

Independent Reporting Mechanism (IRM): Macedonia Progress Report 2016–2017

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Executive Summary: Macedonia

Independent Reporting Mechanism (IRM) Progress Report 2016–2017

Macedonia's third national action plan was a result of a participatory process and covered diverse issues, ranging from whistleblower protection to budget transparency. However, the potential impact and completion level of the 34 commitments varied. For the next action plan, the government could consider prioritizing the most ambitious and relevant commitments.

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 Republic of Macedonia began participating in OGP in 2011. The Independent Reporting Mechanism (IRM) carries out an annual review of the activities of each country that participates in OGP.

The Ministry of Information Society and Administration (MISA) is legally mandated to coordinate the overall OGP process, but implementation was spread among a variety of government institutions, in partnership with CSOs, local governments and international organizations. Although Macedonia underwent a political crisis during the development of the action plan, it did not directly affect the OGP process.

OGP Process

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

The development of the action plan was a participatory process. MISA hosted a conference and formed six working groups, consisting of representatives of CSOs and governmental bodies, each focusing on a different policy area. The government engaged with the working groups in a series of workshops and public events, and gave them the opportunity to propose commitment topics and provide feedback. The development process represented a diversity of views and all members of the working group, as well as the general public, could influence or comment on the draft version.

The mandate of the working groups extended to cover the implementation of OGP commitments, and the government passed a decision to divide monitoring responsibilities among all eight working groups (two were added during this process). Working group members and other stakeholders were able to track the progress of implementation and directly communicate with the relevant implementing institution.

MISA prepared a draft of the self-assessment report in August 2017 and published it on their website and the e-demokratija.gov.mk web portal for a two-week public comment period. The final version of the self-assessment was published in September 2017, three months

At a Glance:

Member since: 2011
Number of commitments: 34

Level of Completion:

Completed: 12% (4)
Substantial: 21% (7)
Limited: 38% (13)
Not started: 26% (9)
Withdrawn: 3% (1)

Commitment Emphasis:

Access to information: 68% (23)
Civic participation: 32% (11)
Public accountability: 6% (2)
Tech & innovation for transparency & accountability: 6% (2)
Unclear: 12% (4)

Commitments that are

Clearly relevant to an OGP value: 85% (29)
Of transformative potential impact: 6% (2)
Substantially or completely implemented: 32% (11)
All three (★): 3% (1)

after the first year of implementation. The self-assessment provides a broad overview of the consultative process and implementation progress; however, the self-assessment lacks adequate evidence to confirm some of the commitments' stated achievements.

Commitment Implementation

As part of OGP participation, countries make commitments in a two-year action plan. The Republic of Macedonia action plan contains 34 commitments. Table 1 summarizes each commitment's level of completion and potential impact. Table 2 provides a snapshot of progress for each commitment and recommends next steps. In some cases, similar commitments are grouped and reordered to make reading easier.

Note that the IRM updated the criteria for starred commitments in early 2015 in order to raise the standard for model OGP commitments. Under these criteria, commitments must be highly specific, relevant to OGP values, of transformative potential impact, and substantially completed or complete. Macedonia received one starred commitment (Commitment 5.1).

Table 1: Assessment of Progress by Commitment

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION			
⚡ COMMITMENT IS MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS TRANSFORMATIVE POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE
Theme 1: Participatory Policy Creating								
1.1 Improve consultation process with civil society								
1.2 Improve government cooperation with CSOs								
Theme 2: Open Data								
2.1. Create open data standards								
2.2 Improve Open Data Platform								
2.3 Raise awareness about open data								
2.4 Catalog government datasets								
2.5 Link open data to government portals								
Theme 3: Freedom of Information								
3.1. Implement FOI Law								
Theme 4: Prevention of Corruption and Promotion of Good Governance								
4.1 Implement law on whistleblower protection								
4.2 Open data on asset declarations								
4.3 Monitor integrity of LSUs								
4.4 Promote cooperation to prevent corruption								
Theme 5: Efficient Management of Public Resources (Fiscal Transparency)								
⚡ 5.1 Open budget initiative								
5.2 Open data on health programs								
5.3 Mandatory publication of public procurement information								
5.4 Involve CSOs when planning IPA 2								
5.5 Publish data on ORIO								
5.6 Introduce concession contracts register								
5.7 Strengthen capacities of the Ministry of Health								
5.8 Publish data on financial assistance for rural development								
5.9 Increase transparency in public finances management								
Theme 6: Openness on Local Level								
6.1 Develop transparency and open data standards								

6.2 Improve financial transparency of LSUs								
6.3 Improve institutional consultation mechanism								
6.4 Improve cooperation between LSUs and CSOs								
6.5 Evaluate service quality at the local level								
6.6. Improve local social services								
6.7 Greater social inclusion of disabled people								
6.9 Increase information on the Ombudsman office								
Theme 7: Public Services								
7.1 Favorable legal environment for social contracts								
Theme 8: Climate Changes								
8.1 Develop climate policies in a participatory manner								
8.2 Open data on climate change								
8.3 Improve reporting on environmental pollution								

Table 2: Summary of Progress by Commitment

NAME OF COMMITMENT	RESULTS
1.1 Improve consultation process with civil society <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Limited 	<p>This commitment is ongoing from previous action plans and seeks to advance already established practices for participatory policy-making. Completion is limited given recent political unrest and governmental instability. So far a methodology has been developed for collecting and monitoring data on stakeholder consultations and the public consultation period has been extended from 10 to 20 days. In the next action plan the commitment on improving public consultation should be more clearly formulated listing specific intended changes in existing practices of decision-making.</p>
1.2 Improve government cooperation with CSOs <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Limited 	<p>This commitment seeks to improve cooperation between the government and civil society in the policy-making process through establishing an advisory body, soliciting contributions in developing the government's Annual Work Program, and encouraging the participation of civil society in preparation of the 2018–2022 Strategy for Cooperation between the Government and Civil Society. The government adopted a decision to establish the advisory council and civil society has submitted eight initiatives for the work program.</p>
2.1 Create Open Data Standards <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Substantial 	<p>To improve uniformity and accessibility of government datasets published by different institutions, this commitment intends to create meta-data standards (based on the DCAT-AP platform standard). A draft version of the open data standards was prepared and published online for public consultation.</p>
2.2 Improve Open Data Platform <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Limited 	<p>This commitment aims to establish a legally binding instrument that grants permission to access and re-use data. The Ministry of Information Society and Administration (MISA), in agreement with two CSOs (CCM and Free Software), has selected the Creative Commons BY license model for the open data portal, but has yet to formally adopt it. The IRM research team recommends MISA adopt the licensing model and stakeholders agree on further improvements to the portal.</p>
2.3 Raise awareness about open data <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Not started 	<p>The aim of this commitment is to raise awareness of open data among the public and the institutions holding the data. The commitment entailed a survey on citizens' familiarity with open data, training sessions on open data identification and publication for at least 20 institutions, advertising campaigns for open data, and organizing at least one competition or hackathon for the development of open data-based applications. So far, only the preparation of a survey has been initiated.</p>
2.4 Catalog government datasets <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Not started 	<p>This commitment seeks to ensure implementation of the Law on Public Sector Data Use that requires all government institutions to catalog their datasets. The commitment entails identification of priority institutions, analysis of institutions' datasets, creation of a central catalog for all datasets and prioritization of the datasets to be published. MISA has yet to identify and draft a list of priority institutions.</p>
2.5 Link open data to government portals <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor 	<p>To improve accessibility of published datasets, this commitment aims to have each institution publishing open data on the portal create an open data section on its own website to list all the published datasets, with an appropriate link to the central open data portal. Due to technical limitations of the current open data portal</p>

<ul style="list-style-type: none"> Completion: Not started 	<p>(www.otvorenipodatoci.gov.mk), the commitment will be implemented only after a new portal is set up (Commitment 2.2), which will enable direct links to datasets.</p>
<p>3.1 Implement FOI Law</p> <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Limited 	<p>In 2015 and 2016, institutions received several hundreds of complaints after failing to comply with their obligation to disclose information. In order to fully implement the FOI Law, this commitment aims to prepare guidelines for the proactive publication of information, monitor the implementation of “damage tests,” and carry out an awareness-raising media campaign. Commission for the Protection of the Right to Free Access to Public Information (CRFAPI) published three documents, including instructions and recommendations for the proactive publication of information. The “public interest” needs to be clearly defined for this commitment to be fully implemented.</p>
<p>4.1 Implement law on whistleblower protection</p> <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Transformative Completion: Limited 	<p>This commitment aims to more fully implement the law on whistleblower protection by enabling a system of protected reporting and raising awareness. While the State Commission for Prevention of Corruption (SCPC) along with experts within the IPA 2010 Twinning Project published a handbook and organized training sessions, little else has been done to determine authorized persons to review whistleblower reports or strengthen the capacities of authorized report reviewers. It is recommended that this commitment be expanded and carried forward in the next action plan.</p>
<p>4.2 Open data on asset declarations</p> <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Limited 	<p>This commitment aimed to introduce a software solution to show a historical overview of public officials’ declarations published by the State Commission for Prevention of Corruption (SCPC). A new software was developed to provide information on both the current and past property ownership status of officials. However, the establishment of an archive, containing this information, has stalled. If not completed on time, this commitment should be taken forward in the next action plan.</p>
<p>4.3 Monitor integrity of LSUs</p> <ul style="list-style-type: none"> OGP Value Relevance: Unclear Potential Impact: Minor Completion: Limited 	<p>This commitment builds from the previous OGP action plan to encourage municipalities to sign anti-corruption policies and to cooperate with CSOs to develop indices measuring the integrity of local self-government units (LSUs). No additional municipalities have signed the policies, however, the Center for Research and Policy Making (CRPM) in cooperation with the SCPC has developed two integrity indices. Moving forward, the State Commission for Prevention of Corruption could devise best strategies for encouraging more LSUs to initiate integrity measures based on consultations with CSOs.</p>
<p>4.4 Promote cooperation to prevent corruption</p> <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Substantial 	<p>The main objective of this commitment is to establish a sustainable cooperation between the State Commission for Prevention of Corruption (SCPC) and CSOs, and to develop a methodology for external monitoring of SCPC’s work.</p> <p>No coordination meetings have been held, however, the Macedonian Center for International Cooperation (MCIC) established an external methodology for monitoring SCPC’s work. Their findings and recommendations were presented at a forum in 2017. It is recommended that SCPC and CSOs designate a person of contact, responsible for initiating and recording meetings going forward.</p>
<p>5.1 Open budget initiative</p> <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Transformative 	<p>To improve budget transparency, this commitment aims to publish three vital budget documents: a citizens’ budget, a projection of revenue and expenditures of the state budget, and a semi-annual report covering the implementation of the state budget. The Ministry of Finance published the citizens’ budget and the semi-annual report. The citizens’ budget has been positively evaluated by the CSO, although the publication is missing</p>

<ul style="list-style-type: none"> Completion: Substantial 	<p>macroeconomic indicators and predictions for the following quarter. The Ministry of Finance could work with CSOs to improve the format of the semi-annual report. The next action plan needs to include the commitment on budget transparency focusing on publishing the mid-year report.</p>
<p>5.2 Open data on health programs</p> <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Limited 	<p>This commitment aims to disclose budget and spending for health programs, but it is not clear if this information will be provided in open data format. The Ministry of Health (MoH) has been collaborating with the Association for Emancipation, Solidarity and Equality of Women (ESE) to publish reports on health program budgets and implementation, and to launch an awareness-raising campaign for citizens. MoH has developed templates for the reports. Moving forward, the government should take necessary measures to publish budget information on health programs, preferably in open data format.</p>
<p>5.3 Mandatory publication of public procurement information</p> <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Not started 	<p>This is a commitment from the previous OGP action plan to determine a set of standards that public procurement institutions must follow when publishing information. However, compliance by institutions was voluntary and low. This commitment aims to build from these efforts and make the publication of public procurement information mandatory among relevant public institutions. Due to political challenges in 2017, the development of the new law has been postponed to October 2018. If not completed, the IRM researcher recommends carrying this commitment forward to the next action plan.</p>
<p>5.4 Involve CSOs when planning IPA 2</p> <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Limited 	<p>This commitment aims to establish objective criteria for selecting CSOs to participate in the planning and programming for the framework of the Instrument for Pre-accession Assistance 2 (IPA 2) which is the funding mechanism by which the European Union supports Macedonia's accession process. Preliminary meetings were held with state secretaries and draft rules outlining the procedure for sectoral working groups were developed. The researchers recommend pursuing this activity outside the framework of OGP.</p>
<p>5.5 Publish data on ORIO</p> <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Not started 	<p>There is no publicly available information on the signed contracts and assistance received from ORIO, a program funded by the Dutch Ministry of Foreign Affairs that contributes to the development of public infrastructure in Macedonia. The project has been terminated but it is unclear on what grounds.</p>
<p>5.6 Introduce concession contracts register</p> <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Complete 	<p>To address the lack of sufficient public information on contracts and concessions, especially with regards to the exploitation of mineral resources, the Ministry of Economy aims to introduce a publicly available register. The register is currently available at www.economy.gov.mk/doc/2079 and includes data specified in the action plan, such as the name of concessioner, number and date of contract, spread of concession area, etc.</p>
<p>5.7 Strengthen capacities of the Ministry of Health</p> <ul style="list-style-type: none"> OGP Value Relevance: Unclear Potential Impact: Moderate Completion: Limited 	<p>This commitment aims to strengthen the capacities of MoH to effectively measure, monitor and report the implementation and benefits of health programs. The commitment was undertaken in close collaboration with the CSO Association for Emancipation, Solidarity and Equality for Women (ESE), however, it is not clear what the specific role of the association would be. The association has selected possible health programs for MoH to pilot the monitoring methodology, but the final decision has not been made.</p>

<p>5.8 Publish data on financial assistance for rural development</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Not started 	<p>To improve accessibility on financial assistance allocated for rural development this commitment aims to publish data on received assistance by location, amount, etc. and to update data quarterly. Implementation was not started. Moving forward, this commitment should be continued, but the IRM research team recommends the Agency for Financial Support of Agriculture and Rural Development (AFSARD) to set a clear structure for data to be published and improve the communication between the agency and partner CSOs.</p>
<p>5.9 Increase transparency in public finances management</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Not started 	<p>The Commission for Competition Protection (CCP) currently publishes annual reports on state assistance provided to foreign companies investing in Macedonia, however, specific incentive packages for foreign investors have not been disclosed to public. This commitment aims to publish information on grounds for provided incentives, including the amount of state assistance per company. While implementation has not yet begun, the IRM researcher recommends following through this commitment and if not completed, including it in the next action plan.</p>
<p>6.1 Develop transparency and open data standards</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Complete 	<p>To improve transparency surrounding open data publication at the local level, the Ministry of Local Self-Government (MLS) has published e-transparency standards and open data guidelines for local self-government units, prepared an analysis of LSUs' legal framework, and established two platforms to serve as a network between CSOs and local and central government. The Ministry also held several workshops to strengthen the capacities of CSO and LSUs when using open data at the local level. Moving forward, MLS should ensure LSUs publish open data according to the standards set out in this commitment.</p>
<p>6.2 Improve financial transparency of LSUs</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial 	<p>This commitment aims to identify the most important indicators with regards to financial transparency of local self-government units (LSUs) and establish electronic tools, including a Control E-Board, to enable easier access to financial information. Twenty indicators have been selected, in consultation with CSO stakeholders, and a software solution for the Control E-Board and its mobile application has been approved by Google Play. Moving forward, LSUs need to ensure public awareness and uptake of new tools.</p>
<p>6.3 Improve institutional consultation mechanism</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Substantial 	<p>This commitment aims to improve institutional mechanisms with a strong gendered focus to improve consultation with diverse groups, including women. The Center for Research and Policy Making (CRPM) collaborated with CSOs to prepare action plans for gender equality, and developed and implemented a model that has a gendered approach when involving the public in local policy creation. The six municipalities will receive financial support in the second half of the implementation cycle.</p>
<p>6.4 Improve cooperation between LSUs and CSOs</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Limited 	<p>This commitment is part of a UNDP project in the Western Balkans and aims to address the lack of transparency surrounding the allocation of funds to CSOs by local self-government units. This commitment could improve access to information on how local government disburses funding to CSOs to strengthen cooperation between LSUs and CSOs. UNDP and the MLS have assessed the existing mechanisms for granting funds, based on criteria such as financial condition and size. The design of the grant scheme and capacity development activities have not been started.</p>
<p>6.5 Evaluate service quality at the local level</p>	<p>To improve quality of services delivered by local self-government units, this commitment aims to create a system to measure citizens'</p>

<ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Not started 	<p>satisfaction and evaluate local service delivery, covering all 81 LSUs. The commitment, which includes data collection and capacity strengthening for the NGOs monitoring municipalities' provision of services, has been delayed as a result of the October 2017 local elections. The IRM research team recommends the government resumes implementation of this commitment. If not completed, the commitment should be carried into the next action plan and expanded to cover activities to improve services based on the collected feedback.</p>
<p>6.6 Improve local social services</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Limited 	<p>This commitment aims to develop a digital platform and a mobile and desktop application that allows for communication between parents and pre-schools and kindergartens, as well as service providers. SOLE Communication Network has created the applications and web platform; however, it is not clear who is responsible for financing the platform's administration in schools and the launch of the application has not taken place. Moving forward, the participating kindergartens could be defined. This innovative approach could be carried forward in the next action plan if not completed on time.</p>
<p>6.7 Greater social inclusion of disabled people</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Not started 	<p>This commitment aims to adapt municipalities' websites for the use of people with visual impairments and publish a contact list of persons trained to communicate with people with disabilities. This would be an important step since access to services at a local level has been historically problematic for people with disabilities. Implementation has not started and according to the MLS the content of the commitment has been substantially altered. MLS is recommended to identify relevant groups who can support implementation in specific municipalities.</p>
<p>6.8 Improvement of the local level communal services</p>	<p>This commitment has been officially withdrawn by the government and was not assessed by the IRM.</p>
<p>6.9 Increase information on the Ombudsman office</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Limited 	<p>To address the low awareness among citizens about the role of the Ombudsman office, this commitment plans to post a URL on municipalities' websites linking to the Ombudsman website. Out of the 80 municipalities, however, 35 still have not posted the URL on their website.</p>
<p>7.1 Favorable legal environment for social contracts</p> <ul style="list-style-type: none"> • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Substantial 	<p>This commitment aims to clarify which legal entities could provide social services and to promote social entrepreneurship in civil society. The commitment entails developing standards for social service delivery and defining procedures for granting permission for service delivery to CSOs. The commitment does not advance access to information or improve civic participation in government decision making. The model for social contracts was introduced. This commitment is not clear on how responsibility will be shared with the local self-government units and CSOs. The researchers recommend to not include this commitment in the next action plan.</p>
<p>8.1 Develop climate policies in a participatory manner</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial 	<p>This commitment aims to develop climate policies in a transparent and participatory manner, by consulting with stakeholders to prepare a bi-annual report on climate change and the state's efforts with regard to the Treaty of Paris. The Ministry of Environment and Physical Planning (MoEPP) held three consultative workshops and the Treaty of Paris informational material has been published online, including reviews on national obligations for reporting on climate change. Moving forward, it is necessary that the government allocate an appropriate budget to</p>

	continue producing environmental information. MoEPP could widen consultations to include the Ministry of Transport and Communications, Ministry of Health, Ministry of Agriculture and Ministry of Economy, as well as relevant CSOs.
8.2 Open data on climate change <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial 	<p>This commitment aims to provide access to national databases on greenhouse gas emissions, as well as other climate change data at the national and local level. Updating the inventory is a positive step but the commitment does not specify how the quality of data will be improved. Thus far, the MoEPP, and other actors, have amended and provided access to the inventory of greenhouse gas emissions, and started to strengthen institutional capacity by training two staff at the Macedonian Academy of Sciences and Arts. The MoEPP needs to continue data collection on climate change and publish in a user-friendly format.</p>
8.3 Improve reporting on environmental pollution <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Complete 	<p>In order to ensure the accountability of the private sector when reporting environmental pollution, this commitment aims to prepare guidelines for Emission Monitoring from Industry (EMI), a software for monitoring emissions. The guidelines have been completed and the next step is to use them to amend relevant legislation, in order to provide a clear mandate for the private sector on how they should report emissions. The next action plan could include this commitment and expand to include mechanisms that ensure compliance by companies.</p>

Recommendations

Stakeholders have called for the continuation and strengthening of current access to information commitments in the next action plan. Additionally, the government needs to expand the commitments on whistleblower protection and budget transparency and consider introducing disclosure of beneficial ownership of companies participating in public procurement.

Beginning in 2014, all OGP IRM reports include five key recommendations about the next OGP action planning cycle. Governments participating in OGP will be required to respond to these key recommendations in their annual self-assessments. These recommendations follow the SMART logic; they are Specific, Measurable, Answerable, Relevant, and Timebound. Given these findings, the IRM researcher presents the following key recommendations:

Table 3: Five Key Recommendations

Strengthen the action plan development process
Improve the Law on Free Access to Public Information
Enhance the legal framework on whistleblowing and develop institutional mechanisms for effective protection of whistleblowers
Improve Budget Transparency by meeting the standards of the Open Budget Initiative
Introduce a commitment to disclose beneficial ownership in public contracts

Eligibility Requirements: 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, see Section VII on eligibility requirements at the end of this report or visit bit.ly/I929FII.

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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 (IRM) assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



I. Introduction

The Open Government Partnership (OGP) is an international multi-stakeholder 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. OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government.

The Republic of Macedonia began its formal participation in August 2011, when the Minister of Foreign Affairs, Nikola Poposki, declared the country's intention to participate in the initiative¹. The coordination of the OGP process in the country was initially implemented by the Ministry of Foreign Affairs. However, later on, the coordination was transferred to the Ministry of Information Society and Administration (MISA) which is at present still the responsible governmental institution for the coordination of the OGP process, including the action plan 2016–2018.

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of (minimum) performance criteria. Objective, third-party indicators are used to determine the extent of country progress on each of the criteria: fiscal transparency, public official's asset disclosure, citizen engagement, and access to information. See Section VII: Eligibility Requirements for more details.

All OGP-participating governments develop OGP action plans that elaborate concrete commitments with the aim of changing practice beyond the status quo over a two-year period. The commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

The Republic of Macedonia developed its third national action plan from February 2016 to May 2016. The official implementation period for the action plan was July 2016 through June 2018. The year one report covers the action plan development process and the first year of implementation, from July 2016 to July 2017. Beginning in 2015, the IRM started publishing end-of-term reports on the final status of progress at the end of the action plan's two-year period. Any activities or progress occurring after the first year of implementation, July 2017, will be assessed in the end-of-term report. The government published its self-assessment in August 2017. At the time of writing, July 2017, the self-assessment report is still in preparation (not published).

In order to meet OGP requirements, the Independent Reporting Mechanism (IRM) of OGP has partnered with Nenad Markovikj (political science department – Law Faculty “Justinian I” – UKIM – Skopje), Kiril Ristovski and Natasa Serdarevic (both from CED Florozon – Skopje), who carried out this evaluation of the development and implementation of Republic of Macedonia's third action plan. To gather the voices of multiple stakeholders, Mr. Markovikj, Mr. Ristovski and Ms. Serdarevic organized face-to-face and online interviews with governmental and civil society stakeholders, which were conducted according to a semi-structured interview model. Additionally, for the end-of-term report, the researchers will also review two key documents prepared by the government: a report on Republic of Macedonia's third action plan² (already revised) and the self-assessment to be published by the government in September 2017.³ Numerous references are made to the action plan 2016–2018 throughout this report. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. Methods and sources are dealt with in Section VI of this report (Methodology and Sources).

¹ An integral version of the Intent Letter of the Republic of Macedonia to join OGP, <https://www.opengovpartnership.org/documents/former-yugoslav-republic-of-macedonia-letter-of-intent-join-ogp>

² An integral version of the Macedonia Action Plan 2016-2018, <https://www.opengovpartnership.org/documents/macedonia-national-action-plan-2016-2018>.

³ At the time of the preparation of the mid-term report, this was still not published. This document will be consulted for the End-of-Term report.

II. Context

The 2016–2018 action plan was developed in a tense political atmosphere. However, the government and civil society continue to initiate positive dialogue, and the action plan includes commitments that address priority governance issues such as fiscal transparency, access to information and whistleblowing.

2.1 Background

The development and implementation of Macedonia's third action plan took place during a time of considerable political instability in the country, culminating in early parliamentary elections in December 2016 and the formation of a new government in May 2017. The period was marked by citizen protests both for and against the Government, as well as an incident of political violence that occurred in the Macedonian Parliament on 27 April 2017.

The political instability had no negative net impact on Macedonia's participation in OGP, however. The country joined the partnership in 2011 exceeding the minimum requirements for eligibility. While there has been no change in the overall eligibility since joining, there was a change within individual eligibility criteria; Macedonia's asset disclosure score improved to a 4, while a decrease in its democracy index rating changed the score of its citizen engagement criterion to a 3.

As tensions built following a contested general election in April 2014, in February 2015, the leader of the political opposition, Zoran Zaev, alleged that Prime Minister Nikola Gruevski sponsored a wiretapping program through the country's secret service.¹ The leaked surveillance of more than 20,000 people scandalized the country and polarized civil society. In an attempt to mediate and resolve the political situation, the European Union (EU) and the United States gathered major political actors in the "Przino process"² in 2015 and 2016 to negotiate reform priorities. This led to the resignation of Gruevski, whose administration allegedly directed the wiretapping and surveillance program. In such an atmosphere, civil society split into two groups—the anti-government "Colorful revolution" and the pro-government "Citizen's movement for defense of Macedonia." Both groups held widespread demonstrations and protests.³

After the parliamentary elections in December 2016 and the inability of the ruling conservative party (Internal Macedonian Revolutionary Organization-Democratic Party for National Unity, VMRO-DPMNE) to form a coalition government, protests turned violent. On 27 April 2017, protestors supporting VMRO-DPMNE stormed the Parliament to oppose the election of the new parliamentary speaker, Talat Xhaferi, an ethnic Albanian.⁴ Several opposition MPs were physically attacked including former opposition leader and current Prime Minister, Zoran Zaev. Following the attack in parliament, the president approved of an alternative government, paving the way for a coalition between the Social Democrats and parties representing ethnic Albanians. The changed political landscape, though dependent on the normalization of parliamentary work, allows for the new government to work toward implementing promised reforms of fighting corruption and overcoming the naming dispute with Greece for admission in multilateral organizations.

Access to information, budget transparency, and asset disclosure

Access to information in the Republic of Macedonia is guaranteed by the Constitution⁵ and by the 2006 Law on Free Access to Public Information (FOI Law).⁶ The FOI Law was amended in 2010 and 2014. Out of the 111 countries assessed, Macedonia ranked sixteenth in the Global Right to Information Rating.⁷ However, the implementation process has been burdened by challenges that continued in the period covered by this report.

The European Commission (EC) in its 2015⁸ and 2016⁹ progress reports raised objections to the law's lack of penalties for failure to comply, the exclusion of political parties from the list of authorities required to disclose information, and the excessive classification of documents (i.e., state institutions often enlist documents that should not be categorized as classified).

The Open Budget Initiative has assessed Macedonia's budget transparency as insufficient, scoring 37 out of 100 and noting that there is minimal disclosure of budget information.¹⁰

This perception is substantiated in reports by the EC from 2015 and 2016. In 2015 the EC noted that "budget transparency is not ensured, as comprehensive, timely and reliable budgetary information is not publicly available."¹¹ The report added that "the 2015-2017 fiscal strategy and the 2015 budget were adopted without adequate parliamentary discussion"¹² and that "a medium-term budgetary framework and fiscal transparency still needs to be put in place and improved."¹³ The EC recommended introducing a medium-term expenditure framework and additional reporting on extra-budgetary spending and payment arrears to increase budget transparency.¹⁴ According to the Open Budget Survey published in December 2016, transparency slightly decreased from 2015 to 2016, with the government producing only four of seven key budget documents.¹⁵

According to OGP's asset disclosure requirement for a law requiring officials to submit asset disclosures that also contains a condition that the information be accessible to the public, Macedonia's score is the highest possible, improved from when the country first joined the partnership.

Civic participation

Macedonia recorded a decline in its civic participation eligibility score, based on the Economist Intelligence Unit's Democracy Index civil liberties sub-indicator, from when it first joined OGP. The EC has highlighted issues around the treatment of marginal groups (Roma and LGBTI especially), problems in freedom of expression, the prison system, and the establishment of an independent oversight mechanism in police work.¹⁶ These challenges have been reflected in the Freedom House's 2016 Country report for Macedonia, in which the average scores for nearly all categories decreased.¹⁷

Following the wiretapping scandal, the environment for independent media has worsened: according to Freedom House, the rating for independent media declined from 5.00 to 5.25 due to "indications of illegal surveillance of journalists, alleged government control over the editorial policies of some media outlets, and rising intimidation of and attacks on journalists."¹⁸ Reporters Without Borders also give a similar perspective adding that "there were many reports of threats, violence, harassment, and intimidation of journalists during political demonstrations in 2016, but of those responsible, few were charged."¹⁹

The Parliament adopted the Law on Protection of Whistleblowers in November 2015, as an obligation of the Przino process and as a commitment to the international community in order to stabilize political processes in the country.²⁰ However, several issues have arisen during implementation of the whistleblower protection law. As the EC noted in its 2015 Progress Report, "whistleblowing does not occur in practice due to the lack of any comprehensive protection."²¹ As the report notes, protections under the law remained questionable because "substantial legal, institutional and practical preparations are still needed for effective implementation."²² Furthermore, the Venice Commission of the Council of Europe issued its draft opinion on the law (26 February 2016),²³ objecting mostly to the ambiguity of materials covered in the Law, the scope of public disclosure, the institutionalization of public disclosure, and the definition of public interest.

In addition to low institutional confidence²⁴, the violence that occurred in the Parliament on 27 April 2017 remains the biggest indicator of the lack of accountability of state institutions. This has caused concern among the general public regarding the accountability and effectiveness of both the Parliament and the Ministry of Interior.

Parliament has not returned to normal functioning following the political crisis from 2015–2017 in the country, which was once again resolved with external involvement through engagement of the international community and through extra-institutional means such as leadership meetings. While in the short run, such interventions helped resolve reoccurring political crises, in the long run they sabotage the capacity of internal actors to overcome political dead-ends.

2.2 Scope of Action Plan in Relation to National Context

Since 2015 the general political climate has been challenging for open government, however, the OGP action plan has been used to address important issues for public administration, local self-government units (LSUs) and individual citizens. The proposed action plan, if implemented as written, could bring positive change to areas including open data, anti-corruption, good governance and efficient management of public resources. The third action plan contained a diverse range of issues that are relevant for the country context.

Many of the commitments included in the current action plan are written to be ambitious but may need a longer period of development and implementation than the two-year action plan cycle allows. Two examples include the Law on the Protection of Whistleblowers and raising awareness for whistleblowing (4.1), and the promotion of integrity, transparency, and accountability on local level (4.3). These are processes that require a flexible timeframe, although the milestones within the commitments are well defined. Other commitments address key issues but the current capacity to carry them out remains questionable. For example, commitments to improve governance at the local level require coordination and resources from LSUs for successful implementation, which is uneven across municipalities, and the national government and the Ministry of Information Society and Administration (MISA) have limited ability to effect change at this level.

Citizens of the Republic of Macedonia are guaranteed the right to local self-government, in which local self-government units (LSUs) are defined at the municipal level. Promoting transparency, strengthening civic participation, and fighting corruption were all commitments of past action plans. However, the 2016 European Commission's Country Report noted that local authorities continuously demonstrate a lack of capacity for cooperation with CSOs.²⁵ Municipalities still score very low on the index of openness. In a study prepared by ACTION SEE and Metamorphosis Foundation, Macedonia's municipalities score 34 percent for openness, 49 percent on the index of financial transparency, and 8 percent on indicators of open data.²⁶

Commitments 2.1 through 2.5 are relevant to the OGP value of access to information and address the concerns raised by the EC regarding fiscal transparency and compliance with the FOI Law, while also raising public awareness. Although the milestones included in the open data commitments seem realistic for implementation in a two-year timeframe, many of them also require the capacity of different actors across the institutional landscape, which can be a drawback.

The action plan also includes commitments that effectively address a number of issues related to fiscal transparency and accountability on the central and local level. Commitments such as the open budget initiative (5.1) directly address problems in fiscal transparency, as noted by the EC Progress Report 2016, by increasing the number of budgetary documents published. Additionally, the action plan also includes commitments that cover the legal obligation of contracting authorities to publish public procurement information on their websites (5.3) and the introduction of a publicly accessible register of concession contracts (5.6). Such commitments further improve institutional accountability, one of the vulnerable points in the country, as noted both by Freedom House and the EC.

¹ Freedom House: Macedonia, <https://freedomhouse.org/report/freedom-world/2016/macedonia>

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- ² As the European Commission notes, in its Progress report on Macedonia 2016, the basis of the Pržino process is the following: "On 20 July and 31 August 2016, leaders of the four main political parties reached a deal on the implementation of the Pržino Agreement, including by setting 11 December 2016 as the date for early parliamentary elections and declaring their support to the work of the Special Prosecutor. They reiterated also their commitment to implement the 'Urgent Reform Priorities'." The Urgent Reform Priorities represent a set of measures focused on depoliticization of public administration, support to Special Prosecutor, judicial reform etc.
- ³ Freedom House, Nations in Transit report 2017: Macedonia country profile, p.7, https://freedomhouse.org/sites/default/files/NIT2017_Macedonia.pdf
- ⁴ Monitor: Tracking Civic Space, <https://monitor.civicus.org/newsfeed/2017/04/28/200-protesters-storm-macedonias-parliament-ethnic-tensions-flare/>
- ⁵ Article 16, paragraph 3 of the Constitution of RM, p.17, <http://www.slvesnik.com.mk/content/Ustav%20na%20RM%20-%20makedonski%20-%20FINALEN%202011.pdf>
- ⁶ Law on Free Access to Public Information, <http://www.slvesnik.com.mk/content/zspijk.pdf>.
- ⁷ Macedonia, Global Right to Information Rating, <http://www.rti-rating.org/year-2017>
- ⁸ European Commission – The FYR Macedonia 2015 Report, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2015/20151110_report_the_former_yugoslav_republic_of_macedonia.pdf.
- ⁹ European Commission – The FYR Macedonia 2016 Report, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_the_former_yugoslav_republic_of_macedonia.pdf
- ¹⁰ International Budget Partnership, <https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=mk>
- ¹¹ European Commission – The FYR Macedonia 2015 Report. p.12.
- ¹² Ibid.
- ¹³ Ibid.
- ¹⁴ European Commission – The FYR Macedonia 2016 Report. p.26.
- ¹⁵ Open Budget Survey Tracker, <http://www.internationalbudget.org/opening-budgets/open-budget-initiative/open-budget-survey/update/>.
- ¹⁶ European Commission – The FYR Macedonia 2016 Reports. p.19.
- ¹⁷ Freedom House. Nations in Transit: country report Macedonia 2016, <https://freedomhouse.org/report/nations-transit/2016/macedonia>.
- ¹⁸ Freedom House. Nations in Transit: country report Macedonia 2016, <https://freedomhouse.org/report/nations-transit/2016/macedonia>.
- ¹⁹ Reporters Without Borders, Country report Macedonia 2016, <https://rsf.org/en/macedonia>.
- ²⁰ The Law arranges legal matter related to "protected whistleblowing (reporting), rights of the whistleblowers (reporters), as well as acting and duties of institutions i.e. legal entities regarding protected whistleblowing (reporting) and providing legal protection to whistleblowers (reporters)" (Articles 2-5). It differs between protected whistleblowing, protected internal whistleblowing, protected external whistleblowing and protected public whistleblowing²⁰. The law also entails protection of the personal information and the identity of the whistleblower as well as providing protection to these persons (Articles 7-8).
- ²¹ European Commission – The FYR Macedonia 2015 Report. p.16.
- ²² European Commission – The FYR Macedonia 2016 Reports. p.17.
- ²³ An integral version of the Draft Opinion on the Law on the Protection of Privacy and the Law on the Protection of Whistleblowers of "the Former Yugoslav Republic of Macedonia", [http://www.venice.coe.int/webforms/documents/default.aspx?pdf=CDL\(2016\)001-e&yearrelated=2016..](http://www.venice.coe.int/webforms/documents/default.aspx?pdf=CDL(2016)001-e&yearrelated=2016..)
- ²⁴ International Republican Institute. Macedonia: Political Instability Escalates while Confidence in Democratic Institutions Declines – Survey Opinion Poll, http://www.iri.org/sites/default/files/wysiwyg/iri_macedonia_survey_april_2016_0.pdf.
- ²⁵ Analysis of the openness of local self-government in Macedonia and the region, http://metamorphosis.org.mk/wp-content/uploads/2017/06/Analiza-na-otvorenosta-na-lokalnata-samouprava-vo-MK-i-regionot_Eng.pdf
- ²⁶ Naumovska, Nade and Danilovska, Dance (2017), Analysis of the openness of local self-government in Macedonia and the region. Metamorphosis and Action, Skopje, https://opennessindex.actionsee.org/files/Research%20findings/Makedonija/Jedinice%20lokalne%20samouprave/Analiza-na-otvorenosta-na-lokalnata-samouprava-vo-MK-i-regionot_Eng.pdf.

III. Leadership and Multistakeholder Process

The Ministry of Information Society and Administration (MISA) coordinated OGP activities. The consultative process was implemented through two national events, offline working groups, and online consultations with the public on the e-demokratija.gov.mk portal. Although awareness-raising activities were limited, a variety of representatives from state institutions, CSOs, business organizations, and universities were able to influence the development of the action plan.

3.1 Leadership

This sub-section describes the OGP leadership and institutional context for OGP in the Republic of Macedonia. Table I.1 summarizes this structure while the narrative section (below) provides additional detail.

The Republic of Macedonia is a unitary country with a power-sharing model. Power is formally separated between the legislative branch (Parliament), executive power (Government and President) and the judiciary (Courts of first instance, Courts of second instance, and the High Court of the Republic of Macedonia). The executive power holds the dominant role. The OGP process in the country is coordinated by the Ministry of Information Society and Administration (MISA). Although MISA coordinates the overall process, the 34 commitments in the 2016–2018 action plan were carried out by seven ministries (including MISA), three commissions, two Secretariats, and one governmental agency,¹ in partnership with stakeholders from civil society (CSOs), local self-government and international organizations.

The government official formally in charge of implementing OGP changed during the first year of implementing the action plan. As of March 2017, the Minister for Information Society and Administration, Mr. Damjan Manchevski, leads the OGP process. Prior to the change of government in March 2017 the previous head of the initiative was Ms. Marta Arsovska Tomovska, who oversaw the creation and early implementation of the action plan. The change in leadership has not affected implementation of the action plan, as both Ministers have supported the process to its full extent.

The legal mandate to coordinate the OGP process in 2011 was initially given to the Ministry of Foreign Affairs. However, in 2012 the Government transferred the mandate to MISA.²

During the OGP process to form the action plan, the Republic of Macedonia underwent a political crisis followed by political instability, which ended in December 2016 with the pre-term parliamentary elections that eventually led to the formation of a new government in March 2017. Participants from civil society observed that the political crisis did not directly affect the OGP process during the initial meetings on the formation of the action plan and its commitments. No CSO representatives cancelled or denied cooperation with MISA once involved in the OGP process.

CSO activists stated that some institutions resisted publishing data and undertaking obligations under OGP³ during the creation of the action plan because they were unsure if they were authorized to impose OGP-related activities on their employees. Additionally, ad hoc involvement of specific organizations and persons in the working groups when preparing the action plan created dissatisfaction among participants that were in the working groups from the very beginning in February 2016.⁴ Three CSOs (CEA, Zenith, and ESE) sent a formal complaint to OGP headquarters that not all proposed commitment activities were accepted.⁵ MISA formally responded in a letter to the three CSOs (CEA, Zenith, and ESE) to address their complaints and met with two of the three to further discuss the stated objections.

The OGP process, including the implementation of the action plan, has no separate, dedicated budget. Instead, every government agency coordinating the activities (commitments) within the OGP process dedicates its own funds in order to fulfill the commitments. OGP does not have a dedicated allocation of funding in the budget and implementation is part of the regular work of government institutions. Every institution is managing its obligations under OGP with existing staff, including 28 persons from state institutions, of which 18 are female and 10 are male.

The initial coordination of the OGP, in 2011, was accomplished by the Ministry of Foreign Affairs. However, in 2012, coordination was transferred to MISA and, with the aid of the World Bank, prepared the first action plan (2012–2013) and later the second action plan (2014–2016).⁶ MISA continues to coordinate OGP activities. With regards to the implementation of the current action plan, there are six working groups with coordinators (CSO representatives) that meet occasionally and follow the activities within the six thematic topics.⁷ Within every commitment there is a coordinative government agency that reports directly to MISA, also contributing to the midterm self-evaluation report and end-of-term report with updates on the status of the milestones and commitments in the action plan.

Table 3.1: OGP Leadership

1. Structure	Yes	No
Is there a clearly designated Point of Contact for OGP (individual)?	✓	
	Shared	Single
Is there a single lead agency on OGP efforts?		✓
	Yes	No
Is the head of government leading the OGP initiative?		X
2. Legal Mandate	Yes	No
Is the government's commitment to OGP established through an official, publicly released mandate?	✓	
Is the government's commitment to OGP established through a legally binding mandate?	✓	
3. Continuity and Instability	Yes	No
Was there a change in the organization(s) leading or involved with the OGP initiatives during the action plan implementation cycle?		X
Was there a change in the executive leader during the duration of the OGP action plan cycle?		X

3.2 Intragovernmental Participation

This subsection describes which government institutions were involved at various stages in OGP. The next section will describe which nongovernmental organizations were involved in OGP.

Table 3.2 Participation in OGP by Government Institutions

How did institutions participate?	Ministries, Departments, and Agencies	Legislative	Judiciary (including quasi-judicial agencies)	Other (including constitutional independent or autonomous bodies)	Subnational Governments
Consult: These institutions observed or were invited to observe the action plan but may not be responsible for commitments in the action plan.	8 ⁸	0	0	1 ⁹	0
Propose: These institutions proposed commitments for inclusion in the action plan.	8	1	0	3	0
Implement: These institutions are responsible for implementing commitments in the action plan whether or not they proposed the commitments.	8	1	0	3	0

In the Republic of Macedonia, participation in OGP is coordinated by MISA, however, oversight for each of the 34 commitments is spread across 14 different state institutions and lead agencies.¹⁰

In the preparatory phase of this action plan in February 2016, MISA states that internal consultations with line ministries and other state administration authorities were held prior to drafting the action plan.¹¹ However, the action plan does not precisely specify which state ministries and authorities were involved in this phase. Statistics from the action plan¹² specify that, in the complete consultative process from February until May 2016, 219 employees of state agencies were consulted regarding the process, i.e., 45 percent of the overall number of consulted persons.

During the first public conference held on 23–24 March 2016, a total of six ministries, two secretariats and three independent state bodies were consulted regarding the action plan. In the second public conference, held on 11 May 2016, 115 participants took part. Participants

from more than 20 state ministries, agencies, independent committees, public institutions, and LSUs took part. Online consultations and exchange of documents took place during the complete process of the preparation and implementation of the action plan

Throughout the consultative process, all state institutions bodies and ministries could give input into the action plan, until it was finalized in May 2016 (through the working groups on the eight topics identified in the process).

3.3 Civil Society Engagement

The first activity undertaken for the preparation of the action plan was a pre-assessment survey among CSOs regarding their level of knowledge of OGP in December 2015 by MISA and CRPM. The CSOs were selected by CRPM from their extensive list of contacts and based on direct experience with CSOs in the country.¹³ After the survey was implemented, preparatory activities on the development of the action plan started in March 2016 when the Government sent a general invitation to civil society organizations in the country for pre-assessment of OGP working group needs.¹⁴ On the same occasion CSOs were asked to express interest for future involvement in the process. The invitation was channeled through the TACSO project (Technical Assistance to Civil Society Organizations) to 3,400 CSOs in the country.¹⁵ In the meantime, in March 2016, three different workshops with the representatives of CSOs in Macedonia were conducted, whereas 38 suitable proposals were identified for inclusion in the action plan. These workshops were also used as awareness-raising opportunities, where CSOs were acquainted with the OGP process.¹⁶

The first major event took place on 22–23 March 2016. The conference “OGP – dialogue with civil society organizations on 2016–2018 action plan” formed six working groups in six different policy areas (participatory policy making, open data, freedom of information, preventing corruption and promoting good governance, effective public resources management (fiscal transparency) and local level openness) which resulted in 66 suggestions and guidelines for the action plan. Given that notes on acceptance of the applications for the conference were sent out on 16 March 2016, as CSO members witness, the six days that CSOs were given to prepare for the conference are evaluated as satisfactory for engaging in preparations for the conference.¹⁷

Following the conference, a process of defining the draft measures took place between 24 March and 30 April 2016, which was sufficient time for the CSOs to provide input in the process.¹⁸ In this period four thematic workshops took place, with CSO and government participants giving their suggestions on the action plan. As a result, 19 commitments with 80 activities on six priority topics were defined. During April 2016 stakeholders were able to submit their comments and observations on the first draft of the action plan. During this phase, the period of one month for giving feedback (online) was perceived as satisfactory and sufficient for the CSO representatives.¹⁹ In this phase seven more commitments were added, based on the deliberative process within the working groups.²⁰

The second draft of the action plan took place in the second public event held on 11 May 2016 – Dialogue “OGP – dialogue with civil society organizations on 2016–2018 action plan,” where the six working groups discussed suggestions for the action plan as well as suggestions by the general public after the public exposure (with the possibility to comment) of the action plan on the portal www.e-demokratija.mk.²¹ Following this event ad-hoc meetings were held between 11 and 25 May 2016 for further adaptation of the action plan and four commitments on two new topics (public services and climate change) were identified by CSO representatives. The result of the process was the final version of the action plan with 34 commitments on eight priority topics.

During the first public event in March 2016, a total of 99 participants (62 women and 38 men) from CSOs and government bodies participated,²² whereas in the second public event a total of 115 participants were involved in the process, 50 percent of them from CSOs.²³ In total, 489 government representatives, civil society, private sector, and academia members were directly involved. As participants from CSOs claim, the diversity of views was

represented through an open participation process that was non-discriminatory, meaning that all members of working groups could influence the process of prioritizing topics in the action plan²⁴, and the general public was able to comment on the draft version. However, most of the events took place in Skopje, which lowered the accessibility of the process for CSOs outside the capital, although given the size of the country, this did not pose a major challenge.

Countries participating in OGP follow a set of requirements for consultation during development, implementation and review of their OGP action plan. Table 3.3 summarizes the performance of the Republic of Macedonia during the 2014–2016 action plan.

Table 3.3: National OGP Process

Key Steps Followed: 7 of 7						
Before	1. Timeline Process & Availability			2. Advance Notice		
	Timeline and process available online prior to consultation	Yes	No	Advance notice of consultation	Yes	No
		✓			✓	
	3. Awareness Raising			4. Multiple Channels		
	Government carried out awareness-raising activities	Yes	No	4a. Online consultations:	Yes	No
		✓			✓	
				4b. In-person consultations:	Yes	No
			✓			
5. Documentation & Feedback						
Summary of comments provided				Yes	No	
				✓		
During	6. Regular Multi-stakeholder Forum					
	6a. Did a forum exist?	Yes	No	6b. Did it meet regularly?	Yes	No
		✓			✓	
After	7. Government Self-Assessment Report					
	7a. Annual self-assessment report published?	Yes	No	7b. Report available in English and administrative language?	Yes	No
		✓			✓	
	7c. Two-week public comment period on report?	Yes	No	7d. Report responds to key IRM recommendations?	Yes	No
		✓			✓	

Table 3.4: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.²⁵ This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for “collaborative.”

Level of public input		During development of action plan	During implementation of action plan
Empower	The government handed decision-making power to members of the public.		
Collaborate	There was iterative dialogue AND the public helped set the agenda.	✓	✓
Involve	The government gave feedback on how public inputs were considered.		
Consult	The public could give inputs.		
Inform	The government provided the public with information on the action plan.		
No Consultation	No consultation		

3.4 Consultation During Implementation

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.

In March 2016, the first consultation event consisted of a plenary forum where six working groups were formed. The mandate of the forum (working groups) was to exclusively prepare and implement the OGP process. Each group addressed a different thematic area: (1) participatory policy-making, (2) open data, (3) FOI, (4) preventing corruption, (5) fiscal transparency, and (6) local level governance. Each working group comprised representatives from both civil society and government, in total 55 CSOs and 37 members of government institutions participated. Of the 92 participants, 55 women and 37 men attended the event. The IRM researcher attended all working group discussions as an observer.

The forum did not have any strict criteria for participation, but the working groups were formed based on the knowledge and experience of the participants and the organizations they were affiliated with. Participants applied for the first public event in March 2016, including information on their policy area and background in the application. The information gathered was used as a criterion for allocating CSO representatives in working groups, based on the field they cover.

Technical assistance to civil society organizations (TACSO) distributed the call for the first event to more than 3,400 CSOs, which could be considered a very plural and inclusive process. Throughout the action plan development process, all participants could propose commitments and milestones, object to the content of commitments, and comment on the given topics during the process. A number of the members had previously been involved in OGP, but the process included many new members as well. The working groups held in-person and online meetings, and the coordinators were responsible for bringing all the working groups together for the full forum at least once every six months. MISA informs that it left the coordinative function to CSO representatives exclusively to motivate and raise the level of civic participation in the process. All coordinators are from CSOs and they exclusively coordinate working group activity.

A second consultation event was held on 11 May 2016 and included 115 participants. Two additional ad hoc meetings were held in May 2016, where two additional working groups were formed, adding public services and climate change as the seventh and eighth thematic area addressed. The Government supported dividing implementation of the action plan amongst the working groups through a government decision passed in July 2016,²⁶ and amended to add the two additional working groups in September 2016.²⁷

All events that the working groups participated in were held in Skopje, the capital of the Republic of Macedonia, although both MISA and CSOs are considering a regional approach for the next action plan. Minutes from the meetings of the working groups were for internal use only, and only the draft of the action plan was open to public comments during April 2016. The working groups and stakeholders were, at any time, able to track progress in the implementation of the commitments and direct questions to PoCs in state institutions, although most of the commitments are in their early phase of implementation. CSOs could directly require information from coordinating institutions (in person or via email) regarding the implementation of the milestones. It is unclear whether coordinating institutions give regular updates to stakeholders in working groups on milestones' implementation.

The IRM researcher was a part of all public events and all eight working groups, but solely as an observer with the mandate to advise but not interfere in the process.

Conflicts between CSOs themselves and CSOs and governmental institutions were very rare during the preparation of the action plan. Given the specific political context in which the OGP process took place in Macedonia in 2016 and 2017, one could conclude that the process was mostly devoid of political interference. Moreover, a number of CSOs involved in the process took part in the anti-governmental protests during the so-called "Colorful revolution" in 2016 but did not boycott the cooperation with MISA and other state institutions under the auspices of the OGP process, nor did MISA and other state institutions boycott the CSOs partaking in the protests. On the contrary, both MISA and CSO members agree that the OGP process was completely isolated from the political context in 2016, which speaks positively on behalf of the democratic capacity of all sides involved in the OGP process. Nevertheless, CSO members have reported minor resistance by some institutions to disclose data and undertake OGP commitments, but this was not a major obstacle to the process and was not related to politics in any sense.

3.5 Self-Assessment

The OGP Articles of Governance require that participating countries publish a self-assessment report three months after the end of the first year of implementation. The self-assessment report must be made available for public comments for a two-week period. This section assesses compliance with these requirements and the quality of the report.

MISA prepared the draft version of the self-assessment report in accordance with the projected timeframe for this activity. The report was publicly announced on the MISA and e-demokratija.gov.mk websites on 15 August 2017 and was available for comment by stakeholders for a two-week period.²⁸ After the expiration of this period, MISA forwarded the report to the Government of the Republic of Macedonia, and it was expected to adopt it by the end of October. The consultative process for the preparation of the report started with a publicly announced invitation for public consultation. At the same time, the draft report was sent for consideration and comment to the coordinators of the working groups who are in charge of passing the report to the remaining members of the working groups. The e-demokratija.gov.mk web portal has an integrated tool for commenting on each published document and according to this data, the report has been downloaded 348 times and no comment has been recorded regarding the content of the text of the report. In terms of quality, the report provides a broad overview of the consultative process for the development and implementation of the action plan, and in detail elaborates the sequence of organized events and actions undertaken by the national relevant OGP stakeholders. In addition, the report provides a summary overview on the level of implementation for each individual priority of the action plan for which implementation has been started, reviews progress and the main results achieved so far.

However, for some commitments there is limited evidence in the report that confirms the level of achievement of the commitments, such as a lack of links to the reports from the events, minutes from coordination and consultative meetings, or lists of participants. Finally,

although the report outlines the deadlines for the realization of the commitments, there could have been more information included on whether commitments are progressing on time, if there are any potential challenges that would delay the realization of the activities, and what the future steps are in the next phase of implementation of the national action plan.

3.6 Response to Previous IRM Recommendations

Table 3.5: Previous IRM Report Key Recommendations

Recommendation		Addressed?	Integrated into Next Action Plan?
1	The third national action plan should focus on substantial problems already identified in the previous years of the OGP process in Macedonia. These problems should be matched with transformative but realistic commitments that can be achieved in a two-year action plan.	✓	✓
2	The development of the next action plan should be at least as inclusive as the second plan. The process should also continue to be transparent and allow for more diverse stakeholder participation. Consider using participatory deliberative methods to ensure commitments are prioritized and the action plan is focused.	✓	✓
3	Allocate resources, including budget allocations, for the implementation of the OGP action plan. If resources are limited, prioritize commitments.	X	X
4	The next plan should focus on commitments to ensure reforms from the following key areas, all identified as potentially transformative priorities by stakeholders or the researcher's analysis of the national context: - Budget transparency, including transparency of public spending and payments - Quality of data management and record keeping within state and public institutions - Effectiveness of the institutional mechanism for public participation - Safeguards for the right to free expression, freedom of the press, and right to assembly	✓	✓
5	Engage parliament in the process to foster public trust in the institution. Consider participating in the Open Parliament initiative.	X	X

Three out of five recommendations from the previous IRM Report were addressed by the government in the new action plan. The two recommendations (3 and 5) were not incorporated into the action plan. They are competences beyond the OGP-coordinating institution, MISA.

The plan focuses on issues stemming from topics identified in previous phases of the OGP process. Open data, transparency and accountability at local level, as well as advancement of technical tools for communication with LSUs, are examples of commitments based on previously detected challenges in the national context. The implementation process to this point indicates that commitments are realistically formulated with commitments and

milestones that could be implemented in the given timeframe, regardless of realistic political setbacks.

The co-creation of the action plan included a large number of actors and a variety of CSOs and government agencies. In this regard, the recommendation from the previous IRM researcher has been taken in consideration.

Budget allocation and synchronizing the budgetary process in Macedonia with OGP dynamics has not occurred. It remains a recommendation in this current Midterm Report, being a crucial aspect for future processes within OGP.

For the fourth recommendation, given by the previous IRM researcher in Macedonia, three out of four topics have been implemented in the new action plan, including budget transparency, data management and effectiveness of institutional mechanisms for public participation. The only topic that has not been taken into consideration when formulating commitments in the new plan is the safeguarding of the right to free expression, freedom of the press, and right to assembly. This topic is not substantially present in the action plan.

The fifth recommendation has not been taken into consideration. Although several CSOs in Macedonia support the Open Parliament Process, no commitments in the action plan have been devoted to efforts in this area. Both the fourth and fifth recommendations required parliamentary action and due to the political situation and early elections in the country, they resultantly were not addressed.

¹ See Action Plan 2016–2018.

² Government of the Republic of Macedonia, Government's conclusion following Information about activities towards Becoming Full Member of the Open Government Initiative, 46th Government Session held on 2 December 2012. See also Macedonia: 2014–2016 End-of-Term Report. p. I, https://www.opengovpartnership.org/sites/default/files/Macedonia_EOTR_2014-16_ForPublicComment.pdf.

³ Interview with Gabriela Dimevska from Center for Economic Analysis, by IRM researcher, 13 June 2017.

⁴ Interview with Marija Risteska from CRPM, by IRM researcher, 24 July 2017.

⁵ Ibid.

⁶ See reference 5.

⁷ The structure of the working groups was as follows: the first working group (freedom of information) included 11 members: three from state institutions, seven from international organizations and CSOs and the local IRM representative (member of all working groups). The second working group (prevention of corruption) included 16 members – four from state institutions, 11 from CSOs and international organizations as well as the IRM representative. The third working group (efficient management of public resources) included 26 members, 15 members from state institutions, 10 from CSOs and international organizations and the IRM local representative. The fourth working group (on open data) included 19 members, of which six were from state institutions, 12 from CSOs and international organizations and the IRM local representative. The smallest, fifth working group (on public services) comprised nine members, three from state institutions, five from CSOs and international organizations and the IRM local representative. The last group (on climate change) was comprised of 15 members, eight from state institutions, six from CSOs and international organizations and the IRM local representative. The groups were formed by the Decision of the Government of the Republic of Macedonia adopted in September 2016. (The decision is in possession by IRM team – Macedonia but cannot be found online thus cannot be referenced adequately).

⁸ Ministry of Justice; Cabinet of the Minister without portfolio in charge of promotion of business environment and attracting foreign direct investment; Cabinet of the Minister for foreign investments; Agency for foreign investments and promotion of export; Directorate for technological industrial development zones (DITIDZ); Ministry of Transport and Communications; State Statistical Office; Directorate for Hydro-Meteorological Affairs

⁹ Ombudsman

¹⁰ Action Plan 2016–2018. The distribution is as follows: MISA is the lead agency for six commitments; the Ministry of Local self-government (9); the State Commission for Prevention of Corruption (4); the Ministry of Environment and Physical Planning (3); and the Ministry of Health (2); and the Secretariat for European Affairs (2). The following agencies each oversee one commitment: The General Secretariat of the Government of the Republic of Macedonia, the Commission for Protection of the Right to Free Access to Public Information, the Ministry of Finance, the Public Procurement Bureau (within Ministry of Finance), the Ministry of Economy, the Agency for Financial Support for Agricultural and Rural Development, the Ministry of Labor and Social Policy and the Commission for Competition Protection.

¹¹ Ibid.

¹² Table 2 of the Action Plan 2016–2018.

¹³ Interview with Marija Risteska from CRPM, by IRM researcher, 24 July 2017.

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- ¹⁴ The invitation to the first public event (conference) held in March 2016, <http://www.tacso.org/doc/Pokana%20za%20konferencija%20OGP.pdf>. (Accessed 14 July 2017)
- ¹⁵ After 15 July 2017 the research team was unable to reach the website of TACSO. As TACSO point of contact, Ms. Suncica Sazdovska explains, the website of TACSO is currently under reconstruction so the previous web addresses of documents are unavailable. However, Ms. Sazdovska shared all original documents with the research team. The research team is in possession of the original application for the March 2016 event but is unable to reference it.
- ¹⁶ Interview with Marija Risteska from CRPM, by IRM researcher, 24 July 2017.
- ¹⁷ Interview with Marija Sazdevski from MCMS, by IRM researcher, 13 July 2017.
- ¹⁸ Ibid.
- ¹⁹ Interview MCMS.
- ²⁰ For the status of the accepted and unaccepted measures proposed by CSOs please refer to <http://www.mio.gov.mk/?q=node/3291>. Out of 87 proposed measures, only 27 were completely denied for acceptance, which is approximately 31 percent.
- ²¹ The www.e-demokratija.mk is being merged with the Single National Electronic Regulation Register (ENER) and is not currently accessible. As a substitute, the site of MIOA is being used.
- ²² No longer available, http://www.tacso.org/doc/mk20160511_ogp_report.pdf.
- ²³ Report on the second public event ““OGP – dialogue with civil society organizations on 2016–2018 Action Plan” – MISA & CRPM, 11 May 2016, <http://www.crpm.org.mk/?p=17978> Attendance sheets from the event display a balanced gender participation. However, signatures of many participants are indistinct so a precise percentage cannot be given.
- ²⁴ Interview with Misa Popovikj from IDSCS, by IRM researcher, 12 July 2017.
- ²⁵ IAP2's Public Participation Spectrum, http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf
- ²⁶ Decision of the Government of the Republic of Macedonia on formation of working groups with all stakeholders for implementation of the National Action Plan for the Open Government Partnership 2016–2018 (27 July 2016).
- ²⁷ Decision of the Government of the Republic of Macedonia on formation of working groups with all stakeholders for implementation of the National Action Plan for the Open Government Partnership 2016–2018 (03 September 2016).
- ²⁸ Self-assessment report, <https://www.opengovpartnership.org/documents/macedonia-mid-term-self-assessment-2016-2018>

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.¹

What Makes a Good Commitment?

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, whenever possible. This report details each of the commitments the country included in its action plan and analyzes the first year of their implementation.

The indicators used by the IRM to evaluate commitments are as follows:

- **Specificity:** This variable assesses the level of specificity and measurability of each commitment. The options are:
 - **High:** Commitment language provides clear, verifiable activities and measurable deliverables for achievement of the commitment's objective.
 - **Medium:** Commitment language describes activity that is objectively verifiable and includes deliverables, but these deliverables are not clearly measurable or relevant to the achievement of the commitment's objective.
 - **Low:** Commitment language describes activity that can be construed as verifiable but requires some interpretation on the part of the reader to identify what the activity sets out to do and determine what the deliverables would be.
 - **None:** Commitment language contains no measurable activity, deliverables, or milestones.
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
 - **Access to Information:** Will the government disclose more information or improve the quality of the information disclosed to the public?
 - **Civic Participation:** Will the government create or improve opportunities or capabilities for the public to inform or influence decisions?
 - **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions?
 - **Technology & Innovation for Transparency and Accountability:** Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?²
- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan; and
 - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.

Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria:

- Starred commitments will have “medium” or “high” specificity. A commitment must lay out clearly defined activities and steps to make a judgement about its potential impact.
- The commitment’s language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
- The commitment would have a “transformative” potential impact if completely implemented.³
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of “substantial” or “complete” implementation.

Based on these criteria, Republic of Macedonia’s action plan contained one starred commitments, namely: Open budget initiative (Commitment 5.1).

Finally, the tables in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for Republic of Macedonia and all OGP-participating countries, see the OGP Explorer.⁴

General Overview of the Commitments

Macedonia’s national action plan contains 34 commitments organized into eight themes. These include participatory policy making, open data, freedom of information, anti-corruption, fiscal transparency, openness at the local level, public service delivery, and climate change. The IRM has maintained the overall themes as designated in the action plan, but has, in some instances, clustered commitments according to specific subtopics under each theme. In the commitment analysis, the IRM has abridged some of the commitment text and condensed the tables to make the report more readable. General objectives and goals are explained for each commitment, and in the commitment completion section, all milestone activities are named and discussed in terms of their implementation status. Early results from all commitments in the thematic cluster are discussed together, as are recommended next steps.

Commitment 6.8 (“Improvement of the local level communal services”) has been officially withdrawn by the government of Macedonia. The point of contact at the Ministry of Local Self-Government explained that the partner organization, “Millieucontact”, failed to provide funds for the commitment activities. “Millieucontact,” however, was unaware that the commitment had been withdrawn.

Themes

The IRM has maintained the thematic groupings laid out in the national action plan and assessed all commitments under each theme as a single cluster. Please note: in some cases, the commitment text was abridged to improve the readability of the report and to reduce the overall length. For full commitment text, please reference the action plan.⁵

¹ Open Government Partnership: Articles of Governance, June 2012 (Updated March 2014 and April 2015), https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf

² IRM Procedures Manual. Available at: http://www.opengovpartnership.org/sites/default/files/IRM-Procedures-Manual-v3_July-2016.docx

³ The International Experts Panel changed this criterion in 2015. For more information visit: <http://www.opengovpartnership.org/node/5919>

⁴ OGP Explorer: bit.ly/IKE2WII

⁵ Macedonia national action plan, <https://www.opengovpartnership.org/documents/macedonia-national-action-plan-2016-2018>

Theme 1. Participatory Policy Creating

1.1 Improve consultation process with civil society

Title: Advancement of the consultation process with stakeholders in the policy creating process

Affirmation and advancement of already established practices for participatory policy making supported by the government and civil sector. This commitment is expected to increase the government accountability and openness in a two-year period through the process improvement and conducting consultations with the public:

- In the preparation process of ex ante and ex post regulation impact assessment through preparation and publication of Annual Report of conducted consultations,
- Sharing results provided by independent non-government organization's monitoring of the Government institutions' openness in policy making processes and law drafting
- Extending the consultation deadline with stakeholders in the report preparation process for the regulation impact assessment and law drafting
- Publication of press releases and information from held sessions of the Government on determined law proposals, made decisions and other measures
- Publication of basic data on civil organizations and business subjects on the website of the Central Register of RM

(Ministry of information society and administration; General Secretariat of the Government of the Republic of Macedonia, CRPM, ministries, MCMS, UNDP. July 2016 – June 2018)

1.2 Improve government cooperation with CSOs

Title: Cooperation advancement with civil sector

There is a need for more active involvement of the civil society organizations in policy defining of the civil sector concern and increased cooperation in the joint initiatives implementation and monitoring. Main objective: Improvement of the cooperation between the Government and the civil sector through setting up an advisory body for cooperation, dialogue and encouragement of the civil sector development, participatory policy creating for the Government's Annual Work Program through increased number of initiatives by the civil organizations, in accordance with the Good Practices Code for the civil sector involvement in the policy creating process and continuation of the cooperation through participatory preparation of the new 2018-2022 Strategy of the Government for cooperation with the civil sector.

- Ensuring better environment for the civil sector development;
- Encouraging civil sector activism in the social processes;
- Strengthening of the existing and creating new cooperation mechanisms;
- Allowing civil organizations to make contribution to the processes for economic progress, law and policy creating, European integration and democracy development, as well as meeting the needs of the community.

(General Secretariat of the Government of RM. July 2016 – January 2018)

Editorial Note: The commitment text has been abridged for brevity. For full text, please see <https://www.opengovpartnership.org/documents/macedonia-national-action-plan-2016-2018>

Commitment Overview	Specificity	OGP value relevance	Potential impact	On-time?	Completion
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	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
I.1 Improve consultation process with civil society			✓		✓	✓				✓			No		✓		
I.2 Improve government cooperation with CSOs		✓				✓				✓			No		✓		

Context and Objectives

These two commitments aim to improve government cooperation and consultation mechanisms with civil society. According to the government self-assessment report, the minimal consultation period has not been respected with all draft laws and it is significantly shorter than the standards in other countries in the region.¹ In 2009, the government established an online consultation mechanism, the Single National Electronic Regulation Register (ENER). Through ENER, the government updates legislation and provides citizens the opportunity to comment or give feedback. However, feedback is voluntary and ENER has, in general, been underutilized.²

Commitment I.1 lists seven activities with the aim of increasing opportunities for civil society to participate in the policy-making process, which range from monitoring the ENER and publishing the results, to prolonging the deadline for stakeholder consultation when ministries are preparing draft laws. In addition to civic participation, this commitment is also relevant to the OGP value of access to information by publishing information surrounding the consultation process. If fully implemented, this commitment represents a positive but incremental improvement of the current consultation process. However, publishing meeting minutes and monitoring ENER does not adequately address the current, underutilized consultation mechanism. Furthermore, some of the activities included, such as publication of press releases, should be routine government activities.

Commitment I.2 aims to strengthen the relationship between the government and civil society by increasing civic activism in the policy process. The commitment lists generally formulated activities 1) setting up a multi-stakeholder advisory body to advance cooperation, 2) implementing the Good Practices Code for CSO participation in policy creation, and 3) preparing a 2018–2020 Cooperation Strategy, in collaboration with the civil sector. Although these activities are verifiable, it is not clear what steps the advisory body will take to achieve its stated goal and how the intended results will change the status quo environment for civil society. Due to the lack of these details, the commitment would have a minor potential impact.

Completion

I.1 Improve consultation process with civil society

Completion for Commitment I.1 is limited overall. Due to the election of a new administration in May 2017 and the current political turmoil, the parliament has not passed any laws. The implementation of several commitment activities depends on the process for adopting legislation, and thus the monitoring of the *National Electronic Registry of Regulations* (ENER)³ platform and the publication of an annual report on the quality of stakeholder consultations has been delayed.

So far, the government has made some progress in other areas of this commitment. The Ministry of Information Society and Administration (MISA) drafted a methodology for monitoring, collecting and processing data from completed consultations with stakeholders. The Government published the Plan 3-6-9, on 5 July 2017, which extends the minimum number of days for consultation from 10 to 20 by amending the Rules of Procedure of the Government.⁴ The amendment was subsequently

adopted, and the Minister held a press conference in August 2017 announcing the newly extended commenting period for the *National Electronic Registry of Regulations* (ENER).⁵ In addition, government has been publishing press releases on proposed laws, adopted decisions and other government measures. Additionally, the General Secretariat of the Government regularly publishes and updates the relevant documents on its website.⁶ This has been a recent practice initiated and implemented by the General Secretary of the Government of the Republic of Macedonia (Dragi Raskovski).

Finally, MISA and CSOs have worked together to create a list of data on civil society organizations and business subjects on the Central Register of the Republic of Macedonia's website. CSOs were able to give input on the acceptability of data and the scope of data that could be included on the list. CSO representatives from the Macedonian Center for International Cooperation (MCIC) confirm that they received a draft version of the list produced by MISA, after which they gave their feedback to MISA.⁷

1.2 Improve government cooperation with CSOs

This commitment has limited completion according to the government self-assessment report. The government stipulated in its 3-6-9 policy plan released in July 2017 that a council for cooperation between government and civil society (an initiative dating back to 2015 that has been long delayed) should be established.⁸ The formation, rules, and election of members for the council will be developed with input from civil society. The same report notes that the first consultative meeting was held on 13 July 2017 via the Public Administration Club.⁹

To implement the Good Practices Code, the government continued its practice of announcing an annual call for CSOs to contribute to the preparation of the Government Work Program. The call for 2018 initiatives was released in August 2017 on www.nvosorabotka.gov.mk, and CSOs submitted eight initiatives to the Department for Cooperation with NGOs. However, it is unclear how the ideas submitted by CSOs will be taken up, and therefore it is not clear whether or not this step will fulfill the commitment goal of making the policy development process more participatory. The third milestone was not started by the time of writing of this report.

Next Steps

For the next action plan commitments on improvement of civil society environment and public consultations should be more clearly formulated listing specific intended changes in existing practices in decision making. In addition, commitments need to avoid listing activities that are routine government activities, such as publishing press releases on proposed legislation.

¹ Macedonia Government Mid-Term Self-Assessment Report 2016-2018

<https://www.opengovpartnership.org/documents/macedonia-mid-term-self-assessment-2016-2018>

² Ibid.

³ Press Conference held by Minister of Information Society Damjan Mancevski, 17 August 2017, <http://www.mioa.gov.mk/?q=node/4434>

⁴ Government Mid-Term Self-Assessment Report.

⁵ Press Conference held by Minister of Information Society Damjan Mancevski, 17 August 2017, <http://www.mioa.gov.mk/?q=node/4434>

⁶ General Secretariat of the Government, <http://vlada.mk/vladini-sednici>

⁷ Interview with Ms. Marija Sazdevski – Macedonian Center for International Cooperation, by IRM researcher, 23 August 2017.

⁸ Macedonia Government Mid-Term Self-Assessment Report 2016-2018, <https://www.opengovpartnership.org/documents/macedonia-mid-term-self-assessment-2016-2018>

⁹ Macedonia Government Mid-Term Self-Assessment Report 2016-2018, <https://www.opengovpartnership.org/documents/macedonia-mid-term-self-assessment-2016-2018>

Theme 2. Open Data

2.1 Create Open Data Standards

Title: Creation of open data standards

Presently, there are no developed open data standards in Macedonia and each institution publishes data in accordance with its technical capacities. Presently, the otvorenipodatoci.gov.mk portal provides 154 data sets, and this number is expected to increase eventually. Therefore, development of open data standards has become a necessity in order to facilitate access to information, as well as for published data sets identification and use. Establishment of open data standards to provide standardized data sets publication by institutions and their easier processing and use. This commitment includes development of open data standards for facilitated open data identification and use. This will allow citizens easier identification of data of their concern and to monitor their timely updating.

(Ministry of Information Society and Administration; Center for Change Management (CCM), Metamorphosis Internet and Society Foundation, Reactor. July 2016 – June 2018)

2.2 Improve Open Data Platform

Title: Improvement of the Open Data Platform and its approximation to the citizens

Presently, open data license model has not been established in Macedonia, and the www.otvorenipodatoci.gov.mk website takes over unlicensed sets. Presently, the otvorenipodatoci.gov.mk portal provides 154 data sets, and this number is expected to increase eventually. Increased number of open data sets increases the need for establishing appropriate license model to allow undisturbed access to open data, at the same time protecting institutions that create data first of all through open data abuse prevention. This commitment includes establishment of open data licenses and open data archives on the www.otvorenipodatoci.gov.mk for facilitated open data identification and use and easier monitoring of trends in certain fields. On the other hand, it will contribute for data sets abuse and protection of institutions that produce these data sets.

- Definition/selection of an open data license model and posting licenses on the open data portal.
- Allowing greater participatory and accountability on the open data portal through establishing archives of published data sets.

(Ministry of Information Society and Administration; Free Software. July 2016 – June 2018)

2.3 Raise awareness about open data

Title: Raising awareness of open data

In 2014, the Ministry of Information Society and Administration set up a modern open data platform for publishing open data sets of institutions. Despite these activities, the portal has been visited at average of 700 single visits a month, that is far from the expected number. This is considered to be due to insufficient popularization of open data as a concept, and the low citizens' awareness of the open data importance and potential. The main objective of this commitment is to popularize the open data concept and encourage civil sector and private companies for enhanced use of these data through presentation of the open data potential and importance. This commitment includes initiation of a campaign for popularization of the open data concept.

- Conducting a survey on the citizens' familiarity with the open data concept
- Organization of trainings on open data identification and publication for at least 20 institutions
- Organization of at least two advertising campaigns for the open data concept
- Organization of at least one competition – hackathon for development of open data based applications

(Ministry of Information Society and Administration; Free Software, Reactor. July 2016 – June 2018)

2.4 Catalog government datasets

Title: Cataloging and categorization of data sets held by state institutions

According to the Article 7 of the Law on public sector data use, public bodies and institutions are obliged to submit electronic data catalogue to the Ministry of Information Society and Administration, created within their competence and published for public use, including date of data publishing (by data sets) for their use, dynamics and their updating (daily, weekly, monthly and quarterly) and a single link, that is a web location where data are published by the public bodies and institutions. The experience so far in this provision implementation shows that the public bodies and institutions need additional support in these catalogues preparation. This measure provides implementation of an internal analysis by all state institutions obliged by the Law on public sector data use to publish open data. As a result of the internal analysis, each institution should create a Data Set Catalogue, as a guideline what data sets are to be collected and published in the future. The Catalogue should be based on the analysis of the legal frame regulating institutions' operation for keeping various records in their competence, as well as on cooperation with the civil and business sectors in respect of what specific public data they need.

(Ministry of Information Society and Administration; Center for Change Management (CCM). July 2016 – June 2018)

2.5 Link open data to government portals

Title: Open data linking on the state institutions' portals

By simulation of an ordinary citizen searching for certain data on the state institutions' portals (supposing that they could be found there), we will face a situation where a citizen fails to find required data, although they have been published on the open data portal. Therefore, it is necessary that each institution publishing open data on the portal has a special open data section on its website, where all published data set are listed, with appropriate link to the central open data portal. Implementation of this measure will ensure a comprehensive approach to data set publication and consummation. This would eliminate cases of double published data sets. Measures of this commitment contribute for improving access and data sets use on the web sites of data holder institutions.

- Publication of all data sets centrally on the open data portal and posting direct links to those data sets on the data holder institutions' web portals.

(Ministry of Information Society and Administration. July 2016 – June 2018)

Editorial Note: The commitment text provided above is a truncated version of the action plan. The milestone text has also been abridged. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP value relevance				Potential impact				On-time?	Completion			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
2.1 Create Open Data Standards			✓		✓						✓		Yes			✓	
2.2 Improve Open Data Platform			✓		✓						✓		No		✓		
2.3 Raise Awareness				✓	✓					✓			No	✓			

Completion of the commitment is limited. The Creative Commons BY was unanimously accepted as an adequate license model for the portal, both by governmental institutions (MISA) and CSOs (CCM and Free Software) during the development of the action plan. MISA is preparing information for the Government concerning the licensing model, which the Government has to formally accept in one of its following sessions. The implementation of the licensing model is delayed, since the decision to engineer a new portal or adapt the current portal is still being discussed.

The following commitments are contingent on completion of this commitment and implementation is on hold until completed.

2.3 Raise awareness about open data

This commitment is behind schedule and has not started according to the self-assessment report. While some activities are planned for the very end of the implementation period, the early activities in the commitment are late.

The survey to gauge citizens' familiarity with open data is being prepared: questions and methodology are currently being determined by MISA. MISA is also drafting another questionnaire that will establish a baseline of open data awareness. However, the survey was supposed to have been completed by October 2016. The training is also behind schedule. Its end date was set to be August 2017, and it has not yet been implemented. Further, MISA has not yet selected the representatives of institutions that are due to attend the training. The advertising campaigns and the hackathon have also not commenced, though the planned end date for both is August 2018.⁵

2.4 Catalog government datasets

Commitment 2.4 has not started according to the self-assessment report. The four envisioned steps behind the completion of this commitment are: identification of relevant institutions, analysis of institutions' datasets, creation of a central catalog for all institutions' datasets, and prioritization of datasets to be published.

Identification of institutions covered by this measure should have been completed by January 2017. While nearly all government institutions are eligible under the provisions of law on electronic governance, MISA has yet to draft a list of priority institutions. Analysis of datasets is not behind schedule for the projected date (October 2017); given the vast number of datasets to be analyzed, however, timely completion will be a challenge. The latter two activities are to be completed in 2018.

2.5 Link open data to government portals

Commitment 2.5 is not started according to the self-assessment report. Due to technical limitations of the portal, www.otvorenipodatoci.gov.mk, the commitment will be implemented after a new portal is set up, which will enable direct links to datasets. The completion of this commitment is highly dependent on other commitments in this cluster (specifically 2.2).

Early Results

There are no visible early results with regards to Commitment 2.1, 2.3, 2.4, and 2.5. As for Commitment 2.2, the Creative Commons BY license model (as selected by MISA and involved CSOs) has already been used by CSOs.

Next Steps

The IRM research team recommends continuing efforts foreseen under Commitments 2.1 and 2.2. However, Commitments 2.3–2.5 should not be carried forward. Commitments on open data need to be ambitious and clearly relevant to OGP values if included in the next action plan. Moving forward, the government could prioritize the following:

- Licensing model information needs to be submitted to the Government for formal acceptance as soon as possible. Furthermore, stakeholders should agree on a clear engineering design of the new portal, especially in regard to archived and real-time data (Commitment 2.2).

¹ “Open data in Macedonia: From Legislation to Engagement,” Open Data Institute, <https://theodi.org/case-studies/case-study-a-profile-of-open-data-initiatives-in-macedonia>

² “Macedonia,” Open Data Barometer, http://opendatabarometer.org/4thedition/detail-country/?_year=2016&indicator=ODB&detail=MKD

³ The MISA website, www.otvorenipodatoci.gov.mk

⁴ Interview with Filip Manevski, MISA, by IRM researcher, 9 August 2017.

⁵ Ibid.

Theme 3. Freedom of Information

3.1 Implement FOI law

Title: Improvement and facilitation of the access to information

Better implementation of the Law on Free Access to Public Information with active involvement of the information holders and citizens.

- Pro-active publication of public information
 - o Publication of already requested/given public information on their web locations
 - o Index for monitoring pro-activity of the public information publication on the holders' web locations
- Measures for increasing access to public information
 - o Trainings for officials and managerial persons based on determined weaknesses in the Law on PRFAPI implementation
 - o Monitoring of the "damage test" implementation as a legal obligation of the holders
 - o imposing penalties for violation by officials or managerial persons within the information holders, in agreement with the Law
- Development and enforcement of a media campaign for promotion of the right to free access to public information
 - o Setting up a working group for preparation and definition of the campaign implementation plan

(The Commission for protection of the rights to free access to public information (CPRFAP); Center for Civil Communications, Association for Women Emancipation, Solidarity and Equality (ESE), Open Society Foundation. July 2016 – June 2018)

Editorial Note: The commitment text provided above is a truncated version of the action plan. The milestone text has also been abridged. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
3.1 Implement FOI law				✓	✓		✓				✓		No		✓		

Context and Objectives

The Law on Free Access to Public Information (FOI Law)¹ establishes a citizen's right to information and provides a framework and rules for requesting information. However, the FOI Law is not fully implemented, and citizens are not sufficiently acquainted with all the law's stipulations concerning their access and rights to public information. In 2015 and 2016 public institutions received several hundreds of complaints, after failing to comply with their obligation to share information.² Additionally, institutions often do not implement the "damage test".³ The FOI Law contains certain exemptions that allow institutions, as specified by the law, to withhold information from a requester,

where the disclosure of information could damage “public interest.”⁴ These exemptions require institutions to apply a “public interest” test, where they must assess the potential damage of disclosing information (if any) in order to deny information requests.

This commitment aims to more fully implement the FOI Law by preparing adequate guidelines for the proactive publication of public information. Secondly, the commitment envisages measures such as trainings for officials in public institutions, monitoring of the “damage test” implementation, as well as penalties for violations made by officials in accordance with FOI. Finally, the commitment also aims to raise public awareness of the promotion of free access to public information through a media campaign.

All listed commitment activities are objectively verifiable. Although the action plan does not specify which officials will be trained, it is standard practice that all institutions that are also information holders are targeted for such training. In addition to improving the proactive release of information, this commitment is also relevant to the OGP value of public accountability by introducing a practice that calls upon government actors to justify their refusal to disclose information. Overall, this commitment represents a major step in addressing institutions’ failure to comply to the FOI Law.

Completion

The completion of this commitment is limited. The Commission for the Protection of the Right to Free Access to Public Information (CRFAPI) has already drafted and published three crucial documents listed in the action plan, including instructions to proactively publish public information, recommendations for proactive publication, and recommendations for publishing already requested and disclosed public information on institutions’ websites.⁵

With regards to the second activity, CSOs have stated that there has not been any progress in monitoring the damage test implementation.⁶ A draft guide for implementing the damage test is planned for mid-2018. The third commitment activity, using a media campaign to promote the right to information, has also not yet begun.

Next Steps

The IRM research team recommends the government continue implementing this commitment. However, two issues possibly hindering implementation are the need for significant infrastructure to achieve completion and the ambiguity surrounding the “damage tests.” The definition of “public interest” is still an open issue and must be clarified before monitoring of damage tests can begin. Next steps in the commitment should focus on the following:

- Make efforts to dedicate a separate budget for a more efficient implementation of the commitment.
- Improve human resources and clearly define requirements under the Law on Free Access to Public Information. Allow CRFAPI to activate sanctions against institutions that are in non-compliance with the Law (including passive or unresponsive institutions).
- Shorten the required period for providing requested information to ensure requests are met and addressed in a timely way.
- Discuss and clarify the “public interest” issue in a working group, i.e., legal aspects for classifying information.
- Consult with information-disclosing institutions during implementation.

¹ The integral text of the Law on Free Access to Public Information,

<http://www.cph.mk/ftp/pdf/Zakoni/Zakon%20za%20sloboden%20pristap%20do%20informacii.pdf>.

² According to data of the Annual Reports on the work of CRFAPI in 2015, <http://194.149.136.143/komspi2/wp-content/uploads/2016/06/%D0%98%D0%97%D0%92%D0%95%D0%A8%D0%A2%D0%90%D0%88-2015.pdf> and 2016, <http://komspi.mk/wp-content/uploads/2016/06/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD-%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98-%D0%B7%D0%B0-2016.pdf>, in 2015 a total of 960 complaints have been submitted to the Commission. In 2016, a total of 619 complaints were submitted.

³ For more details see the reports in the previous endnote. The process of classifying complaints based on inappropriate implementation of the damage test started in 2017. Previously data are given as aggregated.

⁴ The English version of the Law on Free Access to Public Information, <http://www.freedominfo.org/documents/Macedonia%20FOI%20Law%20ENG%20Official%20Gazette%2013-2006.doc>.

⁵ Commission for the Protection of the Right to Free Access to Public Information, Guide to Proactive Publishing, <http://komspi.mk/otvoreno-vladino-partnerstvo>

⁶ Interview with Dance Danilovska – Bajdevska. FOSIM, by IRM researcher, 18 August 2017.

Theme 4. Prevention of Corruption and Promotion of Good Governance

4.1 Implement law on whistleblower protection

Title: Implementation of the Law on Whistle-Blower Protection and Raising the Awareness for Whistle-Blowing

The Law on Whistle-Blower Protection guarantees protection of the persons in the capacity of whistle-blowers and that their rights will not be infringed when making such report, no harm will be caused to them or their close ones and they will enjoy the protection of their personal data and identity.

The implementation of the Law on Whistle-Blower Protection and the bylaws deriving therefrom, by establishing and building a system and mechanisms for protected report and protection of whistle-blowers, is of great importance for strengthening the institutional fight against corruption and in general for prevention of corruption as socially harmful phenomenon. By strengthening the public awareness for protected report, protection of whistle-blowers and their importance for the prevention and fight against corruption and protection of the public interest, the reporting of punitive or other illegal or prohibited action which harms the public interest will be stimulated and encouraged.

- Application of the Law and bylaws on protected report (determining authorized persons for accepting reports from whistle-blowers from the institutions)
- Strengthening the capacities of the authorized persons for accepting reports from whistle-blowers for efficient implementation of the Law via trainings and workshops
- Annual reports on accepted reports from whistle-blowers (data on institutions and number of accepted reports from whistle-blowers)
- Raising the awareness for whistle-blowing (campaigns and public debates, manual)

(State Commission for Prevention of Corruption; Ministry of Justice, Transparency International Macedonia. July 2016 – in continuity)

Editorial Note: The commitment text provided above is a truncated version of the action plan. For the full text, please refer to

https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
4.1 Implement law on whistleblower protection			✓		✓		✓					✓	Yes		✓		

Context and Objectives

The Law on Whistleblower Protection¹ was adopted on 9 November 2015. It defines the responsibilities of institutions to receive and investigate disclosures and ensures the protection of whistleblowers. In March 2016, the Minister of Justice adopted the bylaws deriving from the Law on the Protection of Whistleblowers.² While the law provides a strong legal basis and includes many international and European standards, the number of whistleblower cases that have been made public is limited.³ According to a 2015 survey by Transparency International Macedonia, more than half of the respondents believe that people who report wrongdoing are not adequately protected.⁴

This commitment seeks to more fully implement the whistleblower protection law through the following: 1) determine the authorized persons to review whistleblower reports; 2) strengthen the capacities of the authorized report reviewers; 3) obligate public institutions to increase the number of personnel able to adjudicate whistleblower reports; and 4) raise awareness of whistleblowing. These activities will not only improve the opportunities for the public to hold government officials accountable, they will also increase the amount of information surrounding whistleblowing. The effective application of this law could potentially transform private and public governance in the country.

Completion

Overall, this commitment's completion is limited and most of these steps have not been started.

By the end of July 2017, the total number of public institutions that had authorized persons was 39 (out of 1,291).⁵ Four trainings for public servants on whistleblower protection were organized (from June 2016 to May 2017) in accordance with MISA's standard training program for public administrators. In May 2017, the SCPC and the Office of Enforcement of Sanctions (OES) signed a memorandum of cooperation, which required training for the heads of penitentiary institutions and their staff. The purpose of these training sessions was to increase awareness of the implementation of the Law on Protection of Whistleblowers and to strengthen public awareness regarding the significance of whistleblowers in the prevention and fight against corruption.⁶ The trainings were attended by more than 50 participants,⁷ and the quality of these training sessions was evaluated by participants through questionnaires.⁸ However, many institutions failed to provide the necessary infrastructure required for receiving and processing whistleblower reports appropriately.⁹ With regards to the third commitment activity, according to the whistleblower law, public institutions are obliged to submit annual and semi-annual reports on filed cases of whistleblowing to the SCPC, which will then compile an annual report on whistleblowing with the Ministry of Justice. This report is required by law to be shared with the Assembly of the Republic of Macedonia. For the period July–December 2016, 18 public sector institutions submitted semi-annual reports, and from January–June 2017, 37 public institutions submitted semi-annual reports. Given that the law came into force in March 2016, annual reports will be required for the first time in early 2018, covering the period January–December 2017.

The fourth commitment activity, a “Handbook on Protection of Whistleblowers” was released with support from the European Union in September 2016. This handbook has been implemented by the State Commission for Prevention of Corruption (SCPC) and the Federal Office for Administration from Germany under the IPA 2010 Twinning Project.¹⁰ Additionally, under the EU-funded project, “Strengthening National Capacities for Combatting Organized Crime and Corruption,” expert support has been provided to SCPC for the preparation of a Strategy for Strengthening Public Opinion on the Positive Context of the Law on Whistleblowers Protection. As the CSO representatives notify IRM researchers, “the strategy's completion is expected by end of 2017.”¹¹ The MCIC also translated the “Resource Guide on Good Practices in the Protection of Reporting Persons” (a UN document) into the Macedonian language.¹²

Next Steps

The IRM research team recommends this commitment be continued in the remaining period of the implementation cycle and carried forward into the next action plan if incomplete.

¹ Whistleblower Protection Law: “Official Gazette of Republic of Macedonia” number 196/2015.

² Rulebook on protected internal report in the institutions within the public sector (“Official Gazette of Republic of Macedonia” number 46/16), Rulebook on external report (Official Gazette of Republic of Macedonia” number 46/16) and Rulebook on instructions for adoption of internal acts on protected internal report within the legal entity in the private sector (“Official Gazette of Republic of Macedonia” number 46/16).

³ Protecting Whistleblowers in Southeast Europe, <http://rai-see.org/wp-content/uploads/2017/09/Protecting-Whistleblowers-in-SE-Europe.pdf>

⁴ “Survey on the attitudes of Macedonian employed citizens on the reporting of illegal and unethical behavior in companies and institutions,” Transparency International Macedonia, February 2015.

⁵ MISA 2016, http://mioa.gov.mk/files/pdf/dokumenti/Godisen_izvestaj_2016_Registar_na_vraboteni_vo_JS.pdf

⁶ The Law on Protection of Whistleblowers, https://www.dksk.mk/index.php?id=19&tx_news_pi1%5Bnews%5D=91&tx_news_pi1%5Bcontroller%5D=News&tx_news_pi1%5Baction%5D=detail&cHash=901424ce09ee86ab8dc4d715893a4429

⁷ Evaluation lists were sent to IRM Macedonia team, as proof of evaluation of knowledge obtained by participants.

⁸ Results of survey given to participants following whistleblower protection training, [4\Прашалник за евалуација на стекнато знаење.pdf](#)

⁹ Interview with Dona Dimov, Transparency International Macedonia, by IRM researcher, 19 July 2017.

¹⁰ Handbook on Protection of Whistleblowers, <https://www.dksk.mk/index.php?id=21>

¹¹ Interview with Vesna Doneva – SCPC, by IRM researcher, 29 August 2017.

¹² Resource Guide on Good Practices in the Protection of Reporting Persons, <http://www.mcms.org.mk/mk/za-nasata-rabota/istravuvana-i-publikacii/1875-vodich-za-dobri-praktiki-za-zashtita-na-licata-koi-prijavuvaat.html>.

4.2 Open data on asset declarations

Title: Open data on property status of elected and appointed persons

SCPC publishes the data on the property status and changes in the property status of the elected and appointed persons; however, due to the non-existence of software solution, it is impossible to have an insight and historical review of all reported changes in the property status as of the time when the such persons assumed their functions until the time they cease to perform their function. The openness of the data on asset declarations of the elected and appointed persons via their chronological publication and historical review in continuity is essential for overall insight and display of the property status and changes in the property status of the elected and appointed persons as of the time of assuming their function until the cessation thereof. Prerequisite for realization of the obligation is designing and establishing software solution which will provide insight in form of open data.

Increased openness of the data on the property status of elected and appointed persons. The entire insight and monitoring of the property status and the changes in the property status will increase the accountability and responsibility of the elected and appointed persons.

- Creating technical conditions for publishing asset declarations in form of open data (created and established software solution)
- Establishing historical review of the changes in the property status of the elected and appointed persons

(State Commission for Prevention of Corruption. 2017 – 2018)

Editorial Note: The commitment text provided above is a truncated version of the action plan.

For the full text, please refer to

https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
4.2 Open data on asset declarations				✓	✓			✓			✓		No		✓		

Context and Objectives

In accordance with the Law on the Prevention of Corruption¹, elected and appointed officials are required to declare their assets and property within 30 days of election, termination, and change in their assets. The State Commission for Prevention of Corruption (SCPC) is responsible for receiving, registering, and verifying these asset declarations, and publishes this data on its website.² Additionally, the SCPC website is updated to reflect all reported changes in officials' assets. However, officials running for office do not always comply with requirements to report property ownership or fail to report new acquisitions from the time they take office.

This commitment aims to develop a software solution that will publish (in open format) and provide a historical overview of officials' asset declarations during their time in office. This commitment is relevant to access to information and technology and innovation because the software will make this data available in an open format, thus improving the readability and reusability of the information on the SCPS website.

While the commitment activities do not significantly alter SCPS's existing practice of collecting, verifying, and publishing public officials' asset declarations, this new provision of a historical overview of officials' asset declarations represents a significant change in this area. Previously, the SCPS only published the most recent asset declaration and was not obliged to make the information available in a reusable open data format (such as an Excel sheet). This meant that the data was not easily comparable over time.

Completion

This commitment is limited in completion. As of October 2017, within the scope of the IPA Twinning Project, a new software solution was developed which will provide both current and past property ownership status of officials.³

As for the second activity, setting up an archive with information on current officials' changes in property ownership has stalled. The delay is due to the need to make adjustments to the relevant legislation. In 2016, software developed through the IPA Twinning Project allowed for a digital platform where officials' property ownership could be displayed, including changes over time. The new software would move the asset reporting forms and recording procedure entirely online, however, in order to begin using the new system, the SCPC must initiate an official procedure to make online submission and reporting mandatory. This requires submitting an official impact assessment and request for initiating changes in the "law for prevention of corruption" to the Ministry of Justice. As of late 2017, this process has not started. The government has stated that the software solution for electronic filling out and submitting asset declaration forms will be operationalized following adoption of the necessary legal changes.

Next Steps

The IRM research team recommends this commitment continue implementation in the second half of the action plan cycle. The commitment should be taken forward into the next action plan if not completed on time.

¹ Law on Prevention of Corruption, http://rai-see.org/wp-content/uploads/2015/06/LAW_ON_PREVENTION_OF_CORRUPTION.pdf

² Regional Anti-Corruption Initiative, <http://rai-see.org/macedonia-anti-corruption-institutional-framework/>

³ Interview with Vesna Doneva – SCPC, by IRM researcher, 29 August 2017.

4.3 Monitor integrity of LSUs

Title: Promotion of integrity, transparency and accountability on local level and monitoring the progress

Considering the policies for more dynamic and sustainable economic and social development of LSGU, entirely directed towards the citizens and the realization of their rights, with the strong determination to cope with corruption and unethical conduct, 47 municipalities in cooperation with SCPC have signed anti-corruption policies/integrity policies. It is necessary this process to continue and to be entirely completed by signing anti-corruption policies by all LSGU, thus establishing overall system of mechanisms and procedures which tighten the space and possibilities for corruption and affirm the principles of the rule of law. The promotion of integrity in the institutions on local level is focused towards prevention and non-tolerance of conduct prohibited by law which is contrary to the ethical code and any form of corruptive conduct in the operation of the municipalities. At the same time, the capacities for supervising anti-corruptive practices on local level will be built and strengthened. The transparency and accountability of the institutions on local level ensure promotion of their openness by involving the public in the creation of the policies of good governance, integrity and prevention of the risks of corruption.

The innovative tools for openness and responsibility (via IT tools, responsibility, transparency and accountability index and integrity index of the municipalities) are in the capacity of creating a culture of responsiveness of the local self-government units.

The measures determined in this effort will ensure promotion of the openness of the institutions on local level by involving the citizen organizations in the creation of indexes, monitoring and assessment of good governance and integrity of the local self-government units.

(State Commission for Prevention of Corruption; Local Self-Government Units, CRPM and other NGO. June 2016 – June 2018)

4.4 Promote cooperation to prevent corruption

Title: Promotion of cooperation and increased proactivity in the prevention of corruption and conflict of interests

The civil organizations in cooperation with the institutions actively monitor and participate in initiatives for monitoring and fight against corruption and are active partner in the process of establishing good governance. The action of the competent bodies, as well as the separated preventive anti-corruption projects and activities of the civil sector will not provide the expected results if sustainable system of cooperation is not established between all relevant actors, considering their specifics, as well as the determined legal competences.

- Of great importance is the holding of periodical coordinative work meetings where specific topics or projects from the area of corruption and conflict of interests will be discussed with proposals and recommendations for undertaking future activities and measures for improvement of the conditions. This will contribute to intensifying the implementation of the established general frame for cooperation for prevention of corruption, with visible results and establishing systematic approach for exchange of information and data, proposals and recommendations which will be discussed and considered from the relevant factors that handle issues from this area.
- For the purpose of bigger involvement, the civil organizations should develop methodologies for monitoring the corruption as a mechanism and approach for measuring the perceptions of the citizens and their experiences with regards to the exposure to corruption. The civil organizations should transfer the experiences from such methodologies and the results so that they can be included in the development of one all-encompassing and long-term system for prevention of corruption and conflict of interests and establishing good governance.
- In direction to informing and introducing the public with the effects from the cooperation, public events-debates will be organized, as well as workshops and thematic conferences and campaigns for raising the awareness of the public regarding the corruption and conflict of interests.

(State Commission for Prevention of Corruption; MoJ, Mol, MLSP, MLSG, MCIC, IDSC, CRPM, Transparency International Macedonia, ADI. July 2016 – in continuity)

Editorial Note: Commitments 4.3 and 4.4 both aim to tackle corruption and promote cooperation between the government and relevant CSOs. The commitment text provided above is a truncated version of the action plan. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
4.3 Monitor integrity of LSUs			✓		Unclear					✓			No		✓		
4.4 Promote cooperation to prevent corruption			✓			✓				✓			Yes			✓	

Context and Objectives

Commitments 4.3 and 4.4 center on creating a cooperative space to fight corruption. Corruption is widespread at all levels of government. Recently there have been two Special Prosecution (SJO) investigations highlighting cases of abuse of power and interference in local jurisdictions.¹ In response to this, the State Commission for Prevention of Corruption (SCPC), as part of a previous OGP action plan, began the process of encouraging 47 municipalities to sign anti-corruption policies. Commitment 4.3 aims to continue this process and to involve citizen organizations in the creation of indices to monitor and assess LSUs, thereby making this commitment relevant to civic participation. Potential impact is minor as the contribution of the government to the integrity indices is unclear and there is a lack of enforcement of institutionalization of anti-corruption measures by local self-government units (LSUs). As the public is not involved in monitoring the integrity of LSUs, this commitment has unclear relevance to OGP values.

Commitment 4.4 aims to establish a sustainable system of cooperation among all relevant actors, by holding coordinative meetings, developing monitoring methodologies, and promoting the results of those monitoring activities.

In Macedonia, there are several organizations actively fighting corruption. One example is the Platform for the Fight against Corruption, a coalition of 15 CSOs (including Transparency International Macedonia and the Center for Research and Policy Making) founded in 2014. However, according to a report published by the Technical Assistance for Civil Society Organizations (TACSO), only 25 percent of CSO representatives consider the current mechanisms for cooperation with government institutions useful, and more than 50 percent see these mechanisms as a formality.²

This commitment aims to establish a sustainable system of cooperation among all relevant anti-corruption actors. By holding consultative meetings on anti-corruption issues with CSOs, this commitment is relevant to civic participation. This commitment would develop a methodology for monitoring corruption and conflicts of interest by the SCPC but would have a minor impact on increasing cooperation between government and CSOs on prevention of corruption, thus coding minor overall.

Completion

4.3 Monitor integrity of LSUs

This commitment is limited in completion. Although the first commitment activity aimed to have LSUs sign anti-corruption and integrity policies, as of October 2017, no additional municipalities signed the anti-corruption policies. In June 2016, the Minister of Local Self-Government signed the Integrity Policy, making the Ministry of Local Self-Government (MLSG) the first institution at the central level to adopt the initiative. In addition, the MLSG, in cooperation with the SCPC, prepared a new, updated version of the integrity policy in the area of assessing the risk of corruption, as well as in accordance with the latest legal changes pertaining to protection of whistleblowers. The Integrity Policy document is published on the government web portal.³ In the next period, after the completion of local elections, the integrity policy is expected to be signed by the additional municipalities. In 2017, work on developing local level integrity policies has largely been carried out through SCPC joint projects with the OSCE. This cooperation has resulted in hosting six workshops with representatives of LSUs in order to exchange experiences and encourage municipalities that have not yet signed integrity policies. Additional municipalities signing integrity policies was affected by local and parliamentary elections that were held in 2017.

The second commitment activity aimed to supervise accountability at the local level by creating an integrity index of the municipalities. Two indices were developed by Center for Research and Policy Making (CRPM): 1) Index of responsibility, transparency and accountability and 2) Index for integration in municipalities.

4.4 Promotion cooperation to prevent corruption

Overall, this commitment is substantially completed. This commitment has three stated activities: holding coordinative meetings, developing methodologies for monitoring conditions that enable corruption, and promoting the results of said monitoring through public events such as debates and workshops. The leading institution of implementation for this commitment is the SCPC, but the body responsible for organizing coordinative meetings was not clearly defined, so no meetings have been held.

With regards to monitoring corruption-enabling environments, the Macedonian Center for International Cooperation (MCIC) carried out a project titled, "Monitoring the work of the SCPC," which established an external methodology for monitoring the efficiency of the SCPC's anti-corruption work. The matrix of indicators that MCIC uses to prepare the reports is available on their website.⁴ The MCIC promoted its monitoring findings publicly at a conference on 30 March 2017. The conference was attended by more than 40 participants from civil society, government institutions and media, as well as representatives from the SCPC and its Secretariat.⁵

On 30 May 2017, MCIC organized a forum titled, "Prevention of Corruption - Leadership and Coordination in Macedonia." The forum launched a discussion on the role, achievements and opportunities to improve the work of the State Commission for Prevention of Corruption in the implementation of its policies. The main findings and recommendations from monitoring the work of the SCPC in the period from October to December 2016 were presented at the forum. In addition, representatives from the SCPC, the Public Prosecutor's Office (responsible for cases of organized crime corruption), and the State Audit Office shared their experiences and proposals for cooperation. The forum presented various models of anti-corruption bodies and the experiences of the Anti-Corruption Agency from Serbia. The forum was attended by more than 50 representatives from CSOs, institutions, and media. MCIC regularly shares reports and summaries to engage the wider public.

Next Steps

The IRM research team recommends:

- Intensifying the process of signing anti-corruption/integrity policies. The SCPC should reach out to remaining LSUs to determine the reason(s) for not yet signing and provide information on the benefits of doing so. Public awareness campaigns could contribute to effective strategies for LSUs to initiate integrity measures as identified through consultation with CSOs (Commitment 4.3).

- Enforcing a clear division of roles for key implementing actors in order to ensure external monitoring of the SCPC continues and to focus on more meaningful deliverables through SCPC and CSO collaboration. In order to avoid a similar misunderstanding (which prevented the coordinative meetings from happening), the SCPC and relevant CSOs should designate a point of contact or group of representatives to be in charge of initiating and recording meetings going forward (Commitment 4.4).

¹ Freedom House, Nations in Transit 2017, <https://freedomhouse.org/report/nations-transit/2017/macedonia>

² TACSO, Civil Society Organizations in Macedonia, http://www.tacso.org/data/dokumenti/pdf/ipsos_report_mk.pdf

³ Local Self Governing Unit Anti-corruption policies, http://mls.gov.mk/images/documents/Politika%20na%20integritet_.pdf

⁴ MCIC matrix of indicators for evaluating the efficiency of SCPC anti-corruption projects, <http://www.mcms.org.mk/images/docs/2017/matrica-na-indikatori-dksk.pdf>

⁵ State Commission for Prevention of Corruption, <http://www.mcms.org.mk/images/docs/2018/rezime-od-sledenje-na-rabotata-na-dksk-kvartalen-5-ang.pdf>.

Theme 5. Efficient Management of Public Resources (Fiscal Transparency)

5.1 Open budget initiative

Increased transparency in public funds management through:

- Presentation of the state budget in simplified form understandable to citizens and easily available.
- Informing the public about projected revenues and expenditures at the beginning of the year on a quarterly basis, thus providing an opportunity for analysis and comparison of the implementation of the budget in view of the planned.
- Informing the public regarding our semi-annual implementation of the Budget of the Republic of Macedonia

Approximation of the most important budget document to the citizens and providing additional information to citizens and civil society organizations regarding the design and execution of the state budget will contribute to greater involvement of civil society in monitoring and analyzing the performance of the budget.

(Ministry of Finance; Association for Emancipation, Solidarity and Equality of Women in Macedonia, Center for Economic Analysis, Zenith Association, Budget users. July 2016 – June 2018)

5.9 Increase transparency in public finances management

Title: Determination of data on state assistance to be published and their publication

Increased transparency in public finances management, through: Publication of data on all grounds of state assistance for foreign investments (specification of granted and paid on all grounds). Data are published at least once a year without giving the name of the company. Categorized data are published as a minimum by different grounds, with specification of the granted and paid assistance to foreign investors.

The measures of this commitment contribute for improvement of transparency and accountability of the public finance managing institutions through increase transparency and accountability in public funds management in the field of state assistance for foreign investments.

(Commission for competition protection (CCP); Agency for financial support in agriculture and rural development, Directorate for technological industrial development zones (DTIRZ), ministries for encouraging foreign investment and other budget users, Center for Economic Analysis, Center for Civil Communications. August 2016 – ongoing)

Editorial Note: Commitments 5.1 and 5.9 were clustered based on their shared focus of budget and financial transparency. The commitment text provided above is a truncated version of the action plan. For the full text, please refer to

https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
5.1 Open budget initiative				✓	✓	✓						✓	Yes			✓	
5.9 Increase transparency in public finances management			✓		✓						✓		Yes	✓			

Editorial note: This commitment is clearly relevant to OGP values as written, has transformative potential impact, and is substantially or completely implemented and therefore qualifies as a starred commitment.

Context and Objectives

According to the 2017 Open Budget Index, Macedonia made five of eight key budget documents publicly available online in a timeframe consistent with international standards.¹ In terms of transparency, Macedonia provides the public with minimal budget information.² This commitment seeks to improve budget transparency by publishing the remaining three budget documents on the Ministry of Finance's (MoF) website. These include a citizens' budget, a projection of revenues and expenditures of the state budget, and a semi-annual report regarding the implementation of the state budget. By publishing these documents, this commitment is not only relevant to access to information, it also represents a transformative change in government practice which, so far, has not produced (or published late) these key documents for the past five years.

The Macedonian government provides financial incentives (e.g., tax breaks and subsidies) to attract foreign investment and many citizens believe that large foreign investors receive better treatment than domestic firms. Previously, incentive packages for foreign investors were not disclosed to Parliament or the public.³ The Commission for Competition Protection (CCP) currently publishes annual reports on state assistance provided to foreign companies; however, CSOs object that no data is available on the amounts of state assistance (or tax benefits) given to specific companies and argue that aggregated data on state assistance is not being published. This commitment aims to address the issue by publishing data on all grounds of state assistance for foreign investments (name of company and amount of state assistance per company being paramount). Publishing this data will provide citizens greater insight into state assistance granted to foreign companies and allow CSOs to conduct more precise analyses in the field of foreign direct investments.

Completion

5.1 Open budget initiative

Commitment 5.1 has substantially completed its three activities. The first commitment activity has been fully completed, however, it was delayed. The citizens' budget was published after the IRM evaluation period on 23 August 2017. The budget is available for download in Macedonian, Albanian, and English—all free of charge. An English version is available at [https://www.finance.gov.mk/files/GB%20Final%20MK%20\(3\).pdf](https://www.finance.gov.mk/files/GB%20Final%20MK%20(3).pdf). Despite positive progress on producing the citizens' budget, CSOs have expressed disappointment with the limited publication of state revenues and expenditures.⁴ A CEA representative claims that "this measure has not been recently discussed in the working group and is postponed for 2018."⁵ In regards to the semi-annual report, CSOs have said that "there has been an effort of publishing such a document, but the format of the document is not in accordance with the standards of the Law on budget."⁶ A CSO representative claims that the publication is missing justification for the budget re-balance and macroeconomic indicators, as well as predictions for the following quarter (trimester).

The second commitment activity has not yet begun; however, there is still sufficient time until its listed end date. The publication of revenues and expenditures is planned for 2018.

The third commitment activity is slightly behind schedule. Several CSOs and the MoF have pointed out that a similar document (to the semi-annual report referenced in this commitment) has already been published for 2016 and 2017. The MoF is aware of these objections and has "taken considerable steps to improve the publication of the documents"⁷ (e.g., using Excel format, including more budgetary users, providing a wider set of information, including a monthly breakdown according to budgetary user). The MoF remains open to suggestions by CSOs on how they can further improve the format of the semi-annual report.

5.9 Increase transparency in public finances management

Commitment 5.9 has not started within the OGP process. However, the Government of the Republic of Macedonia started the process of declassification of all agreements with foreign investors (by political decision) in late August of 2017. This commitment's listed activity is the publication of data on state assistance amount for foreign investments on all planned grounds. The CCP does publish annual reports on state assistance to foreign companies, however, these reports do not contain all data required under this commitment and requested by CSOs. In September 2017, a consultative meeting of all stakeholders is planned where the specificities of the published data will be more precisely determined.

Early Results

Commitment 5.1 has yielded new budget reports available for public review. A number of CSOs have reported downloading the citizens' budget, published for the first time as part of this commitment, and have evaluated its format as satisfactory. These CSOs include the CEA,⁸ IDSCS,⁹ and Zenith.¹⁰

Next Steps

With regard to Commitment 5.1, the IRM research team recommends the Ministry of Finance collaborate with CSOs to define the standards for the semi-annual report regarding implementation of the state budget. Additionally, if not completed, the IRM Commitment 5.9 should be taken forward into the next action plan.

¹ International Budget Partnership, Macedonia, <https://www.internationalbudget.org/opening-budgets/open-budget-initiative/open-budget-survey/country-info/?country=mk>

² Ibid.

³ Export.gov, <https://www.export.gov/article?id=Macedonia-openness-to-foreign-investment>

⁴ A CSO representative claims that the publication is missing justification for the budget re-balance and macroeconomic indicators, as well as predictions for the following quarter (trimester). This is a direct breach of the Law on budget and financing of the Republic of Macedonia, which directly points to the format of the publication of such revenues and expenditures. Interview with Gabriela Dimovska – Center for Economic Analysis (CEA), by IRM researcher, 17 August 2017.

⁵ Interview with Gabriela Dimovska – Center for Economic Analysis (CEA), by IRM researcher, 17 August 2017.

⁶ Interview with Aleksandar Nikolov – ZENITH, by IRM researcher, 22 August 2017.

⁷ Interview with representatives of MoF, by IRM researcher, 24 August 2017.

⁸ Interview with Gabriela Dimovska – Center for Economic Analysis (CEA), by IRM researcher, 17 August 2017.

⁹ Interview with Misa Popovikj, IDSCS, by IRM researcher, 13 June 2017.

¹⁰ Interview with Aleksandar Nikolov – ZENITH, by IRM researcher, 22 August 2017.

5.2 Open data on health programs

The measures of this commitment contribute for transparency and accountability in spending funds and delivering services aimed for preventive and curative health programs. In cooperation with Association for Emancipation, Solidarity and Equality of Women in Macedonia, Ministry of Health will prepare a standardized report format to be used for publication of data from the realization of budget assets by the Ministry of Health intended for preventive and curative health programs.

- *Preparation and publication of semi-annual and annual reports on budget and program implementation of 20 programs for preventive and curative health care financed by the budget of the Ministry of Health with technical assistance and support from the ESE*
- *Campaign for providing citizens with information on these data availability and how they can be of their benefit*

(Ministry of Health; Association for Emancipation, Solidarity and Equality of Women in Macedonia. July 2016 – June 2018)

5.7 Strengthen capacities of the Ministry of Health

Title: Increased budgetary fund benefits in preventative and curative health protection for citizens

Spending budgetary funds of the Ministry of Health for services that are not delivered to the citizens. At the same time, differences have been noted between data presented in reports on the program realization in the Ministry of Health and those presented by various executors. Also, differences have been noted between reports and real implementation.

Building capacities in the Ministry of Health for application of the social accountability methodology with a technical assistance and support by a non-government organization authorized and trained for implementation of the methodology recognized and accepted in developed countries.

- The social accountability methodologies provide measurement, monitoring, reporting and performance improvement in public institutions. They allow monitoring of the real implementation and benefits for the citizens provided with the implementation of the Ministry of Health's programs.
- In order to build capacities for the social accountability methodology implementation, the Ministry of Health with technical assistance by a non-government organization authorized and trained for the methodology implementation, will select 10 people from the Ministry of Health and from public health institutions to attend the social accountability training.
- For piloting one of the social accountability methodologies selected by the MH, the Ministry of Health will select a preventive or curative program and engage the 10 people who have attended the social accountability training to design a plan for the selected methodology piloting and to implement the selected methodology in the selected program.

Citizens' involvement allowed by this methodology will advance transparency and accountability of the Ministry and other public health institutions, and will contribute for better health resources management.

(Ministry of Health; Public health facilities, executors of the preventative and curative health protection programs, Emancipation, Solidarity and Equality (ESE) and Open Society Foundation – Macedonia. July 2016 – ongoing)

Editorial Note: Commitments 5.2 and 5.7 were clustered due to their shared focus on improving preventative and curative health programs. The Ministry of Health is the lead institution responsible for both commitments. The commitment text provided above is a truncated version of the action plan. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
5.2 Open Data on Health Programs				✓	✓						✓		Yes		✓		
5.7 Strengthen capacities of the Ministry of Health				✓	Unclear						✓		No		✓		

Context and Objectives

In Macedonia, the current system of input financing¹ has led to the inefficient provision of health services.² Although the Health Insurance Fund (HIF) stipulates the agreed quantity of services and budget provided by hospitals and health centers in annual reports, in practice, various studies³ have

revealed a disparity in allocated funds and reported spending. The following two commitments specifically focus on improving the transparency and accountability of preventative and curative health programs.

According to a World Bank report, only 13 percent of insured persons received preventive care for cardiovascular diseases and only 13 percent of the target population were screened for colon cancer in 2013, despite incentives given to general practitioners to increase preventative care.⁴ In order to increase access to information surrounding these programs, commitment 5.2 aims to publish semi-annual reports on the budget and implementation of 20 preventative and curative health programs, as well as launching a campaign on the availability and benefit of such data. If fully implemented, this commitment will have a moderate potential impact due to the current absence of open data in the health sector.

In addition to inefficient budget allocation and spending, differences have also been noted between reports and the actual implementation of the program's goals.⁵ The active monitoring and field surveys conducted by the CSOs notes differences between data presented in reports prepared by the Ministry of Health (MoH) and those presented by various executors. Commitment 5.7 aims to train 10 MoH officials on the implementation of social accountability methodologies, which, according to the action plan, provide ways of measuring, monitoring and reporting the performance of program implementation. The commitment also seeks to select a preventative or curative program to pilot the methodologies. If fully implemented, the new commitment should strengthen MoH's capacities. Ultimately, however, this commitment limits the coverage of its scope since it will be piloted in a single program. The commitment's relevance to OGP values is unclear because there is no public-facing element (e.g., public disclosure or mechanisms to involve the public in monitoring).

Completion

5.2 Open data on health programs

This commitment is on time, though its completion remains limited according to the government self-assessment report. The two commitment activities are: 1) the preparation and publication of semi-annual and annual reports on budget and program implementation of preventative and curative health programs; and 2) the creation of a campaign to provide citizens with information on new data availability and how they can benefit from it. With regards to the former, the Ministry of Health, in cooperation with ESE Skopje, has begun preliminary work, and developed templates for the preparation of reports on budget and program implementation of 20 programs for preventative and curative healthcare financed by MoH. Harmonization of templates was scheduled to start in September 2017, and the whole process should be completed by the first quarter of 2018. The level of completion is limited since the proposed programs by ESE still need to be approved by the Minister of Health, after which the promotional campaign envisaged as an activity within this commitment shall commence.

5.7 Strengthen capacities of the Ministry of Health

Commitment 5.7 has three listed activities and has started only one. Overall, the completion is limited. The first commitment activity sets out to conduct a training for 10 people from the Ministry of Health (and other health institutions) on implementing social accountability methodologies but has not been started.

The selection of a preventative or curative program to apply the social accountability methodology is the second listed commitment activity. On 19 December 2016, ESE suggested application of social accountability methodology on all 20 health protection programs. In the period after the meeting, ESE narrowed the selection to two of the presented programs. However, the final decision rests with the Ministry of Health as a decision-making body in this case.⁶

The third activity—designing a pilot plan for the social accountability methodology and its implementation in the selected program—has not been started. Its completion is dependent upon the decision of the Ministry of Health.

Next Steps

The IRM research team recommends both commitments be continued in the remaining period of the action plan cycle. With regard to Commitment 5.2, the government needs to address the challenges faced by the national health administration, including the absence of a leading, implementing structure. The government also needs to widely disseminate information about health sector reform to ensure a broad range of civil society groups are aware and are able to provide feedback.

¹ Financing for health services is pre-approved, and reforms to allocate funding based on outputs is limited. This results in high levels of coverage but allows for little flexibility on the part of facility managers to redirect budget to address shortcomings in service provision.

² FYR Macedonia Public Expenditure Review Fiscal Policy for Growth: Report No. 93913- MK, July 2015, p. 94, <http://documents.worldbank.org/curated/en/895641468269982851/pdf/Macedonia-PER-2015-Revised-for-Submission-Final-clean.pdf>

³ <http://www.esem.org.mk/pdf/Publikacii/2017/ESE%20Analiza%20Zdravje%20majki%20i%20deca.pdf>; FYR Macedonia Public Expenditure Review Fiscal Policy for Growth: Report No. 93913- MK, July 2015, p. 94, <http://documents.worldbank.org/curated/en/895641468269982851/pdf/Macedonia-PER-2015-Revised-for-Submission-Final-clean.pdf>

⁴ FYR Macedonia Public Expenditure Review Fiscal Policy for Growth: Report No. 93913- MK, July 2015, p. 94, <http://documents.worldbank.org/curated/en/895641468269982851/pdf/Macedonia-PER-2015-Revised-for-Submission-Final-clean.pdf>

⁵ ESE, <http://esem.org.mk/en/index.php/library.html>.

⁶ Interview with Biljana Veselinovska, Ministry of Health, by IRM researcher, 17 August 2017.

5.3 Mandatory publication of public procurement information

Title: Creating a legal obligation for the contracting authorities for mandatory publication of information regarding the public procurement contracts on their websites

The obligation resulting from the second Action Plan of OGP (2014-2016) to determine the minimum information from public procurement, that contracting authorities should publish on their websites by Bureau's recommendation, is voluntary and is not respected by many contracting authorities. Each contracting authority shall publish the annual procurement plan, information with a link to ESPP regarding public procurement calls and public procurement contracts and must also complete the part for realized contracts of ESPN.

Compulsory publication of this information which are now voluntary will increase: Transparency and accountability of public institutions regarding public money spending; The degree of awareness of citizens on the manner their money are spent; Integrity and trust in institutions; Efficiency in public funds management.

(Ministry of Finance/Public Procurement Bureau; Civil Communications Center. July 2016 – June 2018)

5.6 Introduce concession contracts register

Title: Introduction of a publicly accessible register of concession contracts

Insufficient access to public information on concluded contracts and concessions, as well as contracts concluded between state institutions and private subjects, as opposed to the existing transparency of concluded public procurement contracts, which are basically.

The Ministry of Economy should create a register of concluded contracts and concessions, and make it available with regular updating on its Internet website. Ensuring a certain degree of transparency for more efficient public funds management.

(Ministry of Economy; Center for Civil Communication. July 2016 – June 2018)

Editorial Note: Commitments 5.3 and 5.6 both aim to increase transparency around public procurement information, and have been clustered together. The commitment text provided above is a truncated version of the action plan. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
5.3 Mandatory publication of public procurement information				✓	✓						✓		Yes	✓			
5.6 Introduce concession contracts register			✓		✓						✓		Yes				✓

Context and Objectives

Macedonia's second action plan (2014–2016) included a commitment to identify and recommend a set of minimum standards that institutions conducting public procurement should follow.¹ While substantially completed (at the end of term evaluation), civil society monitoring revealed that access to procurement data is still limited.² Commitment 5.3 aims to make procurement transparency mandatory by requiring the publication of an annual procurement plan, public procurement calls, notices for concluded contracts and executed contracts. If fully implemented, this commitment could represent a major improvement in government practice surrounding the proactive release of procurement data.

According to the government national action plan, there is insufficient information in the country when it comes to public information on concluded contracts and concessions, especially in the field of exploitation of mineral resources in the country. In order to address this specific challenge, this commitment aims to introduce a publicly accessible register of concession contracts, including the name of concessioner, number and date of contract, kind of raw material, municipality carrying out concession activities, and spread of concession area. If fully implemented, this register would not only increase access to information, it would also improve on the current format for publishing concessions information.

Completion

5.3 Mandatory publication of public procurement information

This commitment has not yet started, according to the government self-assessment report.

During the action plan development period, the Public Procurement Bureau estimated that the new law would be adopted by the end of 2017; however, due to the political challenges encountered in 2017, the date for development was changed to October 2018.

5.6 Introduce concession contracts register

Commitment 5.6 is fully completed. The Ministry of Economy published a table register consisting of the following data: name of concessioner, number and date of contract, kind of mineral raw material, municipality carrying out concession activities, and spread of concession area. This register is available at <http://www.economy.gov.mk/doc/2079>³ (in Macedonian and Excel format). It also contains all of the data specified by this commitment.

Next Steps

With regard to Commitment 5.3, the IRM research team recommends the government consult with relevant CSOs when drafting the law to regulate institutional obligations to publish procurement information.

¹ Action Plan for Open Government Partnership 2014-2016, <https://www.opengovpartnership.org/sites/default/files/Macedonia%20OGP%20ACTION%20PLAN%202014-2016.pdf>

² German Filkov, Sabina Fakic, and Marko Mitevski, Index of Active Transparency 2016, Skopje: Center for Civic Communication, 2016, 12, <http://bit.ly/2dumzw6> (in Macedonian).

³ Accessed 29.09.2017.

5.4 Involve CSOs when planning IPA 2

Title: Involving representatives of associations and foundations, as well as other civil society organizations, in transparent and objective manner in sector working groups for planning and programming of IPA 2

Though consultations have been organized with civil organization in preparation of certain draft sector plan documents, they do not provide equal participation of the civil sector in all planning and programming phases of the pre-accession support by the EU. For transparent and legitimate involvement of civil society organizations in the work of the sector working groups, the Secretariat for European Affairs announced a call "Open with civil society," for registration of all interested civil society organizations for consultation and participation in working groups for IPA 2. In order to increase accountability and ownership in the programming process, the published list of civil society organizations and the indicative overview are delivered to the sector working groups, stating that the possibility of cooperation with other relevant civil society organizations is open.

- *Created new mechanisms for citizen participation in the management of public resources*
- *Application of knowledge and data available to civil society to better identify the key social challenges and how to deal with them*
- *Enhanced mutual trust between the state and civil society as a result of increased transparency and inclusiveness of the process of programming, and improving the quality of democracy*

(Secretariat for European Affairs; Interested associations, foundations and their networks. July 2016 – June 2018)

5.5 Publish data on ORIO

Title: Publishing of data on signed contracts and received assistance through Infrastructure Development Program (ORIO) Netherlands

There is no publicly available information and data on signed contracts and received assistance through the program ORIO funded by the Netherlands which includes R. Macedonia. In the section intended for ORIO Program on its website, the Secretariat for European Affairs, as the competent institution for promoting the ORIO program in R. Macedonia, will publish a list of public institutions from RM that applied for and received funds from ORIO program; will publish agreements signed between the applicant institutions of RM and the Netherlands; will publish the overall application detailing the objectives and the course of projects funded through this ORIO program; will provide information on the status of the project (development phase, implementation phase and maintenance phase) and will publish data on semi-annual basis for a total received and spent funds during the projected period.

The measure contributes to increasing the transparency and accountability of public institutions in the management of foreign assistance.

(Secretariat for European Affairs; Ministry of Health, Association for Emancipation, Solidarity and Equality of Women. July 2016 – June 2018)

Editorial Note: Commitments 5.4 and 5.5 were clustered since they both support the implementation of ongoing, international projects and share a responsible implementing institution, the Secretariat for European Affairs. The commitment text provided above is a truncated version of the action plan. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment
Overview

Specificity

OGP Value Relevance

Potential Impact

On
Time?

Completion

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
5.4 Involve CSOs when planning IPA 2		✓				✓				✓			Yes		✓		
5.5 Publish data on ORIO				✓	✓						✓		No	✓			

Context and Objectives

The Instrument for Pre-accession Assistance 2 (IPA 2), for the period 2014–2020, is the funding mechanism by which the European Union supports Macedonia's accession process.¹ The involvement of civil society in the process of programming IPA 2 is one of the preconditions for implementation; however, the consultations that have been organized with CSOs do not provide equal participation of the civil sector in all planning and programming phases.

Commitment 5.4 aims to present the Framework for Coordination of IPA 2, and include civil society representatives in the work of sectoral groups based on transparent processes and objective criteria. Overall, this commitment's specificity is low. Without hinting at the desired content of the "objective criteria," it is unclear if these activities will directly lead to more equal participation of civil society in the IPA 2 process. As such, the IRM research team is unable to assess potential impact as higher than minor.

The Facility for Infrastructure Development (ORIO) is funded by the Dutch Ministry of Foreign Affairs to encourage public infrastructure development in developing countries. However, there is no publicly available information on signed contracts and received assistance through the ORIO program. The main objective of Commitment 5.5 is to improve the transparency and accountability of public institutions that manage funds and contracts received from foreign assistance. This commitment plans to publish the following: a list of public institutions in Macedonia which have applied for and received funds from the ORIO program, contracts signed between applicant institutions of Macedonia and the Netherlands, and status information of the project. Potential impact is moderate because it will provide information on important contracts, institutions receiving funding from ORIO, agreements signed between public institutions and the Government of the Netherlands, and other information on projects funded through the program, including the status of the project and received and spent funds.

Completion

5.4 Involve CSOs when planning IPA 2

According to the self-assessment report, progress has been limited on establishing a process for collaborating with civil society in sectoral working groups. Preliminary meetings with state secretaries within SEA have been held, and draft rules outlining the procedure for setting up sectoral working groups were submitted and are pending approval. The presentation of the Framework for Coordination of IPA 2 has been completed, with the coordination framework "A new approach to Sector Policy Coordination" published on SEA's webpage <http://www.sep.gov.mk/>. The final activity, including CSOs in the sectoral working groups, has not moved past the planning phase.

After reviewing information provided by Zenith, a CSO, the assessment for completion has been confirmed as limited. The process of forming the sectoral groups has failed "due to the imbalance of representation of state institutions and CSOs."² Additionally, the Secretariat for European Affairs (SEA) has withdrawn from the process, stating it is not the right institution for this process.

5.5 Publish data on ORIO

According to the government self-assessment, the project was terminated but it is unclear on what grounds.

Next Steps

The IRM research team recommends that Commitment 5.4 and Commitment 5.5 either be removed or modified in the next action plan. With regard to Commitment 5.4, the government would need to identify a new responsible institution for implementation and explain in the action plan how the new objectives will result in a greater, more equal participatory process for CSOs. As for Commitment 5.5, in order for a commitment to ambitiously improve access to information on received foreign assistance, its coverage should extend beyond one program.

¹ European Neighbourhood Policy and Enlargement Negotiations, https://ec.europa.eu/neighbourhood-enlargement/instruments/overview_en

² Interview with Aleksandar Nikolov – ZENITH, by IRM researcher, 22 August 2017.

5.8 Publish data on financial assistance for rural development

Title: Publication of data on planned and realized domestic and foreign assistance for rural development and agriculture on a quarterly basis

Nonexistence of concrete information on the amount of funds and measure of the Program for financial support of agriculture in a certain year, paid according the Program, or have been paid according to programs from previous years. Often amendments and supplements to the Program, (sometimes even a day after its adoption), make confusion in respect of data availability and reduced transparency and accountability of the public funds flow.

Increased transparency in public finances management, through:

- Publication of the provided state and foreign assistance according to a ground/measure, by location, amount of state of foreign assistance and according to a Program for financial support
- Information available to the citizens on the data accessibility

(Agency of financial support for agriculture and rural development, Ministry of Health; Budget users, Center of Economic Analysis. August 2016 – ongoing)

Editorial Note: The commitment text provided above is a truncated version of the action plan.

For the full text, please refer to

https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
5.8 Publish data on financial assistance for rural development				✓	✓						✓		Yes	✓			

Context and Objectives

Currently, CSOs insist on advancement of the format and structure of the data on planned and realized domestic and foreign assistance for rural development and agriculture. While the Agency for Financial Support of Agriculture and Rural Development (AFSARD) currently publishes data on its website, it is not in the required format and is only updated at the end of a specific assistance program. The data is inadequate and confusing; further, subsidies are very hard to trace in specific time series (quarterly or monthly). Thus, this commitment aims to improve the status quo by publishing quarterly data on planned and realized domestic and foreign assistance for rural development and agriculture. This should improve the transparency of AFSARD and offer better datasets on domestic and foreign assistance for rural development and agriculture that could be utilized by other societal entities (CSOs, businesses, other governmental agencies etc.).

Completion

Commitment 5.8 had one activity: publication of quarterly data on the amount of provided state and foreign assistance in agriculture (by program, ground/measure, and location). This commitment has not started, as informed by AFSARD and partner CSOs.

Next Steps

AFSARD points out major obstacles, including the frequent changes in the managerial structure of the agency and the understaffing of IT experts. AFSARD also objects to the process of commitment

development, saying it has been insufficiently consulted and when consultations did occur they were not timely. This commitment should be continued; however, commitment activities should be revisited by all stakeholders. Institutionally, strengthening of the IT capacity of AFSARD should occur in the near future if it is to fully implement the commitment. Additionally, there is a lack of communication between AFSARD and CSOs. All stakeholders should enhance this process of cooperation in this commitment in order to revive the process of implementation, which stalled before it began due to insufficient coordination and direction. Most importantly, stakeholders should revisit commitment activities in order to set a realistic format and structure of the data on planned and realized domestic/foreign assistance for rural development and agriculture.

Theme 6. Openness on Local Level

6.1 Develop transparency and open data standards

Title: Developing standards for transparency and open data on local level

Due to nonexistence of transparency standards at the local level, the municipalities' websites differ in the structure and published data. Also, there is no implementation of the Law on Open Data at the local level, though it also applies to the local self-government units. These circumstances do not provide adequate access to data of citizens' interest. Also, there is neither predictability in searching data, nor they can be compared or processed.

Establishing standards for transparency and open data that will be beneficial for citizens as well as accepted and applied by all local government units. Data and data sets arising from municipal responsibilities and which should be published on the web sites of all municipalities as well as in open data format will be identified by analyzing the legal framework and consultation with Civil society organizations and municipalities. Training of Civil society organizations for open data use as well as creating network among CSOs, local and central government, in order to ensure applicability and sustainability.

(Ministry of Local Self-Government; Ministry of Information Society and Administration, Local government units (Skopje, Kumanovo, Veles, Stip, Strumica, Tetovo, Bitola, Struga), Change Management Center, COs at local and regional level. July 2016 – June 2017)

Editorial Note: The commitment text provided above is a truncated version of the action plan. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
6.1 Develop transparency and open data standards			✓		✓						✓		Yes				✓

Context and Objectives

In general, Macedonia scores low on a variety of open data indices¹, and according to the OGP action plan², there are no transparency or open data standards at the local level. An assessment conducted by the Metamorphosis Foundation indicates a similar issue: municipalities scored 34 percent under the index on openness. This commitment aims to: 1) analyze the legal framework for the information publication of local self-government units (LSUs), 2) establish networks between CSOs and local and central government, 3) elaborate transparency and open data standards at a local level, and 4) strengthen capacities for using open data at a local level.

This commitment is relevant to access to information by addressing the systems that underpin the public disclosure of open data. Although developing standards represents a major step towards improving transparency, these standards do not guarantee the resources

and capacity to carry out their implementation or to ensure they are met. For these reasons, potential impact has been assessed as moderate.

Completion

All commitment activities are complete. Besides the preparation of the open data standards and protocols on a local level and the analysis of the legal framework regarding the competences of LSUs, a network of CSOs has been established and eight workshops have been implemented in eight planning regions as set in the commitment text.

- The first stated activity is the analysis of the legal framework regarding the competences of LSUs and the information public on their websites. This analysis “has been prepared by CCM and MLS with the support of EU funds,”³ as MLS informs IRM researchers. Additional comparative analysis on best open data practices in EU countries was also prepared (http://cup.org.mk/publications/CUP_Komparativna_analiza_MK_WEB.pdf), as well as a representative survey on open data information that citizens would perceive as vital (http://cup.org.mk/publications/CUP_Istrazivanje.pdf).
- The second stated activity is the establishment of networks between civil organizations and local and central government. The aim of the network would be to apply standards and ensure sustainability of their implementation. This network has been initiated by the establishment of two platforms: one for OGP organizations and another at the local level. There was a public call for participation for each of these platforms. MISA and MLS also organized a national conference on a related topic at the end of 2016.
- The third stated activity is the elaboration of standards and protocols for transparency and open data at a local level. Both standards of e-transparency of LSUs and guidelines for open data of LSUs were established, as MLS informs IRM researchers.⁴ The conference was held in Skopje, on 18 May 2017, with representatives of MISA and MLS in attendance, as well as stakeholder organizations detailed in the commitment.
- The fourth stated activity is strengthening the capacities for using open data at a local level. Three workshops were held for CSOs and LSU administrations regarding open data. Eight additional workshops in eight planning regions were held in late 2016 and early 2017. The workshops were focused mostly on local CSOs and their capacity for insisting on local standards as well as data utilization.

Early Results

The creation of open data standards and concrete guidelines on publishing open data enables LSUs to proceed with further activities in collecting and publishing open data. Trained LSU administration and CSOs have the necessary level of skills and knowledge for collecting and publishing open data, but also for insisting on new datasets that might be useful at the local level.

Next Steps

The IRM research team recommends that the Ministry of Local Self Government (and other supporting institutions) hold LSUs to the formal, legal obligation to publish and share open data, based on the standards and protocols set out in this commitment. This step is vital for sustaining the process.

¹ 2016 Open Data Barometer, https://opendatabarometer.org/4thedition/detail-country/?_year=2016&indicator=ODB&detail=MKD, 2016 Open Data Inventory, <http://odin.opendatawatch.com/ReportCreator/ExportCountryReport/MKD/2016>, and the 2016 Global Open Data Index, <https://index.okfn.org/place/mk/>

² OGP action plan, https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

³ Interview with Ms. Eli Cakar – Ministry of Local Self-Government, by IRM researcher, 23 August 2017.

⁴ Ibid.

6.2 Improve financial transparency of LSUs

Title: Establishment of new tools to improve financial transparency and accountability of Local self-government units

There is a need to ensure institutional and easier access to information regarding local government operation, emphasizing the implementation of public finance. Establishing control boards in municipalities as a very accessible way of informing the council members and citizens on key financial data from the operation of municipal and public services, through automatic assuming quarter reports on the budget realization, prepared by the municipal administration and their accessibility to the council members and the public using the control boards.

Easier access to information encourages participation among citizens and increases confidence. The purpose of information for the council members, as elected representatives by the citizens allows strengthening the control over the implementation of local public finances by the municipal councils, and thus transparency, accountability and responsibility in spending public money.

(Ministry of Local-Self Government; Ministry of Finance, Local self-government units, UNDP, Association of Local Self-government Units (ALSU). July 2016 – December 2017)

Editorial Note: The commitment text provided above is a truncated version of the action plan. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
6.2 Improve financial transparency of LSUs		✓			✓					✓			No			✓	

Context and Objectives

Openness at the local level in the Republic of Macedonia is still a challenge for LSUs. Data from relevant analyses of the openness of LSUs in Macedonia suggests that LSUs “fulfill only 34 percent of the openness index.”¹ As for budgetary transparency, the analysis indicates that “the LSUs satisfy only 49 percent of the subcategory budgetary transparency.”² Quantitative data clearly indicates the lack of transparency at the local level.

This commitment aims to 1) identify the most important indicators (regarding financial accountability and transparency) to be made publicly available, 2) establish control boards (i.e., a software solution) and a mobile application to communicate financial data to citizens, 3) implement the control boards and mobile application, and 4) implement an additional tool. If fully implemented, this commitment could improve the availability of and access to local financial information. However, without defining what information will be made available, the IRM research team was unable to determine the extent of government change and assessed potential impact as minor.

Completion

The commitment, although substantially completed, suffered a big setback with the political crisis in the country. In addition, the uncertainty regarding the prolonging of the mandate of

the mayors of LSUs and the mandate of the local councils disabled full cooperation of stakeholders with LSUs in this commitment.

This commitment has four stated activities: the data analysis and identification of the most important indicators in quarterly reports (with the consultation of council members, administration, and civil organizations); the establishment of a software solution for the control boards and designing a mobile application; posting the control board on the municipalities' websites and putting the mobile application into use; and the implementation of the additional tool to introduce innovations in the management. (The additional tool is imagined as a tool for citizens' consultation and a way to more easily access specific services or data.)

Substantial progress has been made in the first activity: 20 indicators have been located as vital for publishing. This means that the data analysis and identification of the most important indicators has been completed. This activity was implemented by consultation with all stakeholders, as CSO representatives have informed the IRM team. The IRM research team was also informed that "a shortlist of 20 indicators in quarterly reports has been comprised"³ in "a common effort by all stakeholders."⁴

The second stated activity is complete. A software solution for the control boards was created (through UNDP effort) and the mobile application has been approved by Google Play and is currently waiting for approval by Apple store. The final two activities are incomplete: the control boards will be implemented in the six pilot LSUs (Veles, Ohrid, Chair, Sveti Nikole, Strumica, and Valandovo) in late 2017 and the implementation of the additional tool for LSUs is also pending.

Next Steps

The IRM research team recommends that additional tools for the LSUs (as defined in this commitment) need to be more clearly defined to better inform the public; the commitment text is vague and unclear. In addition, a mechanism for efficient oversight of the control board and the mobile application's implementation and utilization should also be created.

¹ Naumovska, Nade and Danilovska, Dance. "Analiza na otvorenosta na lokalnata samouprava vo Makedonija I regionot." Metamorphosis and ActionSEE, Skopje: 2017. p.5, http://metamorphosis.org.mk/wp-content/uploads/2017/06/Analiza-na-otvorenosta-na-lokalnata-samouprava-vo-MK-i-regionot_MKD.pdf

² Ibid.

³ Interview with UNDP office – Skopje, by IRM researcher, 21 August 2017.

⁴ Ibid.

6.3 Improve institutional consultation mechanism

Title: Improvement of the institutional consultation mechanism at the local level

Legal regulation provides bodies and mechanisms (equal possibility commissions, commissions for relations of communities, consumer advice councils, local communities) to enable institutional consultation with relevant subjects about matters in the fields of their competence, before issues are included in the Municipality Council agenda and during certain local policy creating. The bodies are mainly set up at the local level, but they function with a limited capacity and results that marginalize their role.

The measures of this commitment contribute for improvement of the representative decision making at the local level through a direct participation and protection of rights of women, specific categories or groups of citizens. Analysis to detect reasons for the existing weaknesses and concrete instruments to be created for strengthened function of these bodies for institutional consultation.

(Ministry of Local-Self Government; Ministry of Labor and Social Affairs, Local Self-Government Units, Research and Policy Creating Center (CIKP), ON Women, Women's Action. June 2016 – December 2018)

6.4 Improve cooperation between LSUs and CSOs

Title: Capacity strengthening for cooperation between the local self-government units and civil organizations

Most of the municipalities still do not have institutional mechanisms and tools for cooperation of the local self-government units (LSU) with civil organizations (COs). The result is insufficiently developed cooperation, particularly in fields of special interest with civil organizations – delivery of services of competence of municipalities by the CO.

Establishment of mechanisms for cooperation between the LSU and CO, particularly in the part of service delivery to provide greater financial sustainability of the CO. Transparent cooperation between the LSU and CO is a precondition for better management at the local level.

- Established mechanism for granting funds to CO
- Strengthened capacities of the local administration and civil organizations for institutional cooperation
- Granting funds to CO
- Delivery of certain social services of LSU competence to CO
- Monitoring of the entire process by the CO

Establishment of mechanisms and tools creating provide conditions for establishing a practice of institutionalized and predictable cooperation, and increased mutual confidence to encourage participatory and better quality public services.

(Ministry of Local Self-Government; MLS, UNDP, LSU. September 2016 – December 2017)

Editorial Note: Commitments 6.3 and 6.4 were clustered due to their similar focus on institutional mechanisms for consultation and cooperation at the local level. The commitment text provided above is a truncated version of the action plan. For the full text, please refer to

https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity	OGP Value Relevance	Potential Impact	On Time?	Completion
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	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
6.3 Improve institutional consultation mechanism			✓			✓					✓		Yes			✓	
6.4 Improve cooperation between LSUs and CSOs				✓	✓	✓					✓		No		✓		

Context and Objectives

Commitments 6.3 and 6.4 focus on consultation and cooperation among different stakeholders at the local level. The Republic of Macedonia has a legal framework that allows for consultative mechanisms; however, there is no functioning institutional form of consultation with citizens at a local level. Additionally, none of the LSU websites offer an effective platform for online consultations. A second issue in Macedonia is that most of the municipalities still do not have institutional mechanisms and tools for cooperation between LSUs and CSOs. One challenge that has resulted from this is an inefficient system for the utilization and granting of funds, which is of special interest to CSOs.

Commitment 6.3 aims to improve the institutional consultation mechanisms, with a strong gendered focus to include more female representation (many of the commitment activities have gender-specific aspects). Specifically, it will: 1) create and implement an equal possibilities action plan with civil society participation, 2) develop a gender approach for participatory policy creation, and 3) provide financial support for the six municipalities using the institutional mechanism. While the listed activities are objectively verifiable, it is not entirely clear how they will lead to the improved function of local institutional consultation mechanisms or address the problems identified. Potential impact is coded as moderate as the commitment lists specific activities that would help facilitate gender-focused policy making.

Commitment 6.4 aims to establish cooperative mechanism between LSUs and CSOs by 1) assessing existing LSU mechanisms for granting public finances to CSOs, 2) designing a methodology for financing CSOs, 3) designing adapted grant schemes for each selected municipality, 4) developing the capacities of selected LSUs and CSOs, and 5) ensuring service delivery by CSOs. The fifth activity effectively transfers the responsibility of service delivery from LSUs to CSOs. If fully implemented, this commitment could greatly strengthen the cooperation and coordination between LSUs and CSOs. However, it does not provide greater opportunities for the public to influence government decision making. This commitment will clarify procedures and operating modalities for granting funds to CSOs at the local level and contribute to an improved operating environment for CSOs, therefore is relevant to the OGP values of access to information and civic participation.

Completion

6.3 Improve institutional consultation mechanism

The overall completion of this commitment is substantial. The first commitment activity is nearly complete and the second is completed, though behind schedule. The third is on time to begin by the end of 2017.

The first activity is the preparation of equal possibilities action plans in seven municipalities, with CSO participation in its creation and implementation. The Center for Research and Policy Making (CRPM) has prepared a Manual for Advancement of Gender Equality (to be printed in March 2017) and partner CSO “Women’s Action” held four programs on equal possibilities in Cucer Sandevo, Saraj, Karpos, and Gjorce Petrov. The remaining three programs in other municipalities have not yet begun preparation. Women’s Action has been the most involved partner CSO, carrying out most of these activities.

The second activity is the development of a model for including a gender approach in the public involvement of local policy creation (through protocols, checking lists, and a special gender form for the identification of different priorities and needs of men and women). CSOs have had substantial success: the model has already been developed and is available online at (<http://www.crpm.org.mk/wp-content/uploads/2016/12/Final-designed-CRPM-Guidebook-Gendered-Participation-Models-for-Local-Policy-making-and-Budgeting1.pdf>). CRPM prepared the complete design of the model and implemented it at the end of 2016.

The third and final activity of this commitment is to provide financial support (through a grant scheme) for the six municipalities that have accepted the institutional mechanism for involvement and consultation with citizens. The support is to be directed towards the definition and implementation of the social inclusion of marginalized citizen groups—to integrate gender matters and to face issues concerning inter-ethnic cooperation and good government. This financial support was due to commence in December 2017.

6.4 Improve cooperation between LSUs and CSOs

This commitment has five stated activities, of which only the first is fully completed. Because of this, the level of overall completion for this commitment is limited. The first activity is the assessment of the existing mechanisms for granting public finances to CSOs at the local self-government level, and the provision of concrete recommendations for their improvement. The United Nations Development Program (UNDP) and the Ministry of Local Self-Government (MLS) have already located 18 municipalities that wish to participate, and the subsequent assessment of existing mechanisms (based on criteria such as number of implemented grants, financial condition of LSE, size, etc.) has been completed.

The second activity—designing a methodology and tools for financing CSOs from municipal budgets and monitoring funds—is in progress. The methodology for improvement of the grant and oversight process is already in place (LOAD methodology), although it needs local adaption. This adaption is expected to be completed in the upcoming period.

The third, fourth, and fifth commitment activities will be implemented after the local elections in October 2017. The IRM research team notes that the third and fourth activities were initially scheduled to end in July 2017. These three activities are as follows: the design of adapted grant schemes for each selected municipality, the capacity development of the local administration and civil organizations in selected municipalities for the public appeal realization, and the guarantee of social services by CSOs.

Next Steps

The IRM research team recommends neither commitment be carried forward into the next action plan. Implementation can continue through completion with grant scheme design, training of relevant officials in LSUs, and publicly disclosing detailed information on grants allocated to CSOs. However, the clarification of rules for granting funds to CSOs by LSUs is a welcome step toward increasing transparency around allocation of public funds.

6.5 Evaluate service quality at the local level

Title: Monitoring and evaluation of service quality at the local level

There is still a lack of integrated and standardized measurement system for citizens' satisfaction with services provided by the local self-government units, as well as for monitoring results of service delivery. Activities to be taken within this commitment will allow citizens to set their goals and priorities, and at the same time the civil sector can monitor success of municipalities in public services providing. Providing a functional and standardized measurement system of the "life quality" in all municipalities (focused on local services), quality monitoring in public service delivery, as well as getting continual insight in citizens' satisfaction with the local level services quality.

- *Established functional and standardized life quality measurement system focused on local services in all municipalities in the country;*
- *Created data base on the life quality in all 81 municipalities in the Republic of Macedonia;*
- *Strengthened capacities of the civil sector for monitoring services provided by the local self-government;*
- *Strengthened monitoring role of municipal councils in municipal administration delivering local level services.*
- *Conducted annual researches of the citizens' satisfaction with the local level services quality.*

Establishment of a standardized life quality measurement system in all municipalities will contribute for getting a continual insight in quality of services provided by the local self-government units, and will strengthen monitoring role of municipal councils in municipal administration.

(Ministry of Local Self-Government; MLS, LSU, UNDP, CO. September 2016 – December 2017)

6.6 Improve local social services

Title: Improvement of the local level social services

Nonexistence of electronic system for communication between pre-school children care institutions (kindergartens) and parents as their services users. The measures of this commitment contribute for improved efficacy, transparency and accountability of the local level institutions in the field of social services. Developed platform and capacity building for communication and improvement of effectiveness and efficacy in service delivery by the kindergartens.

- *Development of a tool (web, mobile and desktop application) containing the following elements:*
- *Electronic network of all cooperative subjects with the kindergarten*
- *Electronic communication and service delivery through electronic form application for enrolling kindergartens, daily menu publication, event organization, possibility for citizens to have a direct impact through their comments, suggestions and proposals on the kindergarten WEB site.*

(Ministry of Local Self-Government; Ministry of Labor and Social Policy, Research and Policy Creating Center (CIKP), Sole Communication Network. July 2016 – June 2018)

6.7 Greater social inclusion of disabled people

Title: Improvement of disabled people social inclusions at the local level

According to the Law on Local Self-government in RM, any municipality is obliged to provide citizens with an access to basic information on services they provide. Disabled people face with different kinds of barriers in their everyday activities: entering and using public facilities, public transportation, service using. The measures of this commitment will improve inclusion of disabled people at the local level as a vulnerable group of people. Easier access for disabled people to information and services delivered by municipalities.

- *Modulation of the municipalities' websites in order to provide unhindered access to information for disabled people (defective vision).*
- *Appointment of a trained person for communication with disabled persons in all municipalities.*

(Ministry of Local Self-Government; Ministry of Information Society and Administration, Local self-government units, Association for Inclusive Society Promotion and Development. September 2016 – December 2017)

Editorial Note: Commitments 6.5, 6.6, and 6.7 all center on social services and service quality at the local level, and have been clustered together for this reason. The commitment text provided above is a truncated version of the action plan. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
6.5 Evaluate service quality at the local level			✓			✓					✓		No	✓			
6.6 Improve local social services			✓			✓					✓		Yes		✓		
6.7 Greater social inclusion of disabled people				✓	✓			✓			✓		No	✓			

Context and Objectives

Commitments 6.5, 6.6, and 6.7 focus on improving services or evaluating service quality. According to the action plan, Macedonia lacks a standardized system for measuring citizens' satisfaction with services provided by local self-government units (LSUs) and monitoring service delivery. LSUs and CSOs also lack the capacity for evaluating and monitoring service quality. Commitment 6.5 aims to establish a standardized measuring and monitoring system in all 81 LSUs. The commitment outlines five activities: 1) define quality of life indicators and collect data, 2) strengthen the capacity of all stakeholders who coordinate, monitor and evaluate service delivery, 3) organize workshops for municipal administration, 4) strengthen the capacity of CSO and NGO networks, and 5) implement two annual studies on citizen satisfaction. Although this commitment will strengthen the capacity of the civil sector to monitor services provided by the local self-government, it does not guarantee the actual improvement of service delivery. A more transformative commitment would utilize the information collected to improve the implementation of services provided.

Commitment 6.6 specifically aims to improve local kindergarten services by developing and implementing a web platform for communication with parents and service provision, as well as training and raising awareness of this software among kindergarten staff. The action plan states that this platform will allow citizens to submit suggestions and proposals, making this commitment relevant to civic participation. The current situation in the segment of

exchange of information between parents and kindergartens is very poor in terms of modalities offered. For instance, the Law on Childrens' Protection,¹ which regulates the work of kindergartens, does not provision any modalities for communication between parents and kindergarten staff. The lack of adequate communication channels has been also noted by academia,² i.e., it is clear that no online exchange of information takes place (communication is exclusively through face-to-face contact). A simple analysis of the websites of the biggest kindergartens in the capital³ reveals only one possibility of communication i.e., via email to the institution. Although this commitment could improve communication and kindergarten service, the action plan does not specify a target of kindergartens implementing this platform. Therefore, the IRM research team could not evaluate potential impact any higher than moderate.

Commitment 6.7 seeks to ensure that LSUs fully comply with their required responsibilities, as outlined in the Law of Local Self-Government, to provide access to service information for all citizens, including those with disabilities (in particular, defective vision). None of the LSU websites are currently adequately adapted to the needs of people with defective vision, i.e. LSUs have undertaken no activities to improve access to information for this specific group.⁴ Specifically, this commitment will 1) modulate municipalities' websites to better provide access, and 2) publish a list of persons trained to communicate with disabled persons on each municipality website. This commitment is relevant to OGP values by using technology to make information available to a broader subset of the population. This commitment is moderate as it would be an important step to increasing accessibility of public information.

Completion

6.5 Evaluate service quality at the local level

This commitment has a total of five activities, all of which are currently delayed. This is predominantly a result of the upcoming local elections in October 2017, and the unresolved issue of prolonging the mandates of mayors and councils of LSUs, which expired in May 2017. The activities that are planned to start after the elections are: definition of life quality indicators and data collection in municipalities; capacity strengthening of all stakeholders (municipalities) for coordination, monitoring and evaluation of quality, and efficacy in local service delivery; organization of four workshops for municipal administration bodies in order to improve their efficacy and knowledge; capacity strengthening of the 30 civil organizations and three to four NGO networks that monitor municipalities' performance and accountability in provision of services; and implementation of two annual research studies assessing citizens' satisfaction with the local service quality.

6.6 Improve local social services

This commitment is on time. Of the four commitment activities, the first is complete. The other three have not yet started but are planned to begin at the end of 2017, as set out in the action plan.

The activity set out to create a dynamic web platform and develop a mobile and desktop communication application. SOLE Communication Network has created both software solutions and is willing to donate them to the pilot kindergartens (partners in this commitment) as well as interested municipalities.

6.7 Greater social inclusion of disabled people

The IRM research team has been informed that the activities of this commitment have been altered in the latest report from MLS to MISA.⁵ It now includes a needs assessment analysis for people with vision impairment and the opening of information centers for people with vision-related disabilities. Website modulation remains a commitment activity, but the contact list of appointed and trained persons for communication with disabled people has been taken out. This completely changes the substance of the commitment, and thereby requires new end dates for each of the new commitment activities. In addition, CSO

representatives pointed out that LSUs have already appointed specific persons trained for communicating and outreach to people with disabilities (i.e., the second commitment activity from the original action plan), but, in practice, this appointment “does not benefit many persons with disabilities” because the trained persons are rarely contacted.⁶ Another challenge in this commitment is that MLS and some of their civil society partners have lost contact; MLS ascribes this to the fact that “some of the involved CSOs operate in a region of the country that is separate from the region where actual implementation is taking place.”⁷

Next Steps

The IRM research team recommends that all three commitments should continue implementation, and be carried forward into the next action plan if not fully complete by the end of current action plan cycle. The government should consider modifying Commitment 6.5 to include activities to improve local social services based on the collected data and research. For Commitment 6.6, the government needs to define the partner kindergartens involved in piloting the new platform, and take measures to raise awareness and increase the number of kindergartens interested in the process. It is recommended to carry this commitment forward if it is not completed on time, as it is an innovative and participatory approach to evaluating childcare services. Finally, in order to address the changes made to Commitment 6.7, the government should clarify the commitment activities, increase efforts to reach out to existing CSO partners, and identify relevant CSOs that can support implementation in specific municipalities.

¹ The Law on Childrens' Protection, <http://mtsp.gov.mk/WBStorage/Files/dete.pdf>

² Sivevska, Despina; Popeska, Bljana & Peshova, Biljana. Sorabotkata meju preducilisnite ustanovi I semejstvoto. Stip: Univerzitet Goce Delcev. p.3,

<http://eprints.ugd.edu.mk/7228/7/%D0%A1%D0%9E%D0%A0%D0%90%D0%91%D0%9E%D0%A2%D0%9A%D0%90%D0%A2%D0%90%20%D0%9C%D0%95%D0%83%D0%A3%20%D0%9F%D0%A3%20%D0%98%20%D0%A1%D0%95%D0%9C%D0%95%D0%88%D0%A1%D0%A2%D0%92%D0%9E%D0%A2%D0%9E.pdf>

³ Kindergarten website, http://www.veselicvetovi.mk/index.php?option=com_contact&view=category&catid=12&Itemid=74; <http://www.gradinka25maj.mk/index.php/2013-02-27-10-04-09>

⁴ Interview with Ms. Blagica Dimitrovska – Inkluziva CSO, by IRM researcher, 17 August 2017

⁵ Interview with Ms. Eli Cakar – Ministry of Local Self-government, 23 August 2017.

⁶ Interview with Blagica Dimitrovska – INKLUZIVA, by IRM researcher, 17 August 2017.

⁷ Interview with Eli Cakar – MLS, by IRM researcher, 23 August 2017.

6.9 Increase information on the Ombudsman office

Title: More information for the citizens on the Ombudsman institution

The Ombudsman institution was established in 1997, with the adoption of the Law on Ombudsman. However, citizens are not sufficiently familiar with its competences and role in their rights protection, particularly in smaller and rural municipalities. Each municipality should post on its website clearly visible link to the Ombudsman's website. Posting of the link to the Ombudsman will increase the level of information on the Ombudsman institution existence, as well as the citizens' awareness of the possibility for their rights protection in front of the central and local government bodies.

(Ministry of Local Self-Government; Ombudsman, CO for citizens' rights protection. July 2016 – July 2017)

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Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
6.9 Increase information on the Ombudsman office			✓		✓					✓			No		✓		

Context and Objectives

According to the action plan, there is low awareness among citizens about the role and work of the Ombudsman office, especially in rural parts of the country. This commitment aims to improve citizens' access to the Ombudsman institution by posting a link to the Ombudsman website on municipality websites. Although this commitment does not disclose more information, it covers making information more available, and is therefore relevant to OGP values.

If fully implemented, this commitment could have a minor potential impact. Posting the link to the Ombudsman website is a positive, but incremental step to increase overall awareness. Furthermore, the action plan does not specify the number of municipality websites that will post the website URL, making it difficult to evaluate the scope of this commitment's impact.

Completion

This commitment listed one activity: posting a URL on municipalities' websites linking to the Ombudsman's website. Out of the 80 municipalities (plus the city of Skopje), 35 municipalities have still not posted the link on their website.¹ The end date for this activity was July 2017, and this commitment is currently behind schedule.

Next Steps

The IRM research team recommends this commitment continue implementation until the end of the current action plan cycle, but does not recommend for it to be carried forward into the next action plan. In future, plans should include commitments that aim to transform

the status quo in one of the four relevant principles: access to information, civic participation, public accountability, and technology and innovation.

¹ According to information provided by the Ombudsman office of RM on 30 November 2017 to the IRM Macedonia team, the following municipalities have not posted the link: Aracinovo, Bogovinje, Brvenica, Vevcani, Gazi Baba, Debarca, Demir Kapija, Demir Hisar, Dojran, Dolneni, Gjorce Petrov, Zelenikovo, Ilinden, Jegunovce, Karpos, Konce, Lipkovo, Lozovo, Mogila, Petrovec, Plasnica, Prilep, Radovis, Rankovce, Rosoman, Saraj, Sopiste, Staro Nagoricane, Studenicani, Tetovo, Centar, Centar Zupa, Chair, Cucer Sandevo, and Suto Orizari.

Theme 7. Public Services

7.1 Favorable legal environment for social contracts

Improve social services to citizens in Macedonia pursuant to their needs by creating a favorable legal environment for social contracts, and improvement of national legislation and policies by developing mechanisms for social contracts in the field of social protection in the country. Further objective of this measure is to help create an appropriate environment for social entrepreneurship in civil society organizations (CSOs) and to improve their sustainability, financial viability and social impact.

- Elaborated document (action plan) with procedures for effective implementation of social contracts for the upcoming 3 years;
- Proposals to improve the legal framework for social protection in the country, in accordance with relevant international standards and regulations, which allows the conclusion of social contracts in the field of social protection;
- Preparation of draft bylaws on standards for social services, the proposed procedures for the regulation of social contracts in the field of social protection, as well as establishing conditions and procedure for selection of other social services providers.
- Promotion of social contract as a model for improving the social services quality and sustainability of civil society in Macedonia and strengthening inter-sectorial collaboration.
- Strengthened capacities of 100 CSO representatives, central and local government, institutions and businesses by training for successful implementation of the model of social contracts in the field of social protection.
- Establishing business activities and strengthen the social impact of 10 CSOs by re-grant of creative solutions to solve social problems
- Improved environment for social entrepreneurship

(Ministry of Labor and Social Policy; Ministry of Local Self-Government, Local self-government units, SOS Children's Village. July 2016 – June 2017)

Editorial Note: The commitment text provided above is a truncated version of the action plan. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
7.1 Favorable legal environment for social contracts		✓			Unclear					✓			No			✓	

Context and Objectives

In the Republic of Macedonia, almost all social services are provided at the central level. The existing legal regulation allows for different legal entities to offer social services to the community. However, this process has not been developed enough in terms of creating and

improving conditions for social services delivery. This can be improved by creating a model for social contracts in the field of child protection and social services, as well as by enabling an appropriate environment for social entrepreneurship in civil society organizations (CSOs) to improve their sustainability, financial viability and social impact. This commitment aims to achieve this objective through five different activities: draft standards for social services delivery by CSOs and increase public awareness; develop and draft model for social agreements; create a proposal for improving the selection process and granting permission for social services delivery to CSOs; develop financial mechanisms to provide start-up grants for 10 NGOs for business ideas solving social problems; and promote social entrepreneurship and creative solutions to solve social problems.

This commitment is new, and previously no measures have been undertaken to comprehensively improve social services. If fully implemented, the commitment could have a moderate impact enabling an environment for CSOs to deliver social services. However, while these initiatives could lead to positive change in service delivery, as written this commitment is of unclear relevance to OGP values. It is not clear that new access to information, opportunities for civic participation in decision making, or accountability mechanisms will be implemented through the proposed commitment activities. However, these initiatives could improve the quality of social services and subsequently improve the sustainability of civil society in Macedonia and strengthen inter-sectoral cooperation.

Completion

According to the government self-assessment, this commitment is substantially completed. The model for social contracts was introduced on 28 July 2017, and the presentation is available at http://www.sos.mk/novosti-arhiva-ns_article-prestavuvanje-na-inicijativata-za-voveduvanje-na-modelot-na-socijalni-dogovori.nspix. All commitment activities have been fully completed by the CSOs involved, primarily led by SOS Children's Village, Detsko Selo, and the Center for Research and Policy Making (CRPM).

With regards to the fourth commitment activity, a capacity-building program for social entrepreneurship involving 30 organizations has been developed by CRPM. Additionally, 10 start-up grants have been awarded to NGOs for social business and an 18-month mentoring program for new start-up social enterprises has also been developed.

Next Steps

It is unclear how responsibility will be shared between local self-government units and CSOs and therefore the commitment is not recommended to be carried forward.

Theme 8. Climate Changes

8.1 Develop climate policies in a participatory manner

Title: Developing climate policies at national level in a transparent and participatory manner

Although existing national plans and other national reports on climate change were made in a transparent and participatory manner, there is a need for additional efforts present this issue to wider groups in order to achieve a higher degree of sense of mutual ownership over the results. The measures of this commitment contribute to harmonization of national policies with climate change measures and better decision-making by policy makers based on consultation with stakeholders.

Transparent and participatory development of climate policy at national level. Greater transparency in the process shall enable more informed decision making process on sectorial and local policies.

- *Will provide a better environment for climate policy development;*
- *Will strengthen existing and create new cooperation mechanisms;*
- *Will ensure availability and possibility of involvement of all relevant parties in the preparation of national documents on climate change to international bodies in order to cover state's obligations to UNFCCC and EU.*

(Ministry of Environment and Physical Planning; National Committee on Climate Change, Ministry of Economy, Ministry of Transport and Communications, Ministry of Finance, Secretariat of European Affairs, Government of Macedonia – Sector for Economic Politics Structural Reforms and Investments, Macedonian Academy of Sciences and Arts, Chamber of Commerce, NGOs/CSOs, Donors/projects implemented in the area of climate change. July 2016 – January 2018)

8.2 Open data on climate change

Title: Open data on climate change at national and local level

Data on climate change should be available in one place, be in a form that is understandable to general public and will enable greater citizen participation in policy making as well as open up opportunities for transfer and application of new technologies and innovations. This measure will contribute to constant upgrade of this data, as well as understanding and easily accessibility in one place - portal www.klimatskipromeni.mk. More transparent and participatory development of climate policy at national level.

- *will provide improved systems for collecting relevant data;*
- *Will improve quality of the collection and analysis of data;*
- *Will strengthen national capacity to address climate change;*
- *Will improve the quality of reporting to the UNFCCC and the EU*

(Ministry of Environment and Physical Planning; National Hydro Meteorological Service, National Committee on Climate Change, State Statistical Office, Administration HMS, Local Self-Government, Macedonian Academy of Science and Arts, Academic Community. July 2016 – January 2018)

8.3 Improve reporting on environmental pollution

Title: Ensuring private sector accountability and involvement in national climate change action

Ministry of Environment and Physical Planning collects information from industry in writing through several types of questionnaires regarding different segments related to environmental pollution. This measure will connect all information the Ministry requires from the industry in electronic form; it will facilitate reporting and improve quality of collected data related to air pollution and climate change.

- *Will improve reporting, monitoring and verification of data which the Ministry of Environment and Physical Planning requires from industry*

- Will strengthen cooperation with private sector
- Will provide support for reporting to UNFCCC and EU

(Ministry of Environmental and Physical Planning; National Committee on Climate Change, Government of RM, Macedonian Academy of Sciences and Arts, Chamber of Commerce, NGOs/CSOs, Donors/projects implemented in the areas of climate change. July 2016 – January 2018)

Editorial Note: The commitment text provided above is a truncated version of the action plan. For the full text, please refer to https://www.opengovpartnership.org/sites/default/files/MK_NAP3_Eng_0.docx

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
8.1 Develop climate policies in a participatory manner			✓			✓				✓			Yes			✓	
8.2 Open data on climate change			✓		✓					✓			Yes			✓	
8.3 Improve reporting on environmental pollution		✓			✓					✓			Yes				✓

Context and Objectives

In recent years, climate change has received greater attention in national policy, due to the country's accession to the European Union and its participation in international agreements (e.g., United Nations Framework on Climate Change [UNFCCC], Kyoto Protocol).¹

Currently, several government ministries² have responsibilities related to climate change, and climate change issues are incorporated into the Law on Environment.³ However, there are three issues that this cluster of commitments seeks to address: 1) the need for participatory climate change policy development, 2) the need for improved open data on climate change, and 3) the need to ensure public sector accountability within environmental activities.

Commitment 8.1 aims to organize three consultative workshops with stakeholders when preparing the Second Bi-Annual Report on Climate Change, which is part of Macedonia's commitments to UNFCCC, and prepare information materials on the Treaty of Paris. Although these commitment activities are objectively verifiable and relevant to OGP values, it is not clear to what extent this commitment will widen the number of agencies participating in the report preparation: the National Committee on Climate Change, one of the implementing agencies, also participated in preparation of the First Report⁴ and consists of representatives from various government agencies and CSOs.⁵

The Ministry of Environment and Physical Planning (MoEPP) coordinates the national inventory of greenhouse gas (GHG) emissions, as specified in the Law on Environment. Commitment 8.2 aims to revise the national inventory with data from 2013 and 2014, improve the quality of and provide free access to the national inventory, and strengthen the capacity of relevant parties in order to ensure regular collection of data. While updating the inventory and making it publicly accessible presents a positive step in improving open data on climate change, the action plan does not specify what steps will be taken to improve the quality of the inventory.

Currently, MoEPP monitors and verifies environmental pollution data submitted by industry through the "Support Establishment and Advancement of Pollutant Release and Transfer Registers" (PRTR) project and the Integrated Prevention and Control Direction (IPPC). Prior to the development of the action plan, the operators (or industry) are required to fill in several templates when reporting different obligations. Commitment 8.3 aims to improve the reporting, monitoring and verification of data MoEPP collects from the private sector by creating guidelines for the upgraded Emission Monitoring from Industry sector (EMI) software. The new software is expected to centralize the reporting system by requiring one single format the industry needs to follow.

Completion

8.1 Develop climate policies in a participatory manner

This commitment outlines two activities: organize (at least) three consultative workshops with stakeholders to prepare the audited Second Bi-Annual Report on Climate Change, and to prepare innovative information materials on the state's efforts regarding the Treaty of Paris and possible national measures.

This commitment activity was substantially complete as of July 2017, and as the third workshop took place soon after the midterm, it was fully complete as of the end of 2017. During the period February to April 2017, two consultative workshops took place: "Finalization of the Greenhouse Gases Inventory" and "Assessment of the Potentials for Climate Change Migration."⁶ There is indication that a third workshop, "The New Macedonian Recipe for Climate Change Migration," took place after the end of the evaluation period; thus, the final workshop will be discussed in the End-of-Term Report.

Regarding the second activity, within the framework of the project "Second National Communication on Climate Change", the MoEPP and the United Nations Development Program (UNDP) have implemented a series of activities related to the preparation of innovative materials for the state's commitment regarding climate change. These are available online,⁷ and include a detailed report on Macedonia's climate commitments following the Paris Treaty, distribution of the first e-journal on climate change, distribution of a survey aimed at assessment of the public opinion on climate change, and the first comprehensive survey on heating methods in Skopje.⁸ This commitment activity is substantially complete as of July 2017, and as the third workshop took place soon after the midterm, it was fully complete as of the end of 2017.

8.2 Open data on climate change

Overall, this commitment is substantially completed. The first two commitment activities—revision of national inventory of greenhouse gas emissions and improving the quality of national GHG inventory—have been completed by the Macedonian Academy of Science and Art, and coordinated by the lead implementing agency and UNDP. The third activity is to provide free access to the national inventory of greenhouse gases, and access is now available online through both the government of Macedonia's website⁹ and the UNFCCC webpage.¹⁰

The datasets can be searched for gas/sector/subsector/year, and the information is visible in dynamic charts. They can also be exported to Excel/photo or printed.¹¹ The fourth activity is

to strengthen the capacity of relevant parties to ensure regular collection of data related to climate change and subsequent sharing of data. The UNDP organized a set of capacity-building workshops, during which two staff members were trained in inventory preparation. Without specifying which institutions or identifying the activities taken to strengthen institutional capacity, however, the IRM research team is unable to assess this activity as fully complete. In order to provide a detailed GHG inventory in agriculture, forestry and land expropriation sectors, the “Corine database”¹² was used for the first time, which provides accurate data compilation, information consistency, and data compatibility. These activities, with cooperation between the Macedonian government and UNDP, have strengthened the capacity beyond the baseline prior to the action plan. The fifth and final activity has also been fully completed: free access to the GHG inventory in eight municipalities and City of Skopje was enabled and is accessible via the national government website¹³ and the City of Skopje site.¹⁴

8.3 Improve reporting on environmental pollution

This commitment listed one activity: prepare guidelines for emissions monitoring software. The upgraded software will provide a clear path for administrators to provide requested data. The initial software did not cover all data providers and was to be upgraded through this commitment. To make the upgrades, the first step required was to develop a guidebook that would become part of the supporting secondary legislation to provide clear mandates to the private sector in terms of how their reporting should be done. Imposing new obligations on the private sector first required clear and accurate standards enshrined in law.

As of July 2017, the guideline document had been completed and submitted to the Government of the Republic of Macedonia for formal acceptance at one of the next government sections.

Early Results

The activities under this section enabled discussion over the possible measures for mitigation of GHG emissions by individual sectors. Participants were representatives of all stakeholders concerned representing institutions, the private sector and CSOs. A total of 58 mitigation measures were presented and discussed. However, due to the change of the government structure immediately after the interviews conducted in this sector, the potential impact of the achievement above will be available in the final report.

Next Steps

In order to improve the quality of data provided in the national inventory, the government should consider the recommendations made in the First Biennial Report. Specifically, the IRM research team recommends the following for each of the commitments:

- Provide an appropriate financial allocation from the national budget in order to continue and upgrade the environmental information produced. Furthermore, next steps should include widening the consultation process among the relevant ministries, i.e., Ministry of Transport and communications, Ministry of agriculture, Ministry of Health, Ministry of Economy and relevant CSOs in order to adopt a national agenda vis-a-vis the Treaty of Paris commitments (Commitment 8.1).
- The MoEPP needs to continue data collection and publish it in a user-friendly format.
- Prepare the necessary adjustments to the related legislation in order to effectively apply the EMI software (Commitment 8.3). A future commitment could expand with mechanisms to ensure compliance by companies.

¹ First Biennial Update Report on Climate Change, <https://unfccc.int/resource/docs/natc/macbur1eng.pdf>

² The Ministry of Environment and Physical Planning (MOEPP) is the key governmental body responsible for the development of climate change policies, but other ministries include the Ministry of Agriculture, Forestry and Water Economy, the Ministry of Transport and Communication, and the Ministry of Finance.

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- ³ Law on Environment, <http://extwprlegs1.fao.org/docs/pdf/mac105107.pdf>
- ⁴ First Biennial Update Report on Climate Change, <https://unfccc.int/resource/docs/natc/macbur1eng.pdf>
- ⁵ Participating ministries include the Macedonian Academy of Arts and Sciences, Ministry of Culture and Ministry of Foreign Affairs. Participating CSOs include Crisis Management Centre, Macedonian Red Cross, Technolab, and Climate Reaction Network.
- ⁶ Relevant documents have been delivered to IRM Macedonia by Pavlina Zdraveva – UNDP – Macedonia, proving the completion of these workshops. The documents include invitation, list of participants and workshop minutes for both events.
- ⁷ The preparation of innovative materials regarding climate change, <http://www.klimatskipromeni.mk/Default.aspx?LCID=302> (accessed 30.08.2017).
- ⁸ Government Self-Assessment Report, <https://www.opengovpartnership.org/documents/macedonia-mid-term-self-assessment-2016-2018>
- ⁹ Website of the Government of Macedonia, <http://www.klimatskipromeni.mk>,
- ¹⁰ Website of the UNFCCC, <http://www.unfccc.org.mk/Default.aspx?LCID=244>
- ¹¹ How to export datasets to Excel, <http://146.255.92.199:3000/#>
- ¹² European Environment Agency, <https://www.eea.europa.eu/publications/COR0-landcover>
- ¹³ Climate Change Strategies, <http://milieukontakt.mk/category/publications/strategies/>
- ¹⁴ City of Skopje website, <http://www.skopje.gov.mk/newimg/InventorySkopje/MKInventoryApplication.html>

V. General Recommendations

Stakeholders have called for the continuation and strengthening of current access to information commitments in the next action plan. Additionally, the government needs to expand the commitments on whistleblower protection and budget transparency and consider introducing disclosure of beneficial ownership of companies participating in public procurement.

This section aims to inform development of the next action plan and guide completion of the current action plan. It is divided into two sections: 1) those civil society and government priorities identified while elaborating this report and 2) the recommendations of the IRM.

5.1 Stakeholder Priorities

The stakeholder priorities of this action plan mostly focused on opening datasets, developing open data platforms, fiscal transparency, and improving governmental and local services. In the next action plan, stakeholders call for the continuation of existing commitments in these priority areas, especially those regarding access to government-held information. Stakeholders emphasized the need for a new open data portal and a common database for all institutions to publish their data in open format. Additionally, they recommend the government pass legislation mandating the publication and monitoring of open data at the local level. Other priorities identified by stakeholders for future action plans include:

- Create advisory bodies to enhance the process of consulting on legislative issues between CSOs and the government;¹
- Provide more effective legal protection to whistleblowers and enhance institutional capacity to absorb and process whistleblowing cases;²
- Address the lack of transparency of state authorities in the areas of foreign programs assistance, public procurement, concession contracts and assistance on rural development;³
- Develop mechanisms for cooperation between LSUs and CSOs and set clear financial rules for granting funds to CSOs at the local level;⁴
- Provide dedicated budget for addressing climate change as well as enhancing human resources and the capacity of the Sector for Climate Changes within the Ministry of Environment and Physical Planning.⁵

5.2 IRM Recommendations

Strengthen the action plan development process

Macedonia's third national action plan contains 34 commitments. Of these commitments, however, 14 have been assessed as having minor potential impact and three commitments have unclear relevance to OGP values. In several cases, the vague formulation of commitments makes it difficult to ascertain potential impact and the resulting outcomes. When developing the next action plan, the IRM researchers recommend the government consider the following:

- Work with stakeholders to prioritize the most relevant and ambitious commitments that should be included in the next action plan.
- When formulating commitments, clearly identify planned changes in selected policies and practices and list verifiable activities for achieving these policy changes.
- Synchronize OGP activities with the overall budgetary process in the Republic of Macedonia in order to dedicate concrete funds for activities in commitments (where needed).

- Some commitments in this action plan overlap so those with similar intended results should be consolidated.
- Titles should more accurately reflect the commitment content and intended changes.

Improve the Law on Free Access to Public Information

In the next action plan, stakeholders propose including a commitment to address the shortcomings in the FOI Law. Specifically, they propose the following additions:

- Sanctions for non-complying organizations
- The inclusion of political parties to the list of organizations required to disclose public information, and
- Implement a “damage test” where authorities must demonstrate evidence of compelling state interest for preventing the disclosure of public information in order to safeguard against abuse by public authorities.

Enhance the legal framework and develop institutional mechanisms for the effective protection of whistleblowers

Despite activities taken in Commitment 4.1 of the current action plan, more work needs to be done to improve the legal framework and the practical mechanisms for whistleblower protection. More generally, the IRM researchers recommend that the government take into account the objections raised by the Venice Commission Council of Europe and improve on the ambiguous materials covered in the Law, scope, and institutionalization of public disclosure, and clarify the definition of “public interest”. To this end, the IRM researchers recommend the following activities be included as a commitment in the next action plan:

- Provide infrastructural and human capacities for attainment of protected reports.
- Raise awareness of the heads of state institutions on the importance of the process of whistleblowing and protection of whistleblowers.

Improve Budget Transparency by meeting the standards of the Open Budget Initiative

In order to address the current challenges to budget transparency, the IRM researchers recommend that, as a pre-requisite activity, the government align all existing and future documents related to budgetary transparency with the Guide to Transparency in Government: Budget Reports⁶, as well as the Open Budget Survey Guidelines on the Public Availability of Budget Documents.⁷

Once this is achieved, the IRM researchers recommend implementing the recommendation provided by the Open Budget Initiative to publicize the pre-budget statement and mid-year report on the budget as an OGP commitment.

Introduce a commitment to disclose beneficial ownership in public contracts

In light of the 2015 wiretapping scandal in Macedonia, the IRM researchers recommend that the next action plan include a commitment on beneficial ownership in the area of public contracts that the state auctions with public money. Specifically, the IRM researchers recommend including commitment activities on developing an open, public register of ultimate beneficial owners and shareholders of companies bidding on public service delivery contracts.

Table 5.1: Five Key Recommendations

1	Strengthen the action plan development process
2	Improve the Law on Free Access to Public Information
3	Enhance the legal framework on whistleblowing and develop institutional mechanisms for effective protection of whistleblowers
4	Improve Budget Transparency by meeting the standards of the Open Budget Initiative
5	Introduce a commitment to disclose beneficial ownership in public contracts

¹ Interview with Marija Sazdevski from MCMS, by IRM researcher, 13 July 2017.

² Interview with Dona Dimov from Transparency International Macedonia, by IRM researcher, 19 July 2017.

³ Interview with Gabriela Dimevska from Center for Economic Analysis, by IRM researcher, 13 June 2017.

⁴ Interview with Martin Nikolic, UNDP, by IRM researcher, 3 August 2017.

⁵ Interview with Teodora Obradovic Grncaravska, MOEPP, by IRM researcher, 13 July 2017.

⁶ Guide to Transparency in Government Budget Reports <https://www.internationalbudget.org/wp-content/uploads/Guide-to-Transparency-in-Government-Budget-Reports-Why-are-Budget-Reports-Important-and-What-Should-They-Include-English.pdf>

⁷ Open Budget Survey Guidelines. <https://www.internationalbudget.org/wp-content/uploads/open-budget-survey-2017-guidelines-on-public-availability-of-budget-documents.pdf>.

VI. Methodology and Sources

The IRM progress report is written by researchers based in each OGP-participating country. All IRM reports undergo a process of quality control 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 organizations.

Each IRM 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.) Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each report.

Each report undergoes a four-step review and quality-control process:

1. Staff review: IRM staff reviews the report for grammar, readability, content, and adherence to IRM methodology.
2. International Experts Panel (IEP) review: IEP reviews the content of the report for rigorous evidence to support findings, evaluates the extent to which the action plan applies OGP values, and provides technical recommendations for improving the implementation of commitments and realization of OGP values through the action plan as a whole. (See below for IEP membership.)
3. Prepublication review: Government and select civil society organizations are invited to provide comments on content of the draft IRM report.
4. Public comment period: The public is invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.¹

Interviews and Focus Groups

Each IRM researcher is required to hold at least one public information-gathering event. Researchers should make a genuine effort to invite stakeholders outside of the “usual suspects” list of invitees already participating in existing processes. Supplementary means may be needed to gather the inputs of stakeholders in a more meaningful way (e.g., online surveys, written responses, follow-up interviews). Additionally, researchers perform specific interviews with responsible agencies when the commitments require more information than is provided in the self-assessment or is accessible online.

The IRM team Macedonia consisted of three researchers: Mr. Kiril Ristovski, director of CED “Florozon”; Ms. Natasa Serdarevikj, also from CED “Florozon”; and Mr. Nenad Markovikj, from the political science department of the Law Faculty in Skopje. All researchers have educational backgrounds in social or natural sciences, as well as a rich portfolio in activities and projects in civil society, thus all researchers were previously acquainted with the various methodologies of data gathering. Additionally, all researchers had the necessary contacts to satisfy the requirements of the IRM standards necessitated by the OGP.

The methodological approach of the IRM team in Macedonia was based on a predominantly qualitative approach. The two main sources of information included interviews with stakeholders and relevant experts in the fields of the commitments of the action plan, as well as in-desk analysis of relevant documents, papers and reports by international organizations related to topics present in the action plan. The original research plan, submitted to OGP in summer 2017, was followed as much as possible in terms of selection of interviewees, number of interviewed persons and structure of questions. Minor alterations were made during the implementation phase, which mostly regard the structure of the interviews, which, on occasion, needed on-the-spot adaptations in length or questions.

Semi-structured interviews were used as a main instrument for implementing the qualitative methodology. However, interviews as well as the complete methodological approach could be divided into two parts:

- Interviews and data gathering on action plan drafting, implementation as well as possible challenges to the process in the country;
- Interviews and data gathering on the commitment's implementation and challenges in this domain.

Although the original research plan included clustering of interviews, two separate tracks were implemented during data gathering related to the abovementioned two categories; thus, some persons were interviewed twice. The IRM team assessed that although time-consuming, this approach makes a clear distinction between two different aspects of the OGP process, diffusing the possibility to gather a large quantity of information on too many topics that would be hard to systematize. Firstly, interviews were made on the OGP process and the action plan drafting, after which a completely new set of interviews were implemented, related to the commitments in the action plan. Clustering was implemented only in the second set of activities.

Three types of interviews were implemented. The vast majority of interviews were face-to-face interviews, supported by audio transcripts and pictures (already submitted to OGP). If the possibility did not exist for a face-to-face interview, the IRM team implemented Viber or Skype interviews, and, in very rare cases (when respondents were not in the country), interviews via email were conducted. A comprehensive list of all interviewed persons, topics and type of interview conducted can be found in the table included in this section.

There were several challenges to the methodological aspect of the data gathering process in Macedonia. The first one regards the period of implementation of interviews. July–August is the holiday season, which meant it was impossible to meet some of the interviewees in person. Thus, many of the interviews had to be rescheduled, but were implemented nonetheless. This is the reason why the originally planned focus group on the process of drafting the action plan was cancelled and was replaced with interviews. The second challenge arises from the responsiveness of some of the institutions when contacted by the IRM team, which, however, was overcome with frequent efforts to contact the institutions, resulting in implemented interviews. The third issue regards the refusal of one CSO to cooperate with the IRM team, which has been noted in the report.

Table 1: List of interviewed persons, dates, and topics

#	Source	Date	Format of Interaction	Topic
I	Gordana Dimitrovska, Ministry of Information Society and Administration	18 July 2017	Face-to-face interview	Action plan drafting, OGP process in the country

2	Misha Popovikj, Institute for Democracy "SocietasCivilis" - Skopje (IDSCS)	12 July 2017	Viber interview	Action plan drafting, OGP process in the country
3	Marija Sazdevski MCMS	12 July 2017	Viber interview	Action plan drafting, OGP process in the country
4	Gabriela Dimovska Center for Economic Analysis (CEA)	12 July 2017	Viber interview	Action plan drafting, OGP process in the country
5	Marija Ristovska Center for Research and Policy Making	24 July 2017	Face-to-face interview	Action plan drafting, OGP process in the country
6	Suncica Sazdovska TAKSO	25 July 2017	Face-to-face interview	Action plan drafting, OGP process in the country
7	Gordana Dimitrovska MIOA	29 August 2017	Face-to-face interview	Commitments in the area of participatory policy creating
8	Filip Manevski MIOA	09 August 2017	Face-to-face interview	Open Data Commitments
9	Martin Todevski Center for Change Management	11 August 2017	Face-to-face interview	Open Data Commitments
10	Oliver Serafimovski CRFAPI	25 August 2017	Face-to-face interview	Commitments in the area of openness on freedom of information
11	Stefan Vasilevski AFSARD	17 August 2017	Face-to-face interview	Commitments in the area of efficient management of public resources
12	Gabriela Dimovska CEA	17 August 2017	Face-to-face interview	Commitments in the area of financial transparency
13	Dusica Perisic Association of local self- government units (ALSU)	18 August 2017	Face-to-face interview	Commitments in the area of openness at the local level
14	Dance Danilovska – Bajdevska Foundation Open Society Macedonia (FOSM)	18 August 2017	Face-to-face interview	Commitments in the area of freedom of information
15	Eli Cakar Ministry of local self-government	22 August 2017	Face-to-face interview	Commitments in the area of openness at the local level
16	Aleksandar Nikolov ZENIT	22 August 2017	Face-to-face interview	Commitments on efficient management of public resources (fiscal transparency)
17	Fatmir Shaqiri Ministry of Economy	22 August 2017	Face-to-face interview	Commitments on efficient management of public resources
18	Keti Stefkova Ombudsman of the Republic of Macedonia	23 August 2017	Face-to-face interview	Commitments in the area of openness at the local level
19	Bari Iseni			Commitments on efficient

	Ministry of Finance	24 August 2017	Face-to-face interview	management of public resources (fiscal transparency)
20	Ljubica Jovcevska Ministry of Finance	24 August 2017	Face-to-face interview	Commitments on efficient management of public resources (fiscal transparency)
21	Maja Markovska Sustainable Development Agency Milieucontact Macedonia (MKM)	24 August 2017	Face-to-face interview	Commitments in the area of openness at the local level
22	Marija Ristevska CRPM	25 August 2017	Face-to-face interview	Commitments in the area of participatory policy creating
23	Aleksandar Cekov Center for Research and Policy Making	25 August 2017	Face-to-face interview	Commitments in the area of prevention of corruption and promotion of good governance
24	Malinka Nikolic Commission for Competition Protection	25 August 2017	Face-to-face interview	Commitments on efficient management of public resources (fiscal transparency)
25	Marija Sazdevski MCMS	21 August 2017	Face-to-face interview	Commitments in the area of participatory policy creating
26	Baze Petrusev Free software	12 August 2017	Viber interview	Open data commitments
27	Darko Antic ESE	18 August 2017	Email interview	Commitments in the area of freedom of information
28	Dragica Milosevska Women's Action	28 August 2017	Email interview	Commitments in the area of openness at the local level
29	Blagica Dimitrovska INKLUZIVA	17 August 2017	Email interview	Commitments in the area of openness at the local level
30	Pavlina Zdraveva UNDP	24 July 2017	Face-to-face interview	Commitments in the area of climate change
31	Natasa Markovska MASA	16 July 2017	Email interview	Commitments in the area of climate change
32	Teodora Obradovic Grncarovska MoEPP	13 July 2017	Face- to-face interview	Commitments in the area of climate change
33	Orhieda Kaljosevska SEA	04 August 2017	Face-to-face interview	Commitments in the area of efficient management of public resources (fiscal transparency)
34	Biljana Veselinovska Ministry of Health	17 August 2017	Face-to-face interview	Commitments in the area of efficient management of public resources (fiscal transparency)
35	Dona Dimov Transparency International Macedonia	19 July 2017	Face-to-face interview	Commitments in the area of prevention of corruption and promotion of good governance
36	Meto Zajkov	19 July 2017	Face-to-face interview	Commitments in the area of

	Transparency International Macedonia			prevention of corruption and promotion of good governance
37	Vesna Doneva State Commission for Prevention of Corruption	25 August 2017	Email interview	Commitments in the area of prevention of corruption and promotion of good governance
38	Vladimir Gjeorgiev	25 August 2017	Email interview	Commitments in the area of prevention of corruption and promotion of good governance
39	Ilmiasan Dauti UNDP	16 August 2017	Face-to-face interview	Commitments in the area of efficient management of public resources (fiscal transparency)
40	Suzana Stojanovska	17 July 2017	Email interview	Commitments in the area of public services
41	Zoran Bogdanovski SOS Children's Villages	31 July 2017	Email interview	Commitments in the area of public services
42	Sofija Spasovska Ministry of Labor and Social Affairs	17 July 2017	Face-to-face interview	Commitments in the area of public services
43	Marija Ristevska Center for Research and Policy Making	31 August 2017	Face-to-face interview	Commitments in the area of public services
44	Aleksandar Nikolov Zenith	14 August 2017	Face-to-face interview	Commitments in the area of participatory policy creating
45	Vasilka Salevska Ministry of Health	23 August 2017	Face-to-face interview	Commitments in the area of efficient management of public resources (fiscal transparency)
46	Harald Schenker UNDP	03 August 2017	Face-to-face interview	Commitments in the area of prevention of corruption and promotion of good governance
47	Martin Nikolic UNDP	03 August 2017	Face-to-face interview	Commitments in the area of prevention of corruption and promotion of good governance
48	Aleksandar Cekov	31 August 2017	Face-to-face interview	Commitments in the area of prevention of corruption and promotion of good governance
49	Aleksandar Danailov Ministry of Finance/ Public Procurement Bureau	14 August 2017	Email interview	Commitments on efficient management of public resources (fiscal transparency)

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 an 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

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Fredline M'Cormack-Hale
- Showers Mawowa
- Juanita Olaya
- Quentin Reed
- Rick Snell
- Jean-Patrick Villeneuve

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

¹ IRM Procedures Manual, V.3 : <https://www.opengovpartnership.org/documents/irm-procedures-manual>

VII. Eligibility Requirements Annex

The OGP Support Unit collates eligibility criteria on an annual basis. These scores are presented below.¹ When appropriate, the IRM reports will discuss the context surrounding progress or regress on specific criteria in the Country Context section.

In September 2012, OGP officially encouraged governments to adopt ambitious commitments that relate to eligibility.

Table 7.1: Eligibility Annex for Macedonia

Criteria	2011	Current	Change	Explanation
Budget Transparency ²	4	4	No change	4 = Executive's Budget Proposal and Audit Report published 2 = One of two published 0 = Neither published
Access to Information ³	4	4	No change	4 = Access to information (ATI) Law 3 = Constitutional ATI provision 1 = Draft ATI law 0 = No ATI law
Asset Declaration ⁴	3	4	Change	4 = Asset disclosure law, data public 2 = Asset disclosure law, no public data 0 = No law
Citizen Engagement (Raw score)	4 (7.94) ⁵	3 (6.18) ⁶	Change	<i>EIU Citizen Engagement Index</i> raw score: 1 > 0 2 > 2.5 3 > 5 4 > 7.5
Total / Possible (Percent)	15/16 (94%)	15/16 (94%)	Change	75% of possible points to be eligible

¹ For more information, see <http://www.opengovpartnership.org/how-it-works/eligibility-criteria>.

² For more information, see Table I in <http://internationalbudget.org/what-we-do/open-budget-survey/>. For up-to-date assessments, see <http://www.obstracker.org/>.

³ The two databases used are Constitutional Provisions at <http://www.right2info.org/constitutional-protections> and Laws and draft laws at <http://www.right2info.org/access-to-information-laws>.

⁴ Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 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" (Washington, DC: World Bank, 2009), <http://bit.ly/1clokyf>. For more recent information, see

<http://publicofficialsfinancialdisclosure.worldbank.org>. In 2014, the OGP Steering Committee approved a change in the asset disclosure measurement. The existence of a law and de facto public access to the disclosed information replaced the old measures of disclosure by politicians and disclosure of high-level officials. For additional information, see the guidance note on 2014 OGP Eligibility Requirements at <http://bit.ly/1EjL4Y>.

⁵ "Democracy Index 2010: Democracy in Retreat," The Economist Intelligence Unit (London: Economist, 2010), <http://bit.ly/eLC1rE>.

⁶ "Democracy Index 2014: Democracy and its Discontents," The Economist Intelligence Unit (London: Economist, 2014), <http://bit.ly/18kEzCt>.