

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

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Executive Summary: Republic of North Macedonia

North Macedonia's fourth action plan continues to address themes such as access to information, fiscal transparency, open data, and openness at the local level. It also covers new topics, such as access to justice and parliamentary transparency. Moving forward, North Macedonia could establish a dedicated multi-stakeholder forum for OGP, and continue advancing priority themes, such as open data, access to justice and beneficial ownership transparency.

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. North Macedonia joined OGP in 2011. Since, North Macedonia has implemented three action plans. This report evaluates the design of North Macedonia's fourth action plan.

General overview of action plan

North Macedonia's fourth action plan continues to address major themes from previous action plans, such as access to information, fiscal transparency, open data, and improving openness at the local level. The plan includes new policy areas, such as access to justice and commitments from the Assembly of the Republic of North Macedonia.

The Ministry of Information Society and Administration (MISA) continued to lead a participatory process for the fourth action plan. MISA organized several thematic meetings, working groups, and public consultations that brought together a variety of civil society and government representatives. Separately, the Assembly held consultations to develop the Open Parliament commitments, which involved Assembly staff, civil society representatives, and representatives from international organizations.

Noteworthy commitments in the fourth action plan include the creation of an "open finance" database (Commitment 3.1) with data on all transactions disbursed by the Treasury, as well as data on the budgets of local self-governments. Additionally, Commitment 6.1 could significantly improve the legal framework around access to justice, while Commitment 6.2 could help improve access to legal services for marginalized and vulnerable communities.

Table 1. At a glance

Participating since: 2011
 Action plan under review: Fourth
 Report type: Design
 Number of commitments: 23

Action plan development

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

Action plan design

Commitments relevant to OGP values: 21 (91%)
 Transformative commitments: 3 (13%)
 Potentially starred: 3 (13%)

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.
2.1 Monitoring the property status of elected and appointed officials	This commitment aims to create an electronic submission of asset declarations. Moving forward, the IRM recommends making the data searchable according to key criteria and put in place a functional verification mechanism.	<i>Note: this will be assessed at the end of action plan cycle.</i>
3.1 Open treasury	This commitment will introduce an online database and web application for data on all transactions disbursed by the Treasury (“Open Finance”), including budgetary data for local self-governments. Moving forward, the IRM recommends evaluating the use of the portal to identify future improvements. The IRM also recommends specifying the level of information on expenditures and increasing the number of public bodies reporting to the portal.	<i>Note: this will be assessed at the end of action plan cycle.</i>
6.1 Access to justice development	This commitment primarily seeks to strengthen the legal framework around access to justice in North Macedonia. Moving forward, the IRM recommends conducting a legal needs survey to prioritize the major legal needs in the country and identify fair, cost-effective means of support.	<i>Note: this will be assessed at the end of action plan cycle.</i>
6.2 Improving access to justice for marginalized groups	This commitment aims to improve access to legal services and information on the legal rights for marginalized and vulnerable communities. Moving forward, the IRM recommends integrating legal services and dispute resolution mechanisms into planning and operations of vital sectors such as housing, employment, and education. The IRM also recommends identifying culturally appropriate means of delivering justice services to the communities.	<i>Note: this will be assessed at the end of action plan cycle.</i>

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

Create a formal multi-stakeholder forum with clear rules and procedures and a transparent selection process for members
Consider measures to disclose beneficial ownership in public contracts
Improve public consultations when drafting legislation
Continue efforts to improve access to justice through consultations with local communities
Continue efforts on open data, building on the example of the Open Finance portal

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



I. Introduction

The Open Government Partnership 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.

North Macedonia¹ joined OGP in 2011. This report covers the development and design of North Macedonia's fourth action plan for 2018-2020.

The Independent Reporting Mechanism of OGP has 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>.

¹ In January 2019, after the adoption of the fourth OGP action plan, the Republic of Macedonia's parliament voted to officially change the country's name to the "Republic of North Macedonia. For this IRM report, the IRM has used the country's new official name ("Republic of North Macedonia" or "North Macedonia") in its assessments, but has maintained the old name when presenting the original text of the commitments in the action plan.

II. Open Government Context in Republic of North Macedonia

Despite a challenging political context in recent years, North Macedonia has made notable improvements in several areas, such as public consultations, open data, and budget transparency. The fourth action plan continues several initiatives from the previous plan, but also includes new areas such as access to justice and transparency of the parliament.

Background

North Macedonia's previous OGP action plans have covered a variety of themes, such as participatory policy making, open data, freedom of information, anti-corruption, fiscal transparency, openness at the local level, public service delivery, and climate change. The fourth action plan (2018-2020) continues to address these themes, and also includes access to justice as well as commitments for the Assembly of the Republic of North Macedonia under the Open Parliament initiative. In 2019, the Government of North Macedonia adopted a Transparency Strategy for 2019-2021, which includes specific commitments around the areas of access to public information, proactive government transparency, and alignment with the European Union Directive on the reuse of public sector information, among others.¹

Politics in North Macedonia was polarized by the February 2015 "Wiretapping Affair", where the opposition leader Zoran Zaev accused then-Prime Minister Nikola Gruevski's administration of illegally wiretapping more than 20,000 people through the country's secret service.² Following the EU and US-brokered "Przino process", Gruevski resigned in January 2016. Parliamentary elections were held in December 2016 and Gruevski's ruling party, the Internal Macedonian Revolutionary Organization-Democratic Party for National Unity (VMRO-DPMNE), was unable to form a coalition government. On 27 April 2017, protestors supporting VMRO-DPMNE stormed the Parliament to oppose the election of the new parliamentary speaker, Talat Xhaferi.³ Following the attack in parliament, the president approved of an alternative government, paving the way for Zaev to emerge as Prime Minister at the head of a coalition between Zaev's Social Democratic Party (SDSM) and parties representing ethnic Albanians.

In June 2018, North Macedonia and Greece signed the UN-mediated "Prespa Agreement" to resolve the long-standing dispute between the two countries over North Macedonia's official name.⁴ The agreement led to the country's constitutional name change from the "Republic of Macedonia" to the "Republic of North Macedonia," which took effect in February 2019 and was widely considered a key step towards North Macedonia's accession to the EU and the North Atlantic Treaty Organization (NATO). The name change also applies to international use by the UN and other intergovernmental organizations of the Former Yugoslav Republic of Macedonia, so that the country is known internationally henceforth as the Republic of North Macedonia. On 6 February 2019, NATO member states signed the protocol on the accession of North Macedonia to NATO and North Macedonia formally joined the alliance on 27 March 2020.⁵ At an EU summit in October 2019, France vetoed the opening of talks on North Macedonia's membership bid (along with Albania's bid), citing the need to reform the EU's enlargement process before talks can begin with prospective new members.⁶ On 25 March 2020, the Council of the European Union decided to open accession negotiations with North Macedonia.⁷ North Macedonia had planned to hold snap parliamentary elections on 12 April 2020, but the elections were postponed due to the global coronavirus pandemic.⁸

Civic engagement and media freedom

The Law on Associations and Foundations governs the registration and operation of associations and foundations in North Macedonia, including organizational governance, permissible activities, and reporting obligations. The 2018 CSO Sustainability Index for North Macedonia noted an overall improvement to the sustainability of civil society organizations (CSOs) in 2018. In particular, improvements were noted in the areas of the legal environment, financial viability, service provision, supportive infrastructure, and public image. In 2018, the Government of North Macedonia actively

included CSOs' input into a variety of policies, strategies, and laws, including the new Law on Prevention of Corruption and Conflict of Interests.⁹ In February 2018, a national civil society resource center for CSOs was established with funding from the EU, and provides CSOs with a variety of free services, including information on available funding, information on new laws that affect CSOs, and training on different topics.¹⁰ However, the 2018 CSO Sustainability Index also noted some ongoing limitations in CSO funding. For example, most public institutions awarding grants lack clear criteria, rules, and procedures, especially on reporting and ensuring transparency and accountability of the funds awarded.¹¹

A 2017 Balkan Barometer survey found that 74 percent of respondents in North Macedonia disagree that the media is independent of political influence, and 73 percent of respondents assessed the media as prone to corruption.¹² According to Reporters Without Borders (RSF)'s 2019 World Press Freedom Index, North Macedonia saw a "slight improvement" to media freedom compared to 2018.¹³

Access to information and open data

North Macedonia's Constitution¹⁴ and the 2006 Law on Free Access to Public Information (FOI Law) guarantee access to information in the country.¹⁵ The FOI Law was amended in 2010 and in 2014. In the Global Right to Information Rating, North Macedonia ranks 22nd of the 124 countries assessed.¹⁶ However, the implementation process has been burdened by challenges. For example, consecutive European Commission reports have noted that the scope of exemptions to free access to public information is too broad.¹⁷ It also noted that the Commission for the Protection of the Right to Free Access to Public Information (CRFAPI), which is responsible for reviewing appeals, lacks the capacity to monitor compliance with the proactive disclosure of information requirement and lacks the power to impose penalties in cases of non-compliance.¹⁸ In 2018, the government initiated a number of amendments to this FOI Law in order to address the issues highlighted by the European Commission. The Organisation for Security and Co-operation in Europe (OSCE)'s Office for Democratic Institutions and Human Rights praised the Draft Law for its freedom of information guarantees and detailed procedures on how the public may access information. However, it also noted several shortcomings, including the lack of clarification over exceptions to free access of information, insufficient regulation of the selection process for the director and deputy director of the oversight body, as well as incomplete legal redress provisions, among others.¹⁹

Under Commitment 3.1 from North Macedonia's third action plan (2016-2018), the CRFAPI developed measures to clarify the procedures for obtaining information, aid information-holding institutions in fulfilling their legal obligations and promote the concept of freedom of information among the public. Commitment 1.1 in the fourth action plan builds on this by calling for proactive publication of information by information holders on their websites and by increasing citizens' awareness of their rights to free access to public information.

North Macedonia has made significant progress in the area of open data in recent years. The Ministry of Information Society and Administration (MISA) is currently implementing an open data strategy²⁰ and launched the country's national open data portal in 2019.²¹ Commitment 4.1 in the current action plan primarily aims to open datasets from more public institutions on the portal and to catalogue more datasets. Additionally, Commitment 4.2 plans to create a regional metadata standard across the Western Balkans countries, using the standard developed by North Macedonia during its third action plan (Commitment 2.1) as an example.

Asset disclosure

According to North Macedonia's Law on Prevention of Corruption, elected and appointed officials are required to declare their assets and property within 30 days of election, termination, or change in their assets.²² North Macedonia has consistently received the highest possible score in the asset disclosure requirement within OGP's eligibility criteria since joining the Partnership in 2011.²³ The State Commission for Prevention of Corruption (SCPC) is responsible for receiving, registering, and verifying these asset declarations, and publishes this data on its website.²⁴ According to the European Commission, in 2018, the SCPC received 1,590 statements of interest and 1,852 declarations of assets, and there are a total of 6,633 declarations from elected and appointed officials published on

the SCPC website.²⁵ In March 2018, five out of seven members of the SCPC (including the President) resigned due to the public reaction over the findings of the State Audit Office on alleged financial irregularities.²⁶

Officials' asset disclosure has been featured in previous North Macedonian OGP action plans, as well as in the current plan. Under Commitment 4.9 from the second action plan (2014-2016), the SCPC adopted a bylaw for asset disclosure and developed a register on its website.²⁷ Commitment 4.2 from the third action plan (2016-2018) aimed to publish in open format a historical overview of officials' asset declarations during their time in office.²⁸ However, barriers on the legal amendments stalled the publication of historic data on the declared assets of acting public sector officials. Commitment 2.1 in the current action plan seeks to address these deficiencies by developing a new electronic system of filing asset declarations and establish a system for continuous publication of asset declarations in an open and machine-readable format.²⁹

Anti-corruption and whistleblower protection

North Macedonia's anti-corruption legal framework is composed of the Law on the Prevention of Corruption and Conflicts of Interest, the Law on Lobbying, and the Law on the Protection of Whistleblowers. The 2019 European Commission report noted that the SCPC "has taken important steps to proactively fight against corruption, involving high level officials across the political spectrum," but also that "corruption is prevalent in many areas and remains an issue of concern."³⁰

North Macedonia's third action plan (2016-2018) included commitments to create indices to monitor and assess local self-government units (4.3) and to promote greater cooperation between government and civil society actors in combating corruption (4.4).³¹ Commitment 2.2 of the fourth action plan (2018-2020) continues to promote cooperation in this area by aiming to establish a consultation mechanism for government and civil society to jointly assess proposed laws using an anti-corruption review.³²

During the second action plan period (2014-2016), North Macedonia adopted the Law on Whistleblower Protection in November 2015,³³ and respective bylaws in March 2016.³⁴ The law defines the responsibilities of institutions to receive and investigate disclosures and provides the legal protection for whistleblowers. Under the third action plan (2016-2018), the government tasked all ministries and other administrative bodies to publish contact information of authorized persons for handling whistleblower reports. It also trained SCPC employees on how to handle whistleblower reports. According to the European Commission's 2019 report, the amendments to the Law on the Protection of Whistleblowers and secondary legislation have helped implement the recommendations of the Council of Europe's Venice Commission but require further alignment with new EU laws.³⁵ Whistleblower protection is not covered in the fourth action plan (2018-2020).

Budget transparency

In the International Budget Partnership (IBP)'s 2017 Open Budget Survey, North Macedonia scored 37 out of 100 possible points in budget transparency and 0 points in public participation in the budget process.³⁶ IBP's 2017 survey found that North Macedonia did not produce a citizens budget and a mid-year review, and published a Pre-Budget Statement late.³⁷ To address these deficiencies, under Commitment 5.1 in the third action plan (2016-2018), the Ministry of Finance published a citizens budget, a projection of revenues and expenditures, and a semi-annual report regarding the implementation of the state budget.³⁸ The publication of the citizens budget was significant, as the government provided the public for the first time with a simplified and easily accessible version of the state budget.³⁹ Budget transparency is included in the fourth action plan (2018-2020) through Commitment 3.1, which calls on the Ministry of Finance to create an "Open Finance" database of state expenditure.⁴⁰ Additionally, Commitment 1.2 in the Open Parliament action plan calls on the Assembly to publish budget information to its website and update the Law on Budgets.

¹ Government of the Republic of North Macedonia, Transparency Strategy 2019-2021, <https://metamorphosis.org.mk/wp-content/uploads/2020/01/Strategija-za-transparentnost-EN.pdf>

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- ² The Guardian, Fears for Macedonia's fragile democracy amid 'coup' and wiretap claims, <https://www.theguardian.com/world/2015/feb/27/fears-macedonias-fragile-democracy-amid-coup-wiretap-claims>
- ³ DW, Protesters raid Macedonia parliament chamber over Albanian speaker, <https://www.dw.com/en/protesters-raid-macedonia-parliament-chamber-over-albanian-speaker/a-38618695>
- ⁴ New York Times, Macedonia and Greece sign historic deal on name change, <https://www.nytimes.com/2018/06/17/world/europe/greece-macedonia-name-dispute.html>
- ⁵ North Atlantic Treaty Organization, North Macedonia joins NATO as 30th Ally, 27 March 2020, https://www.nato.int/cps/en/natohq/news_174589.htm.
- ⁶ Euronews, North Macedonia president meets Macron after French veto on EU accession talks, <https://www.euronews.com/2019/11/12/north-macedonia-president-meets-macron-after-french-veto-on-eu-accession-talks>
- ⁷ European Commission, Commission welcomes the green light to opening of accession talks with Albania and North Macedonia, 25 March 2020, https://ec.europa.eu/commission/presscorner/detail/en/IP_20_519.
- ⁸ Reuters, North Macedonia postpones April 12 election over coronavirus, 17 March 2020, <https://www.reuters.com/article/us-health-coronavirus-north-macedonia-el/north-macedonia-postpones-april-12-election-over-coronavirus-idUSKBN2142NB>
- ⁹ 2018 Civil Society Organizations Sustainability Index North Macedonia, <http://www.balkancsd.net/novo/wp-content/uploads/2019/11/2018-CSO-SustainabilityIndex-N.Macedonia.pdf>
- ¹⁰ Civil Society Resource Centre, About Us, <https://rcgo.mk/about-us/?lang=en>
- ¹¹ 2018 Civil Society Organizations Sustainability Index North Macedonia, <http://www.balkancsd.net/novo/wp-content/uploads/2019/11/2018-CSO-SustainabilityIndex-N.Macedonia.pdf>
- ¹² Balkan Barometer 2017, p 127, https://www.rcc.int/seeds/files/RCC_BalkanBarometer_PublicOpinion_2017.pdf
- ¹³ Reporters Without Borders, Republic of North Macedonia, <https://rsf.org/en/republic-north-macedonia>
- ¹⁴ Article 16 of the Constitution of the Republic of Macedonia, <https://www.wipo.int/edocs/lexdocs/laws/en/mk/mk014en.pdf>
- ¹⁵ Law on Free Access to Public Information, <http://www.sivesnik.com.mk/content/zspijk.pdf>
- ¹⁶ Global Right to Information Rating, By Country, <https://www.rti-rating.org/country-data/>
- ¹⁷ European Commission, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-the-former-yugoslav-republic-of-macedonia-report.pdf>, and <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf>
- ¹⁸ OSCE, Opinion on the draft law on free access to public information in the Republic of North Macedonia, p 13, <https://www.osce.org/odihr/426002?download=true>
- ¹⁹ Ibid., p 3-4
- ²⁰ Government of the Republic of Macedonia, Open Data Strategy, 2018-2020, http://mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/open_data_strategy_en.pdf
- ²¹ Meta.mk, Open Data Portal is a good step forward, but for full transparency there is still a lot of work to be done, <https://meta.mk/en/open-data-portal-is-a-good-step-forward-but-for-full-transparency-there-is-still-a-lot-of-work-to-be-done/>
- ²² Law on Prevention of Corruption, http://rai-see.org/wp-content/uploads/2015/06/LAW_ON_PREVENTION_OF_CORRUPTION.pdf
- ²³ In order to receive the highest score (four out of four points) in OGP's eligibility criteria for asset disclosure, countries must have a law requiring officials to submit asset disclosures that also contains a condition that the information be accessible to the public. More information on the OGP eligibility criteria, <https://www.opengovpartnership.org/process/joining-ogp/eligibility-criteria/>
- ²⁴ The registry (in Macedonian), <https://register.dksk.org.mk/Public/Submissions#/SubmissionList>
- ²⁵ European Commission, p 20, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf>
- ²⁶ European Commission, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf>
- ²⁷ OGP, Macedonia 2014-2016 End-Of-Term Report, https://www.opengovpartnership.org/wp-content/uploads/2017/08/Macedonia_EOTR_2014-2016_ENG.pdf
- ²⁸ OGP, Republic of Macedonia, End-of-Term Report 2016-2018, p3, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf
- ²⁹ Open Government Partnership National Action Plan 2018-2020, p 21, https://www.opengovpartnership.org/sites/default/files/Macedonia_Action-Plan_2018-2020_EN.pdf
- ³⁰ European Commission, p 4, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf>
- ³¹ IRM Macedonia End-of-Term Report, p 32-35, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf
- ³² OGP Macedonia, National Action Plan 2018-2020, p 23-24, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf, and Macedonia End-of-Term Report 2016-2018, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf
- ³⁴ Rulebook on protected internal report in the institutions within the public sector ("Official Gazette of Republic of Macedonia" number 46/16), Rulebook on external report (Official Gazette of Republic of Macedonia" number 46/16) and Rulebook on instructions for adoption of internal acts on protected internal report within the legal entity in the private sector ("Official Gazette of Republic of Macedonia" number 46/16)

³⁵ European Commission, p 23, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf>

³⁶ International Budget Partnership, Macedonia, <https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=mk>

³⁷ Open Budget Survey 2017, Macedonia, <https://www.internationalbudget.org/wp-content/uploads/macedonia-open-budget-survey-2017-summary.pdf>

³⁸ Macedonia End-of-Term Report 2016-2018, p 39, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

³⁹ Macedonia End-of-Term Report 2016-2018, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

⁴⁰ OGP Macedonia, National Action Plan 2018-2020, p 25-26, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

III. Leadership and Multi-stakeholder Process

The Ministry of Information Society and Administration (MISA) led a participatory process to create North Macedonia's fourth action plan. Even though the country did not establish a formal multi-stakeholder forum for OGP, civil society and international partners were actively involved in drafting the commitments. While the government was open to feedback, the action plan mostly reflects existing government programs. Separate consultations were also carried out to develop the Open Parliament commitments.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in North Macedonia.

The Ministry of Information Society and Administration (MISA) continues to coordinate the OGP process in North Macedonia. Although MISA coordinates the overall process, the 23 commitments in the 2018–2020 action plan are carried out by 12 ministries (including MISA), three commissions, one governmental agency, one central register and the City of Skopje, in partnership with stakeholders from civil society, local self-government, and international organizations.

There are currently two persons at MISA working on OGP on a part-time basis. MISA has a budget for action plan co-creation, but there is no specific budget for OGP. Implementing bodies allocate funding for implementation of the activities within their own budget. The Minister of Information Society and Administration was involved, as well some high-level civil servants.

3.2 Multi-stakeholder 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 to act according to OGP process. North Macedonia **did not** act contrary to OGP process.¹

Please see Annex I for an overview of North Macedonia's performance 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.² 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	

Multi-stakeholder forum

During the co-creation process for the fourth action plan, four thematic meetings were held in March 2018 between government and civil society stakeholders to develop the priorities for the action plan. Also, at the main public consultation event (8-9 May 2018), three working groups were created to discuss the proposals that MISA received from the March 2018 thematic meetings. The working groups consisted of 98 representatives from state institutions, civil society working in areas relevant to open government, and diplomatic representatives. Collectively, these meetings and working groups provided opportunities and space for interested stakeholders to co-create the fourth action plan, though they were held on an ad hoc basis.

On 28 November 2017, the Assembly of North Macedonia established a working group to develop the Open Parliament commitments in the fourth action plan. The working group consisted of 33 members including MPs, Assembly staff, North Macedonian civil society organizations, and international organizations. The working group met three times in person and held online discussions during the co-creation of the Open Parliament action plan.

It should be noted that following the submission of the fourth action plan, North Macedonia plans to establish a formal multi-stakeholder forum (the OGP Council) to oversee the OGP process, called the OGP Council. The structure of the forum will be designed by Foundation Open Society-Macedonia (FOSM) and MISA and in consultation with CSOs and government institutions involved in OGP, with the aim to monitor the implementation of the fourth action plan and the co-creation of the fifth plan. According to a FOSM representative, the OGP Council will have 14 members (seven from government, six from CSOs and one from academia), and will be co-chaired by a CSO and government representative.³

Participation and engagement throughout action plan development

In February 2018, MISA sent a needs-assessment questionnaire to CSOs in order to better understand their existing knowledge of OGP and their level of interest in the fourth action plan. The questionnaire also asked for recommendations for the consultation process and preliminary thematic proposals for the action plan. The results of the questionnaire were published to the OGP section of MISA's website.⁴

In March 2018, MISA organized four thematic meetings with a total of 104 government and non-government stakeholders participating. The meetings were centered around the five themes of transparency and accountability, freedom of information, open data, effective public services, and good governance at the local level. At the end of the meetings, the participants prepared 18 commitment proposals, which were submitted to MISA for further review.

On 8-9 May 2018, MISA held the first major public consultation conference, which brought together 98 representatives from government agencies, civil society, and diplomatic missions. About two-thirds of the participants, 64 out of the 98, came from civil society.⁵ At the conference, stakeholders were organized into three working groups in order to analyze, discuss, and prioritize the 18 proposals submitted to MISA following the March thematic meetings. The working groups also identified additional topics for the action plan. Additionally, three local-level consultations were held in May 2018 to discuss the commitment proposals for the action plan. These meetings took place on 10 May in Bitola, 15 May in Gostivar, and 29 May in Shtip. However, it is unclear if any specific commitment proposals came out of these local-level meetings.

The process of drafting the commitments based on the proposals received took place from 10-29 May 2018. Thematic meetings were held to prioritize and consolidate the proposals that were developed in March and at the public consultation event (8-9 May). The draft action plan was first published online on 29 May and stakeholders had the opportunity to provide comments until 25 June.⁶ According to the action plan, three new proposals were submitted during this online consultation period.⁷ The second public consultation took place on 9 July 2018, with 70 stakeholders from government and civil society. At the event, the draft action plan was formally presented, and further discussions were held. Finally, from June-July 2018, ad hoc meetings were held in order to align the proposals with the work of the implementing institutions. The final action plan was submitted in July 2018.

According to a participating civil society stakeholder, ministries and government agencies were generally open to receiving and incorporating civil society proposals throughout the co-creation process. For example, the two commitments related to improving access to justice (6.1 and 6.2) were proposed by Foundation Open Society-Macedonia (FOSM), and developed together along with the Ministry of Justice, and the Ministry of Labor and Social Policy in a collaborative manner.⁸ Additionally, the Association for Emancipation, Solidarity and Equality of Women (ESE) submitted five proposals, which were incorporated into the final action plan as three commitments (1.1, 3.3, 3.4).⁹ However, according to one civil society stakeholder, the willingness of the lead implementing government agencies to consider civil society proposals differed between the agencies.¹⁰ While some agencies worked in a highly collaborative manner and provided stakeholders with feedback on why their proposals were or were not accepted, not all lead agencies provided this response.

Compared to the previous action plan, the fourth plan was created in a more structured, organized, and participatory way. Civil society and government representatives were involved in each stage of the plan development as real partners in the process. The timeline and stages were clearly elaborated in front of the participants.

The final decisions on which activities were to be included and how they were to be implemented in the action plan were made by the public institutions themselves. The final decisions on commitments were made at the consultation events.¹¹ However, according to one civil society representative, the reasons why some activities were not taken up by implementing agencies were not always clearly presented.¹² Some adopted activities are taken from existing work plans of these agencies, which was determined at the consultation events based on need by civil society and the agencies.¹³

Open Parliament action plan

Concurrent to the national consultations organized by MISA, the Assembly of North Macedonia carried out a separate co-creation process to develop the Open Parliament commitments that were included in the fourth action plan. A working group was created to develop the Open Parliament action plan, which consisted of 11 MPs, 19 Assembly staff, 12 representatives of CSOs and international organizations such as the National Democratic Institute (NDI), the Westminster Foundation for Democracy, and UNDP. The working group met three times in person in November 2017 where participants could submit proposals for the Open Parliament action plan. According to an NDI representative, additional online consultations were carried out during this preliminary drafting phase.¹⁴

On 10 May 2018, the Assembly's draft action plan was presented to participants based on the proposals that were received during the consultations. On 28 May 2018, a conference was held for stakeholders to comment on the draft commitments developed by the working group. In July 2018, the final version of the Assembly's action plan was sent to MISA, which included five commitments. According to NDI, the plan originally had seven commitments, but the working group decided to remove two to ensure the feasibility of the plan.¹⁵

Co-creation and participation recommendations throughout development

Compared to the previous action plan, North Macedonia generally conducted a more structured and participatory co-creation process for the fourth plan. Also, for the first time, consultations were held outside of the capital city.

In order to improve performance on these areas, the IRM suggests the following actions be taken:

- Create a formal multi-stakeholder forum (MSF) in order for civil society to have a stronger say in the final scope of the action plan. The selection process of the MSF members should be transparent using clear and fair criteria, both for government and non-government stakeholders. Also, the MSF should follow OGP's Co-creation and Participation guidelines.¹⁶
- Implementing agencies could provide their reasoning behind their decisions.
- Some recommendations from the IRM Progress Report for the third action plan (2016-2018) are still relevant and could be considered, namely:¹⁷
 - Prioritize the most relevant and ambitious commitments that should be included in the next action plan.
 - When formulating commitments, clearly identify planned changes in selected policies and practices and list verifiable activities for achieving these policy changes.
 - Synchronize OGP activities with the overall budgetary process in North Macedonia to dedicate concrete funds for activities in commitments (where needed).

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

² "IAP2's Public Participation Spectrum," IAP2, 2014,

http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf

³ Information provided to the IRM by Ivona Stalevska, Program Coordinator, Foundation Open Society- Macedonia, during the pre-publication review period of this report, 13 April 2020.

⁴ MISA, OGP, <http://mioportal.mioa.gov.mk/?q=mk/documents/open-government-partnership>

⁵ Information provided to the IRM by MISA during the pre-publication review period of this report, 6 April 2020.

⁶ The draft action plan, <http://mioportal.mioa.gov.mk/?q=mk/node/1784>

⁷ OGP Macedonia, National Action Plan 2018-2020, p 10, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

⁸ Ivona Stalevska, Program Coordinator, Foundation Open Society- Macedonia, email correspondence with IRM, 10 December 2019.

⁹ Darko Antik, Coordinator for budget monitoring and analysis, Association for Emancipation, Solidarity and Equality of Women, email correspondence with IRM, 6 December 2019.

¹⁰ Ivona Stalevska, Program Coordinator, Foundation Open Society- Macedonia, email correspondence with IRM, 10 December 2019.

¹¹ Information provided to the IRM by MISA during the pre-publication review period of this report, 6 April 2020.

¹² Darko Antik, Coordinator for budget monitoring and analysis, Association for Emancipation, Solidarity and Equality of Women, email correspondence with IRM, 6 December 2019.

¹³ Information provided to the IRM by MISA during the pre-publication review period of this report, 6 April 2020.

¹⁴ Aleksandra Cvetkovska, National Democratic Institute, email correspondence with IRM, 21 January 2020.

¹⁵ Aleksandra Cvetkovska, National Democratic Institute, email correspondence with IRM, 21 January 2020.

¹⁶ OGP Participation and Co-Creation Standards, https://www.opengovpartnership.org/wp-content/uploads/2019/07/OGP_Participation-Cocreation-Standards20170207.pdf

¹⁷ OGP Macedonia Progress Report 2016-2017, p 91-92, https://www.opengovpartnership.org/wp-content/uploads/2018/11/Macedonia_Mid-Term_IRM-Report_2016-2018_EN.pdf

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 percent 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.")?

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 *IRM Implementation Report*.

General Overview of the Commitments

North Macedonia’s fourth action plan includes 18 commitments organized under seven main themes:

1. Access to information
2. Integrity and good governance
3. Fiscal transparency
4. Open data
5. Transparency at the local level
6. Access to justice
7. Climate change

In addition, the action plan includes five commitments under the Open Parliament initiative for the Assembly of the Republic of North Macedonia. These five commitments are organized around the three themes: 1) accountability, 2) improved ICT infrastructure, and 3) participation of citizens.

¹ “Open Government Partnership: Articles of Governance,” OGP, June 2012 (Updated March 2014 and April 2015, June 2019), https://www.opengovpartnership.org/wp-content/uploads/2019/06/OGP_Articles-of-Governance_2019.pdf

² “IRM Procedures Manual,” OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>

Theme I: Access to Information

I.1 Proactive publication, promotion of electronic access and increased awareness of citizens on their rights to free access to public information

Language of the commitment as it appears in the action plan:¹

Public information holders should publish proactively and regularly on their websites all the information that is indicated in the LFAPI as well as the information they have already provided after a request for an access, while those holders who do not have their own websites should perform this procedure on the websites of the institution under whose jurisdiction they work. The Commission for Protection of the Right to Free Access to Public Information in cooperation with the Association for Emancipation, Solidarity and Equality of Women (ESE) will develop and conduct on-site campaign in order to inform citizens regarding their rights for free access to public information. The process for submitting requests for free access to public information and response upon the requests will be facilitated by establishing a functional platform for enabling electronic access to public information. Through this online system (platform), will provide every interested citizen to submit to the holders of information a request for public information, that will easily be found on the platform. The advantage of the platform is that all the information given is publicly published and are accessible to anyone, which means that once the information is given by the holder, this platform will reduce the scope of operation in the institution in case when another applicant is interested for the same information.

Milestones:

I.1.1 Pro-active publication of public information by information holders on their websites

- Preparation of an indicative list of public information that the institutions should proactively make available on their websites (or on the websites of the institutions under whose jurisdiction they operate)
- Compulsory publication of all public information by the information holders on their websites (or on the websites of the institutions under whose jurisdiction they operate)
- Monitoring the fulfillment of the obligations by institutions through the so-called Index of Active Transparency prepared by the Center for Civil Communications

I.1.2 Improving the electronic access to public information

- Development of a methodology for improving the existing electronic website (platform) for electronic access to public information
- Established electronic system for access to information and taken over by information holders for its application
- Development of a manual with trainings for information holders, as well as promotion of the platform for its application by the citizens, which will simplify the access to information

I.1.3 Increasing the citizens' awareness about their rights for free access to public information and increased exercise of that right by the citizens

- Developing a campaign implementation plan (identifying municipalities and settlements where the campaign will be implemented, developing content that will be presented to citizens and a format for public presentation, establishing cooperation with local civil society organizations in the identified municipalities; mechanisms for measuring the impact of the campaign)
- Conducting a campaign and measuring the effects of the campaign

Start Date: August 2018
End Date: 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
I.1 Overall		✓	✓			✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment aims to continue the implementation of North Macedonia’s Law on Free Access to Public Information (2006).² North Macedonia ranks 22nd out of 128 countries in the Centre for Law and Democracy’s Global Right to Information Rating.³ Although Article 15 of the 2006 FoI Law affords requesters the right to request information electronically, according to the action plan, this manner of submitting requests is rarely used in practice.

This commitment has three main objectives: supporting the proactive publication of information among government agencies, improving electronic access to public information, and increasing public awareness of their rights to free access to information. These three objectives build on the activities from Commitment 3.1 from the previous action plan (2016-2018). Under the previous commitment, CRFAPI published instructions for institutions on how to proactively publish information, including already requested and disclosed information.⁴ Also, the Center for Civil Communication (CCC) created indices to monitor how information holders have proactively published information to their websites. Similarly, the commitment in the current action plan seeks to prepare a list of public information that institutions should proactively make available on their websites. The publication of this information will be compulsory, and adherence to this obligation will be monitored using the CCC’s transparency indices developed during the previous action plan.

CRFAPI also plans to improve the existing electronic system for online submission of access to information requests, along with developing a manual with trainings for information holders. Commitment 3.1 from the previous action plan called for the preparation of a new electronic submission system for access to public information, but the new system was still in a preliminary phase by the time of the IRM End-of-Term Report.⁵ Finally, CRFAPI plans to carry out a public awareness-raising campaign with the Association for Emancipation, Solidarity and Equality of Women (ESE) on the right to access public information, which continues a media campaign carried out by CRFAPI and ESE during the previous action plan period.⁶

This commitment is clearly relevant to the OGP value of access to information due to the proactive publication of information and the online platform for submitting information requests. The milestones are all verifiable, although milestone I.1.3 is open-ended on how the public awareness-raising campaign will be carried out.

If fully implemented, the activities under this commitment could provide moderate improvements to access to information in North Macedonia. The proactive publication of public information in accordance with the 2006 FoI Law on public institutions’ websites could simplify the process for obtaining government-held information, since interested parties would no longer need to submit formal requests for such information. However, it is not clear from the commitment how CRFAPI will determine the list of public information that institutions must proactively disclose on their websites. The European Commission noted in 2018 that the CRFAPI has insufficient capacity to

monitor compliance with the requirement for proactive disclosure of information.⁷ Therefore, the utilization of the CCC's transparency indices could help CRFAPI better monitor compliance with proactive publication requirements among information holders. The 2018 transparency index found that 42.5% of researched institutions adequately fulfilled their obligations to proactively disclose their information, which represents a slight decrease from 2016 (45%).⁸ According to CRFAPI, about 800 of 1,256 institutions currently have their own pages where they publish public information.⁹ The European Commission and CCC findings indicate a clear need for better compliance among public institutions regarding proactive disclosure, but it is unclear how CRFAPI will use the transparency indices to monitor compliance.

Overall, this commitment could lead to moderate improvement to access to government-held information in North Macedonia. The establishment of a functional platform to enable electronic access to information could simplify the process for requesting information. The platform for electronic request of information was due to be created as part of the previous action plan but was not completed and the existing system has not been functional since 2016.¹⁰ When available, this platform would enable electronic submission of information requests, as opposed to filing hard copy requests, as has been the practice until now, which could simplify and speed up the submission process. The awareness-raising campaign could also contribute to better informing citizens on their right to information and how to obtain it. However, this represents a continuation of efforts from the previous plan.

Next steps

During implementation, CRFAPI could clarify how many institutions are currently proactively disclosing public information and what the intended target is by the end of this action plan.

To facilitate easy access to public information, it will be important to make the electronic platform functional as soon as possible. In discussing the improvements, CRFAPI could explore and review experiences of other countries (for example, Albania) that have set up similar platforms as part of OGP action plans.

Given the importance of effective implementation of the Freedom of Information Law, the IRM recommends continuing efforts in this direction in the next action plan.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Republic of North Macedonia, Agency for the protection of the right to free access to public information, <http://komspi.mk/en/297-2/>

³ Global Right to Information Rating, By Country, <https://www.rti-rating.org/country-data/>

⁴ Commission for the Protection of the Right to Free Access to Public Information, Guide to Proactive Publishing, <http://komspi.mk/otvoreno-vladino-partnerstvo>

⁵ IRM, Republic of Macedonia, End-of-Term Report 2016-2018, p 23, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

⁶ Ibid.

⁷ European Commission, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_the_former_yugoslav_republic_of_macedonia.pdf

⁸ Center for Civil Communications, <http://www.ccc.org.mk/images/stories/ia2017m.pdf>

⁹ Cveta Trajkovska, CRFAPI, email correspondence with IRM, 21 November 2019.

¹⁰ "Free access – Submit and browse free access information requests", www.slobodenpristap.mk (no longer functional).

1.2 Basic data for registered entities in the Central Register of the Republic of Macedonia should become publicly available and free of charge on the website of CRRM

Language of the commitment as it appears in the action plan:¹

The following basic data for the entities: RNS (Registry number of the subject) name, address, legal form (organizational form), date of establishment, size, status (active/ inactive/ in the process of establishing/deletion), additional information (in bankruptcy/ liquidation) and activity (code and description) registered in the Central Register of the Republic of Macedonia should be publicly available on the institution's website. The data can be obtained by entering the RNS or by using an auxiliary search criterion for part of the subject' name. According to the 5th EU Directive Beneficial Ownership, data on owners of the entities will be publicly available with the adoption of the new Law on Prevention of Money Laundering and Financing of Terrorism, which 18 envisages a new register of end owners (physican entitites). According to the current plans, the register should be operational within 12 months after the adoption of the Law and the bylaws, that is, in the second half of 2019. The Ministry of Finance and the Financial Intelligence Directorate will be the responsible authorities for the Law. Free accessibility to basic data (referred to in the description of the commitment) for 100% of the registered entities in CRRM, starting from June 30th 2019, will contribute to improvement of transparency, accountability and responsibility of the government and will improve the life and work of the citizens.

Milestones:

1.2.1 Setting up a commitment for CRRM for enabling free, open and free of charge, basic data for registered entities (RNS, name, address, legal form (organizational form), date of establishment, size, status (active/inactive/ in the process of establishing/deleted), additional information (in bankruptcy/liquidation) and activity (code and description).

1.2.2 Development of a software solution integrated and accessible through the CRRM website for enabling a search for 100% of the registered entities, according to the RNS or part of the entity's name, which will result in access to basic data for the requested entity: (RNS, title, address, legal form (organizational form), date of establishment, size, status (active/inactive/in the process of establishing/deleted), additional information (in bankruptcy/liquidation) and activity (code and description).

Start Date: August 2018

End Date: 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
1.2 Overall		✓	✓			✓		✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment is tied to North Macedonia's efforts regarding the EU's Fifth Directive on Anti-Money Laundering.² The Central Register for the Republic of North Macedonia (CRRM) is the body authorized to perform all company registrations and maintain North Macedonia's Trade Register. This commitment aims to better align the availability and searchability of the CRRM's Trade Register with global best practices and with the EU directive. To do this, the commitment plans to develop the software to ensure the searchability of all registered entities on the CRRM's Trade Register according to the registry number of the subject (RNS). It also calls for providing free access to basic data on registered entities.³ It continues from Commitment I.1 from the third action plan (2016-2018), under which the CRRM produced a list of basic data on CSOs and businesses to be published on the CRRM's Trade Register.⁴

This commitment's activities are measurable and verifiable, as they provide a clear list of basic data for searching registered entities on the CRRM Trade Register. It is relevant to the value of access to information, since it could improve the searchability of registered entities.

According to the action plan, the new, upgraded Trade Register will become operational in June 2019, following revisions to the Law on Prevention of Money Laundering and Financing of Terrorism that will take place in 2018.⁵ Overall, the activities under this commitment could improve the searchability of registered entities on the Trade Register by better aligning North Macedonia's Trade Register with international best practices. However, it is unclear if the commitment will make more information available to the public regarding the ownership of companies registered in North Macedonia. Therefore, its potential to improve transparency of company information is assessed as minor.

Next steps

To fully implement the principles of the EU Fifth Directive, the Trade Register will need to provide information on the beneficial owners of registered companies. Several OGP members are currently adopting these measures, such as Denmark⁶ and Slovakia.⁷ The IRM recommends that CRRM follow these international best practices in its Trade Register.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² EUR-Lex, Access to European Union law, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018L0843>

³ This data includes registry number of the subject (RNS), name, address, legal form (organizational form), date of establishment, size, status (active/inactive/ in the process of establishing/deleted), additional information (in bankruptcy/liquidation), and activity (code and description).

⁴ IRM, Republic of Macedonia, End-of-Term Report 2016-2018, p 12, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

⁵ Republic of Macedonia, OGP National Action Plan 2018-2020, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

⁶ Danish Business Authority, Beneficial owners, <https://danishbusinessauthority.dk/beneficial-owners>

⁷ <https://rpvs.gov.sk/rpvs>

1.3 Mapping homeless and socially endangered families and individuals

Language of the commitment as it appears in the action plan:¹

Establishing mechanisms for coordination of activities for supporting poor and materially endangered families and individuals at risk of social exclusion, with a focus on homeless people on the territory of the Republic of Macedonia, thus providing the following: - establishing records of persons and families, - mapping the needs in the area of social protection, - the available and necessary resources for assistance and support to endangered citizens / families, to reduce the situation in view of poverty, - coordinating activities between the Social Work Centres (SWC), the municipal administration, the business community, the associate Kindness, and other stakeholders for the purpose of recording the individuals, providing appropriate services regarding the provision of food, clothes, financial assistance and accommodation of homeless, and the remaining support of socially endangered families and individuals, - exchange of data and information on undertaken activities.

Milestones:

1.3.1 Social mapping of poor and materially endangered families and individuals at risk of social exclusion with focus on the homeless on the territory of the Republic of Macedonia and establishing a database based on mapping

1.3.2 Signing a memorandum of cooperation between stakeholders and implementation of Trainings for social space mapping Representatives from Social Work Centres, Municipalities, NGOs

1.3.3 Mapping the available resources for providing services to vulnerable groups in the local community

1.3.4 Coordination of activities between local social work authorities, municipalities, NGOs, in order to detect the target group needs and appropriate direction and provision of necessary services for poor and materially unsecured families and individuals at risk of social exclusion with a focus on the homeless at the territory of the Republic of Macedonia

1.3.5 Test period for implementation, monitoring of activities and ongoing removal of eventual anomalies. Periodical data update in databases (every 6 months)

1.3.6 Regular database update in relation to detected needs and provided services. The period of periodic data update in the databases should be reduced to 3 months / then to 1 month

Start Date: August 2018

End Date: 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

Context and Objectives

According to the action plan, North Macedonia lacks official data on socially vulnerable individuals and families.² The lack of accurate data makes it difficult for the Government of North Macedonia to identify the needs of these vulnerable groups and design more effective institutional responses to their needs. In order to address this, the Ministry of Labor and Social Policy aims to “map” poor and socially vulnerable individuals and families in North Macedonia, with a special emphasis on homelessness. The mapping will include data on social protection needs as well as available resources for assistance. The findings will be used to establish a database with records on individuals and families, which will be regularly updated (from every six months to every three months to every month). The commitment also calls for the signing of a memorandum between stakeholders working in the area of homelessness (representatives from social work centers, municipal governments, and NGOs) to conduct trainings for social mapping. Lastly, the commitment entails coordination of stakeholder activities to detect the needs and appropriate direction and provision of necessary services.

This commitment’s activities are verifiable and include some measurable indicators, such as updating the database with increased frequency. However, while the commitment indicates that the database of socially vulnerable groups will be populated based on the findings of the social mapping activities, it is not clear what specific categories of information will be included in the database. In addition, the commitment does not clarify if the database will be made available to the public or if it will be for internal use only.

Overall, the creation of the database could help improve the data collection of homeless and socially vulnerable segments of the population given the current lack of data in this area. Furthermore, the social mapping could help both government and non-government stakeholders (NGOs and social workers) to more effectively identify the needs of these groups and more efficiently allocate resources to address these needs. However, the commitment is unclear on a number of key points, which makes it difficult to assess the potential impact as higher than minor. For example, there is a lack of detail on what type of information will be included in the database, how stakeholders will conduct the social mapping to populate the database, how the database will be used to better address the needs of the socially vulnerable groups, and how privacy rights will be protected in the data-gathering and sharing. It is also unclear how the database and social mapping will help stakeholders better coordinate their activities in this area.

Next steps

The IRM recommends that the Ministry of Labor and Social Policy publish disaggregated statistics (broken down by region and municipality) on the number of homeless and vulnerable people and provide information on budgetary funds and services allocated to homeless people. To better shape policy towards the homeless and socially vulnerable, the gathering of data should include stakeholder consultations on the data to be gathered and its potential uses in advance and, following the data-gathering, the formation of working groups, including NGOs working on policy and those working on delivery of services to the socially vulnerable, should propose new policy directions and solutions to ease the problems facing the targeted groups.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Ibid., p 19-20.

Theme II: Integrity and Good Governance

2.1 An advanced mechanism for monitoring the property status of the elected and appointed officials

Language of the commitment as it appears in the action plan:¹

Based on the analysis of the anti-corruption legislation, and by virtue of the already existing information of the SCPC, but also of the civil society, an audit will be conducted in order to upgrade the functionality of the registry. This will be a basis for qualitative overview of the filled-in data of the Register under SCPC's competence. In the meantime, the SCPC will put into effect the connection between the electronic registration of asset declarations, the publication of the same and the register. In addition, the SCPC will create a legal basis for redefining the content and the manner of submitting the asset declaration with the amendments to the Law on prevention of corruption. SCPC, along with other competent institutions such as Public Revenue Office, Employment Agency of RM, Cadastre, Central Register of RM, Securities and Exchange Commission, Ministry of Interior, will put into operation the interoperability system as one of the tools for systematic monitoring of property during the performance of the function.

Milestones:

- 2.1.1 Revision of the asset declaration's content
- 2.1.2 Analysis of the functional failures of the Register of elected and appointed persons
- 2.1.3 Completing the registry according to the analysis
- 2.1.4 Putting into operation the electronic filing of the revised asset declaration
- 2.1.5 Establishing a system for continuous publication of asset declarations, including background data in an open and computer readable format

Start Date: September 2018

End Date: 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
2.1 Overall		✓	✓						✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

North Macedonia's Law on Prevention of Corruption requires elected and appointed officials to declare their assets and property within 30 days of election, termination, and change in their assets.² The State Commission for Prevention of Corruption (SCPC) receives and verifies asset declarations and publishes this data on its website.³ During the previous action plan (2016-2018), SCPC committed to publish in open format a historical overview of officials' asset declarations during their time in office. While the software to

publish this was developed, mandatory online reporting required amending the Law for Prevention of Corruption, which did not occur by the time of the End-of-Term Report.⁴

The commitment in the current action plans expands on this previous commitment by focusing on electronic submissions of asset declarations to SCPC. In 2019, the government adopted a new Law on Prevention of Corruption and Conflict of Interests, which stipulates the SCPC establish a new electronic form for submitting declarations of assets and statement of interests.⁵ Under this commitment, SCPC aims to put this into place and redefine the content of asset declarations in accordance with the amended Law on Prevention of Corruption and Conflict of Interests.⁶ In addition, SCPC will work with other institutions to simplify the assessment of elected and appointed persons' property status.⁷ The commitment is clearly relevant to the OGP value of access to information, because the submissions of elected and appointed officials' asset declarations will be publicly available on the SCPC register. The activities are verifiable, though it is not clear how analysis of the functional failures of the register will be conducted (Milestone 2.1.2).

Currently, public officials in North Macedonia submit asset declarations by completing a questionnaire in hard copy, and SCPC employees enter the data from the questionnaires into the electronic database manually, whereupon the data is published on SCPC's website. This existing questionnaire contains insufficient data on the property and assets of officials as well as the members of their families, and according to a SCPC representative, declarants sometimes provide incomplete information.⁸ According to SCPC, the new system will provide not only an electronic submission of the declaration of assets, but also an integrated register of elected and appointed officials. The new system will also allow SCPC to thoroughly search the assets of public officials in the 17 institutions whose databases SCPC has access to.⁹ Furthermore, SCPC will publish on its website a detailed history of the positions occupied by the official and changes in the property status and interests of each elected and appointed official.

Overall, this commitment could significantly improve SCPC's existing practice of receiving submissions of asset declarations by shifting from paper-based submissions to a standardized electronic form. According to the Council of Europe's Group of States Against Corruption (GRECO), the replacement of the paper-based statements and asset declarations with a single electronic form could potentially make the management of conflicts of interest more reliable and transparent.¹⁰ In addition, the amended Law on Prevention of Corruption and Conflict of Interests will expand the range of public officials required to submit asset declarations, and will include (among others) public, enforcement agents, administrative officers, and persons employed in the offices of the President of the Republic of North Macedonia.¹¹

Next steps

While implementing this commitment, the IRM recommends ensuring that the updated electronic filing of asset declarations is in place by the end of the action plan. The IRM also recommends making the data searchable according to several key criteria, such as the name of the public official, by the name of the entity where they are employed, or by the name of the asset. Lastly, the IRM recommends that SCPC puts in place a functional verification mechanism to ensure the accuracy of the data, such as in Georgia and Ukraine.¹²

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Law on Prevention of Corruption, Official Gazette, [in English], <https://bit.ly/337w4H6>

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- ³ Register of Elected/Appointed Persons, State Commission for the Prevention of Corruption, <https://register.dksk.org.mk/Public/Submissions#/SubmissionList>
- ⁴ IRM, Republic of Macedonia, End-of-Term Report 2016-2018, p 31, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf
- ⁵ European Commission, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf>
- ⁶ SCPC will determinate the content of the new submissions form, which will be operational after developing a new software solution.
- ⁷ According to the action plan, the other institutions include Public Revenue Office, Employment Agency of RM, Cadastre, Central Register of RM, Securities and Exchange Commission, Ministry of Interior
- ⁸ Adem Cucul, SCPC, 4 December 2019.
- ⁹ Information provided to the IRM by SPCP during the pre-publication review period of this report, 6 April 2020.
- ¹⁰ Fifth Evaluation Round, North Macedonia, <https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/168095378c>
- ¹¹ Adem Cucul, SCPC. Other public officials who will be required to submit asset declarations will include: notaries, enforcement agents, administrative officers of category A determined by law, persons employed in the cabinet of the President of the Republic of North Macedonia, the President and the Vice-Presidents of the Parliament, the President of the Government, the Deputy Prime Ministers of the Government, the Ministers and the Secretary General of the Government
- ¹² Commitment 14 in Georgia's 2014-2015 OGP action plan, p 25, <https://www.opengovpartnership.org/wp-content/uploads/2019/06/OGP-AP-GEORGIA.pdf>, and Commitment 12 in Ukraine's 2014-2016 OGP action plan, <https://www.opengovpartnership.org/members/ukraine/commitments/UA0044/>

2.2 Collaboration with the civil sector for anti-corruption assessment of legislation

Language of the commitment as it appears in the action plan:¹

SCPC and civil society organizations will develop a mechanism for collaboration in the consultative processes during the law adoption, as well as in the process of selection and prioritization of the laws that have already been adopted, and will be subject to anti-corruption assessment of the legislation. In accordance with the Anti-Corruption Legislation Methodology, the SCPC will select and prioritize laws that will be subject to assessment on the grounds of common criteria or separate cases. Separate cases relate to findings reporting and indications by civil society, concerning the risks of possible corruption and conflict of interests in certain legal provisions or in a particular legal area, information on a draft-law that has been exposed to strong lobbying by interest groups, etc. CSOs and their networks should be proactive and more active at this stage - by participating in working groups, then at the level of consultations, when they can send comments on behalf of the groups they represent, but also by providing indications to the SCPC and giving recommendations legislation amendments.

Millstones:

2.2.1 Established consultation mechanism during the law adoption and prioritizing the laws that will be subject to anticorruption assessment of legislation

Start Date: September 2018

End Date: 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
2.2 Overall		✓	✓				✓				Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

As part of the 2016-2019 State Programme, the State Commission for the Prevention of Corruption (SCPC) introduced a process of carrying out anti-corruption reviews for North Macedonian legislation.² This covers legislation that is being drafted or has been adopted and seeks to detect, prevent, or minimize the risk of corruption and conflict of interests that may emerge from the implementation of new laws. This commitment calls for SCPC and CSOs to jointly create a consultation mechanism for civil society to contribute to anti-corruption reviews of legislation. Specifically, the consultation mechanism will provide civil society with the opportunity to review draft legislation and to be involved in the selection and prioritization of laws that have already been adopted and will be subject to anti-corruption review. According to the action plan, civil society will be able to participate in working groups, at the level of consultations, and where organizations can send comments and recommendations to SCPC on legislation amendments.

This commitment is relevant to civic participation because it aims to provide civil society with the opportunity to review and submit feedback on legislation. The main activity is verifiable, namely the establishment of the consultation mechanism. However, the action

plan does not provide additional details on the possible operations of the mechanism beyond civil society involvement through working groups.

The potential impact of this commitment will largely depend on how the consultation mechanism is set up and functions, as well as how many draft laws it is able to assess and how the laws are prioritized for assessment. As such, the potential impact is marked as minor.

Next steps

Moving forward, the SCPC could consider the following recommendations:

- Ensure open and transparent process for selecting CSOs for the consultation mechanism.
- Define expected number and nature of draft laws from the beginning so that the burden of participation in the mechanism is clear to the civil society members.
- Provide training as needed for the participating CSOs to ensure effective functioning of the consultation mechanism.
- Hold consultations at the scenarios (green paper) stage before the drafting of laws begins.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan,

https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Republic of Macedonia, State Commission for Prevention of Corruption,
<http://www.dksk.org.mk/en/images/stories/PDF/stateprograme-eng-final.pdf>

Theme III: Fiscal Transparency

3.1. Open treasury

Language of the commitment as it appears in the action plan:¹

In order to increase transparency and achieve greater approximation of the information regarding RM's budget expenditure to the citizens and all interested parties, and at the same time to use the data for analytical, scientific and research purposes, the Ministry of Finance decided to open the data to the public. This commitment will allow the Ministry of Finance in cooperation with the International Republican Institute to implement the concept of "Open Treasury" or "Open Funds" as part of the transparency for RM's Budget expenditure.

The data that should be presented through the "Open Treasury" system will be extracted from the existing financial information system, by enabling the data exchange at a database level between the new solution and the existing state IT system. The application will offer:

- data search after a certain time interval, period and after a certain date, by name/natural or legal entity or budget user,
- the data will be published in a machine readable format in accordance with the Law on public sector data application,
- organizing the transaction/payer data, recipient, expenditure unit, payment order, group of taxpayers (for example, cultural and university institutions), a group of recipients (natural or legal entities) above or below a certain value,
- data search by time of publication, allowing the user to determine the time range in searches,
- advance definition of user options, for example, transactions only to legal entities, only to physical entities, etc., or transactions over a certain amount of money, expenses, etc.,
- an option to disable the publication of certain transactions or to modify them prior to publication, such as covering the name and surname with "Unknown Person (UP)" or excluding all or some of the transactions of certain budget users that are considered and classified as confidential. Such exclusions can be made from the Unique Registry Number (URN) according to the budget program, type of account, account of the recipient and expenditure items,
- graphical visualization of the searched data with automatic update,
- the realization is expected to create a database with current data for RM's budget execution in the first phase and the budgets of the local self-government units in the second phase.

In addition to serving as a tool that enables categorization of data from transaction databases, this solution will allow the data to be set according to the specifications for budget user's spending in different format and from other databases, where aggregated data will display Comparison of the approved budget and the budget executed at user level, in different time periods, but always limited by separate fiscal year (from 01.01.YY to 31.12.YY). Various comparative reviews will also be generated, for example, the largest spenders (at fiscal year level) or the expenditures of a particular budget user or group of users, per item, per period, etc.

Milestones:

3.1.1 Analysis and creation of database with current data for the execution of the Budget of the Republic of Macedonia and its update on 15 days

3.1.2 Analysis and creation of database with current data for the execution of the Budget of the local self-government units and its update on 15 days

3.1.3 Preparation and initiation of the “Open Treasury” Web application

Start Date: August 2018

End Date: 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
3.1. Overall		✓	✓			✓			✓	Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

Context and Objectives

This commitment intends to make national and local-level budget expenditure data in North Macedonia more accessible to the public. In the International Budget Partnership’s 2017 Open Budget Survey, North Macedonia received 37 out of 100 possible points in transparency, a score that was below most other Western Balkan countries.² Under Commitment 5.1 from North Macedonia’s 2016-2018 action plan, the Ministry of Finance improved public scrutiny over the budget, including the publication of citizens’ budgets for 2017 and 2018,³ a projection of revenues and expenditures of the state budget, and a semi-annual report on the implementation of the state budget.⁴ In addition, the European Commission reported in 2019 that budget transparency in North Macedonia had improved due to the publication of the citizens’ budget and increased budgetary data.⁵ The 2018 budget was also subject to public consultations.⁶

However, prior to the action plan, available data on the execution of the budget was aggregated and was not presented in an open data format. In order to obtain more detailed information held by the Treasury on the execution of the state budget, citizens often had to submit freedom of information requests, which was a time-consuming and inefficient process.⁷ In addition, detailed data on the budget execution at the local self-government level was largely unavailable or not easily accessible to the public.⁸

To further improve budget transparency, the Ministry of Finance, with support from the International Republican Institute (IRI), plans to develop an online database and web application for the public to access data on all transactions disbursed by the Treasury (called "Open Treasury" or “Open Finance”). The data for the Open Finance database will be extracted from existing information systems and will be published in machine-readable format where users will be able to easily cross-compare the approved budget against the executed budget. According to the action plan, users will be able to organize the data according to transaction/payer, recipient, expenditure unit, payment order, group of taxpayers (for example, cultural institutions or universities), group of recipients (natural or legal entities), and above or below a certain value. In addition, under the second phase of the Open Finance project, the Ministry of Finance plans to include data on the realization of the budgets for local self-governments. The budget data for the national and local governments will be updated automatically every 15 days.

The publication of detailed data on budget transactions makes the commitment clearly relevant to the OGP value of access to information. The commitment's planned activities are verifiable, particularly the creation of the database with the aggregated data, the subsequent updates every 15 days, and the creation of the corresponding web application. If implemented, the Open Finance portal could transform access to budget data in North Macedonia. Opening budget data to public access at the national and local levels with the frequent updates would be a significant step toward increasing transparency in government expenditure. The action plan specifies that the new publication format would make it possible to search published data and provide a basis for analysis and comparison of resource consumption across enterprises, in machine-readable format, which was not possible previously. The portal could provide interested citizens, civil society, and media outlets with detailed and disaggregated data on all transactions paid by public institutions in North Macedonia, much of which was previously unavailable or only available by submitting a freedom of information request.⁹ Finally, the portal could provide citizens with more detailed data on public spending at the local self-government level than before the action plan.

Next steps

The Open Finance portal has been developed and launched in November 2020.¹⁰ The Ministry of Finance and IRI are currently working on expanding the portal to include budget data on all transactions by local self-government units from 2010 onwards. The IRM recommends:

- Evaluate the results and use of the web-portal to identify improvements and changes that may be implemented. This could be done by involving stakeholders and end users of this information, such as watchdog groups and journalists.
- Specify a detailed level of information on expenditures (e.g. the general expenditure article or the costs, the vendor, etc.).
- Take measures to ensure that the number of public bodies reporting to the portal increases.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan,

https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Open Budget Survey 2017, Macedonia, <https://www.internationalbudget.org/wp-content/uploads/macedonia-open-budget-survey-2017-summary.pdf>

³ Ministry of Finance, <https://finance.gov.mk/mk/node/6597#overlay-context=>

⁴ Commitment 5.1 in North Macedonia's 2016-2018 action plan, p 39, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

⁵ European Commission, p 12, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf>

⁶ Ibid.

⁷ Iliina Mangova, International Republican Institute, email correspondence with IRM, 23 January 2019.

⁸ Ibid.

⁹ Ibid.

¹⁰ Available at <https://open.finance.gov.mk/mk/home>

3.2. Possibility for publishing basic information on public procurements on institutions' websites (contracting authorities in public procurement)

Language of the commitment as it appears in the action plan:¹

The Public Procurement Bureau should recommend to all contracting authorities in the country that conduct public procurement pursuant to the Law on Public Procurement and who are registered on the ESPP, to publish them on their websites (or if they do not have their own website – on the website of the institution under whose jurisdiction it operates) the following, basic data on public procurements (independently or as a link to the already published ESPP documents), as follows: annual public procurement plan with amendments and supplements, public procurement calls, notifications for concluded contact on public procurement, notifications for realized public procurement contracts and concluded public procurement contracts.

More precisely, these are already existing documents that are published on ESPP, which, in turn, is primarily a portal for actual implementation of public procurements, and whose users are the contracting authorities and the companies, i.e. the economic operators. By publication of these documents on their websites, they ensure greater transparency, and therefore accountability and responsibility of the institutions that spend public money and easier insight into that spending for those whose money are spend, that is, the citizens.

Hence, the commitment envisages simple publication of these documents on the institution's websites as a link that will lead to the already published documents on the ESPP, thus the entire publication procedure will be quick, short and simple and will not require more specific computer skills. Availability of 100% of the basic public procurement data of the institutions on their websites (or on the websites of the institutions under whose jurisdiction they operate) from January 1st 2019 onwards, which will contribute to increasing the integrity and more efficient use of public goods.

Milestones:

3.2.1 Increasing the number of institutions using the possibility of automatic downloading of the data from the ESPP in order to publish the annual public procurement plans (and their amendments), the public procurement notices, the contract notice and the concluded contracts, on their websites, continuously, as these documents are published on the ESPP.

3.2.2 Increasing the number of institutions that use the possibility of automatic download of the data from the ESPP in order to publish the notice for the realized agreement on their websites, continuously, as the notice is published on the ESPP.

Start Date: August 2018

End Date: 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

Context and Objectives

This commitment continues from Commitment 5.3 in North Macedonia's previous action plan (2016-2018) where the government aimed to legally require contracting authorities to publish information regarding public procurement contracts.² The government adopted the corresponding Law on Public Procurement in January 2019 (after the end of the previous plan period), which entered into effect on 1 April 2019.³

The Public Procurement Bureau (PPB) maintains an Electronic System for Public Procurement (ESPP) which provides basic procurement data. Pursuant to the amended Law on Public Procurement, contracting authorities are now required to publish to ESPP notices and tender documents, public procurement annual plans, and data on fulfillment of the contracts.⁴ Under the commitment in the current action plan, PPB would recommend that all contracting authorities registered on ESPP also publish the same procurement information on their own websites (or, if they do not have their own website, on the website of the institution under whose jurisdiction it operates). The milestones call for increasing the number of contracting authorities that publish on their own websites annual public procurement plans (and their amendments), public procurement notices, and the contract notice, as well as the concluded and realized contracts. The commitment is relevant to the OGP value of access to information, and the milestones are verifiable. One can verify that a greater number of contracting authorities are publishing the aforementioned procurement data from ESPP to their websites.

Implementation of the amended Law on Public Procurement should increase the amount of publicly available information around procurement. For example, the previous Law did not require the publication of public procurement annual plans, and in 2018, only about 10 percent of contracting authorities published them voluntarily.⁵ According to research by the EU and the OECD from May 2019, a total of 1,435 contracting authorities are already registered in the ESPP, which organized 21,962 procurement procedures in 2018.⁶ These authorities will now be required to publish the annual procurement plans, along with other basic information, to ESPP. All information on ESPP is available without registration, except for tenders with ongoing time limits for bid submissions, which become available after the time limit for bid submissions expires.⁷

Increasing the number of contracting authorities that publish data from ESPP to their individual websites could theoretically increase the accessibility of this information. However, this commitment does not call for the publication of new information to these websites that would not have already been published to ESPP. Furthermore, the wording of the commitment is somewhat limited because it calls for PPB to "recommend" that all contracting authorities publish the ESPP information to their own websites, as opposed to requiring them to do so. Therefore, this commitment will likely represent a positive but ultimately minor improvement to the status quo.

Next steps

In the implementation of this commitment, the relevant government authorities and PPB could consider specifying the regularity of the data to be published by the procuring authorities.

Given the importance of transparency of public procurement in combating corruption, the government should consider including a more ambitious commitment in this area in the next action plan. A significant reform would entail publishing procurement data in open data

format covering all five contracting stages from planning to implementation, per the Open Contracting Data Standard (OCDS).

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan,

https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Macedonia End-of-Term Report, p 46, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

³ Shadow report on public procurements in North Macedonia 2019, <http://www.ccc.org.mk/images/stories/sren.pdf>

⁴ Sigma, The Principles of Public Administration, North Macedonia 2019, p 20, <http://www.sigmaweb.org/publications/Monitoring-Report-2019-North-Macedonia.pdf>

⁵ Ibid., p 25.

⁶ Ibid., p 27.

⁷ Information provided to the IRM by MISA during the pre-publication review period of this report, 6 April 2020.

3.3. Promoting transparency in the implementation of health programs and establishing a costs impact assessment mechanism from these programs on end-users through citizens' inclusion

Language of the commitment as it appears in the action plan:¹

“The Ministry of Health, in cooperation with the Association for Emancipation, Solidarity and Equality of Women (ESE), has prepared a standardized form of annual narrative financial reports for each of the preventive and curative budget programs for 2017 and is published on the Ministry's website. In the next period, the initiative for publishing annual reports for the implementation of program activities for each of the preventive and curative health protection programs will be continued. The established template report will mean unifying the narrative reporting parameters at a level of an institution, and it will cover data on what the institution has done and achieved with the costs incurred in the current year according to the objectives, the results and the activities foreseen by the program. It will also provide financial reporting and will cover data on how much funds are planned and spent at a level of activity and per budget program executor. These reports will be published by the institution on their websites during the first half of the current year for the previous year.

The Ministry of Health will select at least one preventive or curative budget program in cooperation with the Association for Emancipation, Solidarity and Equality of Women (ESE), mechanisms / methodologies will be developed for impact measurement of costs on end users. Such a developed mechanism/methodology will be piloted on the identified pilot budget program (implementation of the assessment process and communication with end users will be carried out in cooperation by the ESE Association). To this end, the Association for Emancipation, Solidarity and Equality of Women (ESE) will develop and conduct a one-day training for presentation of the steps for assessing the impact of budget expenditures on public services' end users. Additionally, this process will enable identification of the actual needs and priorities of the end users, which will further assist the institution in the planning process for future activities. Upon completion of the piloting period, the institution will include the results of the conducted assessment process in the budget planning and activities for the selected pilot program for 2021.”

Milestones:

3.3.1 Prepared and publicly available narrative-financial report for program and budget reporting for each of the curative and preventive programs from the budget of the Ministry of Health

3.3.2 Introduced methodology for impact measurement of costs on end-users for the preventive budget program: "Program for population protection of HIV/AIDS in the Republic of Macedonia". -Prepared Report with recommendations for the programs' planning for the next budget year.

Start Date: August 2018

End Date: August 2020

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?
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	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
3.3. Overall		✓	✓					✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment is the continuation of Commitments 5.2 and 5.7 from North Macedonia’s third action plan (2016-2018). These commitments respectively aimed to improve access to information on health programs (5.2) and to train Ministry of Health officials on the implementation of social accountability methodologies, and to select a preventive or curative program to pilot new social accountability methodologies (5.7). Although some progress was made with regard to the design of the pilot plan, the Ministry of Health did not conduct training on the implementation of social accountability methodology, nor did it provide the training for officials from the Ministry of Health.²

Under the current commitment, the Ministry of Health plans to continuously publish narrative-financial reports on preventive and curative programs and introduce a methodology for impact assessment of end users for the preventive budget program. Prior to the action plan, there was no publicly available information in North Macedonia on the program and budget implementation related to health programs financed by the Ministry of Health. According to a representative of the supporting CSO the Association for Emancipation, Solidarity and Equality of Women (ESE), the only way to receive information on the scope of realized activities and the amount of funds spent was to submit an official freedom of information request, which is often a lengthy process.³ Although the adopted health programs are published on the Ministry of Health website and in the Official Gazette, the annual reports are not publicly available and contained general information without specifics. For example, the only publicly available information about the health programs was the total funds spent per health program presented in the Year End Report adopted by the Parliament six months after the end of the fiscal year.

This commitment calls for the continued publication of annual narrative-financial reports for each curative and preventive program using a standardized template developed in 2017 in collaboration with ESE. The narrative-financial reports will include data on how each institution utilized the funds they received from the Ministry of Health and the achievements under each of their health programs. These reports will be published by the institution on their websites during the first half of the current year for the previous year. According to an ESE representative, the narrative-financial reports will include more detail on the individual programs, such as the type of medicines procured, the quantity of medicines purchased, the funds spent to purchase the medicines, and how the medicines are distributed among the health institutions.⁴

The commitment also calls for the introduction of a methodology for impact measurement of the costs of preventive programs for end users, using the health program on HIV/AIDs protection as a pilot. Using this pilot program, ESE will conduct a one-day training for public health institutions and CSOs on best practices for applying the social impact methodologies across different public health-related contexts. The institution will then prepare a report including recommendations for the selected pilot program for 2021. According to the ESE representative, this training is scheduled to take place in January 2020.

The commitment is relevant to the OGP value of access to information as it aims to make information on the results of programs funded by the Ministry of Health available through

the annual narrative-financial reports. Overall, the commitment's activities represent important but minor steps towards greater transparency of health-related funding in terms of results achieved per program and their efficiency and cost-effectiveness. According to the ESE representative, the application of social accountability methodologies is important for learning whether health programs have delivered their expected results, so that corrective measures can be taken on time. However, the replicability of the results from the pilot program and the lessons learned on best practices from the one-day training will be easier to determine in the long-term. Furthermore, while the publication of the annual narrative-financial reports could improve transparency of health programs, this activity represents a continuation of ongoing work by ESE and the Ministry of Health that started prior to the action plan.

Next steps

The IRM recommends rolling out the pilot cost assessment in other areas of healthcare, and to form a working group including healthcare professionals, government policymakers, and NGOs. The working group could commission cost-benefit studies and make recommendations for further improvements, both in presentation of data (budget and actual expenditure) and adjustments to future budgets based on the cost/impact assessments. This could then help to better target health budgets to particular groups of citizens, particular curative and preventive programs, and geographical regions where needs are poorly met.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan,

https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Macedonia End-of-Term Report, p 42-43, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

³ Darko Antik, Coordinator for budget monitoring and analysis, Association for Emancipation, Solidarity and Equality of Women, email correspondence with IRM, 6 December 2019.

⁴ See (In Macedonian): <http://zdravstvo.gov.mk/izveshtaj/>

3.4. Promoting transparency in the implementation of employment programs and establishing a mechanism for impact assessment of costs from these programs on end-users through citizens' inclusion

Language of the commitment as it appears in the action plan:¹

“The Employment Agency of the Republic of Macedonia, in cooperation with the Association for Emancipation, Solidarity and Equality of Women (ESE), will prepare a standardized form of annual narrative-financial reports for each of the active employment measures of the Operational Plan for active employment programs and measures and services on the labor market. The format of the report will mean unification of the narrative reporting parameters at institutional level, containing data on what the institution has done and achieved with the costs incurred in the current year according to the objectives, results and activities foreseen by the program. It will also provide financial reporting and will contain data on how much funds are planned and spent at the level of activity and per budget program executor. These reports will be published by the institution on its website during the second quarter of the current year for the previous year.

The Employment Agency of the Republic of Macedonia will select at least one active employment measure from the Operational Plan for Active Employment Programs and Measures and Labor Market Services, and for which there will be development of mechanisms/methodologies to measure the impact of costs on the end users in the implementation period of this Action Plan, in cooperation with ESE. This developed mechanism/methodology will be piloted on the identified pilot budget program/active employment measure (implementation of the assessment process and communication with the end users will be carried out in cooperation with ESE Association). To that end, ESE will develop and conduct a one-day training to present the steps for assessing the impact of budget expenditures on end-users of public services. Additionally, this process will enable identification of the actual needs and priorities of the end users, which will further assist the institution in the planning process for future activities. Upon completion of the piloting period, the institution will include the results of the conducted assessment process in the budget planning and the activities for the pilot program/active employment measure for 2021, adopt the developed methodology and apply it to other active programs and employment measures.”

Milestones:

3.4.1 Prepared and publicly available narrative-financial report for program and budget reporting for each of the active employment measures from the Operational Employment Plan of the Employment Agency of the Republic of Macedonia.

3.4.2 Introduced methodology for measuring the impact of costs on end users for minimum one active employment measure from the operational employment plan and prepared Report with recommendations for the planning of programs/measures for the next budget year

Start Date: August 2018

End Date: August 2020

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?
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	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
3.4. Overall		✓	✓					✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

Similar to Commitment 3.3 with the Ministry of Health, Commitment 3.4 aims to publish narrative-financial reports for the State Employment Agency (SEA) and introduce a methodology for impact assessments of the costs of programs by the agency on end users. Currently, the SEA adopts annual Operational Plans and develops annual Operation Reports with general information on the status of the unemployed, employment measures and services, and aggregated information on the funds spent. However, according to a representative from the Association for Emancipation, Solidarity and Equality of Women (ESE),² the existing annual Operation Reports have several deficiencies, including:

- Lack of an overview of all employment services offered by SEA, accompanied by a discussion on services that have been introduced and abandoned compared to the previous year, as well as corresponding reasons.
- For newly introduced services, the reports do not include information on the purpose for which the new service was introduced or the data or knowledge that served as the basis for introduction of the new service, as well as the expected results.
- Individual services anticipated under the Operational Plan are not described in detail, such as the course of their implementation, coverage of end beneficiaries, and the indicators used to monitor and evaluate results.
- The Operation Reports do not contain information on the funds spent per employment measure and service. Additionally, the reports do not show the sources of funds used for financing the employment measures and services, as well as information on the payments made to outsourcing companies or organizations engaged in some of the activities.

Currently, no standardized form for annual narrative-financial reports exists for employment programs. Therefore, SEA, in collaboration with ESE, will first prepare a standardized form for each active employment measure to be used in the SEA's Operational Plans and narrative-financial reports. The reports will include data on the institutions' past actions, achievements, costs incurred during the year, and future activities planned. The reports will also contain data on planned and executed funding for each activity and per program executor. These reports will be published by the implementing institutions on their websites during the second quarter of the current year for the previous year.

SEA and ESE will also select at least one active employment measure from the Operational Plan to pilot a methodology for assessing social impact. ESE will then carry out a one-day training on the methodology, using the identified program, and the institution will prepare a report with the results for the pilot employment measure for 2021. The development of the cost impact methodology and the training are similar to the planned activities under Commitment 3.3 (between ESE and the Ministry of Health). However, unlike that commitment, the specific pilot employment program that will be used is not given.

The commitment is relevant to the OGP value of access to information as it aims to make narrative-financial reports on SEA's services available to the public. If implemented, the commitment could lead to minor but important improvements to the transparency and cost-effectiveness of active employment measures funded by SEA. Unlike the Ministry of Health, SEA did not have a standardized format for reporting in its annual Operation Plans prior to the start of the action plan. As mentioned above, SEA's current Operation Plans have several deficiencies in terms of the level of detail of the information provided on individual employment services and their funding. Therefore, the development of the standardized format for publishing narrative-financial reports using ESE's recommendations could improve the quality of this information compared to existing Operational Plans. Lastly, the development and piloting of a social impact assessment methodology could help improve the cost-effectiveness of SEA's other employment programs.

Next steps

Similar to Commitment 3.4, the IRM recommends carrying out similar pilot cost assessments in the area of employment, and to form a working group including healthcare professionals, government policymakers, and NGOs.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Darko Antik, Coordinator for budget monitoring and analysis, Association for Emancipation, Solidarity and Equality of Women, email correspondence with IRM, 6 December 2019.

Theme IV: Open Data

4.1. Cataloging data sets in state institutions

Language of the commitment as it appears in the action plan:¹

“In order to be able to open data in the institutions and to prioritize the opening of data sets, it is necessary to create a catalog of data sets in each institution that holds the data sets and that are open. Analysis of 1-2 same data sets of two or more institutions, consideration of the possibilities for their unification and submission of a proposal structure of the data set in which the institutions would publish these data. Increasing awareness of institutions, citizens, business community, non-governmental sector, as well as all other stakeholders in the process of opening and reutilizing the open data, as well as the benefits that the citizens and small and medium enterprises can have from the data opening. Better visibility in the prioritization and opening of data sets, as well as possibility for analysis and comparison of same data sets from different institutions as well as greater awareness of open data: - Citizens require institutions to open data - Small, medium enterprises and universities create applications with open data that are used by citizens.”

Milestones:

4.1.1. Cataloging and publishing catalogs with data sets on the open data portal from at least 10 institutions

4.1.2. Opening of at least 2 data sets per institution, for which data set cataloging has been made

4.1.3. Structure standardization of same data sets, based on analysis on 1-2 same data sets from different institutions

4.1.4. Structure proposal for publishing the data set and publication of standardized data sets from institutions which are part of the analysis.

4.1.5 Organizing workshops and presentations involving the state administration authorities, non-governmental sector, universities, small and medium enterprises (minimum 5 workshops)

4.1.6 Organizing hackatones

Start Date: September 2018

End Date: September 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
4.1 Overall		✓	✓						✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment aims to improve the open data infrastructure in North Macedonia and raise public awareness of the open data concept. The first four milestones mostly continue the unfinished activities from Commitment 2.4 from the country's third action plan (2016-2018).² They call for the Ministry of Information Services (MISA) to:

- catalogue and publish datasets of at least 10 institutions on the new open data portal,
- open a minimum of two datasets per institution for which datasets have been catalogued,
- standardize the structure of datasets based on an analysis of similar datasets by different institutions, and
- draft a structure for publication of datasets and publication of standardized datasets by institutions that are part of the analysis.

Similarly, the final two milestones partially continue unfinished activities under Commitment 2.3 from the third action plan. Specifically, they call for MISA to popularize the open data concept by holding workshops with state institutions, CSOs, universities, and small and medium enterprises (SMEs), as well as through hackathons. The action plan highlights the lack of information on the availability of such databases and underlines the difficulty in analyzing the data due to the different structure of the datasets.³

The commitment is relevant to the OGP value of access to information as it covers measures to facilitate public access to government-held data. While cataloguing datasets could improve the convenience of accessing open data, it does not necessarily increase the amount of open data disclosed. At the time of writing this report, North Macedonia's newly established open data portal contains 224 datasets from 50 public institutions and 27 catalogues.⁴ It is unclear the extent to which opening 1-2 datasets per institution and cataloguing of datasets from 10 institutions represents a significant increase in existing available data. Overall, the proposed activities of this commitment could represent a moderate improvement to open data availability and accessibility. However, the ultimate significance of the activities will mostly depend on which 10 institutions are included and which datasets will be made available.

Next steps

To improve open data practices significantly, MISA could expand the number of institutions covered under this commitment. It could also involve relevant organizations and data users in identifying priority and high-value datasets that should be opened up and ensure standardization is applied to them.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan,

https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² IRM, Republic of Macedonia End-of-Term Report 2016-2018, p 18-21, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

³ OGP National Action Plan 2018-2020, p 42, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

⁴ As of December 2019, <http://www.otvorenipodatoci.gov.mk/en/>

4.2. Regional initiatives for cooperation in the field of open data

Language of the commitment as it appears in the action plan:¹

Macedonia has already developed a metadata standard that will be implemented in the new Open Data Portal. This standard would be a starting point for the development of metadata standards at regional level.

Milestones:

4.2.1. Establishing a working group for open data in the region

4.2.2. Analysis of Macedonian metadata standards by the working group

4.2.3. Preparation of draft metadata standards at regional level

Start Date: September 2018

End Date: September 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
4.2 Overall		✓	✓					✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

Under Commitment 2.1 from North Macedonia's third action plan 2016-2018), the Ministry of Information Society and Administration (MISA), in cooperation with international and local CSOs, created metadata standards for government data. The standards were based on the DCAT-AP platform, which is a standard used by UK, US and European data portals.² The commitment in the current action plan aims to use this North Macedonian metadata standard as a starting point to develop a regional metadata standard among the six Western Balkans countries (WVB6) to promote consistency across the region.³ According to the action plan, not all of the regional countries' open data portals have implemented the option for entering metadata and the six countries use different datasets for metadata.

Metadata add fields and descriptors to a dataset and provide a consistent framework for diverse datasets. Unless datasets have the same metadata fields, intercomparability and combination of data in analysis is problematic. Common metadata enhance searchability and integration of datasets.

The commitment specifically plans to establish a regional working group for open data, which will then analyze the North Macedonian metadata standard and prepare the draft standard for the region. The aim to improve the regional metadata standard makes the commitment relevant to the OGP value of access to information. The planned activities are verifiable, though they lack detail in terms of who is expected to participate in the regional working group and its work, other than analyzing and preparing the new metadata standard.

The adoption of a regional metadata standard could lead to greater consistency across the region and harmonize the information in various national open data portals among the six countries. However, without greater detail regarding the need for a regional metadata standard, the overall potential impact is considered minor.

Next steps

The IRM recommends that the WB6 countries agree on which metadata standards should become a standard in the region (for wider comparability, for instance, the DCAT-AP platform standard). Additionally, the WB6 countries could work to pilot this in particular fields where regional comparisons across the countries would be most insightful for informing policy decisions. This could either be one ministry in each country or could be at the local level in neighboring regions, e.g. parts of Albania or Serbia that border North Macedonia.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan,

https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² IRM, Republic of Macedonia End-of-Term Report 2016-2018, p 19, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

³ The Western Balkans six (WB6) refers to Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia.

Theme V: Transparency at Local Level

5.1. Establishing new tools for financial transparency improvement and accountability of LSGUs and social inclusion

Language of the commitment as it appears in the action plan:¹

“Establishing electronic boards in the municipalities as a very accessible way of informing the members of the councils and the general public regarding the key financial data from the operation of the municipality and the public services, by automatic download of the quarterly reports on budget execution drafted by the municipal administration and their accessibility to council members and the general public through the control boards. The data are published in a manner that is understandable for council members who are not financial experts, as well as for the citizens. The goal is to provide the council members to perform the control function more responsibly as well as to make decisions based on information in close cooperation and in consultation with the citizens. Implementation of projects that will stimulate the inclusive approach in decision making. Also, adjusting the municipalities’ WEB pages to the needs and requirements of persons with disabilities, in order to provide access to information and greater inclusion of these persons in the decision-making processes.”

Milestones:

5.1.1 Setting up electronic information boards with data on financial operations on the websites of the municipalities Cair, Veles, Ohrid, Strumica, Sveti Nikole and Valandovo

5.1.2 Implementation of an additional tool (one in each 24 municipalities) for introducing management innovations.

5.1.3 Supporting the implementation of projects in a total of 24 municipalities in cooperation with citizens and CSOs

5.1.4 Setting up electronic information boards with data on the financial operation on the websites of the new 18 municipalities

5.1.5 Preparation of a Guideline and adaptation of the municipalities’ WEB pages from the East Planning Region for persons with disabilities

5.1.6 Trainings for access to information, for persons with disabilities

5.1.7 Campaign for the right to equal access to information and services for all citizens at local level

Start Date: August 2018

End Date: 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
5.1 Overall		✓	✓						✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment continues Commitment 6.2 from North Macedonia's third action plan (2016-2018), which included measures for improving financial transparency of local self-government units (LSUs). The commitment led to the creation of dashboards that allow users to access and download financial data of 20 indicators in five out of six targeted municipalities.² These indicators include, among others, total operating income and expenses, revenues and expenditures per category, liabilities, status of debt, and borrowing of municipalities and public enterprises.³

This current commitment seeks to expand on these efforts by establishing similar financial dashboards for the websites of 18 additional North Macedonian municipalities (Milestone 5.1.4). This would bring the total number of municipalities to 24 (including the six from the third action plan). The commitment also calls for the implementation of an additional tool to introduce innovations in management for each of the 24 municipalities (5.1.2). The introduction of the management innovations for the first six municipalities was not completed during the third action plan and has been carried forward to this plan. Although not specified in the current commitment, the additional innovation tool aims to facilitate public consultation and help the public more easily access specific services or data. Furthermore, the commitment also plans to implement projects in the 24 municipalities in cooperation with the public and civil society (5.1.3). Lastly, the commitment has an added focus on supporting persons with disabilities in accessing information at the local level. Specifically, it plans to make municipalities' websites more accessible to persons with disabilities (5.1.5), conduct trainings for persons with disabilities on accessing information (5.1.6) and conduct a campaign for the right to equal access to information and services for all citizens (5.1.7).

The commitment is directly relevant to the OGP value of access to information, as it seeks to improve access to financial data held by LSUs, including for persons with disabilities. Most of the other planned activities are verifiable, though some lack important details that would help assess their potential impact. For example, the trainings and campaign under milestones 5.1.6 and 5.1.7 do not provide further information on how these activities will be conducted. In addition, it is unclear how Milestone 5.1.1 differs from an already completed activity under the previous action plan, namely the establishment of financial dashboards in the original six municipalities.

Overall, this commitment could represent a moderate improvement to access to financial information held by LSUs. Notably, it seeks to expand the practice of financial dashboards from the six original municipalities to 24. As noted in the IRM's End-of-Term Report for the previous action plan, the dashboards (with the inclusion of the identified indicators) significantly expanded the amount of financial data available to the public for the six original municipalities.⁴ Additionally, the online and mobile tools allowed for easier access to financial data, with the possibility to download and manipulate it. If the 18 new municipalities can replicate the successes and include similar financial indicators, this commitment could provide further precedent for other LSUs to follow. If the commitment reaches its target of 24 municipalities, this would mean that approximately one third of all municipalities in North Macedonia would have these financial dashboards.⁵

Next steps

The Ministry of Local Self-Government could prioritize the following additional actions to ensure the measures for improving budget transparency will be effective:

- Lay out detailed plan for engaging citizens and CSOs in the process of setting up the information board and the implementation of the government's other initiatives.
 - In addition to transparency measures, the local self-government units could explore mechanisms for public participation both in the formulation of the budget and the monitoring of its implementation. These mechanisms could include participatory budgeting and social audits.
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¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan,

https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² At the time of the IRM End-of-Term Report, Cair, Ohrid, Sventi Nikole, Valandovo, and Veles had developed the dashboards, and Strumica's dashboard was forthcoming.

³ IRM, Republic of Macedonia End-of-Term Report 2016-2018, p 57, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

⁴ Ibid.

⁵ There are 84 municipalities in the Republic of North Macedonia, <https://portal.cor.europa.eu/divisionpowers/Pages/Macedonia.aspx>

5.2. Public service improvement by institutional cooperation between LSGUs and CSOs

Language of the commitment as it appears in the action plan:¹

“Developing a mechanism and tools for transparent allocation of funds from municipal budgets for financing CSO projects, designing grant schemes, strengthening the capacities of LSGUs and CSOs for execution and use of funds, process monitoring.”

Milestones:

5.2.1 Preparation of a methodology and tools for financing CSOs from the municipal budgets and for process monitoring of execution of funds.

5.2.2 Developing the capacities of the local administration and CSOs in municipalities (Kumanovo, Strumica, Gostivar, Kavadarci and Resen) for transparent financing, monitoring and implementation of municipal projects with CSOs.

5.2.3 Providing social services by civil society organizations in the municipalities of Kumanovo, Strumica, Gostivar, Kavadarci and Resen

Start Date: August 2018

End Date: 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
5.2 Overall		✓	✓				✓				Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment partially continues from Commitment 6.3 in North Macedonia’s third action plan (2016-2018), which aimed to improve institutional mechanisms for civil society and citizens to participate in decision making at the local level.² The current commitment focuses specifically on one of the incomplete activities of the previous commitment, namely providing financial support to certain municipalities (through a grant scheme) in order to utilize the new institutional mechanism for civil society participation. The current commitment specifically calls for the preparation of a methodology and tools for financing CSOs from municipal budgets, as well as monitoring the spending of the allocated funds. The commitment also covers developing the capacities of local governments and CSOs in implementing projects and providing social services in five municipalities (Gostivar, Kavadarci, Kumanovo, Resen, and Strumica). Finally, it calls for CSOs to provide social services in the same five municipalities. By the end of the previous action plan period, of these five municipalities, only Kavadarci and Strumica were able to move forward with implementing their respective grant projects.

This commitment is relevant to the OGP value of civic participation because it aims to improve the capacity of civil society to better provide social services at the local level. The implementation of this commitment is verifiable overall, but some of the activities are vague in terms of the development of CSOs' capacities to implement transparent municipal projects and provide social services to the public.

The clarification of rules for granting funds to CSOs by local self-governments (LSGUs) is a welcome step toward increasing transparency around allocation of public funds. LSUs in North Macedonia generally lack institutional mechanisms for cooperation between the LSU and local CSOs on social services. As previously noted in the IRM Progress Report (2016-2018), this lack of mechanisms often leads to inefficient utilization of funds granted to LSGUs and CSOs.³ Therefore, the implementation of this commitment could lead to better collaboration between LSGUs and local CSOs in delivering social services in the five participating municipalities, as well as more cost-effective delivery of social services by CSOs. However, the commitment lacks important details on what specific social services will be provided by CSOs, and how CSOs and LSGUs will improve their collaboration in implementing local projects. The lack of detail and the limited scope make it difficult to assess the potential impact beyond minor.

Next steps

The IRM recommends the following to the Ministry of Local Self-Government:

- Articulate a plan regarding the effective engagement of CSOs in providing social services in the municipalities.
- Consult CSOs on the terms for the allocation of funds and types of services provided by municipalities.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan,

https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² IRM, Republic of Macedonia End-of-Term Report 2016-2018, p 61,

https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

³ IRM, Republic of Macedonia Mid-Term Report 2016-2018, p 61, https://www.opengovpartnership.org/wp-content/uploads/2018/11/Macedonia_Mid-Term_IRM-Report_2016-2018_EN.pdf, p 73.

5.3. An inclusive decision making manner to encourage local and regional development

Language of the commitment as it appears in the action plan:¹

“The following will be conducted in each of the eight planning regions:

- Held 4 forum sessions and at least one meeting per working group between the sessions;
- Representative presentation of institutions and citizens (minimum 40 participants) at forum sessions;
- Well-structured quality discussions, with much of the time dedicated for expert support, project ideas and recommendations;
- Conducted promotional activities in the regions;
- Established informal and formal partnerships between interested groups;
- Developed a number of project ideas;
- Given recommendations to institutions and the same recommendations taken into account;
- Implemented sustainable projects with visible socio-economic impact on the community.”

Milestones:

5.3.1 Selection of moderators, representatives civil sector representatives. The moderators will be selected by the Planning Regions Development Centers, by an external consultant’s support, from the list of forum moderators in ZELS.

- Training for the Planning Regions Development Centers for conducting forum sessions.
- Selection of key local partners. The moderators, along with the Planning Regions Development Centers, will be responsible for recruitment of forum participants. The operation group is responsible for inviting participants to the forum, in accordance with the project proposal and their knowledge of the region, using various tools.

5.3.2 Organizing 4 forum sessions in each planning region. By utilizing the forum access, the forum will start detecting the key problems and solutions, preparation of project proposals and selection of projects that will be proposed before the Councils of the planning regions for their funding.

5.3.3 Implementation of the chosen projects

Start Date: August 2018

End Date: 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
5.3 Overall		✓	✓				✓				Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment aims to address gaps in the development of different parts of North Macedonia through more inclusive participation in decision-making processes at the municipal level. The commitment calls for holding four forum discussions with the participation of key local partners and with a particular focus on women and non-majority ethnic groups. The milestones mainly focus on the technical aspects of organizing the forum discussions, including the selection of moderators and participants (5.3.1), and identifying and preparing project proposals for funding (5.3.2) and eventual implementation (5.3.3).

The commitment provides a detailed overview of the four forums that will take place, including the minimum number of participants in each (40) and the minimum percentage of women at each forum session (40 percent). It also clarifies that the moderators and representatives will be selected by Planning Regions Development Centres and with the support of external consultants. As such, the commitment is verifiable and relevant to the OGP value of civic participation. While the forum discussions could lead to greater local participation (particularly for minority groups) and projects that will eventually be selected for funding could lead to greater regional development, the potential impact of these activities is difficult to assess beyond minor. The actual impact will largely depend on how the commitment is implemented.

Next steps

The Ministry of Local-Self-Government could ensure the systematic and ongoing integration into development planning and project decisions of mechanisms that ensure the representation and involvement of civic society stakeholders. The Ministry could also conduct impact assessments for all planning and for multi-year strategic development plans.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

5.4. To resilient Skopje via data availability

Language of the commitment as it appears in the action plan:¹

“Citizen’s inclusion in the creation process of solutions for Resilient Skopje.”

Milestones:

5.4.1 Providing free access to a series of data in different sectors that the City of Skopje and its public enterprises have: transport, energy, water, erosion, greenery, climate change, etc.

5.4.2 Active inclusion of the citizens in the creation of at least two solutions/public services that will increase the resilience of the City of Skopje

5.4.3 Organizing a hackathon that, based on open databases, will enable citizens to create solutions for a sustainable and resilient City of Skopje

Start Date: August 2018

End Date: 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
5.4 Overall		✓	✓	✓				✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

The capital of North Macedonia, Skopje, is home to approximately one third of the country’s population and it is one of the most polluted cities in Europe.² This commitment aims to facilitate access to data in different sectors held by the city of Skopje and public enterprise. It also calls for involving citizens in the creation of at least two public services that will increase the “resilience” of Skopje to address issues around climate change as well as organizing a hackathon to improve the city’s sustainable development.

This commitment is tied to the Resilient Skopje project (supported by UNDP), which aims to make the city more resilient to climate change and other environmental threats, and to help public administration to design and deliver better services for its citizens.³ According to the action plan, over the past years Skopje supported a series of studies (partly under the Resilient Skopje project) that collected data for Skopje’s database.⁴ For example, during the preparation of the climate change strategy for Resilient Skopje, research was undertaken into potential alternative resources for the supply of good quality water.⁵ Not all of this data and research findings are easily accessible to the public.

The first milestone promises free access to “a series of data in different sectors”. The milestone, however, does not provide specific information on the source and scope of the data it is referring to. It remains unclear if providing free access would address the problem. The second milestone envisions citizens’ engagement in the creation of at least two solutions/public services. This milestone does not specify how this measure will be carried out, for example, how the citizens will be selected for participating in the two solutions/public services. The third milestone includes organizing a hackathon.

This commitment is relevant to the OGP values of access to information and civic participation. If implemented, given the way it is written, the commitment could have a minor impact on improving transparency and civic participation. The commitment discusses citizens' engagement in the creation of solutions to increase the resilience of the city but limits this engagement to at least two solutions/public services. It also does not specify how citizens can remain engaged in the process.

According to the government, Skopje's Nature and Environment Protection Department has mapped existing studies/documents and databases in order to identify potential data sources. These potential data sources cover different sectors of environment protection, like water, soil, greenery, air, noise, climate change, emission control, and health. The city plans to collect and organize all the available datasets that can be easily extracted from the data sources and publish them in open data format.⁶

Next steps

The city of Skopje could specify which types of information are to be made public. It could also establish ongoing mechanisms for civic participation in the selection and planning of projects on improving environmental sustainability. Finally, the city of Skopje could specify which institutions are involved in the implementation of the "Resilient Skopje" project.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Al Jazeera, Inside Skopje, Europe's most polluted capital city, 19 March 2019,

<https://www.aljazeera.com/indepth/features/skopje-europe-polluted-capital-city-190312092012504.html>

³ UNDP, Republic of North Macedonia, Resilient Skopje: Scaling-up for Sustainability, Innovation and Climate Change, <http://www.mk.undp.org/content/north-macedonia/en/home/projects/Resilient-Skopje-Scaling-up-for-Sustainability-Innovation.html>

⁴ OGP National Action Plan 2018-2020, p 43, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

⁵ Resilient Skopje: Climate Change Strategy, p. 19 <https://skopje.gov.mk/media/4051/resilient-skopje-strategy-eng.pdf>

⁶ Information provided to the IRM by MISA during the pre-publication review period of this report, 6 April 2020.

Theme VI: Access to Justice

6.1. Access to justice development

Language of the commitment as it appears in the action plan:¹

“Once the Law on Free Legal Assistance enters into force, the Ministry of Justice, together with FOSM, will conduct a National Survey of Citizens' Legal Needs in order to develop a plan or strategy for legal strengthening in accordance with previously obtained findings. The plan, or strategy, will be prepared by the ministry in cooperation with CSOs and Free legal aid providers, paralegal assistance and other legal services models. The Ministry of Justice, in partnership with CSOs will finance and maintain the existing databases and the website www.pravnozajakni.mk which contains information on all forms of legal assistance and equal access to justice for all citizens. Furthermore, in collaboration with CSOs, the Ministry will develop a methodology for assessing the capacities and quality of the provided free legal aid by the regional departments, as well as a methodology for monitoring the implementation of the Law on Free Legal Assistance, as well as conducting a campaign aimed at raising awareness among citizens regarding the right to free legal assistance.”

Milestones:

- 6.1.1. Adopting a Law on Free Legal Assistance
- 6.1.2. Conducting national research on the citizens' legal needs
- 6.1.3. Preparation of a National Plan (strategy) for legal strengthening
- 6.1.4. Monitoring the implementation of the Law through methodology development and preparation of an analysis for assessment of the Units' capacities
- 6.1.5. Participation in cross-sectoral policymaking for legal strengthening with other concerned ministries, institutions and local governments at national and local level
- 6.1.6. Prepared report on provided legal assistance for each year separately
- 6.1.7. Conducting a campaign for legal strengthening of citizens
- 6.1.8. Organizing sessions for legal strengthening of citizens
- 6.1.9. Support for maintenance of existing databases and the website www.pravnozajakni.mk which contains information on all forms of legal assistance and equal access to justice for all citizens.

Start Date: August 2018

End Date: 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
6.1 Overall		✓	✓	✓	✓				✓	Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

Context and Objectives

This commitment proposes several measures aimed at strengthening access to legal assistance in North Macedonia. According to research by the Foundation Open Society-Macedonia (FOSM), half of the North Macedonian population (49 percent) reported having experienced at least one justice problem over a period of three years. The most common problems are housing and property related (26.4 percent)² and other commonly reported problems include those related to employment, consumer problems, and money or debt. More recently, the World Justice Project's 2019 Global Insights on Access to Justice Report found that 47 percent of survey respondents in North Macedonia reported having experienced a legal problem in the past two years, 15 percent were able to access help, and 36 percent felt that the process to resolve their legal problem was fair.³ According to a representative of the FOSM, many people in North Macedonia are unaware of their legal rights and decide not to pursue formal processes for resolving legal problems due to the burdensome financial expenses associated with court procedures.⁴ Instead, citizens often prefer to seek legal help from friends, relatives, or associations where they can receive this help for free.

This commitment proposes a variety of activities aimed to improve access to justice. There are calls to adopt a new Law on Free Legal Assistance (LFLA) to replace the existing 2009 law.⁵ Under the previous LFLA, the criteria for obtaining free legal aid were strict and limited to citizens, and there was no independent body overseeing the implementation of the law.⁶ The new LFLA will extend the scope of legal issues for which free legal aid can be approved, and also extend the scope of preliminary legal aid provided by authorized associations and regional offices of the Ministry of Justice. In addition, under the new law, the state will cover all costs resulting from a legal dispute for which free legal aid is granted, including administrative and court fees, as well as costs for expertise.⁷

The commitment also aims to conduct national research on citizens' legal needs after the new LFLA is adopted, prepare a national strategy for legal strengthening, and continuously monitor the implementation of the LFLA. Other activities involve conducting a campaign and organizing sessions for legal strengthening of citizens, and continuously maintaining the newly launched www.pravnozajakni.mk website, which serves as a resource for information on rights and available legal services.⁸ According to FOSM, the database will allow users to request legal assistance and search among frequently encountered legal problems to find the most appropriate option for them.

This commitment is relevant to the OGP values of access to information as it aims to strengthen public access to information on options for free legal assistance, and to encourage accountability because it plans to make access to justice cheaper, easier to obtain, and more efficient for the public. It is also relevant to the OGP value of civic participation because the Ministry of Justice plans to collaborate with civil society to develop a methodology for assessing the capacities and quality of the provided free legal aid by regional departments, as well as a methodology for monitoring the implementation of the Law on Free Legal Assistance. The proposed activities are verifiable, though some lack details such as the campaign and sessions on legal empowerment of citizens (milestones 6.1.7 and 6.1.8), as well as the new information that will be available on the www.pravnozajakni.mk website.

If fully implemented, this commitment could potentially transform access to justice in North Macedonia. Particularly, the new LFLA could address many of the deficiencies in the previous law as explained above. In addition, the related reporting, monitoring, campaigning and cross-sectoral policy making would raise awareness among the administrations and public and facilitate implementation of the law.

Next steps

For the National Plan (Milestone 6.1.3), the IRM recommends that the Ministry of Justice considers carrying out a participatory planning process with government and non-government stakeholders, experts, and representatives of core beneficiaries. Such a consultation could have several parts and build on a legal needs survey:

- Prioritize and rank legal needs based on prevalence and impact;
- Identify capacities by sector (e.g. housing, employment, family law, criminal law);
- Map the gaps between the two areas above;
- Identify fair, cost-effective means of support including, but not limited to:
 - public awareness campaigns;
 - support (subsidies, court fees, tax exemption, grants, training) to non-governmental legal services providers;
 - a full spectrum of dispute resolution mechanisms (administrative, judicial, and private).

Additionally, the IRM recommends the following:

- Lay out timeframe and frequency where reporting, action, and research would be conducted and delivered.
- Provide an opportunity for CSOs and the public to participate in and comment on the LFLA, both before and during its current adoption phase, and form a working group, including CSOs, to review the drafts and propose amendments.
- Hold public consultations and expert roundtables to debate the research findings and draft strategy and conduct an assessment of the availability (and cost) of the right skills in the legal profession in sufficient numbers to meet the needs.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Law Watch Analyses, Legal needs and path to justice in the Republic of Macedonia, <https://fosm.mk/wp-content/uploads/publications/20131810-Analiza-eng.pdf>

³ World Justice Project, Global insights on access to justice, p 62, <https://worldjusticeproject.org/sites/default/files/documents/WJP-A2J-2019.pdf>

⁴ Ivona Stalevska, Program Coordinator, Foundation Open Society- Macedonia, email correspondence with IRM, 10 December 2019.

⁵ The Assembly of the Republic of Macedonia, https://www.legislationline.org/download/id/4418/file/fYROM_Law%20on%20Free%20Legal%20Aid_2009_en.pdf

⁶ European Commission, <https://www.equalitylaw.eu/downloads/4895-republic-of-north-macedonia-new-law-on-free-legal-aid-provides-clear-ground-for-protection-in-discrimination-cases-pdf-91-kb>

⁷ Ivona Stalevska, Program Coordinator, Foundation Open Society- Macedonia, email correspondence with IRM, 10 December 2019.

⁸ Foundation Open Society Macedonia, <https://fosm.mk/en/current-project/new-website-with-advice-for-legal-empowerment-of-citizens/>

6.2. Improving access to justice for marginalized groups of citizens

Language of the commitment as it appears in the action plan:¹

“Four Centers for access to justice will be established within the municipalities of Tetovo, Suto Orizari, Delchevo and Prilep at the beginning of 2019, which will provide legal aid to all citizens who are facing a legal problem. These centers will be managed by CSOs, and supported by the municipalities and the Ministry of Labor and Social Policy.

The Ministry of Labor and Social Policy, in cooperation with FOSM will provide continuous trainings for employees of the Roma Information Centers.

FOSM will provide training for the employees in the Ministry of Labor and Social Policy in order to strengthen the capacities of the employees for the concept of legal strengthening and its correlation to OGP. The commitment is expected to provide:

- Established centers for access to justice in 4 municipalities that will enable citizens easier access to legal and paralegal services and easier exercise and protection of rights
- Building the capacities and skills of the employees in the Roma Information Centers through 3 trainings for paralegals
- Increased access and quality (scaling) of the legal services for poor and marginalized groups of citizens in 14 municipalities. Apart from the provision of legal services, their legal strengthening will be achieved through legal literacy activities and mobilization for undertaking independent advocacy actions
- Strengthening the capacities of the employees in the Ministry of Labor and Social Policy to ensure sustainability of the commitment
- Prepared report on the services provided by the RIC staff for each year separately”

Milestones:

6.2.1. Trainings for employees in 14 Roma Information Centers for providing legal/paralegal assistance (access to justice)

6.2.2. Establishment and maintenance of Centers for access to justice in 4 municipalities (Prilep, Delchevo, Shuto Orizari, Tetovo) for poor and marginalized groups of citizens

6.2.3. Trainings for the employees in the Ministry of labor and social policy

6.2.4. Participation in cross-sectoral policymaking for legal strengthening with other concerned ministries, institutions and local governments at national and local level

6.2.5. Prepared report on the services provided by the RIC staff for each year separately

Start Date: August 2018

End Date: August 2020

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?
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	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
6.2 Overall		✓	✓	✓	✓					✓	Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

Under this commitment, the Ministry of Labor and Social Policy (with support from civil society) aims to improve access to justice for poor and marginalized groups in North Macedonia, with a particular focus on the country’s Roma community. Unemployment among this group is estimated at 49 percent in 2019, significantly above the national average, and the community have high poverty rates and low levels of formal education.² According to the Foundation Open Society Macedonia (FOSM), the country’s Roma community faces a variety of obstacles to accessing justice, such as discrimination, high costs of services, lack of awareness of legal rights, and geographical, language, and cultural barriers.³ The lack of knowledge of existing rights, and especially the right to health services, often leaves them in vulnerable. For example, Roma have reported being forced to pay for free health services and frequently face medical negligence and poor treatment.⁴

This commitment calls for training employees in 14 Roma Information Centers (RICs), establishing centers for access to justice in four North Macedonian municipalities (Delchevo, Prilep, Shuto Orizari, and Tetovo), and preparing annual reports on the services provided by RIC staff. According to the action plan, the RICs will be managed by CSOs with support from municipal governments. The centers for access to justice are designed to serve as a resource for local communities for information on their legal rights in areas such as employment, health, housing, and education, and to assist them in exercising their rights.⁵ Importantly, the centers for access to justice offer free paralegal aid to members of the community, and paralegals at the centers for access to justice typically come from the communities themselves.⁶ The inclusion of Shuto Orizari among the municipalities where a center for access to justice will be established is notable because it is the only municipality in North Macedonia (and in Europe) that is majority Roma, accounting for nearly 80 percent of the municipality’s population.⁷

The commitment is relevant to the OGP value of access to information because the new RICs will provide communities with information on legal rights. It is also relevant to the OGP value of public accountability because it aims to improve access to justice for marginalized groups. Additionally, the RICs will be created and maintained in cooperation with a network of local CSOs, coordinated by FOSM, which makes the commitment relevant to civic participation. The planned activities are verifiable and specific. For example, it provides the number of new RICs that will be established (four) and where, as well as the number of RICs where trainings for paralegals will take place (14). The commitment also clarifies that FOSM will provide three trainings for the paralegals at the RICs.

If fully implemented, this commitment could significantly improve access to justice for poor and marginalized groups in North Macedonia. In particular, the newly established RICs and centers for access to justice could provide free legal assistance and resources to the public in the four municipalities that is timely and relevant to their specific legal needs. This is particularly important considering the aforementioned low levels of awareness of legal rights, lack of resources, and frequent legal discrimination faced by the country’s Roma

community. FOSM's trainings can help ensure that the RIC paralegals are able to provide paralegal services that cover a wide range of cases and can ensure the long-term sustainability of the RICs and the centers for access to justice. More broadly, this commitment could help support the integration of North Macedonia's Roma community and strengthen the country's protection of minorities, which could be seen as exemplary in the Western Balkans region.

Next steps

The IRM recommends that the Ministry of Labor and Social Policy and civil society stakeholders (like FOSM) consider the following:

- Continue to engage and mobilize local government and community organizations to ensure that legal services are rooted in the community.
- Integrate legal services and dispute resolution mechanisms into planning and operations of vital sectors such as housing, employment, and education.
- Identify culturally appropriate means of delivering justice services. Examples of such similar efforts in other OGP countries include Ireland,⁸ Afghanistan,⁹ and Bulgaria,¹⁰ which all targeted special populations that required unique support.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² European Commission, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf>

³ Ivona Stalevska, Program Coordinator, Foundation Open Society- Macedonia, email correspondence with IRM, 10 December 2019.

⁴ The Open Society Public Health Program, Roma health rights in Macedonia, Romania and Serbia, <https://www.opensocietyfoundations.org/uploads/d332970c-fc46-4521-b056-74984b1b94d6/roma-health-rights-macedonia-romania-serbia-20130628.pdf>

⁵ Republic of Macedonia, Ministry of Labor and Social Policy in Collaboration with the National Coordinator of the Decade and Strategy of Roma, Strategy for the Roma in Republic of Macedonia 2014-2020, p 32, available for download at <https://www.rcc.int/romaintegration2020/docs/1/strategy-for-the-roma-2014--2020--former-yugoslav-republic-of-macedonia>

⁶ Ivona Stalevska, Program Coordinator, Foundation Open Society- Macedonia, email correspondence with IRM, 10 December 2019.

⁷ Al-Jazeera, Shutka: Inside Macedonia's only Roma-run municipality, <https://www.aljazeera.com/indepth/features/2017/04/shutka-life-world-roma-run-municipality-170406133010977.html>

⁸ OGP, Improving access to justice for individuals with limited decision-making capacity in Ireland, <https://www.opengovpartnership.org/stories/improving-access-to-justice-for-individuals-with-limited-decision-making-capacity-in-ireland/>

⁹ Commitment 3 "Establishing Special Courts to address Violence against Women", p 24-27, https://www.opengovpartnership.org/wp-content/uploads/2019/10/Afghanistan_Design_Report_2017-2019_EN.pdf

¹⁰ OGP, Establishing special courts, <https://www.opengovpartnership.org/stories/establishing-special-courts/>

Theme VII: Climate Change

7.1. Achieving system changes by improving the collective knowledge on climate change

Language of the commitment as it appears in the action plan:¹

“As a leading institution in climate change policy making, we believe that improving transparency and increasing visibility of the results 50 will allow stipulation of a mix of public and private actions that will ease the greenhouse gas emissions reduction to 36% in 2030.”

Milestones:

7.1.1 Provision of free access to the revised national greenhouse gas inventory (data series 1990-2019)

7.1.2 Opening and regular data update from climate change mitigation analyzes

7.1.3 Specific scenario development that will reflect the potential for mitigation of private sector activities

Start Date: August 2018

End Date: 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
7.1 Overall		✓	✓					✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

Under the previous action plan (2016-2018), North Macedonia’s Ministry for Environment and Physical Planning (MEPP) carried out a variety of activities related to climate change and the implementation of the Paris Agreement. MEPP organized consultative workshops with stakeholders in preparation of the Second Bi-Annual Report on Climate Change under United Nations Framework Convention on Climate Change (UNFCCC). The Macedonian Academy of Science and Arts published new data on the national inventory on the sources of greenhouse gas emissions (www.klimatskipromeni.mk), in coordination with MEPP and UNDP. The guidelines for the emissions-monitoring software were completed and submitted to the government for adoption in July 2017.²

The commitment in the current action plan builds on these efforts to improve transparency of climate change data. The three milestones include measures to provide free access to the revised national greenhouse gas inventory, and open data on climate change mitigation analyses, and to develop specific scenarios to mitigate private sector activities in regard to climate change. The first and second milestones are verifiable, but the third milestone does not state who will be involved in the development of the scenario.

The commitment is relevant to the OGP value of access to information as it promises to provide access to the revised national greenhouse gas inventory and climate change mitigation analysis. This commitment mostly continues existing publication practices for data on greenhouse gas emissions. According to the government, this commitment is expected to lead to the disclosure of data on greenhouse gas emissions up to 2018 on www.klimatskipromeni.mk. Prior to the action plan, data was only available up to 2014.³

Next steps

The IRM reiterates recommendations from the Progress Report for the third action plan, including:

- Widening the consultation process among the relevant ministries and CSOs to adopt a national agenda vis-à-vis the Paris Agreement.
- Expanding mechanisms to ensure compliance with the Paris Agreement reporting by companies in North Macedonia.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² IRM, Republic of Macedonia End-of-Term Report 2016-2018, p 74-78, https://www.opengovpartnership.org/wp-content/uploads/2019/11/Macedonia_End-of-Term_Report_2016-2018_EN.pdf

³ Information provided to the IRM by MISA during the pre-publication review period of this report, 6 April 2020.

Open Parliament I: Accountability

I.1. Strengthening the Assembly's service so that the assembly can meet the increased responsibilities by filling vacant job positions and officials' training

Language of the commitment as it appears in the action plan:¹

"Preparation of new acts for internal organization and systematization of jobs, in compliance with the conducted Functional review and adoption of an Annual plan for generic and specialized training of civil servants."

Milestones:

I.1.1 Preparation of new acts for internal organization and job classification in accordance with the conducted Functional review

I.1.2 Adoption of annual plan for generic and specialized trainings of civil servants

Start Date: January 2019

End Date: December 2021

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
I.1 Overall		✓	Unclear					✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

According to the action plan, the Assembly of North Macedonia has numerous unfilled job vacancies and insufficiently trained civil servants. This has created a need to systematize the internal organization of job positions and review the way civil servants are trained. To address these issues, this commitment calls for the preparation of new acts for internal organization and job classification in accordance with the conducted functional review. It also calls for the adoption of an annual plan for training civil servants.

According to the National Democratic Institute, the systematization of job positions will help ensure that the Assembly's annual plan and staff training are developed in a way that addresses the current needs of its staff. Also, the annual plan aims to further support the Assembly's independence in terms of managing and building its capacities.²

As written, this commitment is not directly relevant to the three OGP values of access to information, civic participation, and public accountability. The new acts appear to be designed to be used internally within the government without disclosing government-held information to the public. Similarly, the annual plan for training civil servants appears to be designed for internal government use to improve the training of civil servants. While the planned activities are verifiable, they lack key details or performance indicators. For example, it is unclear how the new acts will be used to fill job vacancies for the Assembly, or

how the annual plan for training will be used to improve the performance of civil servants. Given the lack of detail on how the Assembly plans to use these activities to improve the services it provides, it is difficult to assess their potential impact beyond minor.

Next steps

The IRM recommends improving the design of future Assembly commitments by specifying the concrete steps to be carried out and the intended results from implementation. More specifically, future commitments should either improve public access to information, open up possibilities for citizens to participate in decision making, or create mechanisms for the public to hold government accountable for its actions.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Aleksandra Cvetkovska, National Democratic Institute, email correspondence with IRM, 21 January 2020.

1.2. Increasing the financial transparency of the Assembly of RM

Language of the commitment as it appears in the action plan:¹

“Budget transparent legislative authority through budgetary autonomy of the Assembly, publication of the Assembly budget and reports for its execution in an easy searchable and accessible format. Details of the six-digit budget and publication of the public procurement plan of the Assembly.”

Milestones:

1.2.1 Publication of the adopted budget of the institution and the balance sheet on the website

1.2.2 Adopted amendments to the Law on budgets

Start Date: January 2019

End Date: December 2021

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
1.2 Overall		✓	✓						✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

Under this commitment, the Assembly of North Macedonia plans to publish its adopted budget, balance sheets, and procurement plan to its website, and to amend the Law on Budgets. Prior to the action plan, the Assembly did not publish these budget documents, even though there was a legal requirement for some to be published.² The aim of the proposed amendments to the Law on Budget is to move from line budgeting to performance budgeting.³ According to a representative from the National Democratic Institute (NDI), the amendments to the Law on Budgets also aim to improve the Assembly’s financial independence and introduce a requirement for semi-annual financial reports to be published.⁴

The milestones are relevant to the OGP value of access to information because they promise to facilitate and provide access to budget information. The commitment’s activities are verifiable, though they lack detail on the scope of the proposed amendments.

Overall, if fully implemented as written, this commitment could significantly improve budget transparency. Prior to the start of the action plan, the Assembly did not publish many important budget documents or procurement plans. According to NDI, the current Law on Budget does not require procurement plans to be published to the Assembly’s website, only to the Public Procurement Council’s website.⁵ Additionally, the amendments to the Law of

Budget could provide the legal basis for greater transparency in the budget's actual performance compared to the situation before the action plan.

Next steps

The IRM recommends that the Assembly publish its budget information in open data and reusable format (as opposed to scanned documents).

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan,

https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Damir Neziri, Westminster Foundation for Democracy, email correspondence with IRM, 18 January 2020.

³ Damir Neziri, Westminster Foundation for Democracy, email correspondence with IRM, 18 January 2020.

⁴ Aleksandra Cvetkovska, National Democratic Institute, email correspondence with IRM, 21 January 2020.

⁵ Aleksandra Cvetkovska, National Democratic Institute, email correspondence with IRM, 21 January 2020.

Open Parliament II: Improved ICT Infrastructure

2.1. Better access to information

Language of the commitment as it appears in the action plan:¹

Easy searchable internet page.

Milestones:

2.1.1 Increasing the percentage of promotion of Assembly's events and activities on social networks from 30 to 60%

2.1.2 Development of a new website of the Assembly of the Republic of Macedonia

Start Date: January 2019

End Date: December 2021

2.2. Fully functional Parliamentary TV channel

Language of the commitment as it appears in the action plan:²

Reform of the Parliamentary TV channel.

Milestones:

2.2.1 Equiped TV studio

2.2.2 Defined program scheme

Start Date: January 2019

End Date: December 2021

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
2.1 Better access to information		✓	✓					✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				
2.2 Fully functional Parliamentary TV channel		✓	✓					✓											

Context and Objectives

Commitments 2.1 and 2.2 aim to improve the Assembly of North Macedonia's ICT infrastructure and the visibility of its online presence. Commitment 2.1 calls for the development of a new website for the Assembly and to increase the percentage of promotion of the Assembly's events and activities on its social media networks from 30 percent to 60 percent. Commitment 2.2 plans to improve the parliamentary television

channel's coverage of parliamentary sessions by equipping the TV studio and defining a program scheme.

The Assembly's website currently provides some information to the public including the text of the bills and schedules, and resolutions of committee meetings. For example, information about parliamentary staff and administration is available, including basic information on the education, skills, languages, and previous experience of parliamentary staff.³ Also, archival access to audio and video records of Plenary Sessions is provided.⁴ However, the current website is not user-friendly. Also, if an MP changes membership in a committee, this information needs to be changed manually in all instances where it occurs. In addition, the website lacks a good search function, has limited information on MPs and their activities, and offers no open data.⁵

Currently, all of the Plenary Sessions are aired live on the Assembly's television channel. This also applies on the Budget and Finance committee when the budget is adopted and discussed, but not for all other committee meetings. Most of the time, recordings of committee meetings are aired later and after they are finished. The Assembly's television channel is funded by the Assembly and managed by an Assembly council, in which MPs from both governing and opposition parties participate.⁶ However, according to the NDI representative, the Assembly television channel currently does not have a studio. So far, the Assembly has only provided the space within its building. It will be further developed into a studio with the necessary equipment.⁷

Both commitments are relevant to the OGP value of access to information as they aim to increase public awareness and understanding of the Assembly and MPs. The planned activities for both commitments are verifiable and, if implemented, could make the Assembly more transparent. For example, the creation of a new Assembly website with more detailed information on MPs and a better search function could address some of the deficiencies of the existing website and increase the amount of information on the Assembly that is available to the public. Also, equipping the Assembly's new television channel and defining its program scheme could theoretically improve the overall transparency of the Assembly's activities.

However, as written in the action plan, both commitments lack the necessary detail to assess their potential impacts as higher than minor. For example, it is unclear what specific information will be made available on the new website, and what the new television program scheme will entail. The actual impact of these activities will largely depend on how they are implemented, which is unclear from the descriptions in the action plan.

Next steps

The IRM recommends improving the design of future commitments by specifying the concrete steps to be carried out and the intended results from implementation. Additionally, future commitments should either improve public access to government-held information, open up possibilities for citizens to participate in decision making, or create mechanisms for the public to hold government accountable.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Ibid.

³ National Democratic Institute (NDI), Data-sharing and civic engagement in the Western Balkans, <https://www.ndi.org/sites/default/files/2017%20Transparency%20Summary.pdf>

⁴ Ibid.

⁵ Aleksandra Cvetkovska, National Democratic Institute, email correspondence with IRM, 21 January 2020.

⁶ European Instrument for Democracy and Human Rights, Advancing public participation in the Macedonian Parliament, https://ids.org.mk/wp-content/uploads/2009/08/lina_EN.pdf

⁷ Aleksandra Cvetkovska, National Democratic Institute, email correspondence with IRM, 21 January 2020.

Open Parliament III: Participation of Citizens

3.1. Improving the participation of citizens in the Assembly's legislative and supervisory process

Language of the commitment as it appears in the action plan:¹

Citizens' participation in the legislative process. Strengthening the Assembly's supervisory function and achieving the Assembly's legislative function.

Milestones:

3.1.1 Increasing the percentage of working bodies that have included experts in their work up to 30%

3.1.2 Adopted Act regulating supervisory debates

3.1.3 Adopted plan for supervisory debates

3.1.4 Increasing the participation of citizens and civil society organizations at Working bodies' sessions up to 70%

Start Date: January 2019

End Date: December 2021

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
3.1 Overall		✓	✓	✓				✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment aims to improve public participation in the work of the Assembly of North Macedonia, and strength the public's role in the legislative process in general. Specifically, the commitment calls for increasing the percentage of committees (working bodies) that use experts, adopting acts to regulate supervisory debates, adopting a plan for supervisory debates, and increasing the participation of citizens and civil society at working body sessions.

According to a representative from the National Democratic Institute (NDI), while the Assembly's current Rules of Procedure allow for the use of experts in their work and at public hearings, in practice, the use of experts is inconsistent across committees.² Furthermore, while Assembly committees hold public oversight hearings, this process is not well regulated and government officials are not obligated to appear at the public hearings that take place. The public hearings are important, as they are currently the only way for citizens and civil society to get involved in the Assembly's oversight functions. Thus, milestones 3.1.2 and 3.1.3 aim to make it easier for committees to organize public hearings and reduce the possibility of political influence over committees by not holding public

hearings. Milestone 3.1.4 aims to increase the percentage of citizens and civil society participation in committee sessions “up to 70 percent”, though it is unclear how the Assembly currently measures this participation.

This commitment is relevant to the OGP value of access to information because it plans to make the Assembly oversight more transparent by better regulating public hearings. It is also relevant to the OGP value of civic participation because it aims to increase the involvement of citizens and civil society in committee sessions. The proposed activities are verifiable, but the commitment does not provide details on the acts and plan for supervisory debates, nor does it provide the baseline percentages for the use of experts in committees and citizen and civil society participation in committee sessions.

The potential impact of these activities largely depends on how they are implemented, as the content of the plan for committee hearings and the future role of citizens and civil society in committee sessions are not specified in the action plan. Additionally, it is unclear if the new regulations on public hearings of Assembly committees will require government officials to attend them, which is important given that the aim of these regulations is to reduce the possibility of political pressure over committees’ activities.

Next steps

The IRM recommends the following:

- Each parliamentary committee could establish a permanent expert group that is consulted as soon as a draft act is registered in the parliament (and much earlier at the pre-drafting stage in the case of laws initiated in parliament rather than by ministries). The expert groups could comprise independent experts (academics, lawyers, analysts), CSOs working in the field of the committee’s focus, and other relevant stakeholders. The expert groups should have clear, open criteria for membership and invite participants on a rolling basis, and participants who can join for review of specific draft laws.
- Parliamentary committees could provide feedback to participants on which proposed amendments were adopted, and which were not, and why, and which individuals or organizations proposed them.
- Give sufficient advance notice of meetings and deadlines for proposed comments and amendments, both directly to interested parties and to expert group members, and on the parliament’s website.

¹ The texts for all the commitments are an abridged version of the commitment texts. For the full commitment texts, see the Republic of North Macedonia 2018-2020 National Action Plan,

https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf

² Aleksandra Cvetkovska, National Democratic Institute, email correspondence with IRM, 21 January 2020.

V. General Recommendations

This section aims to inform development of the next action plan and guide 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

Create a formal multi-stakeholder forum with clear rules and procedures and a transparent selection process for members

North Macedonia has made significant efforts to involve various government and non-government stakeholders in the co-creation process of its previous and current action plans. To improve the process further for the next action plan, the IRM recommends creating a formal multi-stakeholder forum (MSF). The MSF could help ensure that civil society has a stronger say in future co-creation processes, including in the final scope of the action plan. The selection process of MSF members should be transparent, using clear and fair criteria, both for government and non-government (civil society). Also, North Macedonia should follow OGP's Co-creation and Participation Guidelines when developing its MSF.¹

Prioritize fewer commitments and improve commitment design

North Macedonia's fourth action plan has fewer commitments compared to the third plan and includes a more diverse range of implementing state bodies (such as the Assembly). Nonetheless, future action plans could benefit from prioritizing fewer, more ambitious commitments around key policy areas. Additionally, the design of North Macedonia's commitments could still be improved in future action plans. Several commitments in the current plan do not clearly identify intended results or changes in the relevant policy areas, which makes their potential to improve government practice difficult to assess. Commitments in future action plans should clearly indicate what concrete outcomes are expected through implementation and how the planned activities will change existing practice. They should also more explicitly and concretely communicate the intended changes in terms of impact on beneficiaries.

In particular, future Open Parliament commitments could benefit from the above-mentioned improvements to their design, if included in national action plans. To improve Open Parliament commitments in future action plans, the Assembly needs to focus on commitments that will directly lead to changes in open government. Specifically, the commitments could directly either improve public access to government-held information, open up possibilities for citizens to participate in decision making, or create mechanisms for the public to hold government accountable.

Consider measures to disclose beneficial ownership in public contracts

This recommendation is carried forward from the IRM Progress Report for North Macedonia's third action plan. The IRM recommends that the next action plan include a commitment on beneficial ownership in the area of public contracts that the state auctions with public money. Specifically, the IRM recommends including commitment activities on developing an open, public register of ultimate beneficial owners and shareholders of companies bidding on public service delivery contracts.

Consider improving public consultations when drafting legislation

North Macedonia has seen improvements to civic space in recent years. As noted in the 2018 CSO Sustainability Index, the government actively included CSOs' input into a variety of policies, strategies, and laws, including the Law on Public Procurement and the Law on Prevention of Corruption and Conflict of Interests.² The government could continue to improve public consultation when drafting laws, particularly key anti-corruption legislation or regulations that are directly related to the EU negotiation process.

Continue efforts in improving access to justice through consultations with local communities

North Macedonia's fourth action plan includes two ambitious commitments on improving access to justice in the country (6.1 and 6.2). These commitments focus on strengthening the legal framework and access to information legal assistance (6.1) as well as improving access to legal aid for marginalized and vulnerable communities (6.2). North Macedonia could continue and expand these positive efforts in the area of access to justice in future action plans, with a particular focus on consulting local communities. For example, when developing and implementing the National Plan under Commitment 6.1, the Ministry of Justice could carry out a wide consultation with government and non-government stakeholders, experts, and representatives of core beneficiaries. Additionally, the Ministry of Labor and Social Policy could ensure that legal and paralegal services are rooted in the community by integrating dispute resolution mechanisms into planning and operations of vital sectors such as housing, employment, and education.

Continue efforts on open data, building on the example of the Open Finance portal

Open data continues to be a major focus in North Macedonia's OGP action plans. The Ministry of Information Society and Administration (MISA) is currently implementing its Open Data Strategy (2018-2020), which includes steps to facilitate greater access to data and improve the environment around open data in the country.³ A major step in this strategy was the creation of a new government open data portal which (as of the writing of this report) contains 224 datasets from 50 public institutions and 27 catalogues.⁴ Commitment 4.1 in the current action plan primarily aims to open and catalogue more datasets from public institutions on the open data portal. The IRM recommends continuing to expand the number of public institutions that publish their data to this portal. MISA could also consider engaging end users to better identify priority datasets for the open data portal.

At the same time, under Commitment 3.1 in the current action plan, the Ministry of Finance has undertaken a transformative step to improve budget transparency at the national and local levels through the "Open Finance" portal. This Open Finance portal could provide other North Macedonian ministries with an ambitious and innovative model to use when publishing other priority data that they hold, particularly for asset declarations.

Table 5.1: Five Key Recommendations

1	Create a formal multi-stakeholder forum with clear rules and procedures and a transparent selection process for members
2	Consider measures to disclose beneficial ownership in public contracts
3	Improve public consultations when drafting legislation
4	Continue efforts to improve access to justice through consultations with local communities
5	Continue efforts on open data, building on the example of the Open Finance portal

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

Of the five Key Recommendations from the IRM 2016-2017 Progress Report for North Macedonia's third action plan, the government addressed two. The fourth action plan coordinated with a variety of non-government stakeholders and reduced the number of commitments from 34 in the previous plan to 23 in the current plan. The co-creation-process included a variety of government and non-government stakeholders, and the Assembly of North Macedonia carried out a separate co-creation process for the Open Parliament commitments. The recommendation to improve budget transparency was addressed by Commitment 3.1 (Open Finance portal) as well as Commitment 1.2 from the Open Parliament action plan, which aims to improve budget transparency of the Assembly.

The recommendations to improve the Law on Free Access to Public Information, enhance the legal framework on whistleblowing, and introduce a commitment to disclose beneficial ownership in public contracts were not taken up.

¹ OGP Participation & Co-Creation Standards, https://www.opengovpartnership.org/wp-content/uploads/2019/07/OGP_Participation-Cocreation-Standards20170207.pdf

² 2018 Civil society organizations sustainability index North Macedonia, <http://www.balkancsd.net/novo/wp-content/uploads/2019/11/2018-CSO-SustainabilityIndex-N.Macedonia.pdf>

³ Data.gov.mk, Open data strategy (2018-2020), http://mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/open_data_strategy_en.pdf

⁴ Data.gov.mk, <http://www.otvorenipodatoci.gov.mk/en/>

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 non-governmental stakeholders. The IRM report builds on the evidence available in North Macedonia's OGP repository, website, findings in the government's own self-assessment reports, and any other assessments of process and progress 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.¹

Interviews and stakeholder input

IRM staff wrote this report, under the guidance of the IEP. The report relies heavily on desk research for its findings. Among the main sources of information consulted for the report are the European Commission, Freedom House, the International Budget Partnerships Open Budget Survey, and IRM findings from North Macedonia's previous OGP action plans. To supplement desk research findings and to better assess the action plan's commitments and the co-creation process, the IRM contacted by email the lead implementing agencies for each commitment listed in the action plan, as well as several key non-government civil society stakeholders. The IRM received responses from the following stakeholders:

Government of the Republic of North Macedonia

- Goran Mojanoski, – Sector for Financial System, Ministry of Finance, 19 November 2019.
- Cveta Trajkovska, Deputy Coordinator, Commission for the Protection of the Right to Free Access to Public Information (CRFAPI), 21 November 2019.
- Adem Cucul, Secretariat of the State Commission for Prevention of Corruption, 4 December 2019.

Non-government and civil society:

- Darko Antik, Coordinator for Budget Monitoring and Analysis, Association for Emancipation, Solidarity and Equality of Women, 6 December 2019.
- Ivona Stalevska, Program Coordinator, Foundation Open Society- Macedonia, 10 December 2019.
- Damir Neziri, Country Representative- North Macedonia, Westminster Foundation for Democracy, 18 January 2020.

- Aleksandra Cvetkovska, Senior Program Manager, National Democratic Institute – North Macedonia, 20 January 2020.
- Ilina Mangova, Program Director, International Republican Institute, 23 January 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.

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

Annex I. Overview of North Macedonia'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

Multi-stakeholder Forum	
1a. Forum established: There is a forum to oversee the OGP process	Yellow
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.	Yellow
1d. Mandate public: Information on the forum's remit, membership, and governance structure is available on the OGP website/page.	Yellow
2a. Multi-stakeholder: 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.	Yellow
2d. High-level government representation: The forum includes high-level representatives with decision-making authority from government	Yellow
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	Red

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.	Yellow
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 multi-stakeholder forum publishes its reasoning behind decisions and responds to major categories of public comment.	Yellow
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)	Yellow

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