

Independent Reporting Mechanism Croatia: Progress Report 2012-13

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EXECUTIVE SUMMARY: CROATIA

Independent Reporting Mechanism (IRM) Progress Report 2012-13

Croatia developed a highly ambitious action plan, encompassing commitments and activities all clearly relevant to OGP values. A special OGP Council involving civil society and public officials served the important role to ensure a wide-range of expert opinions in the OGP monitoring and implementation process. Stakeholders, however, attested to the need to expand OGP participation to engage a wider citizenry on regional and local levels. Several aspiring open government initiatives have been initiated in the recent years, giving stakeholders high expectations that OGP will continue to advance recently achieved standards of openness and transparency.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a biannual review of the activities of each OGP participating country.

Croatia officially began participating in the OGP in August 2011, when the Republic of Croatia declared the country's intent to join.

The OGP initiatives were initially led from the Office of the President of the Republic of Croatia. The responsibility then moved to the Ministry of Foreign and European Affairs after the parliamentary elections at the end of 2011. The Government Office for Cooperation with NGOs provides important administrative and institutional support for the OGP Initiative. In addition to the Office for Cooperation with NGOs, the Ministries of Finance and Administration are responsible for the large majority of the OGP activities. The Croatian Parliament, Ministry of Economy, Central Procurement Office, Electronic Media Agency, and the Office for State Property Management are responsible for implementing a small number of activities.

OGP PROCESS

Countries participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation.

Overall, Croatia developed the OGP plan in a participatory way. Advanced notice of at least 14 days was provided to key stakeholders and the general public to comment on the draft action plan. Stakeholders recommended future consultations work at local and regional levels in outside of Zagreb, and that the government engage in a clearer strategy to communicate OGP values to specific target audiences.

The government's self-assessment process involved consultation with civil society actors and the general public through online forums and consultations. This process took into consideration public comments to produce a report that effectively evaluated the progress of the OGP commitments and implementing activities.

While CSO representatives in the OGP Initiative Council provided their input during regular sessions, stakeholders identified the importance of creating a wider variety of consultation mechanisms, involving direct communication with larger civil society and regional governments.

At a glance

Member since: 2011
Number of commitments: 9
(Number of milestones: 33)

Level of Completion:

Completed: 2 of 9
Substantial: 5 of 9
Limited: 2 of 9

Timing:

On schedule: 6 of 9

Commitment emphasis:

Access to information: 8 of 9
Participation: 3 of 9
Accountability: 6 of 9
Tech & innovation for transparency & accountability: 3 of 9

Number of activities with:

Clear relevance to an OGP Value: 9 of 9
Moderate or transformative potential impact: 8 of 9
Substantial or complete implementation: 7 of 9
All three (★): 6 of 9

COMMITMENT IMPLEMENTATION

As part of OGP, countries are required to make commitments in a two-year action plan. Croatia's first action plan covered a wide variety of sectors, was ambitious, and every activity was relevant to a core OGP value. The adoption of the new Right to Access of Information Act, in particular, was regarded as one of the major successes during the implementation of the plan. Croatia faced delays, however, in the implementation of its fiscal transparency initiatives due in part to a complex level of accompanying activities, and unclear specifications of institutional responsibilities. Table 1 summarizes each commitment, its level of completion, its ambition, and whether it falls within Croatia's planned schedule, and the key next steps for the commitment in future OGP action plans. Table 2 summarizes the IRM assessment of progress on each commitment.

Table 1: Assessment of Progress by Commitment

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION			TIMING	NEXT STEPS
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL		
<p>⊕ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>									
1. Improving the Content and Transparency of Budgetary Documents									
Overall								Behind schedule	
1.1. Publish and update the state budget proposal								On schedule	Revision of the commitment to be more achievable or measurable
1.2. Update and publish monthly state budget reports								Behind schedule	Further work on basic implementation
1.3. Update semi-annual state budget execution report								Behind schedule	Further work
1.4. Update annual state budget execution report with explanation								Behind schedule	Further work
2. Improving Transparency of Business Activity of The Companies Of Special State Interest								On schedule	New commitment building on existing implementation
⊕ 3. Make Contents of All Budgetary Documents Understandable And Accessible To Citizens								On schedule	New commitment

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
<p>❖ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>										
<p>❖ 4. Improving Accessibility of Local Budget Contents To The Citizens And The Public</p>										
Overall									On schedule	
4.1. Recommend local and regional self-government units publish budget documents									On schedule	New commitment
4.2. Make a standardized format for citizens to accompany budgets									On schedule	New commitment
<p>❖ 5. Improving The Legislative Framework For Exercising The Right Of Access To Information</p>										
Overall									Behind schedule	
5.1. Amend the Act on the Right of Access to Information									On schedule	Maintenance and monitoring of completed implementation
5.2. Harmonise Act on Data Confidentiality with Act on the Right of Access to Information									Behind schedule	Further work
<p>❖ 6. Improving Access To Information On Expending Public Resources And Contents Of Relevant Registers</p>										
Overall									On schedule	
6.1. Evaluate implementation of Political Activity and Electoral Campaign Financing Act									On schedule	None: Completed Implementation
6.2. Establish prerequisites for creating a public database on campaign and political party donors									On schedule	New commitment
6.3. Make public links to registers of public procurement contracts									On schedule	Maintenance and monitoring
6.4. Publish public procurement contracts									On schedule	Maintenance and monitoring
6.5. Publish concession contracts for media services									On schedule	Maintenance and monitoring
6.6. Publish information on state-managed property									On schedule	Maintenance and monitoring

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
❖ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.										
6.7. Create prerequisites for designing and announcing publicly available database on treasury payments									On schedule	New commitment
6.8. Recommend to sub-national government timely announcement of meeting materials									On schedule	New commitment
6.9. Include obligations to disclose NGOs financial statements in NGO accounting Bill									On schedule	Maintenance and monitoring
6.10. Improve public database on grants awarded to CSOs									On schedule	Maintenance and monitoring
7. Ensuring Transparent Work Of Public Authority Bodies In The Service Of Exercising Citizen Rights										
Overall									Behind schedule	
7.1. Enhance web portal Moja uprava (containing info on exercising citizens rights)									Behind schedule	Further work
7.2. Consolidate information on status of natural and legal persons, whose records are kept by individual public authority bodies									Behind schedule	Further work
7.3. Make available information from other state bodies on Moja uprava web portal									Behind schedule	Further work
7.4. Establish and enhance the system of providing online public services									On schedule	New commitment
❖ 8. Setting up a System Of Participatory Drafting And Monitoring Of State And Local Budget Implementation										
Overall									On schedule	
8.1. Conduct open public discussions on budget allocation									On schedule	Further work
8.2. Enable citizens' participation in discussions on key budgetary documents in the Parliament									Behind schedule	Revision of the commitment
8.3. Support sub-national government & CSO cooperation to enhance transparency in budget planning and monitoring									On schedule	Further work
8.4. Conduct public discussions on financial statements of companies of special state interest									On schedule	Further work

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
<p>❖ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>										
<p>❖ 9. Improving The Practice Of Consulting The Interested Public In Procedures Of Adopting New Laws</p>										
Overall									On shedule	
9.1. Amend the Rules of Procedure of the Government (stipulating obligatory consultations on the proposals of draft regulations)									On schedule	Maintenance and monitoring
9.2. Standardize online system for public consultation									Behind schedule	Further work
9.3. Conduct regular training on consultations for civil servants									Behind schedule	Maintenance and monitoring
9.4. Prepare annual reports on consultation practices									On schedule	Maintenance and monitoring
9.5. Include external members in Parliament working bodies									Behind schedule	New commitment

Table 2: Summary of Progress by Commitment

NAME OF COMMITMENT	SUMMARY OF RESULTS
<p>☛ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>	
<p>1. Improve Budgetary Transparency</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Transformative • Completion: Limited 	<p>All of the activities included in this measure are important to fiscal transparency and accountability. There was limited progress and delays in the implementation of the activities, due in part to the complexity of the variety of activities within the commitment, and the multiple government bodies assigned to carry out the publishing of the budgetary documents. Many of the activities described in the measure are ongoing, and require attention in the second action plan to ensure continued monitoring and evaluation. Grouping the activities according to thematic areas and/or according to the lead institutions would facilitate a more streamlined and effective approach to implementation and monitoring of the activities.</p>
<p>2. Transparent activities of state-interest companies</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: None • Completion: Complete 	<p>Individual reports of the companies of special state interest were published for 2012 and 2013. While this activity is relevant to the advancement of OGP values, the reports have been regularly published for more than a decade, and the inclusion of this activity into the OGP Action Plan did not bring significant new improvement in the area of open government. The IRM researcher recommends this measure be revised to ensure for new advancements in transparency and corporate governance, and to include a new measure that requires a joint report to synthesize data provided in each individual report.</p>
<p>☛ 3. Making Contents of Budgetary Documents Understandable And Accessible To Citizens</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Moderate • Completion: Substantial 	<p>This commitment entailed the publishing of a Guidebook for Citizens to accompany three key budget documents; the State Budget Execution for 2012, the semi-annual report on the state budget execution (for the first half of 2013), and the Proposal of the State Budget for 2014. Stakeholders consider the publication of such guidebooks a moderately ambitious measure, as the guidebooks are helpful for the average person to better understand the budget and the budgetary process. In order for this commitment to be transformative, however, it would need to involve public outreach as well as media and education strategies to ensure wider use of budgetary documents. These measures should be included in the second Action Plan to fuel public participation in policy debates.</p>
<p>☛ 4. Accessibility of Local Budgets</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Moderate • Completion: Complete 	<p>Croatia's Ministry of Finance published recommendations and instructions on publishing key budgetary documents for local and regional self-government, along with a standardized format for citizens' guidebooks. Stakeholders noted that agencies were already required to publish enacted budgets in official gazettes and on websites, and questioned how much the inclusion of this measure in the OGP Action Plan advanced the initiative. The assessment provided by the Institute of Public Finance also indicated that many municipalities still had little or no access to the guidebooks. In accordance with government's assessment, the second action plan should emphasize measures that further enhance accessibility of budget documents to the wider public. Recommended activities to advance this commitment include engagement in local outreach efforts and enhancing website quality and access.</p>

<p>5. Legislative framework for exercising right to information</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Transformative • Completion: Substantial 	<p>This measure included passing the amendment to the Right of Access to Information Act, adopted in February 2013, which involved active contributions from CSOs involved in the process. The most important aspect of the amendment, as identified by interviewed stakeholders, was the introduction of a new oversight institution that includes an Information Commissioner, who will be elected by the Parliament and have a stronger institutional position than that of the previous oversight body. The main concern of the interviewed stakeholders was whether the Information Commissioner will have sufficient capacity to perform their oversight function, which is contingent on the budget allocated to the new institution. Therefore, supporting the work of the Information Commissioner is an important measure to be included in the next Action Plan. Additionally, the second initiative in this commitment, harmonising the act with the Data Confidentiality Act, is still ongoing, requiring further work on implementation in the next OGP phase.</p>
<p>6. Access to information on public resource expenditures</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Transformative • Completion: Substantial 	<p>The overall goal of all the activities within this measure was to improve accessibility of data on the expenditures of public resources and on the content of the relevant registers. The interviewed stakeholders emphasized that all of the planned activities have been either advocated for or existed long before Croatia joined the OGP, and that it is difficult to estimate the extent to which the action plan accelerated their implementation. Stakeholders noted the importance of taking these measures further in the next action plan, and the importance of ensuring that regular publishing of various ongoing public procurement documents are monitored. Moving forward, the activities should be grouped according to the thematic areas or the lead institutions to streamline the implementation process.</p>
<p>7. Transparency in work of public bodies</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Transformative • Completion: Limited 	<p>Out of the four implementing activities planned under this measure, one began in May of 2012, three were scheduled to start in December 2012, three were scheduled to be completed by the end of 2013, and one is ongoing. The activities focused on enhancing state-run web portals (such as the Moja Uprava portal) to increase citizens' access to public information and provide more effective public services. Although interviewed stakeholders confirmed that the activities in the area of information technology are highly relevant for open government, some expressed concern that the electronically available data on individuals could be used to infringe on privacy rights, and questioned the utility of holding such data. It will be important to ensure measures along with this commitment that safeguard against violations of individual privacy rights. The IRM researcher also recommends more clearly dividing the activity into sub-activities for the next action plan.</p>

<p>✳ 8. Participatory drafting and monitoring of budget implementation</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Transformative • Completion: Substantial 	<p>The commitment is a continuation of previous efforts by government and civil society actors to increase civic participation in budget monitoring. The actions included in the measures realised substantial progress in the advancement of OGP principles of civic participation and government accountability. Some of the activities and outputs helped strengthen the government’s efforts in other related areas including anti-corruption efforts. The IRM researcher recommends: including the ongoing activities in the next Action Plan, continuing reporting on its implementation and progress, working with the Council to revise the other activities to make them more feasible and measurable, and carrying out public discussions on budget allocations to include the wider public beyond participating civil society organizations.</p>
<p>✳ 9. Public consultations during procedural process of adopting new laws</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Transformative • Completion: Substantial 	<p>The IRM researcher reported that two of the implementing activities were completed, while three were still being implemented. Interviewed stakeholders identified this measure as the one that achieved the most visible progress and attested that the influence of the OGP initiative was especially notable in advancing activity 9.1, relating to the consultation process involving draft regulations. Civil society acknowledged the positive advancements achieved in open government practices through this measure, and suggested that the full implementation of the activities would significantly contribute to government transparency and citizen participation in public affairs. The next Action Plan should continue the monitoring the implementation of the activities in this measure. In addition, more attention should be given to educating both citizens and civil servants on how to engage in Internet consultation and develop non-virtual forms of consultations.</p>

RECOMMENDATIONS

Croatia’s culture of secrecy and legacy of opaque institutions has started to shift in recent years towards a system of greater openness and opportunities for civic participation in public affairs. Measures enhancing transparency and participatory governance have been fuelled by Croatia’s emergence into the EU and recent political openings. The implementation of the country’s first OGP action plan benefited from such openings, and realised enormous advances in open government as a result. The challenge remains in overcoming the legacy of mistrust in state institutions and convincing the wider public to engage in the newly established open government mechanisms to strengthen the participatory process that enhance the citizen-state relationship.

Based on the challenges and findings identified in this report, this section presents the principal recommendations.

On Substance and Content:

- Initiate activities that work to convey to the public the benefits that arise from open government principles, especially in the area of the right to access to information and citizens’ participation in decision-making processes.
- Conduct public opinion research on relevant open government topics to acquire data to help connect OGP initiatives to everyday concerns of the public.
- Include initiatives in the next action plan to promote open government values in local and regional self-government bodies, and encourage the development model action plans at the local and regional level.
- Include processes that ensure full understanding of open government principles through all levels of public administration.
- Make a summarized version of the self-assessment report available for publication in various formats (electronically, leaflets, posters) and distribution through various channels (websites, social media, and others).

On Structure:

- Expand the OGP Council to include a broader spectrum of civil society organizations and representatives of the private business sector, with a focus on regions outside of Zagreb.
- Ensure appropriate resource allocation for the Office of Information Commissioner that will be in charge of monitoring the Right to Access of Information Act.
- Develop a wider variety of consultation mechanisms in order to increase civic participation in the next stage of the OGP process.
- Enhance productivity by developing a strategy for the next action plan that includes more efficient communication processes to better interlink internal OGP implementing bodies and external civil society actors outside of the OGP Council.
- Enhance the quality of the overall open government process by streamlining the implementation of the commitments dealing with budget transparency, grouping activities according to thematic areas, and assigning institutions to take the lead role in carrying out the measures.

Eligibility Requirements 2012: To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, visit <http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria>. Raw data has been recoded by OGP staff into a four-point scale, listed in parentheses below.

Budget Transparency: Executive budget proposal and Audit Report (4 of 4)	Access to Information: Law enacted (4 of 4)
Asset Disclosure: Senior elected official and civil servants (4 of 4)	Civic Participation: 8.24 of 10 (4 of 4)

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The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



I. BACKGROUND

The Open Government Partnership (OGP) is a voluntary, multi-stakeholder international initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In pursuit of these goals, OGP provides an international forum for dialogue and sharing among governments, civil society organisations, and the private sector, all of which contribute to a common pursuit of open government. OGP stakeholders include participating governments as well as civil society and private sector entities that support the principles and mission of OGP.

Introduction

Croatia officially began participating in OGP in August 2011 when the Republic of Croatia declared its intent to join the initiative.¹

To participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of minimum performance criteria on key dimensions of open government that are particularly consequential for increasing government responsiveness, strengthening citizen engagement, and fighting corruption. Objective indicators produced by organisations other than OGP are used to determine the extent of country progress on each of the dimensions, with points awarded as described below.

Croatia entered into the partnership exceeding the minimum requirements for eligibility in each of the criteria.² At the time of joining, Croatia provided significant information on public budget expenditures (57 out of 100 according to The Open Budget Index 2010),³ received the highest possible ranking (4 out of a possible 4) for making key budget documents public (Executive's Budget Proposal & Audit Report),⁴ having an access to information law,⁵ having an Asset Disclosure for senior elected officials and civil servants.⁶ Croatia also received a score of 8.24 out of a possible 10 on the Economist Intelligence Unit's Democracy Index Civil Liberties subscore.⁷

All OGP participating governments are required to develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments should begin their action plans by sharing existing efforts related to a set of five "grand challenges," including specific open government strategies and ongoing programs (See Section 4 for a list of grand challenge areas.) Action Plans should then set out governments' OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant grand challenge. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Along with the other 39 participating countries in cohort 2, Croatia developed its National Action Plan from September 2011 through April 2012. The effective period of implementation for the action plan submitted in April was officially July 1, 2012 through July 31, 2013. The government published its self-assessment in September 2013. At the time of writing (November 2013), officials and civil society members are working on the second National Action Plan. According to the OGP schedule,⁸ officials and civil society members are to revise the first plan or develop a new plan by April 2014, with consultation beginning January 2014.

Pursuant to OGP requirements, the Independent Reporting Mechanism (IRM) of OGP partnered with an experienced, independent local researcher to carry out an evaluation of

the development and implementation of the country's first action plan. In Croatia, the IRM partnered with Aida Bagić, an independent researcher and consultant who authored this evaluation on the development and implementation of Croatia's first action plan. It is the aim of the IRM to inform ongoing dialogue around development and implementation of future commitments in each OGP participating country. Methods and sources are dealt with in a methodological annex in this report.

Institutional Context

Coordination of most OGP activities in Croatia is the responsibility of the Minister of Foreign and European Affairs with the support of the Government Office for Cooperation with NGOs. While efforts are concentrated in a few ministries, responsibilities are spread between a wide set of government institutions including Parliament.

The Open Government Partnership was initially led by the Office of the President of the Republic of Croatia. However, after the establishment of the new government following the parliamentary elections at the end of 2011, the coordination of OGP moved to the Ministry of Foreign and European Affairs when former Head of the Office of the President, Mr. Joško Klisović, became the Deputy Minister of Foreign and European Affairs. The Government Office for Cooperation with NGOs provides administrative support to the OGP Initiative.

There are nine public authority bodies responsible for the implementation of the 33 activities under nine measures envisaged by the OGP Action Plan. Three of the public authority bodies are responsible for almost 80 percent of the activities: the Ministry of Finance and Ministry of Administration are in charge of the implementation of 10 activities each, and the Government Office for Cooperation with NGOs is responsible for six activities. The majority of the activities are institutionally distributed reflecting the principle goals spelled out in the OGP Action Plan: the Ministry of Finance is responsible for fiscal transparency, the Ministry of Administration's primary domain is access to information and the use of information technology, and the Government Office for Cooperation with NGOs is in charge of initiatives dealing with citizens and citizen participation.

With seven activities left, the Croatian Parliament is responsible for implementing two activities, and the other institutions are in charge of one activity each. These institutions include the Ministry of Economy, Central Procurement Office, Electronic Media Agency, and the Central State Administrative Office for State Property Management. The Government of the Republic of Croatia is directly in charge of implementing one of the activities, though only upon proposed assistance by the Government Office for Cooperation with NGOs.

In addition to the main public authority bodies in charge of coordinating implementation, many of the activities have co-implementing partners, sometimes identified specifically (e.g. National Foundation for Civil Society Development, Ministry of Interior etc.) and sometimes referring simply to the group of institutions (e.g. "competent ministries", "state administration bodies", "local and regional self-government units").

As part of the OGP initiative, Croatia established a special coordinating council to centralize communication between the competent government bodies and other actors involved in the open government initiatives. This special council is known as the Council for the Open Government Partnership Initiative of the Government of the Republic of Croatia (referred to as the Council).⁹ Public authority bodies and other institutions responsible for the implementation of the Action Plan provide information on the status of OGP activities within their competencies to the Council. The Council consists of 19 members representing government, local and regional authorities, civil society organisations, and the academic

community. The tasks of the Council are defined by the government and include the following:

- Preparing a Proposal of the Action Plan for the Implementation of the OGP Initiative
- Implementing the consultation procedure on the Proposal of the Action Plan
- Monitoring the implementation of the Action Plan
- Proposing amendments to the Action Plan to the Government

Methodological Note

The IRM partners with experienced, independent national researchers to author and disseminate reports for each OGP participating government. In Croatia, the IRM partnered with Aida Bagić, an independent researcher and consultant.

To gather the views of civil society, the IRM researcher attended two public meetings organised by representatives of OGP where relevant OGP topics were addressed, and interviewed appropriate government officials and other stakeholders. The researcher also reviewed two key documents prepared by the government: Croatia's first action plan¹⁰ and the self-assessment published by the government in September 2013.¹¹ In addition, the researcher reviewed various other documents (civil society reports, newspaper and journal articles on the OGP relevant topics). Numerous references are made to these documents throughout this report. The documents are available and can be accessed through the OGP online library.¹²

The list of persons consulted and details about the public meetings are provided in the methodological section of this report. The report was also reviewed by OGP staff and a panel of experts.

¹ Government of the Republic of Croatia, Office for Cooperation with NGOs, an overview of Croatia's participation in the OGP Initiative is available in English, <http://bit.ly/1czBj0B>, and in Croatian <http://bit.ly/1dLTjac>.

² See Croatia OGP Eligibility Datasheet, <http://bit.ly/jz9bTS>.

³ International Budget Partnership, "Open Budgets Transform Lives," 2010 Open Budget Index 2010, <http://bit.ly/1hTd9TQ>. Croatia country report available at bit.ly/1d7hf57.

⁴ Ibid.

⁵ Croatia's Act on the Right of Access to Information was approved by Parliament on 15 October 2003 and signed by the President on 21 October 2003, <http://bit.ly/1erasdZ>. On February 15 2013, the Croatian Parliament adopted a new Law on the Right to Access Information, available in English, <http://bit.ly/18V98eF>, and in Croatian, <http://bit.ly/19wLcyL>. See more on Croatia's Right to Information Law in section IV of this report, evaluation of Measure 5, "Improving the Legislative Framework for Exercising the Right to Access to Information."

⁶ Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (a working paper, Tuck School of Business, 2009-60, 2009), <http://bit.ly/19nDEfK>; Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in *Government at a Glance 2009*, (OECD, 2009). <http://bit.ly/13vGtqS>; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (World Bank, Washington, DC, 2009), <http://bit.ly/1cIokyf>.

⁷ Economist Intelligence Unit, "Democracy Index 2010: Democracy in Retreat" *The Economist Intelligence Unit* (London, 2010), available at: <http://bit.ly/eLC1rE>.

⁸ Open Government Partnership, Calendar, <http://bit.ly/1gHJxrM>.

⁹ Government of the Republic of Croatia, Office for the Cooperation with NGOs, Council of the OGP Initiative, <http://bit.ly/19RiPla>.

¹⁰ Vlada Republike Hrvatske, Akcijski plan za provedbu inicijative Partnerstvo za otvorenu vlast u Republici Hrvatskoj za razdoblje 2012-2013., <http://bit.ly/JFuAeV> [Government of the Republic of Croatia, Action Plan for the Implementation of the Open Government Partnership Initiative in the Republic of Croatia 2012– 2013, <http://bit.ly/1czAXHj>].

¹¹ Vlada Republike Hrvatske, Izvješće o provedbi Akcijskog plana za provedbu inicijative Partnerstvo za otvorenu vlast u Republici Hrvatskoj za razdoblje 2012. do 2013., Zagreb, rujan 2013, <http://bit.ly/1kfvLPI>; [Government of the Republic of Croatia, Report on the Implementation of the Action Plan for the Implementation of the Initiative Open Government Partnership in the Republic of Croatia 2012–2013, Zagreb, September 2013].

¹² Open Government Partnership, IRM Document Library, Croatia, available at: <http://bit.ly/19Ps0Jg>.

II. PROCESS: DEVELOPMENT OF ACTION PLAN

The government held events and produced an online forum to invite public consultation during the development of the OGP action plan. Stakeholders who participated were pleased with the consultation process, and recommended future consultations work at a local level in places outside of Zagreb, and that the government engage in a clearer strategy to communicate OGP values to specific target audiences.

Countries participating in OGP follow a set process for consultation during development of their OGP action plan. According to the OGP Articles of Governance, countries must:

- Make the details of their public consultation process and timeline available (online at minimum) prior to the consultation
- Consult widely with the national community, including civil society and the private sector; seek out a diverse range of views and; make a summary of the public consultation and all individual written comment submissions available online
- Undertake OGP awareness raising activities to enhance public participation in the consultation
- Consult the population with sufficient forewarning and through a variety of mechanisms—including online and through in-person meetings—to ensure the accessibility of opportunities for citizens to engage.

A fifth requirement, during consultation, is set out in the OGP Articles of Governance. This requirement is dealt with in the section “III: Consultation during implementation”:

- Countries are to identify a forum to enable regular multistakeholder consultation on OGP implementation—this can be an existing entity or a new one.

This is dealt with in the next section, but evidence for consultation both before and during implementation is included here and in Table 1 for ease of reference.

Table 1: Action Plan Consultation Process

Phase of Action Plan	OGP Process Requirement (Articles of Governance Section)	Did the government meet this requirement
During Development	Timeline and process: Prior availability	Yes
	Timeline: Online	Yes
	Timeline: other channels	Yes
	Timeline: Links	http://bit.ly/JFwWdK http://bit.ly/1dluHV6 http://bit.ly/19wMxFQ
	Advance notice	Yes

	Advance notice: Days	14
	Advance notice: Adequacy	Yes
	Awareness-raising activities	Yes
	Awareness-raising activities: Links	http://bit.ly/JFwWdK http://bit.ly/1dluHV6 http://bit.ly/19wMxFQ
	Online consultations	Yes
	Online consultations: Link	http://bit.ly/1hj0Tvb
	In-person consultations	Yes
	Summary of comments	Yes
	Summary of comments: Link	http://bit.ly/JFwWdK http://bit.ly/1dluHV6 http://bit.ly/19wMxFQ
During Implementation	Regular forum	Yes

Advance Notice of Consultation

The Government's self-assessment report provides an overview of the consultation process that included three public gatherings and online consultations held in the period from September 2011 until March 2012. The Government Office for Cooperation with NGOs organised all of the public meetings with different co-organizing partners. The events included a roundtable discussion held on 15 September 2011,¹ a public discussion held on 1 February 2012,² and a public consultation on the implementation of the government's action plan held on 29 March 2012.³ The first meeting was organised jointly with the Office of the President of the Republic of Croatia and the U.S. Embassy, and the second meeting with the Ministry of Foreign and European Affairs and the U.S. Embassy. The number of participants decreased from 180 at the first meeting to 100 at the second, to 40 at the last meeting. Decrease in participants was expected due to the more technical nature of the action plan discussions during the second meeting.

In addition, various drafts of the action plan were discussed during the initial meetings of the OGP Council that was constituted at the end of January 2013.⁴ During the Internet consultations, which lasted for almost three weeks (from 27 January to 13 February 2013), four comments from the interested public were received.⁵ Apart from the invitations and announcements of the public discussions, and the Internet consultations on the OGP Initiative Action Plan, there were no other public awareness-raising activities.

The interviewed stakeholders had different opinions on the relevance of public awareness-raising activities. All of those consulted noted a lack of sufficient awareness-raising activities and stated that the general public was not fully informed on the OGP Initiative. However, stakeholders disagreed on the extent to which it was necessary to conduct such

activities. Some of them suggested that the primary target of the awareness-raising activities should be public administration itself, maintaining that well-informed civil servants educated on the principles of the open government are key to the success of the OGP initiative. The advance notice differed for each of the events, ranging from one to two weeks, which the interviewed stakeholders considered adequate.

Quality and Breadth of Consultation

Consultations included public gatherings, working meetings, and Internet consultations. The government presented a Draft Action Plan and made it available online during the early stages of the process in January 2012.⁶ In addition to the leading bodies (Office of the President of the Republic of Croatia, Ministry of Foreign and European Affairs, and the Government Office for Cooperation with NGOs), participants included representatives of other public administration bodies (ministries, offices, agencies), the Croatian Parliament, civil society, academic community, and the media. Representatives of the private business sector were also invited. Their representation, however, was not so visible, spurring the government to plan additional efforts to include the business sector and civil society community in drafting the next Action Plan. Interviewed stakeholders unanimously support the opinion that the consultation process in developing the Action Plan was meaningful and, as stated by one of the OGP Council members, "by the book."⁷ The Office for Cooperation with NGOs produced reports on all of the public discussions, clearly noting contributions from participants from various sectors.⁸ In addition, the minutes from the OGP Council meetings are all available online.⁹

Although all of the public discussions were held in the capital city of Zagreb, they all included representatives from other parts of Croatia. The Internet consultations lasted almost three weeks, which was considered by stakeholders to be sufficient time for public comments. Some of the interviewed stakeholders suggested that the government organise additional meetings at the local level, in other regions of Croatia for the next Action Plan, since participation of the interested public outside of the capital city was limited to Internet consultations and few representatives in the public discussions. The IRM researcher found that the future Action Plan would benefit from a clearer communication strategy that relays the OGP Initiative goals and objectives to specified target audiences.

¹ Održan okrugli stol "Partnerstvo za otvorenu vlast", 15. 09. 2011. <http://bit.ly/JFwWdK> [Round table on Open Government Partnership held, 15 September 2011] (Accessed on 10 November 2013)

² Partnerstvo za otvorenu vlast – održana javna rasprava, 01.02.2012, <http://bit.ly/1dluHV6> [Open Government Partnership – public discussion held, 1 February 2012] (Accessed on 10 November 2013)

³ Održano javno savjetovanje o nacrtu Akcijskog plana za provedbu inicijative Partnerstvo za otvorenu vlast u RH, 29.03.2012. <http://bit.ly/19wMxFQ> [Public consultations on the Action Plan on the implementation of the Open Government Partnership Initiative, 29 March 2012] (Accessed on 10 November 2013).

⁴ Council of the OGP Initiative, <http://bit.ly/19RiPIa> (Accessed on 10 November 2013)

⁵ Vlada Republike Hrvatske, Ured za udruge, Izvješće o provedbi Kodeksa savjetovanja sa zainteresiranom javnošću u postupcima donošenja zakona, drugih propisa i akata\ u2028u 2012. godini, travanj 2013, <http://bit.ly/19yqkr9>. [Government of the Republic of Croatia, Office for Cooperation with NGOs, Report on implementation of the Code on consulting interested public in

procedures of adopting new laws, other regulations and acts in the year 2012, April 2013] (Accessed on 10 October 2013)

⁶ Vlada Republike Hrvatske, Ured za udruge, Perspektive provedbe inicijative “Partnerstvo za otvorenu vlast” u Republici Hrvatskoj za razdoblje 2012.-2013., radni nacrt izrađen za potrebe javnog savjetovanja, Zagreb, siječanj 2012, <http://bit.ly/18REBLw>. [Government of the Republic of Croatia, Office for Cooperation with NGOs, Open Government Partnership Initiative – Implementation Perspectives in the Republic of Croatia for the period 2012-2013, working draft prepared for public consultation, Zagreb, January 2012] (Accessed on 10 October 2013)

⁷ Katarina Ott, OGP Developments in Croatia – A Non-Governmental Actor’s View, 2 August, 2012, <http://bit.ly/1cwK0eE>.

⁸ Round table on Open Government Partnership held, 15 September 2011, Open Government Partnership – public discussion held, 1 February 2012, and Public consultations on the Action Plan on the implementation of the Open Government Partnership Initiative, 29 March 2012.

⁹ Council of the OGP Initiative, <http://bit.ly/19RiPIa> (Accessed on 10 November 2013)

III. PROCESS: CONSULTATION DURING IMPLEMENTATION

The government of Croatia created a special OGP Council comprised of public officials and civil society members to design, implement, and monitor the implementation of the country's action plan, which facilitated broader consultation and public engagement in the implementation of Croatia's OGP activities.

As part of their participation in OGP, governments commit to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one. This section summarizes that information.

Consultation Process

In order to ensure regular multi-stakeholder consultation on the implementation of its OGP Action Plan, the Croatian government established the Council of the Open Government Partnership Initiative.¹ There are 19 members on the Council (each one having a deputy) representing government, civil society organisations, the academic community, local and regional self-government units, and media associations. The members representing government were appointed by the respective government bodies, while the civil society representatives were selected by the Council for Civil Society Development.²

The Council is responsible for the following tasks:

- Preparing the Proposal of the Action Plan for the Implementation of the OGP Initiative
- Implementing the consultation procedure on the Proposal of the Action Plan
- Monitoring the implementation of the Action Plan
- Proposing amendments to the Action Plan to the government

The Council met seven times during the period from January until July 2012, with all meetings taking place in Zagreb. Meeting minutes are published online and provide a substantive overview of the implementation of the OGP Action Plan. In addition to regular members, invited guests (mostly public administration representatives in charge of implementing specific measures) often attend the meetings. Most of the interviewed stakeholders expressed their general satisfaction with the work of the Council and the opportunity it created to influence the implementation of the OGP Action Plan. Some of the stakeholders did voice objection to the occasional short notice of the meetings and some claimed they had no influence at all.

Representatives of the civil society and academic community were active in informing the public about the OGP initiative in the specific areas they were dealing with (e.g. right to access to information or fiscal transparency). However, stakeholders also noted that the representatives of media associations might have not sufficiently used the opportunity to distribute information on OGP to media outlets.

¹ Council of the OGP Initiative, <http://bit.ly/19RiPlA>. (Accessed on 10 November 2013).

² Office for Cooperation with NGOs, About the Council for Civil Society Development,
<http://bit.ly/1cRyhYU>.

IV. IMPLEMENTATION OF COMMITMENTS

All OGP participating governments develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments begin their OGP country action plans by sharing existing efforts related to their chosen grand challenge(s), including specific open government strategies and ongoing programs. Action Plans then set out governments' OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant policy area. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

OGP commitments are to be structured around a set of five “grand challenges” that governments face. OGP recognizes that all countries are starting from different baselines. Countries are charged with selecting the grand challenges and related concrete commitments that most relate to their unique country contexts. No action plan, standard, or specific commitments are to be forced on any country.

The five OGP grand challenges are:

1. **Improving Public Services**—measures that address the full spectrum of citizen services including health, education, criminal justice, water, electricity, telecommunications, and any other relevant service areas by fostering public service improvement or private sector innovation.
2. **Increasing Public Integrity**—measures that address corruption and public ethics, access to information, campaign finance reform, and media and civil society freedom.
3. **More Effectively Managing Public Resources**—measures that address budgets, procurement, natural resources, and foreign assistance.
4. **Creating Safer Communities**—measures that address public safety, the security sector, disaster and crisis response, and environmental threats.
5. **Increasing Corporate Accountability**—measures that address corporate responsibility on issues such as the environment, anti-corruption, consumer protection, and community engagement.

While the nature of concrete commitments under any grand challenge area should be flexible and allow for each country's unique circumstances, OGP commitments should be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP participating countries. The IRM uses the following guidance to evaluate relevance to core open government values:

- **Access to information** — These commitments:
 - pertain to government-held information;
 - are not restricted to data but pertains to all information;
 - may cover proactive or reactive releases of information;
 - may pertain to strengthen the right to information; and
 - must provide open access to information (it should not be privileged or internal only to government).
- **Citizen Participation** — governments seek to mobilize citizens to engage in public debate, provide input, and make contributions that lead to more responsive, innovative and effective governance. Commitments around access to information:

- open up decision-making to all interested members of the public; such forums are usually “top-down” in that they are created by government (or actors empowered by government) to inform decision-making;
- often include elements of access to information to ensure meaningful input of interested members of the public into decisions;
- often include the enhancing citizens' right to be heard, but do not necessarily include the right to be heeded.
- **Accountability** — there are rules, regulations, and mechanisms in place that call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments.
 - As part of open government, such commitments have an "open" element, meaning that they are not purely internal systems of accountability without a public face.
- **Technology and Innovation** — Commitments for technology and innovation
 - promote new technologies offer opportunities for information sharing, public participation, and collaboration.
 - Should make more information public in ways that enable people to both understand what their governments do and to influence decisions;
 - May commit to supporting the ability of governments and citizens to use tech for openness and accountability; and
 - May support the use of technology by government employees and citizens alike.

Countries may focus their commitments at the national, local and/or subnational level—wherever they believe their open government efforts are to have the greatest impact.

Recognizing that achieving open government commitments often involves a multiyear process, governments should attach timeframes and benchmarks to their commitments that indicate what is to be accomplished each year, wherever possible.

This section details each of the commitments Croatia included in its initial action plan. A number of the commitments detailed in the Action Plan have a single milestone, while others have multiple milestones. In these latter cases, the milestones have been evaluated together on a single fact sheet in order to avoid repetition and make reading easier for OGP stakeholders.

While most indicators given on each commitment fact sheet are self-explanatory, a number of indicators for each commitment deserve further explanation.

- **Relevance:** The IRM researcher evaluated each commitment for its relevance to OGP Values and OGP Grand Challenges.
 - **OGP values:** Some OGP commitments are unclear in their relationship to OGP values. In order to identify such cases, the IRM researcher made a judgment based on a close reading of the commitment text. This identifies commitments that can better articulate their relationship to fundamental issues of openness.
 - **Grand challenges:** While some commitments may be relevant to more than one grand challenge, the reviewer only marked those that had been identified by government (as almost all commitments address a grand challenge).

- **Ambition:**
 - *Potential impact:* OGP countries are expected to make ambitious commitments (with new or pre-existing activities) that stretch government practice beyond an existing baseline. To contribute to a broad definition of ambition, the IRM researcher judged how potentially transformative commitment might be in the policy area. This is based on researcher’s findings and experience as a public policy expert.
 - *New or pre-existing:* The IRM researcher also recorded, in a non-judgmental fashion whether a commitment was based on an action that pre-dated the action plan.
- **Timing:**
 - *Projected completion:* The OGP Articles of Governance encourage countries to put forth commitments with clear deliverables with suggested annual milestones. In cases where this information is not available, the IRM researcher makes a best judgment, based on the evidence of how far the commitment could possibly be at the end of the period assessed.

1. Improving the Content and Transparency of Budgetary Documents

Implementing Activity 1.1

Publish the proposal of the state budget timely and update it so that it contains the following:

- a) Information which shows how proposals of new statutory solutions will influence the revenue and expenditure of the budgetary year in comparison with the existing legislation;*
- b) Functional classification of expenditures for the budgetary year and the year preceding it;*
- c) The state of public debt at the beginning and end of the budgetary year;*
- d) Structure of public debt for the budgetary year and the year preceding it;*
- e) Arrears with current state on 30 June;*
- f) Information on contingent liabilities for the budgetary year (guarantees);*
- g) Information about where it is possible to find the data on the impact of macroeconomic presumptions on budget revenue, expenditure, and debt (sensitivity analysis).*

(Implementation Indicators: Proposal of the state budget of the Republic of Croatia for 2013 and 2014 with projections for the following two years updated with the above mentioned elements and published no later than 15 November.)

Implementing Activity 1.2

Update monthly reports on the execution of the state budget for 2013 with the data on expenses incurred according to the organisational classification and publish them no later than a month following the completion of the period to which they pertain

(Implementation Indicators: Monthly reports updated with the data on expenses incurred according to the organisational classification and published no later than a month following the completion of the period to which they pertain.)

Implementing Activity 1.3

Update the semi-annual report on the state budget execution for 2013 with:

- a) An explanation about how the changed economic conditions and proposals of new statutory solutions will influence the planned revenue and expenditure by the end of the year;*
- b) Modified revenue and expenditure plan for the budgetary year with detailed explanations within statutory deadlines;*
- c) Information about where the updated revenue and expenditure forecasts for the two years following the budgetary year can be found.*

(Implementation Indicators: Proposal of the semi-annual report on the execution of the state budget of the Republic of Croatia for the first half of 2013, which is updated with the above mentioned elements and published no later than 15 September 2013.)

Implementing Activity 1.4

Update the annual report on the state budget execution for 2012 with an explanation about the difference between the original macroeconomic forecasts for the budgetary year and the real outcomes and publish it within statutory deadlines.

(Implementation Indicators: Proposal of the annual report on the execution of the state budget of the Republic of Croatia for 2012 updated with the above mentioned elements is published no later than 1 June 2013.)

Commitment Description						
Answerability	Lead institution	Ministry of Finance				
	Supporting institutions	Competent Ministries				
	Point of contact specified?	No				
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)				
Relevance	OGP grand challenges	Increasing public integrity, More effectively managing public resources				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Publish and update the state budget proposal	✓				
	2. Update and publish monthly state budget reports	✓				
	3. Update semi-annual state budget execution report	✓		✓		
4. Update the annual state budget execution report with explanation	✓		✓			

Ambition			
Milestone	New vs. Pre-existing	Potential Impact	
1. State budget proposal	Pre-existing	Transformative	
2. Monthly state budget reports	Pre-existing	Transformative	
3. Semi-annual state budget execution report	Pre-existing	Transformative	
4. Annual state budget execution report	Pre-existing	Transformative	
Level of Completion			
Milestone 1. State budget proposal			
Start date:	End date:	Actual completion	Limited
January 2012,	November 2013	Projected completion	Limited
Milestone 2. Monthly state budget reports			
Start date:	End date:	Actual completion	Limited
February 2013	On monthly basis	Projected completion	Substantial
Milestone 3. Semi-annual state budget execution report			
Start date:	End date:	Actual completion	Limited
January 2013	September 2013	Projected completion	Substantial
Milestone 4. Annual state budget execution report			
Start date:	End date:	Actual completion	Limited
June 2013	June 2013	Projected completion	Complete
Next Steps			
1. State budget proposal	Revision of the commitment to be more achievable or measurable		
2. Monthly state budget reports	Further work on basic implementation		
3. Semi-annual state budget execution report	Further work on basic implementation		
4. Annual state budget execution report	Further work on basic implementation		

What happened?

The IRM researcher found there was limited progress in the implementation of the activities described in this commitment, in agreement with the findings of the government's self-assessment, which also recognizes that the commitment was only partially implemented.

One of the reasons for the delays and limited implementation was due to the complexity of the multiple activities within the commitment, each of which contained several measurable outputs. Another reason, highlighted by the government representatives, was that the full implementation of many of the activities was dependent on various actors, not just the Ministry of Finance as the main implementing body. In addition, the Ministry claimed to have insufficient administrative capacities needed to deal with all of the envisaged activities.

The following provides a brief overview of what was achieved under each of the implementing activities:

1.1. State Budget Proposal

a) Information comparing budget expenditures and existing legislation

The Ministry of Finance reported that the information was already contained in the proposal of the state budget for 2013 and the projected state budgets for 2014 and 2015. It was presented in "Explanation of the State Budget and Financial Plans of Extrabudgetary Users for 2013 and Projections for 2014 and 2015."¹ This activity was projected to be completed with the Adoption of the State Budget for 2014, in December 2013.

b) Functional classification of expenditures

The functional classification of budgetary expenditures was published as a separate document on the Ministry of Finance website² and was not included in the proposal state budget, as was originally proposed. According to the self-assessment, the activity will be fully implemented with the inclusion of the state expenditures in the proposal of the state budget for 2014, and projections for 2015, and 2016.

c) The state of public debt

The state of public debt was not published in the proposal of the state budget. The self-assessment report and the interviewed stakeholders from the Ministry of Finance explained that this was not completed due to the complexity of the task and lack of administrative capacities. The self-assessment report mentions that the state of the public debt was published in the Annual Report on the Execution of the State Budget for 2012, while the stakeholders contend that the data published was on the debt of the state budget and not on the public debt.³

d) Structure of public debt

The structure of public debt was not published in the proposal of the state budget. The self-assessment report and the interviewed stakeholders from the Ministry of Finance explain that this was not completed due to the complexity of the task and lack of administrative capacities. The self-assessment report mentions that the structure of public debt has been published in the Annual Report on the Execution of the State Budget for 2012.

e) Arrears with current state on 30 June

Information on arrears was not published in the proposal of the state budget. The self-assessment report and the interviewed stakeholders from the Ministry of Finance explained

that this was not completed due to the complexity of the task and lack of administrative capacities.

f) Information on contingent liabilities for the budgetary year

Information on contingent liabilities was not published in the proposal of the state budget. The self-assessment report indicates that it was published in the Annual Report on the Execution of the State Budget for 2012.

g) Guidance on sensitivity analysis data

This information was not published in the proposal of the state budget. The self-assessment report suggests that it was partially published in the Pre-Accession Economic Programmed 2012-2014.

1.2. Monthly state budget reports

Monthly reports on the execution of the state budget for 2013 were published with some delays. According to the Ministry of Finance, the delays were due to difficulties in obtaining the data from all of the budgetary users in a timely manner.

1.3. Semi-annual state budget execution report

The Ministry of Finance prepared the semi-annual report without all the information required by the Action Plan. This activity was only partially implemented according to the self-assessment for the same reasons described above for Implementing Activity 1.1, including the lack of administrative staff and significant changes required for the preparation of the draft state budget.

1.4. Annual state budget execution report

This activity was partially implemented. An explanation of the difference between economic forecasts and real outcomes was presented in the Annual Report on the Execution of the State Budget of the Republic of Croatia for 2012, under “Explanation of Macroeconomic Indicators in 2012.”⁴ According to the self-assessment, the Ministry of Finance has plans to publish further details about macroeconomic forecasts for a budgetary year and actual outcome.

The interviewed stakeholders, while acknowledging the deficiencies in administrative capacities, point to the need to offer plausible explanations for delays or changes in the implementation of certain activities. Examples include the government’s need to explain why it published the functional classification of expenditure for the budgetary year as a separate document instead of in the context of the State Budget for 2013, as well as an explanation for publishing only the state of the budget debt and not the state and structure of public debt.

In addition, the stakeholders consider that the self-assessment report inaccurately describes some of the activities as completed. For example, the government assessed Implementing Activity 1.2. as being “implemented on time where technical capabilities permitted” while the stakeholders point to the fact that at the end of September 2013, the last publicly available monthly report on the execution of the state budget was for April. The expenses according to organisational classification were published separately. Members of the Council for OGP Initiatives warned publicly⁵ and during the regular Council sessions⁶ about the delays. At the same time, the stakeholders acknowledge that the delays in the budgetary process are not a new phenomenon and believe that this, along with other deficiencies in the budgetary process, may decrease after Croatia’s accession to the EU.⁷

In addition, the stakeholders noted that the data published cannot be considered open data, strictly speaking, because they are often published as PDF so that any additional analysis requires reformatting.

Did it matter?

When it comes to the measures and activities regarding fiscal transparency, all of the interviewed stakeholders claimed that the measures in this commitment were highly important and provide a basis for transparency in other important areas. The main feature of all the activities within this measure is to secure timely and accurate information on the state budget at various stages of the budgetary process. Each has a high level of importance with respect to promoting open government.

The activities envisaged under this commitment, however, are not new proposals. The Budget Act already mandates most of the activities, along with the calendar of their implementation. The OGP Action Plan integrated the indicators from the Open Budget Index (OBI) in order to focus on areas where Croatia achieved lower scores. The Ministry of Finance, for example, has published monthly reports since the year 1995. However, they have not been completely in accordance with international standards, and according to the government's Action Plan, the Ministry committed to updating the monthly reports with the data on expenses according to the organisational classification.⁸

The 2012 OBI Survey showed slight improvement for Croatia (61 out of 100, compared to 57 in 2010).⁹ The next OBI Survey, scheduled for 2014, will analyse data for 2012 and 2013 and provide useful data to assess to what extent the OGP Initiative contributed to an increase in budget transparency.

Moving forward

The IRM researcher recommends further work on the implementation of the activities included in this measure. Implementing Activity 1.1, in particular, commits to providing information on several different aspects of economic and budgetary data. It may facilitate the implementation of the next Action Plan if this complex activity is revised into several sub-activities.

This could be facilitated, as suggested by the interviewed stakeholders, by defining other competent actors and clarifying what the significant changes are in preparation of the draft state budget mentioned in the self-assessment report as one of the main obstacles to implementation. An effort can then be made to involve other competent actors in the implementation of the OGP Action Plan activities or to adjust the level of ambition to the existing capacities. Also, it would be important to publish the data available in a format other than in PDF to facilitate the re-use and additional analysis by researchers and other interested audiences.

In addition, the IRM researcher recommends improving the self-reporting process so that the challenges in implementation are clearly identified and articulated in the form of lessons learned and recommendations for the next Action Plan.

¹ Ministry of Finance website, available at <http://bit.ly/1ldsY09>.

² Ministry of Finance, available at <http://bit.ly/1a6dUD8>.

³ Detailed comments on the Government reporting on fiscal transparency measures are provided by the Institute for Public Finance, <http://bit.ly/1dRrbjL>, 13 September 2013.

⁴ Republic of Croatia, Ministry of Finance, <http://bit.ly/1fYSFrX>.

⁵ Katarina Ott, Tko u državi troši više, a tko manje, Banka, 2.4.2013. [Who is spending more and who less from the national budget], www.banka.hr/komentari-i-analize/tko-u-drzavi-trosi-vise-a-tko-manje. (Accessed on 21 October, 2013)

⁶ Minutes from the OGP Council sessions, <http://bit.ly/1etjldb>. (Accessed on 18 October, 2013)

⁷ Katarina Ott, “Impact of the European Semester on the Budgetary Process in Croatia”, Newsletter - an occasional publication of the *Institute of Public Finance*, no 77, (April 2013), <http://bit.ly/1evgAh0>.

⁸ Katarina Ott, Tko u državi troši više, a tko manje, Banka, 2.4.2013. [Who is spending more and who less from the national budget], <http://bit.ly/KnutFd>. (Accessed on 21 October, 2013)

⁹ Mihaela Bronić and Ivica Urban, “Croatia's score on the Open Budget Index 2012 - a slight improvement in the quality and comprehensiveness of budget information”, *Institute of Public Finance Press Releases*, no. 47, (January 31, 2013), <http://bit.ly/1i2sVvq>.

2. Improving Transparency of Business Activity of The Companies Of Special State Interest

Publish annual business activity reports of the companies of special state interest no later than 30 September of the current year for the previous year.

(Implementation Indicators: Published annual business activity reports of the companies of special state interest no later than 30 September of the current year for the previous year.)

Commitment Description						
Answerability	Lead institution	Ministry of Finance				
	Supporting institutions	Companies of special state interest				
	Point of contact specified?	No				
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)				
Relevance	OGP grand challenges	Increasing public integrity, More effectively managing public resources				
	OGP Values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
		✓				
Ambition						
New vs. Pre-existing		Potential Impact				
Pre-existing		None				
Level of Completion						
Start date:		End date:		Actual completion		Completed
January 2012		30 September 2013		Projected completion		Completed
Next Steps		New commitment building on existing implementation.				

What happened?

Individual reports of the companies of special state interest were published for 2012 and 2013. All the reports since 2000 are available at the Ministry of Finance website.¹ Also, the government published the annual business activity report of the companies of special state interest from 2007 until 2010 (published in October 2011).² The implementation of this measure and the accompanying activity represents the continuation of a pre-existing commitment. Additionally, the self-assessment report states only that the “activity will be

implemented in time” pointing to the mistake made in the Croatian version of the report template, which indicates a deadline of June 2013, whereas the actual deadline for publishing reports was September 2013.

Did it matter?

While the activity as such is relevant for the open government principles, the reports have been regularly published for more than a decade, and therefore the inclusion of this activity into the OGP Action Plan did not bring significant new improvement in the area of open government.

Moving forward

The IRM researcher recommends two measures to take in order to advance the measures included in this commitment: First, to revise it in the way that would strengthen its contribution to the open government principles and second, to include a new commitment based on the current implementation.

Regarding revision, it needs to be noted that the individual reports of the companies of special state interest were publically discussed within the implementation of the Anticorruption Programme, as the OGP self-assessment report describes in more detail under the Implementing Activity 8.4. The next Action Plan could explain more clearly how the publishing of the reports in the current format goes beyond “business-as-usual” practice and directly promotes open government principles. The government may consider connecting the Implementing Activities 2.1. and 8.4. as it seems that the combination of reporting and public discussion on the business activity of the companies of special state interest could contribute to an increased level of transparency and good corporate governance.

Regarding the second recommendation, some among the interviewed stakeholders suggested the creation of a new commitment to re-introduce the joint report that would synthesize the data provided in the individual reports. According to financial experts, the annual business activity report of the companies of special state interest represents one of the two most important government financial reports. Next to the report on the national budget execution, it provides a solid basis for good corporate governance within the companies of special state interest.³

¹ Available at <http://bit.ly/18K2xWs>.

² Ministarstvo financija Republike Hrvatske, Izvješće o poslovanju trgovačkih društava od posebnog državnog interesa u 2010. godini, listopad 2011, <http://bit.ly/JOmZd7> [Ministry of Finance of the Republic of Croatia, Report on business activities of the companies of special state interest, October 2011]

³ Anto Bajo, “Kada će Vlada objaviti izvješće o financijskom poslovanju društava od posebnoga državnog interesa?”, Aktualni osvrti 39, 13. srpnja 2012, <http://bit.ly/1kqN2YL>, [When will the Government publish report on business activity of the companies of special state interest?, Current Essays, 13 July 2012] (Accessed on 21 October, 2013).

3. Making the Contents of All Budgetary Documents Understandable and Accessible To Citizens

3.1 Implementing Activity

Make simple and easily understandable summaries - guidebooks for citizens (e.g. Budget for Citizens) of key budgetary documents (economic and fiscal policy guidelines, state budget proposal and projections, state budget and projections adopted by the Croatian Parliament, semi-annual and annual reports on the state budget execution) and publish them in a timely manner.

(Implementation Indicators: A Guidebook for citizens written and published simultaneously with the Report on the state budget execution of the Republic of Croatia for 2012, together with the Guidelines on economic and fiscal policy for period 2014-2016, the Semi-annual report on the state budget execution of the Republic of Croatia for the first half of 2013, and the Proposal of the state budget of the Republic of Croatia for 2014 with projections for 2015 and 2016 adopted by the Croatian Parliament.)¹

Commitment Description						
Answers ability	Lead institution	Ministry of Finance				
	Supporting institutions	None specified				
	Point of contact specified?	No				
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)				
Relevance	OGP grand challenges	Increasing public integrity, More effectively managing public resources				
	OGP Values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
		✓		✓		
Ambition						
New vs. Pre-existing		Potential Impact				
Pre-existing		Moderate (the commitment is a major step forward in the relevant policy area, but remains limited in scale or scope)				
Level of Completion						
Start date: June 2013		End date: December 2013		Actual completion	Substantial	
				Projected completion	Substantial	
Next Steps		New commitment building on existing implementation.				

What happened?

According to the self-assessment report, the activity is “continuous and is implemented according to the plan.”

The IRM researcher determined that at the time of writing, three out of four outputs were made available through the Ministry of Finance website: Guidebook for Citizens on the State Budget Execution of the Republic of Croatia for 2012 (published in May 2013), the Semi-annual report on the state budget execution for the first half of 2013 (September 2013), and the Guidebook for Citizens on the Proposal of the State Budget for 2014 (November 2013).² The Guidelines on economic and fiscal policy for the period of 2014 through 2016 were also published in September 2013, however, without an accompanied guidebook for citizens.

Interviewed stakeholders disagreed with the government’s assessment about the timely implementation of this activity, making note that the Guidelines on economic and fiscal policy for the period of 2014 through 2016 were published at the end of September 2013 instead of mid-June, as was promised according to the budgetary process timetable.³ Such delays in the budgetary process have been common in previous years and considerably impact the quality of the overall open government process.⁴

Did it matter?

The commitment was moderately ambitious. The Croatian Government openly declares its readiness to inform the public on the Budget: “In Croatia, the adoption of the State Budget is one of the most important financial and political events of a year. The Minister of Finance and his closest team of co-operators put a lot of effort into informing the public about the Budget so that all the citizens could be informed of its aims and also of how much money the country has at its disposal.”⁵

Similar to other measures and activities under fiscal transparency, this one follows indicators from the Open Budget Index (OBI). Croatia’s score on the OBI 2012 was 61 (out of 100), which indicates slight improvement in comparison to the results of the 2010 survey.⁶ In order to measure the effects of the commitments under the OGP initiative, more time will be needed since any positive changes brought about since the beginning of the implementation of the OGP Action Plan will be included in the next survey.

There is no data on the actual use of the guidebooks. According to some stakeholders, the current level of budget transparency benefits researchers and experts, and they believe the guidebooks are helpful for the average person to understand the budget and the budgetary process. However, the guidebooks would need to be supplemented with appropriate outreach through media and other means (e.g. included in regular school and university curricula). There are very few NGOs committed to informing and educating the broader public on budgetary issues.

In order for this commitment to be transformative, budgetary documents would need to be used more widely.

Moving forward

The activity is continuous and it is recommended the publication of the guidebooks for citizens be included in the next OGP Action Plan. In addition, the IRM researcher recommends developing the following accompanying activities:

- Complement the publishing of the Citizens Guidebooks with public outreach and specific strategies for educating citizens on the budget and the budgetary process in order to enable them to participate in public policy debates.
- Support NGOs to engage with the budgetary process together with the academic community (e.g. assisting in preparation of the Citizens Guidebooks and organizing public debates on the budget at the local level).
- Support media to monitor and report on the budgetary process (e.g. reporting on the budgetary documents as they are being released).

¹ Please note that the paragraphs in italic are quotes from the English translation of the Action Plan where two different terms are used for the summary of key budgetary documents: “budget for citizens” and “guidebook for citizens.” Croatian original also uses two different terms.

² Republic of Croatia, Ministry of Finance, available at <http://bit.ly/1cNRjtt> (accessed on 4 November 2013)

³ Institut za javne financije, Opaske na izvješće o provedbi akcijskog plana za provedbu inicijative partnerstvo za otvorenu vlast u RH, za razdoblje 2012-13, 22. rujna 2013 [Institute for public finance, Notes on the Report on the Implementation of the Action Plan for the Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2012-2013, 22 September 2013]

⁴ Katarina Ott, “Impact of the European Semester on the Budgetary Process in Croatia”, Newsletter - an occasional publication of the *Institute of Public Finance*, no. 77 (April 2013), <http://bit.ly/1evgAh0>.

⁵ Republic of Croatia, Ministry of Finance, information on the State Budget, available at <http://bit.ly/KAPPyI>.

⁶ Mihaela Bronić and Ivica Urban, “Croatia’s score on the Open Budget Index 2012 - a slight improvement in the quality and comprehensiveness of budget information”, *Institute of Public Finance Press Releases*, no. 47, (January 31, 2013), <http://bit.ly/1i2sVvq>.

4. Improving Accessibility of Local Budget Contents to the Citizens and the Public

Implementing Activity 4.1

Give recommendations and instructions to all local and regional self-government units to publish, on their official web sites, key budgetary documents (budget proposal - when the executive bodies send it to the representative bodies; budget adopted by the representative body - when the representative body adopts it; semi-annual and annual report on execution - when the executive bodies send it to the representative bodies).

(Implementation Indicators: In the Budgeting guidelines for local and regional self-government units for 2013 and 2014, instructions are given to all local and regional self-government units to publish key budgetary documents on their web sites within recommended deadlines.)

Implementing Activity 4.2

Make a standardized format for publishing guidebooks for citizens to accompany the local and regional self-government unit budgets, and recommend their timely announcement to local authorities.

(Implementation Indicators: Standardized format for publishing a guidebook for citizens is designed and accompanies the publication of local and regional self-government units' budgets. Their announcement recommended in the Guidelines for local and regional self-government units' budget planning for 2014.)

Commitment Description						
A n s w e r a b i l i t y	Lead institution	Ministry of Finance				
	Supporting institutions	Local and regional self-government units				
	Point of contact specified?	No				
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)				
R e l e v a n c e	OGP grand challenges	Increasing public integrity, More effectively managing public resources				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Give	✓				

	recommendations to local units to publish budget documents					
	2. Make a standardized format for citizens' budget	✓		✓		
Ambition						
Milestone	New vs. Pre-existing	Potential Impact				
1. Local units budget recommendations	New	Moderate (the commitment is a major step forward in the relevant policy area, but remains limited in scale and scope)				
2. Citizens' budget format	New	Moderate				
Level of Completion						
Milestone 1. Local units budget recommendations						
Start date:	End date:	Actual completion	Complete			
January 2012	July 2013	Projected completion	Complete			
Milestone 2. Citizens' budget format						
Start date:	End date:	Actual completion	Complete			
July 2013	July 2013	Projected completion	Complete			
Next Steps						
1. Local units budget recommendations	New commitment building on existing implementation.					
2. Citizens' budget format	New commitment building on existing implementation.					

What happened?

According to the self-assessment report, the activity has been completed. This was confirmed by the IRM researcher and agreed to by the interviewed stakeholders.

The Ministry of Finance published recommendations and instructions on publishing key budgetary documents for local and regional self-government, along with a standardized format for guidebooks for citizens.¹

The main concern by stakeholders was that this measure is partially contained in the Budget Act (Official Gazette 87-08), in the sense that Article 12 prescribes the publishing of the enacted budgets as well as the complete reports on the budget execution in the official gazettes. Therefore, it is not clear to what extent its inclusion into the OGP Action Plan helped its implementation and whether the measure was transformative in its potential impact. Also, the interviewed representatives of the local units reported difficulties in fulfilling all of their obligations due to limited capacities.

Did it matter?

While this commitment was completed, it is important to assess the impact of the recommendations and instructions that the Ministry of Finance had on the transparency of the local units' budget. In contrast to most other measures of the OGP Action Plan, the impact of this measure and the accompanied activities has been assessed in detail by the Institute of Public Finance, whose members have been actively involved in the work of the OGP Initiative Council.²

The Institute's analysis of the local units' websites revealed that the level of openness of local budgets is very low and only few among the local units published the 2013 guidebooks for citizens (that is, none out of 20 Croatian counties, only 7 out of 128 cities, and only 2 out of the 100 sampled municipalities). In addition, there are still many local units with very poor websites, with some municipalities having no access to the guidebooks or difficulty gaining website access.

Moving forward

As suggested in the analysis provided by the Institute for Public Finance, the new OGP Action Plan should pay more attention to accessibility of information regarding local budgets.

While several of the stakeholders emphasized the need for a thorough reform of the local unit system (especially in terms of decreasing their current number of 556 cities and municipalities), more specific recommendations that could be addressed in the next OGP Action Plan include:

- The County Association and the associations of municipalities and cities can play a more important role in motivating local units to increase transparency of their budgets.
- The Budget Act should be amended so that it prescribes the publishing of the entire budget proposal on the local unit's website, and the entire enacted budget in the official gazette and on the website.
- The Ministry of Finance should monitor publishing of local budgets in accordance with the Budget Act and enact sanctions or other measures against local units that do not fulfil their obligations.
- More local and regional self-government units should publish Citizens Budgets.
- In order to facilitate citizens' access to the budget documents, the quality of websites need to be improved.

¹ Republic of Croatia, Ministry of Finance, available at <http://bit.ly/1egiEZY>.

² Katarina Ott, Mihaela Bronić and Miroslav Petrušić, “Budget transparency of Croatian counties, cities and municipalities”, Newsletter - an occasional publication of the *Institute of Public Finance*, no. 81 (November 4, 2013), <http://bit.ly/198HTQc>.

5. Improving the Legislative Framework for Exercising the Right of Access to Information

Implementing Activity 5.1

Amend the Act on the Right of Access to Information.

(Implementation Indicators: Amendments to the Act on the Right of Access to Information are defined by the Croatian Government, particularly in parts regulating the need to transpose the Directive on the re-use of public sector information, the obligation of consulting the public in adopting new legislation, other regulations and legal acts in accordance with the Code of Practice on Consultation, and other issues in connection with improving the exercise of the right of access to information in the first and second instance.)

Implementing Activity 5.2

Harmonise the Data Confidentiality Act with the amendments to the Act on the Right of Access to Information, depending on the results of expert discussions and the discussions with the interested public.

(Implementation Indicators: Expert discussions and the discussions with the interested public conducted, depending on the discussion results and in case of need for further amendments to the Act on the Right of Access to Information envisaged in activity 5.1., amendments to the Data Confidentiality Act defined by the Croatian Government.)

Commitment Description						
Answerability	Lead institution	Ministry of Administration ¹				
	Supporting institutions	Croatian Personal Data Protection Agency, Office of the National Security Council, Ministry of Interior				
	Point of contact specified?	No				
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Amend the Act on the Right of Access to	✓	✓			

Information						
	2. Harmonise Act on Data Confidentiality with Act on the Right of Access to Information	✓	✓			
Ambition						
Milestone	New vs. pre-existing	Potential Impact				
1. Amend the access to information act	Pre-existing	Transformative (the commitment entails a reform that could potentially transform “business as usual” in the relevant policy area)				
2. Harmonise acts	Pre-existing	Transformative				
Level of Completion						
Milestone 1. Amend access to information act						
Start date: April 2012		End date: September 2012		Actual completion		Complete
				Projected completion		Complete
Milestone 2. Harmonise acts						
Start date: April 2012		End date: September 2012		Actual completion		Not started
				Projected completion		Complete
Next Steps						
1. Amend the access to information act		Maintenance and monitoring of completed implementation.				
2. Harmonise acts		Further work on basic implementation.				

What happened?

The area of access to information, in addition to that of civil participation, has been assessed by a majority of the interviewed stakeholders as the area where progress has been the most remarkable.

This is primarily due to the success of the initiative to amend the Act on the Right of Access to Information (IA 5.1) that was fully completed. The commitment, however, has not been fully completed since the Data Confidentiality Act still needs to be harmonised with the Act on the Right of Access to Information (IA 5.2). Responsibility for harmonization has been transferred from the Ministry of Public Administration to the Ministry of Interior.

The process of amending the Act included active contribution by the CSOs whose representatives have been involved in the Government's working group, which is in charge of harmonizing the Act with the EU Directive on the re-use of public sector information.²

Did it matter?

This initiative existed prior to Croatia's involvement in the OGP. The stakeholders involved emphasized that the adoption of the amendments in the Croatian Parliament, followed a decade of advocacy, public campaigns, research, law amendments and public discussions. The new Act is the result of several months of intensive work led by the Ministry of Administration. The working group that prepared the amendments included, in addition to the Government's representatives, representatives of two CSOs, who are also members of the OGP Council (GONG and Transparency International).³

The government's self-assessment report briefly describes the process of changing the law, emphasizing the involvement of CSOs in the working group and the internet-based consultations. However, it does not address the implementation indicators from the Action Plan, making the relevance of the amendments not immediately clear to the reader.

The most important change, according to interviewed stakeholders, was the introduction of a new oversight institution that includes an Information Commissioner, who will be elected by the Parliament and have a stronger institutional position than that of the previous oversight body (the Data Protection Agency). Other important changes include: proportionality and public interest test, and stronger emphasis on proactive publishing of information.⁴ The first Information Commissioner, elected on 25 October 2013, is Anamarija Musa, a Zagreb Law school lecturer, who was also an active member of the OGP Council.

Platform 112, a coalition of Croatian advocacy CSOs, assessed the adoption of the new Act as a significant step towards improving the legislative framework to exercise the right of access to information. In addition, Platform 112 also highly praised the drafting process itself, reporting, "The process of drafting the Act was based on true cooperation between the state administration and civil society organisations."⁵

Moving forward

The main concern of the interviewed stakeholders is whether the Information Commissioner will have sufficient capacity to perform its oversight function, which will depend very much on the budget allocated to the new institution. Therefore, supporting the work of the Information Commissioner is one of the key measures to be implemented in the next Action Plan. In addition, the Data Confidentiality Act still needs to be harmonised with the Act on the Right of Access to Information.

¹ In the course of implementation, lead institutions for the IA 5.2 became Ministry of Interior.

² Nives Miošić and Duje Prkut, *Access to Information in Croatia: Exercise of a Constitutional Right in an Institutional Culture of Secrecy*, GONG, Zagreb, July 2012.

³ Vanja Škorić, *New Croatian FOIA - a step towards open government*, 22 February 2013, <http://bit.ly/1gcc7N>. (Accessed on 30 October 2013)

⁴ Ibid.

⁵ Platform 112, *Civil Society Assessment Report of the Croatian Government Performance in view of 112 requests*, 6 March 2013, <http://bit.ly/lhATEo>. (Accessed on 30 October 2013)

6. Improving Access to Information on Expending Public Resources and Contents of Relevant Registers

Implementing Activity 6.1

Evaluate the implementation of Political Activity and Electoral Campaign Financing Act.

(Implementation Indicators: Detailed analysis and evaluation of the Political Activity and Electoral Campaign Financing Act conducted and guidelines for drafting amendments to the Act drawn up, particularly focusing on the issues which were shown to be insufficiently regulated in the implementation.)

Implementing Activity 6.2

Create prerequisites for the public announcement and permanent accessibility of a searchable database on electoral campaign and political party donors.

(Implementation Indicators: Prerequisites created for public announcement and permanent accessibility of a searchable database on electoral campaign and political party donors.)

Implementing Activity 6.3

On the website www.javnanabava.hr provide a consolidated and publicly available list of links to individual “Registers of public procurement contracts and framework agreements” which were published individually.

(Implementation Indicators: Consolidated and publicly available list of links to previously published Registers of public procurement contracts and framework agreements on the website www.javnanabava.hr in line with article 21 of the Public Procurement Act.)

Implementing Activity 6.4

Publish public procurement contracts and framework agreements concluded by the Central Procurement Office on the Office’s website.

(Implementation Indicators: Public procurement contracts and framework agreements concluded by the Central Procurement Office published on the Central Procurement Office’s website (www.sredisjanabava.hr))

Implementing Activity 6.5

Publish all concession contracts for the provision of television and radio media services (without tender documents).

(Implementation Indicators: All concession contracts for the provision of television and radio media services (without tender documents) published on the Agency’s website)

Implementation Activity 6.6

Create prerequisites for publishing information on financial and non-financial property managed by the state

(Implementation Indicators: Published data on financial and non-financial property managed by the state (list of property including purpose, current beneficiaries, and wherever possible also the estimated value)

Implementing Activity 6.7

Create prerequisites in the strategic and financial plans of the Ministry of Finance for designing and announcing a publicly searchable database on payments executed through the Treasury Single Account in line with the stipulated budget classifications taking into consideration other ongoing IT projects.

(Implementation Indicators: The strategic and financial plans of the State Treasury contain prerequisites for designing and publishing a publicly searchable database about payments executed through the Treasury Single Account in line with the stipulated budget classifications, taking into account other ongoing IT projects.)

Implementing Activity 6.8

Recommend to local and regional self-government units the timely announcement of the representative bodies' sessions' agendas and all session materials on their official websites in line with the provisions of their general acts about the obligatory delivery of session materials to the members of the representative body no later than five days before the session takes place.

(Implementation Indicators: Recommendations to all local and regional self-government units to announce the agendas for their representative bodies' sessions on their websites are drawn up.)

Implementing Activity 6.9

Envisage in the bill on accounting for NGOs the obligation of making NGOs financial statements publicly available through the NGO Register.

(Implementation Indicators: Bill on accounting for NGOs is drafted and stipulates the obligation of public announcement of NGOs financial statements.)

Implementing Activity 6.10

Improve the public database on grants awarded to civil society organisations for projects and programmes of public interest

(Implementation Indicators: Public database enlarged to include the information about the results of projects and programmes of NGOs/civil society organisations financed from the state budget)

Commitment Description		
An sw er abi lity	Lead institution	Ministry of Administration (6.1-2, 6.8), Ministry of Economy (6.3), Central Procurement Office (6.4), Electronic Media Agency (6.5), Central State Administrative Office for State Property Management (6.6.), Ministry of Finance (6.7, 6.9), Government Office for Cooperation with NGOs (6.10)
	Supporting institutions	State Election Commission (6.1-2), Ministry of Culture (6.5), State Property Management Agency (6.6.), Ministry of Finance (6.6.), National Foundation for Civil Society Development (6.10)
	Point of contact specified?	No
Specificity and		High (Commitment language provides clear, measurable, verifiable

measurability		milestones for achievement of the goal)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Implementation of acts on political activity and campaign financing			✓		
	2. Database on campaign and political party donors	✓		✓	✓	
	3. Links to registers of contracts	✓			✓	
	4. Public procurement contracts	✓				
	5. Concession contracts for media services	✓				
	6. Financial info on state-managed property	✓		✓		
	7. Database on treasury payments	✓		✓	✓	
8. Subnational government meeting materials	✓		✓			
9. Disclosure of NGOs financial	✓		✓			

	statements					
	10. Grants database	✓			✓	
Ambition						
Milestone	New vs. Pre-existing	Potential Impact				
1. Implementation of acts	Pre-existing	Transformative (the commitment entails a reform that could potentially transform “business as usual” in the relevant policy area)				
2. Prerequisites for database on political donors	Pre-existing	Transformative				
3. Publish links to registers of contracts	Pre-existing	Moderate (the commitment is a major step forward in the relevant policy area, but remains limited in scale or scope)				
4. Publish public procurement contracts	Pre-existing	Transformative				
5. Publish concession contracts	Pre-existing	Moderate				
6. Publish financial info on state-managed property	Pre-existing	Moderate				
7. Database on treasury payments	Pre-existing	Moderate				
8. Subnational government meeting materials	Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)				
9. NGO financial statement register	Pre-existing	Moderate				
10. Grants database	Pre-existing	Moderate				
Level of Completion						
Milestone 1. Implementation of acts						
Start date:	End date:	Actual completion		Complete		
April 2012	December 2012	Projected completion		Complete		

Milestone 2. Prerequisites for database on donors			
Start date:	End date:	Actual completion	Complete
April 2012	December 2012	Projected completion	Complete
Milestone 3. Publish links to registers of contracts			
Start date:	End date:	Actual completion	Substantial
December 2012	Continuous	Projected completion	Substantial
Milestone 4. Publish public procurement contracts			
Start date:	End date:	Actual completion	Substantial
December 2012	Continuous	Projected completion	Substantial
Milestone 5. Publish concession contracts			
Start date:	End date:	Actual completion	Substantial
November 2012	Continuous	Projected completion	Substantial
Milestone 6. Publish financial info on state-managed property			
Start date:	End date:	Actual completion	Substantial
June 2013	December 2013	Projected completion	Substantial
Milestone 7. Database on treasury payments			
Start date:	End date:	Actual completion	Complete
April 2012	July 2013	Projected completion	Complete
Milestone 8. Subnational government meeting materials			
Start date:	End date:	Actual completion	Complete
June 2012	June 2012	Projected completion	Complete
Milestone 9. NGOs financial statement register			
Start date:	End date:	Actual completion	Substantial
April 2012	December 2013	Projected completion	Substantial
Milestone 10. Grants database			
Start date:	End date:	Actual completion	Substantial
June 2012	December 2013	Projected completion	Substantial
Next Steps			
1. Implementation of acts	None: completed implementation		
2. Prerequisites for database on donors	New commitment building on existing implementation		
3. Publish links to registers of contracts	Maintenance and monitoring of completed implementation		

4. Publish public procurement contracts	Maintenance and monitoring
5. Publish concession contracts for TV and radio media services	Maintenance and monitoring
6. Publish financial info on state-managed property	Maintenance and monitoring
7. Database on treasury payments	New commitment building on existing implementation
8. Subnational government meeting materials	New commitment
9. NGO financial statement register	Maintenance and monitoring of completed implementation
10. Grants database	Maintenance and monitoring

What happened?

The IRM researcher agrees with the government's self-assessment report which states that the activities under Measure 6 were completely or substantially implemented and mostly according to the schedule. It is notable that activities 3-5, referring to the publishing of various public procurement documents, will need to be implemented continuously. Below is an overview of what happened with each of the activities.

6.1. Implementation of acts on political activity and campaign financing

The implementation of the Act was evaluated by the expert working group consisting of government and civil society representatives. On the basis of this evaluation, a draft Proposal of the Act on Amendments to the Political Activity and Electoral Campaign Financing Act was discussed in the Croatian Parliament in December 2012. The Act was adopted in February 2013. While it can be debated whether the description of the activity was completely accurate, as it suggested that only an evaluation would be conducted. The implementation of the activity went beyond what has been envisaged by the Action Plan, resulting in the new and improved Act.

6.2. Prerequisites for database on campaign and political party donors

The prerequisites for the announcement of accessibility of a database for electoral campaigns and political party donors were created through the adoption of the Act on Amendments to the Political Activity and Electoral Campaign Financing Act in February 2013.

6.3. Publish links to registers of contracts

As reported in the self-assessment, this activity is ongoing and in the process of being fully implemented. The ministry receives links from contracting authorities and merges the links into the list, which is published through the Public Procurement Portal. At the time of the writing of this report, not all the links were functional. The self-assessment report makes note of the problem of the non-functioning links without suggesting how to fix the issue.

6.4. Publish public procurement contracts

The Central Procurement Office published public procurement contracts and framework agreements in May 2013, after starting preparations, as projected, in December 2012.¹

6.5. Publish concession contracts for media services

The Agency for Electronic Media continuously publishes concession contracts for the provision of television and radio media services on its website (www.e-mediji.hr). Some of the stakeholders suggested that it would be necessary to publish tender documents as well. As the Government has noted, the Agency was performing this activity in accordance with the Law. In order to publish contracts together with the tender documents, it would be necessary to secure legal prerequisites and such an activity was not proposed during the development of the Action Plan.

6.6. Prerequisites for publishing financial info on state-managed property

This activity is still being implemented. The State Property Management and Disposal Act (OG 94/13) created the prerequisites by providing for the principle of openness in state property management. The actual release of the data (as it is specified as an indicator for this measure) is still underway. According to the current available information on the Government Asset Management Agency, as of August 2013 there were 367,465 items in the Register of State Property and the Register was scheduled for publishing by the end of 2013.²

6.7. Prerequisites for designing and announcing database on treasury payments

The prerequisites were created by specifying in the Strategy of Government programs for 2013–2015 (adopted in July 2012) and in the Strategic Plan of the Ministry of Finance 2013–2015, that a publicly searchable database on payments executed through the Treasury Single Account will be set up.³

6.8. Subnational government meeting materials

The recommendation was sent in June 2012, as planned.⁴

6.9. NGO financial statement register

The obligation of making NGOs financial statements publically available is included in the draft bill. Public discussion was completed by the beginning of December 2013, and adoption of the bill is expected at the beginning of 2014. Some concerns have been expressed by the OGP Council members regarding the process, as there have been no working group meetings as of July 2013.⁵

6.10. Grants database

This is a continuous activity without specific deadlines. It is expected that by the end of 2013, there will be a special web portal reporting on the projects and programs implemented by civil society organisations financed from the public sources.

Did it matter?

The overall goal of all the accompanying activities within this measure was to improve accessibility of data on the expenditures of public resources and on the content of the relevant registers. This measure involved the largest number of institutions in charge of implementation of the OGP Action Plan, with 7 out of 9 lead institutions responsible for one or more implementing activities. Thematically, the activities covered disclosing information, in a systematic and user-friendly way, in four main areas: financing political activities (e.g. financing electoral campaigns, disclosing political party donors), public procurement, state managed financial and non-financial property (including concession contracts for media services) and awarding grants to civil society organisations. While it is difficult to single out the most important among these measures, two of the activities may not fit with the others as it is not clear how their implementation contributes to the overall goal of the measure.

The first is the recommendation that local and regional self-government units publish the agendas for their representative bodies' sessions on their websites (IA 6.8). While this activity contributes to the transparency of local government, it is not clear from the wording in the Action Plan and the self-assessment report how it contributes to improved access to data on expenditure of public resources.

The second is the introduction of the obligation of the public announcement of NGOs financial statements in the new bill on accounting for NGOs (IA 6.9). As the NGOs are not necessarily financed from the public sources, the obligation to publicize their financial statements is not directly linked to the overall goal of this measure.

The interviewed stakeholders emphasized that all of the planned activities have been either advocated or existed long before Croatia joined the OGP and that it is difficult to estimate to what extent the action plan accelerated their implementation. Stakeholders noted that some activities have been formulated in a way that gives the impression of openness and transparency while at the same time not upholding these principles. This is illustrated with the IA 6.5 where it was envisaged that the electronic media concession contracts should be published by the Electronic Media Agency without tender documents, which are, according to the stakeholders, crucial for understanding the contracts.⁶ In fact, while the activity was included in the OGP plan, it took legal action by CSOs and Personal Data Protection Agency – as the oversight body for the Act on the Right of Access to Information – to enact the amendments that give the authority to the Information Commissioner (see IA 5.1) and make public the tender documents that were for a long time considered a business secret.⁷ At the time of writing this report, the Electronic Media Agency had not published the concession contracts with all the relevant documents.⁸

Most of the activities (6 out of 10) have “creating prerequisites,” “recommending” or amending the existing law as their targets. The interviewed stakeholders representing CSOs often considered such formulations as not being sufficiently ambitious. On the other hand, the interviewed representatives of the government, civil servants in charge of implementing specific measures, see them as necessary first steps for gradual policy changes and as the maximum that can be achieved with the available financial and administrative resources.

Moving forward

The implementation of the activities included in this measure will still need to be monitored since most of them are continuous and the Action Plan defined the start date without providing a date for expected completion. Moreover, some of the activities included as a

measure of achievement simply “to create prerequisites,” leaves the need for further actions.

Specific activities to be included in the next Action Plan, as suggested by the stakeholders, include:

- Harmonise the new legal basis for public disclosure and permanent accessibility of data on electoral campaign and regular political activity of donors with the new Act on the Right of Access to Information (especially regarding re-usability of the data).
- Monitor and update all of the public registries continuously and ensure accessibility and re-usability of the data.

Provided that all of the activities are completed as planned by the end of 2013, the next Action Plan will need to ensure the monitoring of the ongoing activities that have been initiated. In order to facilitate implementation and monitoring, the IRM researcher recommends grouping the activities according to the thematic areas suggested above or according to the lead institutions in order to decrease the number of actors responsible for each specific measure. Activities that are not directly related to the overall goal of the measure should be cancelled or connected with the more appropriate measure (as suggested above for 6.8 and 6.9). Alternatively, it may be possible to rephrase the description of the activities in the way that clearly shows how their implementation contributes to the overall goal of the measure.

¹ Available at www.sredisnjanabava.hr.

² Available at www.audio.hr/default.aspx?id=34 (accessed on 20 December 2013)

³ Available at www.mfin.hr/hr/stratesko-planiranje

⁴ Preporuka jedinicama lokalne i područne (regionalne) samouprave vezano za provedbu Akcijskog plana za provedbu inicijative Partnerstvo za otvorenu vlast u Republici Hrvatskoj za razdoblje 2012.-2013., 5. lipnja 2012 [Recommendation to the local and regional self-government units in relation to the implementation of the Action Plan for implementation of the OGP initiative in the Republic of Croatia in the period 2012-2013, 5 June 2012], <http://bit.ly/IFEe0u>. (Accessed on 7 November 2013)

⁵ GONG, Doprinos Radnoj verziji izvještaja Vlade o samoprocjeni uspješnosti provedbe Akcijskog plana za provedbu inicijative POV-a od 5. srpnja 2013 [Contribution to the Draft version of the Government Self-Assessment Report on Implementation of the Action Plan on the OGP Initiative Implementation, 5 July 2013]

⁶ Toni Gabrić, Fejkanje transparentnosti, H-alter, 22 February 2013 [Faking transparency], <http://bit.ly/1ag6C0d>. (Accessed on 8 November 2013)

⁷ Toni Gabrić, Vijeće za elektroničke medije priznalo pravo javnosti da zna, 22 May 2013 [Electronic Media Council acknowledged to the public the right to know] <http://bit.ly/1iZKBed>. (Accessed on 8 November 2013)

⁸ As it has been noted also in: GONG, Doprinos Radnoj verziji izvještaja Vlade o samoprocjeni uspješnosti provedbe Akcijskog plana za provedbu inicijative POV-a od 5. srpnja 2013 [Contribution to the Draft version of the Government Self-Assessment Report on Implementation of the Action Plan on the OGP Initiative Implementation, 5 July 2013]

7. Ensuring Transparent Work of Public Authority Bodies In The Service Of Exercising Citizen Rights

Implementing Activity 7.1

Substantial and technical enhancement of Moja uprava web portal as a functional service, which contains all the information about how citizens and beneficiaries can exercise their rights before state administration bodies.

(Implementation Indicators: New technological solution is created for Moja uprava web portal, all state administration bodies have well trained staff who are using the portal for announcing public information; within state administration an organisational system for editing Moja uprava web portal is set up; the number of users increased to 10,000 per month until the end of 2013.)

Implementing Activity 7.2

Consolidation and interlinking of all the information pertaining to the status of natural and legal persons, whose records are kept by individual public authority bodies.

(Implementation Indicators: A central register system is set up; basic system for electronic data exchange is established in one place; and a user box is created on Moja uprava web portal allowing personal access to information kept by state administration bodies about a person.)

Implementing Activity 7.3

Setting up a scheme of information from other bodies of state administration at Moja uprava web portal.

(Implementation Indicators: Moja uprava web portal contains the scheme of public information and of competent state administration bodies.)

Implementing Activity 7.4

Establish and regularly enhance the system of providing public services through the Internet.

(Implementation Indicators: Programme for the development of electronic public services is drawn up.)

Commitment Description		
A n s w e r a b i l i t y	Lead institution	Ministry of Public Administration
	Supporting institutions	State administration bodies (7.1, 7.3, 7.4), Public authority bodies which keep official records on the status of natural and legal persons (7.2), Personal Data Protection Agency (7.3), Croatian Information-Documentation Referral Agency (7.3)
	Point of contact specified?	No
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)

R e l e v a n c e	OGP grand challenges	Improving public services				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Enhancement of web portal with info on exercising rights	✓			✓	
	2. Information on status of individuals	✓			✓	
3. Information from other state bodies	✓			✓		
4. Establish and enhance Web-based public services	✓			✓		
Ambition						
Milestone	New vs. Pre-existing	Potential Impact				
1. Enhancement of web portal	Pre-existing	Transformative (the commitment entails a reform that could potentially transform “business as usual” in the relevant policy area)				
2. Information on status of natural and legal persons	Pre-existing	Transformative				
3. Information from other state admin bodies	Pre-existing	Transformative				
4. Establish and enhance public services	Pre-existing	Transformative				
Level of Completion						
Milestone 1. Enhancement of web portal						
Start date:	End date:	Actual completion	Limited			
December 2012	December 2013	Projected completion	Substantial			

Milestone 2. Information on status of natural and legal persons			
Start date:	End date:	Actual completion	Limited
May 2012	December 2013	Projected completion	Substantial
Milestone 3. Information from other state bodies			
Start date:	End date:	Actual completion	Limited
December 2012	December 2013	Projected completion	Substantial
Milestone 4. Establish and enhance Web-based public services			
Start date:	End date:	Actual completion	Substantial
December 2012	Continuous	Projected completion	Substantial
Next Steps			
1. Enhancement of web portal	Further work on basic implementation		
2. Consolidation of info pertaining to status of natural and legal persons	Further work		
3. Information from other state bodies	Further work		
4. Establish and enhance Web-based public services	New commitment building on existing implementation		

What happened?

Out of four implementing activities planned under this measure, one began in May of 2012, three were scheduled to start in December 2012, three were scheduled to be completed by the end of 2013, and one was described as a continuous activity.

The self-assessment report provides a very detailed and comprehensive overview of various online services and related activities offered by different ministries and other administration bodies, which have not been envisaged as specific activities in the OGP Action Plan. This overview takes almost one quarter of the whole report (9,5 out of 39 pages in the Croatian version). The activities listed range from usage of IT by the Customs Administration and the Tax Administration to the possibility for submitting applications for European Health Insurance Cards (EHIC) via the Internet.

Below is an overview of the implementing activities envisaged by the OGP Action Plan:

7.1. Enhancement of service web portal with information on exercising rights

The Commission of the Government of the Republic of Croatia for Public Administration Informatization, based at the Ministry of Public Administration as the main implementing body for this measure, established a working group for the standardization of solutions for user access. The working group prepared the guidelines for public procurement of services to implement and maintain a new central government portal (gov.hr) system scheduled for

completion by the end of the year 2013. The new portal is set to integrate the previously used Moja uprava (My administration) portal.

As these actions were not initially defined in the Action Plan, they represent a change in the activities, and the self-assessment report therefore does not evaluate this measure according to the indicators set in the Action Plan.

7.2. Information on status of natural and legal persons

The Working Group for key registers and electronic data exchange, established by the Commission for Public Administration Informatization, suggested aligning the contents of key registers with the actual situation as inconsistencies among different registers have been found. The Ministry of Public Administration committed to prepare an act to regulate this area. The working group also started to prepare specifications for a meta-register. Similarly, as with the Implementing Activity 7.1, monitoring against the indicators set in the Action plan was not possible.

7.3. Scheme of Information from other state bodies

The scheme of information was established to provide an easy overview of the information provided online by various state administration bodies. As this will be part of the new central government portal, the self-assessment report is accurate in rating this activity as being “underway.”

7.4. Establish and enhance Web-based public services

This is a continuous activity and the self-assessment reports rate it as being “underway.” However, as the only indicator set in the Action Plan was the creation of the program for development of electronic public services, the activity can be considered substantially implemented. The program is available as of September 2013 on the Ministry of Public Administration website.¹

Did it matter?

The interviewed stakeholders confirmed that the activities in the area of information technology are highly relevant for open government. However, some expressed concern about to what extent the electronically available data will be used to increase control of citizens and endanger their privacy as opposed to the possibility of providing a more effective public service for citizens.

Some emphasized the need to educate both civil servants and the citizens on options offered by open data and warned that the public administration often publishes relevant documents in PDF and other formats that do not allow re-use of the data.

Moving forward

The most notable criticism regarding the self-assessment report section on using information technologies is the significant disparity between the activities envisaged by the OGP Action Plan and those that were not included in the plan. The IRM researcher recommends that the information provided in the self-assessment report as “additional activities” is presented as a special summary on e-services that are available to Croatian citizens. Also, these additional activities should be evaluated for their significance to OGP values and reconsidered for inclusion in the next Action Plan.

This section, at the same time, contains only one measure, articulated as “ensuring transparent work of public authority bodies in the service of exercising citizen rights.” The

IRM researcher recommends connecting the wording of this measure more clearly with the use of information technology. The activities could also be divided into sub-activities or include more precisely written milestones.

¹ Ministarstvo uprave, Projekt e-Gradani - program razvoja elektroničkih usluga, rujan 2013. [Ministry of Public Administration, Project e-Citizens Development of e-services programme, September 2013], <http://bit.ly/1hZLlaP> (Accessed on 7 November 2013)

8. Setting up a System of Participatory Drafting and Monitoring of State and Local Budget Implementation

Implementing Activity 8.1

Support open public discussions and consultations with citizens and civil society organisations in order to identify priorities in budget funds allocation.

(Implementation Indicators: Open public discussions conducted in different local communities in order to identify priorities in the area of budget funds allocation for 2014.)

Implementing Activity 8.2

Enable participation of public employees, scientists, experts and other persons in the discussions about key budgetary documents in sessions of Croatian Parliament working bodies.

(Implementation Indicators: Public employees, scientists, experts and other persons and representatives of the interested public are involved in discussions in sessions of Croatian Parliament working bodies.)

Implementing Activity 8.3

Support cooperation programmes between local and regional self-government units and civil society organisations in strengthening budget transparency and citizen participation in planning and monitoring local budget implementation.

(Implementation Indicators: Implemented Programmes for strengthening of budget transparency and citizen participation in local budget planning and monitoring in cooperation between local and regional self-government units and civil society organisations are implemented.)

Implementing Activity 8.4

Conduct a public discussion about the financial statements of all companies of special state interest

(Implementation Indicators: Public discussions about the financial statements of all companies of special state interest conducted with civil society organisations and the representatives of the interested public held.)

Commitment Description		
A n s w e r a b i l i t y	Lead institution	Government Office for Cooperation with NGOs (8.1, 8.3,8.4), Croatian Parliament (8.2)
	Supporting institutions	National Foundation for Civil Society Development (8.1, 8.3), Ministry of Finance (8.1, 8.4), Local and regional self-government units (8.3), Associations of cities, municipalities and counties (8.3), companies of special state interest (8.4)
	Point of contact specified?	No

Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)				
R e l e v a n c e	OGP grand challenges	Increasing public integrity, More effectively managing public resources				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Public discussions on budget allocation		✓			
	2. Citizens' participation in Parliament		✓	✓		
3. Government & CSO cooperation in budget transparency		✓	✓			
4. Public discussion on financial statements		✓	✓			
Ambition						
Milestone	New vs. Pre-existing	Potential Impact				
1. Public discussions on budget allocation	Pre-existing	Transformative (the commitment entails a reform that could potentially transform “business as usual” in the relevant policy area)				
2. Citizens' participation in Parliament	Pre-existing	Moderate (the commitment is a major step forward in the relevant policy area, but remains limited in scale or scope)				
3. Government & CSO cooperation	Pre-existing	Transformative				
4. Public discussions on financial statements	Pre-existing	Transformative				
Level of Completion						
Milestone 1. Public discussions on budget allocation						

Start date:	End date:	Actual completion	Substantial
January 2013	Continuous	Projected completion	Substantial
Milestone 2. Citizens' participation in the Parliament			
Start date:	End date:	Actual completion	Substantial
June 2012	June 2012	Projected completion	Complete
Milestone 3. Government and CSO cooperation in budget transparency			
Start date:	End date:	Actual completion	Substantial
January 2013	Continuous	Projected completion	Substantial
Milestone 4. Public discussion on financial statements			
Start date:	End date:	Actual completion	Substantial
October 2012	October 2013	Projected completion	Substantial
Next Steps			
1. Public discussions on budget allocation	Further work on basic implementation		
2. Citizens' participation in Parliament	Revision of the commitment to be more achievable or measurable		
3. Government & CSO cooperation	Further work		
4. Public discussion on financial statements	Further work		

What happened?

8.1. Public discussions on budget allocation

Implementation of the ongoing activity is well documented in the government's self-assessment report. There is, however, ambiguity regarding the indicators. While the action plan language states that open public discussions are being conducted "in order to identify priorities in the area of budget funds allocations for 2014", the self-assessment report describes primarily planning and monitoring activities in relation to budgetary allocations and other kinds of support to civil society organisations. It only briefly mentions one example of participatory inclusion of citizens in the processes of defining budget priorities (City of Rijeka). There is to some extent acknowledgement of the need to address wider public discussion on budget allocations, beyond civil society organisations, in the next OGP Action Plan.

8.2 Citizens' participation on key budgetary documents in Parliament

On the basis of information available, the IRM researcher disagrees with the government's self-assessment of activity 8.2 as being completed. The description of the implementation of activity 8.2 is the same as the description provided for activity 9.5, as it provides information on the rules for securing parliamentary openness and transparency, including information on appointing external members to the parliamentary working bodies (see description of activity 9.5 below).

As discussed below, the inclusion of external members in Parliament has been a unique feature of the system since its establishment. Appointment of external members, however, usually takes place several months after the establishment of the new parliamentary term. In the current term, external members were appointed a full year after the beginning of the new parliament (December 2012), which made it impossible for them to participate in discussions on the key budgetary documents that were on the parliamentary agenda in November 2012. It is usual for external members to be appointed a few months after the new parliamentary term is established and the longer delay for this term was explained by the need to agree on new parliamentary Rules of Procedures that will, among other things, allow for more committees to appoint external members.

In addition to participation of the appointed external members, there is always the possibility for parliamentary committees to invite experts, the academic community, and civil society representatives to attend the meetings and provide their input. The self-assessment report, however, does not make note of this process. In order to assess the level of implementation of this activity, the IRM researcher require more data on the participation of external members in the discussions on the key budgetary documents in the parliamentary working bodies.

8.3. Government & CSO cooperation in budget transparency

The IRM researcher agrees with the self-assessment report that this activity is ongoing. Similarly to activity 8.1, there is ambiguity regarding the indicators. While the action plan language states that the activity consists of the implementation of the programs for “strengthening budget transparency and citizen participation in planning and monitoring local budget implementation,” the report primarily describes budgetary allocations and other kinds of support to civil society organisations. For example, the self-assessment report indicates that the results of the grant scheme for “Strengthening the regional and local structures to support the development of civil society,” published in February 2013 are connected to developing a mechanism “for participation of citizens in the adoption and monitoring of the implementation of local policies and thus local budgets.” So far, there is no information on the actual grantees and their projects.

8.4. Public discussion on financial statements

The self-assessment report indicates that this activity is underway and the IRM researcher agrees that one discussion was held in July 2012, resulting in recommendations that were included in the Action Plan for the Anti-corruption Strategy. The report also suggests that there would be one more discussion, on the financial statements of companies of special state interest for the year 2012, to be held in October 2013. At the time of writing this report, however, there was no confirmation that it had been held.

Did it matter?

The commitment is a continuation of previous efforts by government and civil society actors in the area of increasing civic participation in budget monitoring. The actions included in the measures went through substantial progress during the period of OGP implementation, advancing the open government principles of civic participation and government accountability. Some of the activities and outputs helped to strengthen the government’s efforts in other related areas as well. For example, some of the outputs of the IA 8.4 have been included in the Action Plan under the Anti-Corruption Strategy. Overall, the commitment is valuable, and the milestones included in the measure have the potential to have a significant impact in the area of open government.

Moving forward

The IRM researcher offers the following recommendations on this measure:

- Include the ongoing activities (8.1, 8.3 and 8.4) in the next Action Plan and report on their implementation in a manner that more closely connects to the indicators provided in the Action Plan.
- Revise the IA 8.2. As it may be difficult to monitor actual participation in the discussion on the key budgetary documents, the OGP Council may consider altering the activity to make it more feasible and measurable. The Council may also consider defining an appropriate means through which to monitor the activity.
- Connect more clearly IA 8.4 (public discussions of financial statements of companies of special state interest) with Measure 2 (Improving Transparency of Business Activity of the Companies of Special State Interest), which contains the accompanying activity of publishing annual reports of the companies.

9. Improving the Practice of Consulting the Interested Public in Procedures of Adopting New Laws

Implementing Activity 9.1

Introduce amendments to the Rules of Procedure of the Croatian Government which stipulate the obligation of referring the proposals of draft regulations to the process of consultations (in line with the Code of Practice on Consultation) and require submitting the report on conducted consultations together with draft laws and other regulations.

(Implementation Indicators: Amendments to the Rules of Procedure of the Croatian Government are adopted so that art. 29, par. 4 stipulates the obligation of submitting the report on conducted consultations, and par. 5 the obligation of referring the proposals of draft regulations to the process of consultations in line with the Code and a plan of consultations on the draft laws, other regulations and acts which is passed by the head of the competent body, together with the plan of legislative activities.)

Implementing Activity 9.2

Set up a standardized Internet system for consulting the public in the procedure of adopting new laws, other regulations and acts.

(Implementation Indicators: Draft laws, other regulations and acts about which competent state administration bodies conduct consultations with the interested public are timely published on the web portal for consultations before being submitted to the Government for adoption, in line with the Code.)

Implementing Activity 9.3

Conduct regular training for consultation coordinators and other civil servants so that they are proficient in using the Code of Practice efficiently.

(Implementation Indicators: No less than three two-day seminars for the training of consultation coordinators and other civil servants held)

Implementing Activity 9.4

Prepare annual reports on the efficient implementation of the Code of Practice on Consultation with the Interested Public in procedures of adopting new laws, other regulations, and acts.

(Implementation Indicators: Annual report on the implementation of the Code of Practice on Consultation drawn up)

Implementing Activity 9.5

Include the representatives of public employees, scientists, and experts in the work of the Croatian Parliament working bodies.

(Implementation Indicators: Public employees, scientists, and experts are involved in the work of all Croatian Parliament working bodies.)

Commitment Description						
A n s w e r a b i l i t y	Lead institution	Government of the Republic of Croatia, upon the proposal by the Government Office for Cooperation with NGOs (9.1), Government Office for Cooperation with NGOs (9.3, 9.4), Ministry of Administration (9.2), Croatian Parliament (9.5)				
	Supporting institutions	Office of the president of the Government of the Republic of Croatia (9.2), State School for Public Administration (9.3), state administration bodies (9.4)				
	Point of contact specified?	No				
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)				
R e l e v a n c e	OGP grand challenges	Increasing public integrity, More effectively managing public resources				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Amend procedural rules	✓	✓	✓		
	2. Standardized system for public consultation	✓	✓		✓	
	3. Conduct regular training for civil servants		✓	✓		
	4. Annual reports on consultation practices	✓	✓	✓		
5. Include external members in Parliament working bodies		✓	✓			

Ambition			
Milestone	New vs. Pre-existing	Potential Impact	
1. Amend procedural rules	New	Transformative (the commitment entails a reform that could potentially transform “business as usual” in the relevant policy area)	
2. System for public consultation	Pre-existing	Transformative	
3. Training for civil servants	Pre-existing	Transformative	
4. Annual reports on consultation practices	Pre-existing	Moderate (the commitment is a major step forward in the relevant policy area, but remains limited in scale or scope)	
5. External members in Parliament	Pre-existing	Moderate	
Level of Completion			
Milestone 1. Amend Procedural rules			
Start date:	End date:	Actual completion	Complete
September 2012	September 2012	Projected completion	Complete
Milestone 2. System for public consultation			
Start date:	End date:	Actual completion	Limited
September 2012	September 2012	Projected completion	Complete
Milestone 3. Training for civil servants			
Start date:	End date:	Actual completion	Substantial
June 2012	Continuous	Projected completion	Complete
Milestone 4. Annual reports on the implementation of consultation practices			
Start date:	End date:	Actual completion	Complete
February 2013	February 2013	Projected completion	Complete
Milestone 5. External members in Parliament working bodies			
Start date:	End date:	Actual completion	Substantial
June 2012	June 2012	Projected completion	Complete
Next Steps			
1. Amend	Maintenance and monitoring of completed implementation		

procedural rules	
2. System for public consultation	Further work on basic implementation
3. Training for civil servants	Maintenance and monitoring of completed implementation
4. Annual reports on the implementation	Maintenance and monitoring of completed implementation
5. External members in Parliament	New commitment building on existing implementation

What happened?

Out of the five activities under this measure, the self-assessment report rated three (9.1, 9.4 and 9.5) as fully implemented, and two (9.2. and 9.3) as still being implemented. The IRM researcher agrees with the ratings, except for activity 9.5, which cannot be considered fully implemented for reasons described below.

At the same time, this commitment (the measure number 9.) was considered by the interviewed stakeholders as the one where progress is most visible and where the OGP initiative played an important role in advancing the measure.

Influence of the OGP Council was also especially visible when it came to activity 9.1. As the Act on Right to Access Information emphasized the need to use the Code of Practice on Consultations, government representatives in the Council suggested that this measure could be cancelled. However, CSO representatives in the Council disputed this by arguing for relevance of by-laws for the actual law implementation and succeeded in securing full implementation of the activity.¹

9.1. Amend procedural rules

This measure has been implemented so that when referring proposals of draft regulations to the government procedure, the proposals have to include a report on conducted consultations with the interested public.

9.2. Standardized system for public consultation

This activity is still being implemented. The Government Office for Cooperation with NGOs has a separate page on its website where information on the consultations of relevant government bodies is being published.² Once the central government portal is established, it should include a separate portal for the consultations with interested public.

9.3. Training for civil servants

This is a continuous activity. The program for consultation coordinators was included in the program of the National School for Public Administration.

9.4. Annual reports on the implementation of consultation practices

The Government Office for Cooperation with NGOs has been preparing reports on the implementation of the Code of Practice on Consultations with the Interested Public in procedures of adopting laws, other regulations, and acts since 2010. The report on consultations conducted in 2012 was published in mid-April 2013.³

9.5 External members in Parliament

According to the self-assessment report, this activity has been implemented. Description of the implementation of the activity 9.5 is the same as description provided for the activity 8.2 as it provides information on the rules for securing parliamentary openness and transparency, including information on appointing external members to the parliamentary working bodies. External members are to include “public employees, scientists, experts and other persons.”⁴

The institution of permanent external members in some of the parliamentary committees has been a unique feature of Croatian Parliament ever since its establishment. CSOs advocated for a long time the introduction of external members to all parliamentary committees. This was also set as a target indicator for IA 9.5. The number of committees appointing external members (representing experts, academic community and civil society organisations) did increase. In the current term there are only 7 out of 29 committees without external members, while in the previous term, there were no external members in 11 out of 30 committees. In the opinion of the IRM researcher, as well as the interviewed stakeholders, since the indicator stated as a target the introduction of external members to *all* parliamentary committees, this activity cannot be considered as fully implemented.

Did it matter?

Relevance of the change achieved under this commitment has been acknowledged by civil society as a positive advancement for open government practices.⁵ Full implementation of all the envisaged activities would significantly contribute to overall government transparency and citizen participation in public affairs. It is important that attention has been given to educating civil servants on the consultation process since that is how an appropriate implementation of legal framework can be ensured.

The interviewed stakeholders emphasized that the Government Office for Cooperation with NGOs played a very positive role regarding this commitment. The Office role was used to illustrate the importance of adequate administrative support for the implementation of the activities.

Moving forward

The IRM researcher recommends including monitoring the implementation of completed activities in the next Action Plan. In addition, more attention could be given to educating both citizens and civil servants on how to engage in Internet consultation and develop non-virtual forms of consultations.

As already noted elsewhere, communicating results to the public is important here; not only because of the need to inform the broader circle of citizens, but also because access to information and clear communication are the prerequisites for an increased citizens' participation. Reports on the implementation of the Code on Consultations, for example, if presented more widely, and not only on the website of the Government Office for Cooperation with NGOs, may encourage wider participation.

Regarding IA 9.5, as it cannot be expected to change the current composition of parliamentary committees before next elections (due in 2015), the IRM researcher suggests revising it. In order to increase both civic participation and accountability, it is recommended to increase the number of sessions of various parliamentary bodies to which representatives of the public are invited in addition to the already appointed external members in the committees. As for the external committee members, there may be a need

to closely monitor their actual participation in the work of the committees to assess to what extent their presence actually contributes to the public contribution to the legislative process.

¹ Minutes from the OGP Council sessions, <http://bit.ly/1etjldb>. (Accessed on 18 October 2013)

² Available at <http://bit.ly/1dsQrgm>.

³ Available at <http://bit.ly/1jiqBnr>.

⁴ Please note that this translation is not completely accurate as the Croatian original in fact refers to individuals active in the public realm, some kind of opinion-makers, and not necessarily employees or officials in the public sector, while “scientists” should be understood in a broader sense, as members of the academic community.

⁵ Platform 112, Civil Society Assessment Report of the Croatian Government Performance in view of 112 requests, 6 March, 2013, <http://bit.ly/lhATEo>. (Accessed on 30 October 2013)

V. SELF-ASSESSMENT

The government's self-assessment process involved consultation with civil society and the general public through forums and online consultation, taking into consideration public comments to produce a report that effectively evaluated the progress of the OGP commitments and implementing activities, with varying level of detail.

The government released a draft version of its self-assessment report for public online consultations from 2 August until 4 September 2013. It was then published on the OGP web page hosted by the government Office for Cooperation with NGOs.¹ A summary report on the consultation process, including references to the OGP Council as a consultation mechanism, is also available through the same online portal.²

The number of comments received through the public online consultation process is well below the average number of comments received through public consultations. Only one comment was received in five weeks, as compared to the average number of comments received per public consultation in 2012, which was 33, or as compared to the 144 documents released for public consultation during 2012, where only 45 had none or one comment. One of the explanations for this discrepancy is that the draft report was available for online comments during summer break, when there is usually a low response to public consultations. The Government, however, considers one of the reasons for low number of comments is that CSOs were given the opportunity to comment through the OGP Council (e.g. the CSOs in the Council represent wider number of CSOs that provided their comments through their representatives in the Council).

The only comment received through the online process came from the Institute for Public Finances, whose representative is also a member of the OGP Initiative Council. Other CSO representatives in the Council refrained from participating in public consultations since they submitted written comments on earlier occasions, or participated in discussions during regular Council sessions. The consultations during the Council sessions were well documented and the minutes of the meetings are available on the OGP website.³

The written comments submitted during the public online consultations or directly to the Council were not publicly available at the time of publishing the self-assessment report. Stakeholders have recommended that the written comments should be attached to the summary report on the consultation process, as some have suggested that the summary report of the consultations does not accurately represent some of their comments.⁴ Also, this would provide a full account on which comments made it into the final version of the self-assessment report and which were not included. Such an integral version of the summary report on the consultation process could be added as an annex to the self-assessment report. The written comments were published a few weeks after the official release of the self-assessment report and now they are available as a separate document on the OGP Croatia website.⁵

The self-assessment report covers all of the commitments (9 measures with 33 implementing activities). It also includes information on activities that the government was in the process of implementing before and after the reporting period (before April 2012 and after June 2013). Most of the evidence of the implementation of activities is provided and

can be easily accessed (e.g. publicly available documents on specific websites). The level of details varies from one commitment to another, potentially due to the reporting style of the competent government bodies. In addition to information on each of the commitments, the report offers an overview of activities for each of the four priority areas that were not envisaged in the OGP Action Plan. The self-evaluation report, however, does not make explicit reference to the implementation indicators and does not provide information on the costs of implementation, although both the indicators and an estimate of implementation costs for a number of activities were specified in the Action Plan. On some of the postponed or cancelled activities, the self-evaluation report does not provide a sufficient explanation of the reasons for delay or cancellation. Some of the interviewed stakeholders pointed to inaccuracies in reporting on specific commitments (e.g. reporting on some of the activities related to fiscal transparency as being completed on schedule, whereas in some instances they were delayed or not completed).

Table 2: Self-Assessment Checklist

Was annual progress report published?	Yes
Was it done according to schedule?	Yes
Is the report available in the local language?	Yes
According to stakeholders, was this adequate?	Yes
Is the report available in English?	Yes
Did the government provide a two-week public comment period on draft self-assessment reports?	Yes
Were any public comments received?	Yes
Is the report deposited in the OGP portal?	Yes
Did the self-assessment report include review of the consultation efforts?	Yes
Did the report cover all of the commitments?	Yes
Did it assess completion according to schedule?	Yes
Did the report reaffirm responsibility for openness?	Yes
Does the report describe the relationship of the action plan with grand challenge areas?	Yes

¹ Office for the Cooperation with NGOs, Partnerstvo za otvorenu vlast, <http://bit.ly/1dLTjac>.

² Office for the Cooperation with NGOs, Partnerstvo za otvorenu vlast, available at: <http://bit.ly/1hlOgCA>.

³ Minutes from the OGP Council sessions, are available online at: <http://bit.ly/1etJdb>. (Accessed on 18 October, 2013).

⁴ Katarina Ott and Mihaela Bronić, interview for the IRM report, 17 October 2013.

⁵ Available at <http://bit.ly/MuZsiP>.

VI: MOVING FORWARD

This section puts the OGP action plan into a broader context and highlights potential next steps, as reflected in the preceding sections, as well as stakeholder-identified priorities.

Country Context

Croatia's participation in the OGP Initiative has taken place at the same time as two important events: parliamentary elections, held in December 2011, and the final stage of Croatia's accession to the EU.

Croatia joined the OGP initiative shortly before the last parliamentary elections that brought about the change of government from the Croatian Democratic Union (Hrvatska demokratska zajednica - HDZ) as a centre-right party (in power for two election rounds) to the centre-left coalition led by social democrats (SDP – Socijaldemokratska partija Hrvatske). As most of the interviewed stakeholders emphasized, there has been no major difference between the previous and the current government in understanding the importance of the OGP initiative. However, as the Action Plan was prepared during the first months of the newly elected government, some of the commitments may have reflected initial enthusiasm and hopes raised during the pre-election period and envisaged measures difficult to achieve within the given time period. This is best illustrated by the difficulties that arose in achieving the measures in the area of fiscal transparency, where the complexity of proposed measures was identified as an obstacle to successful implementation, and in the area of using information technology where the initial activities were supplemented by more ambitious goals.

The high-profile affairs organised to promote open government initiatives exemplified the relevance assigned to the OGP process by the government and various stakeholders in Croatia. The very first public presentation of the OGP initiative was organised on 14 September 2011 by the Office of the President of Croatia, Government's Office for Cooperation for NGOs, and the U.S. Embassy. The key speakers at the presentation included prominent figures from academia and civil society. The President of Croatia himself, the speaker of the Parliament, deputy Prime Minister and Minister of Foreign and European Affairs, U.S. ambassador and the Head of the EU Delegation to Croatia addressed the audience.¹

The conditions required as part of the EU accession process became an important factor in the context of the OGP process. Some of the OGP commitments were in fact measures that were part of the accession conditions, and interviewed stakeholders attested that the EU accession framework offered a certain amount of leverage for civil society actors to advocate, among other things, for an open and transparent government. There is hope and expectation that the OGP initiative, while it does not have the power of conditionality as the EU requirements do, can help maintain and advance the achieved standards of openness and transparency.

Paradoxically, while open government is ultimately intended to serve the citizens, the interviewed stakeholders indicated that the Croatian citizenry at large is often not interested in issues of transparency and government openness. This can be understood in the context of the challenges stemming from the lack of immediate economic benefits and concerns over the overall economic situation. It is important to note that the current unemployment rate in Croatia is at 17.6% and the youth unemployment at almost 50%, well

above the EU average.² In addition, the level of trust in the government in Croatia is lower than the EU average – 19% in comparison with 25% at the EU level.³

In order to ensure successful implementation, especially in the area of the right to access information and citizens' participation in decision-making processes, the government needs to make special efforts to demonstrate more clearly the public benefits for the citizens arising from open government principles.

Stakeholder Priorities

There is no specific area in the Action Plan that the stakeholders would single out as the most significant, as they emphasized that all of the measures and accompanying implementing activities are interconnected. In terms of focus of the current action plan, however, they did see a need to develop specific measures aimed at increasing fiscal transparency. The activities related to fiscal transparency promised in the action plan were not fully implemented and there is a difference in opinion among the stakeholders, depending on whether they come from the government or civil society and academic community, on whether some of the activities have been completed to the fullest extent possible. Stakeholders therefore agreed that this is an area that needs to be addressed further in the next action plan. They agree that clear measures for completion need to be indicated.

Stakeholders identified the importance of giving greater attention to Local and regional self-government bodies. This would entail the new action plan indicating additional efforts to promote open government values at the local and regional level, and possibly encouraging local and regional units to develop their own action plans. Another area that deserves more focus is the adoption of the new Right to Access to Information Act, which has been regarded as one of major successes in the implementation of the current Action Plan.⁴ OGP stakeholders emphasized the importance of appropriate resource allocation for the Office of Information Commissioner that will be in charge of monitoring the Act. It is expected that the newly appointed Information Commissioner will be actively involved in the development and implementation of the next OGP action plan.

Recommendations

In the next stages of the OGP process it will be important to consider an inclusion of a broader spectrum of civil society organisations as well as representatives of the private business sector. While representatives of a select group of CSOs are included in the OGP Council, it would be beneficial to reach out to CSOs outside of the capital. In addition, in order to gain a better, more informed insight into the success of implementation of OGP commitments and the impact on citizens across the country, it is recommended to conduct public opinion research on relevant open government topics.

In Croatia, there is a need to ensure full understanding of open government principles through all levels of public administration. Even when there is a declarative willingness to provide timely and full disclosure of information to the citizens, there is often a lack of capacity both at the national and at the lower levels of government (sometimes in terms of insufficient human resources and other times in terms of inadequate education). Some steps have already been taken by providing continuing education for civil servants. However, as some stakeholders suggested, it is difficult to change the "culture of secrecy" that has persisted for so long within Croatia's public administration overnight.

It will be important to develop a wider variety of consultation mechanisms in order to increase civic participation in the next stage of the OGP process. The development of the

first action plan relied both on Internet and face-to-face interaction, while consultation in the process of the self-assessment report was conducted through the OGP Council and through Internet-based consultations. While CSO representatives in the OGP Initiative Council provided their input during regular sessions, and some of the CSOs in the Council do represent wider number of CSOs, their participation cannot replace direct communication with larger civil society.

In addition to the full self-assessment report, it would be beneficial to provide a summarized version for public dissemination in various formats (electronically, leaflets, posters) and distribution through various channels (websites, social media, and others).

It would also be effective and streamline productivity for the Action Plan to be supplemented with a communication strategy that specifies internal (among the OGP implementing bodies) and external communication processes (between the OGP implementing bodies and civil society actors not included in the work of the OGP Council).

¹ Anamarija Musa, “Okrugli stol – Partnerstvo za otvorenu vlast” [Round table – Open Government Partnership] in *Croatian and Comparative Public Administration*, no 4, 2011, pp. 1153 -1176; and Daria Dubajić and Romea Manojlović, *Inicijativa Partnerstvo za otvorenu vlast: Intervju s Joškom Klisovićem, predstojnikom Ureda predsjednika Republike Hrvatske* [Open Government Partnership Initiative: Interview with Joško Klisović, Head of the Office of the President of the Republic of Croatia], in *Croatian and Comparative Public Administration*, no 4, 2011, pp. 1157 -1162.

² Croatia Unemployment Rate, *countryeconomy.com*, <http://bit.ly/19bKRUh>.

³ European Commission, Public Opinion, <http://bit.ly/18Q0Q4t>.

⁴ The passage of the 2013 FOI law was also one of the required steps for Croatia’s entry into the European Union. See “Croatia Adopts New Freedom of Information Law,” *freedominfo.org*, February 15, 2013, <http://bit.ly/1dSnufX>.

ANNEX: METHODOLOGY

As a complement to the government self-assessment, an independent IRM assessment report is written by well-respected governance researchers, preferably from each OGP participating country.

These experts use a common OGP independent report questionnaire and guidelines,¹ based on a combination of interviews with local OGP stakeholders as well as desk-based analysis. This report is shared with a small International Expert Panel (appointed by the OGP Steering Committee) for peer review to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organisations.

Each local researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency, and therefore where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) In those national contexts where anonymity of informants—governmental or nongovernmental—is required, the IRM reserves the ability to protect the anonymity of informants. Additionally, because of the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each national document.

Introduction

The methods used to gather data for the IRM report included: individual and group interviews, attending public discussions on the topics included in the OGP Action Plan, and review of relevant documentation (quoted throughout the report).

The very first meetings were held at the beginning of September with the Government Office for Cooperation with CSOs as the coordinating body for the OGP Action Plan implementation, and two CSO representatives in the OGP Council. With their assistance, the list of relevant stakeholders has been compiled, which includes representatives of government institutions and civil society organisations involved in the OGP initiative in various ways. The IRM researcher, in addition, contacted CSO representatives who have been involved with the OGP initiative at its inception without following the implementation process more closely.

The stakeholder meeting of CSOs not directly involved with the OGP initiative should have been held on 24 October at the Human Rights House. At the initial call, sent through various CSO mailing lists and the Facebook page established by the IRM researcher, 11 persons responded with interest. However, only three persons finally attended the meeting. The main reason for the last minute cancellations were competing obligations of the potential participants—similar to during the individual interviews, CSO representatives often expressed lack of resources to follow OGP Initiative more closely, especially the areas that are not directly related to their organisational mission.

Stakeholder Selection

A total of 21 people were interviewed for this report. Fourteen were involved in the implementing the OGP Action Plan, either as representatives of government institutions in charge of specific measures or as representatives of civil society or academic community in the OGP Council.

1. Ana Bakiš, Ministry of Finance, 30 October 2013 (group interview)
2. Ivan Koprić, Faculty of Law, University of Zagreb, 31 October 2013
3. Ivana Jakir Bajo, Ministry of Finance, 30 October 2013 (group interview)
4. Ivana Vargašević Čomka, Ministry of Finance, 30 October 2013 (group interview)
5. Jelena Berković, GONG, 5 September and 24 October 2013
6. Joško Klisović, Ministry of Foreign Affairs, 29 October 2013
7. Igor Vidačak, Government Office for Cooperation with NGOs, 4 September 2013
8. Katarina Ott, Institute for Public Finance, 17 October 2013
9. Lidija Pavić-Rogošić, ODRAZ, 29 October 2013
10. Marko Rakar, NGO Vjetrenjača (written responses sent on 19 October 2013)
11. Mihaela Bronić, Institute for Public Finance, 17 October 2013
12. Nives Kopajtich Škrlec, Association of Cities, 29 October 2013
13. Sandra Pernar, Government Office for Cooperation with NGOs, 4 September and 24 October 2013 (group interview)
14. Saša Šegrt, GONG, 20 October 2013
15. Snježana Bužinec, Association of Municipalities, 30 October 2013 (phone interview)
16. Tamara Puhovski, Ministry of Foreign Affairs, 29 October 2013
17. Toni Gabrić, Association for Independent Media Culture, H-alter, 24 October 2013 (group interview)
18. Vanja Škorić, GONG, 5 September 2013
19. Vedrana Perković-Hadl, Transparency International Croatia, 24 October 2013 (group interview)
20. Željana Buntić Pejaković, CENZURA Plus, 31 October 2013
21. Zorislav Antun Petrović, independent anticorruption expert, 29 October 2013

Stakeholder Meeting One

Unless noted differently, the stakeholders were consulted through semi-structured interviews according to the interview guide prepared by the IRM researcher. The interview guide followed the outline of the IRM report to the greatest extent possible.²

Stakeholder Meeting Two

The IRM researcher also attended two public discussions on the topics included in the OGP Action Plan. The first one was on the occasion of the International Right on Access to Information Day organised by GONG in the Croatian Parliament on 30 September 2013 [2, 3].³⁴ The second was the 5th Forum on Public Administration, on the newly appointed Information Commissioner and the budget transparency, organised by the Friedrich-Ebert Foundation and the Institute for Public Administration on 6 November 2013. Both events included presentations of the experts involved in the OGP initiative.

About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on a bi-annual basis. The design of research and quality control of such reports is carried out by the International Experts' Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts' Panel is:

- Yamini Aiyar
- Debbie Budlender
- Jonathan Fox
- Rosemary McGee
- Gerardo Munck

A small staff based in Washington, DC shepherds reports through the IRM process in close coordination with the researcher. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org

¹ Full research guidance can be found at <http://bit.ly/1jkisPj>.

² Partnerstvo za otvorenu vlast – Neovisno izvješće za Hrvatsku, Vodič za intervju s ključnim dionicima [Open Government Partnership – Independent Report for Croatia, Guide for Interviews with Key Stakeholders]

³ "Povjerenik za informiranje, ni na nebu ni na zemlji [Information Commissioner, nowhere to be found], 1 October 2013, (<http://www.h-alter.org/vijesti/ljudska-prava/povjerenik-za-informiranje-ni-na-nebu-ni-na-zemlji>) (accessed on 10 October 2013)

⁴ Andreja Žapčić, "Legitimnost i tajnost ne idu zajedno, otvorena vlast znači odgovornost", [Legitimacy and secrecy don't get along, open government means accountability], 30 September 2013, <http://bit.do/fxwf><http://bit.do/fxwf>. (accessed on 10 October 2013).