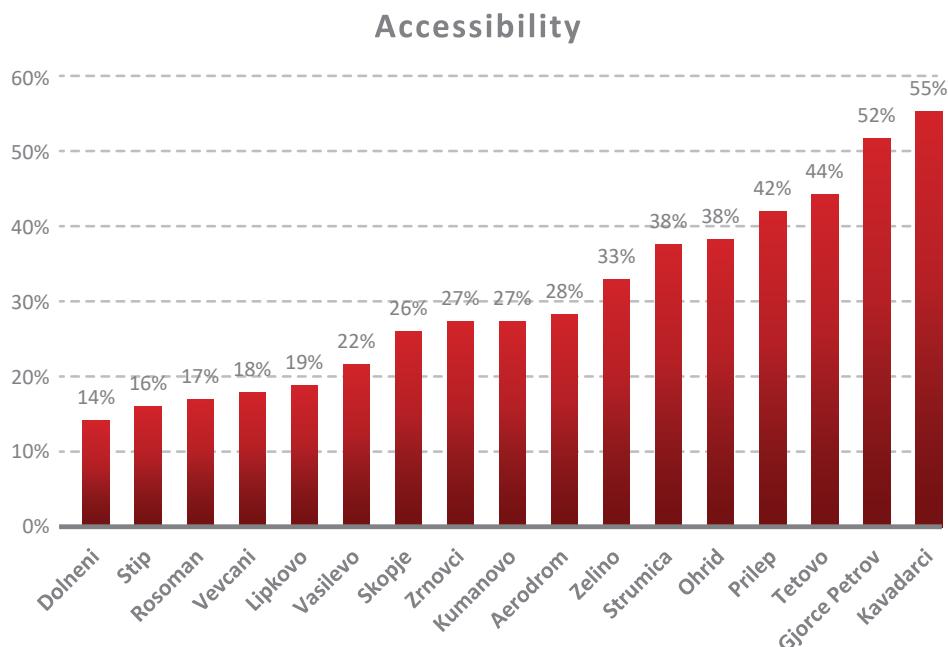


Regarding the principle of accessibility, the research showed that the result of the local government is 30%, with the highest score for the indicators for the area of interaction with the citizens - 45%, and the lowest score for the other areas, access to information - 31% and public consultations - 17%. Improving the situation in terms of these indicators

⁴ OECD "Involving Public Participation = in Policy Making: Information, Consultation and Public Participation", 2005

requires greater involvement and participation of citizens in the policy-making process and decision-making at the local level, which will result in the implementation of policies and measures that reflect the needs of citizens in the local community.

Graph 9. Accessibility of LSGUs



Regarding the accessibility, best results were scored by the municipality of Kavadarci (55%), and the lowest results were scored by the municipality of Dolneni (14%).

3.3.1. Access to information

The results of the LSGUs from the research shows 31% fulfillment of the indicators related to the field of access to information. In this part, the municipalities are mainly evaluated according to the degree to which they implement the legal obligations and international standards for access to information.

Although the new Law on Free Access to Public Information provides opportunities for faster access of applicants to public information, as well as greater transparency and efficiency of state authorities and other bodies and organizations established by law, municipal bodies, the City of Skopje and the municipalities in the City of Skopje, there is an incomplete and inconsistent application, limited transparency of the LSGUs and incomplete realization of the right of individuals and legal entities to access public information.

The research showed that more than half of the covered municipalities (12) do not meet the majority of the indicators set in this area. It is noted that most LSGUs do not publish on the websites the information provided through submitted requests for free access to public information. Good examples that stand out in this practice are the municipalities of Gjorče Petrov and Zrnovci which publish their responses to requests for access to information.

To assess the response of municipalities, Metamorphosis sent requests for access to public information to all 17 municipalities, 59% responded on time, and 41% did not respond at all. Out of the 7 municipalities that did not submit answers to the requests, 5 are urban and 2 are rural municipalities.

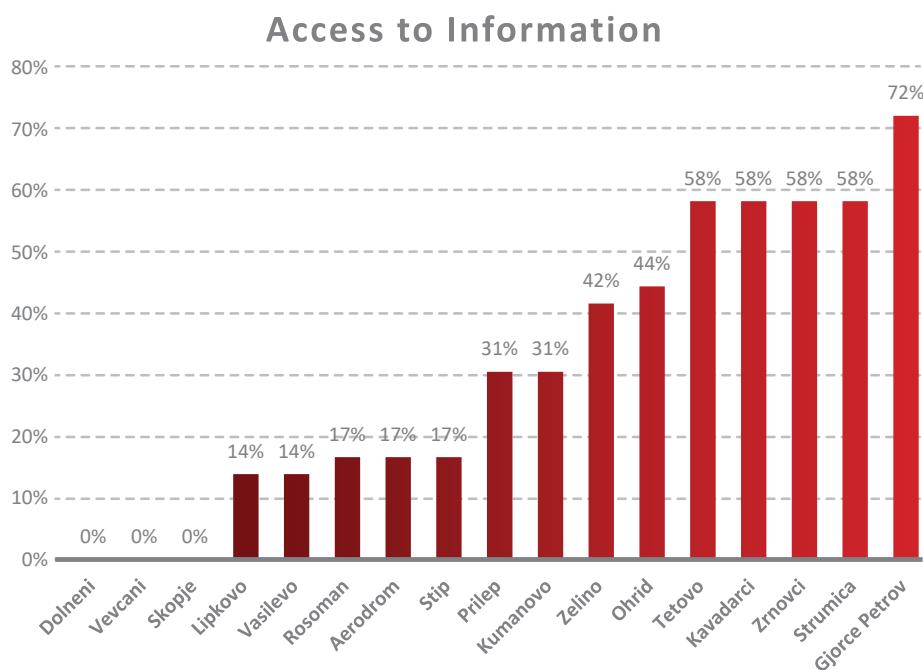
Most of the municipalities (11) do not have a separate space on their websites for submitting requests for access to information, and almost all municipalities (16) do not publish an updated list of public information they have. A good example of a municipality that stands out in this practice is the municipality of Gjorče Petrov which publishes an updated list of public information.

Most municipalities (11) have published the contact of the person responsible for accessing public information on their website. Only 5 municipalities answered that they have established an information/civic bureau (information centers for documentation and public databases) for the citizens.

Regarding the building of administrative capacities, the results show that most of the LSGUs did not hold trainings for access to public information (11) during 2019.

The participants in the consultative meetings emphasized the internal communication between the person responsible for public information and all municipal sectors. They stated that very often the information requested by the person in charge of public information reaches them after long waiting and great efforts are needed to get it. LSGUs need to work on overcoming this problem.

Graph 10. Fulfillment of the indicators in the area of access to information by the LSGUs



According to the research in the area of Access to Information, the municipalities of Gjorče Petrov, Strumica, Tetovo and Kavadarci are ranked highest, while the municipalities of Vevčani, Dolneni and the City of Skopje are ranked lowest.

The low fulfillment of the indicators in the area of Access to Information (31%) indicates that the LSGUs must work harder to provide greater access to information for citizens. Municipalities should have a visible separate space on their websites for access to public information and publish an updated list of public information they possess. To have greater access to information, LSGUs should have an information/civic bureau (information centers for documentation and public databases) established for the citizens. Full implementation of the Law on Free Access to Public Information and a special focus on proactive transparency, which is covered in Article 10 of the Law, is needed.

3.3.2. Interaction with citizens

This area assesses the level to which institutions facilitate the interaction and delivery of services to citizens.

Municipalities should use a variety of tools to interact with citizens, such as social media, and introduce interactive communication tools on their websites. In this way, the institutions distribute the information in a processed form and encourage the citizens to communicate with them more often. Both electronic communication and the provision of electronic services is part of the principle of interaction because it accelerates information delivery efficiently and economically. As e-government has been shown to improve civic participation and reduce costs, LSGUs need to work intensively to improve their electronic presence and interaction with the public. Involvement and interaction with the public enable responsible decision-making based on feedback received from citizens as end-users.

Almost all covered municipalities, except the municipality of Vevčani, have official Facebook pages, while most of them (11) do not have Twitter accounts. Most LSGUs (10) have their own monthly newsletter/newspaper.

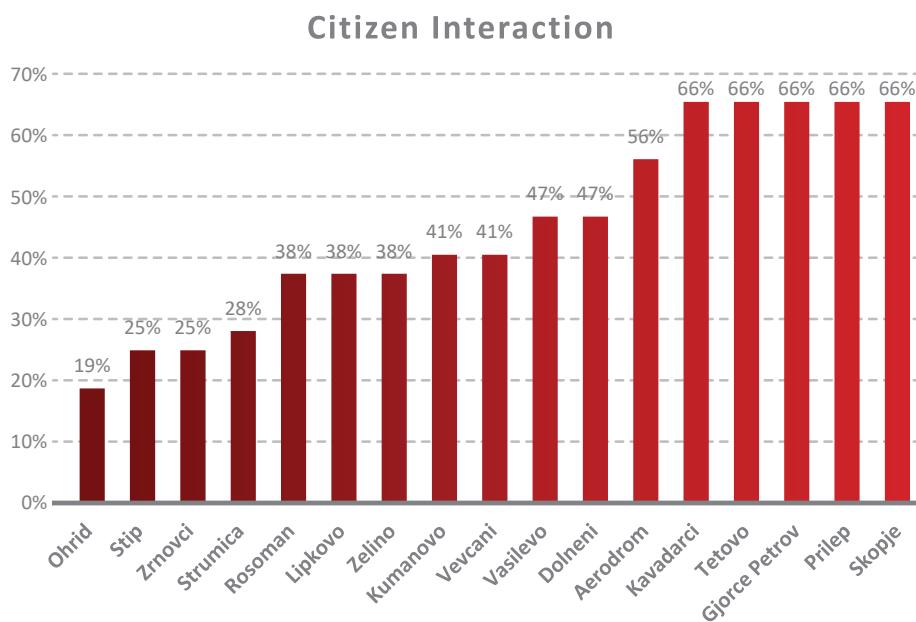
None of the monitored municipalities has a Frequently Asked Questions (FAQ) section on their website.

The direct communication of the Mayor and the city administration with the citizens enables the citizens to present their needs and problems and to realize opportunities for future cooperation for solving the local problems, however, most of the LSGUs (9) have not published a fixed time for consultations of the Mayor with the citizens.

According to the Law on Local Self-Government, the municipalities are responsible for providing services in the areas that essentially determine the quality of life of the citizens. **Regarding the provision of electronic services, most of the municipalities (10) offer electronic services, while 7 stated that they do not offer electronic services.** This indicates that the number of electronic services provided on a local level should be increased. LSGUs need to take action to digitize the services they offer to citizens. Another fact that indicates that the development of a large number of electronic services should be high on the agenda of the LSGUs is the instance that the participants in the consultative meetings stressed that electronic services are needed by the citizens.

The new government program states that the government will introduce „new, more effective instruments to support municipalities to improve their performance. We will achieve this with the additional two grants: Equalization Grant and Performance Grant. This introduces a system of incentives and competitiveness of the municipalities that results in quality and timely services.“

Graph 11. Fulfillment of the indicators in the area of interaction with the citizens



In the area of Interaction with Citizens, the municipalities of Tetovo, Kavadarci, Gjorče Petrov, Prilep and the City of Skopje are ranked highest, while the municipality of Ohrid is ranked lowest.

Given that the involvement of citizens in decision-making processes at the local level is an essential element of local democracy, in the future municipalities must enable citizens to receive relevant information on time, in a way that is understandable to them, which will contribute to getting citizens interested in participating in processes that are of interest to the local community and to express their needs and problems.

3.3.3. Public consultations

Public consultations aim to create responsible policies based on evidence that reflects the needs of citizens.

The constant involvement of the citizens in the work of the municipalities is determined by the laws and the municipal statutes and acts. The direct participation of the citizens in the decision-making process in the municipalities is regulated by the Law on Local Self-Government. Article 25 of this law enumerates the following legally recognized ways of direct participation of the citizens: civil initiative, gatherings of the citizens and referendum. Articles 29 and 30 regulate complaints and proposals and public debates, polls and proposals, such as additional forms of citizen involvement in the decision-making process at the local level. Paragraph 2 of Article 25 stipulates that „The costs of implementing the direct participation of citizens in decision-making shall be borne by the municipal budget.“

Municipalities that respect the principles of good governance pay considerable attention to mediating the interests of all communities and aim to reach a broad consensus in the decision-making process. This principle requires policies to reflect a deep understanding of the social context and to pay attention to all members of society. This is achieved through the application of participatory mechanisms that involve citizens in decision-making processes.

Public consultations should be conducted both online and offline. The approach to consultations, as well as the sharing of information, should be tailored to the target group. It is very important to plan enough time to disseminate information on the call for participation in public consultations, as well as to give sufficient time to stakeholders to submit their feedback. Municipalities should then regularly inform the public about how the policy-making process is progressing.

The results of the research show that LSGUs have the lowest score of (17%) in the area of Public Consultations. This indicates that the municipalities must urgently commit to improving the situation in this area.

The Government of RNM in the new work program states that „The Government will propose legal solutions that will allow citizens and associations to propose items on the agenda and participate in the work of the Council. Citizens, associations and local communities will be required to participate in the adoption of development programs and the municipal budget. We will also extend the obligation for consultations with the citizens to the programs of the municipalities.“

In general, the websites of the municipalities do not provide sufficient information on public consultations, which is a negative aspect considering the importance of this process for the citizens. Namely, only the municipality of Kavadarci has a special section for the website that contains the necessary information for public debates, but this section is not visible on the home page, all 16 other municipalities do not have such a section. Kavadarci is also the only municipality to publish public consultation plans on the municipality's website.

Calls for public debates are published on the websites of 9 municipalities, while 8 municipalities do not practice this.

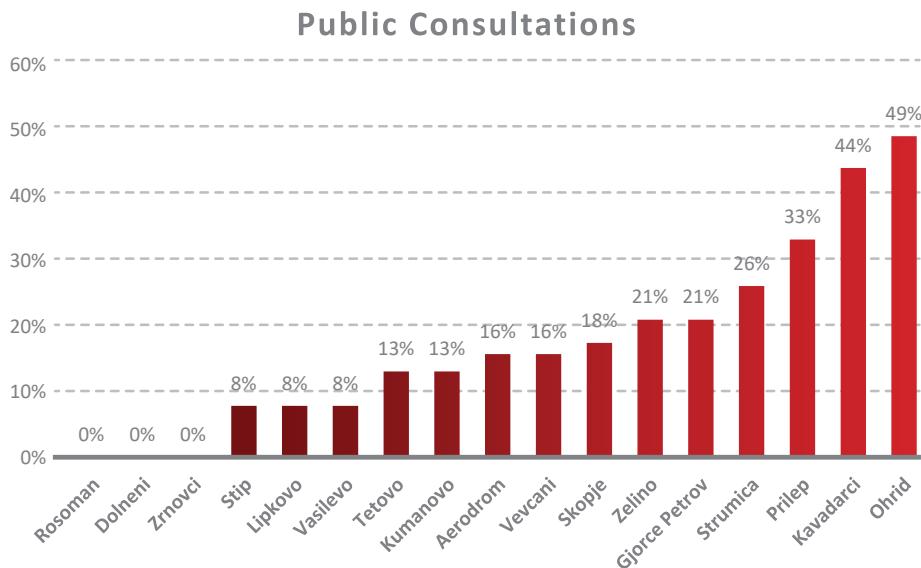
Municipalities generally do not publish the reports from the conducted public debates on their websites. A good example in this practice is the municipality of Ohrid which is the only municipality that publishes reports from the conducted public debates.

Eight LSGUs conducted at least one call for project proposals for non-governmental organizations during the last year, while 12 LSGUs did not announce the decisions on the allocated funds and the received projects.

According to the overall results in this area, the municipalities are assessed negatively for allowing conducting of online consultations. Failure to properly plan and conduct consultations indicates a lack of efficiency in the policy-making and decision-making processes at the local level. Citizens lack feedback on how their participation in policy-making and consultation processes, where implemented, has affected real policies, and citizens do not have timely and effectively communicated information on opportunities to engage in such processes.

The Open Government Partnership initiative at the local level (OGP local) was launched this year. This is an international initiative that should encourage and support the participatory policy-making process at the local level. LSGUs in our country have the opportunity to join this initiative and advance the public consultation process.

Graph 12. Fulfillment of the indicators in the area of public consultations



In the area of public consultations, the best results were shown by the Municipality of Ohrid, while the municipalities of Rosoman, Dolneni and Zrnovci are the lowest-ranked.

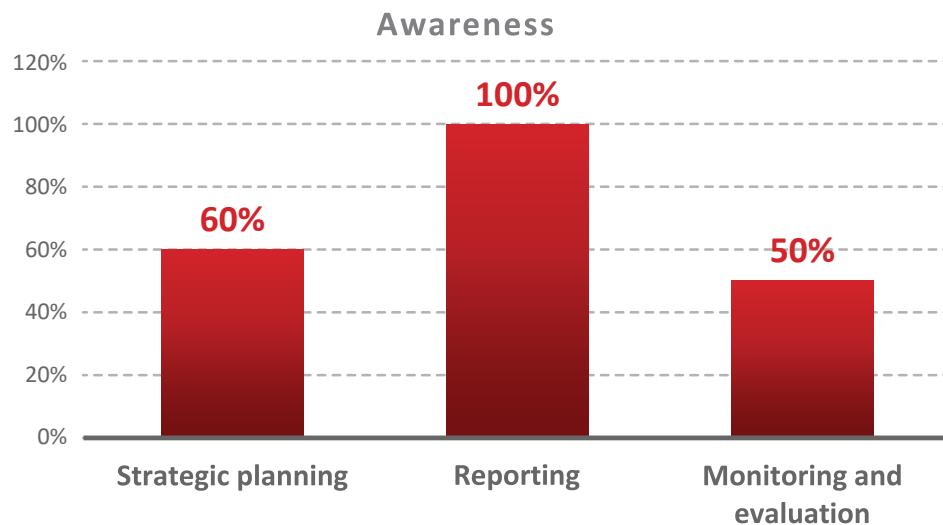
To conduct public consultations more properly, it is necessary to define in more detail the consultation process and how it will be conducted with precisely defined steps and time frame.

3.4. AWARENESS (REPORTING, MONITORING AND EVALUATION AND STRATEGIC PLANNING)

„Awareness“ is an assessment of the commitment of institutions to plan and learn from ongoing processes and improve them through established monitoring, evaluation and learning systems – using key objectives/indicators during strategic planning and reporting

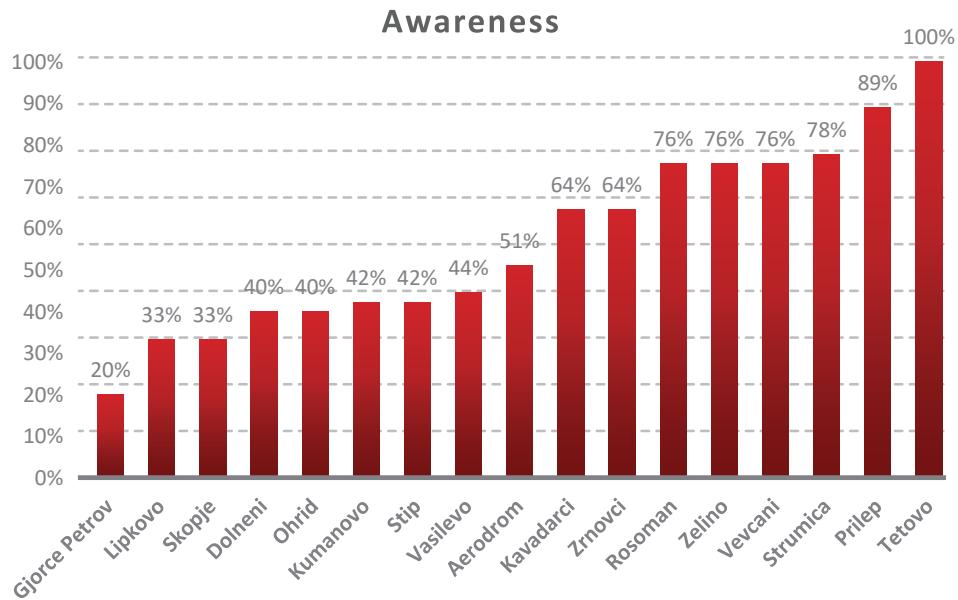
The indicators of good governance covered by the principle of awareness refer to the implementation of systematic mechanisms that regularly assess the impact, costs and effects of policies and as such serve to develop strategic plans for the future, relying on data as evidence.

Graph 13. Awareness of LSGUs in North Macedonia according to three areas



The research showed that LSGUs have an average score of 57% fulfillment of the indicators of the principle Awareness. This is a principle in which municipalities have the best result. However, it can be recommended that LSGUs in the coming period strive to practice decision-making based on the so-called an effective Monitoring Evaluation Learning (MEL) framework that requires data collection on the effectiveness of policies, their degree of implementation and their impact. This enables the municipalities to generate instructive and useful reports on the progress in the implementation of the initiated processes and to report on their work and the upcoming steps in a more realistic way.

Graph 14. LSGUs awareness



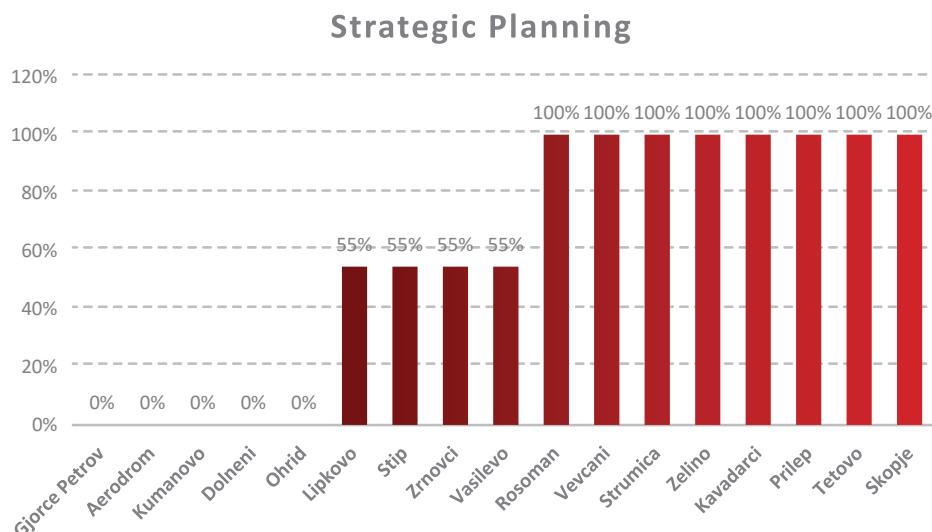
Regarding the awareness, the municipalities of Tetovo and Prilep have the best results, while the municipality of Gjorče Petrov is ranked lowest.

3.4.1. Strategic planning

The implementation of a strategic framework and its operationalization should determine the basis and direction of the work of the LSGU and it must be part of the work of all local self-government units. Strategic planning should be closely related to the process of preparing the municipal budget. The practice of budget planning without an appropriate strategic framework causes municipalities to unrealistically plan budgets resulting in large debts.

The research showed that 12 municipalities have a written plan that sets the development goals (Development Strategy), while only 8 municipalities have an action plan for the implementation of the Development Strategy that contains a time frame, budget allocations and responsible implementation bodies. This leaves room for significant improvement in the strategic planning process at the local level.

Graph 15. Fulfillment of the indicators in the field of strategic planning



The results show that 8 municipalities fulfill all indicators covered in the area of Strategic Planning.

Regarding the strategic planning process, attention should be paid to linking the strategic documents with the budgets of the municipalities. This will ensure that the will, priorities and goals of the citizens listed in the strategic plan are realistically planned (according to the real possibilities and capacities of the municipalities) and will be realized within the work of the LSGU.

3.4.2. Reporting (line of accountability)

In the area of Reporting, we assess the line of accountability of public enterprises established by the municipalities.

The results of this indicator showed that in all 17 monitored municipalities the public enterprises submit reports on their operations to the Municipal Council.

It can be concluded that the very high result regarding this indicator is due to the legal obligation under Article 5 of the Law on Public Enterprises, according to which the public enterprise is obliged to submit quarterly reports to the founder which will contain indicators of financial operations. The financial relations between the bodies of the municipality and the bodies of the City of Skopje and the public enterprises should be transparent.

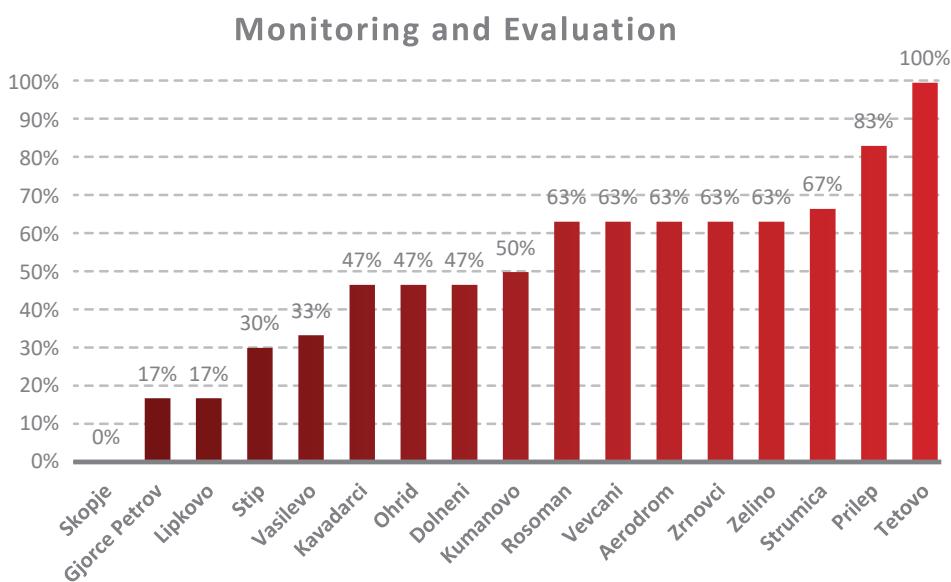
3.4.3. Monitoring and evaluation

Indicators in this area assess the extent to which municipalities measure the effectiveness of the policies and activities they implement.

The research showed that 13 of the covered LSGUs do not use performance indicators in the preparation of annual work plans, and as many as 14 municipalities do not use performance indicators in the preparation of annual work reports. Good examples are the municipalities of Prilep and Tetovo, which use performance indicators in the preparation of annual work plans, as well as for the preparation of annual work reports.

The results indicate that the quality of strategic documents and monitoring reports prepared by municipalities should be improved by including specific indicators to properly monitor the effectiveness in implementing the defined objectives.

Graph 16. Fulfillment of the indicators in the field of monitoring and evaluation



In the area of Monitoring and Evaluation, the municipalities of Tetovo and Prilep have the best results, while the City of Skopje is ranked lowest.

In general, municipalities need to improve their strategic documents with clearly defined development goals, measures and indicators, budgetary implications and responsible bodies for their implementation. They should also work on collecting data on the effectiveness of policies, their degree of implementation and their impact that will enable them to generate useful and realistic reports on the progress in the implementation of activities.

3.5. INTEGRITY (CODE OF ETHICS, PREVENTION OF CONFLICT OF INTEREST AND RULES ON LOBBYING)

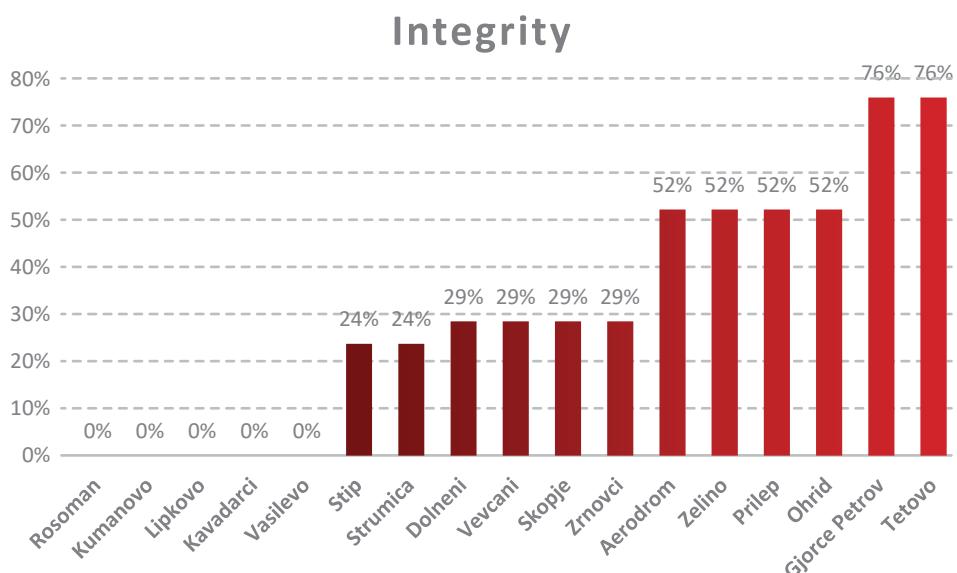
„Integrity“ assesses mechanisms for prevention of conflict of interests, for regulating lobbying, and the existence of a code of ethics for directing and sanctioning the behavior of state officials and public administration

Municipalities that respect the principles of good governance establish strong accountability mechanisms in their structure. They promote a culture of integrity to prevent conflicts of interest and corruption. Such LSGUs recruit competent civil servants through merit-based and competitive systems to ensure professionalism and ethical conduct. The ethical conduct and integrity of civil servants are defined according to institutional policies as integrity plans and codes of conduct, and at the same time the legal framework is carefully respected. In enforcing the legal provisions, LSGUs should provide whistleblower protection to all those who report unethical conduct and abuse of office, register and control lobbying, conflict of interest, use of state property and gifts to all elected and appointed officials as well as civil servants.

Corruption is one of the biggest problems in Macedonian society. The legal framework for prevention and fight against corruption consists of the Law on Prevention of Corruption and Conflict of Interest, the Law on Lobbying, and the Law on Whistle-Blower Protection, the Code of Administrative Servants, the Code of Ethics for Local Officials and others.

The results of the LSGUs from the research shows 31% fulfillment of the indicators related to the principle Integrity.

Graph 17. Integrity of LSGUs



Regarding the results of each municipality individually, in the principle Integrity, the highest-ranked are the municipalities of Gjorče Petrov and Tetovo, and the lowest-ranked are the municipalities of Vasilevo, Rosoman, Lipkovo, Kumanovo and Kavadarci.

As many as 13 municipalities have not published the instructions for reporting problems on their websites, and only the municipalities of Gjorče Petrov, Tetovo, Želino and Aerodrom have published such documents.

10 municipalities have a direct channel for communication via the Internet through which citizens can express concerns, complaints and appeals, while 7 of the monitored municipalities have not established such a channel. Receiving feedback from citizens regarding the operation of the municipality and the delivery of services is of great importance in the process of good governance, therefore LSGUs should improve the opportunities for receiving feedback from citizens.

Regarding the development of the capacities of the administrative servants, only two municipalities, Gjorče Petrov and Tetovo, stated that in 2017/2018, the local self-government conducted educational activities for its employees on topics such as conflict of interest/prevention of corruption/whistle blowing in case of irregularities.

Also, only 4 municipalities, Ohrid, Prilep, Štip and Strumica, publish the integrity plan or other internal anti-corruption policy. No reports or data have been released on their implementation, so their importance in promoting integrity and reducing corruption at the local level has not yet been documented.

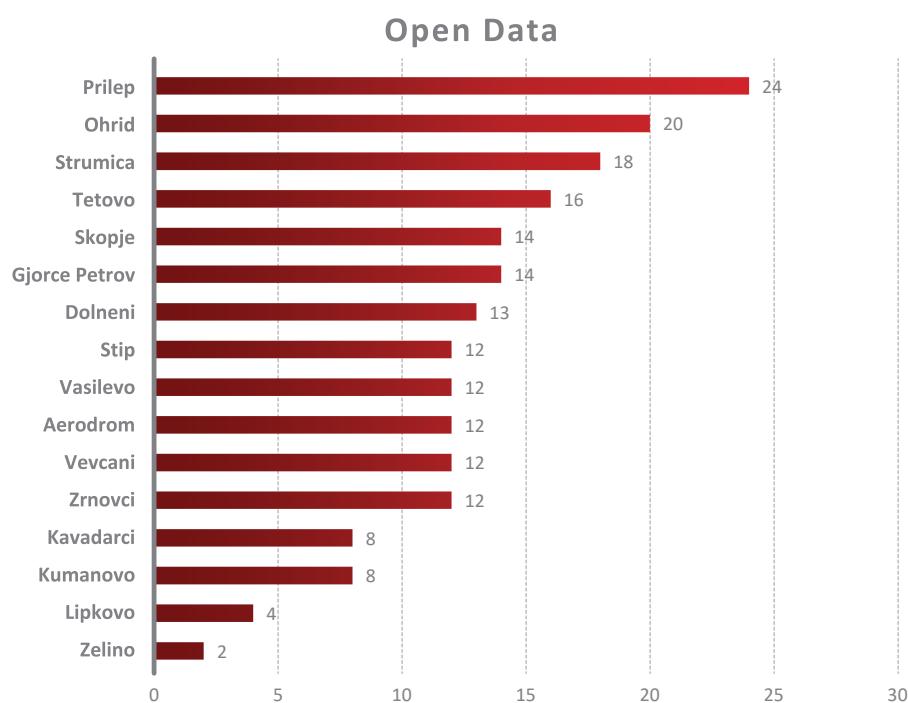
In general, it can be assessed that municipalities should work on the proper implementation of the legal framework and the impact that policies and activities have on the daily lives of citizens. Regarding the principle Integrity, LSGUs should take into consideration the perception of the citizens about the work of the municipality in this area. Also, the development of professional public service in the LSGU based on merit will improve accountability and prevent politicization, and consequently will significantly reduce the risk of conflict of interest and corruption.

3.6. OPEN DATA

Open data in this research are taken as a horizontal principle of good governance by assessing the degree of openness of all documents and data reviewed through the Openness Index.

According to the Law on Utilization of Public Sector Data, the municipalities are obliged to publish open data continuously.

Graph 18. Fulfillment of open data indicators



The research shows that in the area of Open Data the municipality of Prilep shows the best results, while the lowest results are shown by municipalities of Želino and Lipkovo.

In general, the results show that the municipalities do not publish most of the documents for which they are legally obliged.

- ◆ Most municipalities do not publish data on movable and immovable property owned by the municipality; good practices in this area show the municipalities of Prilep, Dolneni, Vasilevo, Vevčani and Zrnovci who publish data on movable and immovable property owned by the municipality.
- ◆ The list of small-scale trade activities is published only by Štip and Zrnovci, while the list of small-scale catering activities is published only on the websites of the municipalities of Štip, Kavadarci, Tetovo and Zrnovci.
- ◆ Only the municipalities of Štip, Tetovo, Strumica, Zrnovci and the City of Skopje publish a list of small-scale tourism activities, and Tetovo is the only municipality that publishes a list of services in rural, ethno and ecological tourism.
- ◆ 13 municipalities do not publish a register of civil society organizations; good examples are the municipalities of Kavadarci, Tetovo, Ohrid, Štip and Dolneni which publish a register of civil society organizations on their websites.
- ◆ Only the Municipality of Ohrid publishes the Environmental Cadastre.
- ◆ Only the municipalities of Štip, Ohrid and the City of Skopje publish a register of granted B-integrated environmental permits, and Ohrid publishes a register of polluters.
- ◆ No municipality publishes a cadastre for noise generators.
- ◆ Only the municipalities of Ohrid and Prilep publish a cadastre for waste generators.
- ◆ Prilep, Kavadarci, Vasilevo and Štip are the only municipalities that publish data on industrial zones on the territory of the municipality.
- ◆ Only the municipalities of Prilep, Tetovo, Kavadarci, Vevčani and Strumica publish data on transporters and motor vehicles for transporting passengers and goods in road traffic, while only Prilep, Gjorče Petrov and Kumanovo publish data on parking lots in the municipality.
- ◆ 12 municipalities do not publish data on markets in the territory of the municipality.
- ◆ Only three municipalities, Dolneni, Prilep and Gjorče Petrov publish data on landfills on the territory of the municipality.
- ◆ Prilep is the only municipality that publishes quarterly reports on inspections.

- ◆ The municipalities of Ohrid, Strumica and the City of Skopje publish museum records and documentation.
- ◆ 7 municipalities publish the proposed urban plans on the territory of the municipality (GUP and DUP), while 11 LSGUs publish the adopted urban plans on the territory of the municipality (GUP and DUP).
- ◆ Only 6 municipalities publish a register of kindergartens in the municipality, 12 municipalities publish a register of primary schools in the municipality, and 8 LSGUs publish a register of secondary schools in the municipality.
- ◆ Only the Municipality of Aerodrom publishes data on retirement homes on the territory of the municipality.

It should be noted that some of the documents do not apply to all municipalities.

The research showed that no municipality publishes this data in machine-readable (open) format.

The open data portal to date contains 251 data sets published by 55 entities, and only 4 of them are organizations at the local level.

The result of the research indicates the urgent need for LSGUs to adhere to the numerous policies in place to support the disclosure of open government data. The principle of openness should be applied in every part of the work of LSGUs that should prepare, publish and share documents in open format.

4. CONCLUSION

The Openness Index research shows a low level of compliance with the principles of good governance by the LSGUs. Significant efforts are needed for greater involvement and participation of citizens in the decision-making process at the local level and increasing access to information as one of the ways to reduce corruption.

According to the research, it can be concluded that the proper implementation of the legal framework, which includes the principles of openness contained in the Openness Index by the LSGU, is of great importance. Namely, although several laws impose many obligations on municipalities, it is evident that some of them are not implemented consistently. However, the implementation of legislation alone is not enough, LSGUs need to focus on the impact that policies and activities have on the daily lives of citizens. Local authorities need to continuously work on building new ways of sharing information with citizens, creating new opportunities for dialogue and facilitating access to services.

The use of modern technology is important for a more transparent and participatory operation of municipalities. Municipal websites today are the most important tools for interaction with the public and accountability, and through them, better access for citizens to municipal information should be provided. In general, the content published on the websites of the municipalities and their organization should be improved so that the different types of users can easily find the necessary information.

The implementation of the concept of open government at the local level is of great importance for promoting openness and therefore the LSGUs should work towards this goal. In this way, open municipalities will base their governance on the principles of transparency, accountability and participation, which, aided by new technologies and innovations, will improve public governance and strengthen public administration and democracy.

The general conclusion from the conducted research is that local authorities should provide residents with greater access to information, technologies and participatory work to ensure a culture of responsibility, honesty and cooperation.

5. ROADMAP FOR GOOD GOVERNANCE OF THE LOCAL GOVERNMENT IN THE REPUBLIC OF NORTH MACEDONIA

To address the stated shortcomings in the operation of the municipalities, and to improve their openness, the following recommendations that should serve as a roadmap for the good governance of the LSGU are proposed.

Transparency

- ◆ LSGUs need to have a document (strategy, policy, procedure, etc.) that deals with their openness and transparency and will provide a defined and systematic approach in publishing information and data.
- ◆ Transparency and accountability need to be placed high on the LSGUs agenda. Mayors should be involved in increasing transparency by raising the importance of free access to public information.
- ◆ Municipalities need to publish the annual work program of the municipality, the annual work program of the Municipal Council as well as quarterly or semi-annual reports on the implementation of these programs.
- ◆ LSGUs need to increase the level of published information and data on the work of the Municipal Councils (agendas for the sessions of the Council, public announcements from the meetings of the Council, reports on the work of the Council, minutes from Council sessions etc.).
- ◆ The primary focus of the information that needs to be published on the LSGUs websites should be the needs and interests of the citizens, and not the promotion of the activities of mayors.
- ◆ LSGUs need to publish open data on their websites to promote transparency, use the economic potential and improve the services of the municipalities.
- ◆ LSGUs need to improve the capacity of administrative staff to publish open data.
- ◆ Municipalities need to publish information on public enterprises and institutions established by them.

- ◆ Municipalities need to publish a wider range of financial information within their competence, including quarterly and annual financial reports, as well as information on the work of the mayor and the Council, the administration, information on current municipal projects with financial structure and sources of funds, etc.
- ◆ LSGUs need to hold regular public consultations on the draft budget, to publish the call for participation in budget public consultations on the websites and to publish reports from the held public consultations on the draft budget.
- ◆ Municipalities need to prepare a citizens' budget.
- ◆ LSGUs need to harmonize the budget with strategic planning.
- ◆ LSGUs need to publish all documents on public procurement processes on their websites (public procurement plans, calls, decisions, annexes, etc.).

Accessibility

- ◆ LSGUs need to publish all the information requested by requests for access to information on the website to reduce the repeated requests for the same data.
- ◆ Municipalities need to publish information on their websites related to access to public information (updated list of public information, contact of persons responsible for access to public information).
- ◆ LSGUs need to fully implement the Law on Free Access to Public Information and especially the proactive transparency which is covered in Article 10 of the Law.
- ◆ LSGUs need to improve the capacity of administrative staff to mediate concerning requests for access to public information.
- ◆ LSGUs need to ensure an increase in the response rate and quality of responses to requests for access to public information.
- ◆ LSGUs need to improve the electronic presence and interaction with the public by using various tools for interaction with citizens such as social media and the introduction of interactive tools for communication on their websites.
- ◆ Along with communication channels, websites should also offer clear guidelines and promote available mechanisms for submitting complaints.

- ◆ LSGUs need to increase the number of digitalized services they offer to citizens.
- ◆ Municipalities need to enable citizens to receive relevant information on time, in a way that is understandable to them, which will enable interested citizens to participate in processes that are of interest to the local community and to express their needs and problems.
- ◆ LSGUs need to further define the consultation process and how it will be implemented with precisely defined steps and time frame.
- ◆ LSGUs need to place a special section on their websites that will contain all information and documents for the public debates and consultations they organize (including the reports from the conducted public debates).
- ◆ LSGUs need to increase transparency regarding the financing of NGO projects.

Awareness

- ◆ LSGUs need to improve their strategic documents with clearly defined development goals, measures and indicators, budget implications and responsible bodies for their implementation.
- ◆ The municipalities need to harmonize the strategic documents with their budgets, which will ensure that the will, priorities and goals of the citizens listed in the strategic plan are realistically planned (according to the real possibilities and capacities of the municipalities) and will be realized within the operation of the LSGU.
- ◆ LSGUs need to work on collecting data on the effectiveness of the policies they implement, their degree of implementation and their impact. This will enable the municipalities to generate instructive and useful reports on the progress in the realization of the initiated processes and to report on their work and the upcoming steps in a more realistic way.

Integrity

- ◆ Municipalities need to establish a direct communication channel on their websites through which citizens can express concerns and make complaints.
- ◆ LSGUs need to improve the capacities of administrative staff on topics such as conflict of interest/prevention of corruption/whistle blowing in case of irregularities.
- ◆ LSGUs need to work on developing a professional merit-based public service that will improve accountability, prevent politicization, and reduce the risk of conflict of interest and corruption.
- ◆ Municipalities need to publish integrity plans or other internal anti-corruption policies on their websites, along with reports or data on their implementation.
- ◆ LSGUs need to monitor the perception of citizens about the work of the municipality in terms of municipal integrity and the fight against corruption.

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