Independent Reporting Mechanism (IRM): Republic of Croatia Design Report 2018–2020

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Open Government Partnership

Executive Summary: Republic of Croatia

Commitments in Croatia's third action plan continue from initiatives in prior action plans and focus on access to information, anti-corruption measures, and improving online government services. Stakeholders can consider using the next plan to further transparency in public spending and improve the operating environment for civil society.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Croatia joined OGP in 2011. Since, Croatia has implemented two action plans. This report evaluates the design of Croatia's third action plan.

General overview of action plan

Political instability and frequent governmental changes since 2015 have relegated OGP to the margins of the political agenda in Croatia. The action plan development process lasted for over three years.

Despite the delays, Croatia's OGP Council conducted a consultation process that was generally meaningful and participatory. The Council is a multistakeholder forum, streamlining communication between government bodies and other actors, such as civil society members, involved in OGP initiatives. It represents government, local, and regional authorities, civil society organizations (CSOs), and the academic community.

The 2018–2020 action plan mostly continues or builds upon previous commitments. It contains a diversity of themes, including participation in public policy, local open government, and the sustainability of the OGP initiative in Croatia. Within these themes range commitments from political financing transparency to media regulatory frameworks to capacity building for civil society anti-corruption monitoring.

Table 1. At a glance
Participating since: 2011
Action plan under review: Third
Report type: Design
Number of commitments: 15

Action plan development

Is there a Multistakeholder forum: Yes
Level of public influence: Collaborate
Acted contrary to OGP process: No

Action plan design

Commitments relevant to OGP values: 15 (100%)
Transformative commitments: 4 (27%)
Potentially starred: 4 (27%)

Action plan implementation

Starred commitments: N/A
Completed commitments: *N/A*
Commitments with Major DIOG:* *N/A*
Commitments with Outstanding DIOG:* *N/A*

*DIOG: Did it Open Government?

Table 2. Noteworthy commitments

Commitment description	Moving forward	Status at the end of implementation cycle.
Commitment 2: Fiscal Transparency Secure and publish timely, accurate budgetary information at the state, local, and regional level.	If implemented, this will be the first time that comprehensive data on local and regional self-governments' spending is available in an open format. The government could strive to reach the 5th star-level of data design and provide mechanisms for civil society input on data disclosures.	Note: this will be assessed at the end of the action plan cycle.
Commitment 3: Political Financing and Election Campaign Transparency Amend legislation and carry out training to enhance disclosure of the financing of political activities, elections, and referenda.	The commitment will, for the first time, regulate campaign finances for referenda and set up a permanently accessible and easily searchable database of political financing. This commitment could be followed by regulating political lobbying and monitoring the legislative footprints of MPs, government, and other officials in the next OGP action plan.	Note: this will be assessed at the end of the action plan cycle.
Commitment 6: Protection of Persons Reporting Corruption Strengthen legislation protecting whistleblowers.	This commitment would establish rules and mechanisms to ensure whistleblowers in Croatia are better protected and that public authorities are held accountable more swiftly. The Act on Protection of Persons Reporting Corruption should be adopted and implemented according to its provisions, and the IRM researcher proposes that the lead institution use the remaining implementation time to ensure that the entities subject to the Act are in compliance with those provisions, especially in adopting internal regulations and naming the responsible persons.	Note: this will be assessed at the end of the action plan cycle.
Commitment 11: Central State Portal Development Continue development of the Portal, e-services, and the "My Administration" page.	The most potentially impactful milestone in this commitment is the further development of the e-Citizens system to offer new e-services and with that, raise civic participation and create new communication channels for citizens and businesses with various public authorities. For the system to be more effective, all state authorities need to be incorporated in the gov.hr portal and new electronic services from all public sector bodies need to be included in the e-Citizens system.	Note: this will be assessed at the end of the action plan cycle.

Recommendations

The IRM recommendations aim to inform the development of the next action plan and guide implementation of the current action plan.

Table 3. Five KEY IRM Recommendations

1. **Make the OGP process a major strategic framework** to ensure OGP values constitute the foundation for all of the state's key programs.
2. **Include vulnerable and minority groups in the OGP process** to close critical gaps in information, access, and participation.
3. **Regulate lobbying,** especially for the executive branch, and require lobbyists to publish certain information relevant to their work.
4. **Increase transparency of public spending,** especially in the areas of beneficial ownership, public contracting, and state funding for religious institutions.
5. **Strengthen the operating environment for civil society** through the new national strategy for the creation and enabling environment for civil society development and non-discriminatory application of legal principles governing civic space.

ABOUT THE AUTHOR

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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.

Open Government Partnership

I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Civil society and government leaders use the evaluations to reflect on their own progress and determine if actions have made an impact on people's lives.

Croatia joined OGP in 2011. This report covers the development and design of Croatia's third action plan from 2018[1] to 2020.

The Independent Reporting Mechanism of OGP has partnered with Mrs. Ivona Mendeš Levak, who carried out this evaluation. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology, please visit https://www.opengovpartnership.org/about/independent-reporting-mechanism.

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[1] The Croatian national OGP action plan does not explicitly mention the year when its implementation starts. This is owing to the fact that it had fallen behind on adoption (it was adopted on 20 December 2018), leaving only 11 days of 2018. However, the implementation of most commitments, milestones, and activities was already underway at that point.

II. Open Government Context in Croatia

Political instability and frequent governmental changes in the last three years have relegated OGP to the margins of the political agenda in Croatia. Despite delays in its development, the third action plan touches upon several priority areas, largely continuing initiatives from the previous commitments. They center around access to information, anti-corruption measures, and improvement of online government services.

Despite having carried out important reforms during its EU accession, Croatia faces economic and social challenges, with high emigration rates and prevailing corruption. The unemployment rate fell from 15.9% in 2014 to 9.6% in December 2018, with less than 150,000 people without work.[1] However, considering a relatively high level of youth and over-50 unemployment, Croatia is above the EU average. Emigration numbers and the subsequent "brain drain" are substantial with 348,000 working-age citizens estimated to have migrated from Croatia to other EU member states by the end of 2017.[2] The level of trust in the government is lower than the EU average–19% in comparison with 35% at the EU level.[3]

Over 25 years of Croatia's democratization have strengthened democratic freedoms and rights across the board, largely due to EU accession requirements. The 2018 *Freedom in the World* report characterizes Croatia as a free country (although only a semi-consolidated democracy),[4] with a score of 1.5 (1 = most free, 7 = least free), achieving most points on political rights and civil liberties.[5] Freedom of association is widely accepted and regulated by the Associations Act[6] and respective bylaws, with around 52.000 various associations registered.[7] However, since 2011, there has been a noticeable growth of groups with traditionalist conservative views, ultranationalist forces, as well as nationalist organizations. Various war veterans' organizations feature prominently among those who advocate national values. Meanwhile, state funding has been cut for professional CSOs and nonprofit media outlets.[8] Nonetheless, people are generally able to gather and protest without any legal restrictions, as set forth in the Public Assembly Act.[9]

The Croatian constitution recognizes freedom of the press as well as the right to information. However, recent years have seen physical attacks on journalists,[10] some of which were condoned by public officials and by leadership changes in radio and public television.[11] The 2017 *Freedom of the Press* report puts Croatia in the "partly free" cohort of countries (total score of 41), which is a worsening of its status from 2015 (40 on a scale from 0 = best to 100 = worst).[12] An amendment to the criminal code in 2013 introduced defamation or libel/slander regulation, and the institute of "shaming," punishable by significant fines, even if the claims in question are proven true.[13]

Croatia scores very high (126 points out of 150 possible) on the Global Right to Information Rating, placing it in the top seven out of 103 countries rated.[14] The Act on the Right of Access to Information (2013)[15] includes a proportionality and public-interest test designed to determine a balance between reasons for disclosing information and reasons for its restriction. Croatia is also a pioneer in introducing electronic tools for public consultations in 2015. However, the country still lags behind when it comes to open data. According to the 2016 Open Data Barometer (ODB),[16] the government still struggles to provide important public data online in a searchable, machine-readable and reusable form, free of charge, regularly updated, and easily found. Open data is heavily present in the current OGP action plan. With commitments on the Central State Portal and the Open Data Portal, the Croatian government is undertaking steps to improve the ODB rating.

Croatian legal framework includes penalties for various forms of corruption and numerous high-level corruption cases have been filed in recent years.[17] However, many have yet to see a verdict or took a long time in reaching a verdict, including corruption and bribery proceedings against the former Prime Minister, Ivo Sanader.[18] Croatia has experienced a slight decline in anti-corruption indices in the past two years. In 2016, Transparency International's Corruption Perceptions Index ranked Croatia with a score of 49 (0 = highly corrupt, 100 = very clean) placing it at 55th position among 176 countries.[19] Two years later, Croatia slipped, scoring 48 and ranking 60th among 180 countries.[20] It is perceived that many public servants obtain their positions through patronage, with corruption and bribery being especially prevalent in politics, public procurement, and the building and construction sector. According to the European Commission, corruption-related offences in

Croatian public procurement have impacted up to 15% of the value of public contracts and the most common forms of corruption in public procurement are tailor-made for certain tender participants.[21] Political patronage and inefficient bureaucracy still represent obstacles for doing business.[22]

The period between January 2015 and January 2017 was characterized by political turbulence. Two parliamentary elections occurred, in November 2015 and September 2016. In January 2016, the Croatian Democratic Union (HDZ), along with MOST (a coalition of independent candidates), formed a government with Tihomir Orešković, an unknown businessman from Canada, as a non-party prime minister. Due to allegations of conflict of interest, a no-confidence motion against the Orešković government was passed, and new parliamentary elections were held in September 2016. A new government was formed by the HDZ-MOST coalition, with the new HDZ president Andrej Plenković as prime minister. In April 2017, Plenković dismissed three ministers from MOST after they supported a request by the Social Democratic Party of Croatia (SDP) for dismissing the Minister of Finance, Zdravko Marić, alleging conflicts of interest. Plenković gathered enough votes in Parliament, including the Croatian People's Party – Liberal Democrats (HNS), a decades-long coalition partner of SDP, and minority representatives to vote with HDZ and replace the dismissed ministers. Marić remained as Minister of Finance.

Given these pressing political concerns, the OGP process in Croatia has lost momentum. During the two-year period, there was no functioning multistakeholder forum and OGP stakeholders waited for an opportunity to draft a new action plan. The OGP action plan adopted in the end of 2018 mostly includes commitments on access to information, open data and anti-corruption measures. Each of the 15 commitments is either continuing or building upon previously accomplished results and initiatives. Commitments in previous action plans were part of the EU accession conditions (e.g., amending the Act on the Right of Access to Information), which offered a certain amount of leverage for civil society actors to advocate for, among other things, an open and transparent government. Even though the OGP initiative does not have the power of conditionality as the EU requirements do, it can help maintain and advance the achieved standards of openness and transparency.

Finally, regarding OGP Core Eligibility criteria,[23] which are based on countries' performance in four critical areas of open government (fiscal transparency, access to information, asset disclosure, and citizen engagement), Croatia had earned a total of 16 points (out of a maximum of 16) in 2017. However, due to a decline in the civil liberties score, it is now at 15 points, and 94%; countries that earn 75% of the applicable points or more are considered to meet the Core Eligibility criteria.[24]

[1] Bureau of Statistics (Croatia), "First Results" (accessed Jan. 2019), http://www.dzs.hr/Hrv/system/first_results.htm.

[2] Vedran Pavlić, "14% of working age Croatians have moved abroad" (Total Croatia News, 30 May 2018), https://www.total-croatia-news.com/politics/28722-14-of-working-age-croatians-have-moved-abroad.

[3] Standard Eurobarometer 90: National report: Croatia (European Commission, Autumn 2018), https://ec.europa.eu/croatia/sites/croatia/files/docs/eb90_nat_hr_hr.pdf.

[4] According to the Democracy Score, Croatia achieved 3.75 (1 = most democratic, 7 = least democratic) in 2018, having fallen by 0.25 points, mostly due to deterioration in national political governance, civil liberties, independence of media and corruption. Tena Prelec, "Nations in Transit: Croatia" (Freedom House, 2018), https://freedomhouse.org/report/nations-transit/2018/croatia.

[5] "Freedom in the World: Croatia" (Freedom House 2018), https://freedomhouse.org/report/freedom-world/2018/croatia.

[6] Consolidated text of the law (Croatia), "Law on Associations," Official Gazette 74/14, 70/17 (Narodne novine, 2017), https://www.zakon.hr/z/64/Zakon-o-udrugama.

[7] Register of associations of the Republic of Croatia (December 2018), https://registri.uprava.hr/#!udruge/twUBAAEAAQAAAAAAAAAAAAABAQFvaelCAA

[8] "Expression in Croatia" (Civicus, 1 June 2016), https://monitor.civicus.org/newsfeed/2016/07/01/july-1st-update-croatia/

[9] Consolidated text of the law (Croatia), "Law on Public Gathering," Official Gazette 128/1999, 90/2005, 139/2005, 150/2005, 82/2011, 78/2012 (Narodne novine, 2012), https://www.zakon.hr/z/444/Zakon-o-javnom-okupljanju.

[10] "Croatian journalists face intimidation, harassment and death threats" (Civicus Monitor, 16 Aug. 2018) https://monitor.civicus.org/newsfeed/2017/08/16/croatian-journalists-face-intimidation-harassment-and-death-threats/.

[11] "Increasingly blurred lines between state and media independence in Croatia" (Civicus Monitor, 13 Sept. 2016), https://monitor.civicus.org/newsfeed/2016/09/13/Increasingly-Blurred-Lines-Between-State-and-Media-Independence-In-Croatia/.

[12] "Freedom of the Press 2017: Croatia" (Freedom House, 2017), https://freedomhouse.org/report/freedom-press/2017/croatia.

[13] Consolidated text of the law (Croatia), "Criminal law," Official Gazette, 25/2011, 144/2012, 56/2015, 61/2015, 101/2017, 118/2018 (Narodne novine, 4 Jan. 2019), https://www.zakon.hr/z/98/Kazneni-zakon.

[14] "Croatia," Global Right to Information Rating (Centre for Law and Democracy, 2019), https://www.rti-rating.org/country-data/Croatia/.

[15] Consolidated text of the law (Croatia), "Right to Information Act," Official Gazette, 25/2003, 85/2015 (Narodne novine, 9 Aug. 2015), https://www.zakon.hr/z/126/Zakon-o-pravu-na-pristup-informacijama.

[16] "Country Detail: Croatia" (Open Data Barometer, World Wide Web Foundation, 2016), https://opendatabarometer.org/country-detail/?_year=2016&indicator=ODB&detail=HRV.

[17] "Croatia" (Freedom House, 2015), https://freedomhouse.org/report/freedom-world/2015/croatia.

[18] In March 2014, in what was seen as a pivotal case for anticorruption progress, a court sentenced former Prime Minister Sanader, formerly the president of the Croatian Democratic Union party (Hrvatska demokratska zajednica – HDZ) to eight-and-a-half years in prison on several counts of corruption. HDZ itself, along with the party's former treasurer, accountant, and spokesperson, were also found guilty of related charges. Along with prison time, Sanader was ordered to pay back €2.8 million ($3 million), and the HDZ was required to pay back €3.79 million ($4.1 million). However, the verdict was quashed by the Constitutional Court, citing procedural errors. The judicial process was renewed. In 2018 and 2019, Sanader was found guilty in retrials in several corruption cases and sentenced to a total of six years in prison. "Ivo Sanader transferred to prison, sentenced to more than five years" (Al Jazeera, 4 Apr. 2019), http://balkans.aljazeera.net/vijesti/ivo-sanader-prebacen-u-zatvor-osuden-na-vise-od-pet-godina.

[19] Corruption Perceptions Index: 2016 (Transparency International, 25 Jan. 2017), https://www.transparency.org/news/feature/corruption_perceptions_index_2016.

[20] "Croatia" in Corruption Perceptions Index 2018 (Transparency International, 2018), transparency.org/country/HRV.

[21] "Annex: Croatia" in EU Anti-Corruption Report (Brussels: European Commission, 3 Feb. 2014), http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/corruption/anti-corruption-report/docs/2014_acr_croatia_chapter_en.pdf.

[22] "Ease of Doing Business in Croatia" (Trading Economics, 2019), https://tradingeconomics.com/croatia/ease-of-doing-business.

[23] "OGP Eligibility Criteria" (OGP, 18 Jul. 2019), https://www.opengovpartnership.org/resources/eligibility-criteria.

[24] "2010-2017 OGP Eligibility Database" (OGP, accessed Sept. 2019), https://docs.google.com/spreadsheets/d/1z2dMQtgfk3uAVZ3zhE49rktBBFmFpdVrVhPD0fGZ40k/edit#gid=1406221191.

III. Leadership and Multistakeholder Process

The action plan development lasted for over three years due to political changes. The OGP Council conducted several public consultations and stakeholder meetings and developed an action plan that continues prior initiatives and strategic documents. The consultation process was generally meaningful and participatory, with decisions made consensually.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Croatia. The OGP initiative in Croatia was initially led by the Office of the President of the Republic of Croatia. Following parliamentary elections at the end of 2011, coordination of OGP moved to the Ministry of Foreign and European Affairs, when former Head of the President's Office became its Deputy Minister and the president of the national multistakeholder forum.

As part of the OGP initiative, Croatia established a multistakeholder forum, to streamline communication between government bodies and other actors, such as civil society members, involved in OGP initiatives. This special council is known as the Council for the Open Government Partnership Initiative of the Government of the Republic of Croatia (referred to as the OGP Council).[1] Public authority bodies and other institutions responsible for implementing the action plan provide status updates to the OGP Council.

The OGP Council underwent changed composition and leadership between 2016 and 2017. Due to two successive government changes, the first attempt to form the new OGP Council was stalled along with attempts to draft a new action plan. The current OGP Council was established by Government Decision in early 2017.[2]. Regardless of the changes in the OGP Council's leadership and membership, the current Ministry of Foreign and European Affairs remains the lead agency, and the State Secretary for European Affairs, Andreja Metelko-Zgombić, is president of the OGP Council. The Government Office for Cooperation with NGOs provides administrative support to the Council and serves as the point-of-contact for Croatia.

While OGP coordination efforts are concentrated in just a few state administrative bodies, implementation is spread between a wide set of government institutions, including the Croatian Parliament, the Office of the President, and the Office of the Prime Minister, with each having a representative in the OGP Council. Representatives of the Prime Minister, the President, and Parliament were present at a public debate ("Partnership for an Open Croatia") held 31 May 2017 in Zagreb, where the action plan priorities were presented.[3]

The IRM researcher estimated how many persons working in government bodies are actually implementing the activities set out by the action plan and how much of the budget was allocated for OGP. These are not official figures, but estimates derived through analysis of the OGP action plan and interviews with governmental stakeholders:

- Croatia pays a $25,000 membership fee to the OGP initiative, which is the only amount directly specifying OGP in the state budget. However, the total sum allocated explicitly for activities envisaged in the action plan is 72,607,200,00 HRK ($11,082,150.12).[4] Funds listed as "Administration and Management," "Regular Business," "Curricular Reform," etc. under various implementing bodies were not taken into account as it is impossible to estimate what percentage of these funds are allocated specifically for implementing the action plan measures.

- There are 12 governmental bodies in the OGP Council, and other two bodies who are leading one of the commitments in the action plan, without membership in the Council. The conservative estimate[5] is that there are a total 15 persons dedicated to OGP: 14 persons directly involved in implementing commitments, and one administrative level employee from the coordinating body (Government Office for Cooperation with NGOs) who coordinates the OGP Council.

3.2 Multistakeholder process throughout action plan development

In 2017, OGP adopted the OGP Participation and Co-Creation Standards, intended to support participation and co-creation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise ambition and quality of participation during development, implementation, and review of OGP action plans.

OGP's Articles of Governance also establish participation and co-creation requirements a country or entity must meet in their action plan development and implementation process. Croatia **did not** act contrary to OGP process.[6]

Please see Annex I for an overview of Croatia's performance in implementing the Co-Creation and Participation Standards throughout the action plan development.

Table 3.2: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.[7] 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 "collaborate."

Level of public influence		During development 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	

Multistakeholder forum

As previously stated, the government adopted a Decision to Establish the Council for the Open Government Partnership Initiative of the Government of the Republic of Croatia as a multistakeholder forum and an advisory body of the government. The purpose of the forum is to encourage transparency and openness in the work of public authorities and to ensure intersectoral cooperation in implementing the OGP initiative.

The OGP Council consisted of 19 members in its first mandate. Since December 2014, it has grown to 25 members (including the president of the OGP Council)[8] representing government, local, and regional authorities, CSOs, and the academic community. The CSOs are professional organizations which were nominated and elected through an open call and a transparent selection procedure involving the Civil Society Development Council, a special advisory body informing and collaborating with the Government on all civil society matters. Along with associations which represent local and regional authorities and the business sector, the current CSO representatives in the OGP Council cover the following policy areas: access to information, transparency and anti-corruption, media freedom, public finance, public administration, education and youth. Gender balance is maintained in selecting members and deputy members representing various stakeholders.

Twelve public agencies are members of the OGP Council (three high level Offices mentioned above, six ministries and three other bodies). The other stakeholders represent associations of local and regional authorities, civil society organizations, and academic community. The number of members

increases according to needs that emerge during action plan design and implementation. For example, at the OGP Council's fourth meeting, it was agreed that the Central State Office for the Development of Digital Society would become a new member of the Council. Other persons from the general public (representatives of institutions that are not members of OGP Council, experts, etc.) can actively participate in Council meetings but cannot vote.[9] The OGP Council has Rules of Procedure.[10] Due to its members being high level officials, it has only met in the capital city of Zagreb thus far, although meetings included representatives from other parts of Croatia.

The mandate[11] of the OGP Council is defined by the government Rules of Procedure and includes the following:
- Preparing the proposal of the action plan for the implementation of the OGP Initiative;
- Implementing the consultation procedure on the proposed action plan;
- Monitoring implementation of the action plan and preparing its amendments;
- Submitting reports on action plan implementation; and
- Ensuring continuous dialogue between state authorities, CSOs, the business sector, the academic community, the media, and other stakeholders.

The current OGP Council has met only three times during the preparation of the action plan. However, according to all interviewed stakeholders, the members are in regular communication with the coordinating body via telephone and e-mail as well as various bilateral and multilateral meetings held on specific issues and action plan activities. Minutes of the Council meetings are published on the OGP Council's website as soon as they are adopted at the subsequent meeting, however, no minutes are published for bilateral and multilateral meetings held on specific issues and action plan activities.[12] The website[13] also keeps records of all action plans, self-assessments, IRM reports, results of e-consultations on various documents (e.g., topic proposals for new action plans, draft action plans, draft self-assessments), news on activities and public events, etc.

Stakeholders outside the OGP Council can influence decision-making on action plan themes and commitments through public events, CSOs (via various platforms like the Platform 112 initiative,[14] its advocacy network, and the GOOD initiative[15]), and e-consultations. Broader public influence is also exerted through professional associations (business, local, and regional authorities) who participate in the work of the Council.

The OGP Council does not have a budget for its activities beyond administrative support of the Government Office for Cooperation with NGOs, so all commitments requiring financial resources are financed through the budgets of their leading and co-leading bodies.

Participation and engagement throughout action plan development
Croatia was supposed to begin the implementation of the third action plan in July 2016, but it was not drafted because parliamentary elections were held at the end of 2015 and the new government was only formed in 2016 (as explained in the OGP Country Context section of this report).

The government decided to establish the new OGP Council in April 2016, but since not all relevant state authorities managed to appoint their representatives before the new parliamentary elections were called, the Council was never set up. Still, the Government Office for Cooperation with NGOs conducted an initial e-consultation between 16 and 30 May 2016[16] concerning action plan priorities and received a minimal response.

After the September 2016 election, the Government Office for Cooperation with NGOs coordinated with the Office of the Prime Minister and prepared a self-assessment on the second OGP action plan implementation (2014 to 2016). The government adopted the report on 12 October 2016 and submitted it to the OGP Initiative's Steering Committee. Although late, this action fulfilled Croatia's obligation to produce a self-assessment. The Government Office for Cooperation with NGOs conducted a second initial e-consultation between 24 February and 12 March 2017[17] on the new action plan priorities, and the solicited comments served as a basis for developing the third action plan commitments and activities.

A new decision on establishing the OGP Council was adopted on 23 February 2017. At the constituting session held on 4 April 2017, the members agreed that the new action plan would include all those activities that had been included in the previous action plan's commitments but had not been implemented. A number of working meetings were held between April and June 2017, where new proposals received during e-consultations and from Council members, both governmental and from CSOs, were discussed regarding specific measures and activities. In July, meetings were organized at the Ministry of Foreign and European Affairs, the Ministry of Public Administration, the Ministry of Finance, and units of local and regional self-government. The Information Commissioner and representatives of the Commission for Preventing Conflicts of Interest also participated in the working meetings. Helen Darbishire, a member of OGP Steering Committee, as well as the executive director of Access Info Europe attended some of these meetings. In addition, the priorities of the third action plan were presented at a public debate entitled "Partnership for an Open Croatia," held on 31 May 2017 in Zagreb.

During 2018, three Council sessions were held; the final proposal for the action plan 2018–2020 was ratified at the last session (27 August 2018). An e-consultation on the draft was conducted between 26 June and 10 July 2018.[18] The draft plan and a report on the e-consultations were sent to the government. The report included information on the accepted proposals as well as why certain proposals were rejected. According to sources, non-governmental stakeholders influenced and added to the commitments, particularly regarding fiscal transparency (e.g., Institute of Public Finance), e-consultations (GONG), including the OGP agenda at local and regional levels (Croatian County Association, Association of Cities in the Republic of Croatia, and Association of Municipalities in the Republic of Croatia) and increasing transparency in key political areas, such as the Croatian Parliament (GONG) and electoral and referenda campaigns (GONG and Institute of Public Finance).

The action plan builds upon measures present in the *Anti-Corruption Strategy 2015-2020*,[19] and the accompanying action plan for 2017 and 2018.[20] Information on developing the third OGP action plan, including events, e-consultation notices and reports, and other relevant evidence was published on the national OGP website as they occurred.

According to interviewed stakeholders, the consultation process was meaningful and participative, with sufficient time allowed for comments, proposals and queries by the interested parties. However, it was a lengthy process due to changes in the composition of the OGP Council and the government, as well as difficulties in obtaining approval from compentent authorities. Additionally, the Institute of Public Finance noted that it was dissatisfied with the functioning of the OGP Council, and that most of the commitment activities stem from existing initiatives.[21] Considering all this and the timeframe set by OGP procedures, the OGP Council decided to include those less controversial commitments in the third action plan, which had a higher probability of being adopted faster and implemented within the action plan period. Participating CSOs were aware of this approach and repeatedly stated at the OGP Council meetings that they were aware of the current lack of political will at the highest level of government and were willing to accept a less ambitious document for the sake of adopting an action plan. All the commitments were voted on consensually; after a satisfactory solution was agreed upon in the discussion, a unanimous decision was made to adopt or reject a potential commitment.[22]

Co-creation and participation recommendations throughout development
Croatia showed achievement and strong performance in areas of the OGP Council mandate, composition, and outreach during the action plan development. For example, there is a legal mandate covering all aspects of action plan development, monitoring, and evaluation and reporting. The OGP Council members are mostly high-level representatives of various state authorities, with decision-making powers or fast access to decision-makers. CSO representatives are selected according to the area of activity and through an established procedure on civil society participation in state committees and working bodies.

Croatia can improve in two areas: the way the OGP Council works; and internal and external communication during the action plan development. In order to improve performance on these areas, the IRM researcher suggests the following actions:

- The OGP Council is limited in the number of meetings it can reasonably hold, considering its composition and the number of members. It might be helpful if smaller working groups or bilateral meetings held on specific issues were reported in writing and published on the OGP website.
- The OGP Council might hold meetings outside the capital city, particularly given that commitments include increasing OGP values within local and regional authorities.
- The OGP Council might use remote communication methods, such as conference calls, in its meetings and the public events.
- If technology and logistics allow, the OGP Council may want to live-stream its meetings and events and make the video available on the OGP website, as well as use social networks to promote its activity and raise OGP awareness in Croatia.

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[1] "Council for the Open Government Partnership Initiative of the Government of the Republic of Croatia" (Government Office for Cooperation with Non-Governmental Organizations, accessed Sept. 2019), https://udruge.gov.hr/istaknute-teme/partnerstvo-za-otvorenu-vlast-271/savjet-inicijative-partnerstvo-za-otvorenu-vlast/289.

[2] "Odluka Vlade o osnivanju Savjeta inicijative Partnerstvo za otvorenu vlast" (Government of the Republic of Croatia, 23 Feb. 2017), https://udruge.gov.hr/UserDocsImages/dokumenti/Odluka%20o%20osnivanju%20Savjeta%20inicijative%20Partnerstva%20za%20otvorenu%20vlast%20-%202017.pdf.

[3] "Public Discussion Held on 'Partnership for Open Croatia'" (Government Office for Cooperation with Non-Governmental Organizations, 2 Jun. 2017), https://udruge.gov.hr/vijesti/odrzana-javna-rasprava-partnerstvo-za-otvorenu-hrvatsku/4136.

[4] This total includes allocations for the foreseen projects from European Structural and Investment funds (usually funding 85% of a project), not just the co-financing of the Republic of Croatia (usually funding 15% of a project).

[5] There are more administrative bodies involved in implementation as co-leading institutions, and sometimes several employees from the same body work on a specific activity. However, this is currently impossible to ascertain, which is why a conservative estimate was used.

[6] Acting Contrary to Process - Country does not meet (1) "involve" requirement during the development or "inform" during the implementation of the NAP and/or (2) government fails to collect, publish and document a repository on the national OGP website/webpage in line with IRM guidance.

[7] "IAP2's Public Participation Spectrum" (IAP2, 2014), http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf.

[8] Minutes for the 16 December 2014 meeting, which show membership, are available in Croatian at: https://udruge.gov.hr/UserDocsImages/dokumenti/Zapisnik%20-%201.%20sjednica%20Savjeta%20inicijative%20Partnerstvo%20za%20otvorenu%20vlast%20-%202.%20mandat.pdf.

[9] "Civil Society Development Council" (Government Office for Cooperation with Non-Governmental Organizations, accessed Mar. 2019), https://udruge.gov.hr/savjet-za-razvoj-civilnoga-drustva/120.

[10] The Rules of Procedure of the OGP Council are available in Croatian at: https://udruge.gov.hr/UserDocsImages/UserFiles/File/poslovnik%20savjeta-POV-5%203-procisceni%20tekst.pdf.

[11] Id.

[12] Meeting minutes are available in Croatian at: https://udruge.gov.hr/istaknute-teme/partnerstvo-za-otvorenu-vlast-271/savjet-inicijative-partnerstvo-za-otvorenu-vlast/289.

[13] "Partnership for Open Government" (Government Office for Cooperation with Non-Governmental Organizations, accessed Sept. 2019), https://udruge.gov.hr/istaknute-teme/partnerstvo-za-otvorenu-vlast-271/271.

[14] Platform 112 is an initiative of 71 CSOs which put forward 112 demands to the government regarding various democratic values. See http://www.kucaljudskihprava.hr/platforma-112/tko-smo/.

[15] The GOOD Initiative brings together CSOs dealing with informal education and human rights and advocates for a systematic and quality introduction of education and training for human rights and democratic citizenship into the educational system (http://goo.hr/). It started an advocacy platform named "Obrazovna zviždaljka" that deals with education system issues, including civic education (http://oz.goo.hr/kljucna-podrucja/).

[16] A total of 13 comments were given by individuals, CSOs, and academic institutions. "Public consultation on the priorities of the Action Plan for the implementation of the Partnership for Open Government initiative in the Republic of Croatia for the period 2016 to 2018" (e-Savjetovanja, 16−30 May 2016), https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=3293.

[17] A total of 29 comments were given by individuals, CSOs, and academic institutions. "Public consultation on the priorities of the Action Plan for the implementation of the Partnership for Open Government initiative in the

Republic of Croatia for the period 2017 to 2019." (e-Savjetovanja, 24 Feb. −12 Mar. 2017),
https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=4853.

[18] A total of 17 comments were given by two CSOs. "Action Plan for the Implementation of the Partnership for Open Government Initiative from 2018 to 2020" (e-Savjetovanja, 26 Jun. −10 Jul. 2018),
https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=7259.

[19] Croatian Parliament, Anti-Corruption Strategy 2015-2020, (Narodne novine, 9 Mar. 2015), https://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_26_545.html.

[20] Action Plan for 2017 and 2018 accompanying the Anti-Corruption Strategy 2015-2020 (Ministry of Justice, Jun. 2017),
https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/Akcijski%20plan%20suzbijanja%20korupcije%202017_2018.pdf.

[21] The IRM received the following comment during the pre-publication review period of this report.

[22] Information is available in the meeting minutes in Croatian at: https://udruge.gov.hr/istaknute-teme/partnerstvo-za-otvorenu-vlast-271/savjet-inicijative-partnerstvo-za-otvorenu-vlast/289.

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/entity'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] The indicators and method used in the IRM research can be found in the IRM Procedures Manual.[2] A summary of key indicators the IRM assesses is below:

- **Verifiability:**
  - Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
  - Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **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 or policies?
  - Public Accountability: Will the government create or improve public facing 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?
- **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.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report.*
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report.*

What makes a potentially starred commitment?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment is one that clearly describes the:

1. **Problem:** What is the economic, social, political, or environmental problem rather than describing an administrative issue or tool (e.g., "misallocation of welfare funds" is more helpful than "lacking a website")?
2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., "26% of judicial corruption complaints are not processed currently")?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment's implementation (e.g., "doubling response rates to information requests" is a stronger goal than "publishing a protocol for response")?

Based on these criteria, Croatia's action plan has four potentially starred commitments:

- Commitment 2: Fiscal Transparency
- Commitment 3: Political Financing and Election Campaign Transparency
- Commitment 6: Protection of Persons Reporting Corruption
- Commitment 11: Central State Portal Development

Starred commitments

One measure, the "starred commitment" (✪), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Potential star: the commitment's design should be **verifiable**, **relevant** to OGP values, and have **transformative** potential impact.
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of **Substantial** or **Complete** implementation.

This variable is assessed at the end of the action plan cycle, in the *Implementation IRM Report.*

General Overview of the Commitments

In the third OGP action plan, the focus is primarily on opening data, the foundation for which was assured in the previous action plan by establishing the Open Data Portal. In addition, the third action plan envisages the continuation of activities in the areas of the right to access information, fiscal transparency, and public participation in the decision-making processes. A separate component of this action plan comprises measures aimed at the local and regional levels. The action plan also emphasizes the need to assure the sustainability of the basic values of the Partnership. The commitments in the action plan are hence divided into five key areas: A. Transparency (8 commitments), B. Openness (3), C. Participation by citizens/civil society in the processes of forming, implementing, and monitoring public policy (2), D. Open government partnership at the local and regional levels (1), and E. Sustainability of the Open Government Partnership Initiative (1).

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[1] "Open Government Partnership: Articles of Governance" (OGP, Jun. 2012) (Updated Mar. 2014 and Apr. 2015), https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf.
[2] "IRM Procedures Manual" (OGP), https://www.opengovpartnership.org/documents/irm-procedures-manual.

A. TRANSPARENCY

1. Implementing Right to Information

Language of the commitment as it appears in the action plan:

"Measure 1. Improving the Measure for Implementing the Act on the Right to Access Information"[1]

"The main aim is to improve and standardise the conduct of public authorities according to the Act, reduce the number of user complaints and level of non-response on the part of administrations, while at the same time raising the level of knowledge and awareness of the media, citizens and NGOs on the mechanisms provided by the Act, and how to use it more effectively. (…) The total costs of implementing the measure are HRK 330,000."

Milestones:

1.1. Strengthening the awareness of NGOs, journalists and citizens on their right to access information
- Promotional/educational videos produced (4x3 minutes)
- Online educational material produced, distributed and published
- Profiles opened on social media networks with the aim of communicating with users on the right to access information
- Four online training sessions held annually for users
- Regular responses to queries from NGOs, the media and citizens received in writing and via the info-telephone
- Information Commissioner's newsletter for the media distributed four times a year

1.2. Implementing training on the right to access information for officials who apply the provisions of the Act in their work
- Five training sessions per year held on the right to access information
- Five webinars per year held on the right to access information
- Education material distributed and available on the web pages of the Information Commissioner
- Instructions and opinions on the application of individual provisions of the Act drafted and published
- At least 200 officials to undergo training

1.3. Encouraging and monitoring the proactive publication of information by public authorities
- At least four analytical studies produced regarding monitoring the publication of information, covering at least 100 public authorities
- A self-assessment tool produced for proactive publication
- Informing officials and public authorities of the findings of the analytical monitoring, which include recommendations for improvements (web publications, email distribution)

Start date: Underway
End date: 21 August 2020

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?

	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
1. Overall		✔	✔					✔			Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives

The Croatian Parliament adopted the Law on the Right to Access Information in 2013.[2] The law guarantees citizens the right of access to and re-use of information. However, despite the increased quantity of publicly available information, it is not quickly or easily accessible. Difficulties in implementing the law have resulted in unanswered information requests and an increasing number of user complaints, which is attributed to a lack of user awareness as well as lack of literacy on how to apply the regulation among public authorities.

This commitment builds upon activities from the previous two action plans, as well as the 2015–2020 Anti-Corruption Strategy and the accompanying Action Plan.[3] The commitment aims to improve implementation of the Law on the Right to Access Information and reduce the number of government non-responses through: public awareness-raising activities (1.1), training public officials (1.2), and establishing compliance monitoring by public authorities (1.3). The commitment contains specific activities with verifiable outcomes.

The commitment is relevant to access to information as it will improve the release of government-held information. If fully implemented, this commitment has a minor potential impact. While the commitment gives quantitative targets in terms of the number of trainings to be conducted, the number of officials to be trained, and the number of public institutions to be covered in the monitoring, it is unclear if these targets are a major improvement compared to current training and monitoring conducted by the Information Commissioner's Office. Activities to educate public agencies and the public on this law are continuously undertaken by the Commissioner's Office. New activities envisaged by the commitment include promotional/educational videos, social networking to promote access to information and communicate with users more directly, drafting and publishing instructions and opinions on particular provisions of the law, analytical studies, and self-assessments.

Next steps

When implementing this commitment, it will be important to ensure that the Information Commissioner's Office has adequate funding and human resources. It will be particularly important to ensure sufficient resources for monitoring the proactive publication of information by public authorities (Milestone1.3). Implementation of the activities was already underway when the OGP action plan was adopted, and the Information Commissioner's Office representatives[4] warned that there might be a revision of some milestone activities (e.g., the self-assessment instrument might be revised due to the complicated methodology and technological constraints).

To increase awareness and capacity building, decision-makers from high-level executive agencies should be included in the promotional programs. Additionally, an online platform could collect reports from the monitored public bodies in real-time, thereby facilitating gathering data on access to information requests and the responses.

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to

2020 (OGP, Dec. 2018) 13−18, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.

[2] Consolidated text of the law (Croatia), "Right to Information Act," Official Gazette, 25/2003, 85/2015 (Narodne novine, 9 Aug. 2015), https://www.zakon.hr/z/126/Zakon-o-pravu-na-pristup-informacijama.

[3] Croatian Parliament, "Anti-Corruption Strategy from 2015-2020" (Narodne novine, 9 Mar. 2015) §5.1.6, https://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_26_545.html; "Right to Information Act" Measures 1 and 3; "Action Plan for 2017 and 2018 accompanying the Anti-Corruption Strategy from 2015-2020" (Ministry of Justice, Jun. 2017) 16 (Activities 42−43), https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/Akcijski%20plan%20suzbijanja%20korupcije%202017_2018.pdf.

[4] Zoran Pičuljan (Information Commissioner), Ina Volmut and Lucija Jadrijević (Office of the Information Commissioner), interview by IRM researcher, 21 Feb. 2019).

2. Fiscal Transparency

Language of the commitment as it appears in the action plan:

"Measure 2. Fiscal Transparency"[1]

"The main goal of the measure is to increase fiscal transparency, primarily by the timely publication and opening of fiscal data for reuse. The measure includes several activities which will guarantee the regular publication of accurate, relevant information on fiscal data and the option to download them for reuse. (…) Resources for the implementation of the measure have been assured in the State Budget"

Milestones:

2.1. Improving the database on payments executed from the single State Budget account
- Improving the options for searching the database:
  - By year, quarter, month
  - By budget classification, from levels one to four
  - By the name of the beneficiary, PIN, section/heading number
  - By the name of the supplier of the legal person and OIB of the supplier of the legal person
  - By the name and surname of the supplier of the legal person using another identifier instead of the PIN
- Downloading data from the database in machine-readable form suitable for reuse enabled
- Given the size of the database, it cannot be downloaded in full, but by query. The entire database is available on demand and there will be a note to this effect on the Ministry of Finance website
- CAPTCHA codes removed

2.2. Publishing in a timely manner in one place machine-readable balance sheets of all units of local and regional self-government
- The balance sheets of units of local and regional self-government published in a timely manner, in one place, and in machine-readable form which is easily searchable

2.3. Publishing a unified, machine-readable archive of the balance sheets of all units of local and regional self-government for the previous five years
- The balance sheets of all units of local and regional self-government for the previous five years published with the deadline, in one place, in a machine-readable, easily searchable form

2.4. Publishing the draft State Budget in a timely manner, with machine-readable tables
- By 15 November 2017, a machine-readable draft State Budget was published, with the Statement of Reasons for the State Budget 2018 and projections for 2019 and 2020, that is, for the coming years with the appropriate time periods, supplemented with the pertinent elements, so that it contains the following data or information on where the data can be found:
  - The planned status of public debt for the previous year and public debt projection for the mid-term period;
  - The planned structure of public debt for the budget year and the previous year (domestic and foreign debt, interest rates, settlements, etc.);
  - Information on financial and non-financial state assets (list of assets and values)
- Information on the effect of various macroeconomic assumptions (such as the inflation rate, level of interest rates and actual GSP) on budget revenues, expenditures and public debt (sensitivity analysis).

2.5. Publishing statistical accounts by the Ministry of Finance with machine-readable tables in a timely manner
- Statistical accounts with machine-readable tables published in a timely manner

2.6. Publishing a biannual report on the execution of the State Budget (with machine-readable tables) in a timely manner
- Biannual reports on the execution of the State Budget published in a timely manner, with machine-readable tables, including a review of data on planned values for the current year

2.7. Publishing regularly information on the financial plans and execution of financial plans of public authority bodies at the level of the section of organisational classification on their internet pages in open format for reuse
- The Ministry of Finance has produced a memorandum on publishing information on the budget and its execution and sent it to state administration bodies and agencies
- State administration bodies and agencies regular publish on their websites information on the budget, including the fourth level of execution of the budget (annual and biannual) in machine-readable forms suitable for reuse

2.8. Publishing a unified, machine-readable database of financial reports by all budgetary and extra-budgetary beneficiaries
- Financial reports of all budgetary and extra-budgetary beneficiaries published within the deadline, in one place, in a machine-readable, searchable form

2.9. Presenting budget data with the options of visualisation, searching and downloading data in a machine-readable form
- On the website of the Ministry of Finance access enabled to an application for viewing budget data with search options. The data can be visualised with several types of graph and in tabular form. Searching is enabled by year and any budget classification. Data can be viewed graphically by classification and arranged in depth by hierarchy. It is possible to download data in a machine-readable form for the entire budget.
- Data shown via an application developed by the Open Spending Project Team international non-profit organisation Open Knowledge International (OKI) in cooperation with GIFT (Global Initiative for Fiscal Transparency) and the BOOST initiative of the World Bank
- Data refreshed with every new budget document

Start date: Underway
End date: 21 August 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
2. Overall		✔	✔			✔				✔	Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives
For years, fiscal data in Croatia has not been published in easily accessible and understandable formats. Most available data is highly technical and can only be interpreted by experts. Additionally, most of the data does not follow a uniform standard and often, when it includes inputs from public authorities other than the ministries, is not reported to the Ministry of Finance on time, though the Ministry has an obligation to publicly disclose this information.

The main feature of all activities within this commitment is to secure timely and accurate information on state, local, and regional budgets at various stages of the budgetary process (Milestones 2.2−2.7) in a machine-readable, searchable, open, and reusable form. The need for such measures was emphasized as one of the most important issues in the previous IRM report.[2] Other milestones relate to improving the available database on payments from the state budget account (2.1) and creating an application to enable the search and visualization of available data in graph form to help citizens navigate published documents (2.8).[3]

The commitment both repeats milestones from the previous OGP action plan,[4] with significant additions regarding the use of open formats (2.3−2.5) and introduces new milestones (2.2 and 2.6−2.8). It is also in line with the *Anti-Corruption Strategy 2015-2020*.[5] The Budget Act[6] already mandates most of the commitment activities, along with the calendar of their implementation. After a slight improvement Croatia demonstrated between 2010 and 2012, the 2015 OBI Survey[7] saw a sharp decline, indicating that the Ministry of Finance limited itself to traditional forms of financial transparency.

This commitment's indicators are specific enough to be verifiable, and each milestone is relevant to the values of access to information and technology and innovation. Namely, the commitment reflects the Ministry of Finance's intent to improve on identified problems, such as the lack of relevant data, data that cannot be reused, data that is overly complex and technically demanding for the average citizen, insufficient budget-related information for certain levels of government (e.g., local and regional budgets), and shortcomings of the publicly searchable database on payments from the single state budget account.[8] According to stakeholders, this is important for meeting the 5th Star for Open Data design.[9] The commitment has a transformative potential impact as it is the first time the methodology and technology described in Milestone 2.8 has been used by the Ministry of Finance (Open Spending application[10]), and the first time comprehensive data on local and regional self-governments' spending[11] will be available in an open format (2.2).

Both public and civil sector stakeholders from the OGP Council were enthusiastic about this commitment, believing that its measures were highly important in providing a basis for transparency in other important areas. Non-governmental actors are also participants in implementing the measures, due to the "Open Data Budgeting" joint project.[12] This will help alleviate the workload for the Ministry of Finance.

Next steps
The IRM researcher recommends the government consider the following activities in implementing this commitment:
- Strive to reach the 5th star-level of data design when publishing data for reuse;
- Increase administrative capacity, e.g., education of existing employees, recruitment of new staff, partnering with CSOs in projects and other activities, more mobile and flexible organization of work, etc.;
- Improve the user-friendliness of the website of the Ministry of Finance or consider exporting the published data into a separate repository, making it easier to navigate; and
- Provide a mechanism for ensuring that citizens can give feedback or even collaborate in disclosing more data and in making the existing data more useful.

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018) 18−25, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.

[2] Ivona Mendeš, Croatia: 2014–2016 End-of-term Report (2017) 22−27 (Commitment 4), http://www.opengovpartnership.org/sites/default/files/Croatia_EOTR_2014-2016_for-pub-comment_ENG.pdf.

[3] The Global Initiative for Fiscal Transparency (GIFT) is a global network that facilitates dialogue between governments, CSOs, international financial institutions, and other stakeholders to find and share solutions to challenges in fiscal transparency and participation (http://www.fiscaltransparency.net/). For more information on the principles of public participation, fiscal transparency, and accountability, see Branko Stanić, "Globalna inicijativa za fiskalnu transparentnost: Načela sudjelovanja javnosti u fiskalnoj politici," Newsletter Povremeno

Glasilo Instituta za Javne Financije 110 (Institute for Public Finance, 2017), http://www.ijf.hr/upload/files/110.pdf; see also Branko Stanić, "Globalna inicijativa za fiskalnu transparentnost: Načela visoke razine fiskalne transparentnosti, sudjelovanja i odgovornosti," Newsletter Povremeno Glasilo Instituta za Javne Financije 109 (Institute for Public Finance, March 2017), http://www.ijf.hr/upload/files/109.pdf.

[4] Government of the Republic of Croatia, Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2014 to 2016 (OGP, Jul. 2014) 17−20 (Measure 4), https://www.opengovpartnership.org/sites/default/files/Action%20Plan-OGP-8-7-2014-final-ENG.pdf.

[5] Croatian Parliament, "Anti-Corruption Strategy from 2015-2020" (Narodne novine, 9 Mar. 2015) §5.2.3 ("Public Finance") §5.1.1 ("Integrity in the political system and administration" Measure 2), https://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_26_545.html.

[6] Consolidated text of the law (Croatia),"Budget Law," Official Gazette 87/08, 136/12, 15/15 (Narodne novine, 14 Feb. 2015) https://www.zakon.hr/z/283/Zakon-o-prora%C4%8Dunu.

[7] The Open Budget Index is an independent, comparative measure of central government budget transparency. The Index assigns countries covered by the Open Budget Survey a transparency score on a 100-point scale using a subset of questions that assess the amount and timeliness of budget information that governments make publicly available in eight key budget documents in accordance with international good practice standards. The Open Budget Index 2017 showed a modest decline in average global budget transparency scores, from 45 in 2015 to 43 in 2017 for the 102 countries that were surveyed in both rounds. This decline is in stark contrast to the average increase of roughly two points documented in each round of the survey between 2008 and 2015. Countries that score above 60 on the OBI are considered to provide sufficient budget information to enable the public to engage in budget discussions in an informed manner. Countries scoring above 60 on participation and oversight provide adequate opportunities for the public to participate in the budget process and providing adequate oversight practices, respectively. "Croatia," The Open Budget Survey 2017: Global report (International Budget Partnership, 30 Jan. 2018), https://www.internationalbudget.org/wp-content/uploads/croatia-open-budget-survey-2017-summary.pdfhttps://www.internationalbudget.org/open-budget-survey/open-budget-index-rankings/); "Croatia" (International Budget Partnership, 8 Sept. 2015), https://www.internationalbudget.org/summaries/croatia-5/; and "Croatia Open Budget Survey 2017" (International Budget Partnership, accessed Mar. 2019), https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=hr; Mihaela Bronić and Josip Franić "Otvorenost državnog proračuna – unatoč blagom poboljšanju, građani i dalje imaju ograničen uvid u proračunske informacije," Aktualni Osvrti 102 (Institute for Public Finance, 30 Jan. 2018), http://www.ijf.hr/upload/files/1021.pdf.

[8] "Inquiry about payments from the State Budget by suppliers" (Ministry of Finance, accessed Mar. 2019), http://www.mfin.hr/hr/upit-po-dobavljacima.This milestone will be implemented through the "More effective financial and statistical reporting system" project of the Ministry of Finance, 1 January 2018–31 December 2019, (http://www.mfin.hr/hr/ucinkovitiji-sustav-financijskog-i-statistickog-izvjestavanja); see also http://www.mfin.hr/adminmax/docs/Ucinkovitiji%20sustav%20financijskog%20i%20statistickog%20izvjestavanja%20letak.pdf.

[9] "5 Star Open Data Design" (James G. Kim and Michael Hausenblas, 31 Aug. 2015), http://5stardata.info/.

[10] Cecile Le Guen, "What is Open Spending?" (Open Knowledge, accessed Mar. 2019) http://www.fiscaltransparency.net/presentations/Day3_Session1_WhatIsOpenDataAndIntlPerspectives_OpenKnowledge.pdf.

[11] For more information on subnational budget transparency in Croatia, see Branko Stanić, "Determinants of subnational budget/fiscal transparency: a review of empirical evidence," Public Sector Economics vol. 42 issue 4 449-486 (Institute of Public Finance, 14 Dec. 2018), http://www.pse-journal.hr/en/archive/determinants-of-subnational-budget-fiscal-transparency-a-review-of-empirical-evidence_3307/; Katarina Ott and Mihaela Bronić, "Proračunska transparentnost lokalnih jedinica – stavovi zaposlenika," Newsletter of the Institute for Public Finance, no. 111 (Institute of Public Finance, Mar. 2017), http://www.ijf.hr/upload/files/111.pdf; and Katarina Ott et al., "Proračunska transparentnost županija, gradova i općina: studeni 2017. – ožujak 2018," Newsletter of the Institute for Public Finance, no. 115 (Institute of Public Finance, Jul. 2018), http://www.ijf.hr/upload/files/115.pdf.

[12] The launch of the project, in cooperation with the Institute for Public Finance (http://www.ijf.hr/), will be organized in July 2019. Ministry of Finance and IPF representative, at OGP Council meeting, Mar. 2019.

3. Political Financing and Election Campaign Transparency

Language of the commitment as it appears in the action plan:

"Measure 3. Improving the Transparency and Financing of Political Parties and Election Campaigns"[1]

"By setting up an IT system for supervising financing, by which all reports relating to the financing of political activities and election campaigns will be published in a single place, for all subjects, simpler access to data will be assured and thus more efficient supervision, which will make it easier for the public to monitor the financing of political activities and election campaigns. In addition, the prerequisites for monitoring the financing of referendum activities will be assured. This will improve the transparency of financing such activities and have anti-corruption effects. The transparency of financing political activities and election campaigns will be further guaranteed by implementing training for the participants in these activities. (…) The total cost of implementing the measure is HRK 600,000 for the activities of the State Electoral Commission, while the activities of the Ministry of Administration are guaranteed in the State Budget (…) (with no additional costs)."

Milestones:

3.1. Improving the legal and institutional framework of transparent financing of election and referendum campaigns
- Draft amendments to the Act on Financing Political Activities, Election Campaigns and Referenda drafted and adopted at the Government session, regarding issues which had proved insufficiently regulated in the implementation of the Act, and by which the transparent financing of referenda campaigns will be assured.

3.2. Improving the method by which data on financing political activities and election campaigns are collected and published
- Production of application solutions to allow data to be submitted and gathered from subjects to whom regular monitoring of political activities and financing election campaigns applies.
- Production of a permanently available, searchable database of annual financial reports by political parties, independent members of Parliament, and members of representative bodies of units of local and regional self-government elected from candidate lists, and financial reports which, according to the Act on Financing Political Parties and Election Campaigns, must be submitted to the State Electoral Commission and State Audit Office by political parties, independent candidates, or selected candidates, and which enable easy searches of data on various grounds, and the permanent publication in open format of such reports on the website of the State Electoral Commission.

3.3. Adjusting and maintaining the website of the State Electoral Commission in machine-readable forms
- Election information on the website of the State Electoral Commission adjusted to be machine-readable, so that users can download it, and adhering to the standards required for data published in machine-readable forms.

3.4. Educating political parties, independent members of Parliament and members of representative bodies of units and local and regional self-government elected from the candidate list, with the aim of increasing transparency in the financing of political activities
- Creation of online education for supervising the financing of political activities and publication of online education on the website of the State Electoral Commission

3.5. Educating participants in elections for members of the European Parliament from the Republic of Croatia, with the aim of increasing transparency in the financing of election campaigns for such elections

- Creation of online education on supervising the financing of election campaigns for members of the European Parliament and publication of online education on the website of the State Electoral Commission

3.6. Educating participants in elections for the President of the Republic of Croatia, with the aim of increasing transparency in the financing of election campaigns for such elections
- Creation of online education on supervising the financing of election campaigns for the President of the Republic of Croatia and publication of online education on the website of the State Electoral Commission

Start date: Underway
End date: 21 August 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
3. Overall		✔	✔			✔				✔	Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives

The Political Activities and Election Campaigns Financing Act[2] provides relatively high-level transparency of political financing as well as monitoring mechanisms and sanctions. However, problems were identified in regard to monitoring (due to a high number of subjects to supervise) and in the current legal solution for submitting and publishing financial reports. Financing referendum activities are not regulated, creating a legal void that has been exploited in recent years, as there is no threat of sanctioning potential infringements.

The commitment builds on the previous OGP action plan,[3] and is in line with the Anti-Corruption Strategy 2015−2020[4] and its accompanying Action Plan,[5] which foresee strengthening election campaign transparency and regulating the financing of referendum campaigns. This commitment adds amendments to current legislation in the areas that have proven to be insufficiently regulated (Milestone 3.1), improves the collection and publishing of data on financing (3.2), and enhances the State Electoral Commission (SEC) webpage (3.3).[6] It also foresees training and education activities for political parties and independent council members at local and regional levels (3.4), Croatian candidates for the European Parliament (3.5), and presidential candidates (3.6). The overall goal of the commitment is to increase transparency in financing regular political activities, elections, and referenda.

The commitment is specific and relevant to OGP values of access to information and technology and innovation. The first three milestones ensure more efficient monitoring of political financing by the SEC and the public, introduce regulations for referenda campaign finances, including sanctions to deter infringements, and create a permanently accessible and easily searchable database. Namely, the commitment will enhance disclosure of information on political activity and election campaigns across the board, facilitating citizen access to data on political financing. It will also strengthen mechanisms for transparent and open behavior by political actors both in election and referendum campaigns. By decreasing the time needed for accessing information necessary for issuing rulings and sanctions, political parties, candidates, and organizers of referendum campaigns will be held responsible for disclosing financial sources. Creating an application to serve as an innovative use of technology in this area could also contribute to achieving this goal.

This commitment has a potentially transformative impact given the growing relevance of referendums in Croatia. They are increasingly used to decide important societal and political issues. Over the last six years, several referendum initiatives have occurred, mainly initiated by socially conservative groups pushing for refereundums on issues such as the constitutional definition of marriage, decreasing the number of parliament members and adopting the Istanbul Convention on Violence Against Women and Domestic Violence. Throughout these campaigns, there was no regulation regarding their financing. The publishing of the financial statements was solely on a voluntary basis and therefore not subject to any sanctions in the event that the reports were not published. The SEC called upon all participants in the campaign for defining marriage to publish their funding amounts and sources. Submitted reports were published on the Commission's website. However, the main initiator, a CSO named U ime obitelji (https://uimeobitelji.net/) did not report their funding, citing a need to "protect their donors," and considered the Commission's request for disclosure to be support for the opposing side.[7] Several CSO stakehoders[8] believe this commitment will be an important development. They would like to see the SEC using the new application mentioned above even before the new act is adopted, by urging political subjects to utilize it in the elections of May 2019.[9]

Next steps

Civil society proposed that the SEC's new application be used in the next European Parliament election, regardless of whether the "Act on Financing Political Activities, Election Campaigns and Referenda" is adopted on time or not. According to the Commission, it began developing the application in 2017 and supports the possibility for EU election participants to use the application for entering financial statements, but until it is prescribed by the law, it would be solely voluntary.

The IRM researcher also believes this commitment should apply to political lobbying and monitoring the legislative footprints of MPs, government, and other officials in the next OGP action plan. This area is currently largely unregulated, despite many attempts by the lobbying community, relevant experts, CSOs, and other stakeholders.

In its policy paper issued in November 2018, GONG recommended[10] regulating political advertising on social networks, aligning the submission and publishing of annual financial statements of political parties with the rules for nonprofit organizations, legally strengthening the competences of institutional (SEC) and non-institutional monitoring mechanisms, and legally enabling the SEC to be composed not only of legal experts, but also of other professionals such as political scientists, sociologists, economists, and journalists in accordance with recommendations of the Venice Commission of the Council of Europe.

[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018) 25−33, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.
[2] Constitutional Court of the Republic of Croatia, "Decision of the Constitutional Court of the Republic of Croatia No. UI-2986/2013 of 20 December 2013," Official Gazette, 2/2014 (Narodne novine, 8 Jan. 2014), https://narodne-novine.nn.hr/clanci/sluzbeni/full/2014_01_2_58.html.
[3] Government of the Republic of Croatia, Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2014 to 2016 (OGP, Jul. 2014) 22−23 (Measure 6), https://www.opengovpartnership.org/sites/default/files/Action%20Plan-OGP-8-7-2014-final-ENG.pdf.
[4] "Anti-Corruption Strategy from 2015-2020" (Narodne novine, 9 Mar. 2015) §5.2.1 (Measure 3) and §5.1.1 (Measure 2), https://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_26_545.html.
[5] Action Plan for 2017 and 2018 accompanying the Anti-Corruption Strategy from 2015-2020 (Ministry of Justice, Jun. 2017) 5 (Number 5), https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/Akcijski%20plan%20suzbijanja%20korupcije%202017_2018.pdf.
[6] The State Electoral Commission webpage is available at: https://www.izbori.hr/site/.
[7] Silvijo Maksan, "'On behalf of the family' refused to say who funded them!" (Net HR, 25 Nov. 2013), https://net.hr/danas/hrvatska/u-ime-obitelji-odbili-reci-tko-ih-financira.
[8] CSO representatives, comments at the fourth meeting of the OGP Council, 18 Feb. 2019; Jelena Tešija (GONG), interview by IRM researcher, 21 Feb. 2019.

[9] "European Elections 23-26 May 2019" (European Parliament, accessed Mar. 2019),
http://www.europarl.europa.eu/at-your-service/en/be-heard/elections.
[10] Sandra Kasunić,"New Policy Paper: European Parliament Election Challenges 2019"(GONG, 21 Nov. 2018),
https://www.gong.hr/hr/izborni-sustav/europski/izazovi-izbora-za-europski-parlament-2019/.

4. Transparency and Accountability of Commercial Companies with Majority Ownership of Local and Regional Self-Government

Language of the commitment as it appears in the action plan:

"Measure 4. Strengthening Transparency and Accountability at the Level of Commercial Companies with Majority Ownership of Units of Local and Regional Self-Government"[1]

"The adoption and implementation of the Anti-Corruption Programme for commercial companies in the ownership of units of local and regional self-government attempts to set up efficient mechanisms for suppressing corruption in companies in the ownership of local authorities, with the aim of promoting a comprehensive policy of prevention, efficient reporting mechanisms and high standards of company accountability, thus contributing to overall business efficiency. (…) No additional resources are required for the implementation of the measure."

Milestones:

4.1. Production and implementation of the Anti-Corruption Programme for commercial companies in the ownership of units of local and regional self-government 2019-2020
- Anti-Corruption Programme produced for commercial companies in ownership of local authorities
- Results of the application of the Anti-Corruption Programme (reports on the implementation of the Anti-Corruption Programme)

4.2. Implementation of the training programme for commercial companies in the ownership of the Republic of Croatia or one or more units of local and regional self-government on the criteria and standards for awarding donations and sponsorships to NGOs
- A minimum of two training workshops held annually

Start date: Underway
End date: 31 December 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4. Overall		✔	✔		✔			✔			Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives

Learning from drafting, adopting, and implementing the "Anti-Corruption Program for Commercial Companies with Majority Ownership by the State for 2010-2012,"[2] as well as drafting the "Anti-Corruption Program for Commercial Companies with Majority Ownership of the State from 2019-2020"[3] the Ministry of Justice decided to expand its anticorruption activities to commercial companies which have majority ownership by local and regional self-government units (Milestone 4.1). The strategy planned in the commitment would adhere to recommendations of the *EU Anti-Corruption Report* from February 2014,[4] which highlighted the need to prevent corruption in public and publicly owned companies, particularly through effective action plans and reporting mechanisms.

Croatia's Anti-Corruption Program for Commercial Companies with Majority Ownership of the State from 2019-2020[5] consists of three broad goals:

1. Increase integrity, accountability, and transparency in the operations of majority state-owned companies (stronger internal and external controls, clear rules on appointing management and supervisory board members, and stronger mechanisms for managing conflicts of interest);

2. Strengthen anti-corruption mechanisms (proactive online publishing of information on operations of state-owned companies, a code of ethics for stronger employee integrity and management structures, appointing ethics commissioners to receive complaints from employees and citizens regarding unethical or corrupt employees, and promoting ethical treatment for employee relations and relations with citizens and service users); and

3. Establish a system to protect persons reporting illegal or abnormal operations and strengthen employee competences.

The commitment's envisioned training program (Milestone 4.2) is already being implemented for state-owned commercial companies and this commitment will expand it to companies owned by local and regional authorities. The government will conduct two annual trainings for companies on ethical donations to NGOs. According to government representatives,[6] it is important that the Ministry of Justice, as the lead institution, has sufficient assistance from its co-leaders as the Information Commissioner's Office noticed a serious problem with commercial companies concealing important information from local governments, despite being publicly owned.

As the anti-corruption program has already been applied to nationally-owned companies, Milestone 4.1 should be easily implemented. Although agreeing to this, a CSO representative[7] noted the entire commitment is "soft" and not especially important to leading government institutions. For greater impact, both national and subnational state-owned companies must have effective accountability and integrity mechanisms (e.g., codes of conduct, whistleblower and complaint policies, internal and external audits, and a robust disciplinary regime).

The milestones are specific and measurable. The commitment is relevant to the OGP values of access to information and public accountability, as it promotes transparent allocation of public funds to CSOs and creates mechanisms that suppress corruption and promote "a comprehensive policy of prevention, efficient reporting mechanisms, and high standards of accountability."[8] The commitment replicates the existing national mechanisms that have a public reporting element. Both milestones have a minor potential impact on the current insufficient oversight and anti-corruption mechanisms for locally and regionally owned commercial companies. However, there are no guarantees that the activities envisioned will achieve the desired anti-corruption effects. Even when public-owned enterprises employ a host of rules to reduce the risk of corruption, implementation of these measures is often imperfect or incomplete.

Next steps
The IRM researcher believes the responsible authorities should consider the following:
- During implementation, the Ministry of Justice should include all stakeholders in drafting the envisaged strategic document (e.g., representatives of local and regional governments, public companies, the Croatian Chamber of Commerce, unions, anti-corruption CSOs, and experts);
- Increase the number of trainings to adequately cover the numerous local governments and publicly owned companies;
- Consider more impactful activities and broaden government intervention in companies owned by regional governments (e.g., legislative changes that introduce codes of conduct, whistleblower policies and complaints mechanisms, internal and external audits, and a robust disciplinary regime); and
- Ensure interventions follow international standards such as the OECD's *Anti-Corruption and Integrity Guidelines for State-Owned Enterprises* or Transparency International's *Anti-Corruption Principles for State-Owned Enterprises* (2017).

[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018) 33−39, https://www.opengovpartnership.org/sites/default/files/Croatia_Action-Plan_2018-2020_EN.pdf.

[2] "Anti-Corruption Program for Commercial Companies with Majority Ownership of the State from 2010-2012" (2009), http://vjesnik.hr/files/antikorupcijski/Antikorupcijski_program_za_trgovacka_drustva_2010_2012.pdf.

[3] "Anti-Corruption Program for Commercial Companies with Majority Ownership of the State from 2018-2020" https://pravosudje.gov.hr/UserDocsImages//dokumenti/Antikorupcija//Antikorupcijski%20program%20za%20trgova%C4%8Dka%20dru%C5%A1tva%20u%20ve%C4%87inskom%20dr%C5%BEavnom%20vlasni%C5%A1tvu%20za%20razdoblje%202019%20do%202020.pdf.

[4] Report From the Commission to the Council and the European Parliament: EU Anti-Corruption Report (Brussels: European Commission, 3 Feb. 2014), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/documents/policies/organized-crime-and-human-trafficking/corruption/docs/acr_2014_en.pdf.

[5] The program acknowledged OECD's 2015 recommendations for corporate governance within state-owned companies. OECD emphasized the need for transparent and responsible management; the role of competent supervisory boards and boards of directors; responsible oversight of board members and executive directors in order to prevent corruption; and developing and implementing compliance programs.

[6] Zoran Pičuljan (Information Commissioner) and Iva Volmut and Lucija Jadrijević (Office of the Information Commissioner), interview by IRM researcher, 21 Feb. 2019.

[7] Jelena Tešija (GONG), interview by IRM researcher, 21 Feb. 2019.

[8] Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018) 34, https://www.opengovpartnership.org/sites/default/files/Croatia_Action-Plan_2018-2020_EN.pdf.

5. Transparency in Public Funding of CSO Projects

Language of the commitment as it appears in the action plan:

"Measure 5. Transparency in Financing Programmes and Projects Implemented by NGOs"[1]

"By updating and building up the public database on NGO projects and programmes financed from public resources, public access will be guaranteed to information about such programmes and projects, while the implementation of a training programme on the criteria, standards and procedures for financing and contracting NGO programmes and projects of interest to the public good will assure standardisation of the application of the Regulation on criteria, standards and procedures for financing and contracting programmes and projects of interest to the public good implemented by NGOs, at the level of all bodies which finance NGO programmes and projects, and will guarantee the transparency of the entire process, that is the use of the IT system and public database which will be set up, updated and built up through the implementation of this measure. (…) The amount of HRK 2,000,000 is planned for launching the setting up of the IT system in 2019."

Milestones:

5.1. Creating a new IT system to monitor and valorise the distribution of funds for programmes and/or projects of interest to the public good implemented by associations (Article 56 of the Regulation on the criteria, standards and procedures for financing and contracting programmes and projects of interest to the public good implemented by associations) – Phase One
- New IT system set up
- Report on implemented financing of civil society association programmes published
- Number of state administration bodies using the system

5.2. Implementing a training programme on the criteria, standards and procedures for financing and constructing programmes and projects of interest to the public good implemented by associations
- Four training seminars conducted at the state level and four at the level of units of local and regional self-government
- Number of seminar participants

5.3. Updating and building up the public database on projects and programmes implemented by associations and financed from public funds
- Public database of information on financing projects by NGOs updated and built up in open form

Start date: October 2017
End date: 31 August 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
5. Overall		✔	✔			✔		✔			Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives
Public financing of CSO programs in Croatia is regulated by the Law on Associations[2] and the Regulation on the Criteria, Standards and Procedures for Financing and Contracting Programs and Projects of Public Benefit Interest Implemented by Associations from 5 March 2015 (*Official Gazette*

26/2015).[3] The criteria and procedures for financing CSOs have improved in the last few years. However, there remains a perceived opacity concerning the funding of associations.

This commitment consists of three milestones: creating a new IT system for monitoring and evaluating the allocation of funds for CSO programs and projects of public interest (5.1); training state and local employees and authorities on proper funding guidelines (5.2); and updating the existing public database of publicly funded CSO programs and projects (5.3).

The commitment is in line with the *National Strategy for the Creation of an Enabling Environment for Civil Society Development 2012-2016*;[4] the anti-corruption strategy action plan for 2017 and 2018;[5] and the *Operational Programme for Efficient Human Resources 2014-2020* (OPEHR).[6] The Government Office for Cooperation with NGOs produced a manual in 2017 detailing criteria, standards, and procedures for financing CSO programs and projects.[7] An annual report[8] on financed CSO projects and programs lists how money from public sources is spent. Reports include detailed information on all the state authorities that allocate funds as well as those amounts, financing areas, beneficiaries, and geographic distribution.

The milestones are specific and measurable and are clearly relevant to access to information and the use of technology and innovation in increasing transparency of the public sector. According to government representatives,[9] the Government Office for Cooperation with NGOs started implementing Milestone 5.1, along with Agency for Support of Information Systems and Information Technologies Ltd. (APIS IT),[10] with EU funding. This will ensure an improved platform for public bodies to monitor and evaluate publicly financed CSO programs to avoid "dual" funding. The need for training on this issue (Measure 5.2) was confirmed by the 2018 State Audit Office's report[11] on all 21 counties and on 24 cities; the report found that the necessary level of knowledge on the issue had not been reached yet. Thus, the commitment will standardize use of financing criteria.

The commitment's potential impact is minor, as it is a continuation of existing initiatives. However, the monitoring and evaluation system, and the improved database on CSO programs, will provide authorities and the public data for overall and comparative knowledge of public funding of CSOs. The projects and the education of national, regional, and local public authorities will ensure that each public authority adheres to the regulation. A CSO representative[12] agreed that this is a strong commitment as it will set up standards for increasing transparency of funding and decrease opportunities for misuse of public funds (e.g., avoiding dual funding, favoritism), even though certain additions they asked for were rejected.

Next steps

The Government Office for Cooperation with NGOs could consider exercising more comprehensive control over all government and self-government bodies' ad hoc spending on CSO programs and ensure that each has a policy in place directing the allocation of public funds to such causes:

- An annual report that analyzes public funding of CSO programs, recommending reforms in grant procedures to ensure plurality and diversity in grant allocations, and the allocations support public needs at local, regional, or national levels.

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018) 39−43, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.

[2] Consolidated text of the law (Croatia), "Law on Associations," Official Gazette, 74/14, 70/17 (Narodne novine, 2017), https://www.zakon.hr/z/64/Zakon-o-udrugama.

[3] Government of the Republic of Croatia, "Regulation on the criteria, criteria and procedures for financing and contracting programs and projects of interest to the common good implemented by associations" (Narodne novine, 9 Mar. 2015), https://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_26_546.html.

[4] "Nacionalna strategija stvaranja poticajnog okruženja za razvoj civilnog društva od 2012. do 2016. Godine" (Government of the Republic of Croatia, June 2012) 20−22 (Measure 4, Implementation activities 4.1–4.5),

https://udruge.gov.hr/UserDocsImages/dokumenti/Nacionalna%20strategija%20stvaranja%20poticajnog%20okru%C5%BEenja%20za%20razvoj%20civilnog%20dru%C5%A1tva%202012-2016.pdf.

[5] Action Plan for 2017 and 2018 accompanying the Anti-Corruption Strategy from 2015-2020 (Ministry of Justice (Croatia), Jun. 2017) 18−19 (Activity 50−52), https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/Akcijski%20plan%20suzbijanja%20korupcije%202017_2018.pdf.

[6] "Operational Programme Under the 'investment for growth and jobs' goal" (Croatian Government & European Commission, 2014), http://www.esf.hr/wordpress/wp-content/uploads/2015/02/FINAL-OP-EHR.pdf. Operational programs are detailed plans in which EU Member States set out how money from the European Structural and Investment Funds (ESIF) will be spent during the programming period. They can be drawn up for a specific region or a country-wide thematic goal (e.g., environment).

[7] Priručnik za postupanje u primjeni Uredbe o kriterijima, mjerilima i postupcima financiranja i ugovaranja programa i projekata od interesa za opće dobro koje provode udruge (Office for Associations (Croatia), Jun. 2017), https://udruge.gov.hr/UserDocsImages//dokumenti//PRIRU%C4%8CNIK%20za%20primjenu%20Uredbe_v.%202.0.pdf.

[8] "Financing programs and projects of associations from public sources" (Office for Associations (Croatia), accessed Mar. 2019), https://udruge.gov.hr/financiranje-programa-i-projekata-udruga-iz-javnih-izvora/2772.

[9] Representatives of the Government Office for Cooperation with NGOs, fourth meeting of the OGP Council on (18 Feb. 2019).

[10] Agency for Support of Information Systems and Information Technologies Ltd. (APIS IT), https://www.apis-it.hr/apisit/index.html#/.

[11] Izvješće o obavljenoj reviziji učinkovitosti dodjeljivanja i korištenja tekućih donacija iz proračuna jedinica lokalne i područne (regionalne) samouprave (State Audit Office (Croatian), Dec. 2018), http://www.revizija.hr/datastore/filestore/180/DODJELJIVANJA-I-KORISTENJA-TEKUCIH-DONACIJA.pdf.

[12] Jelena Tešija (GONG), interview by IRM researcher, 21 Feb. 2019.

6. Protection of Persons Reporting Corruption

Language of the commitment as it appears in the action plan:

"Measure 6. Protection of Persons Reporting Corruption"[1]

The adoption of the Act should prescribe the formation of a system which will enable potential complainants to report effectively on irregularities and provide adequate protection for their integrity, with the aim of raising public awareness among employees and citizens of the need to report illegal and corrupt behaviour, and improve the accountability and transparency of the work of the public sector in general. (…) No extra resources are needed for the implementation of the measure."

Milestones:

6.1. Drafting the Public Interest Disclosure Act[2]
- Setting up a working group to produce the draft Act
- Production of the draft Act
- Adoption of the Act by the Government of the Republic of Croatia

Start date: Underway

End date: 31 December 2018

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
6. Overall		✔			✔					✔	Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives

In Croatia, whistleblower protection has been regulated for years under legislation including the Criminal Act, Labour Act, and Civil Service Act and internal regulations of public, private, and civil sectors. After conducting an analysis, the Ministry of Justice found it necessary to strengthen this legal framework as it found that whistleblowers still faced significant problems. This was a change from the Ministry's prior position that further protections weren't necessary given existing legislation.[3]

This commitment is a direct continuation of Milestone 1.4 from the second action plan,[4] which is also present in the *Anti-Corruption Strategy from 2015-2020*[5] and its accompanying action plan.[6] As Measure 63 from the Anti-Corruption Strategy Action Plan was not completed by the set deadline, it was rolled over into the OGP action plan.

This commitment is specific and verifiable. The commitment is relevant for public accountability as it calls for mechanisms to protect whistleblowers hold public authorities swiftly accountable for misallocating funds, violating human rights, and legal infractions, If the Act on Protection of Persons Reporting Corruption is adopted and upheld, the impact of the commitment would be transformational. Whistleblowers face many hardships in Croatia–they often lose employment, struggle to find new jobs, face difficulties in achieving satisfactory results through the judicial system and receive threats and violent consequences from their accused and the public.[7] This Act offers them stronger protection and three direct modes for reporting an issue (internal, external, and public).

Potential negative aspects were voiced by the members of opposition parties in the Croatian Parliament during the discussion on the Act,[8] and reiterated by CSOs.[9] These include insufficient funding for the Office of the Ombudsman in pursuing external reports of corruption; lengthy deadlines for adopting internal regulations in public and private entities (nine months after the Act becomes fully effective); and no free legal aid or psychosocial support to whistleblowers.

Next steps

The IRM researcher proposes that the lead institution use the remaining time during implementation to:
- Ensure public and private entities subject to the Act are in compliance with its provisions, especially with adopting internal regulations and naming persons responsible for overseeing these regulations;
- Monitor and publish a report on corruption reported both externally (with the Office of the Ombudsman) and publicly after the Act comes into effect; and
- Consider international input and recommendations on drafts of the Act, e.g., from OECD, SIGMA, and/or the Council of Europe.

Relevant public administration bodies could also consider next steps:
- Train (e.g., webinars) public and private entities subject to the Act as well as persons involved in its implementation;
- Ensure the Office of the Ombudsman has enough funding to implement the Act in the upcoming years, in line with the increased scope of work;
- Create and disseminate a citizen guide about new legal provisions, using structured and easily accessible information, and encouraging anti-corruption behavior;
- Raise awareness about available methods of protection for whistleblowers; and
- Ensure participation in the legislative procedure and strengthen whistleblower protections to be in line with EU legislation.[10]

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018) 44−46, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.

[2] The translation of this activity is incorrect. The Croatian language version of the action plan states "Izraditi Zakon o zaštiti prijavitelja nepravilnosti," which means "Drafting the Act on Protection of Persons Reporting Corruption."

[3] Ilijana Grgic, "VIDEO: Tko je za zakon o zviždačima? Ministarstvo protiv, Josipović i civilne udruge za" (PolitikaPlus, 26 Feb. 2014), http://www.politikaplus.com/novost/98072/Tko-je-za-Zakon-o-zvizdacima-Ministarstvo-protiv-Josipovic-i-civilne-udruge-za-.

[4] Government of the Republic of Croatia, Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2014 to 2016 (OGP, Jul. 2014), 11−12, https://www.opengovpartnership.org/sites/default/files/Action%20Plan-OGP-8-7-2014-final-ENG.pdf.

[5] Croatian Parliament, Anti-Corruption Strategy 2015-2020, (Narodne novine, 9 Mar. 2015) §5.2.1 "Judiciary" (Measure 3), https://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_26_545.html.

[6] "Action Plan for 2017 and 2018 accompanying the Anti-Corruption Strategy from 2015-2020" (Ministry of Justice (Croatia), Jun. 2017) 21 (Activity 63), https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/Akcijski%20plan%20suzbijanja%20korupcije%202017_2018.pdf.

[7] Tomislav Klauški, "Whistleblowers are the biggest victims" (Poslovni dnevnik, 29 Feb. 2008), http://www.poslovni.hr/after5/zvizdaci-su-najvece-zrtve-72121; "# whistleblowers" (indexHR, accessed 29 Sept. 2019), https://www.index.hr/tag/114065/zvizdaci.aspx; "Whistleblowers - heroes, victims or people eager for attention?" (Trend-CSR, 22 Jan. 2018), https://blog.dnevnik.hr/trenddop/2018/01/1632123424/zvizdaci-heroji-zrtve-ili-ljudi-zeljni-paznje.html; Anamarija Burazer, "They discovered the affair: We whistle, but the problem is the slow judiciary" (24 Sata, 28 Sept. 2018), https://www.24sata.hr/news/otkrivali-su-afere-mi-zvizdimo-ali-problem-je-sporo-pravosu-e-592345; Tomislav Kukec, "A Passing Letter to the Governor Wheel 'You have drafted a law on us that endangers our lives and health" (100Posto, 2 Sept. 2018), https://100posto.hr/news/sastavili-ste-zakon-o-nama-kojima-su-zivoti-i-zdravlje-ugrozeni-jer-smo-prijavili-kriminal-a-niste-nas-ni-konzultirali; "RH lags behind region's countries in whistleblower protection" (N1 Croatia, 15 Nov. 2016), http://hr.n1info.com/Vijesti/a162122/Zvizdaci-u-Hrvatskoj.html; Ivan Pandzic, "Whistleblowers: Nothing has changed since the Lepey case" (Express, 18 Oct. 2016), https://www.express.hr/top-news/zvizdaci-nista-se-nije-promijenilo-jos-od-slucaja-lepej-7586.

[8] Hina, "Parliament debated the whistleblower protection bill, not everyone is thrilled with it" (indexHR, 10 Oct. 2018), https://www.index.hr/vijesti/clanak/sabor-raspravljao-o-zakonu-o-zastiti-zvizdaca-nisu-svi-odusevljeni-njime/2029601.aspx; VPP/Hina, "Parliamentary Opposition: The Whistleblower Protection Act is a dead letter on paper" (tportal.hr,1 Feb. 2019), https://www.tportal.hr/vijesti/clanak/saborska-oporba-zakon-o-zastiti-zvizdaca-je-mrtvo-slovo-na-papiru-foto-20190201.

[9] Zagreb, "Reaction to the adoption of the Law on the Protection of whistleblowers - "whistleblowers"" (Kuća ljudskih prava, 8 Feb. 2019), http://www.kucaljudskihprava.hr/2019/02/08/reakcija-povodom-usvajanja-zakona-o-zastiti-prijavitelja-nepravilnosti-zvizdaca/; see also "Label: whistleblower" (Kuća ljudskih prava, accessed 29 Sept. 2019), http://www.kucaljudskihprava.hr/tag/zvizdaci/; comments by CSOs in the e-Consultation process are available at: "Proposal of the law on Protection of the Applicant of Irregularity" (e-Savjetovanja, accessed 29 Sept. 2019), https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=8250.

[10] On 12 March 2019, the European Parliament and Commission agreed to dedicate EU legislation in whistleblower protection, highlighting the need for respective legislation in member states. Lucinda Pearson, "Press release: Historic day for whistleblowers as EU agrees pathbreaking legislation" (Transparency International EU, 12 Mar. 2019), https://transparency.eu/press-release-historic-day-whistleblowers/.

7. Parliamentary Transparency

Language of the commitment as it appears in the action plan:

"Measure 7. Increasing the Availability of Information about the Work of the Croatian Parliament"[1]

"The measure will achieve the implementation of stable search mechanisms and integrate the contents of the Parliament website, while details of voting records by individual members of Parliament will be published on their personal pages. Building up the web system will include many other new functions for searching plenary sessions of the Parliament, its members and working bodies, by various criteria, with the aim of simplifying access to information, filtering and sorting data, and downloading it in open format. (....) For the purpose of improving access to information on plenary sessions, the aim is to achieve swifter, more integrated data searches with the option to download. In terms of working bodies, improvements will include the ability to monitor the work of a working body according to the calendar, searching its documents more easily, and monitoring the history of its membership, etc. (…) The totals costs of building up the web system and redesigning the website are around HRK 200,000, while the updating of the electronic voting system will be carried out separately, as part of internal development, and will therefore require no extra funding."

Milestones:

7.1. Improve access to the contents of the Croatian Parliament website The Croatian Parliament website improved by building up the web system in accordance with the Act on the Right to Access Information and linked to sublegal acts, relevant EU regulations, the recommendations of the Inter-parliamentary Union on parliamentary websites, and in terms of supporting access to information which can be reused (technological utilisation, open data, open code)
- Data on voting by each member made available
- Simple, stable search mechanisms via xml web service implemented on the Croatian Parliament website
- Option introduced to download video recordings of plenary sessions of the Parliament

7.2. Building up the electronic voting system
- Building up the electronic voting system completed
- Information on voting by all members of Parliament made available

Start date: Underway
End date: December 2018

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding

7. Overall		✔	✔		✔		✔		Assessed at the end of the action plan cycle.	Assessed at the end of the action plan cycle.

Context and Objectives

The last major redesign of the official parliamentary webpage occurred in 2003.[2] Since then, Croatian Parliament has continuously worked developing its official web pages. From 2005 and 2007 when a new website was launched. The next systematic improvement of the web system was in 2011 and again in 2018.[3] This commitment arises from a need to align the parliamentary website with the provisions of the Act on the Right to Access Information,[4] relevant EU regulation, recommendations of the Inter-Parliamentary Union on parliamentary websites,[5] and the Open Data Policy.[6] The objective is to improve functionality and user-friendliness of the website to support access to information and reuse of data (technical use, open data, open code, etc.).

This commitment upgrades a commitment from the second OGP action plan,[7] which promised inclusion of the following functionalities in the new website: voting data for each parliamentarian, searches via XML web service, and downloadable videos of plenary sessions. The activities are specific and verifiable and will directly influence access to information, as they offer data that was previously unavailable, and it will be better organized for reuse.

Its potential impact is minor, as a lot of parliamentary information is already available on their existing website, although in a less functional and user-friendly manner. For example, technical aspects are outdated, information is not presented clearly, search functions are poor, and data is unavailable in open code. Parliament members do not have their voting records available on their webpages and parliamentary working bodies do not publish their activities, membership, or discussion.

Next steps

The IRM researcher suggests the following:

- During the redesign, provide a clearly visible link to an archive of the old website for continuity of data;
- Ensure API functionality in the new webpage;
- Strive for 5th star-level of data design when publishing data for reuse; and
- In the next action plan, Parliament could commit to publish the "legislative footprint" of each MP, linked with lobbying activities and business interests, as publicized in their declaration of assets.

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: *Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020* (OGP, Dec. 2018) 46–49, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.

[2] Croatian Parliament: https://web.archive.org/web/20031219190040/http://www.sabor.hr:80/.

[3] The IRM received the following comment from the Croatian Parliament during the pre-publication review period for this report.

[4] Consolidated text of the law (Croatia), "Right to Information Act," *Official Gazette*, 25/2003, 85/2015 (Narodne novine, 9 Aug. 2015), https://www.zakon.hr/z/126/Zakon-o-pravu-na-pristup-informacijama.

[5] "Guidelines for Parliamentary Websites: new edition" (Inter-Parliamentary Union, Mar. 2009), https://www.ipu.org/resources/publications/reference/2016-07/guidelines-parliamentary-websites-new-edition.

[6] "Politika otvorenih podataka" (Government of the Republic of Croatia, Jul. 2018), https://rdd.gov.hr/UserDocsImages//SDURDD-dokumenti//POLITIKA%20OTVORENIH%20PODATAKA.pdf.

[7] Government of the Republic of Croatia, Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2014 to 2016 (OGP, Jul. 2014) 25–26 (Measure 9), https://www.opengovpartnership.org/sites/default/files/Action%20Plan-OGP-8-7-2014-final-ENG.pdf.

8. Media Regulatory Framework

Language of the commitment as it appears in the action plan:

"Measure 8. Improving the Normative Framework for the Media"[1]

"The implementation of the measure will guarantee a new normative framework to enable a more functional system for working in the new digital environment, and assure more transparent work, protection of journalists, and access to support resources.

The establishment of working groups is needed to produce the draft Electronic Media Act, Media Act, and an in-depth analysis, including, if necessary, amendments to the Croatian Radio and Television Act and the Croatian News Agency Act.
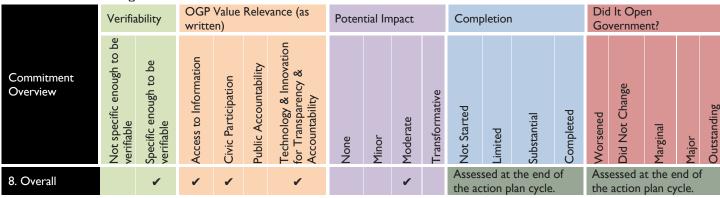
All stakeholders to whom the provisions of these Acts apply will participate in the working groups, from non-profit media service providers to state administration bodies, and when the draft document is ready, consultations will be held with the interested public. (…) Resources are guaranteed in the State Budget, section Ministry of Culture P3901, A564000 – within the regular work of the Ministry of Culture."

Milestones:

8.1. Drafting the Electronic Media Act
- Working groups set up to produce the draft Electronic Media Act
- Draft Electronic Media Act produced
- Electronic Media Act adopted at a session of the Government

8.2. Drafting the Media Act
- Working groups set up to produce the draft Media Act
- Draft Media Act produced
- Media Act adopted at a session of the Government

8.3. Improving legal provisions related to the transparency of media ownership

Proposal for changes to the relevant legislative framework to allow the transparency of information on media proprietors to the level of physical persons (reusable, easily searchable, open code format).

Start date: 1 April 2018
End date: 30 August 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
8. Overall		✔	✔	✔		✔			✔		Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives

This commitment strives to ensure greater transparency and independence of media and primarily involves legislative changes for media activities.[2] This commitment builds on milestones from the second OGP action plan,[3] two of which were aimed at increasing transparency via legal changes. At the time, the Ministry of Culture envisaged a new media policy[4] to feed into the legislative changes. However, this media policy creation process held back implementation of activities in both milestones. Exacerbating the matter, the launch of the new media policy and legislation was postponed indefinitely since parliamentary elections held in November 2015.[5]

In recent years, media freedoms and the state of the media in Croatia have seen a noticeable decline. A 2016 report on media freedoms in Croatia[6] noted political interference in the Croatian public broadcaster (HRT), increasing public intimidation of critical media, continued impunity for physical attacts against journalists,[7] the use of criminal slander and libel legislation to silence investigative journalism, and a reduced arena for media pluralism, including minority and nonprofit media. This is corroborated by the World Press Freedom Index[8] and relevant CSOs in Croatia.[9] In this context, the commitment aims to ensure changes to the Electronic Media Act (Milestone 8.1), the Media Act (8.2) and to legal provisions related to media ownership transparency (8.3). The commitment is specific and verifiable, and is relevant to access to information, as all proposed legislative changes will improve the existing media environment. The last milestone will create a registry of beneficial ownership of the media in reusable and searchable open code, making it relevant for use of technology and innovation to improve transparency and accountablity. Various organizations are represented in drafting the laws in question, including several CSOs, making this commitment relevant to civic participation. In that regard, the envisioned proposal for the Electronic Media Act, followed by the umbrella Media Act, and other media legislation should achieve a more transparent and effective media environment.

For comparison, current media regulation and support does not include all media (i.e., public, commercial, electronic and print, and nonprofit), which is important for supporting domestic media production. It is also important to ensure the new legislation alligns with the revised Audiovisual Media Services Directive, which was adopted by the European Parliament in late 2018,[10] especially in encouraging of media pluralism via regulating non-linear platforms and services.[11] There are also issues regarding journalism ethics and standards, lack of editorial accountability, and increasing problems with "fake news," particularly on non-linear platforms. This commitment also aims to improve the low level of public trust in the media and legal definition of potential nonprofit media service providers ("community media").

This commitment is moderate in its scale and scope, as transparency in media ownership could reduce the risk of media monopolies, prevent political interference and corruption, and decrease backhanded dealings in media enterprises.

Next steps
During action plan implementation, the IRM researcher reccomends the Ministry of Culture does the following:
- Include strong regulations to erradicate the key problems with media freedoms, especially political interference, intimidation of journalists and their employers, reduced space for nonprofit, minority, and community media in general;
- Ensure representation of all relevant stakeholders: independent media experts, CSOs dealing with media freedoms and democratic values, the academic sector, journalist and media professional associations, etc. Use established mechanisms of sharing important information with the interested public.

Should the government continue working on this issue, the next action plan could include:
- Stimulating investigative journalism in Croatia by reducing or abolishing the use of criminal slander and libel legislation on journalists and their employers;
- Opening more media data and information to the public, such as information on beneficial ownership of all media outlets, especially electronic media.

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018) 50−54, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.
[2] "Regulations > Media"(Ministry of Culture of the Republic of Croatia, 2019), https://www.min-kulture.hr/default.aspx?id=84;

[3] Government of the Republic of Croatia, Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2014 to 2016 (OGP, Jul. 2014) 24−25 (Measure 8), https://www.opengovpartnership.org/sites/default/files/Action%20Plan-OGP-8-7-2014-final-ENG.pdf.

[4] Ivona Mendeš, Independent Reporting Mechanism (IRM) Progress Report: Croatia 2014-2015 (OGP, 21 Jun. 2016) 66−70 (Milestone 8), https://www.opengovpartnership.org/documents/croatia-irm-progress-report-2014-2015/.

[5] Ivona Mendeš, Croatia: 2014-2016 End-of-term Report, (OGP, Dec. 2016) 42−46 (Milestone 8), http://www.opengovpartnership.org/sites/default/files/Croatia_EOTR_2014-2016_for-pub-comment_ENG.pdf.

[6] Scott Griffen, Croatia: Media Freedom in Turbulent Times (Joint International Mission, Aug. 2016), https://ipi.media/wp-content/uploads/2016/12/Croatia-Report-Intl-Mission-2016.pdf.

[7] Zagreb, "Croatia: Hight time to create a tolerant and inclusive society" (Commissioner for Human Rights – Council of Europe, 29 Apr. 2016), https://www.coe.int/en/web/commissioner/-/croatia-high-time-to-create-a-tolerant-and-inclusive-society.

[8] "Croatia" World Press Freedom Index (Reporters without Borders: 2018), https://rsf.org/en/croatia. In the report, Croatia steadily dropped rank between 2015 and 2018 when it went from 74 to 69. See Maja Garaca, "Croatia rises five places in World Press Freedom index" (SeeNews.com, 25 Apr. 2018), https://seenews.com/news/croatia-rises-five-places-in-world-press-freedom-index-610245.

[9] "The last six months have been worse than the 1990s," Saša Leković, president of the Croatian Journalists' Association (HND), said of the media atmosphere in Croatia in 2016. He added, "Once a country is an EU member, nobody cares anymore." The situation devolved even further in the two subsequent years. Sven Milekic, "European Delegation Puts Croatian Media Freedom Under Spotlight" (BalkanInsight.com, 16 Jan. 2018), https://balkaninsight.com/2018/01/16/croatian-media-freedoms-fell-since-2016-01-15-2018/.

[10] European Parliament, "Directive (EU 2018/18-08 of the European Parliament and of the Council," Official Journal of the European Union L303/69 (Eur-Lex, 14 Nov. 2018), https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32018L1808.

[11] Non-linear media is a form of media that can be interacted with by the consumer, such as by selecting television shows to watch through a video on demand type service, by playing a video game, by clicking through a website, or by interacting through social media.

B. OPENNESS

9. Ongoing Data Opening

Language of the commitment as it appears in the action plan:

"Measure 9. Ongoing Data Opening"[1]

"Since the problem has been noted that only a few bodies are opening data, it is expected that the technological, process and functional improvement of the IT system for publishing open data by public authorities in machine-readable form will improve the open data system, which will result in the inclusion of a greater number of subjects of public authority bodies in publishing open data. In addition, it is expected that opening data, or the availability of more datasets on the Open Data Portal, will result in the increased reuse of public sector data. (…) The total costs of implementing the measure are HRK 6,798,000."

Milestones:

9.1. Adapting the IT systems of public sector bodies to the Open Data Portal
- Launching the project 'Adapting the IT systems of public sector bodies to the Open Data Portal' will improve the technological, process and functional IT system for publishing the open data of public administration bodies in machine-readable form.
- Through promotional content on the open data system and pertinent promotional material and events ('datathons') it is envisaged that business subjects (for example, IT companies) will become more significantly and more actively involved in the open data system, along with strengthening the capacities of public authority employees in the area of the open data system by promoting the open data system and training public authority employees.
- Programmes and training material produced for the on-site education of public body officials
- Training conducted of public body officials
- Video and other e-learning contents produced
- Promotional video content produced
- Flyers, posters and promotional material with information on open data produced
- Datathons organised and held

9.2. Analysing the current situation and identifying requirements for improvement
- Analysis conducted of the current situation regarding the open data system
- Analysis conducted of good practices, EU and world standards in the context of open data and internet access
- Potential databases/data sources identified in these categories: Geospatial Information, Observing the Earth and Environment, Traffic Information, Statistics and Commercial Companies

9.3. Ongoing technological, process and functional building up of the current IT system for publishing open data
- Technological improvement of the open data system completed
- New user interface for the open data system developed
- New functionalities in the open data system developed
- New processes in the open data system implemented

Start date: Underway
End date: 21 August 2020

	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?

Commitment Overview	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
9. Overall		✔	✔			✔		✔			Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives

This commitment continues open data policies and activities initiated in the second OGP action plan.[2] The milestones adapt public agency IT systems to the Open Data Portal[3] with activities like promotions and trainings (Milestone 9.1.), analyzing the status quo to identify good practices and areas for improvement (9.2.), and continuous upgrades for publishing open data (9.3.).

The Open Data Portal was established in Croatia on 19 March 2015.[4] It is linked to the European Data Portal[5] and enables searching, linking, downloading, and re-using public sector information for commercial and non-commercial purposes via a metadata catalogue. According to statistics on the Portal, 577 datasets[6] published by 73 institutions[7] were available in early March 2019, with 35 various datasets requested for publishing by users.[8] The Portal follows the European Commission guidelines on recommended standard licences, datasets, and charging for the re-use of documents.[9] According to the European Commission's annual Open Data Maturity analysis for 2017, Croatia ranked 14th among EU countries in the field of open data, but dropped to 19th in 2018, due to progress achieved by other EU members. This system overhaul might put Croatia back into the "trendsetter" group of countries.[10]

The open data legal framework[11] also underwent significant changes in the last several years. The most significant was the adoption of the Open Data Policy[12] in July 2018, aimed to build a stimulating environment for creating new social and economic value by using public sector data.[13] According to interviewed public authorities' and CSO representatives, an action plan for 2019−2020 is being drafted, and its adoption was expected in March 2019.[14] Its activities coincide significantly with the activities envisaged in this commitment, but with more specific indicators.[15]

The Policy establishes a "Coordination for Implementation of Open Data Policy Measures" consisting of two members each from the Central State Office, Ministry of Administration, Office of the Information Commissioner, and Government Office for Cooperation with NGOs.[16] This Coordination drafted the Open Data Policy Action Plan, and will monitor and report on its implementation.

Unlike in the previous action plan, when both the legislative framework and the system itself had to be established, this commitment is more a continuation, upgrade, and refinement of the existing system, making its potential impact minor. The activities are specific and verifiable, and relevant to OGP values, as they will increase access to information through technology and innovation. New public sector information will be accessible and previously unincluded public authorities' data will be available in the Open Data Portal. The potential impact of the commitment is moderate, given that it should increase the number of public authorities included in the system, the number of open datasets available for reuse, and the actual reuse of public sector data.

Next steps
To ensure effective implementation of this commitment, the Council of the OGP Initiative could aim to reach the 5th star-level of data design when publishing open data for reuse.

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec.

2018) 54−58, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf,

[2] Government of the Republic of Croatia, Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2014 to 2016 (OGP, Jul. 2014) 14−15 (Milestones 3.2,3.3), https://www.opengovpartnership.org/sites/default/files/Action%20Plan-OGP-8-7-2014-final-ENG.pdf.

[3] Open Data Portal: https://data.gov.hr/.

[4] "Vice President Opacic: Open Data Portal - Data.gov.hr Open State and Public Administration" (Government of the Republic of Croatia, 19 Mar. 2015), https://vlada.gov.hr/vijesti/potpredsjednica-opacic-portalom-otvorenih-podataka-data-gov-hr-dodatno-otvaramo-drzavnu-i-javnu-upravu/16571; Mia Biberrovic, "Data.gov.hr, the portal of open public data, finally presented" (Netokracija, 19 Mar. 2015), https://www.netokracija.com/predstavljanje-data-gov-hr-100301.

[5] European Data Portal: https://www.europeandataportal.eu/.

[6] "Datasets," in Open Data Portal (Government of the Republic of Croatia, accessed Mar. 2019) http://data.gov.hr/data/search.

[7] "Publishers" in Open Data Portal (Government of the Republic of Croatia, accessed Mar. 2019) https://data.gov.hr/publisher.

[8] "Data requests" in Open Data Portal (Government of the Republic of Croatia, accessed Mar. 2019) https://data.gov.hr/data-request.

[9] "Informacije institucija, tijela, ureda i agencija Europske unije: Europska komisija," in Službeni list Europske unije C 24/01 (24 Jul. 2014), http://data.gov.hr/sites/default/files/library/Smjernice%20-%20PSI%20direktiva%20CELEX-52014XC0724%2801%29-HR-TXT.pdf.

[10] "Croatia: State-of-play on open data 2018" (European Data Portal, Nov. 2018), https://www.europeandataportal.eu/sites/default/files/country-factsheet_croatia_2018.pdf.

[11] "Library" in Open Data Portal (Government of the Republic of Croatia, accessed Mar. 2019), http://data.gov.hr/library_content.

[12] Politika otvorenih podataka (Government of the Republic of Croatia, Jul. 2018), https://rdd.gov.hr/UserDocsImages/SDURDD-dokumenti/POLITIKA%20OTVORENIH%20PODATAKA.pdf.

[13] Id.at 6.

[14] At the time of this Report, the draft Open Data Policy Action Plan was not yet publicly available. According to interviewed representatives of the Central State Office for Development of Digital Society, the adoption of the Action Plan may take place as soon as March 2019.

[15] Almir Elezović and Božo Zeba (Central State Office for Development of Digital Society) interview by IRM researcher, 22 Feb. 2019.

[16] Politika otvorenih podataka at 8.

10. Raising Awareness about Open Data

Language of the commitment as it appears in the action plan:

"Measure 10. Raising the Level of Knowledge and Awareness of the Importance of Open Data"[1]

"The main goal is to raise the level of knowledge and awareness of the important of open data and the potential for reuse of such data, with the aim of developing new values, whether for commercial or non-commercial purposes. It is expected that this will influence the further opening of data by public authority bodies. (…) Resources are guaranteed in the State Budget. (…) The State Public Administration School has assured HRK 15,500 for implementing education."

Milestones:

10.1. Organising public events focusing on strengthening awareness, promoting and developing skills for the use of open data
-   Conference organised on open data with at least 70 participants
-   At least three round table/panel discussions held on open data (in cooperation with NGOs) with at least 50 participants at each event
-   Promotion of online training material via the media, internet and social networks

10.2. Raising the level of knowledge of young people on the reuse of data and on open data
-   Three lectures per year held at educational institutions, with about 100 attendees
-   Annual hackathon for young people held (in cooperation with NGOs) with at least 20 participants
-   Open Data Youth Academy held, depending on financial possibilities, with at least 30 participants
-   Handbook on open data for young people produced

10.3. Holding special training sessions on the reuse of data and on open data for information officers, web content officials, and IT support officials
-   Four training sessions per year held – at the State School for Public Administration and through webinars
-   At least sixty attendees per year

10.4. Producing and publishing a manual on open data and reuse
-   Manual produced on open data and reuse of data for public authority bodies, with steps for opening data
-   Manual distributed and published on the websites of the Information Commissioner and the Open Data Portal

Start date: Underway
End date: 21 August 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
10. Overall		✔	✔			✔		✔			Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives
This commitment strives to raise the level of knowledge and awareness on the reuse of data through public events and promotion (Milestone 10.1), youth-focused events (10.2), training sessions

for information officers, web content professionals, and IT support specialists (10.3), and a manual on open data and reuse (10.4). These milestones are a continuation of an open data commitment in the second OGP action plan,[2] which was fully completed.

Regarding the first milestone, public authorities[3] emphasized that the Open Data Policy Action Plan is being drafted; milestone activities should be organized with this in mind and as a joint effort with CSOs, who are milestone co-leaders.

The second milestone may be revised during action plan implementation, as announced by the leading institution at the fourth meeting of the OGP Council[4] and in the interview with the IRM researcher.[5] This particularily concerns the Open Data Youth Academy activity, which was to be a reboot of the Open Youth Academy.[6] According to stakeholders, financial constraints and differences in organizational vision make it necessary to revise, postpone, or exclude this activity from the milestone. One of the non-governmental participants[7] intends to continue the activity if enough funds are raised.

The milestones are all specific enough to be verifiable and relate to increasing access to information using technology and innovation, with a focus on raising access to information. The potential impact of the commitment is minor, given that its implementation may improve existing levels of knowledge on open data and reuse. Despite the country making progress since launching the Open Data Portal in 2015, this area is still very much neglected in Croatian society, so the commitment would not bring a significant change.[8]

Next steps
The IRM researcher suggests the following steps while implementing this commitment:
- Consider organizing an annual Open Data Youth Academy, even in a revised format, as it is the only activity in the OGP action plan focused solely on youth. Funding can be raised through various channels (state or ESI funds, European Commission programs, other donors, etc.) during implementation of this or the next action plan; and
- For the next action plan, the government might consider starting a nation-wide campaign regarding open data and its reuse, with special focus on the business sector as potential users of this valuable public good, as Croatia continues to lag behind other EU countries in this area.

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018) 58−62, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.

[2] Government of the Republic of Croatia, Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2014 to 2016 (OGP, Jul. 2014) 14−15 (Milestones 3.2, 3.4, 3.5), https://www.opengovpartnership.org/sites/default/files/Action%20Plan-OGP-8-7-2014-final-ENG.pdf.

[3] Zoran Pičuljan (Information Commissioner), Iva Volmut and Lucija Jadrijević (Office of the Information Commissioner) interview by IRM researcher, 21 Feb. 2019; Almir Elezović and Božo Zeba (Central State Office for Development of Digital Society) interview by IRM researcher 22 Feb. 2019.

[4] Held on 18 Feb. 2019.

[5] Pičuljan, Volmut, and Jadrijević, interview.

[6] "Open Youth Academy" (Pula: Code for Croatia, 28 Aug.-3 Sept. 2016) http://academy.codeforcroatia.org/.

[7] The UK Embassy in Zagreb expressed their intent to support organization of the Academy. Tamara Puhovski (owner of Propuh, Open Youth Academy 2016 founder), interview by IRM researcher, 12 Mar. 2019.

[8] "Croatia: State-of-play on open data 2018" (European Data Portal, Nov. 2018), https://www.europeandataportal.eu/sites/default/files/country-factsheet_croatia_2018.pdf.

11. Central State Portal Development

Language of the commitment as it appears in the action plan:

"Measure 11. Further Development of the Central State Portal"[1]

A good quality, simple, consistent web page which fulfils a service for citizens can contribute to increased use. By improving the arrangement of information and services, it will be easier and more accessible to use. The introduction of new visual elements and links with functionality will mean that the pages work as a unit to link citizens and information. Transferring to a joint system for managing the web page content of state bodies will have a unifying effect and create budget savings, as it will no longer be necessary for each body to make an individual contract for web page development and storage. (…)"

Milestones:

11.1. Continuing to develop the Central State Portal as the single place for access to the internet pages of state administration bodies
-   Number of ministries and government offices which organise their internet pages as part of the Central State Portal
-   Pages in the Central State Portal adapted for access by persons with special needs

11.2. Continuing to develop e-services through the e-Citizens system
-   Number of new services in the e-Citizens system

11.3. Continuing to develop the My Administration page
-   Number of items in the category My Administration
-   My Administration page updated regularly

Start date: Underway
End date: 21 August 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
11. Overall		✔	✔			✔				✔	Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives

This commitment is a continuation from the previous action plan[2] and includes three important components: continued development of the Central State Portal (Milestone 11.1), e-services in the e-Citizens system (11.2), and My Administration webpage (11.3). The indicators stated in each milestone do not mention a specific increase in numerical or percentage terms. The IRM researcher plans to compare beginning and final figures when evaluating results at the end of the action plan implementation period.

The Central State Portal has been available online[3] since June 2014. The platform included all 11 government offices, 12 out of 20 ministries,[4] all 5 central state offices, and 1 out of 7 state administrative organizations[5] at the time the action plan was written. The IT solution and the Portal itself were incorporated into the Information Systems and Information Technologies Support Agency (APIS IT),[6] and will be freely downloadable and its source code published upon completion of the

project.[7] According to Ministry of Administration officials,[8] 16 ministries in total will be integrated in the gov.hr domain by the end of 2019. The expected results will be the launch of a redesigned portal in line with the new EU Web Accessibility Directive,[9] adoption of its implementing acts,[10] as well as the new Croatian Web Accessibility Act.[11]

Potentially the most impactful milestone in this commitment, and one of the most important activities in the third action plan overall, is further development of the e-Citizens system. This includes implementation of key state IT infrastructure projects, which are to be partially implemented in 2019: e-Business, e-Fees, e/m-Signature, and e/m-Seal.[12] This also includes expanding use of the e-ID as a certificate, since it will soon allow Croatian citizens to use e-services in other EU countries.[13] According to representatives of the Ministry of Administration, there are now 54 e-services available in the system and 66 e-mail messages that can be delivered to every user through their personal email.[14] From its introduction in the beginning of 2016 to March 2019, there were 661,842 unique users signed up at least once for e-services.[15] In total, e-services have been used over 9,000,000 times in the same period.[16] The e-Citizens system won the first open award in Europe at the 2015 OGP Global Summit held in Mexico City, in the category of "open government for improving public services."[17]

The milestones all relate to increasing access to information through technology and innovation, by opening new technological venues and offering new e-services to both citizens and businesses. The potential impact of the commitment is transformative, given that its most important milestone (11.2) will significantly change the business sector, which has been somewhat neglected when designing e-services and making them available to stakeholders. Despite significant progress in economic and administrative reforms since Croatia's independence in 1991, problems remain. According to the US Department of Commerce's International Trade Administration (ITA), these include a judiciary plagued by case backlogs and insufficient expertise in commercial affairs, an overly complex and sometimes non-transparent bureaucracy, relatively high costs, and both real and perceived corruption. Employment taxes are high and there is a lack of good real estate title records. Companies in litigation often face many years to reach a final resolution.[18] Business dealings are burdened by administrative barriers (e.g., it took 23 days to start a business in Croatia, according to 2018 World Bank data).[19] This commitment will enable private sector entities to do all their business-related administration through the state Portal (e.g., e-Fees), as well as provide business-to-business (B2B) functionalities, such as e/m-Signature and e/m-Seal. The other two milestones will ensure strong strides are made in increasing the presence and usefulness of public sector and service information (gov.hr and My Administration).

Next steps
During implementation, the government could consider the following:

- Incorporate all state authorities in the gov.hr portal as soon as possible;
- Include new electronic services from all public sector bodies in the e-Citizens system, expanding technical solutions to other users of public services such as private enterprises, as well as CSOs, foreign and domestic investors, etc. (in this and the next action plan);
- Promote the achivements of this commitment with the wider public in order to increase the number of users of all the offered services and portals and to properly validate the quality of the work done; and
- Transfer technology and know-how to regional and local self-governments, which could significantly increase the number and quality of online services.

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: *Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020* (OGP, Dec. 2018) 62–66, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.
[2] Government of the Republic of Croatia, *Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2014 to 2016* (OGP, Jul. 2014) 14–15 (Milestone 3.1) and 20 (Milestone 5.1), https://www.opengovpartnership.org/sites/default/files/Action%20Plan-OGP-8-7-2014-final-ENG.pdf.
[3] Central State Portal: https://gov.hr/.

[4] The Ministry of Tourism is still marked as having an external webpage, even though it transferred its content on the gov.hr platform.

[5] "Ministries and state bodies" in Central State Portal (Government of the Republic of Croatia, Mar. 2019), https://gov.hr/ministarstva-i-drzavna-tijela/58#ministarstva.

[6] "Profile" (APIS IT LLC, accessed Sept. 2019), https://www.apis-it.hr/apisit/index.html#/page?docId=D9619A3BDFD4D0DBC1257F50004F4C2C.

[7] "About the Central State Portal" (Government of the Republic of Croatia, 12 Oct. 2017), https://vlada.gov.hr/sredisnji-drzavni-portal/203?impaired=0.

[8] Mladen Nakić (Assistant Minister), Silvija Grgić and Ivana Lasan (Ministry of Administration), interview by IRM researcher, 22 Feb. 2019.

[9] "Directive (EU) 2016/2102 of the European Parliament and of the Council," *Official Journal of the European Union* L327/1 (26 Oct. 2016), https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L2102&from=EN.

[10] "Publication of the implementing acts under the Web Accessibility Directive" (European Commission, 17 Oct. 2018), https://ec.europa.eu/digital-single-market/en/news/publication-implementing-acts-under-web-accessibility-directive.

[11] Consolidated text of the law (Croatia), "Decision on Declaring Law on Accessibility of Network Sites and Software Solutions for Public Sector Bodies," *Official Gazette* NN 17/2019 (Narodne novine, 20 Feb. 2019), https://narodne-novine.nn.hr/clanci/sluzbeni/2019_02_17_358.html.

[12] Hina, "Famous FT1P goes down in history? "Citizens will no longer have to bring documents to do something" (novelist.hr, 3 Jan. 2019), http://www.novilist.hr/novilist_public/Vijesti/Hrvatska/Famozni-FT1P-odlazi-u-povijest-Gradani-vise-nece-morati-donositi-dokumente-da-obave-nesto?meta_refresh=true.

[13] Mladen Nakić (Assistant Minister), Silvija Grgić and Ivana Lasan, (Ministry of Administration), interview by IRM researcher, 22 Feb. 2019.

[14] "Personal User Box" (Government of the Republic of Croatia, Mar. 2019), https://pretinac.gov.hr/KorisnickiPretinac/eGradani.html.

[15] XML file (March 2019) http://data.gov.hr/dataset/e-gradjani-statistika/resource/92998eb9-8d8d-4dd8-bb72-1f04929d4fb2.

[16] XML file (March 2019) http://data.gov.hr/dataset/e-gradjani-statistika/resource/177888d5-1aec-4c85-9e92-eaf7da8f82f8.

[17] "e-Citizens Project pronounced the best project in Europe in the field of "Open Government for the Improvement of Public Services" (29 Oct. 2015), https://udruge.gov.hr/news/e-citizens-project-pronounced-the-best-project-in-europe-in-the-field-of-open-government-for-the-improvement-of-public-services/3106.

[18] "Croatia Country Commercial Guide" (International Trade Administration, 2019), https://www.export.gov/article?series=a0pt0000000PAtbAAG&type=Country_Commercial__kav.

[19] "Time required to start a business (days)" (World Bank, 2018), https://data.worldbank.org/indicator/IC.REG.DURS.

C. PARTICIPATION BY CITIZENS/CIVIL SOCIETY IN THE PROCESS OF FORMING, IMPLEMENTING AND MONITORING PUBLIC POLICY

12. Public Consultations

Language of the commitment as it appears in the action plan:

"Measure 12. Further Improvement in Conducting Consultations with the Public" [1]
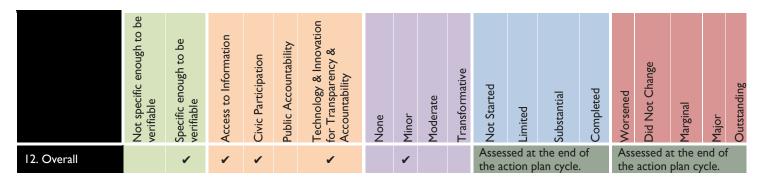
"Through the implementation of the necessary improvements to the e-Consultations system, and the continuation of education in conducting consultations, both in general and specifically through the e-Consultations system, the actual procedure for conducting consultations at the level of all state administration bodies will be improved. Through promotional activities, action will be taken to inform and encourage citizens to be involved in greater numbers in consultation, while the regular updating of databases of advisory bodies will contribute to overall transparency in the consultation process. (…) The total cost of implementing the measure is HRK 225,000."

Milestones:

12.1. Improving the joint interactive internet system (e-Consultations) for consultations with the public on procedures for adopting acts, other regulations and documents
- System adapted to the new Act on Assessing the Effects of Regulations and other relevant amendments
- Number of meetings held with system administrators and consultation coordinators in state administration bodies

12.2. Conducting a programme of education on standards for consultations with the interested public on procedures for adopting acts, other regulations and documents, and workshops on using the e-Consultations system
- Annually, at least three educational seminars on consultations standards held at the state level and one at the level of units of local and regional self-government
- At least six workshops held annually on using the e-Consultations system
- Number of participants in seminars and workshops"

12.3. Promotional campaign for citizens on e-Consultations
- Promotional campaign conducted by broadcasting promotional videos on social networks, internet portals, and Croatian Television
- Number of leaflets printed and distributed

12.4. Updating databases on the composition of working groups for drafting acts, other regulations and documents, and other commissions and working bodies (including those which participate in NGOs and other representatives of the interested public) as part of savjetovanja.gov.hr
- On the page https://savjetovanja.gov.hr/baza-savjetodavnih-tijela/1118 information on the composition of working groups is updated regularly (searches available by state body, type of advisory body, advisory body, name and surname of member, and institution/organisation represented by the member) in open format.

Start date: Underway
End date: 21 August 2020

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?

	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
12. Overall		✔	✔	✔		✔		✔			Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives

This commitment aims to adapt the e-Consultations system[2] to the Regulatory Impact Assessment Act and Regulation[3] and other relevant legislative and strategic amendments.[4] The system allows citizens to monitor legislation drafting–from the working group, to its adoption and publication in the *Official Gazette*–and gives the public the opportunity to comment on the proposed text.[5] The institutional framework for public consultations is already in place. This commitment will improve existing consultations and use other consultation methods.

Within three years of launching the e-Consultation system, over 39,000 comments on draft legislation were received for 1,737 public consultations, published by 51 state and public bodies.[6] However, according to the 2016 Information Commissioner's report,[7] several problems occur during consultations: non-compliance by state bodies in implementing e-consultations when drafting various acts (only 40% of such acts underwent consultations), e-consultation time windows being shorter than the obligatory 30 days (22 days on average), low percentage of partially or completely adopted comments (only 26% of all comments collected via e-consultations), and others. While the Office for Cooperation with NGOs established a database in April 2015 of the composition of working groups drafting acts,[8] not all public bodies publish this information, since they are not legally obliged to do so.

Some potential solutions are activities in this commitment, e.g., upgrading the online consultation system (Milestone 12.1), educating officials and civil servants on its use (12.2), conducting a public promotion campaign (12.3), and publishing information on working groups for drafting the proposed legislation (12.4). This commitment builds upon achievements of the second OGP action plan,[9] and is present in the *Anti-Corruption Strategy 2015-2020*,[10] and its accompanying Action Plan for 2017 and 2018.[11] The interviewed government representatives[12] noted that there might be a revision of Milestones 12.3 and 12.4 (additions like legal regulations via Government Rules of Procedure or other guidelines). A CSO representative agreed that this is important and that there may be "enough political will to do so."[13]

All milestones are specific enough to be verifiable and are clearly relevant to OGP values of access to information and civic participation. The e-consultation system, if used according to legal provisions, offers invaluable access to legislative information and civic participation opportunities, while requiring government bodies to justify their actions and respond to public criticisms. The potential impact of this commitment is minor, as it improves an existing e-consultation system, and increases the number of participants, both from the government and the public. Also, changes to the working group database will provide comprehensive access to data that is currently not easily accessible to the public.

Next steps

In line with the comments from stakeholders and based on research, the IRM researcher recommends the government ensure that public authorities fully adhere to the Code on Consultations. The government might consider sanctions for authorities who repeatedly fail to comply.

[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018) 66−71, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.

[2] "e-Savjetovanja" https://savjetovanja.gov.hr/.

[3] Croatian Parliament, "Decision on Declaring the Law on Assessing the Effect of Regulations," Official Gazette NN 44/2017 (Narodne novine, 5 May 2017) https://narodne-novine.nn.hr/clanci/sluzbeni/2017_05_44_998.html; Croatian Parliament, "Regulation on the Implementation of the Regulation Impact Assessment Procedure," Official Gazette OG 52/2017 (Narodne novine, 6 Feb. 2017), https://narodne-novine.nn.hr/clanci/sluzbeni/2017_06_52_1170.html.

[4] "Legislative framework for the regulatory impact assessment" (Legislative Office (Croatian), Mar. 2019), https://zakonodavstvo.gov.hr/procjena-ucinaka-propisa/zakonodavni-okvir-procjene-ucinaka-propisa/223; "Strategic framework for regulatory impact assessment" (Legislative Office (Croatian), Mar. 2019), https://zakonodavstvo.gov.hr/procjena-ucinaka-propisa/strateski-okvir-procjene-ucinaka-propisa/225.

[5] "Consultations" (e-Savjetovanja, accessed Sept. 2019), https://esavjetovanja.gov.hr/ECon/Dashboard.

[6] The number of registered users is over 17,000: 14,000 people, 1,072 companies, 689 associations, 384 institutions, 263 trades, and other legal entities. "Three years of e-Consulting portal" (Legislative Office (Croatian), 27 Apr. 2018), https://udruge.gov.hr/vijesti/tri-godine-portala-e-savjetovanja/4728; see annual reports on e-Consultations, "Documents" (e-Savjetovanja, accessed Sept. 2019), https://savjetovanja.gov.hr/dokumenti/10; the last available report is for 2017 (Office for Associations (Croatia), Izvješće o provedbi savjetovanja sa zainteresiranom javnošću u postupcima donošenja zakona, drugih propisa i akata u 2017. godini (Mar. 2018), https://savjetovanja.gov.hr/UserDocsImages//dokumenti//Izvje%C5%A1%C4%87e%20o%20provedbi%20savjetovanja%202017%20-%20usvojeno.pdf.

[7] "Analitičko izvješće o praćenju provedbe Zakona o pravu na pristup informacijama: Provedba savjetovanja s javnošću u tijelima državne uprave i uredima Vlade RH u 2016. godini" (Information Commissioner, Jan. 2017), https://www.pristupinfo.hr/wp-content/uploads/2018/10/AI-2016-5-Savjetovanja-TDU-i-Vlada-2016-1.pdf.

[8] This information is occasionally updated and is in a clear, searchable format. Available at: https://savjetovanja.gov.hr/baza-savjetodavnih-tijela/1118.

[9] Government of the Republic of Croatia, Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2014 to 2016 (OGP, Jul. 2014), 27−28 (Measure 11), https://www.opengovpartnership.org/sites/default/files/Action%20Plan-OGP-8-7-2014-final-ENG.pdf.

[10] Croatian Parliament, "Strategy: Corruption Against the Period from 2015 to 2020," Official Gazette OG 26/2015 (Narodne novine, 3 Sept. 2015) §5.2.1, Measure 3, https://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_26_545.html.

[11] Action Plan for 2017 and 2018 accompanying the Anti-Corruption Strategy from 2015-2020 (Jun. 2017) 18−20 (Activities 49, 55−57), https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/Akcijski%20plan%20suzbijanja%20korupcije%202017_2018.pdf.

[12] Darija Marić (Government Office for Cooperation with NGOs) reported on the status of the commitment at the OGP Council meeting (18 February 2019). The same was reiterated in an interview the IRM researcher held with Helena Beus (Head of Office), Vesna Lendić Kasalo (Deputy Head of Office), and Darija Marić (Government Advisor in the Office) on 22 Feb. 2019.

[13] Jelena Tešija (GONG) interview by IRM researcher 21 Feb. 2019.

13. Building CSO Capacity for Anti-Corruption Activities

Language of the commitment as it appears in the action plan:

"Measure 13. Strengthening the Abilities of NGOs to Contribute Actively to the Implementation of Anti-Corruption Measures" [1]

"Through the provision of financial support for NGOs to implement projects in the areas of public procurement, suppressing corruption and preventing conflicts of interest, contributions will be made to implementing the Anti-Corruption Strategy, that is, preventing corruption in the widest sense. (…) The total cost of implementing the measure is HRK 60,000,000.[2]"

Milestones:

13.1. Issuing a public tender and signing contracts to award non-returnable resources within OP ULJP 2014-2020 in the area of cooperation with civil society organisation and local authorities to prevent corruption and conflicts of interest in the implementation of public policies
- Public tender issued
- Number of contracts signed on awards of non-returnable funds

Start date: December 2018
End date: June 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
13. Overall		✔		✔				✔			Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives

With this commitment, the government will continue investing in CSO programs that contribute to anti-corruption measures at national, regional, and local levels. This commitment is part of the the *Anti-Corruption Strategy 2015-2020*[3] and the accompanying Action Plan.[4]

The commitment includes a call for proposals and awarding non-returnable funds to CSOs and local authorities within the Operational Programme Efficient Human Resources 2014-2020 (OPEHR)[5] to prevent corruption and conflicts of interest in implementing public policies. The overall aim of the measure is to support CSOs in anti-corruption efforts, as well as to increase cooperation between CSOs and local authorities.

The commitment is specific and verifiable, and reflects the OGP value of civic participation, as it empowers CSOs to inform decision-making at regional and local levels. The commitment has a minor potential impact, as it ensures a more systematic contribution by civil society to anti-corruption efforts in Croatia. Until now, CSOs played a minor role in monitoring local authorities regarding corruption prevention. This is mostly because only a small number of CSOs have this capability and they are mostly confined to Zagreb and major cities (e.g., Split, Rijeka, and Osijek). In this regard, the commitment could increase the number of CSOs capable of undertaking such projects and ensure they are more evenly distributed at local levels. It also has potential for anti-corruption efforts by local authorities, as they lag behind national efforts.

Next steps

The IRM researcher recommends that the government consider removing the condition of mandatory partnership with the local authority in which a participating CSO is founded. Croatia is too small to stump capacity building of either civil society or local and regional authorities, which would defeat the purpose of this commitment and considerably reduce the allocation of funds foreseen for this operation (this action plan). This recommendation was also voiced by several stakeholders, most notably GONG.[6]

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018) 71−74, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.

[2] The IRM researcher found inconsistencies regarding the total amount allocated for this call: the Anti-Corruption Strategy Action Plan states HRK 12,000,000; the OGP Action plan states HRK 60,000,000; and the propositions of the call state HRK 85.000.000,00 (85% EU funding, 15% state budget).

[3] Croatian Parliament, Anti-Corruption Strategy from 2015-2020 (Narodne novine, 9 Mar. 2015) §5.1.7 (Measure 2), https://narodne-novine.nn.hr/clanci/sluzbeni/2015_03_26_545.html.

[4] Action Plan for 2017 and 2018 accompanying the Anti-Corruption Strategy from 2015-2020 (Ministry of Justice, Jun. 2017) 19 (Activity 53), https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/Akcijski%20plan%20suzbijanja%20korupcije%202017_2018.pdf.

[5] "Operational Programme Under the 'Investment for Growth and Jobs' Goal" (Croatian Government & European Commission, 2014), http://www.esf.hr/wordpress/wp-content/uploads/2015/02/FINAL-OP-EHR.pdf. Operational programs are detailed plans by which EU members delegate how money from the European Structural and Investment Funds (ESIF) will be spent during the programming period. They can be regional or nationwide (e.g., environment).

[6] Jelena Tešija (GONG), interview by IRM researcher, 21 Feb. 2019.

D. Open government partnership at the local and regional levels

14. OGP at Local and Regional Levels

Language of the commitment as it appears in the action plan:

"Measure 14. Open Government Partnership at the Local and Regional Levels" [1]

"Through the implementation of the pilot project to produce action plans for the implementation of the OGP Initiative in five units of local and regional self-government, the implementation of activities aimed at achieving the goals of the initiative in these cities will be assured, and partnerships set up between local/regional authorities and NGOs through local councils for the implementation of the Initiative. In addition, it is expected that the pilot project and its results will have a positive influence on other units of local and regional self-government, in that they will also conduct similar activities. Through activities focusing on opening data and conducting consultations, the establishment of five city Open Data Portals will be assured, and it is expected that other units will follow their examples of good practice and set up their own systems for conducting consultations, which will be integrated in the existing e-Consultations system, where they will be able to publish their own consultations, so in future, it is expected that all on-line consultation at all levels will be available to citizens in one place, based on registration in the system. (…) The implementation of the measure will not require the planning of any additional resources."

Milestones:

14.1. Conducting the pilot project for the implementation of the OGP Initiative
- Pilot project implemented in at least five units of local or regional self-government
- Local councils set up to implement the OGP Initiative
- At least five local action plans produced
- Results of the implementation of local action plans

14.2. Launching city Open Data Portals
- Public presentations of city Open Data Portals organised
- Number of city Open Data Portals
- Number of priority datasets published on these portals

14.3. Setting up internet systems for consultations with the interested public at local and regional levels
- A system for consultation with the interested public for units of local and regional self-government set up within e-Consultations
- Number of units of local and regional self-government which implement procedures for consultations via the newly established system
- Number of consultations held with the interested public at local and regional levels

Start date: Upon adoption of the action plan

End date: 31 August 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
14. Overall		✔	✔	✔		✔			✔		Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives

This commitment reflects OGP's initiative for stronger inclusion of local and regional authorities.[2] According to the action plan, representatives of the Association of Cities,[3] Association of Municipalities,[4] and Croatian County Association[5] have been involved in the OGP process in Croatia since the outset of its implementation. Although there were earlier attempts to reach local and regional levels through action plan commitments, these were not particularly successful. This is primarily because local and regional authorities are self-governing bodies. Therefore, the OGP Council plans to encourage OGP values at both national and local levels, in cooperation with the three organizations mentioned above, and support two nationally successful endeavors: opening data and conducting e-consultations. This is particularly important as most local governments struggle in these areas. (However, the cities of Rijeka and Pazin demonstrate a good grasp of open data concepts and several counties have embraced transparency.)[6]

The commitment includes a pilot project to implement the OGP Local Program (Milestone 14.1), launch city-level Open Data Portals (14.2), and establish an internet system for conducting public consultations at local and regional levels (14.3). The overall goal of the commitment is to achieve OGP goals at local and regional levels, emphasizing open data and e-consultations.

There are 555[7] local self-governments (428 municipalities and 127 cities) and 20 regional self-governments (i.e., counties), a significant number for a small country with a population of just over 4 million. The legislative framework is extensive,[8] with the most important being the Local and Regional Self-Government Act.[9] The competences of each type and level of self-government vary, but they all deal with local affairs that directly address the needs of citizens.[10] The result of such fragmentation at local and regional levels is a high level of heterogeneity between units, where some are critically dependent on state subsidies and aid, and some are thriving self-sufficient economies within the national framework.[11] Consequently, developmental differences are wide and growing faster.

The commitment has specific indicators and addresses three OGP values as it ensures citizens receive equal access to rights and information from local authorities by using technology to increase participation and transparency. This commitment will have a moderate effect on the included local and regional governments in Croatia. Until now, activities in this commitment have been only sporadically conducted at local levels. This will be the first systematic attempt at introducing open data, e-consultations and the OGP Initiative at the local level in Croatia. A more profound impact would be achieved with the inclusion of a significant number of local authorities (out of 555). Both government and civil society stakeholders, agreed this commitment is ambitious and well detailed. Full implementation may be the impetus for profoundly changing how local and regional authorities' function, particularly the five pilot governments producing local action plans.

Next steps

Based on the findings, the IRM researcher suggests that the Government Office for Cooperation with NGOs and supporting institutions consider the following recommendations:

- Remain aware of the fact that CSOs who are supporting this commitment may have more difficulties maintaining their financial and human resources than public authorities. The government could consider providing these institutions with financial support;
- The next action plan could expand this commitment to more local and regional authorities, and transfer more technology and know-how from the national level, especially those developed through the OGP process; and
- The next plan could introduce other important OGP content, such as open budgeting, to regional and local levels of self-government.

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[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: *Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020* (OGP, Dec. 2018) 75–79, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.
[2] "OGP Local Program" (OGP, 2016), https://www.opengovpartnership.org/local.

[3] "About us" (Association of Cities in the Republic of Croatia, accessed Mar. 2016), http://www.udruga-gradova.hr/o-udruzi/.

[4] "Association of Municipalities in the Republic of Croatia" (accessed Mar. 2019), https://udruga-opcina.hr/en/about-us.

[5] "Home" (Croatian County Association, accessed Mar. 2019), http://www.hrvzz.hr/en/home?lang=en.

[6] According to a survey by the Institute of Public Finance conducted from November 2015 to March 2016, counties turned out to be the most transparent units. (Hrvatska zajednica županija, Mar. 2019), http://www.hrvzz.hr/otvoreni_proracun.

[7] The capital city, Zagreb, is both a city and a county, bringing the total to 576 units of local and regional self-government units in the Republic of Croatia. "Local and regional self-government" (Ministry of Administration, accessed Sept. 2019), https://uprava.gov.hr/o-ministarstvu/ustrojstvo/5-uprava-za-politicki-sustav-i-organizaciju-uprave-1075/lokalna-i-podrucna-regionalna-samouprava/842.

[8] *Id.*

[9] Consolidated text of the law (Croatia), "Law on Local and Regional Self-Government," *Official Gazette* 33/01 , 60/01 , 129/05 , 109/07 , 125/08 , 36/09 , 36/09 , 150/11 , 144/12 , 19/13 , 137/15 , 123/17 (Narodne novine, 13 Dec. 2017), https://www.zakon.hr/z/132/Zakon-o-lokalnoj-i-podru%C4%8Dnoj-(regionalnoj)-samoupravi.

[10] "Self-government competences of municipality, city and county" (Ministry of Administration, accessed Sept. 2019), https://uprava.gov.hr/o-ministarstvu/ustrojstvo/5-uprava-za-politicki-sustav-i-organizaciju-uprave-1075/lokalna-i-podrucna-regionalna-samouprava/samoupravni-djelokrug-opcine-grada-i-zupanije/843.

[11] For information on the local and regional self-government system in Croatia, visit the Institute of Public Administration (www.iju.hr). For information on funding for local and regional self-government, visit the Institute of Public Finance (www.ijf.hr). These institutes provide data, analyses, documents, articles, and recommendations for improvement (e.g., a collection of papers on the local and regional self-government system is available at: http://iju.hr/publikacije.asp?ID=1).

E. SUSTANABILITY OF THE OPEN GOVERNMENT PARTNERSHIP INITIATIVE

15. OGP Sustainability

Language of the commitment as it appears in the action plan:

"Measure 15. Assuring the Sustainability of the Open Government Partnership Initiative"[1]

"The measure aims to increase the level of informedness on the goals and values of the multilateral OGP Initiative among pupils, teachers and support staff, and promote the active involvement of young people in conducting activities linked to the OGP. (…)
The measure will be conducted within the framework of budget funds allocated for the Ministry of Science and Education and the Education and Teacher Training Agency."

Milestones:

15.1. Including the values and contents on which the OGP Initiative is founded in the curricula for Civic Education and Politics and Economics
Values and contents on which the OGP Initiative is founded, included in the curricula for Civic Education and Politics and Economics, particularly in the areas of anti-corruption, exercising the right to access information, and the inclusion and participation of citizens in decision-making processes.

Start date: 1 May 2018
End date: 31 December 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
15. Overall		✔		✔				✔			Assessed at the end of the action plan cycle.				Assessed at the end of the action plan cycle.				

Context and Objectives
This commitment introduces open government values in the civic education curriculum. Civic education in Croatia has been highly debated for years, as evidenced by the fact that the same commitment was included in the second OGP national action plan.[2] CSOs dealing with human rights, anti-discrimination, anti-corruption, openness, and transparency advocated for civic education[3] to be introduced into schools as soon as possible. Pilot projects were launched[4] and good practices were used to improve the proposed curriculum. The program was originally expected to be a new school subject in September 2014, but this changed when a new Minister of Science, Education and Sport took office in June 2014; topics intended to be taught as a single subject are now cross-curricular. Several government and policy changes in 2016[5] delayed implementation of the new curricula in schools, especially civic education.

According to independent studies[6] and CSO advocacy platforms such as the GOOD initiative,[7] civic education in Croatia is currently sporadic, without systematic efforts to include all school children; research suggests that Croatian youth deviate in a worrisome manner from the ideals of democratic political culture.[8]

The commitment includes OGP content into civic education curriculum for primary and secondary schools, and politics and economics curriculum in secondary schools. This will include anti-corruption, right of access to information, and civic participation in decision-making processes. Activities are more detailed than the OGP education commitment in the last action plan and include the following:

- Including content linked to OGP in the comprehensive curricular reform for early and preschool, primary and secondary education, with special emphasis on the interdisciplinary Civic Education and the Politics and Economics courses;
- Public call for proposals for CSO-led projects in the field of youth extra-institutional education;
- Including topics from OGP in continuing professional development for teachers and support staff;
- Including topics from OGP in competitions and festivals organised by the Education and Teacher Training Agency.

According to representative of the Ministry,[9] and confirmed by members of CSOs,[10] OGP values were included in the cross-curricular civic education course[11] and in the politics and economics course,[12] which will be taught to 490,000 students. Other mentioned activities are underway. However, the GOOD Initiative warns that with these changes, students' education in civics, politics, and economics will be further condensed, exacerbating programs that have already been underdeveloped in the last four years of implementation; the commitment is therefore "a step back."[13]

This commitment is specific and verifiable and clearly directed toward increasing civic participation through civic education for youth. This commitment has a minor potential impact as the cross-curricular approach is a watered down version of the commitment from the second OGP action plan.

Next steps
The IRM researcher suggests that the Ministry of Science, Education and Sport considers the following recommendations:

- The government should implement this commitment as envisaged, while striving to uphold all achieved democratic standards regarding transparent decision-making, respect for legal procedures, upholding the value of civic participation and accountability (this action plan); and
- The Ministry of Science, Education and Sports could use results from this plan's implementation to decide whether the chosen (cross-curricular) approach to civic education is optimal. Adjustments can then be made in the next plan.

[1] Editorial note: The text contained herein is the abridged version of the commitment. The full text is available at: Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia up to 2020 (OGP, Dec. 2018), 80−82, https://www.opengovpartnership.org/wp-content/uploads/2019/02/Croatia_Action-Plan_2018-2020_EN.pdf.
[2] Government of the Republic of Croatia, Action Plan for Implementation of the Open Government Partnership Initiative in the Republic of Croatia for the Period 2014 to 2016 (OGP, Jul. 2014) 29 (Measure 12), https://www.opengovpartnership.org/sites/default/files/Action%20Plan-OGP-8-7-2014-final-ENG.pdf.
[3] Kurikulum građanskog odgoja i obrazovanja (Education and Teacher Training Agency, Aug. 2012), https://www.azoo.hr/images/Kurikulum_gradanskog_odgoja_i_obrazovanja.pdf.
[4] Pilot projects for civic education have been introduced in several cities across Croatia, most notably in Rijeka, Sisak, and Osijek. Dora Krsul, "This Croatian city follows the well-established footsteps of Rijeka and introduces Civic Education to primary schools" (srednja.hr, 15 Nov. 2017), https://srednja.hr/zbornica/nastava/ovaj-hrvatski-grad-ide-dobro-utabanim-stopama-rijeke-uvodi-gradanski-odgoj-osnovne-skole/; Marko Mandic, "The Osijek to Goo Project is slowly coming to fruition: Civic Education for Teachers First" (civilnodrustvo.hr, 21 Aug. 2018), http://www.civilnodrustvo.hr/projekt-osijek-to-goo-polako-se-realizira-gradanski-odgoj-i-obrazovanje-

najprije-za-nastavnike/. Also, it is interesting to mention that mentioned pilot projects are based on the project of the City of Rijeka. After years of discussions about the introduction of civics education into schools, Rijeka decided to implement it in all the schools it founded, and offered this model as well as manuals to all other founders free of charge, which initiated projects based on this model first in the County of Istria and five of its cities, followed by the cities of Sisak and Osijek. Rijeka's model was also highlighted by the European Commission in its Education and Training Monitor for 2018, https://ec.europa.eu/education/sites/education/files/document-library-docs/volume-1-2018-education-and-training-monitor-country-analysis.pdf, (Chapter 4) .

[5] "List of cabinets of Croatia" (Wikipedia, 20 Sept. 2019), https://en.wikipedia.org/wiki/List_of_cabinets_of_Croatia.

[6] Berto Šalaj, U očekivanju Godota? Politika, demokracija i građanski odgoj i obrazovanje u Hrvatskoj (GOOD Initiative and GONG, Sept. 2018), http://oz.goo.hr/wp-content/uploads/2018/09/u_ocekivanju_godota_ObZ_GOOD.pdf; "Becoming Citizens in the Changing World" (The International Civic and Citizenship Education Study 2016), https://www.educacionyfp.gob.es/inee/dam/jcr:5f05a2fd-6ced-44ae-87b1-05d488aa9345/ICCS_2016_INFORME%20INTERNACIONAL.pdf.

[7] The GOOD Initiative brings together CSOs dealing with informal education and human rights and advocates a systematic and quality introduction of education and training for human rights and democratic citizenship into the educational system (http://goo.hr/). It started an advocacy platform, "Obrazovna zviždaljka," that deals with issues in the education system in general, including civic education (http://oz.goo.hr/kljucna-podrucja/). See also "Education reform or a policy ground for political influence?" (GOOD Initiative, 25 May 2018), https://goo.hr/reforma-obrazovanja-ili-poligon-za-politicke-utjecaje/.

[8] See "Thousands of Croatians protest for education free of politics" (Reuters, 2 Jun. 2016), http://hrvatskamozebolje.org/5542/reuters-thousands-of-croatians-protest-for-education-free-of-politics/. Berto Šalaj states that "no Croatian government, whether left or right" considered civics education an important segment of the education system and notes that the public advocacy by the academic community, CSOs, teachers, and professors has not produced the desired result. Berto Šalaj, U očekivanju Godota? Politika, demokracija i građanski odgoj i obrazovanje u Hrvatskoj (GOOD Initiative and GONG, Sept. 2018), http://oz.goo.hr/wp-content/uploads/2018/09/u_ocekivanju_godota_ObZ_GOOD.pdf. This was also true of strong social and political pressures on political elites through public demonstrations and protests like "Croatia can do better" (Hrvatska može bolje) held in June 2016 and 2017.

[9] Darko Tot (representative of the Ministry of Science and Education and point person in the leading institution), OGP Council meeting held 18 Feb. 2019.

[10] Mario Bajkuša (Forum for Free Education) confirmed that the adopted curricula include the stated OGP values (OGP Council meeting, 18 Feb. 2019).

[11] "Odluka o donošenju kurikuluma za međupredmetnu temu Građansko odgoj i obrazovanje za osnovne i srednje škole u Republici Hrvatskoj" Official Gazette 10/2019 (Narodne novine, 10/2019), https://narodne-novine.nn.hr/clanci/sluzbeni/2019_01_10_217.html

[12] Ministry of Science and Education, "Decision on adopting the curriculum for the cross-curricular theme Civic Education for Primary and Secondary Schools in the Republic of Croatia," Official Gazette 10/2019 (Narodne novine, 29 Jan. 2019), https://narodne-novine.nn.hr/clanci/sluzbeni/2019_01_7_159.html.

[13] "New Civic Education Curriculum - A New Step Backward" (The GOOD Initiative, 8 Feb. 2019), http://goo.hr/novi-kurikulum-gradanskog-odgoja-i-obrazovanja-novi-korak-unatrag/.

V. General Recommendations

This section aims to inform development of the next action plan and guide the implementation of the current action plan. It is divided into two sections: 1) IRM key recommendations to improve OGP process and action plans in the country or entity and, 2) an assessment of how the government responded to previous IRM key recommendations.

5.1 IRM Recommendations

The following crosscutting recommendations are based on the existing action plan, stakeholder interviews, experience with the previous action plan, and observations of the IRM researcher.

1. Make the OGP process act as a major strategic framework

The government and the OGP Council could position the OGP process and values as a major, foundational perspective in the state's strategic framework. Currently, the OGP process is mainly based on the enthusiasm of civil society and some public officials. When individuals leave the process, there is an inevitable decline in that process' importance. To ensure sustainability, OGP values should constitute the foundation of future projects as well as the state's strategic and funding frameworks (e.g., the National Reform Program, the national convergence program, the EU structural and investment funds mechanism, the state budget, etc.). The five local government pilot programs should be given sufficient expert advice, capacity, and resources–both for public authorities and CSOs–to ensure wide ownership of the local action plans and adoption of similar plans by other local authorities.

2. Include vulnerable and minority groups in the OGP process and in action plan commitments

Youth, the elderly, women, the unemployed, ethnic, religious, and sexual minorities all face a harsher reality than the rest of the population regarding poverty, exclusion, and discrimination. Opening the OGP process to these groups would accelerate inclusion and equality, closing critical gaps in information, access, and participation. This could be done by proactively inviting and encouraging CSOs working for or with such groups to participate in the OGP Council, whether officially or unofficially through existing fora and communication channels. The next action plan could include a commitment that uses open government to address service or policy needs of vulnerable and minority groups. Existing initiatives, such as e-consultations, can reach those with learning difficulties or disabilities.

3. Introduce a comprehensive legislative framework regarding lobbying

Despite a commitment targeting lobbying in the previous action plan, and a very active lobbying association advocating for its regulation, there has been no progress beyond its mention in the *Anti-Corruption Strategy for 2015-2020*. The next action plan could include measures to regulate this issue, and include the following recommendations: First, as most Croatian laws are initiated by the government, the future lobby register should include both legislative *and* executive branches. Second, define who will be obliged to register and what information they will be required to publish (e.g., lobbyist names, their interests, and their budget) to better identify influences on the decision-making process. Third, senior officials and parliament members could proactively publish their daily agendas and records of meetings held with lobbyists in order to permit fuller transparency.

4. Increase transparency of public spending

Greater transparency is needed regarding public funds, particularly in publishing comprehensive contracting information and enacting beneficial ownership regulations to end secret shareholders.

Open Contracting

Public procurement is still one of the main issues related to corruption in the public sector. The Open Contracting Data Standard (OCDS), which discloses data and documents at all stages of the contracting process by defining a common data model, should be used to increase transparency and public accountability in this area. It would allow deeper analysis of contracting data by a wide range of users. Information on all bidders and contract winners charged with providing goods and services should also be publicly disclosed to prevent conflicts of interest and identify misuse of funds.

Transparency of state funding for religious institutions
Information on spending for religious institutions is opaque and limited. To improve transparency in this area, all public fund allocations should be published, including at the local level. Ideally, this data will be published on the open data portal, alongside information about the projects being funded. This will require stricter standards and regulations for accountability on public grants provided to religious organizations, to ensure information can be obtained.

5. Strengthen the operating environment for civil society

Rising populism and nationalism are a worrying trend, especially in light of similar events taking place in neighboring Hungary and Poland. To protect, maintain, and strengthen space for civil society to operate, the following steps need to be taken. First, continue work on the new National Strategy for the Creation of an Enabling Environment for Civil Society Development, with the Strategy being drafted and adopted as soon as possible. Second, strengthen human and especially the financial capacities of the National Foundation for Civil Society Development to ensure the future development of civil society in across regions and topics in Croatia. Third, all associations, including religious institutions, should be subject to the same legal principles, particularly provisions on financial reporting and monitoring. Fourth, the allocation of public funds for CSO programs should be increased, at least to previous levels, especially for supporting independent, nonprofit media outlets and community media. CSO support can also be achieved by changing existing tax legislation to allow for direct allocations of income tax toward civil society initiatives (e.g., Hungary, Slovakia, and Moldova let citizens devote up to 2% of their taxes to CSO activity).

Table 5.1: Five Key Recommendations

1	Make the OGP process a major strategic framework
2	Include vulnerable and minority groups in the OGP process
3	Regulate lobbying
4	Increase transparency of public spending
5	Strengthen the operating environment for civil society

5.2 Response to Previous IRM Key Recommendations

Table 5.2: Previous IRM Report Key Recommendations

	Recommendation	Responded to?	Integrated into Current Action Plan?
1	Include concrete steps to support continuation of open government initiatives during and after administrative transitions. The role of civil society in developing action plans should be assured and expanded.	✗	✔

2	Concentrate on including more policy-oriented, instead of legislation-oriented, commitments. They should be more ambitious and new to implementing bodies, instead of pre-existing.	✘	✔
3	The next national action plan should be prepared in a more decentralized manner and include more commitments focused on local and regional levels.	✘	✔
4	Milestones should be adapted to resemble key performance indicators, to simplify and objectify monitoring and evaluation.	✘	✘
5	The government should start developing and utilizing digital collaborative management tools to increase transparency, participation, quality implementation, and accountability.	✘	✘

The five recommendations present in the *IRM Progress Report for 2014-2016* were not addressed in the government's final self-assessment for the same period, but it did include a section addressing the five recommendations present in the *IRM Progress Report for 2012-2013*. However, the government did partially integrate three recommendations from the second IRM progress report in the current action plan. As the recommendations were complex and consisted of several smaller suggestions, the government included concrete steps in the action plan to support continuation of open government initiatives during possible administrative transitions in order to ensure sustainability of OGP values. The current action plan also expanded the role of the civil society in its development, making several associations co-leaders of two commitments. This action plan also reduced the number of commitments requiring legislative changes and focused more on actionable milestones that can be done by executive bodies. Finally, two commitments focus on local and regional levels, one of which even pledges to involve local and regional authorities in the OGP process on the local level.

VI. Methodology and Sources

The IRM reports are written by researchers for each OGP-participating country or entity. 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, observation, and feedback from nongovernmental stakeholders. The IRM report builds on evidence available in Croatia's OGP repository,[1] website, the government's own self-assessments, and any other assessments put out by civil society, the private sector, or international organizations. At the beginning of each reporting cycle, IRM staff share a research plan with governments to open a seven-day period of comments or feedback regarding the proposed research approach.

Each IRM researcher carries out stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit implementation sites. 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 during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are 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.[2]

Interviews and stakeholder input

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

Stakeholder meetings were held between 18–22 February. The IRM researcher attended the fourth OGP Council meeting held on 18 February, where the newly adopted action plan was discussed item by item by all stakeholders present. Government representatives reported on current implementation and potential milestone revisions, and CSO representatives asked in-depth questions on both policy and implementation. The two most important decisions were: (a) confirming the inclusion of the Central State Office for Development of Digital Society in OGP Council membership, and (b) adopting a motion to name OGP officials/coordinators for each administrative body participating in the process, in order to improve communication on commitment implementation and circumvent any information gathering and reporting issues. These coordinators would be employees at the administrative level. Also, the IRM research process was explained and discussed with all the OGP Council members, as part of the meeting's agenda.

The first meeting was held the same day, with Darija Marić, the coordinator from the Government Office for Cooperation with NGOs, which serves as the coordinating body for OGP action plan implementation. With the assistance of the interviewed stakeholder and OGP Council members, a list of relevant stakeholders was compiled, which included government and CSO representatives, in order to obtain a wide overview of opinions on the action plan design process. Additionally, the IRM researcher contacted other CSO representatives who weren't involved in the OGP process, but who's work is linked with OGP goals.

Given the detailed reports and answers to CSO questions the government representatives provided in the OGP Council meeting, the IRM researcher focused on interviewing institutions with the highest number of commitments or on institutions whose activities were more complex. Also, since advocacy on topics included in the action plan commitments is strong in Croatia, and all the commitments are in some way a continuation of previous action plans, the attitudes of CSO stakeholders were publicly available and extensively referenced in this report.

Fifteen people were interviewed for this report. Thirteen are involved in implementing the OGP action plan, either representing government institutions in charge of commitments or as government representatives on the OGP Council. The list two are from civil society and the business sector, the first also being a deputy member of the OGP Council. The IRM researcher held the following interviews in person, by phone or in written interviews, depending on their availability:

1. Helena Beus, Government Office for Cooperation with NGOs (22 February 2019)
2. Almir Elezović, Central State Office for Development of Digital Society (22 February 2019)
3. Silvija Grgić, Ministry of Administration (22 February 2019)
4. Lidija Jadrijević, Information Commissioner's Office (21 February 2019)
5. Jadranka Jurinjak, Ministarstvo javne uprave (22. veljače 2019.)
6. Ivana Lasan, Ministry of Administration (22 February 2019)
7. Vesna Lendić Kasalo, Government Office for Cooperation with NGOs (22 February 2019)
8. Darija Marić, Government Office for Cooperation with NGOs (22 February 2019)
9. Mladen Nakić, Ministry of Administration (22 February 2019)
10. Zoran Pičuljan, Information Commissioner (21 February 2019)
11. Tamara Puhovski, owner of Propuh ltd., founder of Open Youth Academy 2016 (12 March 2019) – by e-mail
12. Jelena Tešija, GONG (21 February 2019)
13. Robert Tomljenović, Agency for Electronic Media (12 March 2019) – by phone
14. Ina Volmut, Information Commissioner's Office (21 February 2019)
15. Božo Zeba, Central State Office for Development of Digital Society (22 February 2019)

About the Independent Reporting Mechanism

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel (IEP) oversees the quality control of each report. The IEP is 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.

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[1] The OGP process, the Council of the OGP Initiative, all national action plans, stakeholder comments, public consultations, IRM reports, etc. can be found at https://udruge.gov.hr/istaknute-teme/partnerstvo-za-otvorenu-vlast-271/271.

[2] IRM Procedures Manual, V.3: https://www.opengovpartnership.org/documents/irm-procedures-manual.

Annex I. Overview of Croatia's performance throughout action plan development

Key:
Green= Meets standard
Yellow= In progress (steps have been taken to meet this standard, but standard is not met)
Red= No evidence of action

Multistakeholder Forum	
1a. Forum established: There is a forum to oversee the OGP process	Green
1b. Regularity: The forum meets at least every quarter, in person or remotely	Yellow
1c. Collaborative mandate development: Members of the forum jointly develop its remit, membership and governance structure	Green
1d. Mandate public: Information on the forum's remit, membership and governance structure is available on the OGP website/page	Green
2a. Multistakeholder: The forum includes both governmental and non-government representatives	Green
2b. Parity: The forum includes an even balance of governmental and non-governmental representatives	Green
2c. Transparent selection: Non-governmental members of the forum are selected through a fair and transparent process	Green
2d. High-level government representation: The forum includes high-level representatives with decision making authority from government	Green
3d. Openness: The forum accepts inputs and representation on the action plan process from any civil society or other stakeholders outside the forum	Green
3e. Remote participation: There are opportunities for remote participation in at least some meetings and events	Yellow
3f. Minutes: The OGP forum proactively communicates and reports back on its decisions, activities and results to wider government and civil society stakeholders	Green

Key:
Green= Meets standard
Yellow= In progress (steps have been taken to meet this standard, but standard is not met)
Red= No evidence of action

Action Plan Development	
4a. Process transparency: There is a national OGP website (or OGP webpage on a government website) where information on all aspects of the national OGP process is proactively published	Green
4b. Documentation in advance: The forum shares information about OGP to stakeholders in advance to guarantee they are informed and prepared to participate in all stages of the process	Green
4c. Awareness-raising: The forum conducts outreach and awareness raising activities with relevant stakeholders to inform them of the OGP process	Green
4d. Communication channels: The government facilitates direct communication with stakeholders to respond to action plan process questions, particularly during times of intense OGP activity	Green
4e. Reasoned response: The multistakeholder forum publishes its reasoning behind decisions and responds to major categories of public comment	Green
5a. Repository: Government collects and publishes a document repository on the national OGP website/webpage, which provides a historical record and access to all documents related to the national OGP process, including (but not limited to) consultation documents, National Action Plans, government self-assessments, IRM reports and supporting documentation of commitment implementation (e.g. links to databases, evidence of meetings, publications)	Green

Editorial note: If a country "meets" the six standards in bold, the IRM will recognize the country's process as a Starred Process.