ASSESSMENT OF GOOD GOVERNANCE OF THE LEGISLATIVE BRANCH IN NORTH MACEDONIA AND THE REGION THROUGH THE OPENNESS INDEX 2023

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According to the measurement for the year 2022

Skopje, 2023

Contents

1. INTRODUCTION

The democracy of a society and its democratization are reflected in essential factors like openness, transparency, accountability, and accessibility of the parliament, which serves as the highest representative body. To ensure a fully functional and effective parliament, it must actively share information about its activities, remain accessible to citizens, and collaborate openly with the media and civil society. Respecting these principles is crucial in upholding the rule of law, but also in fostering a culture of openness and dialogue between the government and the citizens, leading to greater public participation in decision-making processes. As such, promoting openness and transparency in parliamentary work becomes a vital component of necessary reforms, particularly for countries seeking EU accession.

In cooperation with the partners from the regional network of CSOs "ACTION SEE", Metamorphosis Foundation has prepared an analysis of the level of openness of the parliaments in the region. Same as in 2021 and in line with supporting the civic sector as watchdog organizations demanding from their parliaments to uphold the principles of openness, this year's research includes a monitoring of the Croatian and Slovenian parliaments' openness performance by the Openness Index methodology thanks to the cooperation of the ACTION SEE network with NGO Gong from Croatia and the Today is a new day from Slovenia.

This paper represents the outcome of an extensive research endeavor conducted by members of the ACTION SEE network and its partners over the past several months, following a scientific methodology. Our primary objective has been to assess the current state of openness in the region's parliaments objectively and provide recommendations for enhancement. Additionally, we aim to bolster adherence to principles of good governance, with openness being a pivotal aspect. We firmly believe that our goals align with those of the institutions involved in this research.

Through analyses based on the results of the research conducted in 2023, recommendations for public policy have been made. These recommendations constitute the seventh policy paper of this character, delivered annually since 2017.

ACTION SEE is a network of civil society organizations that work together to promote and ensure transparency and accountability of institutions in Southeast Europe, increase the potential for civil activism and participation, promote and protect human rights on the Internet, as well as build capacity for the use of new technologies.

2. METHODOLOGY

The Openness Index is led by this framework of principles, yet remains aware of the cultural as well as historical developments in the country and the region that affect institutions as well. Its methodology guarantees that the research results are technically and politically valid to draw conclusions regarding the level of good governance of the institutions in the country. The Openness Index assesses the performance of the executive government and the parliaments in the area of good governance by focusing on four pillars: (1) accessibility, (2) efficiency, (3) integrity, and (4) transparency with a cross-cutting domain that is present throughout all four pillars – open data.

The four pillars of the Openness Index define and assess good governance with the following principles: **accessibility** - it assesses the degree to which the right to information access is guaranteed by law and in practice, as well as the quality of the mechanisms for engagement and consultation in policy-making processes; **efficiency** – it reviews the institutions' commitment to learn from ongoing processes and improve them through established monitoring, evaluation, and learning systems – by using milestones/indicators during strategic planning and reporting; **transparency** - it assesses the public availability of organizational information, budget, and public procurement procedures; while **integrity** evaluates the presence of mechanisms for the prevention of conflict of interest, the regulation of lobbying, as well as the availability of a code of ethics to guide and sanction the behavior of the civil servants and the public administration. Each pillar of the index consists of subdomains and indicators weighted according to the adequate value within the pillars.

The methodology was developed by consulting numerous credible resources, emphasizing the best international practices and standards of 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 Indicators of Governance and Institutional Quality developed by the World Bank.

The research was carried out in the period between March and June 2023. The research methods consist of (1) monitoring the websites of the targeted institutions for a set of indicators, (2) a questionnaire submitted to the institutions in order to confirm the observations of the online monitoring, (3) a sent request for access to public information with the intention to assess the level of compliance of this fundamental right by each institution as well as (4) screening of the legislative framework.

The measurement error is +/- 3%. Based on the results of the research, we conducted an analysis of the key critical points and problems in the field of openness of the institutions that we hope will be used for improving their work. It is important to note that in cases when the institutions failed to deliver their answered questionnaires, the indicators thereof were marked with 0, as indicators that were not fulfilled.

3. STATE OF PLAY IN THE PARLIAMENTARY OPENNESS IN THE REGION

Over the past year, various political developments had an impact on the functioning of legislative bodies in the region. Throughout this period, certain parliaments in the region invested efforts in strategically enhancing their openness through separate strategic documents and policies. However, their efforts were frequently hindered by political blockades, crises, and activities that did not prioritize the advancement of democratization in society.

Our research findings clearly indicate that while some level of openness exists, the legislative institutions in the region are largely stagnant and lack the necessary initiative to enhance their transparency and effectiveness. Several issues remain evident, such as a strategic approach to improve their openness, lack of proper planning and reporting on their work, inadequately open sessions of parliamentary working bodies, underdeveloped anti-corruption measures that have seen limited or no improvement from the respective governments, and the presence of insufficiently implemented oversight mechanisms.

To gain a better understanding of the context in which these institutions operated in the past year, the following analysis will provide a concise overview of the key developments within the legislative bodies in the Western Balkan region.

Political Gridlock and Reform Stagnation: The State of Legislative Power in Bosnia and Herzegovina

In contrast to the region, **Bosnia and Herzegovina** has a more complexly organized legislative power, consisting of the Parliamentary Assembly of Bosnia and Herzegovina, the Parliamentary Assembly of the Federation of Bosnia and Herzegovina, and the National Assembly of the Republika Srpska as part of the legislative structure, including the Republika Srpska Council of Peoples, as well as Brchko and 10 cantonal assemblies which were not included in the research. In the past years, it has been observed that all five parliamentary institutions lack formally established guidelines for openness and transparency. Additionally, none of the parliamentary institutions are part of the Open Government Partnership, nor have there been any attempts to join the initiative.

The year 2022 was marked by an obstruction of the work of both the legislative and executive institutions by the political parties from Republika Srpska, also noted in the Country 2022 report by the European Commission[1], which significantly hindered legislative activities throughout the whole

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1. Bosnia and Herzegovina 2022 Report. European Commission. Available at: https://tinyurl.com/f69ky73p

year. General elections were held in October 2022, followed by the forming of governments at both state and entity levels. Consequent to these developments and the lack of political will, the political parties were unable to reach a consensus on constitutional and electoral reforms during the entire previous year. The state parliament rejected the integrity package that aimed to establish electoral standards, leading to its imposition by the Office of the High Representative. Furthermore, proposals for reforms pertaining to the rule of law, including issues like conflicts of interest and the integrity of the judiciary, were also met with resistance and rejection. The state budget encountered delays and was eventually adopted only in the middle of 2022. One of the few positive developments was the adoption of amendments to the Law on Public Procurement, representing a milestone towards fulfilling one of the key priorities for EU membership.

Throughout the whole mandate, the Government of the Federation of Bosnia and Herzegovina operated in a technical capacity, while the political parties in the National Assembly of Republika Srpska made attempts to shift state responsibilities to the entity level. In February 2022, the Draft Law on the High Judicial and Prosecutorial Council (HJPC) of Republika Srpska was approved in their National Assembly, disregarding the Agreement on the Transfer of Certain Entities' Responsibilities via the Establishment of the HJPC of Bosnia and Herzegovina. Parliamentary oversight of the executive was equally insufficient, a positive exception of which is the Parliamentary Assembly of Bosnia and Herzegovina's House of Representatives' temporary investigative commission on the state of the judiciary which published its findings in June 2022.

Montenegro's Parliamentary Journey: Navigating Political Instability and Achieving Transparency

After two Governments of Montenegro fell on votes of no-confidence and following an unsuccessful attempt to form a new Government, the **Parliament of Montenegro** was dissolved and extraordinary parliamentary elections were held in June 2023. This political and institutional instability has slowed down the pace of the EU integration process and no major milestones were reached in this period. The Parliament's legislative and oversight roles were strongly affected by the long-lasting political crisis, also noted in the Country 2022 Report by the European Commission[2] which criticized the failure to establish constructive political dialogue in the Parliament which further negatively affected its legislative and oversight role.

Lack of political dialogue and polarization has especially paralyzed the parliamentary oversight of the accession process. In the previous period, unfortunately, the Members of Parliament (MPs) have chosen the passing of unconstitutional acts as a manner of conducting politics and thereby the functioning of the institution was likewise. It is necessary to change this direction of action of the Parliament as soon as possible, since after the recent decisions of the Constitutional Court, no one ever perceived this as a legitimate way of political struggle. The new 28th convocation of the Parliament has the opportunity to finally understand its purpose as well as the needs of the citizens it represents and begin acting accordingly.

Despite the political instability, once again, the Parliament of Montenegro is showing the best results in the region considering administrative transparency, and at the same time, it is the most transparent institution in Montenegro. These results were also confirmed by the European Commission which continuously recognizes the Parliaments' high level of administrative transparency and its achievements in enhancing communication with the public.

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2.   Montenegro 2022 Report. European Commission. Available at: https://tinyurl.com/2zeh6j8p

The Parliament of Montenegro joined the Open Government Partnership initiative in 2022. Based on the National Action Plan 2023-2024[3], the Parliament is a holder of several activities among which the already implemented improvement of the accessibility of information on its website for visually impaired and deaf-mute people.

Enhancing Transparency through the Open Government Partnership in North Macedonia's Assembly

The work of the **Assembly of the Republic of North Macedonia** was disrupted by political polarization which delayed the adoption of many pieces of legislation. Proper planning and consultations continue to pose challenges in limiting the use of fast-track procedures to ensure effective scrutiny and consultation on legislation. After thorough debates, the Assembly adopted conclusions on the proposal which paved the way for the opening of EU accession negotiations for the country. In line with these processes, the latest country report of the European Commission[4] urges for a more active and positive role of the Assembly in the accession negotiations. The report also calls for joint and prompt efforts by all parties as a matter of priority to strengthen the Assembly's role as a forum for constructive political dialogue, particularly on the EU reform agenda.

In contrast to the previous year, in 2022, the Assembly improved its administrative transparency by implementing a modernized website that facilitated access to information possessed by the Assembly in a more structured and user-friendly way. This enhancement contributed to the transparency of their work, although with the transition to a new website, certain performances are still to be arranged. The Assembly also proceeded with the implementation of its National Action Plan for 2021-2023 within the Open Government Partnership[5], as part of which, aside from modernizing its website, the Assembly also created its own Open data portal[6] which aims at enabling the use of that data by legal entities or individuals to create new information, content, applications or services.

In line with fostering greater citizen interaction and engagement, the Parliamentary Institute as a body for parliamentary research and information service, has shown increased efforts in awareness-raising and public education by organizing 32% more educational workshops, seminars, and tours of the Assembly for various target groups, including individuals with different disabilities.

Striving towards Institutional Openness and Democratic Progress in Serbia

The **National Assembly of the Republic of Serbia** and the **Assembly of the Autonomous Province of Vojvodina** have still not strategized their institutional openness through a separate policy, although promising efforts have been made by the National Assembly. As recommended by Partners for Democratic Change Serbia through the Open Government Partnership consultative process, the National Assembly is currently working on shaping the proposed activity as part of the upcoming Action Plan to ensure a modernized website in order to facilitate access to public information, the publication of new datasets, and the release of data in an open format.

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3. National Action Plan for implementing the Open Government Partnership in Montenegro 2023-2024. Open Government. Available at: https://tinyurl.com/y54u9syb
4. North Macedonia 2022 Report. European Commission. Available at: https://tinyurl.com/yvpxdkb2
5. National Action Plan for Open Government Partnership for 2021-2023. Open Government Partnership North Macedonia. Available at: https://tinyurl.com/yc2t5hp8
6. Open Data Portal Assembly of the Republic of North Macedonia. Available at: https://data.sobranie.mk/

Following early parliamentary elections in April 2022 which resulted in a more pluralistic National Assembly, there has been noticeable progress in the dialogue during sessions compared to the period when the Assembly was composed solely of representatives from the ruling parties. Although given the chance to consider proposals for amendments aimed at improving proposed laws during the sessions, the MPs predominantly utilized their time to engage in exchanging insults and slandering MPs from opposing parties[7]. Additionally, the concerning pattern of passing a substantial number of laws simultaneously persisted, leading to a direct reduction in the available time for discussing each proposed act. A notable instance of this trend is the adoption of the state budget, which was passed during a session along with 34 other acts.[8]

An important thing to note was also the latest European Commission recommendations towards the National Assembly. Firstly, they urged for a more systematic and effective use of a new Code of Conduct in order to prevent and sanction offensive language. Secondly, they emphasized the necessity to modernize the rules of procedure in alignment with the highest European standards and practices. Lastly, they highlighted the utmost importance of strengthening the effectiveness, autonomy, and transparency of the Parliament, including reinforcing the role of the parliamentary opposition, in order to establish the essential checks and balances. [9]

Between Ballots and Lingering COVID-19 Effects: Democratic Resurgence in Slovenia

The **Slovenian Parliament** is incompletely bicameral, consisting of the National Assembly and the National Council. In 2022, the lingering effects of the COVID-19 epidemic continued to be felt in Slovenia, leading to substantial changes in the functioning of the National Assembly and the extent of public involvement in crucial political processes. Numerous decisions, which exhibited a disproportionate encroachment on individual rights such as freedom of movement, limitations on social interactions, and constraints on media freedom, served as the catalysts for weekly public demonstrations. Among the various catalysts that inflamed these protests was the opaque adoption of pivotal policies, bypassing established democratic norms and anticipated legislative procedures.

The year 2022 also bore significant importance due to many elections. Regular elections for the National Assembly transpired in April 2022, followed by the electing of a new Government in June whose operations were substantially influenced by the initiations of a referendum concerning governmental reorganization during the latter part of the year. The months of November and December witnessed an array of elections including those for the National Council, presidential office, local offices, and a referendum on government restructuring, collectively yielding a substantial impact on the operational dynamics of the National Assembly.

Regarding transparency of the National Assembly's work, particularly in the second half of the year, adherence to established principles gradually rebounded. Previously suspended democratic norms were reinstated, allowing the public to engage anew in legislative processes and the Assembly's work. In comparison to the findings from our 2021 report, this year's findings show that the National Assembly enhanced their transparency in line with our recommendations, namely: disclosing information about parliamentary offices, communication methods, and ways to connect with local MPs on their websites. Additionally, a law was enacted to safeguard whistleblowers effectively. However, based on the accumulated data, it is evident that a notable deficiency persists in strategic planning. The National Assembly has yet to adopt a clear policy on openness that delineates the long-term

7.   Open Parliament, Parliament under scrutiny, Newsletter 20, September 2022 - January 2023. Open Parliament. Available at: https://tinyurl.com/2p8k6y3h
8.   Ibid.
9.   Serbia 2022 Report. European Commission. Pg. 12. Available at: https://tinyurl.com/bdd5bb78

roadmap for transparency and openness development. Furthermore, a comprehensive communication strategy remains absent, and there has been no substantial effort to establish an e-petition mechanism. The National Assembly also maintains no intentions of joining the Open Government Partnership.

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Ticking the Integrity Box or Fostering Ethical Governance: Enacting a Code of Conduct for MPs in Croatia

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Several high-level corruption affairs, issues related to the war in Ukraine, and the Government's unwillingness to organize a wide public debate related to the changes to the Law on Constituencies based on the Constitutional Court ruling have dominated the **Croatian Parliament's** activity and quality of parliamentary debate. In parallel, the Parliament's unwillingness to coherently improve its openness, transparency, and accountability remained constant with very few positive developments.

The deterioration of anti-corruption policies has been evidenced in the new 2021 Law on the Conflict of Interest. While the previous law has often been used as an argument for not enacting a separate Code of Conduct for MPs, the new one dismantled the previous system by disempowering the independent Commission for the Resolution of Conflicts of Interest to act when the ethical principles are violated, including those of MPs.

Following the recurring GRECO[10] and Gong's[11] recommendations, but only to tick the box, in late 2022 the Croatian Parliament finally enacted a Code of Conduct for MPs[12] without proper consultations between parliamentary political parties and any public debate. As the Code lacks implementation and monitoring procedures and sanctions, it represents a missed opportunity to bring the parliament closer to best practices in parliamentary ethics by introducing a tailor-made in-house integrity mechanism.

Despite several initiatives, the Parliament also failed to modernize its Rules of Procedures to enable a more efficient parliamentary debate and oversight, and the 2005 Rulebook on Parliamentary Openness[13], which both contributed to minor progress in parliamentary openness and transparency despite the EU membership.

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10. Croatia - Publication of 4th Evaluation Round Second Addendum to the Second Compliance Report. Council of Europe. Available at: https://tinyurl.com/4cbvr7xc
11. In terms of openness, the Croatian Parliament lags behind parliaments in the region. Gong. Available at: https://tinyurl.com/2jj4stm4
12. Code of Ethics for Members of the Croatian Parliament. Official Gazette. Available at: https://tinyurl.com/3np42wvv
13. Rulebook on the publicity of the work of the Croatian Parliament and its Working Bodies. Official Gazette. Available at: https://tinyurl.com/j438fhxj

IV

4. PARLIAMENTARY OPENNESS IN THE REGION

Since our last report, **the openness of parliaments in the region has seen marginal progress** in the majority of the countries, with a decline in institutional openness in certain legislative bodies in Serbia and Bosnia and Herzegovina. This outcome is disappointing, given that it pertains to bodies that citizens directly elect and who bear responsibilities towards the public. Bringing into comparison the parliaments of Croatia and Slovenia as countries which were formerly part of Yugoslavia but have been EU members for 10 and 19 years respectively, has really brought into perspective the openness of the parliaments of the countries which were once part of the same political system and federation.

Our latest results place the Parliament of Montenegro in the first place in terms of openness of the legislative power from the analyzed countries from the territory of the former Yugoslavia. The Parliament of Montenegro meets 87.70% of the set openness criteria, followed by the National Assembly of Slovenia 73.62%, the Assembly of North Macedonia 71.56%, the Croatian Parliament 63.07%, the National Assembly of Serbia 59.02%, and the Parliamentary Assembly of Bosnia and Herzegovina 56.98% (House of Peoples 56.31%, House of Representatives 57.65%).

One crucial aspect to be taken into consideration is that in Serbia and Bosnia and Herzegovina, we also measured the openness of provincial and entity parliaments, thus, the National Assembly of Republika Srpska met 42.37% of the openness indicators, the Parliament of the Federation of Bosnia and Herzegovina met 37.29% (House of Peoples 41.07%, House of Representatives 33.52%) and the Assembly of the Autonomous Province of Vojvodina achieved a result of 32.34%.

The weakest domain encountered by parliaments is awareness which reviews the institutions' commitment to learn from ongoing processes and improve their work through established monitoring, evaluation, and learning systems – by using milestones/indicators during strategic planning and reporting.

In the initial stages of the research, the researchers distributed questionnaires to the institutions and made requests for free access to public information, to examine the institutions' responsiveness and determine the time required for their answer. Thus, the following bodies responded timely to the request for free access to information: the Assembly of the Republic of North Macedonia, the Assembly of the Autonomous Province of Vojvodina, the Assembly of the Republic of Serbia, the Parliament of Montenegro, the Parliament of Croatia, the National Assembly of Slovenia, the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina, and the National Assembly of Republika Srpska. The Parliament of the Federation of Bosnia and Herzegovina – the House of Peoples and House of Representatives, as well as the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina, did not respond to the requests for free access to information at all. The questionnaire was answered by all institutions except the House of Representatives and House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina, and the House of Peoples of the Parliament of the Federation of Bosnia and Herzegovina.

The disparity in parliamentary openness and transparency in the region remains considerable, as observed in previous years. This trend persists, with Montenegro, Slovenia, and North Macedonia consistently achieving higher levels of openness compared to other countries in the region. **The fact that parliaments in the region do not adequately focus on open data is evident from their open data score.** To address this issue, the Assembly of North Macedonia has developed a separate open data portal while their progress in the area of open data is still to be seen. In continuation, the report highlights the primary challenges that impede the advancement of parliamentary openness in the region.

Glimmers of Progress Amidst Persistent Pitfalls in the Race for Proactive Transparency

The practice of the parliaments remains that **instead of adopting a single strategic framework governing their openness, the principle of openness is scattered across various policies regulating their functions.** This deficiency poses a significant hurdle to the effectiveness of parliaments, as it leaves their openness in practice subject to the interpretation and discretion of the current parliamentary leadership. It also raises questions about their commitment to democratic principles and adherence to the rules of good governance. The constantly raised concerns about the lack of a strategic approach to openness policy among legislators in the region have only recently been addressed by the Parliament of Montenegro, the Assembly of Autonomous Province of Vojvodina, and the National Assembly of the Republika Srpska. Additionally, only the Assembly of North Macedonia, the Parliament of Montenegro, the National Assembly of Serbia, and the Croatian Parliament are promoting their openness as part of the Open Government Partnership, while there are no evident steps from the remaining parliaments from the region for joining this initiative.

Our findings indicate that the parliaments, with a few exceptions, are generally not committed to strategically planning and reporting on their work evidenced by the lack of publishing relevant documentation, annual work programs, and reports. Parliaments generally remain closed when it comes to publishing all relevant data on plenary and committee sessions. Most parliaments do not publish voting lists from committee sessions (all aside from Montenegro and Serbia) and lists of MPs who attended the committee sessions (all aside from Montenegro, Serbia, the National Assembly of Bosnia and Herzegovina's House of Peoples, and partially North Macedonia and the National Assembly of Bosnia and Herzegovina's House of Representatives), documents prepared for the upcoming committee sessions (all aside of Montenegro, Serbia, Slovenia and North Macedonia), while the availability of the submitted and adopted amendments is also a rare occurrence especially in Serbia, the Autonomous Province of Vojvodina, Republika Srpska and the Federation of Bosnia and Herzegovina's House of Representatives. With the exception of Montenegro, Serbia, and Slovenia, parliaments in the region do not have a standard practice of publishing audio/video records from the committee sessions, nor expert opinions of international bodies such as the European Commission, Venice Commission, TAIEX, etc., together with the draft laws except in the case of Montenegro, Slovenia, Croatia and the Federation of Bosnia and Herzegovina's House of Peoples. What remains as a challenging venture is obtaining complete information regarding the names and positions of civil servants, or the salaries of public officials.

Cultivating Responsible Governance: Prioritizing Citizen Interaction in Parliaments in the Region

Parliaments in the region must enhance their representative role by establishing effective communication channels with citizens and involving them in policymaking processes. The key focus should be put on developing communication strategies and electronic services to improve accessibility and engagement, introducing innovative methods of two-way communication, and taking a more proactive approach towards using social networks to connect with a broader audience.

It is crucial to introduce mechanisms for electronic petitions in regional countries to encourage more active citizen participation in the legislative process, which is currently only present in Montenegro. The Parliament of Montenegro was the first one to introduce the e-petitions in the region, a move that could and should be replicated across the region. Constituency offices at the local level where each citizen can voice out their issues to be discussed among the MPs are only available in North Macedonia, Slovenia, and recently in Serbia.

Supervisory Activities: A Mere Formality or an Effective Accountability Tool

The weakest domain encountered by parliaments is awareness which reviews the institutions' commitment to learn from ongoing processes and improve their work through established monitoring, evaluation, and learning systems – by using milestones/indicators during strategic planning and reporting. Although various mechanisms for parliamentary oversight have been established in the monitored countries, **supervisory activities (for instance hearings) are not effectively practiced and are often being treated as mere formalities** which is also noted in several of the countries' reports by the European Commission. Not formalizing sanctions for ministers and other executive officials for not participating in the hearings, such as the case in all monitored countries aside from certain parliaments in Bosnia and Herzegovina, additionally limits the impact of such oversight over the executive branch and decreases the levels of political accountability.

Other significant aspects that require attention are the implementation of mechanisms for monitoring the implementation of the Code of Ethics of MPs and, development and implementation of separate integrity plans for internal anti-corruption policies. By regulating lobbying, the parliaments can enhance transparency and ensure the accountability of decision-making processes, an obstacle yet to be addressed in Croatia and Bosnia and Herzegovina.

5. OPENNESS OF THE ASSEMBLY OF THE REPUBLIC OF NORTH MACEDONIA

Although at the regional level, the Assembly ranks third in terms of openness with a fulfillment of openness indicators at 71.56%, right after the Parliament of Montenegro (87.7%) and the Slovenian Parliament (73.62%), the Macedonian Assembly ranks sixth in terms of openness at the national level, just behind the Ministry of Defense (89.72%), the Government (79.14%), the Ministry of Interior (78.9%), the Ministry of Information Society and Administration (75.35%), and the Ministry of Labor and Social Policy (72.56%). Compared to the previous measurement when the Assembly was in fourth place at the national level, this represents a drop of two places on the list of institutions in terms of openness, which is due to the progress made by the aforementioned institutions in the past year, as well as the monitoring of bodies not included in last year's sample.

Despite the visible efforts of the Assembly to remain accessible to and accountable to the citizens, the context in which the most significant body in the country operated in the past year, marked by political blockades and boycotts by MPs calling for early elections and referendum initiatives, cannot be ignored. The citizen perception survey about the work of the Assembly reveals that the majority (65%) consider that boycotting is not the right way to express political views in the work of the Assembly[14].

Following intense and tense debates, the Assembly adopted the government's Information on Acceptance of the French proposal to lift the Bulgarian veto on North Macedonia's European integration in July 2022, which enabled the continuation of negotiations for EU membership.[15] Shortly after the opening of the accession negotiations process, the opposition party VMRO-DPMNE submitted an initiative for a referendum for the Law on the Ratification of the Treaty of Friendship, Good Neighborliness, and Cooperation between Bulgaria and North Macedonia in September 2022, which was ultimately rejected.

In addition to the blockades, abuses of the Rules of Procedure, including persistent filibustering and the adoption of laws by a fast-track procedure, contributed to a decrease in the quality of the debate[16]. **The recommendation, which we have been making for the sixth consecutive year and has also been confirmed by European Commission reports, remains that the Assembly should focus on limiting the practice of adopting laws by a fast-track procedure only under conditions provided for in the Rules of Procedure and should not abuse that option[17].**

14. Public Opinion Analysis No. 5/2022 – Parliament Watch: Citizens' Perception about the Work of the Assembly of the Republic of North Macedonia. Vlora Rechica and Aleksandra Jovevska Gjorgjievikj. Available at: https://tinyurl.com/4pr478uh

15. Commission Staff Working Document. North Macedonia 2022 Report. Available at: https://tinyurl.com/5a43fd6v

16. Policy Brief No. 20/2022 - Towards a More Efficient and Constructive Assembly through Amendments to the Rules of Procedure. Nikola Donev. Available at: https://tinyurl.com/mr42p48j

17. Rules of Procedure of the Assembly of the Republic of North Macedonia (Consolidated Text). Assembly of the Republic of North Macedonia. Available at: https://tinyurl.com/txbmpsch

Percentage of Laws Adopted by a Fast-Track Procedure
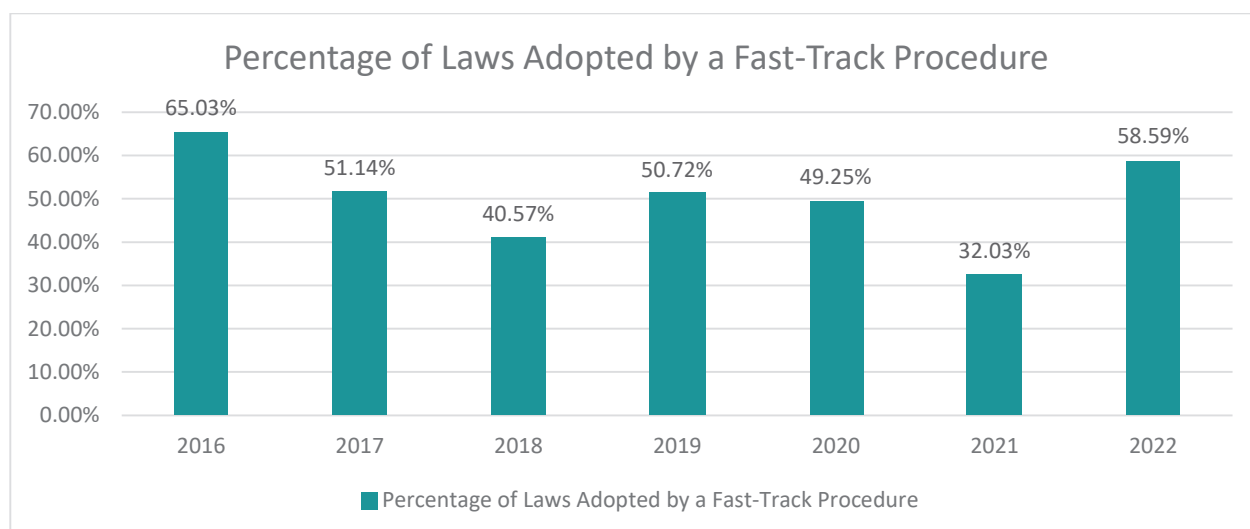
Looking back six years to the situation in 2016, where out of 366 adopted laws, 238 were adopted by a fast-track procedure (65.03%), there has been a decrease in this practice in 2022. Out of 99 adopted laws in 2022, 58 were adopted by a fast-track procedure (58.59%)[18]. However, over the years, the application of this practice has varied, with trends showing an increase before elections and other political events.

When it comes to laws adopted by a fast-track procedure, impact assessments of the regulation are not a formal practice[19]. **All regulatory impact assessments, regardless of the legislative procedure, should be submitted to the Assembly along with proposed acts. The Assembly should start carrying out a strategic assessment of the potential impacts of existing and prepared legal acts, especially those proposed by the Assembly itself.**

Furthermore, **the inertia of MPs remains a concern, as the Government continues to be the main proposer of laws**. In 2022, the Government proposed a total of 88 laws, compared to only 11 laws that were proposed by MPs[20]. It should be the responsibility of the Constituency Offices to listen to the needs of citizens and, based on them, propose legislative changes.

Navigating Towards Online Democracy: Modernizing the Assembly Website for Increased Citizen Engagement and Information

A positive step in the right direction is the modernization of the Assembly website, which should provide easier access to information for every citizen. This allows citizens to be well-informed and shape their views related to the country's processes, as well as participate in decision-making during elections and referendums. Additionally, this year, the Assembly introduced a new version of e-Assembly based on the latest technologies, which enables a fully computerized and digital way of functioning, eliminating the need for paper[21].

Although the new website is adapted for use by individuals with disabilities through adjustments like font size and black-and-white format, it's advisable to further **customize it to make it accessible to all individuals with disabilities, following the Web Content Accessibility Guidelines (WCAG)[22].** Furthermore, as the website collects data about individuals who access it through cookies, as well as

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18. Report on the Work of the Assembly of the Republic of North Macedonia for the Period from 01.01.2022 to 31.12.2022. Assembly of the Republic of North Macedonia. Available at: https://tinyurl.com/4cxc7rwv
19. Commission Staff Working Document. North Macedonia 2022 Report. Available at: https://tinyurl.com/5a43fd6v
20. Ibid.
21. Report on the Work of the Assembly of the Republic of North Macedonia for the Period from 01.01.2022 to 31.12.2022. Assembly of the Republic of North Macedonia. Available at: https://tinyurl.com/4cxc7rwv
22. Accessibility Fundamentals Overview. Web Accessibility Initiative (WAI). Available at: https://www.w3.org/WAI/fundamentals/

personal data of those who want to visit the Assembly[23], the Assembly is obliged to display a **Privacy Policy**, which was unavailable during the analysis[24]. In addition to the Privacy Policy, the website should also feature a Cookie Policy that transparently explains what types of cookies the website uses, how they are used, and what the purpose of each one is.

The Assembly continued its practice of prominently featuring information about the structure of the Assembly Staff on its new website. This includes the organizational chart, responsibilities, and composition of the Assembly, the full text of the Constitution and Rules of Procedure, the biography of the Speaker, the composition and responsibilities of each committee, contact details and biographies of each member of parliament, as well as the names and positions of public administration officials. Although this information is available within the biographies of each member of parliament, for easier access, we recommend that the Assembly publish a structured list of members of parliament along with their contact details in an open format. **What the Assembly has not taken into account as a recommendation for seven consecutive years is the publication of the salaries of members of parliament and parliamentary leadership, as well as the expenses they have claimed in the form of travel costs.** This is particularly concerning at a time when officials in the country received a 78% increase in their incomes[25], and from September 2023, employees in the public sector are expected to receive a 10% increase in salaries.[26]

5.1. Strategic Deficiency and the Openness Gap: Undermining Public Trust in Parliamentary Work

Once again this year, as in the past six years, the Assembly did not publish an annual work program upon which it bases its activities, the implementation of relevant strategies, as well as annual work reports. The annual planning of the Assembly's work, along with the publication of a preliminary annual calendar for its activities, is crucial for improving the predictability of the Assembly's work. This, in turn, would enhance the quality of public consultations in the Assembly, promote better coordination among political parties, and contribute to a more constructive role for the opposition, which often accuses them of the adoption of ad hoc laws and policies, alleging misuse of the fast-track mechanism and adoption of laws under the EU flag. As the civil sector anticipates, the untimely scheduling of sessions can affect the quality of debates in the Assembly[27], and session predictability would contribute to a higher quality and more reasoned discussion. In this regard, in the second half of 2022, the Assembly reviewed the Slovenian calendar model, consisting of an annual work program, a timetable for the next two months, and a schedule for each session[28]. Following this workshop, as noted in the Assembly's 2022 work report, establishing a calendar will be a priority in the Assembly's work.

The Assembly continues to work on improving its openness as part of the Partnership for Open Government, implementing the 2021-2023 Action Plan. In addition to modernizing its website, the Action Plan includes several other activities aimed at enhancing openness towards citizens. These activities involve the launch of an Open Data Portal for the Assembly, the development of a

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23. Schedule a Visit. Assembly of the Republic of North Macedonia. Available at: https://www.sobranie.mk/visits.nspx
24. Privacy Policy. Assembly of the Republic of North Macedonia. Available at: https://sobranie.mk/content/privacy_policy.pdf
25. Salaries Increased by 78 Percent for 1060 Officials. Radio Free Europe. Available at: https://tinyurl.com/yat8xshh
26. The Deal was Struck – a Salary Increase of 10% for Public Sector Employees. Telma. Available at: https://tinyurl.com/94hsaydp
27. Policy Brief No. 29/2022 - Quality of Debate: Is the untimely scheduling of sessions affecting the quality of the debate in the Assembly? Vlora Rechica. Available at: https://tinyurl.com/jmye7n3c
28. Report on the Work of the Assembly of the Republic of North Macedonia for the Period from 01.01.2022 to 31.12.2022. Assembly of the Republic of North Macedonia. Available at: https://tinyurl.com/4cxc7rwv

platform for citizen proposals and initiatives, a fully functional Assembly TV channel, the creation of software solutions for public monitoring of the legislative process, and the production of reports to inform the public and promote the work of Constituency Offices. Even though the outlined activities are to be applauded, it is recommended that the Assembly consistently implement the commitments from the Action Plan in a timely fashion. Furthermore, expanding the number of civil society organizations involved in the implementation of these commitments is encouraged. The new Action Plan for the period 2023-2025[29] is being prepared and it presents an additional opportunity to broaden the circle of civil society actors.

Although the Assembly foresees activities to improve the openness of the legislative branch through its participation in the Open Government Partnership initiative, **it lacks a specific rulebook or strategy regarding openness.** At the time of this analysis, **the Assembly also lacks a separate communication strategy, whose necessity we have pointed out over the past four years.** Public opinion analyses[30] warn that in 2022, citizens rated the Assembly's work with an average score of 2.5 on a scale of 1 to 5, indicating a slight decline compared to the past four years. Therefore, we ask for the adoption of a strategic approach toward institutional openness and public communication that would enhance public trust in the Assembly's work. A step in the right direction to address this issue is the development of a Public Communication Strategy, as informed by the Assembly Staff. A working group for this strategy has already been formed as part of the parliament support program funded by Switzerland.

5.2. Reevaluating Accountability in the Work of the Committees of the Assembly

Despite the Assembly's publication of detailed annual, but not periodic work reports, strategies, annual work reports from committees within the Assembly's annual work report, agendas, documents on the agenda for upcoming plenary sessions, proposed and approved amendments, and notifications of the presence of MPs in plenary sessions, **there is still room for improvement in reporting to the public about the presence of MPs in committee sessions**. In certain committees that regularly and properly keep minutes of their sessions, this information can be found sporadically, while in the remaining part of the committees, this is not a common practice. **The Assembly has introduced a new practice to facilitate tracking the voting of MPs in plenary sessions** according to which the MPs that were registered for voting and how they voted are precisely marked for each item they voted upon. Additionally, the Assembly should establish a practice for **disclosing the voting methods during committee sessions.**

The Assembly's website provides a space for live online broadcasts of plenary sessions[31]. In addition to the audio and video broadcasts of plenary sessions through the Assembly's channel, something we have been pointing out for the seventh year is that **the videos from the broadcast are not available under each session**. In other words, during monitoring, we noticed that the link designated for video broadcasting leads to an image of the Assembly's logo. At the end of the first half of 2022, the Assembly began the practice of posting video broadcasts of plenary sessions and some committee sessions, as well as other ceremonies, on its Assembly YouTube channel[32]. However, all data related to the work of the Assembly must be accessible to citizens in one place.

29. Preparation of a New Action Plan for the Assembly (2023-2025) towards the Open Government Partnership (OGP). Assembly of the Republic of North Macedonia. Available at: https://tinyurl.com/yc33mdyj
30. Public Opinion Analysis No. 5/2022 – Parliament Watch: Citizens' Perception about the Work of the Assembly of the Republic of North Macedonia. Vlora Rechica and Aleksandra Jovevska Gjorgjievikj. Available at: https://tinyurl.com/4pr478uh
31. Session Broadcast. Assembly of the Republic of North Macedonia. Available at: https://tinyurl.com/bddpfz38
32. Official YouTube Channel of the Assembly of the Republic of North Macedonia. Available at: https://tinyurl.com/mwcb4juf

Regarding positive aspects, there is a regular and timely practice of publishing shorthand notes from plenary sessions, but not from committee sessions, and documents on the agenda or stemming from committee sessions, although not all committees follow this practice. Additionally, the Assembly provides direct audio and video broadcasts of some of the sessions of its working bodies, but not all of them. As the Assembly Staff informed us, by the end of 2023, online broadcasts of working body sessions shall be available, using multiple channels to allow for easy tracking if two or more sessions of the working bodies are scheduled at the same time.

5.3. Fiscal Transparency to Strengthen Resistance to Corruption and Enhance Accountability

Throughout 2022, the Assembly continued to publish its annual plans for public procurements, calls, election decisions in the form of notifications, and contracts along with their annexes on its website. The Assembly also regularly publishes a detailed list of realized public procurement contracts. However, the Assembly should publish concise annual reports for public procurement, which, among other things, should include summary information on conducted and unfulfilled procurements, the status of contract execution, and payment of contracted amounts, as well as the reasons for contract cancellations.

Furthermore, the Assembly regularly publishes its assembly budget, monthly financial reports on the execution of the assembly budget, and the annual balance sheet resulting from it on its website. **However, the recommendation that we have been giving for five consecutive years, and is still valid this year, is to publish the Citizens' Budget on the Assembly's website**. Considering that there is already a web application for the Citizens' Budget[33] owned by the Ministry of Finance, adding a link or a special banner leading to the application should not be a technically challenging venture requiring substantial resources. Additionally, the Assembly's website should highlight midterm expenditure reports for the state budget. The publication of a Citizens' Budget for the assembly's budget would also add value to greater openness, making it clear to the public how the Assembly allocates its funds for its operations.

Related to the state budget, the Assembly holds a parliamentary debate regarding the audit report for the annual balance sheet. That is, when the annual balance sheet of the budget is discussed, a significant part of the material is the audit report. Additionally, documentation from the bodies of the Assembly that review or approve the budget and activities related to public financing is publicly available on the Assembly's website. In this regard, our recommendation from four years ago remains valid: **although the Committee on Financing and Budget and the Legislative Committee discussed the latest state budget proposal, all committees should discuss it within their mandates.** Furthermore, the recommendation from the past few years is that the Assembly should **formally instruct the executive branch to involve the public in the budget creation process.**

What is needed to improve fiscal transparency for all national and local institutions and reduce any potential room for corruption is an upgrade of the Law on Public Procurement. This upgrade **should require tenderers to publicly disclose the ownership of the legal entity on whose behalf they are competing to avoid awarding tenders to companies owned by individuals or close relatives of individuals in public office.** Additionally, **the Law on the Prevention of Corruption and Conflict of Interests** should be amended to **require individuals appointed to conduct public procurement,** apart from officials**, to submit asset declarations**. This would help prevent them from being susceptible to bribery and corrupt activities.

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33. Citizens' Budget. Ministry of Finance. Available at: http://budget.finance.gov.mk/

5.4. Data Democracy: Building Transparency through Open Data

It is an undeniable fact that **the Law on Free Access to Public Information** is one of the most advanced laws in the region in this area. However, the greatest challenge is its consistent implementation until it becomes "embedded" in the working culture of the public administration. International practice teaches us that what should also be regulated with the Law is a reduction of the response time from 20 to 15 days to ensure greater efficiency and avoid information obsolescence. In this area, **the Assembly is very responsive, and it responded to our request for free access to public information within 15 days, which is commendable.** Furthermore, the Assembly responded to the institutional openness questionnaire within 15 days, delivering additional materials to support our research.

Additionally, after five years of recommendation from our side, **the Assembly opened a new section on its website dedicated to free access to information of public character**. This section contains contact information for the officers responsible for access to public information, the text of the Law on Free Access to Public Information with instructions for its implementation and relevant forms, annual reports on the implementation of the Law, and a link to the Agency for Protection of the Right to Free Access to Public Information. Our recommendation is for the individuals who mediate free access to public information, as well as other individuals who are part of the Assembly Staff, to participate annually in training for free access to public information organized by the Agency for Protection of the Right to Free Access to Public Information or other relevant stakeholders. This would ensure consistency in building their capacities and keeping up with new trends in the field. Additionally, **we recommend that requests for free access to public information that have already been granted be regularly published on the Assembly's website**, making the information publicly accessible. This would significantly reduce the volume of requests for free access directed to the Assembly, allowing them to focus on other processes.

Unique in the region, alongside the parliaments of Croatia[34] and Slovenia[35] which have designated a special section on their websites for this purpose, the Assembly of North Macedonia has developed an Open Data Portal[36] , which is expected to significantly increase the transparency and accountability of the Assembly. Through the Portal, users can access data in the most basic form, giving them much greater potential for conducting research, analysis, stories, and developing applications with the use of that data. While the Portal is currently being populated with datasets, the Assembly actively participates in various training programs in this area. In the context of this year's monitoring, the Assembly fulfills a total of 45.29% of the indicators related to open data. Given the effort invested by the Assembly in this area, it is expected that this percentage will be significantly increased in the next monitoring.

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34. Open Data. National Assembly of the Republic of Slovenia. Available at: https://www.sabor.hr/hr/pristup-informacijama/otvoreni-podaci
35. Open Data. Croatian Parliament. Available at: https://tinyurl.com/nhpnj73d
36. Open Data Portal. Assembly of the Republic of North Macedonia. Available at: https://data.sobranie.mk/mk/

5.5. Bridging the Gap Between Representatives and Citizens

The Assembly of North Macedonia is one of the few parliaments in the region that has established Constituency Offices at the local level, alongside Serbia and Slovenia. The goal of these offices is to facilitate direct communication between elected representatives and citizens, providing them with an opportunity to exchange information, suggestions, and ideas to enhance their participation in the work of the Assembly. In 2022, alongside the launch of the new website, the Assembly also improved the map of these offices, providing information for each office, including working hours and address, a contact person with their phone number, the MPs working in that office, and the political party they represent. This information is available in both Macedonian and Albanian. In 2022, within the framework of several initiatives by the Assembly, a total of 8,473 visits were made to these offices, resulting in 4,847 registered cases, of which 1,485 were resolved. Additionally, 126 parliamentary questions and 30 citizen initiatives were submitted through these offices[37].

Percentage of Open Constituency Offices
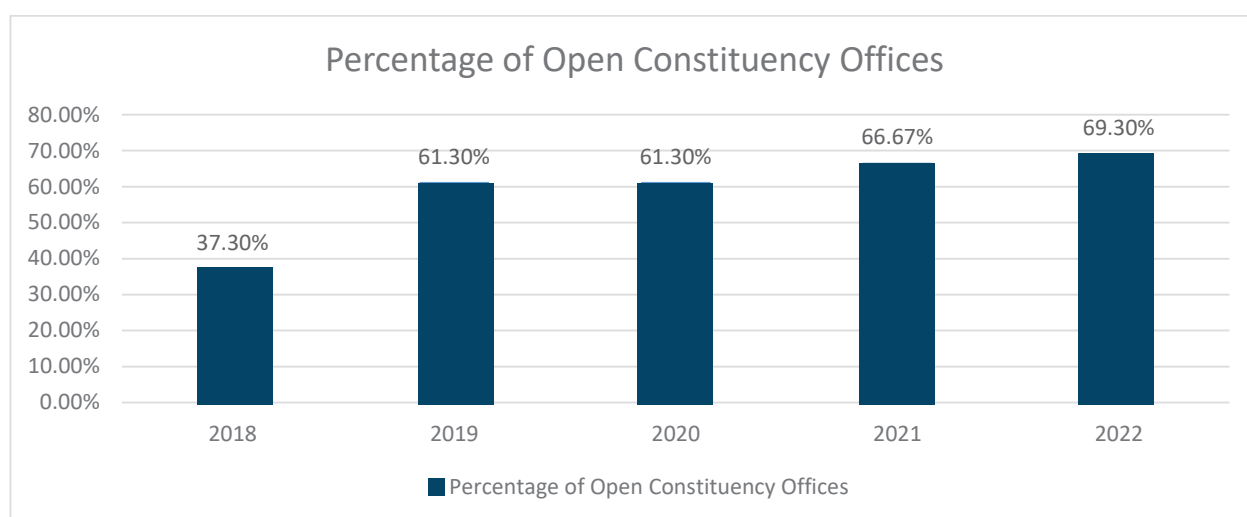
What continues to be a concern for citizens is that **such offices are not available at all intended locations, meaning that 75 offices are not open as originally planned in the Assembly's 2003 project.** Compared to 2018 when 37.7% (28) offices were open, in 2022, 52 offices were open,[38] which represents 69.3% of the intended number, marking a 31.6% improvement in five years. **Under ideal conditions, with this pace, opening all 75 offices is expected to be completed by 2027 at the latest.** The Assembly consistently takes steps in cooperation with local self-government units, the Association of Local Self-Government Units (ZELS), and the Government to ensure spatial conditions and open the remaining offices, as stipulated by Article 35 of the Law on the Assembly[39].

In terms of educating citizens and raising awareness, the Assembly continued to effectively use social media profiles to actively provide information to citizens about its activities, as well as organize workshops, seminars, and physical visits for citizens with different abilities. **However, when it comes to involving the public in the work of the Assembly, the findings are discouraging.** It is striking that although formally, civil society and independent experts are allowed to participate or monitor the work of the Assembly's working bodies, **in 2022, the committees requested public opinion**

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37. Report on the Work of the Assembly of the Republic of North Macedonia for the Period 01.01.2022 - 31.12.2022. Assembly of the Republic of North Macedonia. Available at: https://tinyurl.com/4cxc7rwv
38. Ibid.
39. "Law on the Assembly of the Republic of North Macedonia. Available at: https://tinyurl.com/2p862r3a

on specific laws, strategies, declarations, and similar matters fewer than 10 times. In the same vein, although we have been making this recommendation for four years in a row, the Assembly still has not established a practice of publishing expert opinions from the European Commission, the Venice Commission, TAIEX, etc., along with draft laws, and we further recommend that expert opinions presented as part of consultations be published.

For the fifth year in a row, we emphasize the need for the Assembly to establish a mechanism for e-petitions, a recommendation that the Parliament of Montenegro adopted last year. In the National Action Plan 2021-2023 for the Open Government Partnership and within the framework of the Open Parliament commitment[40], the Assembly envisages creating a **platform for citizens' proposals and initiatives to the legislative authorities.** This activity is ongoing, and the platform itself is expected to enhance channels of communication with MPs, promote opportunities for the public, and include administrative solutions for collecting proposals, delivering them, and keeping records of processes and proposals.

To further facilitate communication between citizens and the Assembly, it is advisable to have a **direct channel for communication with the institution on the Assembly's website, along with instructions for citizens on how to file complaints and grievances through the website.** A good practice would be to set and publicly announce a deadline by which citizens will receive a response to their complaint or grievance, as well as a real-time tracking system for the process of addressing the complaint or grievance. Only when such a mechanism is established, and it functions effectively, will citizens feel heard, and trust in institutions can begin to be restored.

5.6. Strengthening Control Mechanisms for Democratic Governance

In 2022, there were attempts at 5 interpellations, of which the interpellation regarding the work of the Speaker of the Assembly was not adopted, and the interpellations regarding the work of the Minister of Justice and the Deputy Prime Minister in charge of the fight against corruption, sustainable development, and human resources were rejected as irrelevant. Two interpellations were not reviewed. However, in 2022, as in 2021, the Assembly did not hold a single oversight debate. In its latest report on the country, the European Commission calls for more **frequent oversight of the executive through parliamentary questions to ministers.** We join this appeal, and, as we have been emphasizing for the fourth year in a row, it is necessary to introduce **sanctions for ministers and other executive officials for their non-participation in oversight debates.**

Furthermore, a recommendation we have been giving to the Assembly for the fourth year in a row is **to review all the reports published and submitted by the State Audit Office in the relevant parliamentary bodies.** Formally and in practice, the Legislative Committee is significantly burdened compared to other working bodies, so this practice of an expanded mandate should be taken on by the Committee on Financing and Budget and in the relevant committees that deal with the respective reports examined by the State Audit Office.

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40. National Action Plan for Open Government Partnership (2021-2023). Open Government Partnership Portal. Available at: https://tinyurl.com/yc2t5hp8

5.7. Strengthening Accountability Mechanisms: Improving the Implementation of the Code of Ethics and Integrity Measures

Despite the existence of the **Code of Ethics for MPs**[41], which is publicly available and defines procedures for dealing with breaches of the Code and for publicly disclosing the final results of investigations into allegations of unethical conduct, it is necessary to establish **mechanisms for monitoring the implementation of the Code** – a recommendation that we have been making for the fifth year in a row through the Openness Index. Additionally, as in the past four years, the recommendation for greater regulation of political activities and assets through the Code remains.

The asset declarations of all MPs and officials are publicly available in electronic format and can be accessed on the website of the State Commission for Prevention of Corruption. However, it is advisable for **asset declarations to be placed as hyperlinks or tabs within the biography of each MP or official** so that their files can be complete - something that we have been recommending for six years in a row and is not technically complicated.

The participation of parliamentary officials in training related to conflict of interest, prevention of corruption, and reporting irregularities in 2022 shows that the Assembly is investing in building the capacity of its staff in these areas. However, what has been a recommendation for four years, but has not been implemented, is **the creation of a separate internal integrity plan or another format of an anti-corruption policy for the Assembly** that would include measures for preventing and eliminating various forms of corruption and unethical behavior within the institution, and according to which the Assembly would regularly report on its implementation. **It is also important that information about whistleblower protection be publicly highlighted on the Assembly's website** including the Law on Whistleblower Protection, implementation guidelines, contact information for the person responsible for internal and external reporting, the Rulebook on Protected Internal Reporting within Public Sector Institutions, and guidelines for receiving reports from whistleblowers.

41. Code of Ethics. Assembly of the Republic of North Macedonia. Available at: https://www.sobranie.mk/kodeks.nspx

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6. COMPREHENSIVE GOOD GOVERNANCE PLAN FOR THE ASSEMBLY OF THE REPUBLIC OF NORTH MACEDONIA

Based on this year's analysis, we have prepared a series of recommendations that address the above-mentioned issues and should serve as a comprehensive good governance plan for the Assembly of the Republic of North Macedonia.

Transparency

- The Assembly's website should be adapted to be accessible to all categories of persons with disabilities in accordance with the Web Content Accessibility Guidelines (WCAG). Additionally, on its website, the Assembly should highlight its Privacy Policy and Cookie Policy.

- The Assembly should create and regularly publish an annual work program, along with a preliminary calendar of its activities based on that program.

- The Assembly should adopt and publish a transparency and openness policy that, among other things, will enhance perceptions in the public and make it more accessible to citizens and stakeholders.

- The Assembly should adopt and publish a separate communication (PR) strategy according to which it will communicate with various stakeholders through various communication channels.

- The Assembly should publish a structured list of MPs with their contact details in open format on its website.

- On its website, the Assembly should publish the salaries of MPs and the parliamentary leadership, as well as any expenses they have claimed in the form of travel costs.

- The Assembly should publish the video recordings of each plenary and committee session on its website.

- The Assembly should facilitate greater transparency of committee sessions, meaning that all documents resulting from these sessions, including shorthand notes, information on the MPs' attendance at sessions, and voting lists, should be regularly published.

- The Assembly should publish expert opinions presented as part of consultations, as well as opinions of international bodies (e.g., the Venice Commission) together with draft laws.

- The Assembly should publish the Citizens' Budget from the state budget and the Assembly's budget on its website.

- All committees within the Assembly should review the draft state budget within their mandate.

- The Assembly should formally instruct the executive branch to involve the public in the budget creation process.

- The Law on Public Procurement should require tenderers to publicly disclose the ownership of the legal entity on whose behalf they are competing to avoid awarding tenders to companies owned by individuals or close relatives of individuals in public office.

- The Law on the Prevention of Corruption and Conflict of Interests should be amended to require individuals appointed to conduct public procurement, apart from officials, to submit asset declarations to prevent their susceptibility to bribery and corrupt activities.

Accessibility

- According to international practice, the Law on Free Access to Public Information should further reduce the response time for requests from 20 days to 15 days to ensure greater efficiency and avoid information obsolescence.

- Civil servants should have regular capacity-building opportunities in the area of access to public information.

- The Assembly should regularly publish information for which free access has already been granted. This would significantly reduce the scope of requests directed to the Assembly, allowing them to focus on other processes.

- The Assembly should adopt an internal act for consultative processes. Until such an act is adopted, committees should cooperate and solicit opinions from the public more frequently by opening public calls for comments and proposals from the public.

- The Assembly should emphasize limiting the practice of adopting laws by a fast-track procedure only under specific conditions and should not abuse this mechanism.

- On its website, the Assembly should establish a direct communication channel with instructions for submitting complaints and grievances, as well as create a special mechanism for electronic petitions.

- The Assembly should promptly and fully implement the commitments from the Assembly's Action Plan for 2021 and expand the number of civil organizations involved in implementing these commitments and creating a new Action Plan.

- In cooperation with local self-government units, the Association of Local Self-Government Units (ZELS), and the Government, the Assembly should assess the need to open 75 Constituency Offices instead of 81, ensuring coverage of all municipalities and the City of Skopje. Additionally, they should open the remaining offices to provide all citizens with the opportunity to express their needs to MPs.

Integrity

- The Code of Ethics for MPs should regulate the political activities of MPs.
- The Assembly should establish concise mechanisms to monitor the implementation of the Code of Ethics for MPs.
- The Assembly should publish information about whistleblower protection on its website.
- The Assembly should adopt and publish an integrity plan or another format of internal anti-corruption policy that includes measures to prevent and eliminate various forms of corrupt and unethical behavior within the institution. It should also report on its implementation at least annually.
- We recommend that the asset declarations be presented as hyperlinks or tabs within the biographies of each MP or official, ensuring that their files are complete.

Efficiency

- The Assembly should involve the public more frequently in its work through existing mechanisms for engaging civil society and independent experts.
- All regulatory impact assessments, regardless of the legislative procedure, should be submitted to the Assembly along with the proposed acts. Additionally, the Assembly should start carrying out a strategic assessment of the potential impacts of existing and prepared legal acts, especially those proposed by the Assembly itself.
- The Assembly should conduct oversight over the executive branch more frequently through parliamentary questions to ministers.
- The Assembly should impose sanctions on ministers and other executive officials for their non-participation in oversight debates.
- The Assembly should review all reports published and delivered by the State Audit Office in the relevant parliamentary bodies that deal with the respective reports.

The Metamorphosis Foundation for Internet and Society is an independent, non-partisan, and non-profit foundation based in Skopje, North Macedonia. Its mission is to contribute to the development of democracy and increase the quality of life through innovative use and sharing of knowledge. Our guiding values are openness, equality, and freedom.

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- Education for Innovation
- Social Accountability
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