Annual report on the implementation of the Action Plan on Open Government Partnership

General aspects on the Action plan and joining he Open Government Initiative

In Republic of Macedonia numerous activities were developed for improving the efficiency and transparency of the state institutions, for enhancing the transparency and access to information, fight against corruption and providing high level quality citizens and businesses through usage of technology and innovations. By joining the Open Government Partnership, the Government of Republic of Macedonia pledges to continuously improve itself on the foundations of open, transparent, reliable and efficient government institutions that communicate and cooperate with the citizens.

Furthermore, the Open Government Partnership strongly impacts the innovations, development and competitiveness. A novelty and focus arising from the OGP was the idea on open data.

On the 1st of June 2012 the Government adopted the Action plan for Open Government Partnership.

Participatory policy creation

One of the most significant segments of transparent governance in the society is the cooperation with interested parties and the civil society in creating the legislation, as well as undertaking the necessary measures to stimulate and enhance their participation.

In 2011 the Government determined a Code on good practices for participation of the civil society in the process on policy creation.
The General Secretariat of the Government conducts the supervision over its implementation i.e. organizational unit for cooperation with civil society organizations that establishes a common point of contact www.nvosorabotka.gov.mk.

The results published in February 2013 from their analysis show that the Code is applied differently by the institutions, that is, somewhere in the process of policy making, more than half in the process of law drafting, there are examples of using the Code for exchange of experiences and promoting good practices and only two, but good examples for inclusion of organizations in campaigns. Uneven application of the Code is noticed in terms of stages meaning how early/timely in the process the organizations were involved. Hence the full analysis of the General Secretariat provides for specific recommendations to further strengthen cooperation with the NGO sector, which was/is in the interest of implementing the Strategy for Cooperation between the Government and Civil Society (2007-2011) and (2012-2017), respectively.

Out of all the general consultation processes, within the reporting period, the most progress was achieved with the legislative process due to the strengthened requirements for publication of the proposed regulations on the single national register of legislative acts www.ener.gov.mk. In practice, the biggest challenge in establishing such horizontal measures is coordination since just one institution coordinates a system that is meant to be used by many institutions. It always takes sufficient resources, knowledge or training to develop such a practice.

At the same time, the results show selectivity in participation by organizations, meaning regulations that due to its content received full attention by the public and interested parties with hundreds of comments submitted, vis-à-vis regulations that even being received very low interest to none.
In any case, the process itself marks progress, or in figures:
- From the establishing of ENER January 2009 to June 2012 25,122 visits were registered
- From the establishing of ENER January 2009 to September 2013, total visits of 83,711 (or in 1 year and 3 months the portal has increased attendance for 58,589 visits).

- An average of 2,816 visits was calculated monthly.

Although not explicitly stated as a separate measure in the Action Plan, the results of ENER are being used for a special function or guillotine, which despite its legal advantages in Macedonia it was introduced to facilitate business climate.

The most comprehensive inclusive mechanism was established with "the modern method of public debate - a web portal for e - democracy " - http://e-demokratija.mk/.
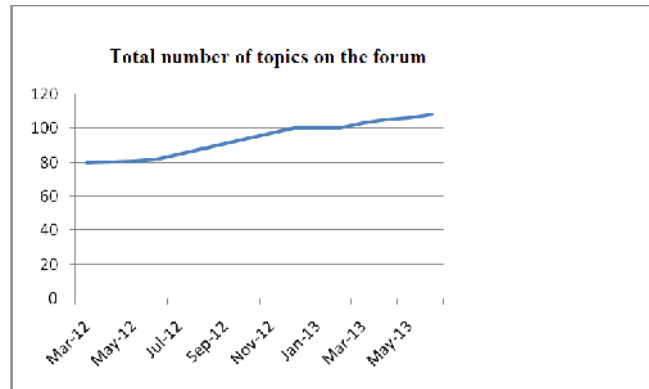
The Ministry of Information Society and Administration is the project leader, and this comes from the e-Government Strategy. The portal offers 4 aspects: forum, blog, documents and the possibility to send ideas. In order to stimulate debate or online consultation continuos efforts are put on increasing the number of different policy areas, though the other parts of the portal do not hinder end users from creating desired topics themselves.

Period (up to)	Mar-12	May-12	Jun-12	Dec-12	Feb-13	Mar-13	Apr-13	May-13	Jun-13
Total number of visits	2940	3058	3295	3835	3976	4040	4088	4106	4230

Period (up to)	Mar-12	May-12	Jun-12	Dec-12	Feb-13	Mar-13	Apr-13	May-13	Jun-13
Total number of documents	97	98	121	140	140	140	154	156	156

Period (up to)	Mar-12	May-12	Jun-12	Dec-12	Feb-13	Mar-13	Apr-13	May-13	Jun-13
Total number of topics on the forum	80	81	82	100	100	103	105	106	108

Total number of topics on the forum
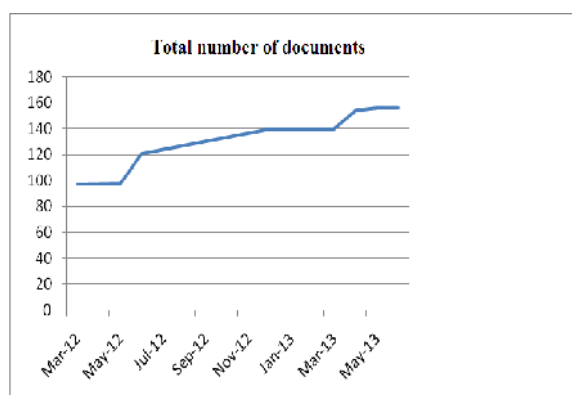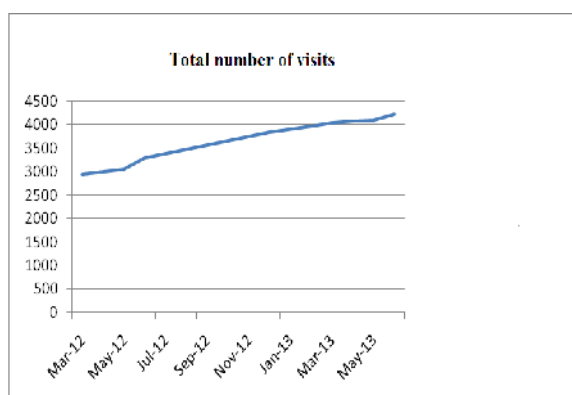
Open data

Open data is a novelty arising from the initiative for open government partnership. Following the example of other countries www.opendata.gov.mk was established. The Ministry of Information Society and Administration is the coordinator of the process on opening data from the institutions. A challenge in the data opening process was determining the kind of data that would be available in the required open format, a problem primarily stemming from the lack of inventory in the institutions, or in most of them, on the data that hold or collect, that would be useful to Open data.
In this sense, the process of opening data from each institution was going pretty slow. In order to overcome this situation, at the moment analysis of the relevant European legislation governing re-use of data from the public sector is underway and a legal solution shall be proposed. As for human resources, open data is easily implemented or will be implemented in institutions that have adequate IT staff. The challenge will remain with a certain number of institutions that do not have adequate technological readiness or cases where opening the data would be a disproportionate effort to daily operations. Currently www.opendata.gov.mk has 21 institutions and a total of 110 datasets.

Most frequently read data is: the Registry of financial companies; Issued licenses for organization of games of chance; Registered domains by MARnet; Assessors from the field of information technologies; Adopted and proposed laws, Guide to Customs Clearance of 2013, National Register of buildings that represent protected cultural heritage, air quality data, Registry of court interpreters and others.

Во насока на професионално услужени граѓани, зголемена ефикасност во извршувањето на административните работи и поголема транспарентност во работењето, беше воспоставен проектот „Оценија администрацијата“ воедно познат како „Семафор“ со кој од 2011 година започна воспоставувањето уреди кај речиси сите институции кои имаат шалтерски услуги и каде граѓанинот преку кликање на тастерот (црвно, жолто или зелено) го оценува задоволството или незадоволството од начинот на кој бил услужен. Резултатите од гласањето на граѓаните во отворен формат на месечно ниво се објавуваат на opendata.gov.mk. Опфатени се: Агенција за катастар на недвижности, Министерство за внатрешни работи, Управа за јавни приходи, Фонд за здравствено осигурување, Фонд за пензиско и инвалидско осигурување.

Freedom of Information

Improved implementation of the Law on free access to public information is one of the specific priorities of the Action Plan for Open Government Partnership.
While it is the responsibility of all individual holders of information, this priority sits with the Commission for Protection of the Right to Free Access to Public Information, which since its establishing in 2006 up to today is working on the implementation of the FOI through dealing with

appeals of citizens and non-governmental organizations, educating citizens and officials holders of public information, and further enhancement of international cooperation with similar institutions.

Based on the data of the Department of Analysis and Education of the applicants and holders of Public Information of the Secretariat of the Commission, over 1225 complaints were filed in 2012, out of which 151 complaint were filed by individuals, while 1074 complaints were lodged by associations and foundations.

The Figures suggest that complaints lodged by citizens' associations and foundations are dominant compared to complaints filed by citizens. Many people who based on this law came to information that is relevant to them, informed the Commission that he received the information, in most cases through the assistance by the Commission. Out of 1225 complaints, 907 were filed on the grounds of the so-called "silence of the administration", whereas the most complaints were filed against public health institutions and health centers at central level and local level. By comparison, in 2011 the Commission acted upon 409 complaints, which is 816 less. In terms of filed requests in 2011 , the institutions received a total of 3496 , while in 2012 this number is 4865 , which is 1369 requests more than the previous year. Understandably, the nature of the questions submitted to the holders depends on the scope of their duties and competences.

The Commission has prepared a list of holders of information that is continually updated with new data. The list contains 1235 holders of public information, such as Government departments, judiciary, municipalities in RM, public enterprises and institutions, health facilities, educational institutions and legal and natural persons exercising public powers. Therefore in 2011 the public database of the Commission site was named "the best address book" through which one can find the current websites of all the entities.

The free access to information is relatively new democratic right of citizens, but also for the persons responsible for handling information, therefore the necessity for increased number of trainings that will contribute for better implementation of the law, as well as the thorough acquaintance with legal provisions.

Based on these findings, the Commission organized and conducted a series of trainings and seminars, individually or as a co-organizer of international organizations, government and other institutions.

In 2012, 15 trainings and four workshops (in cooperation with the OSCE Mission to Skopje) were held for 227 officials , representatives of NGOs and foundations , the media, and members of local government. This education aims to provide greater accountability of holders, transparency and openness of institutions to the needs of citizens.

In the course of 2013, the Commission continued training for newly appointed , and those responsible for handling the information.

Prevention and combating corruption and promoting good governance principles

Based on a detailed analysis of the current status of integrity in the public sector and experience in the region, as well as the comparative analysis of the functional integrity of systems in the EU, the State Commission Against Corruption has developed a concept for system integrity with a focus on local government administration in accordance with the fundamental principles of the legal system already implemented in the country. The 2012 a model of integrity system was launched in 9 municipalities - Petrovac Airport , Veles , Kocani , Kratovo , Gevgelija , Strumica and Gostivar Brvenica.

The model of integrity in these municipalities working groups for integrity were set by the mayors who will have the duty to implement the integrity model in the municipalities evaluation

and reporting on the impact of the integrity system addressed to the top management level and the State Commission for Prevention of Corruption. The working group for each municipality is tasked to prepare an act for the prevention of corruption that should be adopted by the mayor and who will determine ethical and non corruptive behavior in local administration and the measures the management level will undertake in the event of their breach.

Also, a mechanism for reporting corruption by citizens and internally within the municipality is being developed. These measures include the establishment of a phone line, email and contact person responsible for processing charges of corruption. All this shall be part of internal procedures and forms for registration, processing and storage of information required in the case of charges of corruption.

In order to introduce integrity systems measurable indicators were developed for monitoring and evaluating the implementation of the proposed system of integrity at the local level , training for implementation of the concept of integrity for local stakeholders , policy analysis in order to make recommendations sustainable solutions integrity of systems , including the possibility of amendments to the Law on Prevention of Corruption .

Regarding the introduction of systems of integrity in the public administration, in the middle of 2012 a working group was established by the Ministry of Justice for the purposes of amending the Law on Prevention of Corruption , which is planned to properly define the concept of the integrity system in public administration.

Benefits and challenges

This part was primarily aimed to be developed upon the received comments or suggestions by the stakeholders or the civil society. However, no feedback was received.
The consultation process lasted for 15 days starting form 26.09.2013-09.10.2013. The announcement for the consultations were on the website of the Ministry of Information Society and Administration and the consultation was open on http://opendata.gov.mk and http://e-demokratija.mk