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*Western Balkan PAR Monitor*

# NATIONAL PAR MONITOR

## MACEDONIA

2017/2018

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## About WeBER

**Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform – WeBER** – is a three-year project funded by the European Union and co-financed by the Kingdom of the Netherlands.

The overall goal of WeBER is to increase the relevance, participation and capacity of civil society organisations and media in the Western Balkans to advocate for and influence the design and implementation of public administration reform.

**WeBER** is implemented by the Think for Europe Network (TEN) composed of six EU policy-oriented think tanks in the Western Balkans:

1. European Policy Centre (CEP) from Belgrade
2. European Policy Institute (EPI) from Skopje
3. Foreign Policy Initiative (FPI BH) from Sarajevo
4. Group for Legal and Political Studies (GLPS) from Prishtina
5. Institute Alternative (IA) from Podgorica
6. Institute for Democracy and Mediation (IDM) from Tirana

CEP is the coordinator of the Project. By partnering up with the European Policy Centre (EPC) from Brussels, WeBER has ensured the EU-level visibility.

A combination of activities conducted through WeBER has achieved multiple aims:

- >>> By founding a Regional PAR Platform, WeBER improved the capacity of civil society organisations in the WB to participate in PAR, whilst building venues for their dialogue with the governments on PAR.
- >>> Through the PAR Monitor, WeBER created evidence for a meaningful dialogue.
- >>> As a result of benchmarking the countries through the Regional PAR Scoreboard based on country-level monitoring, WeBER has promoted regional peer pressure.

It opened in February 2016 with a kick-off meeting in Belgrade.

## Who do we cooperate with?

WeBER has established cooperation with a multitude of stakeholders in the region and beyond, by joining efforts towards a sustainable course of administrative reforms in the Western Balkans. At the national level, we have coordinated with PAR ministries and/or offices in each of the WB countries, which have had an associate role in the project. At the regional level, WeBER has cooperated with the Regional School of Public Administration (ReSPA), which hosted the regional PAR platform of civil society organisations, serving to a regional dialogue on PAR. We have also collaborated with the Regional Cooperation Council (RCC), to ensure complementarities with the monitoring approaches by the civil society focusing on the SEE2020 strategy. Furthermore, the Project keeps a close contact and consults with the SIGMA programme of the OECD, which performs regular assessments of the WB countries' progress in the implementation of the Principles of Public Administration in the period leading up to EU accession. Finally, WeBER consults with the DG NEAR of the European Commission, including the Centre of Thematic Expertise (COTE) on PAR.

The Project has established strong cooperation and alliances with civil society organisations interested in or already working on PAR in all WB countries. By developing a communication strategy for the civil society engagement in PAR monitoring, WeBER has facilitated a more coordinated and complementary approach of various CSOs in their efforts and projects focusing on administrative reform.

## Acknowledgements

The preparation of this report is a result of a three-year work of the researchers at EPI in cooperation with the partners from the Think for Europe Network. This product would not have been possible without the valuable inputs from our interviewees and respondents from civil society, civil service as well as independent institutions. We are grateful for the time they selflessly set aside to devote to our research and we hope that this report is one of the numerous steps in our joint work and cooperation.

The authors would especially like to thank the Ministry of Information Society and Administration of the Republic of Macedonia for the support and cooperation throughout this project.



## List of Abbreviations

AP	Action Plan
CSO	Civil Society Organisation
EC	European Commission
ERP	Economic Reform Programme
FAQ	Frequently Asked Questions
FOI	Freedom of Information
GAWP	Annual Work Plan of the Government
GS	General Secretariat of the Government
HRM	Human resource management
HRMS	Human Resource Management Service
IA	Internal audit
ID	Personal Identification Document
IMF	International Monetary Fund
IMPG	Inter-Ministerial Project Group
IPA	Instrument for Pre-Accession
ISSAI	International Standards of Supreme Audit Institutions
LAS	Law on Administrative Servants
LGAP	Law on General Administrative Procedure
LPSE	Law on Public Service Employees
MLSP	Ministry of Labour and Social Policy
MoF	Ministry of Finance
MoI	Ministry of Interior
NPAA	National Programme for the Adoption of the Acquis
OGP	Open Government Partnership
PIFC	Public Financial Internal Control
RIA	Regulatory Impact Assessment
RoP	Rules of Procedure
SAI	Supreme Audit Institution
SIGMA	Support for Improvement in Governance and Management
WB	Western Balkans
WG	Working Group

### Why PAR Monitoring by the Civil Society?

Public administration reform (PAR) is today considered a fundamental requirement for the EU aspirants on their accession path. As a complex and all-encompassing reform, PAR in the Western Balkans region is being thoroughly assessed through the lenses of the SIGMA Principles of Public Administration, developed by the OECD/SIGMA and endorsed by the EU. These Principles define what makes a well-functioning administration in terms of its ability to deliver transparent, efficient and effective services to citizens and to support socio-economic development.

In the context of a high external pressure for tangible developments in PAR, homegrown demand for better administration becomes even more important to keep pressuring the government to pursue reforms once the external conditionality dissipates as the result of a completed accession process. Civil society actors, with local knowledge of an administration's functioning, can lead such domestic advocacy efforts aimed at better administration. An independent PAR monitoring and evidence-based dialogue with the government represent a good approach to achieve this goal.

### WeBER PAR Monitor approach

Based on such a rationale, the WeBER project has completed its first monitoring cycle. Its structured and evidence-based approach to PAR monitoring brings the reform closer to the public by particularly focusing on PAR aspects with most relevance to the civil society and the public.

WeBER PAR monitoring strongly relies on the strengths, skills, and local knowledge of the civil society in the Western Balkans. It builds on SIGMA's Principles of Public Administration as a cornerstone of PAR, while assessing them from the standpoint of an independently produced PAR Monitor methodology. Overall, the methodology is based on the selection of 21 SIGMA Principles within six key areas, monitored and reported through 23 compound indicators that focus on different aspects of PAR.

The PAR Monitor methodology is rooted in the regional approach. The design of all WeBER indicators enables comparisons between the administrations in the Western Balkans and allows for regional comparability of results. In addition to the methodology, the PAR Monitor package comprises a comparative monitoring report for the entire WB region as well as six reports which elaborate on detailed findings for each administration. The present report provides monitoring results for Macedonia, including a set of actionable recommendations for each of the six PAR areas, directed at the creation of a more citizen-oriented, more open, transparent and accountable administration.

## Summary results for Macedonia

### PAR Strategic Framework

Consultations with CSOs were relatively satisfactory for the 2018-2022 PAR Strategy, but were less inclusive and comprehensive for the 2018-2022 PFM Reform Programme. During the early stage of development of these two documents, there was substantive CSO engagement on the PAR strategy, but not on the PFM Reform Program. CSOs were provided with adequate information in preparation for the consultation process. For both strategy documents, draft documents and supporting documentation were provided, and information about the deadlines for submission of comments and about channels of submission was clear. However, there are no documents available to provide evidence on how the consultations were conducted, what was discussed and how decisions were made. The coordination and monitoring of the of the PAR process is done by the MISA, which is to deliver every 6 months a report on the implementation of the Action Plan for the PAR Strategy to the PAR Council and once per year to the Government. Nevertheless, the new 2018 - 2022 Strategy does not foresee inviting CSOs to be part of its administrative and political coordinating bodies. Under the previous Strategy, (2010-2015) CSOs were not involved in the monitoring or evaluation. The new Strategy envisages that at the administrative level, a "Team for PAR" will be established at the MISA, envisaging as well that at the political level a PAR Council will be established. These bodies do not include any CSO members.

### Policy Development and Coordination

The Government has been regularly publishing press releases since it took office on 1 June 2017.

Reports about the Government's performance are nowhere to be found on the Government website. Thus, even though according to the legislation such reporting is obligatory, it was not implemented in the course of 2015 and 2016 and the regulation does not stipulate that these reports must be made public. The body in charge of monitoring the Government activities is the Government Secretariat, but such documents do not exist on its website, and do not occur in the timetable of its activities. Hence, it is impossible to assess the content of the reports about the Government performances (quality of data and information, data segregation, etc.), considering that documents are unavailable. As regards availability of reports for 2016 related to key whole-of-government plans and strategies, they are available for the Economic Reform Programme (included in the 2017-2019 ERP) and for the Fiscal Strategy (included in the document itself).

The Government does make some documents from its sessions publicly available, although not all of them. Agenda items, the minutes and press releases relating to the Government sessions in the entire monitoring period were made publicly available and worded in a citizen-friendly manner. Yet documents adopted at these sessions were not made available. The perception of the civil society in Macedonia of the transparency of the Government's decision-making is low as only 27.78% of respondent CSOs think that the Government's decision-making is transparent.

Based on the document analysis, evidence-based findings produced by CSOs are not referenced in the sample of adopted Government policy documents. No policy papers and impact assessment documents are available online, apart from some RIAs. While 40% of respondent CSOs said that Government institutions invite their organization to prepare or submit policy papers, studies or impact assessments, only 10% of them consider they receive feedback on their inputs. 36.2% of the CSOs, which completed the survey, agree that formal consultation procedures provide conditions for an effective involvement of the public in the policy-making processes while only 10.35% believe this applies to the early consultations as well.

An online Government database of legal texts is available on a webpage called National Electronic Registry of Legislation (ENER). The database contains consolidated versions of the legal texts, however some of them are not updated. The survey showed that 64.81% of CSOs were informed about the existence of this website. Moreover, the vast majority or 71.43% respondents accessed the website in the past year. Regarding explanatory materials relevant to applicable legislation, only 26.42% of surveyed CSOs agree that they were easy to access. 12.0% of surveyed CSOs stated that legally prescribed public consultation procedures and mechanisms were consistently followed in the consultation process.

### **Summary results for public service and human resource management**

The Ministry of Information Society and Administration publishes annual reports from the Registry of Employees in the public sector. The legislative framework for the public service in Macedonia is regulated by two laws – the Law on Public Service Employees (LPSE) and the Law on Administrative Servants (LAS). LPSE stipulates that all information of relevance will be contained in the Registry of employees in the public sector and should be included in the annual report from the Registry, however the reports do not contain such information and also issue specific reports are irregular and incomplete and do not contain assessments of the quality and outcomes of the civil service. The overall number of fixed-term employment is not limited by law and there are no specific criteria for the state administration regarding temporary contract employment. The duration of these temporary engagement contracts is limited, differentiated based on circumstances. The civil servants survey shows that a large number of such contracts get extended for more than a year and that they lead to a civil service position.

Public calls are published in the website of the Agency for Administration as well as newspapers, which are written in a clear and understandable language. However, significant administrative and financial burden exists for the applicants as all of the documents need to be scanned and submitted online, in the first phase of the application. Moreover, if the applicant does not upload one of the extensive list of documents, it is impossible to submit them in the next phase.

The LAS is the main mechanism of regulating salaries, supplements, and their components for administrative servants. It is noted that most civil servant positions are considered as “political jobs” by the parties in the Government, and a large amount of civil servants agree that the selection and dismissal of senior civil servants is heavily underlined by political motives, with a reasonable amount of them considering that civil servants in their respective institutions participate in electoral campaigns of political parties during elections. As mentioned in the SIGMA assessment report, even though job announcements include clear and straightforward salary information’s, MISA and MoF do not provide salary tables for online availability of remuneration system, but Macedonia does foresee performance related bonuses. From the surveys only a small percentage of civil servants (24.18%) agree that bonuses or salary increases are used by managers only to stimulate or reward performance. When it comes to integrity and prevention of corruption, Macedonia scores almost maximum scores in some indicators of the SIGMA assessment report such as having a legal framework for public sector integrity and public – sector integrity policy and action plan, but these indicators are only in theory, but when it comes to the implementation of the above mentioned indicators in practice, the report indicates that they are not fully implemented. From the CSO surveys, it is noted that CSO’s have a negative perspective and distrust on impartiality and the effectiveness of the integrity and anticorruption measures. A staggering number of civil servants do not feel protected if they were to become a whistle blower.

## Summary results for accountability

Only 17.5% of surveyed CSOs agree that public authorities record sufficient information to enable the public to exercise the right to free access of information of public importance. The opinions are more positive when it comes to the exceptions set forth by law to the public character of information produced by public authorities. Nevertheless, only a small number of CSOs believe that the exceptions are adequately applied in practice. With regard to their experiences with requests for information, about half of surveyed CSOs have little to no problem with accessing information in the requested format within prescribed deadlines, while the vast majority of surveyed CSOs confirm that often or always the information is provided free of charge.

With regard to material that contains classified information or personal data, a small number of surveyed CSOs confirm that non-classified sections of these materials are released. This proportion increases significantly when asked about personal data materials. Nevertheless, the survey shows that the vast majority of CSOs believe that sections of requested materials are released to mislead the applicant with partial information. When it comes to sanctions, only a third of surveyed CSOs believe that the Ministry of Justice sets sufficiently high standards for the exercise of the right to access public information in its practice and agree that the sanctions prescribed for violation of the right to free access information lead to sufficiently serious consequences for the responsible persons in the non-compliant authorities.

At the time of measurement (September-November 2017 shortly after the new Government took office) the institutions did not provide sufficient information about their scope of work, while most of the institutions presented information only about their Minister. The institutions in the sample have a general tendency to publish all relevant laws and regularly update any changes. However, policy documents, policy papers or analyses, even those rare publications that are available, are very difficult to access, being often produced as part of projects. Most of the institutions did not have published annual reports about their work nor were their budgets publicly available. However, all sample institutions (with one exception) had complete, up-to-date and functional contact information. Apart from the MISA, which in general provides information in an open data format, websites of sample institutions do not contain open datasets or links to the MISA catalogue of open data.

Namely, when the new Government took office on 1 June 2017, it stated its commitment to advancing the transparency and accountability of the public administration. On 27 November 2017, the Government issued a statement (after its 34th Government session) presenting a list of documents that ministries should publish, in accordance with the law. Thus, while there have not been significant changes in the information pertaining to the scope of work, the presentation of relevant documents and availability of policy papers and analyses, now most institutions have published annual reports; budgets and organograms. However, the contacts relevant for cooperation with CSOs are still not visible and separate sections on public consultation processes are the exception rather than the practice.

## Summary results for service delivery

The general perception of citizens in Macedonia regarding the quality and accessibility of administrative services is divided. Almost the same percentage of citizens believe and disagree that dealing with the administration has become easier in the past two years.<sup>1</sup> This leads to the conclusion that their experiences when acquiring services depends on the institution provider and the type of services that are provided. Nevertheless, the survey has also shown that digitalization has contributed to the positive opinion of citizens, as well as the general tendency and commitment of service providers to securing wider encompassing e-services. However, even though citizens think that e-services represent a step forward and they believe they are easy to use, they rarely use them. On the other hand, it is evident that the Government needs to improve its communication and consultation with citizens, as the perception is quite negative. Half of the citizens think that the administration has not asked for their opinion on how to improve administrative services and more than a half share the opinion that the Government has not used proposals from the citizens to improve the services. It is also unclear whether the Government has even conducted surveys and collected proposals from citizens, as this feedback is not available online.

The perception of Macedonian CSOs is quite negative when it comes to service delivery. A large majority of CSOs believe that one-stop-shops and administrative service providers are not easily accessible by all citizens, considering the geographic distribution of the services. According to CSOs, the situation is particularly concerning regarding the provision of services, which are adapted to the needs of vulnerable groups. A comparable level of concern is present with respect to the issue of adaptability of e-channels accessible to vulnerable groups and staff trained to work with these citizens.

Service providers, on the other hand, satisfy the basic requirements and offer essential information on their websites. In general, contact information is available, as well as basic guidance regarding procedures, i.e. what needs to be done in order to obtain the services. Service providers also have all of the required forms available online and inform the citizens about their rights and obligations. However, the concerns of citizens and CSOs are confirmed with the state of affairs of the sample of service providers that have been analysed, as e-services are rare and citizen-friendly guidance is not offered on websites.

## Summary results for public financial management

The Ministry of Finance publishes the data on the execution of the Budget of the Republic of Macedonia on its website, in line with the IMF Government Finance Statistic Manual of 1986. The annual budgets for 2017 and 2018 are easily accessible and are on the same page. There aren't separate monthly reports, they are consolidated in one document and there are also quarterly reports which are comprehensive as well as separate mid-year budget execution reports. There is partial explanation on the budget expenditure, mainly for Capital investments but not sufficient enough for all the budget users. Official citizen-friendly annual budget is published online. These budgets are available in XML data sets and there are available for more than the last two years.

The Ministry of Finance has published a consolidated annual report on PIFC (in the section for PIFC). The Central Harmonisation Unit is an organizational unit within the Ministry of Finance that is responsible for the coordination of public internal financial control (PIFC) in the public sector in the Republic of Macedonia. There are no quality reviews of internal audit reports regularly produced or published online whatsoever. The Ministries do not have a tendency to publish risk registers, books

<sup>1</sup> 15,6 strongly disagree; 28,8 disagree; 37,1 Agree; 6,7 Strongly agree with the statement "In my own experience, dealing with the administration has become easier".

of procedure. Moreover, very often it is difficult to find who is the FMC manager in charge in the Ministry. The Ministry of Finance also rarely engages with the public on PIFC matters and findings have shown that the Parliament does not deliberate on reviews of the consolidated report of PIFC regularly.

The SAO develops a communication strategy for reaching out to the public. In terms of proactive communication and provision of feedback, there is no mention at all for a position specifically designed for communication with the public. Only in the "Development strategy of the State Audit Office" is it stated that a person is appointed for public relations, although that person can't be found on the website.

In terms of having a varied means of communication, only one press-conference regarding the last Annual Report (2017) is held. SAI don't have any kind of social network account (Facebook, Twitter or LinkedIn). In terms of communicating with the SAO, there are two channels - the first channel is for asking Questions and the second one is for giving Suggestions to the SAO. However, they do not seem to be functional.

The Annual Report for 2017 is citizen friendly, written in a fine manner with shortened and concise explanation of the findings and conclusions, free from the highly technical language, however no separate reports are published on their website, and in the annual report it is stated how many audits they have conducted and published. Lastly, there is no evidence that any kind of joint event/consultation was held between SAI and CSOs within the two calendar years prior to the measurement period.



# I. Introduction

## I.1 Public administration reform and Western Balkans' EU integration – Why monitor?

For more than 15 years now, the Western Balkan (WB) countries have been undergoing democratisation and transition processes, embarking upon sweeping structural, economic and social reforms, with a view to modernising their societies and improve the lives of their citizens. The reform processes are enhanced by the aspiration of these countries to become members of the European Union, while being framed to a large extent by the EU integration process. Good governance lies at the heart of the European integration project, while a public administration that supports good governance needs to be professional, reliable and predictable, open and transparent, efficient and effective, and accountable to the citizens.

Accordingly, the reform of the public administration has been acknowledged as one of the fundamental areas of reform on any country's path to EU membership. WB countries have been implementing administration reforms for over a decade now, but since 2014, the EU has been offering a set of principles for accession countries to follow and comply with in this area in order to successfully become EU Member States. The European Commission has defined the scope of the public administration reform (PAR) to cover six key areas:

1. Strategic framework for public administration reform;
2. Policy development and co-ordination;
3. Public service and human resource management;
4. Accountability;
5. Service delivery;
6. Public financial management

The OECD/SIGMA,<sup>2</sup> in close co-operation with the European Commission, has adopted this scope under its *Principles of Public Administration*, which has thus become a new framework for pursuing and monitoring administration reforms in the Western Balkan countries and Turkey.<sup>3</sup> These principles, offer a common denominator of public administration reform in all EU-aspiring countries, setting the course towards EU membership.<sup>4</sup> Their purpose is described as follows:

*The Principles define what good governance entails in practice and outline the main requirements to be followed by countries during the EU integration process. The Principles also feature a monitoring framework to enable regular analysis of the progress made in applying the Principles and setting country benchmarks.*

*EU acquis requirements, guidelines and instructions are the core of the Principles in relevant areas. In other areas, the Principles are derived from international standards and requirements, as well as good practices in EU member states and OECD countries. As a minimum benchmark of good administration, countries should ensure compliance with these fundamental Principles.<sup>5</sup>*

2 SIGMA (Support for Improvement in Governance and Management) is a joint initiative of the OECD and the European Union. Its key objective is to strengthen the foundations for improved public governance, and hence support socio-economic development by building the capacities of the public sector, enhancing horizontal governance and improving the design and implementation of public administration reforms, including proper prioritisation, sequencing and budgeting. More information is available at <http://www.sigmaweb.org/>.

3 A separate document entitled *The Principles of Public Administration: A Framework for ENP Countries* has been developed for countries encompassed by the European Neighbourhood Policy (ENP): <http://bit.ly/2fsCaZM>.

4 Based on the Principles, SIGMA makes regular assessments of the progress made by WB countries' Governments in fulfilling them. Across-the-board assessments (for all the six key areas) are made once every two years, whereas in-between smaller scale assessments are made for specific chapters that are evaluated as critical by SIGMA. For more information on SIGMA assessments, visit [www.sigmaweb.org](http://www.sigmaweb.org).

5 Principles of Public Administration for EU Enlargement Countries, SIGMA, <http://bit.ly/2fOWLf9>.



WeBER has adopted the Principles of PA as the main building block of its PAR Monitor, following a twofold rationale. On one hand, being the only common denominator for PAR reforms in all Western Balkan countries, the Principles are of major importance for WeBER in order to allow for regional comparability and regional peer learning and peer pressure. On the other hand, the Principles facilitate the reforms in these countries to follow the course of compliance with EU standards and requirements, while supporting their transformation into future EU Member States.

An important aspect of designing the monitoring approach is the understanding that until the EU accession of WB countries, SIGMA/OECD will be engaged in the Region, relying also on the hard EU conditionality, as an external driving force of reforms. In that period, local civil societies should deliver complementary, add-on findings in their areas of strength. In this period, the civil society should also gradually expand the scope of its monitoring and seek ways to continue the external monitoring in a more holistic way post-accession, when SIGMA will no longer conduct its external assessments. By then, local civil society actors should have an already developed approach to identifying critical areas of intervention on which to focus their monitoring efforts.

Moreover, although EU conditionality is currently ensuring regular external monitoring and assessment of the reform progress, previous enlargements demonstrated that many countries had backslid in their reforms post-accession, effectively moving away from good governance standards as the EU approach softened. In several countries, governments have lowered their standards of transparency, administrations have been re-politicised and anti-corruption efforts have dwindled. WeBER's rationale is that only by empowering local non-governmental actors and strengthening participatory democracy at the national and local levels, can the same pressure on the governments be maintained post-accession in order to continue implementing the often painful and inconvenient administrative reforms. This empowerment needs to include enhancing of CSOs' awareness, knowledge and other capacities, such as research and analytical skills and tools. It is precisely these elements that the WeBER project and the PAR Monitor aim to strengthen.

In line with TEN's and WeBER's focus on the Region's EU accession process, the PAR Monitor also seeks to guide the governments in the Region towards successful EU accession and membership. Consequently, the entire approach has been developed around the PAR requirements defined under the EU enlargement policy. A critical requirement in this endeavour is the strengthened participation of the civil society and media in the reform efforts (i.e. educating and enabling them to monitor the reform progress, assess its quality and propose new evidence and analysis based solutions). Thus, public administration reform can support the design and implementation of inclusive and transparent policies that take into account citizens' needs and are at the same time more EU-membership-compliant.

## I.2 PAR monitoring – How do we monitor?

### EU principles as the starting point and a common framework of reference

As mentioned above, the WeBER approaches monitoring of PAR in the Western Balkan countries from the perspective of uniform requirements posed by the EU accession process for the entire region. As the EU and SIGMA/OECD developed a comprehensive set of principles for all countries to transform their administrations into modern EU-members, WeBER has used these principles as the golden standard and a starting point for developing its monitoring methodology. Moreover, in line with its overall rationale, WeBER has emulated SIGMA's methods to create its own indicators from the viewpoint of civil society, using a similar compound-indicator structure and the same scoring approach: quantification of elements (sub-indicators), with the total scores assigned to indicator values on a scale from 0 to 5.

### The regional approach

An important facet of WeBER monitoring of PAR is its regional character. The regional approach first means that all indicators are framed and phrased in a manner which enables comparisons between the six national systems. Second, the regional approach means that the findings are regionally comparable. The former was achieved through close regional consultations in the process of designing the methodology and developing the indicators, including occasional revisions of the indicators and their specific methodologies based on identified difficulties of application and measurement in the national contexts. The latter was achieved through the internal quality assurance procedures developed as part of the monitoring methodology, which are described below.

The regional approach admittedly results in a certain loss of detail and national specificity in the monitoring work. However, it presents many benefits compared to the nationally specific approaches, first and foremost the comparability aspect, which allows benchmarking of countries and their systems, recognition of good practices in comparisons of the countries, as well as creation of positive competition between the governments when exposed to regional comparisons. Last, but not least, it allows for creation of regional knowledge and peer learning of PAR among civil society organisations, which is particularly useful for inspiring new initiatives and advocacy efforts at the national level, inspired by positive practices identified in the immediate neighbourhood. The fact that all WB countries are undergoing the same or similar processes on their road towards the EU makes them a perfect group for creation of useful comparisons.

### Selection of principles “for the civil society and by the civil society”

The PAR Monitor maintains a basic structure which follows the six chapters of the Principles of PA. It does not attempt to cover all the principles under each chapter nor does it seek to cover them in a holistic manner, but adopts a more focused and selective approach. Considering that the empowering of the civil society in the region to monitor PAR will need to be a gradual process, the criteria for selecting the principles (and their sub-principles) were developed with three main thoughts in mind:

- >>> There are certain aspects of the Principles in which civil society is more active and consequently has more knowledge and experience;
- >>> In order to gain momentum, the PAR Monitor will need to be relevant to the interests of the wider public in the region;
- >>> The approach should ensure an added value to SIGMA's work and not duplicate it.

## **WeBER indicators design**

WeBER has designed compound indicators, each comprising a set of elements (essentially sub-indicators), which elaborate various aspects of the issue addressed by the indicator on the whole. The entire design of indicators is quantitative, in the sense that all findings – based on both quantitative and qualitative research – are assigned numerical values. Findings are used to assess the value of individual elements, assigning them total element scores of either 0-1 (for the less complex assessments) or 0-2 (for the more complex assessments). Only integer values are assigned to elements.

Furthermore, for each element a weight of either 1 or 2 is applied. In principle, a weight of 2 is assigned to what was evaluated as a basic, key requirement, whereas a weight of 1 is applied to more advanced requirements. To exemplify, a weight of 2 is used for an element assessing a basic government reporting practice, whereas a weight of 1 applies to an element assessing whether the data in a report is gender sensitive or whether it is available in open data format. Moreover, as most indicators combine different research approaches and data sources, in cases where perception survey findings are combined with hard data analysis, a weight of 1 is assigned to the former and a weight of 2 to the latter.

Finally, for each indicator there is a formula for turning the total score from the analysis of individual elements into the values on a unique scale from 0 to 5. The final indicator values are assigned only as integers, i.e. there are no half-points assigned. The detailed scoring and methodologies for each indicator are available on the PAR Monitor section of the WeBER website.<sup>6</sup>

## **Reliance on knowledge accumulated by civil society**

Local civil society actors lack official resources that would allow them to take a comprehensive view on the Principles of PA and monitor all their aspects in each of the six chapters. Moreover, the CSOs' projects and initiatives are as a rule fragmented and based on individual ad-hoc approaches. WeBER has overcome this problem by creating a Platform through which civil society in the region can conduct consultations and coordinate these individual, fragmented efforts. As a result of the work of this platform, the PAR Monitor reports encompass both the findings of the WeBER project and the key results and findings of a major part of the individual CSOs' (or other networks') research and analyses in the PAR area, including local CSOs supported through the WeBER Small Grant Facility.

The WeBER monitoring approach utilises to the maximum extent possible the experience and expertise accumulated within the civil sector in the WB countries. Therefore, a number of indicators rely on the civil society as one of the core sources of knowledge. Understandably, the PAR Monitor and its wider approach to incorporating other CSOs' findings will remain a work in progress in the upcoming years as well, in order to allow adjusting to new developments in the region's civil sector.

## **Focus on citizen-facing aspects of public administration**

There has been a clear shift of trends in recent years in how administrations act towards citizens, gradually comprehending their role of service providers in the society rather than merely feeding the rigid, formalistic and bureaucratic needs. One of the factors for this change lies in the development of new technologies and more direct opportunities to scrutinize, interact and influence, which consequently stimulated the interest of the public and instigated higher demands and pressures from the citizens for better administration.

<sup>6</sup> WeBER project website: <http://www.par-monitor.org>. Methodology and individual indicator tables can be accessed under the PAR Monitor menu.

Because of this unambiguous connection between the administration and its citizens, another key criterion which has led the selection of WeBER principles (and its sub-principles) is their relevance to the work and interests of the wider public. To that end, WeBER indicators have been led by the question of the extent to which they address citizen-facing aspects of public administration.

### **Complementarity with SIGMA monitoring and SEE 2020 strategy**

As mentioned above, one of the main considerations underpinning the WeBER PAR monitoring is to ensure complementarity with the assessment process of SIGMA/OECD. This approach acknowledges that SIGMA's comprehensive approach cannot and should not be replicated by local actors, as it already represents an independent monitoring source (in the sense of independence from national governments in the WB). In that sense, WeBER does not seek to present a contesting (competitive) assessment of how the principles are fulfilled in the WB countries, but rather offer a complementary view, based in local knowledge and complementary research approaches.

Finally, after the indicators were developed, each of them was analysed for relevance against the regional strategy SEE 2020,<sup>7</sup> in order to determine whether they can serve for the purposes of its monitoring as well. Therefore, each indicator that has been determined relevant for the monitoring of the SEE 2020 Strategy was marked accordingly in the methodology document, and the link to the specific dimension of that strategy was stated.

### **The PAR Monitor package**

As the final product of the WeBER monitoring, the PAR Monitor is composed of the one regional, comparative report of monitoring results for the entire region and six national reports that elaborate in detail the monitoring findings for each country. In line with this approach, the regional report focuses on comparative findings, regional trends and examples of good or bad practices, but does not provide any recommendations. On the other hand, the national reports provide in depth findings for each country and identify a set of recommendations for each PAR area, targeting national policy makers.

The Master Methodology document and the detailed indicator tables – all available on the WeBER website<sup>8</sup> – should also be regarded as part of the entire PAR Monitor package and can be used to fully understand the details of this monitoring exercise, where needed.

### **Quality assurance procedures within the monitoring exercise**

To guarantee that the PAR monitoring findings are based on appropriate comparative evidence and that WeBER products create a notable impact, the monitoring applied a multi-layered quality assurance procedure, which included internal and external expert reviews and a stakeholder community review. The internal quality assurance comprised two main elements:

- 1) a peer-review process, which involved different collaborative formats, such as written feedback, team meetings, or team workshops;
- 2) once the scoring for each country was finalised, a senior coordinator performed a horizontal cross-check of the findings to ensure their regional comparability and alignment of assessment approaches, and prepare the analysis for the external review.

<sup>7</sup> Southeast Europe 2020 Strategy of the Regional Cooperation Council: <http://www.rcc.int/pages/62/south-east-europe-2020-strategy>.

<sup>8</sup> WeBER project website: <http://www.par-monitor.org>. Methodology and the individual indicator tables can be accessed under the PAR Monitor menu.

The first part of the external review was a fact-checking process by government institutions in charge of the given assessed area. Up to this point of the review process, all mentioned steps were repeated for each individual indicator measured.

Following the drafting of the regional report, selected members of WeBER Advisory Council performed the expert review of chapters pertaining to their areas of expertise. The drafting national reports underwent standard peer review procedures within each WeBER partner organisation.

### **PAR Monitor Report timeframe**

The monitoring exercise was conducted between September 2017 and September 2018. Findings predominantly relate to 2017 and the first half of 2018, except in the analysis of Government reports, where 2016 was included as the base year due to the governments' reporting cycles. Within the indicators that monitor the regularity of reporting practices, a minimum of two years preceding the monitoring year were taken into account.

It is important to emphasise that for certain indicators (and particularly those measured in the last quarter of 2017) the situation on the ground was changing until the moment of the report writing. The developments which occurred after the monitoring work on those indicators could not be included, as that would necessitate repetition of the entire monitoring exercise for the given indicator in all countries. Therefore, the individual indicator measurements indicate the exact periods of measurement, kept comparable across the region, which allows for clear identification of the timeframes of reference for all findings in the reports. Where situations have changed, those changes will be reflected in the scores in the next biennial WeBER monitoring cycle and the PAR Monitor 2019/2020.

### **Limitations in scope and approach**

As with all research, the PAR Monitor also has its limitations. The main limitation stems from the fact that – for reasons which were elaborated above – it does not cover the entire framework of principles, but only those in which the interest and the added value of the civil society is the strongest in the pre-accession period. Moreover, selected principles are not always covered in all of their facets, but rather in specific aspects which have been determined by the authors as the most relevant from the perspective of civil society monitoring. In all such cases, the specific WeBER approach is described in the Methodology and individual indicator tables.

In addition, timeframe-related limitations have influenced the course of measurement. As mentioned, the monitoring work was initiated in the last quarter of 2017 and proceeded into 2018, which reflected on the period of measurement of specific indicators, as well as on the results. Also, monitoring work was implemented over a period of 9-10 months due to the limited staff capacities vis-a-vis the workload covered (23 compound indicators), which made it impossible to measure all indicators within a short period of time.

Moreover, due to a combination of limited staff capacities and the workload of the 23 compound indicators covered – with some comprising over 15 elements (sub-indicators) – a few initially planned indicators were mutually agreed to be left out from the first monitoring cycle. Those indicators relate to public procurement, as well as accountability mechanisms to protect the public interest and the right to good administration. The WeBER team consciously decided to give advantage to the quality of work over maximizing the coverage of issues. The team will seek to include these indicators in the next monitoring cycle.

Lastly, some of the principles are approached from a rather perception-based point of view. This is mainly the case where SIGMA monitors a specific principle very thoroughly, so the most useful way to complement its approach was deemed to be by monitoring perceptions of certain key stakeholder groups (public servants, CSOs, etc.). This is a deliberate part of the WeBER approach and those indicators should be looked at as complementary to the assessments conducted by SIGMA for the same principles.

In terms of geographical scope, the monitoring exercise and the report cover the entire Western Balkan region: Albania, Bosnia and Herzegovina (BiH), Kosovo, Macedonia, Montenegro and Serbia. BiH being a country with a complex governance structure, WeBER decided to focus only on the state level institutions, wherever the structures and practices of institutions are analysed. Only the service delivery indicators include lower governance levels in BiH (entities), in line with the competences for delivery of the administrative services covered by the indicator sample.

### I.3 Structure of the National PAR Monitor report

The report is divided into six chapters, pertaining to the core areas of PAR: 1) strategic framework for public administration reform, 2) policy development and coordination, 3) public service and human resource management, 4) accountability, 5) service delivery, and 6) public finance management. Each chapter follows the identical structure.

In each chapter introduction, the reader is briefly introduced to the WeBER indicators used in the observed area and their values for Macedonia, on a scale from 0 to 5. Immediately after, a brief state of play in Macedonia is given to contextualise the analysis for the observed area, followed by the WeBER monitoring focus, describing the methodological steps in more detail and illustrating the structure of each principle and indicator, including data collection and analysis methods.

The key section of each chapter is the presentation of WeBER monitoring results, stemming from thorough and methodologically robust research conducted in Macedonia. Throughout this section, the report includes boxes with partners' findings as an added value and complementary element of the report. A summary of results for each area is given at the end of each chapter and present key, succinct one-page findings and trends.

Finally, based on the detailed elaboration of the findings for Macedonia, the national PAR Monitor report proposes actionable recommendations for the responsible government authorities.



# 1. Strategic framework for public administration reform

Table. WeBER indicators used in Strategic Framework of PAR and country values for Macedonia

Use of participatory approaches in the development of key strategic PAR documents					
0	1	2	3	4	5
Civil society involvement in the PAR monitoring and coordination structures					
0	1	2	3	4	5

## State of Play of the PAR Strategic Framework

The Strategic Framework in Macedonia consists of two documents, which set out the PAR agenda: the 2018-2022 Public Administration Reform Strategy and the 2018-2021 Public Finance Management (PFM) Reform Programme. The PAR Strategy is coordinated by the Ministry of Information Society and Administration (MISA) and covers four priority areas, in following with the SIGMA principles, while the PFM Programme guides the application of the PFM principles of SIGMA and is coordinated by the Ministry of Finance (MoF).

The work on the 2017-2022 PAR Strategy started in early 2016 with the preparation of a draft Strategy and an Action Plan with SIGMA's support. However, due to the political crisis, this process was put on hold and restarted after the new Government took office in June 2017. At that point, the draft documents of 2016 mentioned above were used as the basis for the further work and finalization of said documents

In June 2017, the MISA organized a consultative working meeting involving more than 100 participants from civil society organizations and experts, representatives of the international community, trade unions and the media.<sup>9</sup> Following this meeting, in July 2017, the MISA established a working group tasked with the drafting of the Strategy and published a call to civil society organizations to nominate members for the thematic sub-working groups, which were formed in pursuance with the four principles of SIGMA that are now covered in the Strategy.<sup>10</sup> Each sub-working group consisted of more than 40 members, including institution representatives. The final Strategy, published in February 2018, reflects the situation and challenges in the public administration of the Republic of Macedonia until 31 December 2017, inclusive.

After a long standstill in its preparation, the 2018-2021 Public Finance Management Reform Programme was adopted in December 2017, being the first program of this type.<sup>11</sup> The Programme was adopted under a process separate from the PAR Strategy preparation process, but offers costing for activities to be undertaken under the Programme. Hence, both documents should be viewed complementarily. Nevertheless, the links to the PAR Strategy are not acknowledged, and the MISA or the PAR are not mentioned, (apart from listing them in the abbreviations section). The EC 2018 Progress Report acknowledges the improvement in this area: "Despite the political stalemate in the first half of the year, noteworthy improvements took place, in particular in public finance management and transparency. The public finance management reform programme 2018-21 was adopted in December 2017 and aims to address the shortcomings."<sup>12</sup> The MoF was the leading government body for the preparation of PFM Programme. An inter-institutional working group produced a complete

<sup>9</sup> <http://www.mioa.gov.mk/?q=mk/node/1337>

<sup>10</sup> <http://www.mioa.gov.mk/?q=mk/node/1347>

<sup>11</sup> <https://a1on.mk/archives/790114>

<sup>12</sup> <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-the-former-yugoslav-republic-of-macedonia-report.pdf>

draft of the Programme, which was ready as early as April 2017, as noted in the SIGMA Report, the Programme was not disclosed to CSOs until 30 June 2017 and did not include them in any manner.<sup>13</sup> The first call for comments on the ready-made draft of the Programme was published on 1 September 2018<sup>14</sup> while on the 19 September 2018 there were open consultations.<sup>15</sup> The Ministry did not announce any further consultations to be held with CSOs. Despite the fact that significant improvements should be made in terms of inclusion of the civil society in the updating of the Programme and in its implementation, considering the non-involvement of CSOs in its drafting, the importance of the Programme should not be neglected because, as the Minister of Finance said: “for the first time since our independence we have a Programme for reforms in the system of public finances.”<sup>16</sup>

When it comes to the coordination of the overall PAR process at the political level, a Council for Public Administration has been established, chaired by the Prime Minister of the Republic of Macedonia, and consisting of Deputy Prime Ministers, Ministers and other senior officials from in-line institutions that are responsible for and/or participate in the implementation of activities set forth under the Action Plan for the 2018-2022 PAR Strategy.<sup>17</sup> Representatives of CSOs are not part of the Council. The Council is provided with technical support from the PAR Secretariat, which is composed of senior civil servants from institutions responsible for or participating in the activities envisaged in the Action Plan.

For purposes of monitoring and implementation of the PAR Strategy, a PAR Team has been established. Similarly, the PAR team does not have on board any CSO representatives. The MISA, which leads the PAR team is tasked with preparation and submitting a Report on the implementation of the Action Plan for the 2018-2022 PAR Strategy to the PAR Council every six months and to the Government of the Republic of Macedonia once a year. The Strategy envisages that after the publishing of such reports and before their review at PAR Council sessions, civil society organizations’ representatives will be consulted. The MISA has published its first call to CSOs for their input to the Report on the implementation of the PAR Strategy and Action Plan.<sup>18</sup> To this end, the Strategy also envisages public hearings twice a year concerning the degree of implementation and the results achieved under the 2018-2022 PAR Strategy, allowing for as well proposals for review of the Action Plan for the 2018-2022 PAR Strategy. In general terms, despite the slight improvement in the area of coordination and implementation, the 2018 EC Progress Report notes that: “The capacity of the Ministry of Information Society and Administration to drive and coordinate public administration reform needs to be improved.”<sup>19</sup>

When it comes to the responsibilities for monitoring and updating of the Programme, the PFM Programme envisages the establishment of a PFM Working Group, but does envisage that representatives of CSOs are to be its members: “A PFM Working Group composed of members from all relevant MoF departments and institutions involved in PFM issues was established for the preparation of PFM Reform Programme and other related PFM planning documents.”<sup>20</sup> Moreover, the Programme also mentions a ‘Consulting Group’ and external partners that would be involved in the process of implementation and updating of the Programme. The Programme does not define who is going to be part of the consulting group, while the paragraph on external partners mentions ‘public consultations’ as an important input to the PFM Reform Programme, which most likely means a practice of providing ‘ready-made’ documents to CSO representatives. The PFM Reform Programme does not mention the civil society at all, and it does not define the framework under which cooperation with non-state actors will be conducted, noting instead only that as regards the Programme “implementation, as well as its design there will be a high level of consultations with non-state actors.”<sup>21</sup>

13 <http://www.sigmaweb.org/publications/Monitoring-Report-2017-the-former-Yugoslav-Republic-of-Macedonia.pdf>

14 <https://www.finance.gov.mk/mk/node/6626>

15 <https://www.finance.gov.mk/mk/node/6677>

16 <https://www.finance.gov.mk/mk/node/7146>

17 “Official Gazette of the Republic of Macedonia” No. 192/17

18 <http://www.mio.gov.mk/?q=mk/node/1961>

19 <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-the-former-yugoslav-republic-of-macedonia-report.pdf>

20 <https://www.finance.gov.mk/files/u3/PFM%20Reform%20%20Programme%202018-2021.pdf>

21 <https://www.finance.gov.mk/files/u3/PFM%20Reform%20%20Programme%202018-2021.pdf>



## What does WeBER monitor and how?

The monitoring of the Strategic Framework of Public Administration Reform is based on three SIG-MA Principles in this area focusing on the existence of an effective PAR agenda, the implementation and monitoring of PAR, but also on the existence of PAR management and coordination structures at the political and administrative level.

**Principle 1:** The government has developed and enacted an effective public administration reform agenda that addresses key challenges;

**Principle 2:** Public administration reform is purposefully implemented; reform outcome targets are set and regularly monitored;

**Principle 4:** Public administration reform has robust and functioning management co-ordination structures at both the political and administrative levels to steer the reform design and implementation process.

Selected Principles are assessed entirely from the view of the quality of involvement of civil society and the public in the processes of development of PAR strategic documents, and participation in the monitoring and coordination structures that should ensure their purposeful implementation. A focus on inclusiveness and participation aims to determine the extent to which relevant stakeholders' needs and views are consulted and taken into consideration when developing and implementing the reform agenda.

For this purpose, two WeBER indicators are developed. The first one focuses on the existence and quality of the consultation process in the development of key PAR strategic documents. A sample of up to six key PAR strategic documents is determined in each Western Balkan administration based on the strategic framework in place. The most comprehensive PAR documents (PAR Strategy or similar), and PFM reform documents are selected as mandatory sample units, whereas selection of other strategic documents covering the remaining PAR areas is dependent on the PAR agenda currently in place. Monitoring is performed by combining data sources to ensure the reliability of results, including qualitative analysis of strategic documents, their action plans, and official data that is publicly available or obtained from the PAR responsible institutions. Moreover, analysis of documents was corroborated with results of the semi-structured interviews with representatives of the PAR responsible institutions, and a focus group with civil society representatives who participated in the consultation process.

Hence, for Macedonia the analysis under this indicator covered:

>>> PAR Strategy 2018-2022;

>>> Public Finance Management Reform Programme.

The monitoring of the participation of civil society in the PAR implementation (i.e. in PAR coordination and monitoring structures) concerned only the most comprehensive PAR strategic document under implementation, as a unit of analysis. The intention behind this approach was to determine whether there were efforts made to better facilitate the monitoring and coordination structures under the overall PAR agenda. Regarding the first indicator, there were a review and a qualitative assessment of official documents pertaining to the organisation and functioning of these structures, and other data sources were used to corroborate the findings.

## WeBER Monitoring Results

**Principle 1:** The government has developed and enacted an effective public administration reform agenda that addresses key challenges

WeBER indicator SFPAR P1 I1: Use of participatory approaches in the development of key strategic PAR documents

Indicator elements	Scores
Consultations with civil society are conducted when the document are developed	2/4
Consultations with civil society are conducted in an early phase of the development of the document	2/4
Invitations to civil society to participate in the consultations are open	4/4
Responsible government bodies are proactive in ensuring that a wide range of external stakeholders become involved in the process	2/2
Civil society is provided complete information for preparation for consultations	4/4
Comments and inputs received in the consultation process are considered by responsible government bodies	0/4
Responsible government bodies publicly provide feedback on the treatment of received comments	0/2
Responsible government bodies engage in open dialogue with civil society on contested questions	1/2
Consultations in the development of strategic PAR documents are open to the public	0/4
<b>Total</b>	<b>15/30</b>

According to the research done under the WeBER project of monitoring key strategic PAR documents,<sup>22</sup> consultations with CSOs were relatively satisfactory for the 2018-2022 PAR Strategy, but were less inclusive and comprehensive for the 2018-2022 PFM Reform Programme. The consultation period for both documents lasted more than 15 days and the invitations to civil society organizations were accompanied with the drafts of the strategies. However, while the MISA, being proactive, extended invitations to civil society organizations, the MoF published on its website invitations for consultation only a day prior to the event. At least one face-to-face meeting was held regarding both documents.

For the 2018-2022 PAR Strategy, the call for delivering the first comments was published on 15 June 2017, while the call for participation in sub-working groups was published on 30 June 2017, almost half a year before the draft version was published (29 December 2017). Thus, the duration of the consultation process for the PAR Strategy was beyond the ceiling prescribed under the guidelines for consultations with civil society (at least 30 days).<sup>23</sup> The first call for comments about the PFM Reform Programme was published on 1 September 2017, 18 days before the Programme was presented at an open debate, while the final Programme was announced in December 2017. Nevertheless, it should be kept in mind that the consultation procedure for strategic documents is not regulated in Macedonia. The secondary legislation only prescribes the duration of consultations on draft laws,<sup>24</sup> whereas the procedure and duration of consultations regarding strategic documents is only elaborated in guidelines developed by the MISA.<sup>25</sup>

Consultations about the PAR Strategy were organized by the MISA and began in June 2017, with a wide-encompassing consultation meeting between the representatives of the Ministry (MISA), experts, local staff, the academia and representatives of CSOs. The meeting served as a starting point

22 Key strategic documents include official strategies/strategic plans (and their action plans), plans/programmes (and their action plans), and any other type of PAR planning document developed for a period of at least two years, formally endorsed/adopted by the Government or Parliament. As regards all elements under this indicator, the incumbent documents are analysed (previous documents or previous versions of documents are not considered).

23 [http://mioa.gov.mk/sites/default/files/pbl\\_files/documents/kodeks\\_mk.pdf](http://mioa.gov.mk/sites/default/files/pbl_files/documents/kodeks_mk.pdf)

24 [http://www.mio.gov.mk/sites/default/files/pbl\\_files/documents/pvr/Metodologija%20za%20PVR%20107-13.pdf](http://www.mio.gov.mk/sites/default/files/pbl_files/documents/pvr/Metodologija%20za%20PVR%20107-13.pdf)

25 [http://mioa.gov.mk/sites/default/files/pbl\\_files/documents/Priracnik%20za%20zasegnati%20strani\\_3.pdf](http://mioa.gov.mk/sites/default/files/pbl_files/documents/Priracnik%20za%20zasegnati%20strani_3.pdf)

for the work that was to follow in the PAR area. The Government presented the state of play in the public administration, as well as the key priorities and challenges for the Government. According to the CSO participants in the focus groups, they had the opportunity of giving their opinion on what should be the focus of the Strategy and the main challenges at the time (according to their area of expertise). As confirmed during an interview with a representative from the MISA, about this event, the draft of the Strategy, prepared by the previous Government was taken as the starting point that was shared with the participants. However, this document was significantly changed and discussed because as pointed out by the interviewees, the MISA wanted to hear the opinion of all relevant stakeholders about the draft document prepared by the previous Government and modify it in line with their comments. In July 2017, the MISA formed a working group for the development of the Strategy and published a call for CSOs to nominate representatives for the thematic groups. The groups were formed following the SIGMA principles.

During the early stage of development of these two documents, there was substantive CSO engagement on the PAR strategy, but not on the PFM Reform Program. Consultations about the PAR Strategy began in June 2017, with a wide-encompassing consultation meeting between the MISA, experts and representatives of CSOs. In July 2017, the MISA formed a working group for the development of the Strategy and published a call for CSOs to nominate representatives for the thematic groups, which were to be formed in following with the principles of SIGMA. However, the PFM Reform Programme already set the priorities and directions of the strategic document, before consultations with civil society organization about the draft document.<sup>26</sup>

CSOs were provided with adequate information in preparation for the consultation process. For both strategy documents, draft documents and supporting documentation were provided, and information about the deadlines for submission of comments and about channels of submission was clear. However, there are no documents available to provide evidence on how the consultations were conducted, what was discussed and how decisions were made. Therefore, it is unclear which contributions from the civil society were taken into consideration and what was the reasoning for accepting or rejecting certain proposals, since there was no feedback provided in this regard.

### How does Macedonia do in regional terms?

WeBER indicator SFPAR P1 I1: Use of participatory approaches in the development of key strategic PAR documents



<sup>26</sup> <https://www.finance.gov.mk/mk/node/6626>

**Principle 2:** Public administration reform is purposefully implemented; reform outcome targets are set and regularly monitored;

**Principle 4:** PAR has robust and functioning management co-ordination structures at both the political and administrative levels to steer the reform design and implementation process.

WeBER indicator SFPAR P2\_4 I2: Civil society involvement in the PAR monitoring and coordination structures

Indicator elements	Scores
Administrative structures for PAR coordination and monitoring foresee an involvement of CSOs	0/2
Political level structures for PAR coordination foresee an involvement of CSOs	0/2
Format of CSO involvement in administrative structures for PAR coordination and monitoring	0/4
Format of CSO involvement in political structures for PAR coordination and monitoring	0/4
Involvement of CSOs is achieved based on an open competitive process	0/4
Meetings of the PAR coordination and monitoring structures are held regularly with CSO involvement	0/4
The format of meetings allows for discussion, contribution and feedback from CSOs	0/4
CSOs get consulted on the specific measures of PAR financing	0/2
<b>Total</b>	<b>0/26</b>

In Macedonia, although some degree of consultations with civil society organizations (CSOs) is stipulated with regard to administrative structures for PAR coordination and monitoring, CSOs generally are rarely involved. The 2018-2022 PAR Strategy foresees inviting stakeholders to public debates related to PAR implementation twice a year, envisaging as well that reports have to be made public. The Strategy also stipulates that ‘independent experts’ will make an evaluation every two years. In terms of general monitoring and reporting about the PAR pursued by the MISA, which submits a report every six months about PAR implementation to the PAR Council and once a year to the Government, consultations with representatives of the civil sector are envisaged to be organized after the reports have been published on the websites and before the discussions within the PAR Council. In the 2018-2022 PAR Strategy Action Plan, the civil sector is mentioned once in terms of consultations about prioritization of services that need to be delivered<sup>27</sup>. The Strategy also underscores that in order to follow up on the monitoring and coordination of the PAR reform, a ‘team for PAR’ has also been established at the MISA. However, the Strategy does not define who will be the members of this body,<sup>28</sup> although it is clear that such body would consist only of employees of the MISA, who will be in charge of communication with all external stakeholders.

It is even more worrying that the Strategy does not include any CSO members in stipulating that the Secretariat for PAR will provide technical and professional support. The new 2018 – 2022 PAR Strategy does not foresee inviting CSOs to be part of coordinating bodies. At the political level, the Strategy stipulates a Council for PAR to be established to monitor and coordinate the overall PAR process, but this Council does not have on board any CSO members.<sup>29</sup> No monitoring or coordination system was in operation in the short period while the new Strategy was adopted in February 2018. Similarly, under the previous 2010-2015 Strategy, CSOs were not involved in the monitoring or evaluation.

In terms of administrative structures, there is no prescribed format of involvement. The documents only mention ‘consultations’, but their organization and format are not elaborated. Despite the fact that 9 sector groups have been established under the Strategy, including one for PAR reform,<sup>30</sup> the statement saying that there will be consultations with CSOs does not mention how these consultations will be scheduled and how the CSOs will be invited.<sup>31</sup>

27 [http://mioa.gov.mk/files/pdf/dokumenti/AP\\_SRJA\\_2018-2022\\_20022018\\_mk.pdf](http://mioa.gov.mk/files/pdf/dokumenti/AP_SRJA_2018-2022_20022018_mk.pdf) p. 36

28 [http://mioa.gov.mk/files/pdf/dokumenti/SRJA\\_2018-2022\\_20022018\\_mk.pdf](http://mioa.gov.mk/files/pdf/dokumenti/SRJA_2018-2022_20022018_mk.pdf) p. 5

29 <http://www.slvesnik.com.mk/Issues/300aa13482774c7095e852d883592864.pdf>

30 <http://mioa.gov.mk/?q=mk/node/1587> p. 17

31 <http://mioa.gov.mk/?q=mk/node/1587> p. 24

## How does Macedonia do in regional terms?

WeBER indicator SFPAR P2\_4 I2: Civil society involvement in the PAR monitoring and coordination structures



### Summary results: PAR Strategic Framework

The coordination and monitoring of the of the PAR process is done by the MISA, which is to deliver every 6 months a report on the implementation of the Action Plan for the PAR Strategy to the PAR Council and once per year to the Government.

Nevertheless, the new 2018 - 2022 Strategy does not foresee inviting CSOs to be part of its administrative and political coordinating bodies. Under the previous Strategy, (2010-2015) CSOS were not involved in the monitoring or evaluation. The new Strategy envisages that at the administrative level, a "Team for PAR" will be established at the MISA, envisaging as well that at the political level a PAR Council will be established. These bodies do not include any CSO members.

### Recommendations for Strategic Framework of PAR

**The government has developed and enacted an effective public administration reform agenda that addresses key challenges:**

1. The MISA and the MoF should explore the opportunity of having joint consultations about issues that are of relevance for the effective implementation of the Strategic Framework, such as cost estimates.
2. The MISA should explore the opportunity and avenues of including the public as of the early stages in consultations about the PAR Strategy, in addition to including CSOs.
3. The MISA should keep detailed records and documentation about the PAR Strategy consultations and timely publish them on its website in order to inform the public about what issues have been debated, what proposals have been tabled and which of them have been accepted.
4. CSOs should be informed and provided feedback about their contributions and comments given in the course of the consultations.

5. Open dialogue about contested issues and questions should be fostered with the CSOs in order to come to a common conclusion and solutions accepted and owned by all stakeholders included in the process.

6. The MoF should include all relevant stakeholders early in the consultation process when defining the strategic priorities and directions. Moreover, the MoF should timely invite and provide CSOs with all relevant documentation of importance for the consultation process.

**Public administration reform is purposefully implemented; reform outcome targets are set and regularly monitored; PAR has robust and functioning management co-ordination structures at both the political and administrative levels to steer the reform design and implementation process**

7. CSOs should be included in the PAR coordinating bodies both at the political and administrative levels.

8. A clear systematic approach should be designed, defining the format of consultations within sector groups that have been established under the PAR Strategy.

## 2. Policy Development and Coordination

WeBER indicators used in Policy Development and Coordination and country values for Macedonia

Public availability of information on Government performance					
0	1	2	3	4	5
P5 I2: Civil society perception of the Government's pursuit and achievement of its planned objectives					
0	1	2	3	4	5
P6 I1: Transparency of the Government's decision-making					
0	1	2	3	4	5
P10 I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development					
0	1	2	3	4	5
P11 I1: Civil society perception of inclusiveness and openness of policymaking					
0	1	2	3	4	5
P12 I1: Perception of availability and accessibility of legislation and related explanatory materials by the civil society					
0	1	2	3	4	5

### State of Play in Policy Development and Coordination

The improvement of the policy-making and coordination processes is underlined as a steadfast commitment of the Government and is identified as one of the priority areas in the 2018-2022 PAR Strategy. However, apart from the goals and measures identified in the PAR Strategy and accompanying Action Plans, no separate Strategy for Regulatory Reform has been adopted.

Coordination Mechanisms	
Institution	Mandate
General Secretariat (GS) of the Government of the Republic of Macedonia	Coordinates the preparation of strategic plans and the Annual Work Programme of the Government of the Republic of Macedonia (AW-PGRM); supports the monitoring of the work of the Government of the Republic of Macedonia and provides expert assistance in the decision-making process; coordinates the communication of the Government with the public and manages the relations between the Government and other institutions
Ministry of Finance (MoF)	Prepares the budget and the mid-term fiscal strategy and inspects the analyses made of the fiscal impact of legislative proposals
Ministry of Information Society and Administration (MISA)	Coordinates the LIA process and controls the quality of the conducted analysis process
Secretariat for European Affairs (SEA)	Coordination and compliance with the state administration bodies and other bodies and institutions tasked with preparing the Republic of Macedonia for EU membership, coordination for compliance of operations of the Republic of Macedonia as an EU Member State, informing the public about activities related to the process of European integration and European issues, as well as other operations related to the EU and issues determined as relevant by the Government.



The objective of the mid-term strategic planning is to establish strategic priorities and goals for each fiscal year, based on the Governments four-year Work Programme. The PAR Strategy states that the process involves the preparation of strategic plans at the ministerial level, along with budget requests that are submitted to the GS and the MoF, after which the planning cycle is completed with the preparation of the Annual Work Programme of the Government.

Nevertheless, there are challenges in practice when it comes to the horizontal coordination of policy planning and streamlining. Identified challenges relate to mid-term budget planning and projections; preparation of evidence-based policies; expert and analytical capacities of civil servants; vertical and horizontal management and coordination of the key stakeholders in the process. Moreover, it is underlined that due to challenges relating to the management and implementation of policy-making processes, especially in terms of the quality of evidence-based analyses and fiscal impact analyses, the quality of draft laws, policies and sector strategies is declining. These problems are also recognized by SIGMA: "While tools for evidence-based policy making are developed, analysis is often lacking or is superficial. Although the regulation requires co-ordination across the Government through consultation with all levels and bodies, implementation is, here again, inconsistent."<sup>32</sup>

One of the main problems of the ministries is that their mid-term (three-year) strategic plans often are not linked to Government and sector priorities and are not supported by appropriate allocation of required funds. Furthermore, cross-sector coordination is very weak, while the inclusion in strategies of performance and monitoring frameworks is an exception rather than a practice.

Furthermore, owing to the weak alignment of the Annual Work Programme of the Government with sector strategies and policies, legislative initiatives are raised and submitted to the Government on an ad-hoc basis, and not as part of carefully planned activities. As pointed out in the 2018 EC Progress Report: "There are no minimum requirements or guidance for sector planning by ministries. As a result, sector planning remains weak, as also demonstrated by incomplete and only on paper financial planning."<sup>33</sup>

When it comes to Regulatory Impact Analysis (RIA), the Strategy also indicates that information in the proposals is scarce and does not allow for making informed decisions.

Year	Total number of laws drafted by the Government subject to RIA	Drafts of laws submitted to the Government, accompanied with a RIA Report	Documents published on SNERR	Draft laws submitted to MISA for opinion
2014	335	77 (22%)	114 (32.6%)	40 (11.4%)
2015	566	234 (41.3%)	136 (24%)	80 (14.1%)
2016	252	135 (53.6%)	21 (8.3%)	76 (30.2%)
2017	(54)	43 (80%)	45(83%)	32 (59%)

Source: PAR Strategy, MISA, Regulatory Reform Department<sup>34</sup>

In this regard, the Strategy also notes that "the inconsistency in the observance of the legislative procedure arising from inadequate management of the processes at ministries and from bypassing steps in the legislative drafting procedures, as well as the short deadlines imposed for drafting laws and secondary legislation, result in partial and insufficiently elaborated solutions in the laws. Such an approach leads to frequent amendments to laws and a significant waste of resources."<sup>35</sup>

There is also lack of credible and relevant statistics, which is linked to the weak monitoring by ministries.

32 <http://www.sigmaweb.org/publications/Monitoring-Report-2017-the-former-Yugoslav-Republic-of-Macedonia.pdf>

33 <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-the-former-yugoslav-republic-of-macedonia-report.pdf>

34 [http://www.mioa.gov.mk/sites/default/files/pbl\\_files/documents/strategies/srja\\_2018-2022\\_20022018\\_mk.pdf](http://www.mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/srja_2018-2022_20022018_mk.pdf)

35 [http://www.mioa.gov.mk/sites/default/files/pbl\\_files/documents/strategies/srja\\_2018-2022\\_20022018\\_mk.pdf](http://www.mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/srja_2018-2022_20022018_mk.pdf)



When it comes to transparency of policy-making processes, the Rules of Procedure of the Government regulate the process and manner of involvement of various stakeholders. To this end, the Single National Electronic Registry of Regulations (SNERR) has been introduced, as a tool intended for electronic information and interaction with the citizens, CSO representatives, the academia, experts and institution representatives in the process of drafting laws. However, both the MISA and external stakeholders have pointed out different opinions on how this system can be used more effectively and beneficially. Namely, MISA representatives have said that external stakeholders are not sufficiently proactive and very often draft laws only receive a few comments on the website, while external stakeholders have voiced concerns over the promotion of the website, as well as the short time frame given to submit comments about the proposals<sup>36</sup>, and the unavailability of the texts of laws. In respect of the last referred to problem, the PAR Strategy states “Draft laws, together with the RIA Report, are most often published on the same day when the draft law enters the Government procedure. In the last three years, despite the efforts of the MISA, there has been a steady decline in the number of published laws on the SNERR, from 32.6% of the total laws endorsed by the Government in 2014 to 8.3% in 2016”<sup>37</sup>

Finally, when it comes to monitoring, reporting and evaluation, the legislation does not regulate monitoring and reporting on sector strategies. On the other hand, the monitoring and reporting on AWP, NPAA, Fiscal Strategy and Annual Budget is regulated. The Law on the Organization and Operation of State Administration Bodies (LOOSAB) stipulates that the supervision and reporting at the sector level only refer to the legality and efficiency of the work, and not the overall performance results.

### What does WeBER monitor and how?

In the Policy Development and Coordination area, WeBER monitoring is performed against five SIGMA Principles:

**Principle 5:** Regular monitoring of the government’s performance enables public scrutiny and supports the government in achieving its objectives;

**Principle 6:** Government decisions are prepared in a transparent manner and based on the administration’s professional judgement; legal conformity of the decisions is ensured;

**Principle 10:** The policy-making and legal-drafting process is evidence-based, and impact assessment is consistently used across ministries;

**Principle 11:** Policies and legislation are designed in an inclusive manner that enables the active participation of society and allows for co-ordination of different perspectives within the government;

**Principle 12:** Legislation is consistent in structure, style and language; legal drafting requirements are applied consistently across ministries; legislation is made publicly available.

Six WeBER indicators are used for the analysis. The first one measures the extent of openness and availability of information about the Government’s performance to the public, through analysis of the most comprehensive websites through which the Government communicates its activities and publishes reports. Written information published by the Government relates to press releases, and online publishing of annual (or semi-annual) reports. The measurement covers a period of two annual reporting cycles, except for the press releases which are assessed for a period of one year (due

36 However, a positive step was the prolongation of the consultations from 10 to 20 days. <http://vistinomer.mk/vladata-i-biznis-zaednitsita-redovno-komunitsiraat-za-zakonite-1/>

37 [http://www.mioa.gov.mk/sites/default/files/pbl\\_files/documents/strategies/srja\\_2018-2022\\_20022018\\_mk.pdf](http://www.mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/srja_2018-2022_20022018_mk.pdf)

to the frequency of their publishing). Other aspects of the Government performance information analysed include its understandability, usage of quantitative and qualitative information, presence of assessments/descriptions of concrete results, availability of data in open format and gender segregated data, and the online availability of reports on key whole-of-government planning documents.

The second indicator measures how civil society perceives Government's planning, monitoring and reporting on its work and objectives that it has promised to the public. To explore perceptions, a survey of civil society organisations in the Western Balkans was implemented using an online surveying platform, in the period between the second half of April and the beginning of June 2018.<sup>38</sup> The uniform questionnaire with 33 questions was used in all Western Balkans, ensuring an even approach in survey implementation. It was disseminated in local languages through the existing networks and platforms of civil society organisations with large contact databases but also through centralised points of contact such as governmental offices in charge for cooperation with civil society. To ensure that the survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and hence contribute to its representativeness as much as possible, additional boosting was done where needed to increase the overall response. A focus group with CSOs served the purpose of complementing the survey findings with qualitative information.

The third indicator measures the transparency of decision-making by the Government (in terms of the Council of Ministers), combining the survey data on the perceptions of civil society with the analysis of relevant governmental websites. Besides publishing information on the decisions of the Government, the website analysis considers information completeness, citizen-friendliness, timeliness, and consistency. Monitoring was done for each government session in the period of the last three months of 2017, except for timeliness which is measured for the last month and a half.

The fourth indicator measures whether government institutions invite civil society to prepare evidence-based policy documents and whether evidence produced by the CSOs is considered and used in the process of policy development. Again, the measurement combines expert analysis of official documents and a survey of civil society data. In relation to the former, the frequency of referencing CSOs' evidence-based findings is analysed for official policy and strategic documents, policy papers, and ex-ante and ex-post policy analyses and impact assessments for a sample of 3 policy areas.<sup>39</sup>

Finally, the fifth indicator, focusing on the quality of involvement of the public in the policy making through public consultations, is entirely based on the survey of CSOs data. The same is true of the sixth indicator focusing on the accessibility and availability of legislation and explanatory materials to legislation, except for the sub-indicator related to the existence of official online governmental database of legal texts.

38 The survey of CSOs was made using an anonymous online questionnaire. In Macedonia, the survey was undertaken in the period from 23 April to 4 June 2018. The data collection method included CASI (computer-assisted self-interviewing).

39 Policy areas where a substantial number of CSOs actively work. For Macedonia, the three policy areas selected are the environment, social welfare and anti-discrimination.

## WeBER Monitoring Results

**Principle 5:** Regular monitoring of the government’s performance enables public scrutiny and supports the government in achieving its objectives.

WeBER indicator PDC\_P5\_I1: Public availability of information on Government performance

Indicator elements	Scores
The government regularly publishes written information about its activities	0/4
The information issued by the government on its activities is written in an understandable way	0/2
The information issued by the Government is sufficiently detailed, including both quantitative data and qualitative information and assessments	0/4
The information issued by the Government includes assessments of the achievement of concrete results	0/4
The information issued by the Government about its activities and results is available in open data format(s)	0/2
The information issued by the Government about its activities and results contains gender segregated data	0/2
Share of reports on Government strategies and plans which are available online	0/2
<b>Total</b>	<b>0/20</b>

According to expert analysis under the WeBER project of relevant government websites and published reports about **“public availability of information about government performance”, Macedonia’s performance is unsatisfactory.** “Information” is defined as press releases about Government activities and annual (and where available semi-annual) reports about the performance of the Government and reports about the implementation of key Government strategic documents (if applicable, excluding reports about sector strategic documents and plans).

Press releases are published on a regular basis, but only under the new Government, which took office in June 2017 (only few press releases were published by the previous caretaker Government). The press releases mainly describe activities of Government officials, written in a short and concise manner and are easily understandable. However, there are no annual reports about the performance of the Government in the past two years, as part of an annual reporting cycle, given that Macedonia had a caretaker government from November 2015 until June 2017.<sup>40</sup> Therefore, the measurements of the comprehensiveness and accessibility of reports are low due to the absence of the reports.

However, it is important to mention that after coming into power, the new Government introduced a new document, in which it spells out measures and reforms that are to be undertaken, such the 3-6-9 Plan.<sup>41</sup> The Plan sets out all activities and measures that the Government aims to undertake in certain, but not all, reform areas. At the time of monitoring, the Government published a report about the implementation results in the first 3 months.<sup>42</sup>

Out of five monitored sample strategies and plans published online,<sup>43</sup> only two were accompanied with a published report about the degree of implementation of the respective strategy or plan. Namely, the report about the implementation of the Economic Reform Programme (ERP) is included in the 2017 – 2019 ERP Programme,<sup>44</sup> while the report about the Fiscal Strategy is included in the latest 2018-2020 Strategy.<sup>45</sup>

40 At the time of monitoring, no reports about the Government Annual Work Plan were published. Since then the Prime Minister’s public address was published and it can be accessed here: <https://vlada.mk/1godinapromeni>

41 <https://vlada.mk/plan-3-6-9>

42 <https://bit.ly/2EWa8aX>

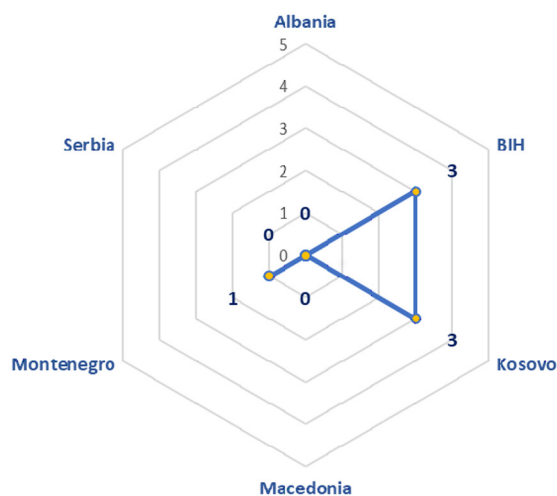
43 ERP; GAWP; NPAA; Prime Minister’s address to the public /AP; FS

44 [http://www.finance.gov.mk/files/ERP\\_2017\\_2019\\_MK.pdf](http://www.finance.gov.mk/files/ERP_2017_2019_MK.pdf)

45 <http://www.finance.gov.mk/files/u3/Fiskalna%20Strategija%20na%20RM%202018-2020.pdf>

## How does Macedonia do in regional terms?

WeBER indicator PDC\_P5\_I1: Public availability of information on Government performance

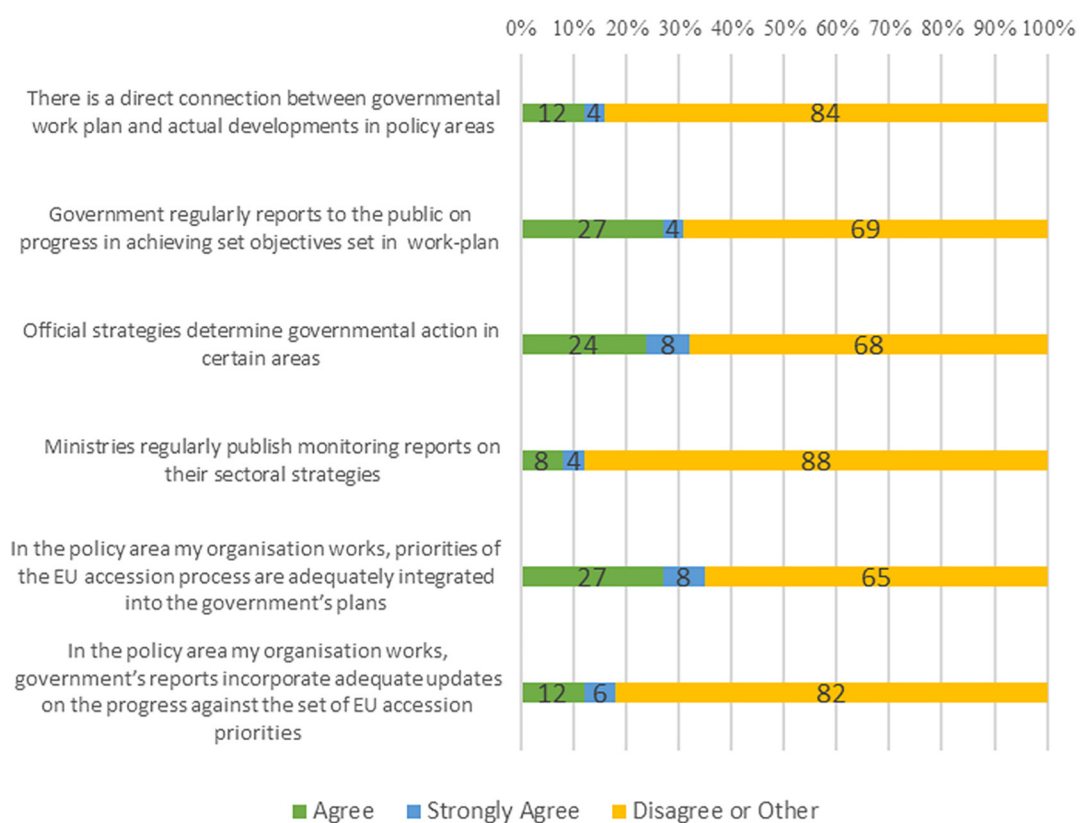


WeBER indicator PDC\_P5\_I2: Civil society perception of the Government's pursuit and achievement of its planned objectives

Indicator elements	Scores
CSOs consider government's formal planning documents as relevant for the actual developments in the individual policy areas	0/2
CSOs consider that the Government regularly reports to the public on progress against the set objectives	2/4
CSOs consider that official strategies determine governments' or ministries' action in specific policy areas	1/2
CSOs consider that the ministries regularly publish monitoring reports on their sectoral strategies	0/4
CSOs consider that the EU accession priorities are adequately integrated into the government's planning documents	1/2
CSOs consider that the Government's reports incorporate adequate updates on the progress against the set EU accession priorities	0/2
<b>Total</b>	<b>4/16</b>

As regards the civil society organizations' views of the Government's pursuance and achievement of its planned objectives, **there is a low level of trust among civil society organizations (CSOs)**. 31% surveyed CSOs consider that the Government regularly reports to the public about progress in achieving set objectives, as well as that official strategies set forth Government actions in specific policy areas. 35% of the CSOs consider that the EU accession priorities are adequately integrated in the Government's planning documents. However, very few (18%) CSOs consider that Government reports contain adequate updates on the progress in achieving set EU accession priorities. Similarly, very few (16%) surveyed CSOs consider Government formal planning documents as relevant for the actual developments in individual policy areas, and even less (12%) CSOs think that the ministries regularly publish monitoring reports on their sector strategies.

FIGURE CSO 1: CIVIL SOCIETY PERCEPTION OF THE GOVERNMENT'S PURSUIT AND ACHIEVEMENT OF ITS PLANNED OBJECTIVES (%)



Note: Results are rounded to the nearest integer. N=51

## How does Macedonia do in regional terms?

Indicator P2\_P5 I1: Public availability of information about the Government performances.



**Principle 6:** Government decisions are prepared in a transparent manner and based on the administration's professional judgement; legal conformity of the decisions is ensured

WeBER indicator for PDC\_P6\_I1: Transparency of the Government's decision-making

Indicator elements	Scores
CSOs consider government decision-making to be generally transparent	0/2
CSOs consider the exceptions to the rules of publishing Government's decisions to be appropriate	0/2
The Government makes publicly available the documents from its sessions	2/4
The Government communicates its decisions in a citizen-friendly manner	4/4
The Government publishes adopted documents in a timely manner	0/4
<b>Total</b>	<b>6/16</b>

According to the 2017 SIGMA Monitoring Report on Macedonia, the rules governing Center of Government (CoG) bodies' management of the Government decision-making process, including for preparing Government sessions and submitting proposals, are clearly defined. The Rules of Procedure of the Government<sup>46</sup> serve as the regulatory framework<sup>47</sup> for the General Secretariat<sup>48</sup> and other CoG bodies for preparing and convening Government sessions and for communicating the results of the sessions.

The desk research during the three-month measuring period (October, November, and December 2017) shows that the Government published all the agendas and sessions' minutes in a timely manner.

However, in the same period, documents adopted at these sessions were not made available on the Government's website, for any of the government sessions at the time of measurement. All of the documents are available in the Official Gazette, but only subscribers have unlimited access. Consequently, the access to all decisions adopted at the sessions is not available free of charge for all citizens. In terms of accessibility of published information, the wording of press releases is mostly citizen-friendly (as much as possible, depending on the matter at hand). Press releases can be found 3 clicks away from the homepage.

46 Rules of Procedures of the Government of the Republic of Macedonia, Official Gazette No. 38/01, and its Amendments

47 It defines the management of the legislative process, sets the timing of the different stages of document development, and lists all institutions that should review the materials proposed to the Government

48 The GS oversees and manages the policy-development process to ensure compliance with established standards; it has the authority to return to in-line ministries items that fail to meet the formal requirements or on the basis of the opinions of other CoG bodies (the SL, the SEA, the MoF and the MISA).

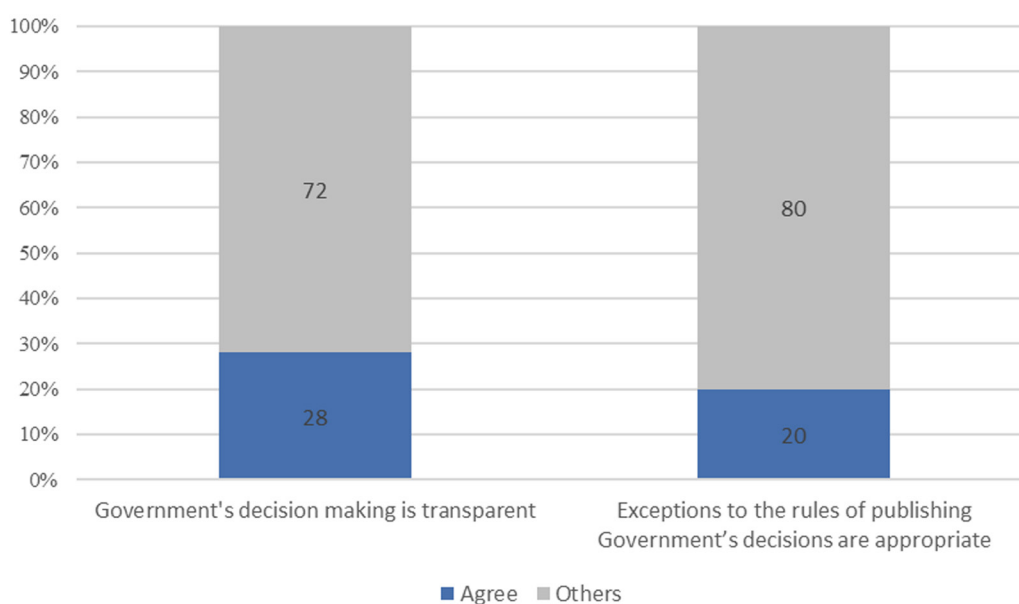
TABLE: AVAILABILITY OF MATERIALS FROM GOVERNMENT SESSIONS, IN THE PERIOD FROM 1 OCTOBER TO 31 DECEMBER 2017

Session	Date	Agenda	Minutes	Documents	Press Releases
30	3 October 2017	O	O	X	O
31	October 10, 2017	O	O	X	O
32	October 19, 2017	O	O	X	O
33	October 27, 2017	O	O	X	O
34	October 31, 2017	O	O	X	O
35	November 04, 2017	O	O	X	O
36	November 07, 2017	O	O	X	O
37	November 09, 2017	O	O	X	O
38	November 15, 2017	O	O	X	O
39	November 17, 2017	O	O	X	O
40	November 28, 2017	O	O	X	O
41	December 05, 2017	O	O	X	O
42	December 12, 2017	O	O	X	O
43	December 19, 2017	O	O	X	O
44	December 22, 2017	O	O	X	O
45	December 26, 2017	O	O	X	O
46	December 28, 2017	O	O	X	O

Source: <https://vlada.mk/vladini-sednici>

Despite progress made in achieving transparency, the perception of transparency among CSOs remains relatively low. 27.78% of respondent CSOs agree (combining “mostly agree” and “fully agree”) with the statement that the Government’s decision-making is generally transparent. 20.37% of respondent CSOs agree with the statement that the exceptions to the rules of publishing Government’s decisions are appropriate.

FIGURE CSO 2: CIVIL SOCIETY PERCEPTION OF TRANSPARENCY OF GOVERNMENT DECISIONS AND APPROPRIATENESS OF EXCEPTIONS TO RULES OF PUBLISHING INFORMATION (%)



Notes: Results are rounded to the nearest integer. N=54.

## How does Macedonia do in regional terms?

WEBER Indicator PDC P2\_P6 I1: Transparency of Government decision-making



**Principle 10:** The policy-making and legal-drafting process is evidence-based, and impact assessment is consistently used across ministries.

WEBER indicator PDC\_P10\_I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development

Indicator elements	Scores
Frequency of referencing of evidence-based findings produced by CSOs in the adopted government policy documents	0/4
Frequency of referencing of evidence-based findings produced by CSOs in policy papers and ex ante impact assessments	0/4
Share of evidence-based findings produced by wide range of CSOs, such as think tanks, independent institutes, locally-based organisations, referenced in ex post policy analyses and assessments of government institutions	0/2
Relevant ministries or other government institutions invite or commission wide range of CSOs, such as think tanks, independent institutes, locally-based organisations, to prepare policy studies, papers or impact assessments for specific policy problems or proposals	1/2
Representatives of relevant ministries participate in policy dialogue (discussions, round tables, closed door meetings, etc.) pertaining to specific policy research products	1/2
Representatives of wide range of CSOs, such as think tanks, independent institutes, locally-based organisations are invited to participate in working groups/ task forces for drafting policy or legislative proposals when they have specific proposals and recommendations based on evidence	2/4
Relevant ministries in general provide feedback on the evidence-based proposals and recommendations of the wide range of CSOs, such as think tanks, independent institutes, locally-based organisations which have been accepted or rejected, justifying either action	0/2
Ministries accept CSOs' policy proposals in the work of working groups for developing policies and legislation	0/4
<b>Total</b>	<b>4/24</b>



**Use of evidence presented by think tanks, independent institutes and other CSOs in policy development is low according to the WeBER expert analysis** of relevant government documents and the online perception survey of a representative sample of CSOs working at the policy level. Out of the 14 sampled documents<sup>49</sup> that are currently being implemented within three policy areas - environment, social welfare and anti-discrimination policy - none of them include evidence-based findings produced by CSOs. No ex-post analysis was received under Freedom of Information (FOI) requests, meaning that either the respective government institution was unresponsive, or that there was no reference to evidence-based findings produced by CSOs in ex post policy analyses in the three identified areas.<sup>50</sup> FOI requests were also sent to assess the availability of ex ante regulatory impact assessments (RIAs). The Ministry of Labour and Social Policy (MLSP) did not send any answer to the requests, while the Ministry for Environment sent one RIA, where no references were found. The ENER shows that several RIAs from the MLSP are available, although not easily traceable, as one has to search through the law database in order to find them, as they are not listed under the appropriate tab for RIAs.<sup>51</sup> As shown by the web research, none of these RIAs includes any references, while the information in most of them is not sufficient.<sup>52</sup>

According to surveys sent to CSOs, there is **some level of consultation between the Government and CSOs on policy related issues, but improvements are much needed.** 42% of respondent CSOs consider that “often” (28%) or “always” (14%) (compared to 24% of “rarely” (20%) or “never” (4%)) representatives of relevant ministries participate in policy dialogue (discussions, round tables, closed door meetings, etc.) pertaining to specific policy research products. **However, CSOs have roughly similar opinions for and against about the level of engagement by government organizations with them.** 40% of respondent CSOs either “agree” (36%) or “strongly agree” (4%) that government institutions invited their organization to prepare or submit policy papers, studies or impact assessment, while the percent of those who disagree with this statement is quite close (36%, out of which 10% Strongly disagree, 26% Disagree). Similarly, 32% of respondent CSOs report that “often” (28%) or “always” (4%) CSOs are invited to working groups/task forces for drafting policy or legislative proposals when having specific evidence-based proposals and recommendations; yet the opposite perception is 28% (rarely 22%, Never 6%). It is quite concerning **that CSOs’ opinions about the Government actually considering their policy proposals or providing feedback to their inputs are low.** 10% of respondent CSOs have been given feedback explaining the acceptance or rejection of their proposals, whereas 54% of the CSOs consider that this practice happens rarely or never. 18% of respondent CSOs think that the relevant ministries generally consider their policy proposals, whereas 42% consider this practice occurs rarely or never.

49 Antidiscrimination policy: 1. 2012 -2017 Strategy for Equal Gender Budgeting  
 2. 2016-2020 National Strategy for Equality and Antidiscrimination on the basis of ethnic affiliation; age; mental and physical disabilities  
 3. 2013-2020 Strategy for Gender Equality  
 4. 2016-2020 Strategy for Roma in the Republic of Macedonia  
 Environment policy: 5. Strategy for Sustainable Development  
 6. Strategy for Approximation in the Area of the Environment  
 7. Strategic Plan of the Ministry of Environment and Physical Planning  
 8. 2014-2020 Strategy for the Environment and Climate Changes  
 9. National Strategy for Waters  
 10. National Strategy for Waste Management in the Republic of Macedonia  
 Social welfare: 11. 2018 Programme for Social Protection  
 12. 208 Programme for Personal Assistance for People with Disabilities  
 13. 2011 – 2021 Programme for Development of Social Protection  
 14. 2018-2020 Strategic Plan of the MLSP

50 For purposes of analyzing the frequency of referencing to evidence-based findings produced by CSOs in policy papers and ex ante impact assessments, FOI requests were sent to the Ministry of Labour and Social Policy and the Ministry for Environment and Physical Planning.

51 <https://ener.gov.mk/default.aspx?item=pvrclient>

52 [https://ener.gov.mk/default.aspx?item=pub\\_regulation](https://ener.gov.mk/default.aspx?item=pub_regulation)

TABLE: USE OF EVIDENCE CREATED BY THINK TANKS, INDEPENDENT INSTITUTES AND OTHER CSOS IN POLICY DEVELOPMENT

	Strongly Disagree	Disagree	Agree	Strongly Agree
Government institutions invite my organization to prepare or submit policy papers, studies or impact assessments, when addressing policy problems or developing policy proposals	10%	26%	36%	4%

	Never	Rarely	Often	Always
Representatives of relevant ministries participate in policy dialogue about policy research products	4%	20%	28%	14%
Representatives of wide range of CSOs (think tanks, independent institutes, locally-based organizations) are invited to participate in working groups/ task forces for drafting policy or legislative proposals when they have specific evidence-based proposals and recommendations	6%	22%	28%	4%
Relevant ministries in general provide feedback on the evidence-based proposals and recommendations (of the wide range of CSOs) that have been accepted or rejected, justifying either action	26%	28%	8%	2%
Ministries accept CSOs' policy proposals in the work of working groups for developing policies and legislation	8%	34%	14%	4%

Note: Figures are rounded to the nearest integer. N=74, N=50 answered

### How does Macedonia do in regional terms?

Indicator P10 I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy



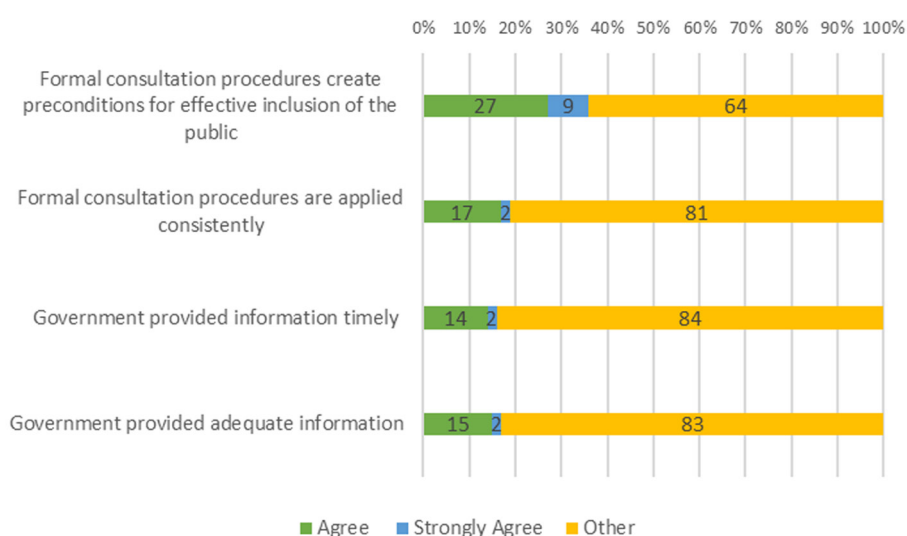
**Principle 11:** Policies and legislation are designed in an inclusive manner that enables the active participation of society

WeBER indicator PDC\_P11\_I1: Civil society perception of inclusiveness and openness of policymaking

Indicator elements	Scores
CSOs consider formal consultation procedures create preconditions for effective inclusion of the public in the policy-making process	2/4
CSOs consider formal consultation procedures are applied consistently	0/4
CSOs consider that they are consulted at the early phases of the policy process	0/4
CSOs consider consultees are timely provided with information on the content of legislative or policy proposals	0/2
CSOs consider consultees are provided with adequate information on the content of legislative or policy proposals	0/2
CSOs consider public consultation procedures and mechanisms are consistently followed in the consultation processes	0/2
CSOs consider sponsoring ministries take actions to ensure that diversity of interests are represented in the consultation processes (women’s groups, minority rights groups, trade unions, employers’ associations, etc.).	0/2
CSOs consider ministries (sponsors of policy and legislative proposals) provide written feedback on consultees’ inputs/comments	0/4
CSOs consider ministries (sponsors of policy and legislative proposals) accept consultees’ inputs/comments	0/4
CSOs consider ministries (sponsors of policy and legislative proposals) hold constructive discussions on how the consultees’ views have shaped and influenced policy and final decision of Government	0/2
<b>Total</b>	<b>2/30</b>

According to the survey analysis of a wide range of CSOs on relevant issues under WeBER, 36% respondents support the view (agree or strongly agree) that formal consultation procedures create preconditions for effective inclusion of the public in the policy-making process. This percentage drops sharply to 19% when CSOs are asked whether formal consultation procedures are applied consistently, and to even less (10%) when CSOs are asked whether they are consulted at the early stages of the policy-making process.

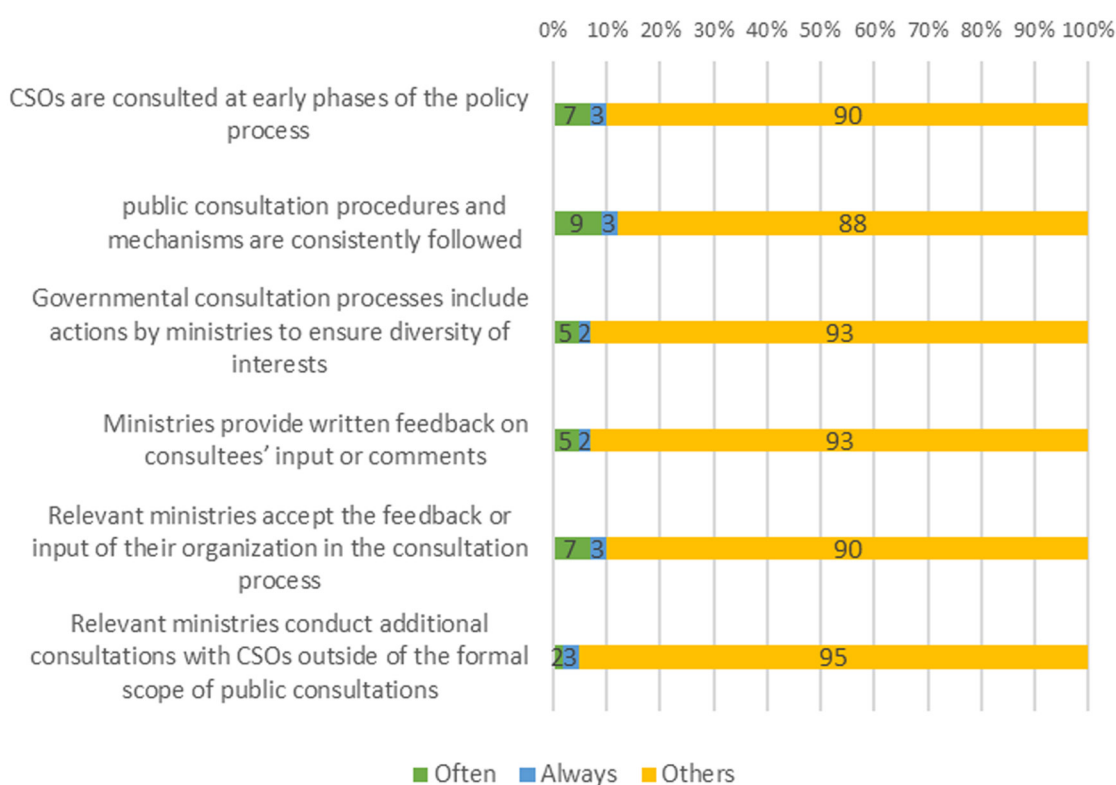
FIGURE CSO 3: EXTENT TO WHICH CSOS CONFIRM THAT CONSULTATION PROCESSES ENABLE A MEANINGFUL AND TIMELY INVOLVEMENT/CONTRIBUTION OF THE PUBLIC TO THE POLICY MAKING PROCESS (%)



Note: Percentages are rounded to the nearest integer. N=58.

Furthermore, only 12% of consulted CSOs consider legally prescribed public consultation procedures and mechanisms are consistently followed in the consultation process. As regards the questions about timely submission of information and about the relevance of the information provided about the content of legislative or policy proposals, 16% respondent CSOs considered that the Government provided information timely and 17% of the CSOs find the information provided adequate. On the issue of diversity, only 7% of the CSOs consider that Government consultation processes include actions by ministries (sponsors of policy and legislative proposals) to ensure diversity of interests (of women, minorities, trade unions, employers, etc.)

FIGURE CSO 4: EXTENT TO WHICH CSOS CONFIRM THAT CONSULTATION PROCESSES ENABLE A MEANINGFUL AND TIMELY INVOLVEMENT/CONTRIBUTION OF THE PUBLIC TO THE POLICY MAKING PROCESS (CONTINUE) (%)



Note: Percentages are rounded to the nearest integer. N=58.

Additionally, interviews with the representatives of non-governmental organizations (NGOs) conducted by SIGMA confirmed that **feedback on comments is not provided after public consultations and that contrary to the regulations, consultation reports are not published. This is consistent with WeBER's survey findings.** 7% of CSOs consider that ministries provide written feedback on CSOs' input or comments, and 10% consider that relevant ministries accept the feedback or input of their organization in the consultation process. Only 5% of the CSOs consider that relevant ministries conduct additional consultations with CSOs outside of the formal scope of public consultations.

## How does Macedonia do in regional terms?

Indicator P2\_P11 I1: Civil society perception of inclusiveness and openness of policymaking



**Policy 12:** Legislation is consistent in structure, style and language; legal drafting requirements are applied consistently across ministries; legislation is made publicly available

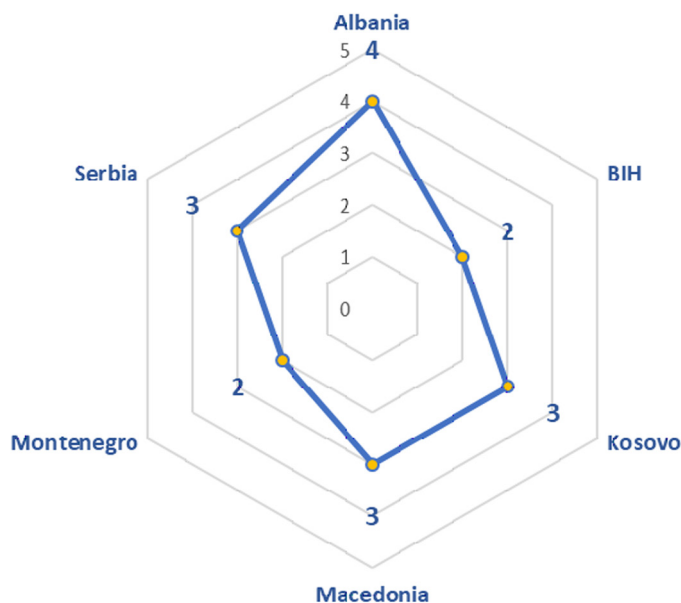
WeBER indicator PDC\_P12\_I1: Perception of availability and accessibility of legislation and related explanatory materials by the civil society

Indicator elements	Scores
Existence of an online governmental database of legal texts	4/4
CSOs are informed on the existence of online database of legal texts	4/4
CSOs confirm they have used online database of legal texts	2/2
CSOs consider the explanatory materials relevant to the legislation as easily accessible online	0/4
CSOs consider the explanatory materials to be written so as to be easily understandable	0/2
<b>Total</b>	<b>10/16</b>

Electronic Registry of Legislation (ENER). The database contains consolidated versions of the legal texts. The legal texts can be searched and older versions and amendments can be found as well. The legislation can be used and downloaded in a PDF format free of charge and they can be found less than three clicks away from the homepage of the website. In this context, it is important to note that the webpage is not promoted sufficiently on the other government websites and consequently many people are not aware of its existence. Moreover, the legal database is not continuously updated and some of the most recent changes cannot be found on the ENER, although they have been uploaded on the respective ministries' websites. According to surveys of CSOs made by WeBER, a considerable majority (65%) of respondents are informed about the online database of legal texts (enacted legislation including laws and secondary legislation), which they can access free of charge, and 71% have accessed the website in the past year. However, there is ample room for improvements in terms of accessibility of these materials. 26% of surveyed CSOs ("agree" (24%) or "strongly agree" (2%)) that explanatory materials relevant to existing legislation are easy to access, and only 24% ("agree" (22.64%) or "strongly agree" (1.89%)) think that legislative texts are worded in a comprehensible manner.

## How does Macedonia do in regional terms?

WeBER indicator PDC\_P12\_I1: Perception of availability and accessibility of legislation and related explanatory materials by the civil society



## Summary results: Policy Development and Coordination

The Government has been regularly publishing press releases since it took office on 1 June 2017.

Reports about the Government's performance are nowhere to be found on the Government website. Thus, even though according to the legislation such reporting is obligatory, it was not implemented in the course of 2015 and 2016 and the regulation does not stipulate that these reports must be made public. The body in charge of monitoring the Government activities is the Government Secretariat, but such documents do not exist on its website, and do not occur in the timetable of its activities. Hence, it is impossible to assess the content of the reports about the Government performances (quality of data and information, data segregation, etc.), considering that documents are unavailable. As regards availability of reports for 2016 related to key whole-of-government plans and strategies, they are available for the Economic Reform Programme (included in the 2017-2019 ERP) and for the Fiscal Strategy (included in the document itself).

In relation to the Government's work-plan, survey results show that 15.68% of surveyed CSOs think that there is a direct connection between the work plan of the Government and actual developments in specific policy areas. In the same vein, 31.37% of surveyed CSOs believe that official strategies determine the Government's or ministries actions in certain areas. As regards the issue of the Government's reporting about its work, 31.37% of surveyed CSOs deem that the Government regularly reports to the public about the progress in achieving the objectives set in its work plan. In the context of the EU accession priorities, 35.29% of surveyed CSOs think that EU priorities are adequately integrated in the Government's plans.

The perception of the civil society in Macedonia of the transparency of the Government's decision-making is low as only 27.78% of respondent CSOs think that the Government's decision-making is transparent.

However, on a more positive note, the Government does make some documents from its sessions publicly available, although not all of them. Agenda items, the minutes and press releases relating to the Government sessions in the entire monitoring period were made publicly available and worded in a citizen-friendly manner. Yet documents adopted at these sessions were not made available.

Based on the document analysis, evidence-based findings produced by CSOs are not referenced in the sample of adopted Government policy documents. No policy papers and impact assessment documents are available online, apart from some RIAs.

In relation to development of proposals or addressing policy problems, 40% of respondent CSOs said that Government institutions invite their organization to prepare or submit policy papers, studies or impact assessments, while 36% said the opposite.

Furthermore, as regards the feedback provided by relevant ministries explaining the reasons on either the acceptance or rejection of evidence-based proposals and recommendations coming from organizations participating in the working groups, the replies are alarming. Namely, only 10% of respondent CSOs answered that there was feedback, while 54% answered that there was feedback "rarely" or "never". With respect to the issue of the extent to which in-line ministries generally consider the policy proposals made by an organization, 42% CSOs stated that this happened "rarely" (34%) or "never" (8%).

36.2% of the CSOs, which completed the survey, agree that formal consultation procedures provide conditions for an effective involvement of the public in the policy-making processes while only 10.35% believe this applies to the early consultations as well.

15.51% of the CSOs stated that Government institutions provide timely information about the content of legislative or policy proposals, while 17.24% of the CSOs state that they provide adequate information.

Moreover, only 6.89% of CSOs stated that relevant ministries often or always provided written feedback to CSOs as to whether their inputs were accepted or rejected, while 10.35% stated that relevant ministries accepted the feedback coming from their organization. Only 5.17% of surveyed CSOs stated that relevant ministries often have additional consultations with CSOs outside of the formal scope of public consultations.

12.07% of surveyed CSOs stated that legally prescribed public consultation procedures and mechanisms were consistently followed in the consultation process. An online Government database of legal texts is available on a webpage called National Electronic Registry of Legislation (ENER). The database contains consolidated versions of the legal texts, however some of them are not updated. The survey showed that 64.81% of CSOs were informed about the existence of this website. Moreover, the vast majority or 71.43% respondents accessed the website in the past year. Regarding explanatory materials relevant to applicable legislation, only 26.42% of surveyed CSOs, agree that they were easy to access.



## Recommendations for Policy Development and Coordination

### Public availability of information about Government performances

1. The Government should start regularly publishing reports about the degree of fulfilment of the Government Annual Work Plan. This report should be comprehensive and it should cover all the activities and measures under the Annual Work Plan. The Government and its Secretariat should not consider the Prime Minister's addresses to the public as a substitution of reports about the degree of fulfilment of the Government Annual Work Plan, since it is a matter of two different documents. In fact, the report is an overarching document accounting for the performances of the entire Government.

### Civil society perception of the Government's pursuance and achievement of its planned objectives

2. The institutions should prepare and appropriately publish reports about all their respective strategies and plans. This is especially important in terms of the implementation of the National Programme for Adoption of the Acquis Communautaire (NPAA) in light of the ongoing screening process and prior to the opening of accession negotiations.

3. Government reports should contain relevant updates about the progress in attaining set EU accession priorities and they should be adequately integrated in all upcoming strategies. These strategies and documents should have an appropriate set of indicators, timelines and objectives, which is not the case at the moment.

### Transparency of the Government's decision-making

4. All decisions adopted at Government sessions should be made publicly available on the Government website.

5. The access to the Official Gazette should be free of charge for all citizens so that they can be adequately informed about their rights, obligations and about decisions adopted by the Government.

### Use of evidence presented by think tanks, independent institutes and other CSOs in policy development

6. The institutions should make efforts to adequately and systematically make reference to evidence-based findings produced by CSOs in all their adopted policy documents, policy papers, ex ante impact assessments, ex post policy analyses and other assessments the institutions produce.

7. The RIA's that are available online are scarce, hard to find and without any adequate references to the findings and proposals. The RIA's should be published under the adequate tab on the ENER, as well as on all of websites of the in-line ministries. When developing the RIA's, the Government should take into account CSO's findings and adequately make reference to them in the documents.

8. The institutions should proactively and systematically provide feedback about evidence-based proposals and recommendations presented by CSOs in the policy-making process.

### **Civil society perception of the inclusiveness and openness of policy-making**

9. The institutions should consult CSOs in the early stages of the policy-making processes with a view to developing the priorities and objectives in partnership with CSOs, instead of delivering ready-made documents, which CSOs are invited to comment.

10. Institutions should provide adequate and timely information to the CSOs; the same applies to information about the content of legislative or policy proposals; pertinent information in this context should be provided to CSOs preferably at least 20 days ahead of any deadlines.

11. Institutions should develop a systematic database of contacts to ensure that diversity of interests is represented in the consultation processes (women's groups, minority rights groups, trade unions, employers' associations, etc.) and should appropriately invite them to take part in the consultations by adequately understanding their area of interest.

### **Perception of the civil society of the availability and accessibility of legislation and related explanatory materials**

12. Explanatory materials relevant to the legislation should be made visibly available on both the ENER and the website of the in-line institution. These materials should be worded in a citizen friendly and comprehensible manner so that everyone can understand the purpose and goal of the legislation.

### 3. Public Service and Human Resource Management

WeBER indicators used in Public Service and Human Resource Management and country values for Macedonia

Public availability of official data and reports about the civil service and employees in the central state administration					
0	1	2	3	4	5
Performance of tasks characteristic for civil servants outside of the civil service merit-based regime					
0	1	2	3	4	5
Openness, transparency and fairness of recruitment into the civil service					
0	1	2	3	4	5
Direct or indirect political influence on senior managerial positions in the public service is prevented					
0	1	2	3	4	5
Transparency, clarity and public availability of information on the civil service remuneration system					
0	1	2	3	4	5
Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service					
0	1	2	3	4	5

#### What does WeBER monitor and how?

WeBER monitoring within the area of Public Service and Human Resource Management (PSHRM) covers five SIGMA Principles and relates exclusively to central administration (centre of Government institutions, ministries, subordinated bodies, special organisations). In other words, monitoring encompasses central government civil service, as defined by the relevant legislation (e.g. Civil Service Law) as well as other categories of employees in central state administration. Principles focus on the quality and practical implementation of the civil service legal and policy frameworks, on measures related to merit-based recruitment, use of temporary engagements, remuneration system, integrity and anti-corruption in the civil service. WeBER approach was based on elements which SIGMA does not strongly focus on in its monitoring, but which are significant to the civil society from the perspective of transparency of the civil service system and government openness, or public availability of data on the implementation of civil service policy.

The following SIGMA principles were selected for monitoring, in line with the WeBER selection criteria:

**Principle 2:** The policy and legal frameworks for a professional and coherent public service are established and applied in practice; the institutional set-up enables consistent and effective human resource management practices across the public service

**Principle 3:** The recruitment of public servants is based on merit and equal treatment in all its phases; the criteria for demotion and termination of public servants are explicit

**Principle 4:** Direct or indirect political influence on senior managerial positions in the public service is prevented

**Principle 5:** The remuneration system of public servants is based on the job classification; it is fair and transparent

**Principle 7:** Measures for promoting integrity, preventing corruption and ensuring discipline in the public service are in place

Monitoring combined findings of SIGMA's assessment within specific sub-indicators with WeBER's expert review of legislation, documents and websites, including collection and analysis of government administrative data, reports and other documents searched for online or requested through freedom of information (Fol) requests. To create a more balanced qualitative and quantitative approach, research included measuring of perceptions of civil servants, CSOs and wider public by employing perception surveys. Finally, data collection included semi-structured face to face interviews and focus groups with relevant stakeholders such as senior civil servants, former senior civil servants and former candidates for jobs in civil service, as well as representatives of governmental institutions in charge of the human resource management policy.

Surveys of civil servants and CSOs in the six Western Balkan countries were implemented using an online survey tool.<sup>53</sup> Civil servants were surveyed from late March to beginning of June 2018,<sup>54</sup> while the survey for CSOs was open between the second half of April and beginning of June 2018.<sup>55</sup> The civil servants' survey was in most countries disseminated through a single contact point originating from national institutions responsible for overall civil service system.<sup>56</sup> The CSO survey was distributed through existing networks and platforms of civil society organisations with large contact databases in each country, but also through centralised points of contact such as governmental offices in charge for cooperation with civil society.<sup>57</sup> To ensure that the CSO survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and hence contributed to its representativeness as much as possible, additional boosting was done where needed. Finally, public perception survey included telephone interviewing of the general public (aged 18 and older) of six Western Balkan countries, during the period of 15 October - 30 November 2017.<sup>58</sup> In all three surveys, uniform questionnaires were used in all countries and disseminated in local languages, ensuring even approach in survey implementation.

In the first indicator, WeBER monitored whether the Government publishes official data (number, structure) about employees in the central state administration and whether it publishes reports on civil service policy implementation, how frequently and what quality of information they contain. WeBER also analysed whether information on the civil service remuneration is transparent, clear and publicly available. Another indicator placed focus on transparency and fairness of recruitment into the civil service, as a particularly critical aspect of HRM in the public administration, due to its public facing character. Monitoring further included the extent to which widely applied temporary engagement procedures undermine the merit-based regime, as well as whether formal and informal practices ensure that senior civil servants are being effectively protected from unwanted political interference. Finally, WeBER examined the promotion of integrity and prevention of corruption in the civil service.

53 Surveys were carried out with anonymous online questionnaires. The data collection method included CASI (computer-assisted self-interviewing).

54 In Macedonia, civil servants' survey was conducted from 3 April to 25 April 2018.

55 In Macedonia, the CSO survey was conducted in the period from April 23rd to June 7th, 2018.

56 For Macedonia, the survey sample was N=293.

57 For Macedonia, the survey sample was N=74. The base for questions within PS&HRM area was n= 49 respondents.

58 The survey was conducted through computer-assisted personal interviewing (CAPI), using a three-stage random stratified sampling, targeting the public at large. It was carried out as part of the regional omnibus surveys made in Albania, Bosnia and Herzegovina, Montenegro and Serbia (ad hoc surveys were made for Kosovo and Macedonia).

## WEBER monitoring results

**Principle 2:** The policy and legal frameworks for a professional and coherent public service are established and applied in practice; the institutional set-up enables consistent and effective human resource management practices across the public service

WeBER indicator PSHRM\_P2\_I1: Public availability of official data and reports about the civil service and employees in central state administration

Indicator elements	Scores
The Government keeps reliable data pertaining to the public service.	2/4
The Government regularly publishes basic official data pertaining to the public service.	4/4
Published official data includes data on employees other than full-time civil servants in the central state administration.	2/4
Published official data on public service is segregated based on gender and ethnic structure	1/2
Published official data is available in open data format(s).	0/1
The government comprehensively reports on the public service policy.	0/4
The government regularly reports on the public service policy.	0/2
Reports on the public service include substantiated information concerning the quality and/or outcomes of the public service work.	0/2
Data and information about the public service are actively promoted to the public.	2/2
<b>Total</b>	<b>11/21</b>

In terms of data segregation and comprehensiveness, the Government regularly publishes an annual report containing basic official data taken from the Register of employees in the public sector. The number of public (civil) servants per institution is given, as well as information about the number of public servants according per basic ranks/function at the public service.

The legislative framework for the public service in Macedonia is made up of two laws – the Law on Administrative Servants (LAS) and the Law on Public Service Employees (LPSE). The LPSE covers four groups of public employees: administrative servants; officials with special authorities; public service providers and auxiliary and technical staff. The LAS regulates the work of the first group of employees, i.e. administrative servants. This group is further divided into two sub groups: civil servants and public servants (Article 4). The LAS makes a further distinction between the categories of administrative servants in Article 22, dividing them in four categories: secretaries; managerial administrative servants; expert administrative servants; auxiliary technical administrative servants. The amendments to the laws that entered into force in 2015 impact the manner in which institutions are reporting as well. Thus, the aforementioned 2016 Report, first explains the scope of the Register of employees in the public sector divided per groups as defined under the LPSE (Article 14). Furthermore, the Report presents the number, structure, and status of the employees. The Report makes a distinction between civil servants and public servants, but shows all the information in one Report, as different from 2014, when two reports were published - one on public servants and one on civil servants. In this regard, it should be noted that for the purpose of this indicator, it is assessed only how and whether data about civil servants is presented. With that said, the information in the Report is laid out in following with the distinction made between ‘civil servants’, ‘other type of servants’ and ‘general state employees’. The report does not make a clear distinction between career civil servants, fixed-term employment or temporary civil servants. The reports for each year differ from one another, each annual report is updated compared to the previous one. This means that in 2014, there were two separate reports, one on civil servants and the other on general state employees, and the data is not comprehensive, while in 2015, the information was summed up in one document,

but there was no narrative report, only statistics. In addition, there is not difference made between fulltime-employed civil servants and those employed under fixed-term employment contracts. The 2016 Report was comprehensive, and although it stated how many staff was engaged under fixed-term employment contracts for that year, there is no data on their de facto overall number.

Despite the fact that the published official data on public service is disaggregated based on gender and ethnic affiliation, and although the 2016 Report presents detailed information on the ethnic and gender structure of employees and crosscutting data where possible (with a clear structure for each institution), the data is not fully disaggregated, since as it is not divided per rank and position. However, there was an improvement in terms of comprehensiveness of data in a three-year period-between 2014 and 2016: while the previous reports of 2014 and 2015 contain partially segregated data in terms of gender and ethnic structure and briefly per sector, the 2016 Report presented more detailed information on employees per institution, rather than summed up data per sectors. Moreover, published official data is not available in an open data format (not even on an open data portal), since all reports are in a PDF format, i.e. they are not machine-readable.

The LPSE stipulates that all information of relevance is contained in the Register of employees in the public sector and should be included in the annual report, as entered in the Register. Regarding the content, the annual report should contain the following data: number, type, name, branch of authority, activity and founder – for the public sector institutions and the number, groups, sub-groups, categories, levels, positions, jobs, gender, age, level of education, and ethnic affiliation – for the public sector employees. However, the Law also stipulates that the report may also contain additional data and information that are to be found in the Register, depending on the goals defined by this Law and the regulation on personal data protection.

In this context (Article 19), the Register should contain all personal data of employees; data on the current employment and previous employments; data on the education, professional qualifications, and job competences; data on the annual performance evaluations; data on instituted disciplinary proceedings, substantive liability, and instituted misdemeanour or criminal procedures; data on mobility; data on the amount of the salary and salary allowances.

The Register, inter alia, should also contain information on the disciplinary proceedings and pertinent decisions; wages and assessments of employees. However, none of this information is contained in the Reports. Separate, issue-specific reports, are also irregular or incomplete (e.g. reports on trainings were last produced in 2011, while some information regarding planning and recruitment is contained in the 2016 Annual Report of the Agency for Administration). These reports do not contain assessments of the quality and outcomes of the civil service.

The Ministry has been publishing annual programmes for training of the public service since 2011. The programmes that have been published since, define the target group and the content of the trainings, but do not offer information on the trainings that have been already organized. As an exception, the 2015 Programme for 2015, contains information about trainings organized for civil servants in 2014. On the website of the MISA, there is a separate section which is named “trainings”, under which information about organized trainings and number of participants per training can be found. There is also a separate website for e-trainings that is to provide information about organized trainings, and has a link that should lead to a report, but the link is not functioning.<sup>59</sup>

A positive example for the recruitment procedure is the 2016 Annual Report of the Agency for Administration, which offered information regarding the selection of candidates; the procedure; the profile of the candidates; the public announcements; the selection procedure; how many candidates were selected and the process of complaints.

59 <http://e-obuki.mioa.gov.mk/sites/default/files/u57/PravGPGOilzveshtaj.pdf>

## How does Macedonia do in regional terms?

WeBER indicator PSHRM\_P2\_I1: Public availability of official data and reports about the civil service and employees in central state administration



WeBER Indicator PSHRM\_P2\_I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime

Indicator elements	Score
The number of temporary engagements for performance of tasks characteristic of civil service in the central state administration is limited by law.	0/4
There are specific criteria determined for the selection of individuals for temporary engagements in the state administration.	0/4
The hiring procedure for individuals engaged on temporary contracts is open and transparent.	4/4
Duration of temporary engagement contracts is limited.	2/4
Civil servants perceive that temporary engagements in the administration are an exception.	0/2
Civil servants perceive that performance of tasks characteristic of civil service by individuals hired on a temporary basis is an exception.	0/2
Civil servants perceive that appointments on a temporary basis in the administration are merit-based.	0/2
Civil servants perceive that the formal rules for appointments on a temporary basis are applied in practice.	0/2
Civil servants perceive that individuals hired on a temporary basis go on to become civil servants after their contracts end.	0/2
Civil servants perceive that contracts for temporary engagements are extended to more than one year.	0/2
<b>Total</b>	<b>6/28</b>

The LPSE limits the recruitment for some categories of employment and positions. Thus, according to paragraph 10 of Article 22, the recruitment for positions opened due to unpredictable short-term activities<sup>60</sup> may make only up to 5 % of the total number of employees of the institution. The number of special positions for counsellors (who are politically appointed, but are performing expert tasks) is also limited. However, the overall recruitment of people to be employed under a fixed-term contract is not limited by Law.

60 Stated in line 2 and 4 from Article 22



The LPSE does not determine specific criteria for the selection of individuals to be employed in the state administration under fixed-term contracts. The Law states that the recruiting institution has to publish an advertisement for any employment, while the elements of the public advertisement are prescribed by the Minister of Information Society and Administration (Article 20); it should be ensured that all elements in the public advertisements are the same for any type of employment, whether full-time or temporary.

From the sample of public advertisements analysed, it can be concluded that when an advertisement is published (by the hiring body/institution) all the specific criteria are stated. Nevertheless, to avoid any misuse when formulating the public advertisements, the Law should stipulate specific criteria for temporary fixed-term employment.

The limitation of the duration of temporary employment contracts that are foreseen under the LPSE vary depending on the position that is filled in. It is assumed that when someone is contracted to do expert work, they will be contracted due to temporarily increased workload and unpredictable short-term activities that occur during the performance of the main activity of the employer, as stated in paragraph (3), Article 22 for a maximum period of one year.

The Law on Agencies for Temporary Employment also states that “agencies may conclude contracts with employers to hire employees for a maximum period of two years” (Article 24). Thus, the limitations provided under these two laws are not harmonized.

Considering that these fixed-term employment contracts are mainly concluded through the Agencies, the Law Agencies for Temporary Employment should be accordingly aligned with the provisions of the LPSE. Moreover, paragraph 15 of Article 22 of the LPSE is rather problematic as it still provides for the option of transforming temporary employments in long-term employment.

### How does Macedonia do in regional terms?

WeBER Indicator PSHRM\_P2\_I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime



**Principle 3:** The recruitment of public servants is based on merit and equal treatment in all its phases; the criteria for demotion and termination of public servants are explicit;

WeBER Indicator PSHRM\_P3\_I1: Openness, transparency and fairness of recruitment into the civil service

Indicator elements	Score
Information about public competitions is made broadly publicly available.	4/4
Public competition announcements are written in a simple, clear and understandable language.	2/4
During the public competition procedure, interested candidates can request and obtain clarifications, which are made publicly available.	0/4
There are no unreasonable barriers for external candidates which make public competitions more easily accessible to internal candidates.	0/2
The application procedure imposes minimum administrative and paperwork burden on candidates.	0/4
Candidates are allowed and invited to supplement missing documentation within a reasonable time-frame.	0/4
Decisions and reasoning of the selection panels are made publicly available, with due respect to the protection of personal information	2/4
Information about annulled announcements is made publicly available, with reasoning provided.	0/4
Civil servants perceive the recruitments into the civil service as based on merit.	0/2
Civil servants perceive the recruitment procedure to ensure equal opportunity.	0/2
The public perceives the recruitments done through the public competition process as based on merit.	0/2
<b>Total</b>	<b>8/36</b>

Public announcements, pursuant to Article 35 of the Law on Administrative Servants, are published on the website of the Agency for Administration, as well as in at least three daily newspapers, one of which should be a newspaper published in the language spoken by at least 20% of the citizens who speak an official language other than the Macedonian language. In which newspapers the announcement will be published depends on the institution that has submitted the request for publication of a public announcement.

Public announcements that are published on the website of the Agency for Administration, are active only for the period of applicability, deadline stated in the announcement, which means maximum of 20 days. This is regulated by the Law on Administrative Servants. Hence, according to Article (3) "The deadline for applying under the public announcement referred to in paragraph (1) of this Article may not be shorter than 15 days, that is, no longer than 20 days from the day of its publication in the daily newspapers". This is accompanied with the "Provision for Implementation of the Procedure for Employment of Administrative Officers", where in Article 3, paragraph 2, sub-paragraph it is stated that " after the expiry of the application deadline, the announcement will be removed from the Agency's website".<sup>61</sup>

61 (<https://bit.ly/2PLMaQ8>)

**WeBER Platform members' findings**

Asked what they consider to be the main reasons for an unfair and unjust practice of public employment, almost half of the citizens (42.6%) cited party employments. Also, part of them (9.4%) also emphasize employment through connections. The percentage is almost insignificant of the citizens (1.5%) who believe that the practice of employment is fair and just and that employment is in accordance with fulfilled criteria. Center for Change Management, 2017

Public competitions are written in a clear and understandable language and contain the following elements:

- >>> the institution which is recruiting;
- >>> the sector in the specific institution and the position to be filled in;
- >>> General conditions;
- >>> Special conditions;
- >>> General work competencies;
- >>> Specific work competencies;
- >>> Working hours;
- >>> Cash net amount of salary.

At the end of every announcement, a "Clarification" section is available, where it is pointed out whether an announcement is foreseen for a concrete ethnicity, according to the institutions Annual Plan. Furthermore, the application procedure is clarified along with the stages of the selection procedure (three stages in total).

Even though the announcements are fairly precise, there is space for improvement. The announcement itself does not specify nor explain what type of documents one needs to provide in order to prove their work experience and it is also not explained how one can prove that they are "medically fit". Moreover, the announcement would be more citizen friendly if it explained to the candidate more about the position and what the candidate can expect from the work experience in question.

Another thing that can and should be strengthened in the announcements is the approach towards the candidates. The language in the announcements is pretty rigid and encouragement and motivation is lacking. Furthermore, the description of the stages may be better explained with links to the website of the Agency for Administration. However, there has been a significant improvement, considering that in the past, only the general conditions were published in the announcement.

When it comes to the question whether interested candidates can request and obtain clarifications, the channels that exist for such purposes are available on the page of the Agency for Administration. On the same page, a list of the most frequently asked questions about both employment and complaints is available. Nevertheless, the possibility of obtaining clarifications using this website is not mentioned in any of the announcements. In order to make real use of the Q&A page, the announcements should instruct candidates to address their questions using the pertinent section of the website.

Unreasonable barriers for external candidates exist. Namely, in some of the announcements (only for category B employees) a proof of a passed exam in administrative management is requested. Until recently, only people already working in the administration could have taken this exam. Now (with amendments to the secondary legislation) anyone can take this exam. However, the exams take place each week, while one has to register for the test one week prior. The announcements have a 15-day deadline, therefore if one would want to apply for a certain job and the test is requested, the time frame is very short. The test is free of charge. Candidates must submit a medical fit-for-work certificate for both internal and external announcements.

The application procedure imposes administrative burden on the candidates. Namely, the candidates have to submit all documents electronically, scanned in the first stage, uploading them on the portal of the Agency for Administration, where they are submitting their application. This means that the collection and submission of documents is done in one stage.

The general conditions require documents that are unnecessary, such “a court certificate that the candidate has not been imposed a ban on performing a profession, activity or duty”. Medical certificates are also required, as well as a proof of citizenship. All of these documents are required to be submitted in the first stage, which is an additional administrative burden.

One of the interviewees has confirmed that the application procedure is overburdening for the candidates: “scanning a serious set of documents confirming the ability to apply under a public announcement or which need to further serve as evidence of meeting the general and special conditions, is in some way a burden for the citizens. They should have them, normally, in their original form or a notarized copy, but this is something they need to show if they have reached the final stage in the selection process when the interview comes.”<sup>62</sup> The suggestion here was that the previous legal solution, according to which documents were requested only at the interview stage should be brought back.

The participants in the focus group have expressed their “difficulties” when going through the process of applying and confirmed that the procedure is overburdened with loads of documents and paperwork.

According to the LAS, there is no possibility to supplement the documents that are missing when applying under a published advertisement, because the candidates should fulfil the conditions from the public announcement in the application period. The procedure is organized in 3 stages. However, all documents are submitted in the first stage, whereas they are checked in the third phase.

The application procedure is terminated for those that will not submit the originals of their documents in the first stage (prior to the third phase or the interview phase), because according to law, they need to submit all documents electronically scanned in the first stage and it is very clearly stated what they need to submit. They cannot even continue or register their application online if they have not uploaded all of the documents. Thus, candidates have to submit all documents scanned (including medical certificates) at the very beginning of their application. Nevertheless, one positive thing is that they can register a profile online, where they have all of their documents already uploaded and they can use them for other announcements. Again, some of the documents, such as the medical certificate have a validity period of only 6 months, which means they would have to acquire them again and upload them again.

When it comes to the availability of decisions and reasoning by the selection panels, the Law (Article 41, paragraph 10) stipulates, “the results of taking all the candidates ranked according to the points obtained on the exam are published on the Agency’s website and immediately sent to the e-mail addresses of all candidates who have applied”. There is no mention on the reasoning.

On the website of the Agency for Administration, we can find ranking lists for the first stage; the second stage and the final ranking of selected candidates. The ranking lists for the first and the second stage provide information on all candidates (including their scores).

When it comes to the reasoning, no explanation is given. However, decisions for appointment are available on the website of the Agency for Administration. Reasoning is provided in the decisions, but it is just a formal statement about the appointment.

62 Interview, 12 June 2018.

## How does Macedonia do in regional terms?

WeBER Indicator PSHRM\_P3\_I1: Openness, transparency and fairness of recruitment into the civil service



**Principle 4:** Direct or indirect political influence on senior managerial positions in the public service is prevented

WeBER Indicator 3PSHRM\_P4\_I1: Effective protection of senior civil servants' position from unwanted political interference

Indicator elements	Score
The Law prescribes competitive, merit-based procedures for the selection of senior managers in the civil service.	2/2
The law prescribes objective criteria for the termination of employment of senior civil servants.	0/2
The merit-based recruitment of senior civil servants is efficiently applied in practice.	0/4
Acting senior managers can by law, and are, only appointed from within the civil service ranks for a maximum period limited by the Law.	0/4
Ratio of eligible candidates per senior-level vacancy.	4/4
Civil servants consider that the procedures for appointing senior civil servants ensure that the best candidates get the jobs.	0/2
CSOs perceive that the procedures for appointing senior civil servants ensure the best candidates get the jobs	0/2
Civil servants perceive that senior civil servants are appointed based on political support	0/2
Existence of vetting or deliberation procedures on appointments of senior civil servants outside of the scope of the civil service legislation.	0/2
Civil servants consider that senior civil servants would not implement and can effectively reject illegal orders of political superiors.	0/2
Civil servants consider that senior civil service positions are not subject of political agreements and "divisions of the cake" among the ruling political parties.	0/2
Civil servants perceive that senior civil servants are not dismissed for political motives	0/2
Civil servants consider the criteria for dismissal of senior public servants to be properly applied in practice	0/2
CSOs consider senior managerial civil servants to be professionalised in practice.	0/2
Civil servants perceive that senior civil servants do not participate in electoral campaigns of political parties	0/2
Share of appointments without competitive procedure (including acting positions outside of public service scope) out of the total number of appointments to senior managerial civil service positions.	0/4
<b>Total</b>	<b>6/40</b>

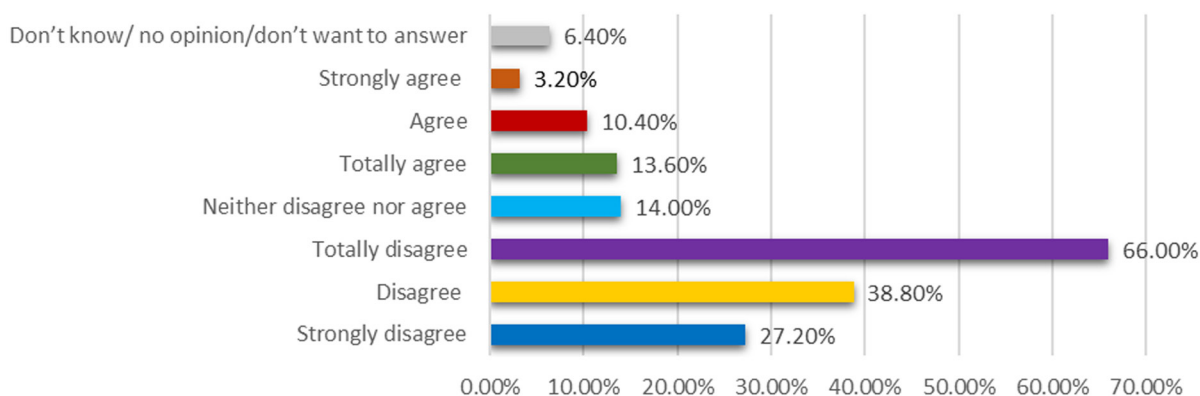
According to the LAS, Category A employees consists of secretaries. This category includes state secretaries, general secretaries, as well as the secretaries of the Municipality of Skopje, and of other municipalities and villages. Following the approach, that SIGMA has applied and for the purpose of consistency, only employees falling within Category A are taken as senior civil servants. According to the Law (Article 23), Secretaries are appointed by the Minister or by the head of the institution, appropriately. The only requirement that the servants have to fulfil in order to be appointed is to fulfil the requirements for the position of category B, level 4 (which is the lowest level of this category). Acting senior manager positions are not foreseen by the law in Macedonia and the positions are left empty until they are filled in under a regular procedure.

The term of office of the secretaries terminates with the termination of the term of office the holder of office that has appointed them to that position, after which they return to their previous position in the same category and level. Therefore, even though there are no additional vetting procedures outside of the civil service laws, the appointment is made discretionary in the law itself.

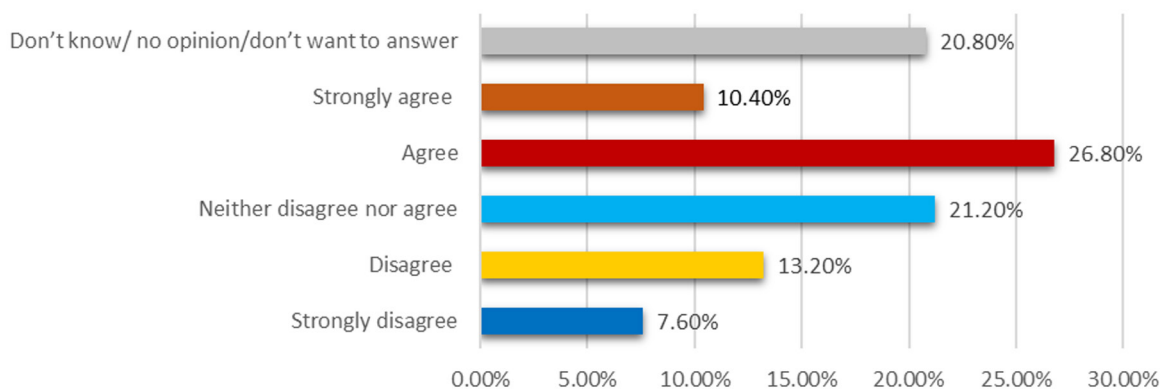
When it comes to the procedure, Minutes of Government sessions only state that Secretaries have been appointed. Therefore, no information on the debate or discussion behind the appointment is available.

The results of the survey of civil servants show the following:

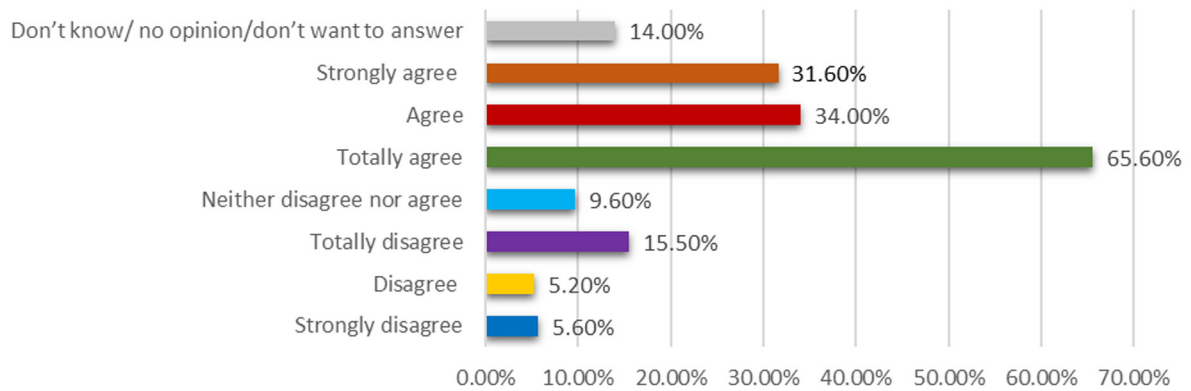
### Procedures for appointing senior civil servants ensure that the best candidates get the jobs in my institution



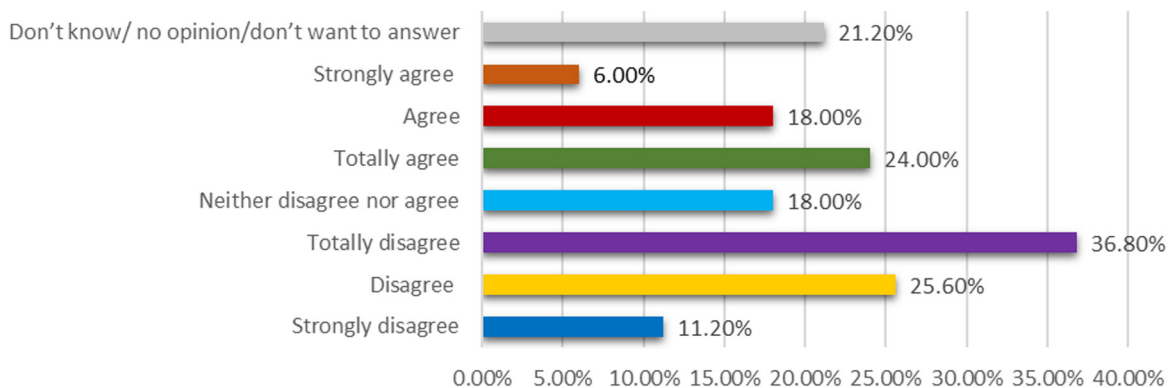
### In my institution, senior civil servants would implement illegal actions if political superiors asked them to do so



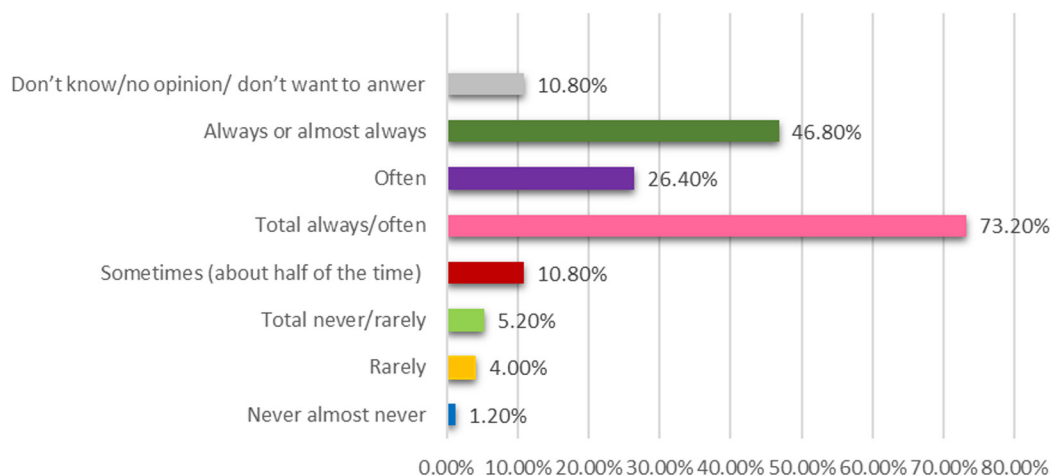
## Senior civil service positions are subject of political agreements and "divisions of the cake" among the ruling political parties



## Senior civil servants can reject an illegal order from a minister or another political superior, without endangering their position

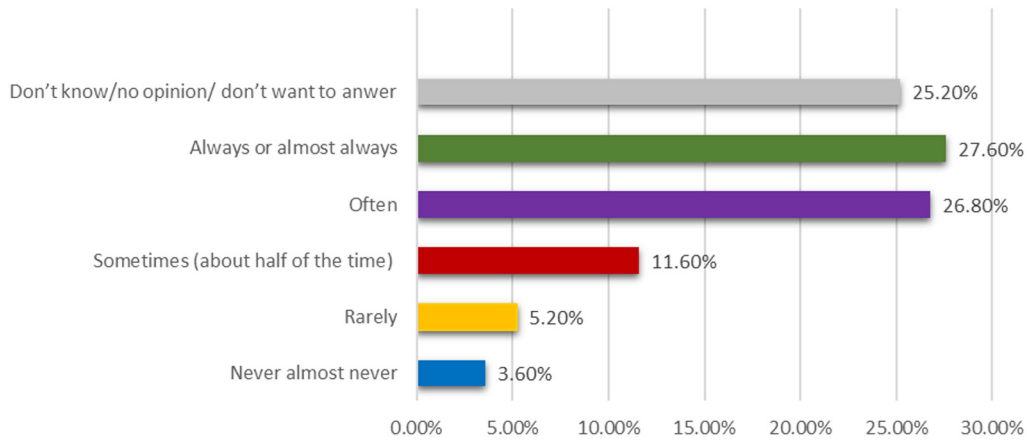


## Senior civil servants are at least in part appointed thanks to political support...

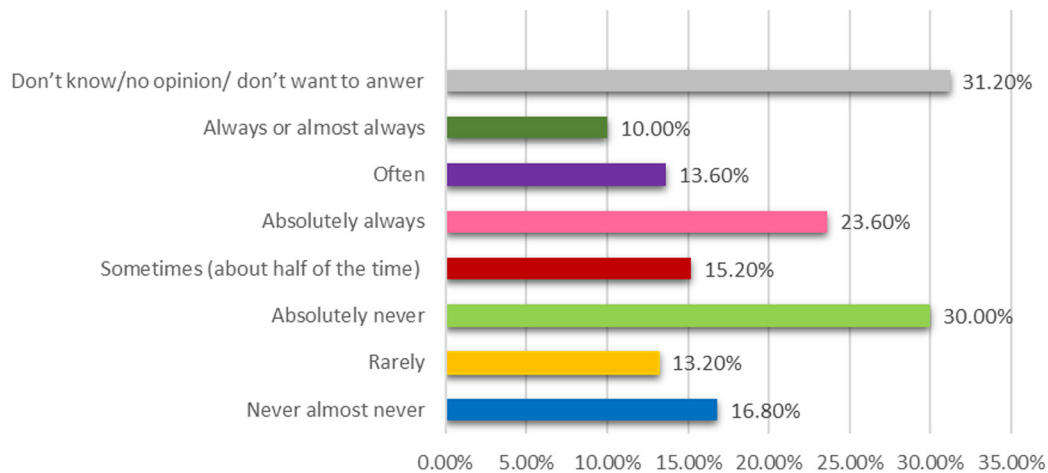




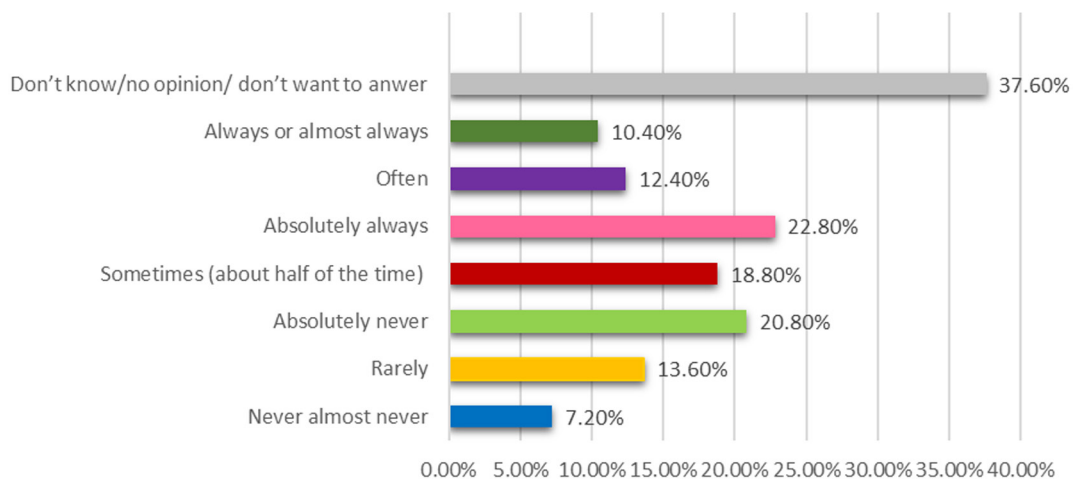
### In my institution, senior civil servants participate in electoral campaigns of political parties during elections...



### In my institution senior civil servants get dismissed for political motives



### Formal rules and criteria for dismissing senior civil servants are properly applied in practice



## How does Macedonia do in regional terms?

Indicator values for 3PSHRM\_P4\_I1 “effectiveness of protection of senior civil servants’ position from unwanted political interference”



**Principle 5:** The remuneration system of public servants is based on the job classification; it is fair and transparent

WeBER Indicator 3PSHRM\_P5\_I11: Transparency, clarity and public availability of information on the civil service remuneration system

Indicator Elements	Score
The civil service remuneration system is simply structured.	4/4
The civil service salary/remuneration system foresees limited and clearly defined options for salary supplements additional to the basic salary.	2/4
Information on civil service remuneration system is available online.	2/6
Citizen-friendly explanations or presentations of the remuneration information are available on-line.	1/2
Discretionary supplements are limited by laws and cannot make a major part of a civil servant's salary/remuneration.	4/4
Civil servants consider the discretionary supplements to be used for their intended objective of stimulating and awarding performance, rather than for political or personal favouritism.	0/2
<b>Total</b>	<b>13/22</b>

Article 86 of the Law on Administrative Servants stipulates that the salary of an administrative servant is composed of the basic and the extraordinary component. Article 87 defines a clear structure of the basic salary components, with tables for relevant categories. The salary components are expressed in points, and Article 88 stipulates how the value of a point is established. When it comes to civil servants, this issue is regulated under secondary legislation, which somewhat reduces the transparency and simplicity of the salary system, but still allows for assessment of the overall system as a system with predominantly simple structure.

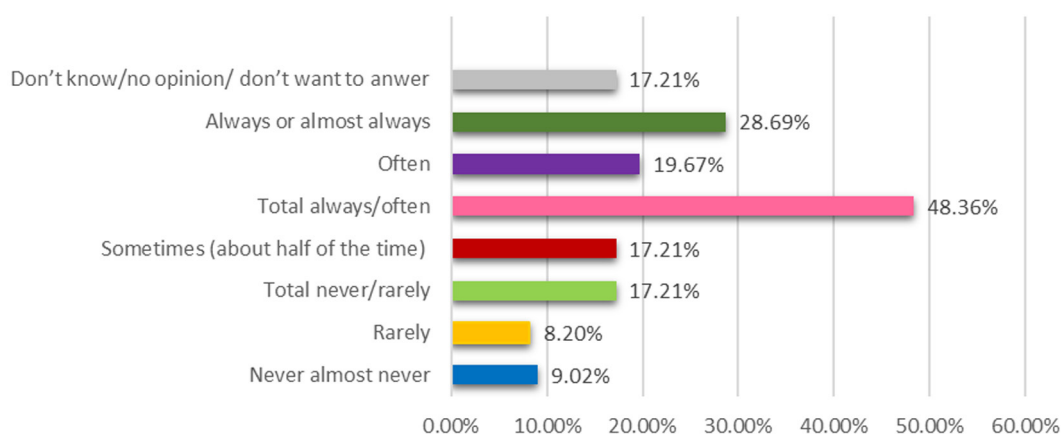
Article 89 of the Law defines three types of supplements, which constitute the extraordinary part of the salary of an administrative servant: 1. supplement for special working conditions; 2. supplement for labour market adjustment and 3. supplement for overnight work, work in shifts and overtime work. Article 90 clearly defines and limits the amounts for supplements for special working conditions (two types). Article 91 clearly defines the conditions under which labour market adjustment supplement may be requested, but it does not set an upper limit. Article 92 sets out five additional types of supplements: 1. for overnight work; 2. for work in shifts; 3. for work on weekends; 4. for work on a public holiday; 5. for overtime work. It also sets out the rules for awarding these supplements and their upper limits. However, the same Article clearly states that these supplements are not mutually exclusive. The lack of an upper limit for the labour market adjustment supplement and the lack of mutual exclusiveness of the Article 92 supplements make the grounds for the awarding of 1 points.

Job vacancy advertisements contain clear and straightforward information about the net salary. No other information about the salary system and salaries of civil servants were identified.

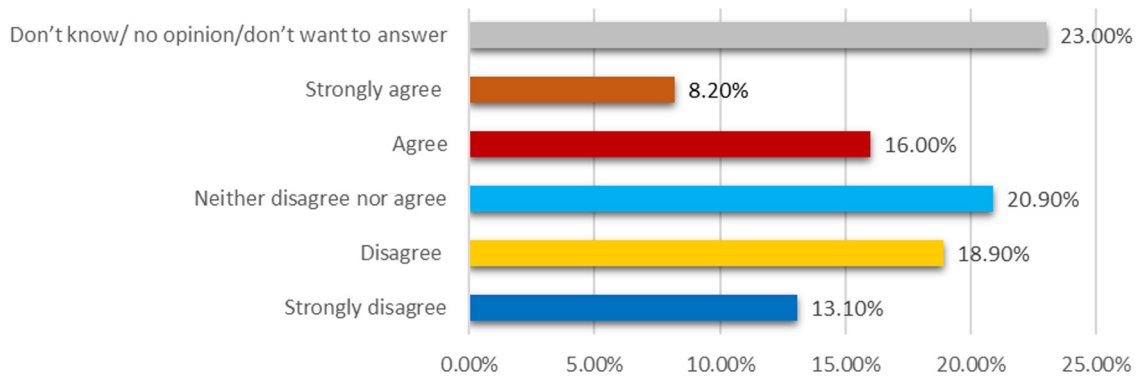
When it comes to Discretionary supplements are limited by legislation and may not constitute a major part of a civil servant’s salary/remuneration. SIGMA states: “The salary system also foresees a performance-related bonus. Attribution of this yearly bonus, which is equivalent to one month of the employee’s total salary and is paid in December of a given year, is limited to a maximum of 5% of total administrative servants. Legislation on performance appraisals is clear on the criteria for attributing performance bonuses. Secretaries are not subject to the regular performance-appraisal system and are therefore not eligible. No bonuses were paid in 2016, following the recommendation of the SCPC.”

The perception of civil servants regarding this question shows the following results:

### In my institution, political and personal connections help employess to receive bonuses or increase in pay grades

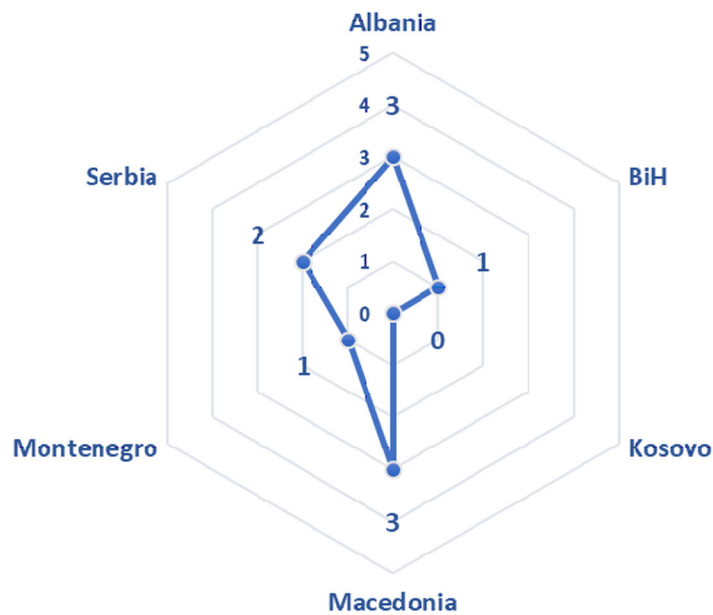


## In my institution, bonuses or increase in pay grades are used by managers only to stimulate or reward performance



### How does Macedonia do in regional terms?

WeBER Indicator 3PSHRM\_P5\_I1: Transparency, clarity and public availability of information on the civil service remuneration system



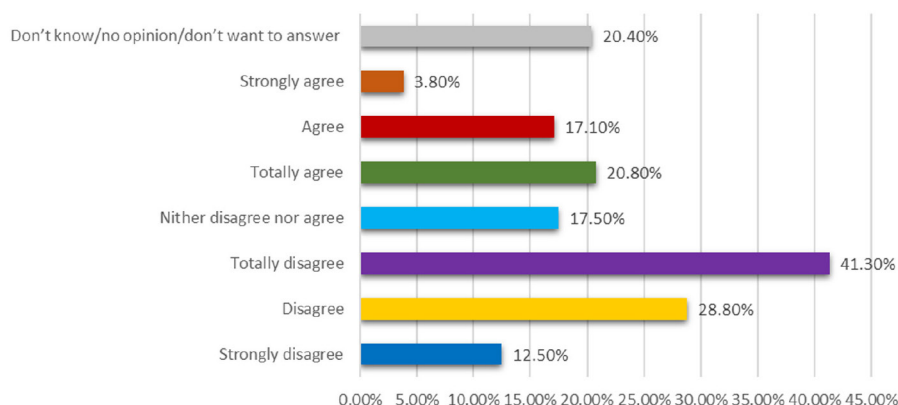
**Principle 7:** Measures for promoting integrity, preventing corruption and ensuring discipline in the public service are in place

WeBER Indicator 3PSHRM\_P7\_I1: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service

Indicator Elements	Score
Integrity and anti-corruption measures for the civil service are formally established in the central administration.	4/4
Integrity and anti-corruption measures for the civil service are implemented in the central administration.	2/4
Civil servants consider the integrity and anti-corruption measures as effective.	0/2
CSOs consider the integrity and anti-corruption measures as effective.	0/2
Civil servants consider that the integrity and anti-corruption measures are impartial.	0/2
CSOs consider that the integrity and anti-corruption measures in state administration are impartial.	0/2
Civil servants feel they would be protected as whistle blowers.	0/2
<b>Total</b>	<b>6/18</b>

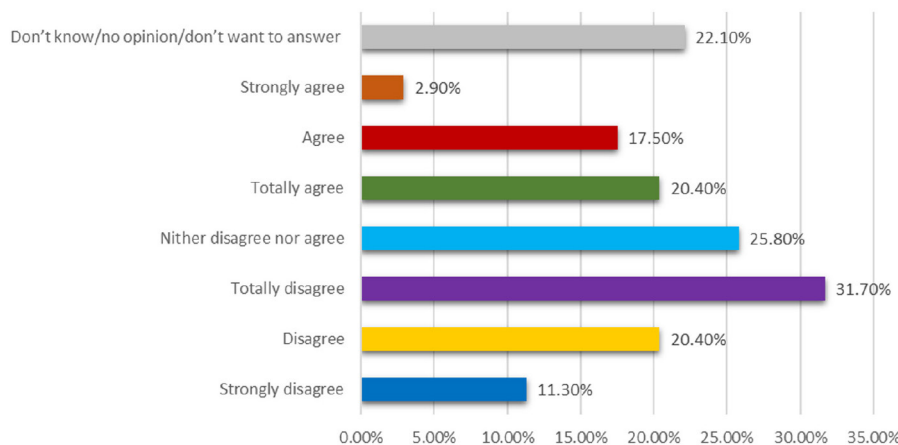
This principle was monitored solely on the perception of the CSOs and civil servants through the surveys that were undertaken. The survey of civil servants demonstrates the following:

**Integrity and anti-corruption measures in place in my institution are impartial (meaning, applied to all civil servants in the same way)**



The opinion of CSOs is extremely negative on this question as none, or 0% of the CSOs think that the integrity and anti-corruption measures in the administration are impartial.

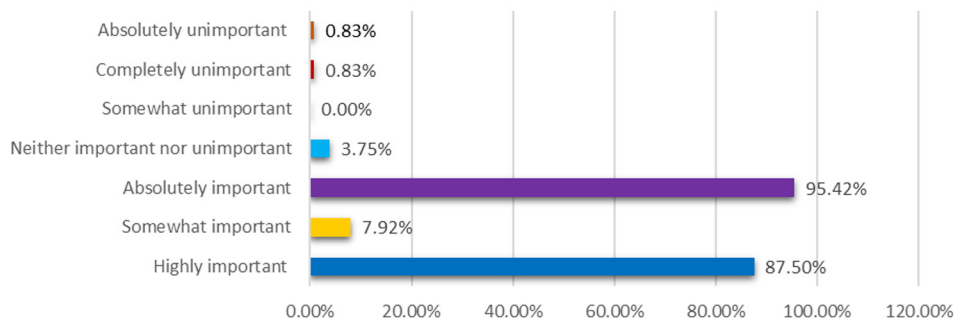
**Integrity and anti-corruption measures in place in my institution are effective in achieving their purpose**



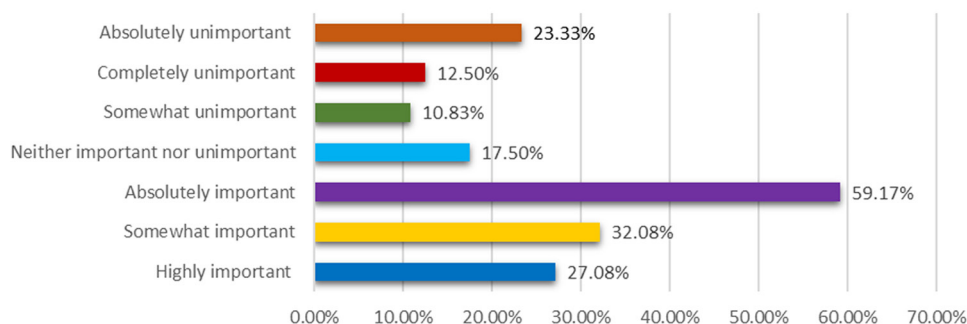
The CSO survey also portrayed a negative opinion on this question, as only 8% of the respondents agreed, i.e. think that anti-corruption measures are in place in the administration and are achieving their purpose.

Nevertheless, it is positive that the large majority of civil servants believe that it is highly important that citizens perceive the administration as depoliticized and that it is important for CSOs to monitor the PAR.

### How important do you think it is that the public (citizens) perceive the administration as depoliticised?



### How important do you think it is that the civil society organisations (CSOs) monitor public administration reform in Macedonia?



### How does Macedonia do in regional terms?

WeBER Indicator 3PSHRM\_P7\_I1: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service



## Summary results: Public service and human resource management

The Ministry of Information Society and Administration publishes annual reports from the Registry of Employees in the public sector. The legislative framework for the public service in Macedonia is regulated by two laws – the Law on Public Service Employees (LPSE) and the Law on Administrative Servants (LAS). LPSE stipulates that all information of relevance will be contained in the Registry of employees in the public sector and should be included in the annual report from the Registry, however the reports do not contain such information and also issue specific reports are irregular and incomplete and do not contain assessments of the quality and outcomes of the civil service. The overall number of fixed-term employment is not limited by law and there are no specific criteria for the state administration regarding temporary contract employment. The duration of these temporary engagement contracts is limited, differentiated based on circumstances. The civil servants survey shows that a large number of such contracts get extended for more than a year and that they lead to a civil service position.

Public calls are published in the website of the Agency for Administration as well as newspapers, which are written in a clear and understandable language. However, significant administrative and financial burden exists for the applicants as all of the documents need to be scanned and submitted online, in the first phase of the application. Moreover, if the applicant does not upload one of the extensive list of documents, it is impossible to submit them in the next phase.

The LAS is the main mechanism of regulating salaries, supplements, and their components for administrative servants. It is noted that most civil servant positions are considered as “political jobs” by the parties in the Government, and a large amount of civil servants agree that the selection and dismissal of senior civil servants is heavily underlined by political motives, with a reasonable amount of them considering that civil servants in their respective institutions participate in electoral campaigns of political parties during elections. As mentioned in the SIGMA assessment report, even though job announcements include clear and straightforward salary information’s, MISA and MoF do not provide salary tables for online availability of remuneration system, but Macedonia does foresee performance related bonuses. From the surveys only a small percentage of civil servants (24.18%) agree that bonuses or salary increases are used by managers only to stimulate or reward performance. When it comes to integrity and prevention of corruption, Macedonia scores almost maximum scores in some indicators of the SIGMA assessment report such as having a legal framework for public sector integrity and public – sector integrity policy and action plan, but these indicators are only in theory, but when it comes to the implementation of the above mentioned indicators in practice, the report indicates that they are not fully implemented. From the CSO surveys, it is noted that CSO’s have a negative perspective and distrust on impartiality and the effectiveness of the integrity and anticorruption measures. A staggering number of civil servants do not feel protected if they were to become a whistle blower.



## Recommendations for Public Service and Human Resource Management

### **Public availability of official data and reports about the civil service and employees in the central state administration**

1. The report presenting the official data about civil service employees should make a clear distinction between career civil servants and fixed term employees, reporting how many have been engaged through contracts and in which state bodies and institutions.
2. Reports about the trainings provided for the civil service; wages and assessment of employees; information about disciplinary proceedings, should also be produced or such information should be contained in the reports that are already published.

### **Performance of tasks characteristic for civil servants outside of the civil service merit-based regime**

3. The number of temporary engagements for performance of tasks characteristic of civil service in the central state administration should be limited by law.
4. The LPSE should determine specific criteria for the selection of individuals to be employed in the state administration under fixed-term contracts.
5. The Law on Agencies for Temporary Employment should be reviewed and aligned with the provisions of the LPSE.

### **Openness, transparency and fairness of recruitment into the civil service**

6. The announcement for employment in the civil sector should contain information and a focal point so that potential candidates can request clarifications.
7. The approach and language of the announcements should be more citizens friendly, explaining what the position in question entitles and elaborating on the activities and work of the institution/body/sector hiring.
8. In order to avoid excessive administrative and financial burden on candidates, only essential documents should be demanded in the first phase (CV, motivational letter, and optionally a recommendation letter).
9. Medical certificates, high school diplomas and similar unnecessary documents should not be required at any stage in the process.
10. Documents such as prove of citizenship should be acquired by the institution ex officio.
11. When publishing the decision for the selection procedure, the AA should provide better and more comprehensive reasoning as to why a certain candidate has been selected.

### **Direct or indirect political influence on senior managerial positions in the public service is prevented**

12. The appointment of category A (Secretaries) of employees should be reviewed. There is significant space for political influence considering the fact that the Minister/head of Institutions is appointing the Secretary.
13. The requirements and qualifications for the appointment of Secretaries should be reviewed and set higher.

### **Transparency, clarity and public availability of information on the civil service remuneration system**

14. There is a lack of an upper limit for the labour market adjustment supplement and the lack of mutual exclusiveness and for this purpose Article 92 of the LAS should be reviewed.

### **Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service**

15. The effectiveness of Integrity and anticorruption measures should be analyzed and monitored. Based on the results the measures should be reviewed and adapted to also ensure that both the civil sector and the CSOs trust the system and believe that the measures are applied impartially.

16. Measures protecting whistle blowers should be strengthened with a focus on employees from the public sector.

## 4. Accountability

WeBER indicators used in Accountability and country values for Macedonia

Civil society perception of the quality of legislation and of the practice of access to public information					
0	1	2	3	4	5
Proactive informing of the public by public authorities					
0	1	2	3	4	5

### What does WeBER monitor and how?

The SIGMA Principle covering the right to access public information is the only Principle monitored in the Accountability area.<sup>63</sup> This Principle is of the utmost significance from the perspective of increasing the transparency of the administration and holding it accountable by the civil society and citizens, but also from the viewpoint of safeguarding the right-to-know by the general public, as a precondition for better administration. The WeBER approach to this Principle does not cover assessment of regulatory solutions embedded in free access to information laws and regulations; it strongly relies on the practice of reactive and proactive information provision by administration bodies. More specifically, the approach takes into consideration the experience of the civil society with the enforcement of the laws on access to public information, being at the same time based on direct analysis of the websites of administration bodies.

Monitoring is done by using 2 WeBER indicators, the first one entirely focusing on the civil society's perception of the scope of the right to access public information and whether enforcement enables the civil society to exercise this right in a meaningful manner. With a view to exploring the perceptions, a survey of civil society organisations in six Western Balkan countries was undertaken, using an online surveying platform, in the period between the second half of April and the beginning of June 2018. The uniformed questionnaire with 33 questions was used in all countries ensuring a harmonized approach in the survey undertaking. It was disseminated in local languages through the existing networks and platforms of civil society organisations, with large contact databases in each country, but also through centralised points of contact such as government offices in charge of cooperation with the civil society. In order to ensure that the survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and thus contribute to its representativeness as much as possible, additional boosting was done where needed to increase the overall response. A focus group in each country served the purpose of complementing the survey findings with qualitative findings.

The second indicator is focused on proactive informing of the public by administration bodies, and it particularly monitors the comprehensiveness, timeliness and clarity of information disseminated through official websites. 18 pieces of information in total were selected and assessed according to two groups of criteria: 1) basic criteria, including completeness, and whether the information is updated, and 2) advanced criteria- on accessibility and citizen-friendliness.<sup>64</sup> The information search activities covered official websites of a sample of seven administration bodies. The sample consisted of three in-line ministries - a large, a medium, and a small ministry in terms of thematic scope, a ministry with general planning and coordination function, a government office with centre-of-government function, a subordinate body to a minister/ministry, and a government office in charge of delivering services.

<sup>63</sup> SIGMA Principle 2: The right to access public information is enacted in legislation and consistently applied in practice.

<sup>64</sup> The exceptions being information on structure of accountability at administration bodies, which is assessed only against the first group of criteria, and information in an open data format, which is assessed separately.

## State of Play in the Accountability Area

National legal framework guaranteeing the right to access to information of public character	
Applicable law	LAW ON FREE ACCESS TO PUBLIC INFORMATION adopted in 2006, with its last amendments adopted in April 2018
What the information request should contain:	The applicant may request access to information verbally, in writing or in an electronic format. The request is to state the name of the holder of information, name and surname of the applicant requesting information, data about a representative or lawyer, about the company or the legal person. The applicant is not obliged to explain the reasons for his/her request, but he/she has to state that it is a request for access to information.
Deadlines the public authority handling the information request is to respect	The holder of information is obliged to immediately respond to the request of the applicant, i.e. within a time period of 30 days as of the day of receipt of the request, at the latest. When the holder of information needs longer period due to the volume of the requested document, the holder of information needs to inform the applicant and the period may be extended, but for a maximum of 40 days as of the day of receipt of the request.
Free of charge	The insight into the requested information is free of charge. Applicants may obtain the information free of charge on a USB or have the information sent to their e-mail addresses; they need to pay a fee to cover the material costs for the received transcripts or photocopies.
Designating Information Coordinators	Each holder of information needs to have designated one or more employees, who will facilitate the exercise of the right of free access to information
Proactive disclosure of information	Holders of information are obliged to regularly keep and update a list of information they have at their disposal and to publish them in a manner accessible to the public free of charge (website, bulletin board and other). Some of the information they are obliged to publish is the following: contact information about the holder of information; the regulations defining the competences of the holder of information, links to the register of regulations published in the Official Gazette; draft programs, programs, strategies, positions, opinions, studies and other similar documents, relating to documents part of the competences of the holder of information; all public procurement calls and the tender documentation, as prescribed by law, etc.
List of possible restrictions on the access to information	Holders of information may reject a request for access to information if the information refers to: information that constitutes a classified information with a certain level of confidentiality; personal data the disclosure of which would constitute a violation of the personal data protection regulations; information the release of which would constitute a violation of the confidentiality of a tax procedure; information obtained or prepared for purposes of an investigation, criminal or misdemeanour procedure, pursuance of an administrative or civil procedure, the release of which would have harmful consequences for the course of the procedure; information concerning commercial and other economic interests, including interests under the monetary and fiscal policy the release of which can have harmful consequences for their protection; information from a document which is still prepared and is a subject to coordination within the holder of information, and the disclosure of which would cause misinterpretation of the content, and information that endangers the rights under industrial or intellectual property law (patent, model, sample, trade and service mark, appellation of origin of the product)  However, there are exceptions. Hence according to paragraph (1) of this Article, holders of information will grant access to information after the mandatory harm test has been implemented, based on which it is determined whether the disclosure of such information would cause consequences for the interest to be protected that are outweighed by the public interest, as determined by law, which will be protected with the disclosure of the information.

The access to public information is a constitutional right guaranteed under Article 16, while the accessibility of the public sector's operations is regulated by the Law on Free Access to Information of Public Character (LFAI)<sup>65</sup>, the Law on Using Public Sector Information<sup>66</sup> and the Law on Local Self-Government, as well as under other substantive laws relating to specific areas.

65 Law on Free Access to Public Information (Official Gazette of the Republic of Macedonia Nos.13/2006, 86/2008, 6/10, 42/14, 148/15).

66 Law on the Use of Public Sector Information (Official Gazette of the Republic of Macedonia No. 27/2014).

In September 2017, the Government adopted a Decision<sup>67</sup> Amending the Decision for Determining Compensation of Material Expenses for Information Provided by Information Holders. With this amendment, fees charged to the public to receive public information were reduced, and public information provided electronically has become free of charge.<sup>68</sup>

Another positive step in this context was the Government's endorsement of Information, which tasks ministries to publish a unified list of 21 documents and materials on their websites that they are obliged to publish in accordance with the Law.<sup>69</sup>

The LFAI defines public information quite broadly, while the term "public information holders" covers both public and private entities that perform public functions. In this regard, each public information holder has to designate an officer, who will facilitate the process of providing public information. The person requesting public information does not need to provide a reason for seeking the information and the requested information must be provided in the format in which it has been requested.

However, as pointed out in the EC 2018 Progress Report, broad exceptions still hamper the efficient implementation of the right of citizens to access public information. One of the main shortcomings, as SIGMA has also underlined, is that the information holders may illegitimately restrict access to public information if it concerns "information related to commercial and other economic interests, including the interests under monetary and fiscal policies" or "information related to environmental protection, which is not available to the public for reasons of protecting the public health or environment". There are also cases in which public information requests may be rejected if the requested information relates to documents that are still under preparation.

Another problem that has been recognized under the PAR Strategy is "the silence of the administration," meaning that even though as prescribed by law, information holders have to release the information requested from them, they ignore their obligations, which is the main reason why applicants appeal with the Commission for protection of the right to free access to public information. The deficiency in this context is that the Commission does not have the right to impose sanctions on officials not providing requested information or otherwise mishandling cases, even though the LFAI does envisage pecuniary sanctions.<sup>70</sup> Thus, unlike other bodies, the Commission neither has the right to oversee the implementation of the provisions of the pertinent Law, nor can it institute misdemeanour proceedings. Furthermore, the Commission does not have the mandate to monitor whether institutions proactively publish public information. The decisions that are final in the administrative procedure can be appealed against with the Administrative Court, by instituting an administrative dispute.<sup>71</sup> In this respect, the EC recommends that the Commission should be 'given the power to impose penalties and to encourage public information providers to systematically enforce the relevant legislation.'<sup>72</sup>

On a more positive note, the Commission reported that in 2017 out of 1,256 holders of public information, 1,197, or 95.30 % submitted compulsory annual reports.<sup>73</sup> From the comparative perspective, the percentage of reports submitted is identical with the one in 2016. In 2016, out of 1,259 holders of public information, 1,250 submitted compulsory reports to the Commission.<sup>74</sup>

67 See: <http://vlada.mk/node/13343>

68 This is an important change that has not been noted in the SIGMA 2017 Monitoring Report, which kept the reference to the Decision Determining the Fee for Costs for Providing Information by Information Holders of 2006 (without the amendment.)

69 <http://vlada.mk/?q=node/13604>, October 2017

70 <http://www.sigmaxweb.org/publications/Monitoring-Report-2017-the-former-Yugoslav-Republic-of-Macedonia.pdf>

71 [http://www.mioa.gov.mk/sites/default/files/pbl\\_files/documents/strategies/srja\\_2018-2022\\_20022018\\_mk.pdf](http://www.mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/srja_2018-2022_20022018_mk.pdf)

72 <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-the-former-yugoslav-republic-of-macedonia-report.pdf>

73 <http://komspi.mk/wp-content/uploads/2016/06/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD-%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98-2017-%D0%BA%D0%BE%D0%BD%D0%B5%D1%87%D0%B5%D0%BD.pdf>

74 <http://www.sigmaxweb.org/publications/Monitoring-Report-2017-the-former-Yugoslav-Republic-of-Macedonia.pdf>

When it comes to open data information, the Law on Use of Public Sector Information,<sup>75</sup> prescribes the obligation of public sector institutions to publish public information they produce under their authorities. Local and central institutions are obliged to publish open information in a computer readable format in accordance with their technical abilities. In 2014, the MISA set an open information platform,<sup>76</sup> where institutions publish open data sets.

## WeBER Monitoring Results

**Principle 2:** The right to access public information is enacted in legislation and consistently applied in practice

This principle is analysed by monitoring the civil society perception of the quality of legislation and of the practice of access to public information.

WeBER indicator ACC P2 I1: Civil society perception of the quality of legislation and of the practice of access to public information

Indicator Elements	Scores
CSOs consider that the information recorded and documented by public authorities is sufficient for the proper exercise of the right to access public information	0/4
CSOs consider exceptions for release of information of public character to be adequately defined	1/2
CSOs consider exceptions to for release of information of public character to be adequately applied	0/4
CSOs confirm that information is provided in the requested format	1/2
CSOs confirm that information is provided within prescribed deadlines	1/2
CSOs confirm that information is provided free of charge	2/2
CSOs confirm that the person requesting access is not obliged to provide reasons for requests for public information	1/2
CSOs confirm that in practice the non-classified sections of otherwise classified materials are released	0/4
CSOs consider that requested information is released without sections containing personal data	1/2
CSOs consider that when only sections of classified materials are released, it is not done to mislead the requesting person with only bits of information	0/2
CSOs consider that the designated supervisory body has, through its practice, set sufficiently high standards regarding the right to access public information	0/4
CSOs consider soft measures issued by the supervisory authority to public authorities to be effective	0/2
CSOs consider that the supervisory authority's power to impose sanctions leads to sufficiently serious consequences for the responsible persons in the noncompliant authority	1/2
<b>Total</b>	<b>8/34</b>

When it comes to the opinion of Macedonian CSOs, 17.5% of surveyed CSOs agree that public authorities record sufficient information to enable the public to fulfil the right to free access of information of public character. While a sizable number of surveyed CSOs (36.8%) think that the legislation prescribes adequate exceptions to the public character of information produced by public authorities; only 15.8% of CSOs think that these exceptions are adequately applied in practice.

With regard to their experiences with requests for information, about half of the surveyed CSOs have little to no problem in accessing information in the requested format within prescribed deadlines. The vast majority of surveyed CSOs (89.3%) confirm that often or always the information is provided

<sup>75</sup> This Law is in accordance with the Directive 2003/98/EU of the European Parliament and the Council on reuse of public sector information, the Directive 2013/37/EU of the European Parliament and the Council for amendment to the Directive 2003/98/EU on reuse of the public-sector information.

<sup>76</sup> See: The PAR strategy refers to <https://www.otvorenipodatoci.gov.mk>, where at the time of publishing of the Strategy there were 154 data sets available. At the moment, the website is not functional. After contacting the MISA, we received information that the Ministry was working on a new platform, which was to be launched in September 2018.

free of charge. However, almost half (42.9%) of surveyed CSOs report that often or always the person requesting access is asked to provide reasons for such a request. This indicates that even though according to the Law, providing reasons accompanying the requests is not a prescribed condition, in practice, the contrary occurs.

In relation to information that contains classified materials or personal data, a small number (17.8%) of surveyed CSOs confirm that often or always non-classified sections of these materials are released when requesting access to information that contains classified materials. However, this percentage increases to 42.9% for materials containing personal data. On the other hand, only 14.3% of CSOs think that rarely or never sections of requested materials are released to mislead the requesting persons with partial information.

A small number of surveyed CSOs (28.6%) agree or strongly agree that the Ministry of Justice sets sufficiently high standards relating to the right to access public information through its practice and that the soft measures that are issued by the Ministry are effective in protecting the access to information. At the same time, only a third of the CSOs believe that the sanctions prescribed for violation of the right to free access to information lead to sufficiently serious consequences for the responsible persons in the non-compliant authorities.

### How does Macedonia do in regional terms?

Indicator P2 I1: Civil society perception of the quality of legislation and of the practice of access to public information





## WeBER indicator ACC P2 I2: Proactive informing of the public by public authorities

Indicator elements	Scores
Websites of public authorities contain complete and up to date information about their scope of work	0/4
Websites of public authorities contain easily accessible and citizen-friendly information on their scope of work	0/2
Websites of public authorities contain complete and up to date information on accountability (who they are responsible to)	0/4
Websites of public authorities contain complete and up to date information on relevant policy documents and legal documents	0/4
Websites of public authorities contain accessible and citizen friendly information on relevant policy and legal documents	0/2
Websites of public authorities contain complete and up to date information on policy papers, studies and analyses relevant to policies under their competence	0/4
Websites of public authorities contain accessible and citizen-friendly information on policy papers, studies and analyses relevant to policies under their competence	0/2
Websites of public authorities contain complete and up to date annual reports	0/4
Websites of public authorities contain accessible and citizen friendly annual reports	0/2
Websites of public authorities contain complete and up to date information on the institution's budget	0/4
Websites of public authorities contain accessible and citizen-friendly information on the institution's budget	0/2
Websites of public authorities contain complete and up to date contact information (including e-mail addresses)	2/4
Websites of public authorities contain accessible and citizen-friendly contact information (including e-mail addresses)	1/2
Websites of public authorities contain complete and up to date organisational charts which include the entire organisational structure	0/4
Websites of public authorities contain accessible and citizen-friendly organisational charts which include the entire organisational structure	0/2
Websites of public authorities contain complete and up to date information on contact points for cooperation with the civil society and other stakeholders, including on public consultation processes	0/4
Websites of public authorities contain accessible and citizen-friendly information on ways in which they cooperate with the civil society and other external stakeholders, including on public consultation processes	0/2
Public authorities proactively pursue open data policy	0/4
<b>Total</b>	<b>3/56</b>

The second WeBER indicator for Principle 2 in the area of accountability analyses proactive informing of the public by public authorities.

This indicator was the first one to be measured by the WeBER research team, therefore it is important to note that the findings that are stated below, reflect the situation in the period from September to November 2017, shortly after the new Government took office. Since this period, as previously stated, there has been significant improvement in terms of proactive informing and transparency. These improvements will be reflected in the next monitoring report (2019-2020). The indicator analysis was made on a sample of seven state administration bodies;<sup>77</sup> therefore, it may not reflect the situation in every institution of central government in the countries, indicating instead a prevailing practice.

<sup>77</sup> 1) Ministry of Labour and Social Policy (MLSP) - large ministry; 2) Ministry of Transport (MT) - medium ministry; 3) Ministry of Local Self-Government (MLS) - small ministry; 4) General Secretariat (GS) - government office with CoG function; 5) Public Revenue Office (PRO) - government office/agency for delivering services; 6) Ministry of Information Society and Administration (MISA) - ministry with general planning and coordination function; 7) State Administrative Inspectorate - subordinate body/agency.

In practical terms, when it comes to the issue whether the information provided is complete, up-to-date, accessible and citizen-friendly, most Macedonian institutions do not provide sufficient information about their scope of work, nor do they invest sufficient efforts to deliver this information in a friendly and accessible manner to citizens, according to the research conducted under WeBER of websites of seven sample public institutions. Only the PRO and the MISA have complete and up-to-date information about their respective scope of work. Several institutions provide information only about their Minister. Most of the sample institutions also do not inform whom they are accountable to; therefore, an average citizen cannot easily understand the hierarchy or functioning of the administration. Only the State Administrative Inspectorate publishes complete and up-to-date information on whom the Inspectorate is accountable to within the Ministry, in a manner similar to what has been prescribed by the Law that regulates this issue.

In general terms, the institutions in the sample publish all relevant laws and regularly publish updates with any amendments. Only the MLSP, the Public Revenue Office (PRO), the State Administrative Inspectorate, and the MISA have complete and up-to-date information about relevant policy and legal documents. As regards, issues of accessibility and user-friendly formats, websites of the Ministry of Local Self-Government (MLSG), the PRO, the MISA, and the State Administrative Inspectorate are accessible because the documents are less than 3 clicks away, and websites of the MLSG and the PRO are citizen-friendly by using easily comprehensible language. However, policy documents such as papers, studies and analysis are rarely available. Only the PRO<sup>78</sup> has relatively complete and up-to-date documents pertaining to different topics, and the MLSP<sup>79</sup> has attained certain level in publishing relevant documents on its website. These documents are not presented in a citizen-friendly manner.<sup>80</sup> Sample institutions do not publish policy papers or analyses; even those rare publications that are available are very difficult to access, being often produced as part of projects (except for documents of the PRO and the MISA).<sup>81</sup>

At the time of measurement, sample institutions (except the PRO and the State Administrative Inspectorate<sup>82</sup>) have not published annual reports about their work. Furthermore, none of the institutions had their budget publicly available (with one exception<sup>83</sup>). Similarly, the institutions did not have their organograms available. All sample institutions (except for the GS) had complete, up-to-date and functional contact information, and easily accessible locations. Most of the institutions have media contacts and contacts for requests of public information, but no contacts or information about cooperation with the civil society and other external stakeholders. Public consultation processes are published under "Information" or "Announcements" but are not easily accessible, and their location on the websites is often not visible. Apart from the MISA, which in general provides information in an open data format, websites of sample institutions do not contain open datasets or links to the MISA catalogue of open data. It should be recognized that since the new Government took office on 1 June 2017, it has been making efforts in addressing issues of transparency and accountability. This on its part has resulted in significant changes in terms of provision of information pertaining to the scope of work, presentation of relevant documents and availability of policy papers and analyses (especially after 27 November, 2017, when the Government issued a statement

78 In terms of policy papers, studies and analyses relevant to policies under the competence of the institutions, ranging from fiscalization to tax payments, lottery etc.

79 In terms of policy papers, studies and analyses relevant to policies under the competence of the institutions, there are "some" documents, but not in all areas. Specifically, there are documents in the area of equal opportunities; children's rights; discrimination, most of which have been produced in the course of some project implementation.

80 There is no introduction to the content of documents. Documents are just listed, and are very often scattered around the websites, making it difficult to find.

81 Except for the PRO whose publications are both accessible and citizen-friendly, other sample institutions do not fulfill both criteria and the MISA only fulfills the former one.

82 The PRO has available reports dating from 2007 on its website, which is easily accessible. The contents of the Report, even though featured with a lot of numbers, expenditures and budgets, is still citizen-friendly, given the complexity of the matter. The Report explains the taxes and the procedures thoroughly and step-by-step. The State Administrative Inspectorate reports are not presented but just listed, thus it is accessible but not citizen-friendly.

83 The MISA which at the time of measurement did not have a published budget for 2017 and 2016, having published only an excel table for budget expenditures in 2016.

presenting a list of documents that the ministries should publish in accordance with the law): now most of the institutions identified have published annual reports, budgets and organograms. However, the website of the General Secretariat is still only accessible through a web search engine and no links to its website can be found on the website of the Government; albeit the documents relevant for the work of the General Secretariat have been published directly on the website of the Government under different sections.

There has been criticism from the civil society regarding the Government activities and of the practical implementation of the right to access to information. Contacts relevant for cooperation with CSOs are still not visible and separate sections on public consultation processes are the exception rather than the regular practice. According to CSOs, official data on rejection of requests is not fully trustworthy and the real number is very likely higher. NGO representatives also mentioned that the treatment of applicants is sometimes not equitable, considering that the media and advocacy NGOs are given preferential treatment over individual citizens, owing to their experience and knowledge of methods of exercising their rights.

### How does Macedonia do in regional terms?

Indicator P2 I2: Proactive informing of the public by public authorities



## Summary results: accountability

Only 17.5% of surveyed CSOs agree that public authorities record sufficient information to enable the public to exercise the right to free access of information of public importance. The opinions are more positive when it comes to the exceptions set forth by law to the public character of information produced by public authorities. Nevertheless, only a small number of CSOs believe that the exceptions are adequately applied in practice. With regard to their experiences with requests for information, about half of surveyed CSOs have little to no problem with accessing information in the requested format within prescribed deadlines, while the vast majority of surveyed CSOs confirm that often or always the information is provided free of charge.

With regard to material that contains classified information or personal data, a small number of surveyed CSOs confirm that non-classified sections of these materials are released. This proportion increases significantly when asked about personal data materials. Nevertheless, the survey shows that the vast majority of CSOs believe that sections of requested materials are released to mislead the applicant with partial information. When it comes to sanctions, only a third of surveyed CSOs believe that the Ministry of Justice sets sufficiently high standards for the exercise of the right to access public information in its practice and agree that the sanctions prescribed for violation of the right to free access information lead to sufficiently serious consequences for the responsible persons in the non-compliant authorities.

At the time of measurement (September-November 2017) shortly after the new Government took office) the institutions did not provide sufficient information about their scope of work, while most of the institutions presented information only about their Minister. The institutions in the sample have a general tendency to publish all relevant laws and regularly update any changes. However, policy documents, policy papers or analyses, even those rare publications that are available, are very difficult to access, being often produced as part of projects.

At the time of measurement, most of the institutions did not have published annual reports about their work nor were their budgets publicly available. Similarly, the institutions did not have their organograms available. However, all sample institutions (with one exception) had complete, up-to-date and functional contact information. Apart from the MISA, which in general provides information in an open data format, websites of sample institutions do not contain open datasets or links to the MISA catalogue of open data.

Namely, when the new Government took office on 1 June 2017, it stated its commitment to advancing the transparency and accountability of the public administration. On 27 November 2017, the Government issued a statement (after its 34th Government session) presenting a list of documents that ministries should publish, in accordance with the law. Thus, while there have not been significant changes in the information pertaining to the scope of work, the presentation of relevant documents and availability of policy papers and analyses, now cooperation with CSOs are still not visible and separate sections on public consultation processes are the exception rather than the practice.

## Recommendations for Accountability

### Right to free access to information

1. There is a need to raise the awareness of the administration of the obligation to provide the information requested by applicants and should understand the importance of delivering that information as soon as they are able to. The only way that the administration silence can be avoided is by giving more power to the responsible Commission to monitor the implementation of the provisions of the pertinent Law, the mandate to institute misdemeanour proceedings, and strengthen its capacity to monitor whether institutions proactively publish public information.
2. All holders of information should refrain from asking about the reasons for the submitted request for certain information of public character.
3. A positive practice that has been noticed in Montenegro is to make certain information publicly available, after having received and provided information under a specific request.

### Proactive Informing

4. Despite the positive development, i.e. the request for all institutions to publish 21 documents, this should not be done on an ad hoc basis. All institutions should regularly update these documents and signal if any changes have occurred.
5. The majority of institutions do not have any information on the person in charge of communication and cooperation with CSOs. This leaves space for suspicion whether the institutions have appointed any civil servants to this office. All institutions should appoint such officers and should make their contact details public. Moreover, all announcements regarding consultations and debates with the civil society should be visibly, publicly available on websites of institutions.
6. Almost none of the institutions have published information about policy papers, studies and analyses relevant to policies under their competence. Institutions should publish all these documents, not only those that have been developed under a certain project.

## 5. Service Delivery

WeBER Indicators used for Service Delivery and Country Values for Macedonia

Public perception of state administration's citizen orientation					
0	1	2	3	4	5
Public perception and availability of information about citizens' feedback regarding the quality of administrative services					
0	1	2	3	4	5
CSOs' perception of accessibility of administrative services					
0	1	2	3	4	5
Availability of information regarding the provision of administrative services on websites of service providers					
0	1	2	3	4	5

### State of Play in Service Delivery

One of the four priority areas or objectives of the PAR Strategy (referring to the 2018-2022 Strategy) is quality service delivery and ICT support for the administration. However, a separate Strategy focused on the provision of administrative services is not available. As it can be seen from the PAR Strategy, the Government is focused on digitalization and the provision and availability of e-services. According to the Strategy, development of strategies, programs and methodologies for this area is still needed.<sup>84</sup> Furthermore, the Strategy foresees involvement of users in the process of defining and designing the services, which will be developed tailored to users' needs. Digitalisation has been a key priority for the new Government, which is confirmed both by its positioning in the PAR Strategy as one of the principles, but also by Government activities, such as the hosting of the April 2018 WB Digital Summit.<sup>85</sup> In addition, the 2018 EC Progress Report notes that "there has been more focus on digitalisation of services for businesses than for the public".<sup>86</sup>

The Law on General Administrative Procedure (LGAP), which came into force on 1 August 2016, is recognized as a good basis to provide quality services. The Law regulates all modern institutes that are a feature of the European Administrative Space, as well as those deriving from the European Services Directive.<sup>87</sup> One of the norms that has been recognized as a good practice is the legal obligation for compulsory electronic data and document exchange between institutions. Moreover, with the amendments to the Law on E-management adopted in 2016,<sup>88</sup> and with a view to implementing the LGAP provisions, a service for e-recommended document delivery to and between institutions was introduced. Nevertheless, according to the EC Progress Report of 2018 the Law "has not been systematically applied by the administration, even though considerable efforts were made to harmonise special laws with the law."<sup>89</sup> This is also recognized in the PAR Strategy, which underlines that the situation with the necessary infrastructure, as well as information sharing of contacts among institutions is inadequate, does not meet the needs for consistent fulfilment of obligations under the LGAP, and results in difficult communication among administration bodies by electronic means.

84 [http://www.mio.gov.mk/sites/default/files/pbl\\_files/documents/strategies/srja\\_2018-2022\\_20022018\\_mk.pdf](http://www.mio.gov.mk/sites/default/files/pbl_files/documents/strategies/srja_2018-2022_20022018_mk.pdf)

85 <https://digitalsummitwb6.com/>

86 <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-the-former-yugoslav-republic-of-macedonia-report.pdf>

87 Ibid.

88 <http://mioa.gov.mk/?q=node/217>.

89 <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-the-former-yugoslav-republic-of-macedonia-report.pdf>

A challenge that is recognized under the Strategy and that has been raised, as a concern by the civil society is the fact that the provision of public services is not unified and is usually defined at the level of an institution or an organizational unit. In order to support the systematic implementation of the LGAP, the MISA developed a software solution for operating and managing a Catalogue of Services<sup>90</sup>, which is envisaged as a systematic database for all administrative procedures in the country, which will enable further simplification of services and their digitization. However, the Catalogue of Services is not fully functional and does not yet provide an extensive and up-to-date list of public services offered by public sector institutions at the national level. To this end, the Government is currently working on a new Catalogue and a new portal for e-services.

In 2016, considering that the national portal for e-services (uslugi.gov.mk),<sup>91</sup> developed in 2005, was not functional and was outdated, the MISA started implementing a project<sup>92</sup> to develop a new National Portal for E-services, as well as to establish the Central Electronic Population Register, as a central database for citizens, which is to be used by all institutions for delivery of administrative services. This will be a significant improvement, considering that at the moment all existing e-services are available at separate portals of institutions that offer such services.

Moreover, the MISA has also started activities for introducing One Point of Service, which aims to enable citizens and the business sector to receive services from several institutions at one place. As elaborated under the Strategy, it is foreseen to open so-called Public Service Halls in several cities across the country, thus improving regional availability of services. The last announcement of the MISA is that a pilot project in this regard will be implemented in Skopje until the end of 2018. The portal has also been assessed by a sample of citizens in order to see whether their needs are satisfied.<sup>93</sup>

When it comes to the satisfaction of citizens, the Strategy recognizes the lack of development of methodologies for measuring customer satisfaction and the fact that even when they are developed they are not applied consistently. Presently, when assessments are carried out they are carried out at the level of the institutions, not at level of the service. However, the PAR Action Plan<sup>94</sup> envisages the development of unified methodologies that will be applied at the service level, as well as their regular follow-up and monitoring in the practice.

The low level of access to public services that institutions offer to persons with disabilities is also underlined as a challenge by the MISA in the PAR Strategy. According to SIGMA out of 144 state administration bodies, only 40 have prepared Action Plans on accessibility that are monitored at the central level.<sup>95</sup>

### What does WeBER monitor and how?

Under the Service Delivery priority area of the PAR, three SIGMA Principles are monitored.

**Principle 1:** Policy for citizen-oriented state administration is in place and applied

**Principle 3:** Mechanisms for ensuring the quality of public services are in place

**Principle 4:** The accessibility of public services is ensured.

90 <https://kataloguslugi.mioa.gov.mk/#/>

91 <http://www.uslugi.gov.mk/>

92 EuropeAid/137521/IH/SER/MK "Support to Public Administration Reform and Reinforcement of MISA Capacities"

93 <http://www.mio.gov.mk/?q=mk/node/1448>

94 [http://www.mio.gov.mk/sites/default/files/pbl\\_files/documents/strategies/ap\\_srja\\_2018-2022\\_20022018\\_mk.pdf](http://www.mio.gov.mk/sites/default/files/pbl_files/documents/strategies/ap_srja_2018-2022_20022018_mk.pdf)

95 SIGMA, Public Administration Principles, Monitoring Report 2016, [www.sigmaxweb.org](http://www.sigmaxweb.org)



From the perspective of the civil society and the public at large, these Principles have the greatest relevance in terms of addressing the outward-facing aspect of the administration that is crucial for daily provision of administrative services and contact with the administration, and therefore have a high impact on the quality of everyday life.

The approach to monitoring Principles first focuses on the public perception of the service delivery policy, including how receptive the administration is for redesigning administrative services based on citizens' feedback. This is complemented with the perception of the civil society of different aspects of service delivery. Furthermore, the approach to selected Principles goes beyond perceptions, exploring aspects of existence, online availability, and accessibility of information about services.

Four indicators were used, two fully measured by perception data (public perception and civil society perception), and two by using combination of perception and publicly available data. Public perception survey employed the three-stage probability sampling, targeting the public and focusing on citizen-oriented service delivery in the practice, covering various aspects of awareness, efficiency, digitalization and feedback mechanisms.<sup>96</sup>

In measuring the accessibility of administrative services for vulnerable groups, and in remote areas, a survey of the civil society and focus group with selected CSOs were used,<sup>97</sup> and later the survey data was complemented with qualitative findings. The existence of feedback mechanisms was explored by combining public perception data and online data on the sample of five services.<sup>98</sup> Finally, websites of providers of the same sample services were analysed to collect information on service accessibility and their prices.

## WeBER Monitoring Results

**Principle 1:** Policy for citizen-oriented state administration is in place and applied

WeBER indicator SD P1 I1: Public perception of state administration's citizen orientation

Indicator Elements	Scores
Citizens are aware of Government administrative simplification initiatives or projects	1/2
Citizens confirm that administrative simplification initiatives or projects of the Government have improved service delivery	4/4
Citizens confirm that dealing with the administration has become easier	2/4
Citizens confirm that the time needed to obtain administrative services has been reduced	2/4
Citizens consider that the administration is moving towards digital government	2/2
Citizens are aware of the availability of e-services	1/2
Citizens have the knowledge and skills necessary to use e-services	2/2
Citizens use e-services	0/2
Citizens consider e-services to be user-friendly	2/4
Citizens confirm that the administration seeks feedback from them on how administrative services can be improved	0/2
Citizens confirm that the administration uses their feedback on how administrative services can be improved	4/4
<b>Total</b>	<b>20/32</b>

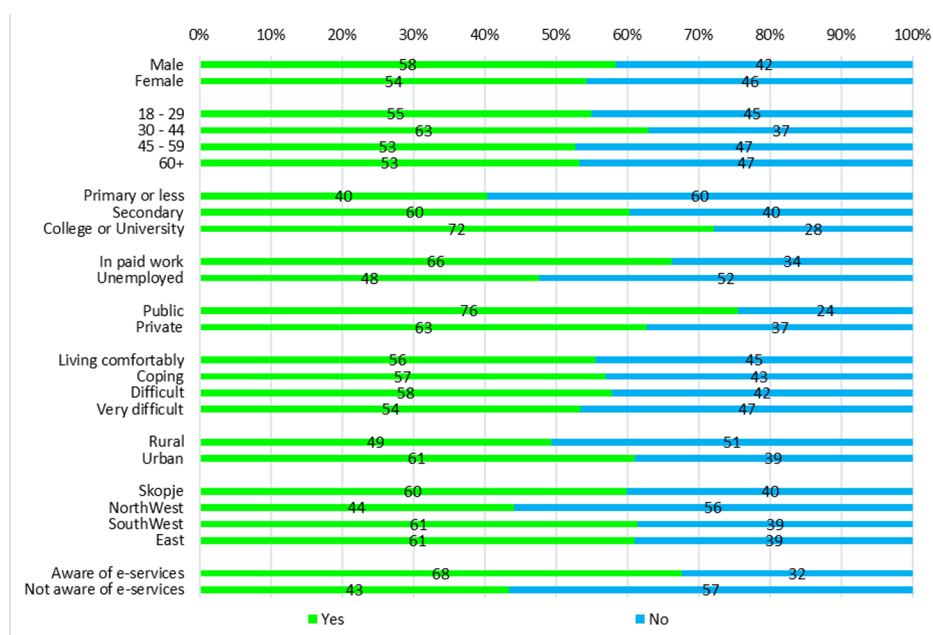
<sup>96</sup> Perceptions are explored using a survey targeting the general public (aged 18 and older) in 6 Western Balkan countries. The survey was conducted with computer-assisted personal interviewing (CAPI), using a three-stage random stratified sampling. It was implemented as part of the regional omnibus surveys conducted in Albania, Bosnia and Herzegovina, Montenegro and Serbia (ad hoc surveys were conducted for Kosovo and Macedonia) in the period from 15 October to 30 November 2017. For Macedonia, the margin of error for the total sample of 1,039 citizens is  $\pm 3.04\%$ , at 95% confidence level.

<sup>97</sup> The survey of civil society organisations was carried out using an anonymous, online questionnaire. The data collection method included CASI (computer-assisted self-interviewing). In Macedonia, the survey was carried out in the period from 23 April to 7 June 2018. The survey sample for Macedonia was N=74. The base for questions on accessibility of services was n=49 respondents.

<sup>98</sup> 1) Property registration, 2) company (business) registration 3) vehicle registration 4) Issuance of personal documents: passports and ID cards 5) value added tax (VAT) for companies.

Our results indicate that 56% of Macedonian citizens have interacted with the administration to receive some administrative services in the past two years. In the context of the demographics of those who have had contacts with the administration, there is no significant difference in terms of gender and household's income. However, in urban area, there is a higher interaction rate (61%) than in rural area (49%); the northwest region has the lowest interaction rate (44%) whereas the other regions identified do not show significant differences. Age-wise, the 30-44 age group has the highest interaction rate (64%). Education-wise, those with a university degree or higher degree education (72%), those who are employed (66%) and working in public sector (76%) have higher interaction rates than those with secondary school or lower education (53%), unemployed (48%) or who work in the private sector (63%). Respondents with awareness of e-services are more likely to have interacted with the administration (68%) than those without such awareness (43%).

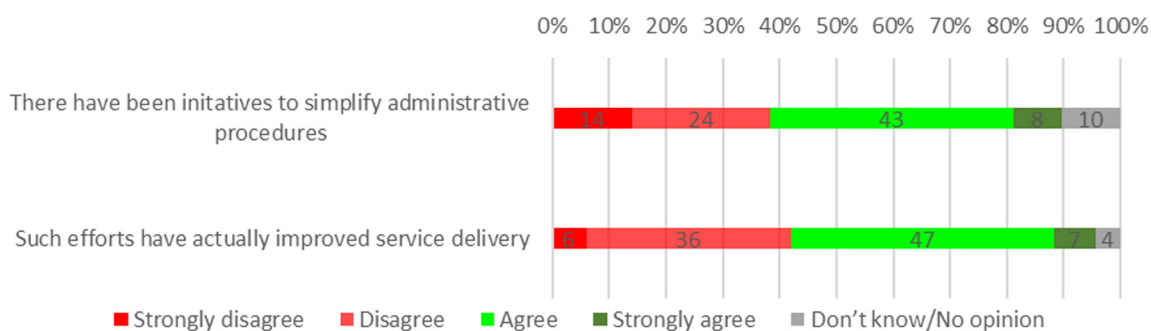
FIGURE SD1: DEMOGRAPHICS OF CITIZENS THAT HAVE INTERACTED WITH THE ADMINISTRATION TO RECEIVE ADMINISTRATIVE SERVICES (%)



Note: Results are rounded to the nearest integer. N=516, 523, 233, 294, 268, 244, 315, 544, 179, 427, 323, 289, 118, 309, 97, 380, 336, 226, 418, 621, 301, 275, 214, 248, 551, 488 respectively for each bar.

Overall, 51% of Macedonians think that there have been initiatives or efforts by the Government to simplify the administrative procedures for citizens and 54% of Macedonians think that such efforts have actually led to improved service delivery.

FIGURE SD2: PERCEPTION ON THE EFFORTS AND EFFICACY OF GOVERNMENT INITIATIVES RELATING TO SERVICE DELIVERY (%)



Note: Results are rounded to the nearest integer. N=1039, N=784

There is no significant demographic difference regarding gender, area of residence, and employment sector in relation to the issue whether there are Government efforts to improve services and whether such efforts actually lead to better service delivery. Apart from those demographic indicators, the 30-44 age cohort has the most positive opinion in respect of both questions (56% agree on there being efforts and 60% agree on actual improvement of service). In terms of household income, those who are in the coping (55%) or who are in the difficult (53%) stratum are more likely to think that there are improvement initiatives than those living comfortably (46%) or are in the very difficult (42%) stratum; yet their opinions do not differ much regarding actual improvement of service delivery. The unemployed (62%) agree more on actual service improvement than the employed (55%).

**“** WeBER Platform members’ findings

Social services offered through social work centers were examined from the aspect of their contribution to the resolution of the problems that citizens face. Civil perceptions on this issue are divided, so 46% think they can help, while 47% think that they do not help in resolving the problems of the citizens. According to the working status of the citizens, they are notes that the highest percentage of unemployed respondents (53.3%) who consider that the services of the social work centers do not try enough for the best interest of the citizens, while retirees have the most positive impression (44.4%) that social services can help in resolving the problems that citizens face

Center for Change Management, 2018

**”**

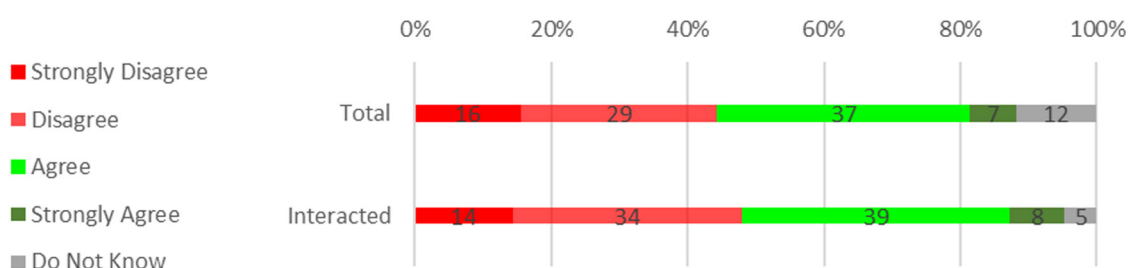
FIGURE SD 3: DEMOGRAPHICS OF THE PERCEPTION OF THE EFFORTS AND EFFICACY OF GOVERNMENT INITIATIVES ON SERVICE DELIVERY (%)



Note: Results are rounded to the nearest integer. N=97, 380, 336, 226, 233,294, 268, 244, 427, 323 respectively for each bar.

In general terms, in the context of the issue whether dealing with the administration has become easier, 44% of Macedonians agree, 45% disagree and 12% do not know or have no opinions. The 60+ age group agrees the least (37%) compared to other age group. Those who work in the public sector (52%) or who have interacted with the administration (47%) agree with this more than those in the private sector (43%) or who have not interacted with the administration (39%). Respondents who have interacted, i.e. dealt with administrative procedures agree marginally more (+3%) with this assessment.

FIGURE SD 4: PERCEPTION ON WHETHER DEALING WITH THE ADMINISTRATION HAS BECOME EASIER IN THE PAST TWO YEARS IN ONE'S OWN EXPERIENCE (%)



Note: Results are rounded to the nearest integer. N=1039, N=585

As regards the issue whether time needed to obtain administrative services has been reduced, 48% of respondents agree. In respect of the demographics in the context of this question, those who are unemployed (55%), living comfortably (55%), working in the public sector (52%), have interacted with the administration (51%) agree more with this assessment than those who are employed (47%), living in very difficult financial conditions (45%), working in the private sector (45%) or have not interacted with the administration (44%). Those who are aware of e-services (53%) tend to have more positive opinion on this than those who are not (42%). It is worth noting that people living in rural areas (52%) agree with this slightly more than those in urban areas (45%), with Northwest (55%) being the most favourable and with Southwest (41%) being the least favourable towards this assessment.



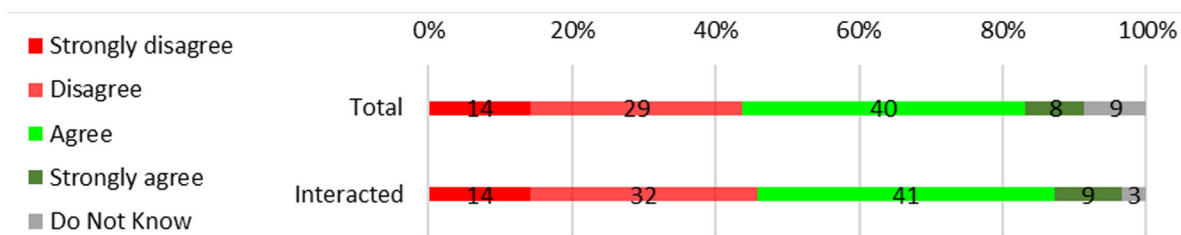
### WeBER Platform members' findings

During the last decade, many changes and reforms occurred in the health care system of the Republic of Macedonia, which stirred a lot of confusion. Reforms were being done to give order to the health care system, where a number of those reforms did not meet the expected results. Some of the reforms included reconstruction of hospitals, purchasing medical equipment and medications, improving the administrative services by including electronic appointments, to name a few. From the finding of the report, despite the loopholes on the new reforms, seen as a whole, the health care system of the Republic of Macedonia has seen improvement. The results for the report were obtained through field research and survey from 849 respondents, in eight statistical regions, focusing on the standings and opinions of citizens regarding their experiences with the services of the health care system of the Republic of Macedonia.

Center for Change Management, 2018

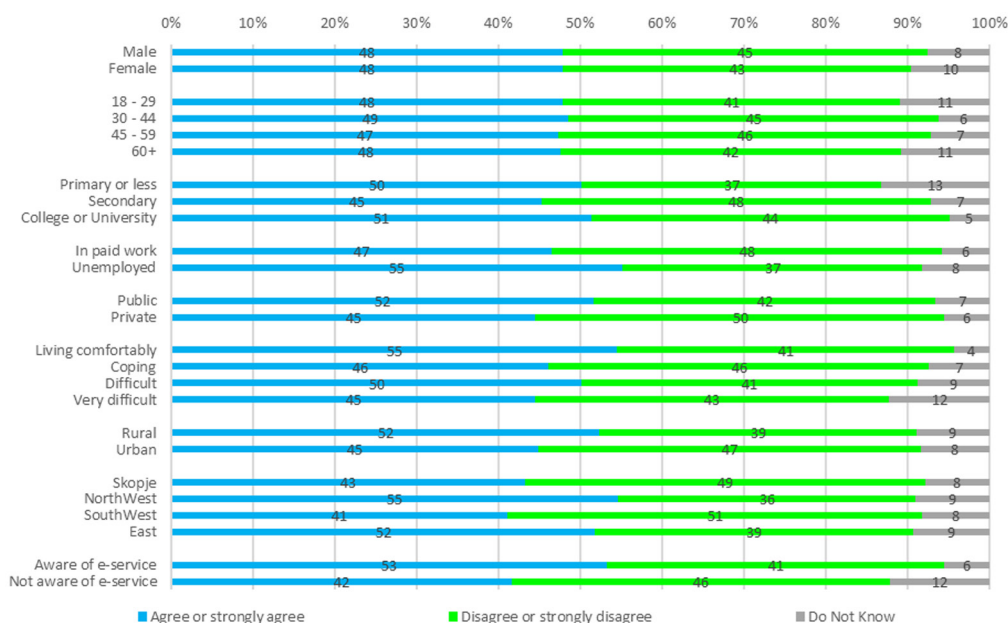


FIGURE SD 5: PERCEPTION OF THE EFFORTS AND EFFICACY OF GOVERNMENT INITIATIVES RELATING TO SERVICE DELIVERY (%)



Note: Results are rounded to the nearest integer. N=1039, N=585

FIGURE SD 6: PERCEPTION OF THE EFFORTS AND EFFICACY OF GOVERNMENT INITIATIVES RELATING TO SERVICE DELIVERY (%)



In the context of the question of whether citizens agree that the administration is moving towards digitalization, 72% of the citizens agree. The age group 30-44 agrees the most (74%) while the age group of 18-29 agrees the least (68%). Those with a university degree or higher degree education agree more (72%) than those with primary or lower education (64%), yet comparing the answers of those with a university degree with those who have secondary education or less, shows that their opinions do not differ significantly. Citizens in the public sectors (81%), those have interacted with the administration (76%) and are aware of e-services (83%) agree more than those in the private sector (70%), or those who have not interacted (65%) or who are unaware of e-services (58%). There seems to be a correlation with the income. Hence, those living comfortably agree the most (78%) and those living in very difficult financial situation agree the least (69%). Geographically, those living in the Eastern parts agree the most (80%) and those in the Northwest part the least (60%).



### WeBER Platform members' findings

With regard to e-tax solutions for all municipalities, there is an initiative from the Community of the units of local self-government to create a centralized system, which would it also covered the wider financial operations of the municipalities, but the state has not yet existed provided funding for its introduction.

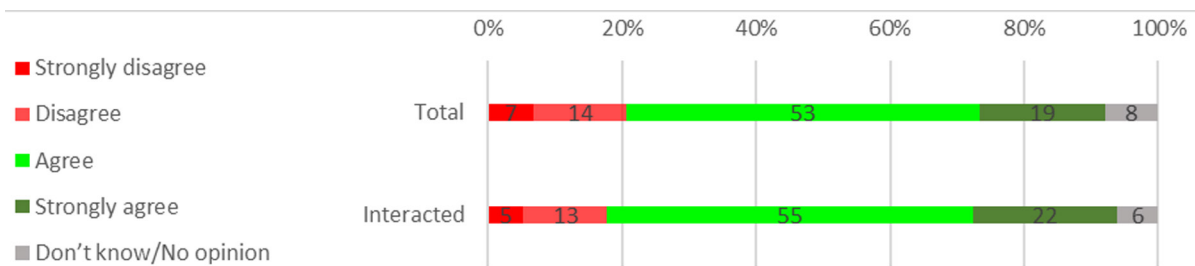
Regarding the tax system in the city of Skopje, the majority of citizens surveyed believe that the electronic procedure for the payment of taxes to the City of Skopje should be simplified. It is also necessary to expand the the possibility of online reporting of tax problems, because now citizens have an opportunity

through the e-Tax website of the City of Skopje to report only a problem with double inscription of the property, the wrong insertion of the municipality in of the property, the wrongly registered ownership part and wrongly registered size of the property.

Association Zenith, 2018



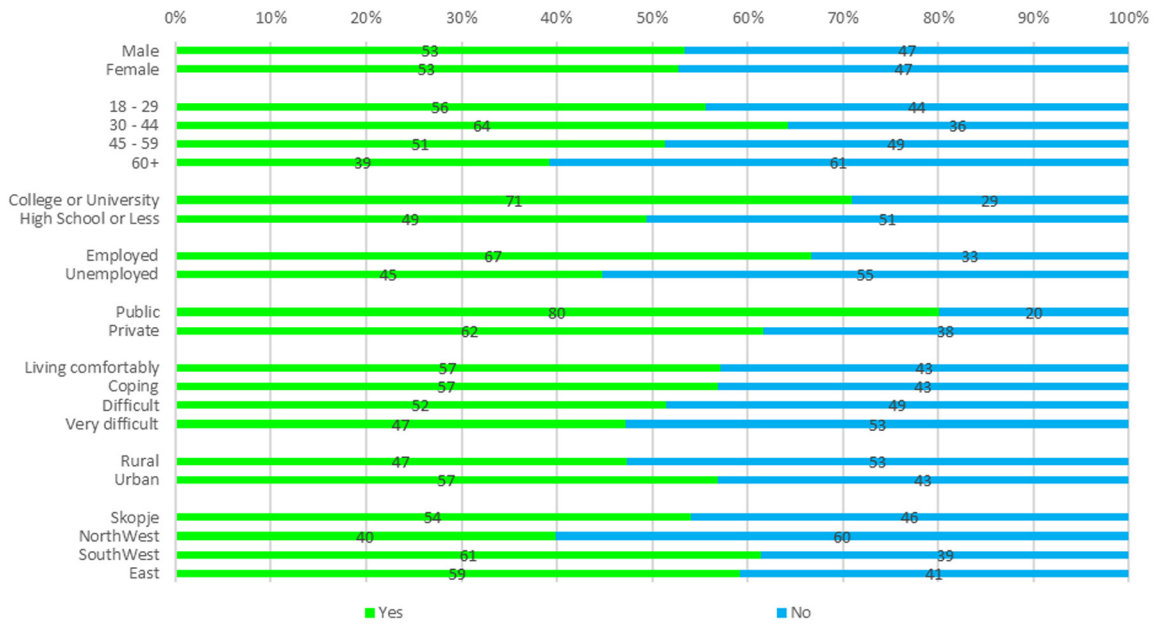
FIGURE SD 7: PERCEPTION OF WHETHER THE ADMINISTRATION IS MOVING TOWARDS DIGITALIZATION (%)



Note: Results are rounded to the nearest integer. N=1039, N=585

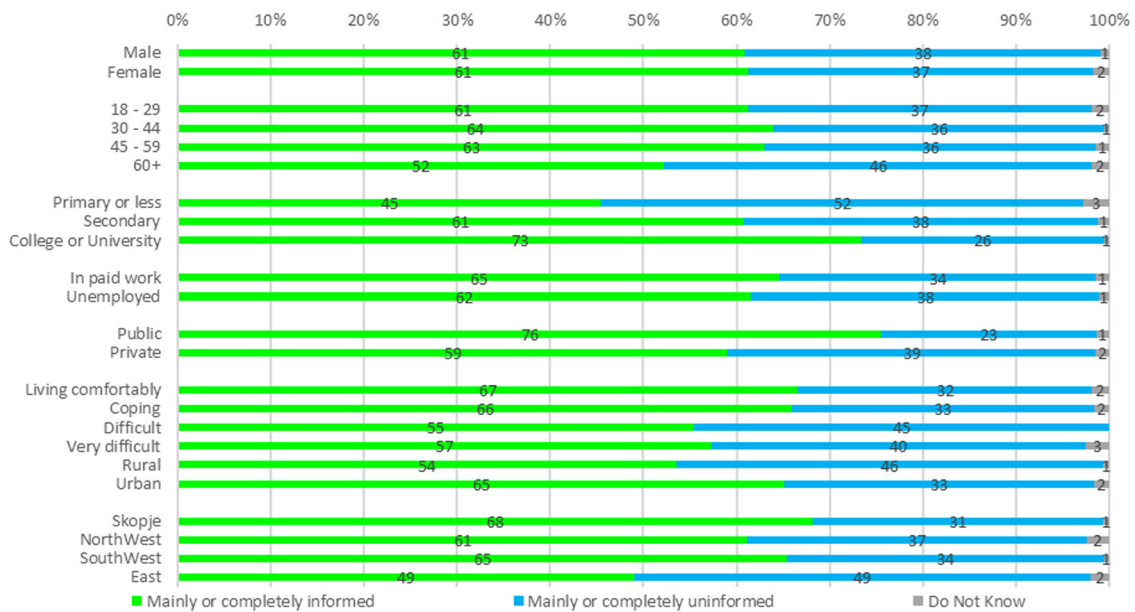
In terms of the level of awareness and the level of information awareness about e-services, 53% of respondents are aware; amongst them, 61% report to be informed and 38% uninformed. In terms of age groups, the 30-44 age group is the most aware (64%), and the 60+ age group is the least informed (52%). Data suggests a correlation between education, and awareness and level of being informed. Those with a university degree or higher degree are both the most aware (71%) and best informed (73%), compared to those with secondary or lower education who are less aware (49%) and less informed (57%). Similarly, those in urban areas are more aware (57%) and better informed (65%) than those in rural areas (47% and 54% respectively); those in the Southwest parts are the most aware (61%) whereas those in the Northwest parts are the least aware (40%), and people in Skopje are the best informed (68%), while those living in the Eastern parts are the least informed (49%). Those in the public sector are generally more aware (80%) and informed (76%) than those in the private sector (62% and 59% respectively). Those better off are more aware (57% of those living comfortably) and informed (67% of those living comfortably) than those less well off (47% and 57% respectively for those in very difficult conditions). Interaction with administrative services certainly changes both the awareness (64% versus 39%) and the level of being informed (63% versus 57%).

FIGURE SD 8: DEMOGRAPHICS OF THE AWARENESS LEVEL OF E-SERVICES OFFERED IN MACEDONIA (%)



Note: Results are rounded to the nearest integer. N=516, 523, 233, 294, 268, 244, 315,544, 179, 427, 323, 289, 118, 309, 97, 380, 336, 226, 418, 621, 301, 275, 214, 248 respectively for each bar.

FIGURE SD 9: DEMOGRAPHICS OF THE LEVEL OF BEING INFORMED ABOUT E-SERVICES OFFERED IN MACEDONIA (%)



Note: Results are rounded to the nearest integer. N=516, 523, 233, 294, 268, 244, 315,544, 179, 427, 323, 289, 118, 309, 97, 380, 336, 226, 418, 621, 301, 275, 214, 248 respectively for each bar.

In terms of the rate of utilization of e-services, only 23% report to use it often or sometimes (7% and 16% respectively). 38% of citizens who use e-services at all report to have always obtained services and 34% report to have sometimes obtained services. 81% of them consider e-services user-friendly while 17% think otherwise. Citizens in the 60+ age group both use e-services minimally (14% combining using “often” and “sometimes”) and are most likely to consider e-services difficult to use (71%). Those with higher income tend to use more e-services (31%) than those who are in a difficult financial situation (16%).



TABLE: USER EXPERIENCES WITH E-SERVICES IN THE PAST TWO YEARS

	Never	Rarely	Sometimes	Often	Total
How often have you used e-services	57%	20%	16%	7%	n=483
How often have you managed to finalize the e-services you requested	6%	23%	34%	38%	n=209

### How does Macedonia do in regional terms?

Indicator values for 5SD\_P1\_I1 Public perception of state administration's citizen orientation



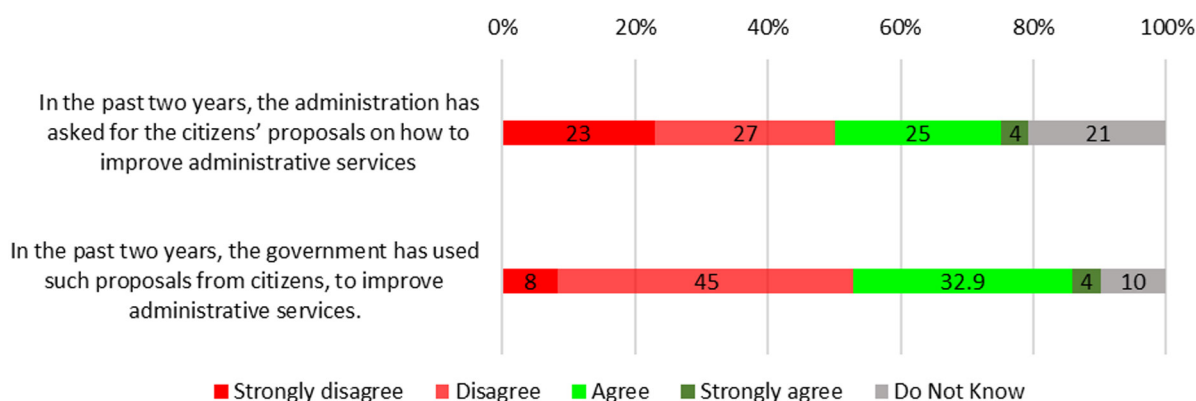
Principle 3: Mechanisms for ensuring the quality of public services are in place

WeBER indicator SD P3 I1: Public perception and availability of information about citizens' feedback regarding the quality of administrative services

Indicator elements	Scores
Citizens consider they have the possibility to provide feedback on the quality of administrative services	1/2
Citizens perceive feedback mechanisms as easy to use	4/4
Citizens perceive themselves or the civil society as involved in monitoring and in assessing administrative services	0/4
Citizens perceive that administrative services are improved as a result of monitoring and assessment by citizens	4/4
Basic information regarding citizens' feedback on administrative services is publicly available	2/4
Elaborate information regarding citizens' feedback on administrative services is publicly available	0/2
<b>Total</b>	<b>11/20</b>

In general, as to the issue of whether the Government has used proposals and feedbacks from citizens, only 29% of Macedonians agree, while a majority of 50% disagrees. Those who work in the public sector (46%), who live comfortably (34%) and who interact with the administration (33%) are more likely to have a positive opinion on this matter. Out of the sub-sample of citizens who agreed that the Government asks for their feedback, only 37% to some extent agree that the Government has used proposals from citizens to improve administrative services.

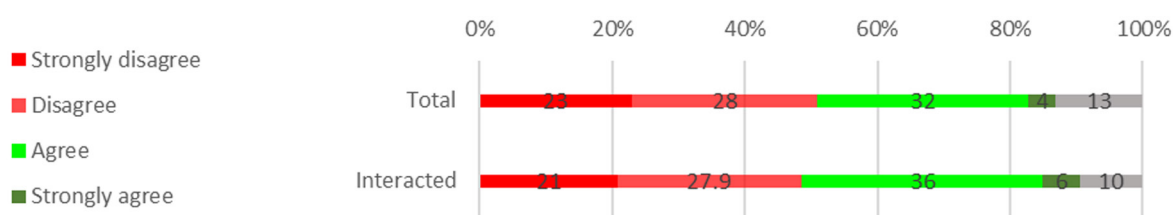
FIGURE SD 10: PERCEPTION OF THE EFFORTS AND EFFICACY OF GOVERNMENT INITIATIVES RELATING TO SERVICE DELIVERY (%)



Note: Results are rounded to the nearest integer. N=1039, N=584

Furthermore, only 36% of respondents agree that they have possibilities to offer feedback on the quality of services while 51% disagree. Out of those that believe they have possibilities to give feedback on the quality of administrative services, only 20% (of a subsample of n=665) have had the chance of offering opinions or feedback, while 73% have not had such a chance. However, a majority (68%) of the small sub-sample of respondents (13% of population) who have had the chance of offering feedback consider the channels user-friendly, as opposed to a minority (27%) who think the opposite.

FIGURE SD 11: POSSIBILITIES OF GIVING FEEDBACK ON THE QUALITY OF SERVICES RECEIVED (%)



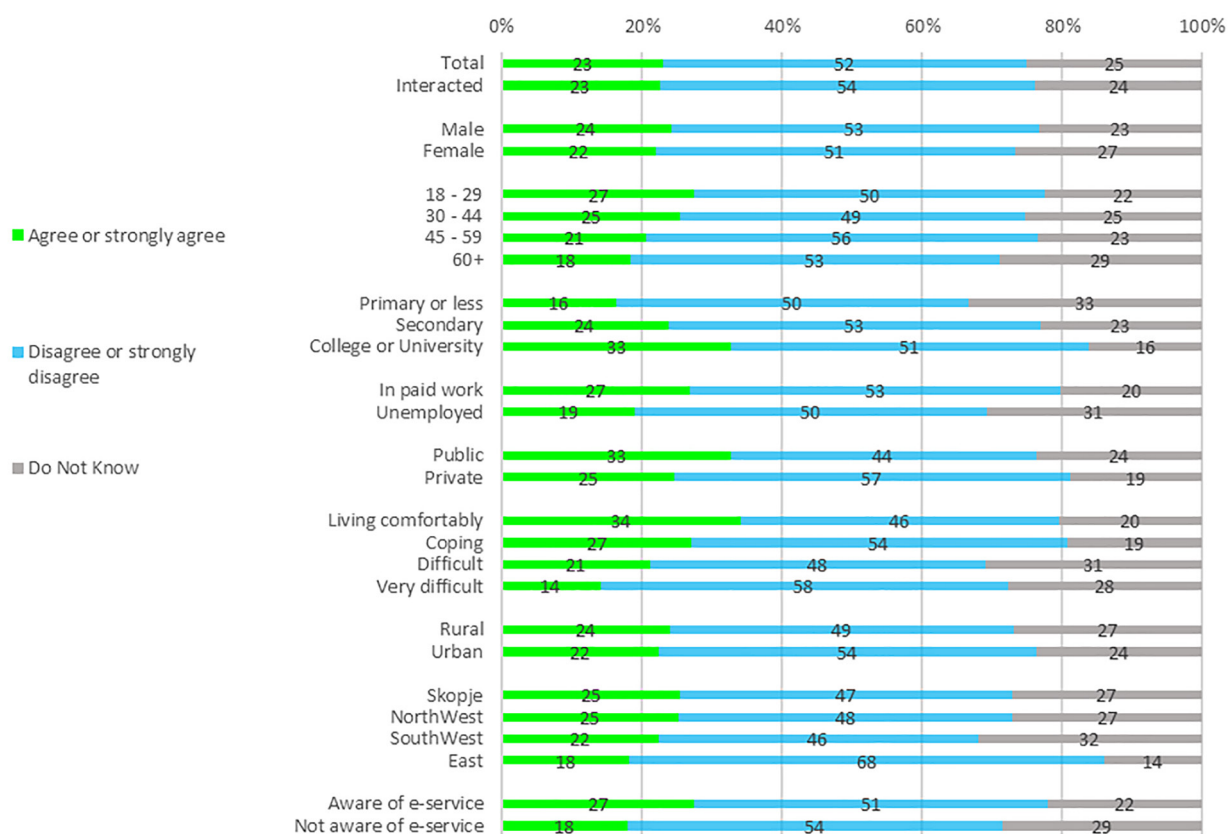
Note: Results are rounded to the nearest integer. N=1013, N=585

TABLE: USER EXPERIENCES WITH FEEDBACK OPPORTUNITIES AND CHANNELS IN THE PAST TWO YEARS

Have you had a chance to offer opinions and feedback on administrative services?	20% (Yes)	71% (No)	7% (N/A)	n=665
How easy to use are the feedback channels?	68% (Easy or Very Easy)	27% (Difficult or Very Difficult)	5% (N/A)	n=134

When asked if they perceive themselves or the civil society as involved in monitoring and assessing administrative services, only 23% agree, while 52% disagrees. Regarding the demographics of citizens who are more involved, those with higher education (33%) and who live comfortably (34%) are more involved. Out of those who agree that they are involved, 69% (out of a subsample of n=239) agree that such monitoring has led to improved government services.

FIGURE SD 12: CITIZENS AND THE CIVIL SOCIETY HAVE BEEN INVOLVED IN THE MONITORING OF SERVICES, BY BACKGROUND FACTORS (%)



Note: Results are rounded to the nearest integer. N= 1039, 585, 516, 523, 233, 294, 268, 244, 315,544, 179, 427, 323, 289, 118, 309, 97, 380, 336, 226, 418, 621, 301, 275, 214, 248, 551, 488 respectively for each bar.

However, the analysis of the websites of 5 service providers suggests that there are very limited feedback channels online for citizens regarding the Government service delivery.<sup>99</sup> Only the PRO stated in its annual 2016 Report that it had conducted a survey regarding the satisfaction of service users. However, the Report states the results are only available on the Intranet and does not precise whether the satisfaction with the services that citizens used regarding the value added tax for companies was measured. Furthermore, there is no information about advanced performance data from any of the institutional service providers.

99 The website analysis included: 1) Agency for Real Estate Cadastre (property registration/ issuing property deeds); 2) Central Registry of the Republic of Macedonia (business registration); 3) Ministry of the Interior (vehicle registration and passport issuance); 4) Portal of Information on Services (service).

## How does Macedonia do in regional terms?

Indicator P3 I1: Public perception and availability of information on citizens' feedback regarding the quality of administrative services



**Principle 4:** The accessibility of public services is ensured

WeBER indicator SD P4 I1: CSOs' perception of accessibility of administrative services

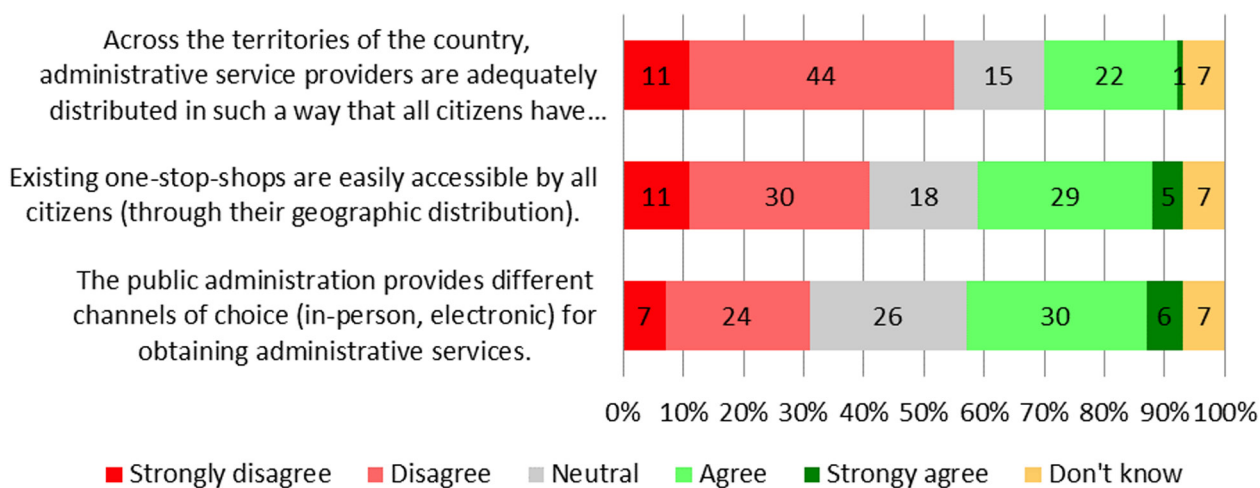
Indicator elements	Scores
CSOs confirm the adequacy of the territorial network for access to administrative services	0/4
CSOs confirm that one-stop-shops are made accessible to all	0/4
CSOs consider administrative services to be provided in a manner that meets the individual needs of vulnerable groups	0/4
CSOs confirm that administrative service providers are trained on how to treat vulnerable groups	0/2
CSOs confirm that the administration provides different channels of choice for obtaining administrative services	0/2
CSOs confirm that e-channels are easily accessible for persons with disabilities	0/2
<b>Total</b>	<b>11/20</b>

WeBER indicator SD P4 I2: Availability of information regarding the provision of administrative services on the websites of service providers

Indicator elements	Scores
Websites of administrative service providers include contact information for provision of services	4/4
Websites of administrative service providers include basic information about procedures on how to access administrative services	2/4
Websites of administrative service providers include citizen-friendly guidance for accessing administrative services	1/2
Websites of administrative service providers include information on the rights and obligations of users	2/2
Individual institutions providing administrative services at the central level publish information about the price of services offered	4/4
The information about the prices of administrative services differs for e-services and in-person services	0/2
Information on administrative services is available in an open data format	0/2
<b>Total</b>	<b>13/20</b>

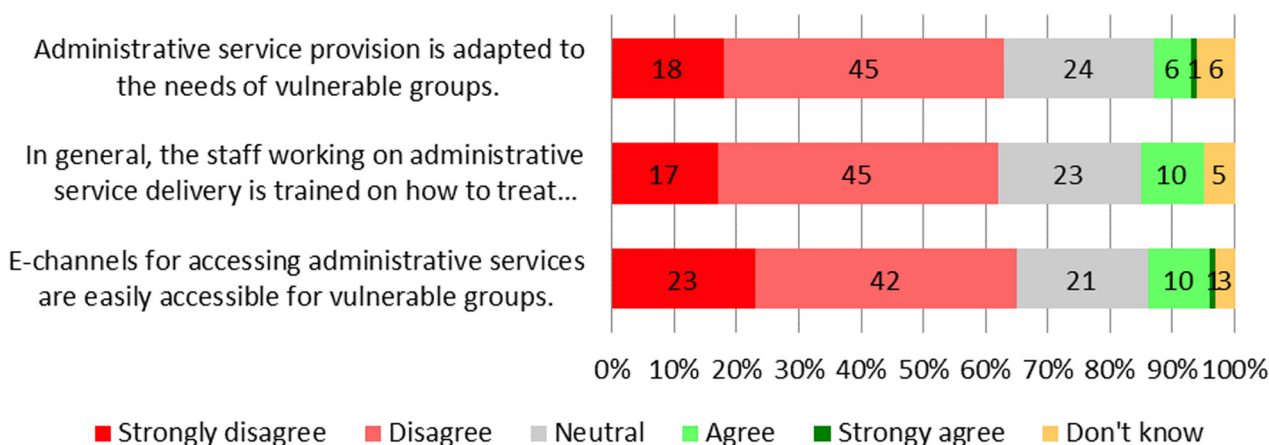
Regarding the accessibility of public services in Macedonia, 4 out of 5 services (with the exception of vehicle registration) have detailed contact information, including but not limited to e-mail addresses and phone numbers. All of them offer information about the procedure (description of services, information about the physical location and/or original downloadable forms) for obtaining services. Additionally, all of them publish information about the price of services offered, as well as about the rights and obligation of users. There is some level of price differentiation between e-services and in-person services in 3 out of 5 service providers.<sup>100</sup> However, none of these service providers have citizen-friendly guidance (visual presentation, audio-visual guidance) or information about administrative services in an open-data format.

FIGURE SD 13: Accessibility of services



Note: N=87

FIGURE SD 14: Accessibility of services for vulnerable groups



Note: N=87

However, there is no differentiation between prices of in-person and e-services, as only one sample service – VAT for companies, can be fully obtained and paid electronically. For all other services in the sample, only detailed online information can be obtained. Finally, no information relevant for the sample services is available in an open-data format.

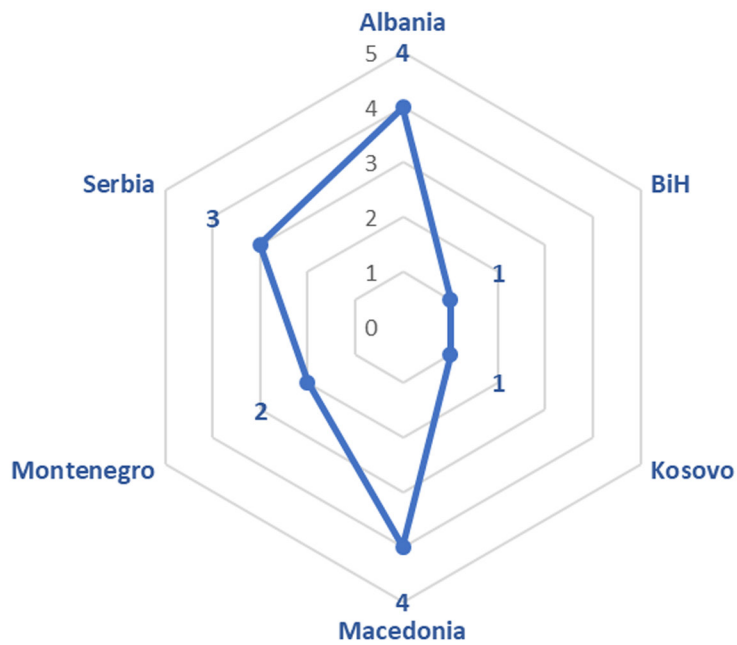
<sup>100</sup> The exception is vehicle registration and identity document issuance. As regards the former, there is no e-service provided. For the latter, there is no fee associated with the only e-service, which is scheduling an appointment.

## How does Macedonia do in regional terms?

Chart: Indicator values for 5SD\_P4\_I1 -CSOs' perception of accessibility of administrative services



WEBER indicator 5SD\_P4\_I2 Availability of information regarding the provision of administrative services on websites of service providers



## Summary results: service delivery

The general perception of citizens in Macedonia regarding the quality and accessibility of administrative services is divided. Almost the same percentage of citizens believe and disagree that dealing with the administration has become easier in the past two years.<sup>101</sup> This leads to the conclusion that their experiences when acquiring services depends on the institution provider and the type of services that are provided. Nevertheless, the survey has also shown that digitalization has contributed to the positive opinion of citizens, as well as the general tendency and commitment of service providers to securing wider encompassing e-services. However, even though citizens think that e-services represent a step forward and they believe they are easy to use, they rarely use them. On the other hand, it is evident that the Government needs to improve its communication and consultation with citizens, as the perception is quite negative. Half of the citizens think that the administration has not asked for their opinion on how to improve administrative services and more than a half share the opinion that the Government has not used proposals from the citizens to improve the services. It is also unclear whether the Government has even conducted surveys and collected proposals from citizens, as this feedback is not available online.

The perception of Macedonian CSOs is quite negative when it comes to service delivery. A large majority of CSOs believe that one-stop-shops and administrative service providers are not easily accessible by all citizens, considering the geographic distribution of the services. According to CSOs, the situation is particularly concerning regarding the provision of services, which are adapted to the needs of vulnerable groups. A comparable level of concern is present with respect to the issue of adaptability of e-channels accessible to vulnerable groups and staff trained to work with these citizens.

Service providers, on the other hand, satisfy the basic requirements and offer essential information on their websites. In general, contact information is available, as well as basic guidance regarding procedures, i.e. what needs to be done in order to obtain the services. Service providers also have all of the required forms available online and inform the citizens about their rights and obligations. However, the concerns of citizens and CSOs are confirmed with the state of affairs of the sample of service providers that have been analysed, as e-services are rare and citizen-friendly guidance is not offered on websites.

## Recommendations for service delivery

### Policy for citizen-oriented state administrations is in place and applied

1. Institutions should proactively and systematically increase the level of awareness and information about e-services to foster the utilization of e-services.

### Mechanisms for ensuring quality of public services are in place

2. All institutions should have functioning public feedback channels on their websites providing citizens with a network where they can rate government service delivery.
3. Institutions should strive to publish advanced performance data about their institutional service providers.

### Accessibility of public services is ensured

4. Service providers should develop citizen-friendly guidance (visual presentation, audio-visual guidance) for the services they provide and should strive to publish information on administrative services in open-data formats.
5. One-stop-shops should be easily accessible by all citizens and adequately distributed across the territory of the country so that all citizens can have an easy access.
6. Administrative services should be adapted to the needs of vulnerable groups and civil servants should be trained on how to treat vulnerable groups (this includes the elderly, the illiterate, disabled people and other vulnerable categories).

<sup>101</sup> 15,6 strongly disagree; 28,8 disagree; 37,1 Agree; 6,7 Strongly agree with the statement "In my own experience, dealing with the administration has become easier".



## 6. Public Financial Management

Table. WeBER Indicators Used in Public Financial Management and Country Values for Macedonia

Transparency and accessibility of budgetary documents					
0	1	2	3	4	5
Public availability of information on public internal financial controls and parliamentary scrutiny					
0	1	2	3	4	5
Supreme Audit Institution's communication and cooperation with the public pertaining to its work					
0	1	2	3	4	5

### State of Play in Public Financial Management

The MoF is in charge of the coordination of the 2018-2021 PFM Reform Programme, which was adopted in December 2017.<sup>102</sup> The Programme is the first of its kind. The Programme notes that the problem analysis presented in the document is also the result of external assessments made by SIGMA; Public Expenditure and Financial Accountability (PEFA) and the World Bank. Moreover, the document is prepared in line with other programmes and strategies of relevance: 2017-2019 Fiscal Strategy of the Republic of Macedonia; 2017-2019 Economic Reform Programme; 2014-2020 IPA II Indicative Strategy Paper.

Regarding the legislation and strategic documents that additionally regulate this area, the Programme states the following: "The Budget Law is the basic legal document regulating the overall budget process, as well as the preparation of the Medium-Term Fiscal Strategy. The medium-term planning is reflected in the Fiscal Strategy, which in accordance with the Law is adopted for a three-year period and it proposes guidelines and objectives of the fiscal policy, the basic macroeconomic projections and indicators, it determines the amounts for the main categories of estimated revenues and appropriations for that period, as well as projections for the budget deficit and debt."

The PFM Reform Programme has identified 7 priorities: Improved Fiscal Framework; Revenue Mobilization; Planning and Budgeting; Budget Execution; Transparent Government Reporting; Internal Control; External Control and Parliamentary Oversight.

The objective of the transparency is defined as follows: "Improving transparency in PFM by producing better quality information, making it available to the wider audience in a more user-friendly manner."<sup>103</sup> However, the activities listed are rather scarce and include the development and implementation of transparency standards for PFM reporting and Publishing of Citizen's Budget. To achieve the previously mentioned objective it is stated that information in the annual budget preparation 'should' include information on deficit financing, financial assets, data on the prior year's outturn, estimates of the budgetary impact of major revenue policy changes and/or some major changes in expenditure programs.<sup>104</sup>

The Ministry of Finance has already issued the Citizen's Budget of the Republic of Macedonia, which is citizen-friendly and explains the background of the document, how the budget is adopted, as well as how revenues are collected and spent."<sup>105</sup>

102 <https://www.finance.gov.mk/files/u3/PFM%20Reform%20%20Programme%202018-2021.pdf>

103 [https://www.finance.gov.mk/files/u3/Akciski%20plan%20za%202018\\_Programa%20za%20reforma%20na%20PFM\\_fev%202018\\_MK%202.pdf](https://www.finance.gov.mk/files/u3/Akciski%20plan%20za%202018_Programa%20za%20reforma%20na%20PFM_fev%202018_MK%202.pdf)

104 [https://www.finance.gov.mk/files/u3/Akciski%20plan%20za%202018\\_Programa%20za%20reforma%20na%20PFM\\_fev%202018\\_MK%202.pdf](https://www.finance.gov.mk/files/u3/Akciski%20plan%20za%202018_Programa%20za%20reforma%20na%20PFM_fev%202018_MK%202.pdf)

105 <https://www.finance.gov.mk/files/GB%202018%20MK.pdf>

The Ministry of Finance has been publishing on its website quarterly and semi-annual budget reports, as well as all annual reports and budgets since 2008. Moreover, guidelines for strategic and annual reports for internal financial management are published along with a methodology for strategic and annual reporting about the internal audit.<sup>106</sup> In addition, an assessment of the risks in the planning of the audit is available.<sup>107</sup> Furthermore, a document plan defining principles of gender-based budgeting has been published on the website of the MoF<sup>108</sup>, while the Government has adopted a 2012-2017 Strategy for Gender-Based Budgeting and the new Minister of MLSP has also embraced this practice.<sup>109</sup>

Furthermore, in relation to transparency, the Open Budget Survey results for 2017 gave a score of 37 for budget transparency; 0 for public participation and 56 for budget oversight.<sup>110</sup> Along those lines, according to recommendations to improve the transparency the country is to publish a pre-budget statement in a timely manner and is to increase the information in the Executive Budget proposal.<sup>111</sup> Another recommendation is for the country to publish a Citizens' Budget, which as mentioned earlier, has been accomplished. The results raise many concerns regarding public participation, and it is mentioned that the country does not provide the public with opportunities to engage in the budget process.

When it comes to Public Internal Financial Control (PIFC), a Strategy for development of PIFC is available, covering the period from 2015 to 2017.<sup>112</sup> Internal control is also one of the priorities identified under the PFM Programme, where the measures in this area are oriented towards improving the PIC legislation and methodological framework and strengthening the administrative capacities at the central and local level regarding FMC and IA. The PFM Programme estimates that the first measure (towards improving the PIC legislation and methodological framework) will be accomplished with the implementation of a twinning or bilateral project, saying further that it shall be completed by 2021<sup>113</sup>, and it that it will include deliverables such as a new rulebook for FMC, IA, new FMC and IA manual. In these regard, it can be seen that there are inconsistencies with the Action Plan, where the timeline and activities are only elaborated for the Public Internal Control (PIC) legislation and are estimated to be completed by the end of 2018, indicating that there is a lack of coherence between the Programme and the Action Plan. Moreover, measures and activities regarding the methodological framework are nowhere to be found.

The weaknesses in the PIFC system are also identified in the 2015-2017 PIFC policy paper, which was prepared by the previous Government in 2014. In line with Article 48 of the PIFC Law, the Central Harmonization Unit prepared (CHU) an annual Report on the progress in the implementation of FMC in 2016 and submitted it to the Government. The Report was sent to the Government in July 2017. This is the last report available online. The Report is based on data derived mainly from a self-assessment of all budget funded organisations required to implement FMC and out of 93 central government organisations, that are required to implement FMC requirements, 76 (82%) reported about the progress they made during the year.

In relation to the operational framework for internal audit (IA), SIGMA stated that 'the overall legal and policy framework for IA is in place and is largely in line with international good practices. The PIFC Law specifies that IA should be carried out in accordance with the International Standards of the Institute of Internal Auditors. The Law is supported by rulebooks consistent with the Law, and extensive guidance material is available for internal auditors, including an extensive IA Manual for system audits.<sup>114</sup> Furthermore, the scope of application of IA requirements is very broad and even small organizations are required to carry out IA them. In this context, at the central government

106 <https://www.finance.gov.mk/node/565>

107 <https://www.finance.gov.mk/node/565>

108 [https://www.finance.gov.mk/files/RBI\\_2018.pdf](https://www.finance.gov.mk/files/RBI_2018.pdf)

109 Available at: [http://www.mtsp.gov.mk/maj-2018-ns\\_article-carovska-rodovo-odgovornoto-budzetiranje-znaci-sozdavanje-ednakvo-opshtestvo.nspix](http://www.mtsp.gov.mk/maj-2018-ns_article-carovska-rodovo-odgovornoto-budzetiranje-znaci-sozdavanje-ednakvo-opshtestvo.nspix)

110 Out of 100. Available at: <https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=mk>

111 <https://www.internationalbudget.org/wp-content/uploads/macedonia-open-budget-survey-2017-summary.pdf>

112 [https://www.finance.gov.mk/files/u249/VFK\\_od\\_2015\\_do\\_2017\\_godina\\_donesena\\_od\\_Vlada.pdf](https://www.finance.gov.mk/files/u249/VFK_od_2015_do_2017_godina_donesena_od_Vlada.pdf)

113 <https://www.finance.gov.mk/files/u3/PFM%20Reform%20%20Programme%202018-2021.pdf>

114 <http://www.sigmaweb.org/publications/Monitoring-Report-2017-the-former-Yugoslav-Republic-of-Macedonia.pdf> p.134

level, 94% (88 out of 93) of first-level budget funded organisations have established an IA Unit, guided by an audit charter.<sup>115</sup> Another issue of concern is that even though the PIFC Law requires systematic quality assurance, activities to this end are not undertaken by either the IA units or the CHU.<sup>116</sup> Finally, it is important to mention that the Audit Committee that was established in 2014 for better coordination of IA in the public sector has not had any meetings since 2014 and is no longer operational.<sup>117</sup>

Strengthening the role of the State Audit Office (SAO) is another priority identified under the PFM Programme. Namely, the objectives stated in the Programme are oriented towards the improvement of the regularity and performance audits of SAO in line with International Standards of Supreme Audit Institutions (ISSAI) and SAO's Strategies, establishing a mechanism for pro-active role in understanding and discussing audit reports by the Parliament and strengthening the institutional and human resources capacities of the SAO. To this end, the MoF envisages to analyse the existing legal and institutional framework in terms of cooperation between the SAO and Parliament, against the benchmarks for SAO-Parliament cooperation set under the best practices in EU. In addition, there will be a Training Needs Assessment made and a Training Plan elaborated for members of Parliament.<sup>118</sup> These activities are to be completed in 2019. In the context of Parliamentary scrutiny, PEFA states „National Assembly reviews the SAO consolidated annual report every year, and sends its resulting Resolution to the Government. But little attention is paid to any of the other reports, and no detailed hearings have been held in recent years with representatives of budget institutions subject to audit criticism.”<sup>119</sup>

### What does WeBER monitor and how?

Monitoring of the Public Finance Management area is carried out against four SIGMA Principles.

**Principle 5:** Transparent budget reporting and scrutiny are ensured;

**Principle 6:** The operational framework for internal control defines responsibilities and powers, and its application by budget organisations is consistent with the legislation governing public financial management and the public administration in general;

**Principle 8:** The operational framework for internal audit reflects international standards, and its application by budget organisations is consistent with the legislation governing public administration and public financial management in general

**Principle 16:** The supreme audit institution applies standards in a neutral and objective manner to ensure high-quality audits, which positively impact on the functioning of the public sector.

As these Principles are thoroughly assessed by SIGMA, WeBER's approach incorporates and focuses on elements of transparency and accessibility of information, external communication, but also proactive and citizen-friendly approach to informing citizens.

The WeBER monitoring is based on three indicators, one per each PFM sub-area covered: annual budget policy, PIFC, and external audit. First, transparency and accessibility of budgetary documents is assessed, measuring how accessible key budget documents are for the citizens (annual state-level budget and budget execution reports), but also to what extent budgetary information is presented and adapted to the needs of citizens and of the civil society. To this end, web presen-

115 <https://www.finance.gov.mk/en/node/959>

116 <http://www.sigmaweb.org/publications/Monitoring-Report-2017-the-former-Yugoslav-Republic-of-Macedonia.pdf>

117 <http://www.sigmaweb.org/publications/Monitoring-Report-2017-the-former-Yugoslav-Republic-of-Macedonia.pdf>

118 <https://www.finance.gov.mk/files/u3/PFM%20Reform%20%20Programme%202018-2021.pdf>

119 <https://www.finance.gov.mk/files/u3/PFM%20Reform%20%20Programme%202018-2021.pdf>

tations of ministries in charge of finance and related available data were analysed as the primary online source, but also official portals of the governments and open data portals depending on country-specific practices.

Second, public availability and communication of essential information on PIFC (consolidated reporting, IA quality reviews, FMC procedural information) to the public and other stakeholders is also measured by analysing official websites and available documents of government institutions in charge of the PIFC policy. However, in respect of availability of specific FMC related information, websites of all ministries are analysed, as well as official parliamentary documentation about the measurement of regularity or parliamentary scrutiny of PIFC.

Finally, in the external audit area, the indicator approach considers supreme audit institutions' external communication and cooperation practices with the public. It covers existence of strategic approach, means of communication used, citizen-friendliness, use of data visualisation, existence of channels for reporting on issues identified by external stakeholders, and consultations with civil society. In this context, a combination of expert analysis of SAI documents and analysis of websites is used, but complemented with semi-structured interviews with SAI staff to collect additional or missing information.

## WEBER monitoring results

**Principle 5:** Transparent budget reporting and scrutiny are ensured

WEBER indicator PFM\_P5 I1: Transparency and accessibility of budgetary documents

Indicator Elements	Scores
Enacted annual budget is easily accessible online	4/4
In-year budget execution reports are easily accessible online	4/4
Mid-year budget execution reports are easily accessible online	4/4
Budget execution reports (in-year, mid-year, year-end) contain data on budget spending in terms of functional, organization and economic classification	0/4
Annual year-end report contain non-financial information about the performance of the Government	0/2
Official reader-friendly presentation of the annual budget (Citizen's Budget) is regularly published online	4/4
Budgetary data is published in an open-data format	2/2
<b>Total</b>	<b>18/24</b>

The enacted annual budgets are easily accessible on the website of the MoF.<sup>120</sup> In addition to the on-going budget, the archive contains all annual budgets starting with the 2008 budget. In-year budget execution reports and separate Mid-year budget execution reports<sup>121</sup> are also available online in line, along with the 1986 IMF Government Finance Statistic Manual. In respect of monthly reports, it should be pointed out that in addition to quarterly reports, there are also consolidated reports, which are published each month or within 30 days in the current month for the previous month at the latest.<sup>122</sup> However, as regards the issue of availability of data in Reports, the monthly budget reports and the Mid-year report budget only have economic classification.<sup>123</sup> The Year-end report on the other hand, contains information on organisational, economic, and functional classifications consolidated in the Budget Execution Report.<sup>124</sup>

120 <https://www.finance.gov.mk/mk/node/575>

121 <https://www.finance.gov.mk/files/u9/Semi-annual%20report.pdf>

122 <https://www.finance.gov.mk/en/node/699>

123 <https://www.finance.gov.mk/en/node/699>

124 <https://www.finance.gov.mk/files/u6/ZAVRSNA%20SMETKA%202017%20-%20SPOENA.pdf>

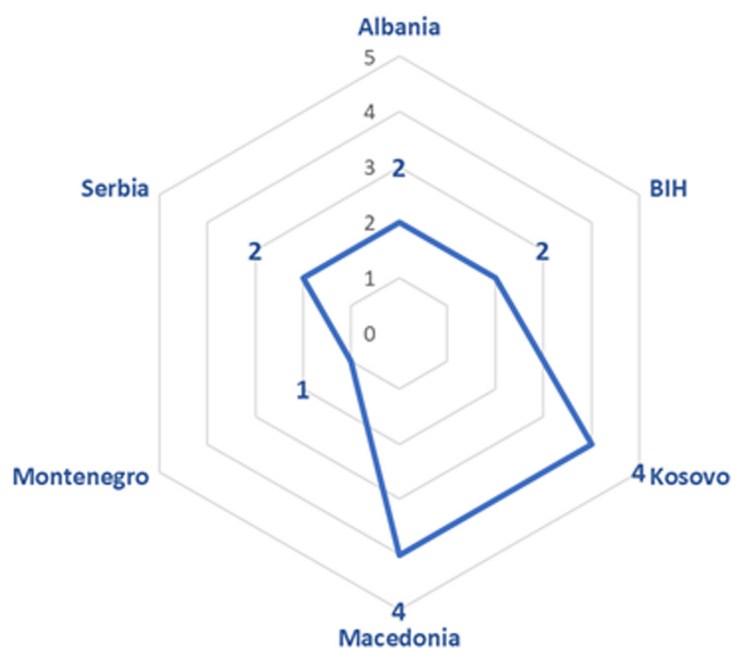
In relation to non-financial information about the performance of the Government, in terms of outputs or outcomes, the year-end budget report contains partial explanation of the budget expenditure, mainly for capital investments, but this is not sufficient for all budget users.<sup>125</sup>

The citizen-friendly annual budget is published online and can be found on the homepage of the Ministry's website for the current state budget (2018).<sup>126</sup> The 2017 citizen-friendly annual budget is not published at the designated website location, but is found through the search bar on the Ministry's website. There is also a Video introduction for the 2017 citizen-friendly budget.<sup>127</sup>

Another positive aspect is the availability of budgets in an open-data format. Namely, the budgets are published in XML data sets on the website of the MoF.<sup>128</sup>

### How does Macedonia do in regional terms?

Indicator PFM\_P5 I1: Transparency and accessibility of budgetary documents



**Principle 6:** The operational framework for internal control defines responsibilities and powers, and its application by budget organisations is consistent with legislation governing public financial management and the public administration in general;

**Principle 8:** The operational framework for internal audit reflects international standards, and its application by the budget organisations is consistent with the legislation governing public administration and public financial management in general.

125 <https://www.finance.gov.mk/files/u6/ZAVRSNA%20SMETKA%202017%20>

126 <https://www.finance.gov.mk/files/GB%202018%20MK.pdf>

127 <https://www.finance.gov.mk/mk/node/6600>

128 <https://www.finance.gov.mk/mk/node/575>

WEBER Indicator PFM\_P6\_P8 I1: Public availability of information on public internal financial controls and parliamentary scrutiny

Indicator Elements	Scores
Consolidated annual report on PIFC is regularly produced and published online	4/4
Quality reviews of internal audit reports are regularly produced and published online	0/2
Ministries publish information related to financial management and control	1/2
The CHU proactively engages with the public	0/2
The Parliament regularly deliberates on/reviews the consolidated report on PIFC	0/2
<b>Total</b>	<b>5/12</b>

The Central Harmonisation Unit is an organizational unit at the Ministry of Finance that is responsible for the coordination of public internal financial control (PIFC) in the public sector in the Republic of Macedonia. The last report on PIFC is available for 2016, which was published in July 2017.<sup>129</sup> However, it is rather concerning that no quality reviews of internal audit reports are produced and consequently not published.

In terms of availability of information related to financial management and control, it can be noticed in general that ministries do not have a tendency of publishing such information. Out of 15 Ministries, only 2 have published registers online<sup>130</sup> and only one has published its rules of procedures.<sup>131</sup> On the other hand, six ministries have published information about the appointed a FMC manager. The availability of the later information is also due to the fact that Article 12 of the PIFC Law states that the FMC manager is either the head of financial affairs department or a specially appointed Coordinator for Financial Management and Control. Hence, considering that contact information for all employees in these Ministries is available, and the heads of financial affairs departments are clearly stated in the list, this information has been assessed as available.

It is rather worrying that the CHU does not engage proactively with the public. The MoF does not have press releases issued regarding the activities of the CHU since 2015 and there is no evidence found on media appearances by the CHU representatives on PIFC related matters. Furthermore, the production and publishing of booklets, leaflets, and other info material seems to be very scarce, while reader-friendly digests or summaries of reports produced by the CHU are not published online. In addition, there is no evidence that the CHU has organized any events in which other stakeholders have participated.

According to the Law on PIFC, the CHU prepares annual reports on PIFC, which are then to be submitted only to the Government. There is no provision in the Law according to which CHU reports have to be submitted to the Parliament. It was confirmed by the head of the CHU that these reports are not discussed/reviewed by the Parliament.

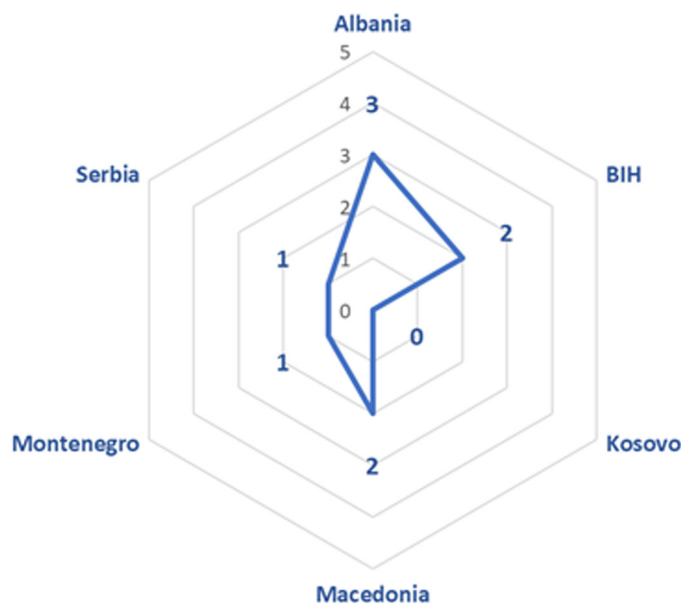
129 <https://www.finance.gov.mk/files/u249/Godisen%20izvestaj%20za%20PIFC%20za%202016%20.pdf>

130 Ministry of Finance and Ministry of Labour and Social Policy

131 Ministry of Finance

## How does Macedonia do in regional terms?

WEBER Indicator P6\_P8 I1: Public availability of information on public internal financial controls and parliamentary scrutiny



**Principle 16:** The supreme audit institution (SAI) applies standards in a neutral and objective manner to ensure high-quality audits, which positively impact the functioning of the public sector

WEBER Indicator P16 I1: Supreme Audit Institution's communication and cooperation with the public pertaining to its work

Indicator elements	Scores
SAI develops a communication strategy for reaching out to the public	0/4
SAI has dedicated at least one job position for proactive communication and giving feedback to the public	0/4
SAI utilises various means of communication with the public	0/2
SAI produces citizen-friendly summaries of audit reports	0/4
Official channels for submitting complaints or initiatives to SAI by external stakeholders are developed (general public, CSOs)	1/2
SAI consults CSOs and their work for the purpose of identifying risks in the public sector	0/2
<b>Total</b>	<b>1/18</b>

Data and findings indicate that the communication and cooperation of the State Audit Office (SAO) with the public is rather scarce. Namely, the institution has developed a Strategic Plan covering the 2018-2022 period, which has five strategic goals, the last one being the "Promotion of the communication system and exchange of information with domestic and international legal entities and informing the public about the work of the SAO". It has a defined goal with a set of activities that are clearly defined. However, indicators and a clearly defined action plan for the strategy are not available.



In terms of specific job positions dealing with citizens' requests and questions, according to the organization of the SAO, there is a separate sector for legal and general matters and public relations,<sup>132</sup> according to the Systematization of Jobs.<sup>133</sup> Furthermore, on the webpage of the SAO, the subsection on employees does not mention such a job position. There is one position which is dedicated to preparing information, reports and opinions on legal matters, as well as communication with the public. The same job position (Head of Sector for Legal and General Matters, Public Procurement and PR) is in charge of monitoring the process of requesting FOI). Another job position is in charge of requests for FOI. Only in the "Development Strategy of the State Audit Office", it is stated that the SAO has appointed a person for public relations, but that contact information of that person cannot be found on the website.

The findings show that the SAO does not use a variety of means to communicate with the public. Namely, only one press conference has been held, regarding the last Annual Report (2017), while the institution does not have any social network account (Facebook, Twitter or LinkedIn).

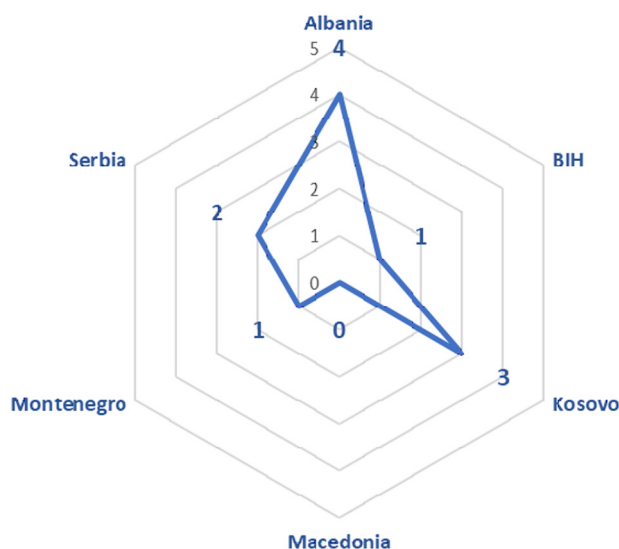
Regarding the substance and presentation of audit reports, it can be seen that they are not specifically tailored to be citizen-friendly. The 2017 SAO Annual Report is written in a citizen-friendly manner, having brief and concise explanation of the findings and conclusions, free from the highly technical language. In addition, all summaries of audit reports<sup>134</sup> are written in a very similar manner, presenting brief and concise explanation of the main findings, while not offering information about conclusions following completed audits. However, such summaries are not per se citizen-friendly, since they are not illustrated with any pictures, brief bullet points and recommendations.

However, the SAO has developed two channels for communication with the public. The first channel can be used for asking Questions and the second one can be used to give Suggestions to the institution. Nevertheless, the channels seem to be non-functional as a test message was sent and no reply has been received.

In respect of the cooperation with CSOs, there are no available methodologies and guidelines for cooperation with CSOs available online. In addition, there is no evidence that any type of joint events/consultations have been organized for representatives of the SAI and CSOs in the last years.

### How does Macedonia do in regional terms?

Indicator P16 I1: Supreme Audit Institution's communication and cooperation with the public pertaining to its work



132 <http://www.dzr.mk/DesktopDefault.aspx?tabindex=0&tabid=1063>

133 [http://www.dzr.mk/Uploads/PRAVILNIK\\_SISTEMATIZACIJA\\_2015\\_REDUCE.pdf](http://www.dzr.mk/Uploads/PRAVILNIK_SISTEMATIZACIJA_2015_REDUCE.pdf)

134 91 audit compliance reports and 5 audit performance report available on the SAO webpage have been subjected to analysis.

## Summary results: Public Financial Management

The Ministry of Finance publishes the data on the execution of the Budget of the Republic of Macedonia on its website, in line with the IMF Government Finance Statistic Manual of 1986. The annual budgets for 2017 and 2018 are easily accessible and are on the same page. There aren't separate monthly reports, they are consolidated in one document and there are also quarterly reports which are comprehensive as well as separate mid-year budget execution reports. There is partial explanation on the budget expenditure, mainly for Capital investments but not sufficient enough for all the budget users. Official citizen-friendly annual budget is published online. These budgets are available in XML data sets and there are available for more than the last two years.

The Ministry of Finance has published a consolidated annual report on PIFC (in the section for PIFC). The Central Harmonisation Unit is an organizational unit within the Ministry of Finance that is responsible for the coordination of public internal financial control (PIFC) in the public sector in the Republic of Macedonia. There are no quality reviews of internal audit reports regularly produced or published online whatsoever. The Ministries do not have a tendency to publish risk registers, books of procedure. Moreover, very often it is difficult to find who is the FMC manager in charge in the Ministry. The Ministry of Finance also rarely engages with the public on PIFC matters and findings have shown that the Parliament does not deliberate on reviews of the consolidated report of PIFC regularly.

The SAO develops a communication strategy for reaching out to the public. In terms of proactive communication and provision of feedback, there is no mention at all for a position specifically designed for communication with the public. Only in the "Development strategy of the State Audit Office" is it stated that a person is appointed for public relations, although that person can't be found on the website.

In terms of having a varied means of communication, only one press-conference regarding the last Annual Report (2017) is held. SAI don't have any kind of social network account (Facebook, Twitter or LinkedIn). In terms of communicating with the SAO, there are two channels - the first channel is for asking Questions and the second one is for giving Suggestions to the SAO. However, they do not seem to be functional.

The Annual Report for 2017 is citizen friendly, written in a fine manner with shortened and concise explanation of the findings and conclusions, free from the highly technical language, however no separate reports are published on their website, and in the annual report it is stated how many audits they have conducted and published. Lastly, there is no evidence that any kind of joint event/consultation was held between SAI and CSOs within the two calendar years prior to the measurement period.

## Recommendations for Public Finance Management

### Transparency and accessibility of budgetary documents

1. The year-end report budgets should contain information on organisational economic and functional classification
2. The year-end budget report should provide non-financial information about the performance of the Government in terms of outputs and outcomes, covering all budget users.

### Public availability of information on public internal financial controls and parliamentary scrutiny

3. Quality reviews of internal audit reports should be produced and published.
4. All Ministries should publish risk registers, books of procedures and information on the appointed FMC manager.
5. The CHU should start engaging with the public, informing about its activities of relevance to the citizens.
6. CHU reports should be reviewed and discussed in the Parliament.

### Supreme Audit Institution's communication and cooperation with the public pertaining to its work

7. The SAO should use a variety of means to communicate with the citizens on its activities, on a regular level, instead of engaging once per year for the presentation of the Annual report.
8. The SAO should engage with the CSOs and develop a methodology for cooperation with CSOs, so that the capacities of both actors are strengthened through joint work.

## Methodology Appendix

The PAR Monitor Methodology was developed by the research and expert team of WeBER and widely consulted among all relevant WeBER associates. Overall, the methodology is based on the selection of 21 SIGMA Principles within six key areas of PAR, and the selected Principles are monitored through 23 compound indicators that focus on different aspects of PAR.

The PAR Monitor methodology (master) document provides details on the overall approach of the WeBER monitoring, the process of developing the methodology, the selection of the Principles which the WeBER project monitors and the formulations of indicators with the basic methodological approaches. Detailed information needed for the measurement of each indicator is provided in the separate detailed indicator tables. Each detailed indicator table contains the formulation and focus of a specific indicator, as well as the following information for each of the indicator elements: formulation, weight, data sources, detailed methodology, and point allocation rules. Finally, each detailed indicator table provides the conversion table for turning the scores from all elements into the final indicator values on the scale from 0 to 5.

PAR Monitor Methodology, and detailed indicator tables are available at the following link: <http://www.par-monitor.org/pages/par-monitor-methodology>

For producing this Regional PAR Monitor report, the data from all individual country findings were used and compared. Those findings rely upon the following research methods and tools, employed for data collection and calculation of indicators:

- >>>Focus groups
- >>>Interviews with stakeholders
- >>>Public perception survey
- >>>Survey of civil servants
- >>>Survey of civil society organisations
- >>>Analysis of official documentation, data and official websites
- >>>Requests for free access to information

### Focus groups

Focus groups were conducted for collecting qualitative, in-depth inputs from stakeholders for a selection of indicators - for the ones either fully based on survey data to complement them, or for those that relied on otherwise collected information that needed to be corroborated by focus group participants. The PAR Monitor methodology envisaged focus groups for:

- >>>Strategic Framework of PAR, with civil society organisations (for indicators SFPAR\_P1\_I1, SFPAR\_P2&4\_I1);
- >>>Policy Development and Coordination, with civil society organisations (covering PDC\_P5\_I2, PDC\_P6\_I1, PDC\_P10\_I1, PDC\_P11\_I1, PDC\_P12\_I1)
- >>>Public Service and Human Resource Management, with former candidates who previously applied for a job in central state administration bodies (for indicator PSHRM\_P3\_I1);
- >>>Accountability, with civil society organisations (for indicator ACC\_P2\_I1), and
- >>>Service Delivery, with civil society organisations specifically dealing with accessibility issues, vulnerable groups and persons with disabilities (for indicator SD\_P4\_I1).<sup>135</sup>

<sup>135</sup> In certain cases, instead of a focus group stakeholder interviews were organised as an alternative, due to the low response rate of focus group invitees.

For selection of participants, purposive non-probability sampling was used, targeting CSOs with expert knowledge in the topics concerned. These focus groups were held in Macedonia:

	Group	No. of FGs	PAR Area
MKD	Civil society	3	Strategic Framework of PAR; Policy Development and Coordination; Accountability
	Former candidates for job position in central administration	1	Public Service and Human Resource Management

## Interviews with Stakeholders

Interviews were conducted to collect qualitative, focused and in-depth inputs from stakeholders on monitored phenomena. For a number of indicators, interviews are envisaged as data sources according to the indicator tables. Nonetheless, they were additionally used in the research to complement and verify otherwise collected data and findings.

Interviews were semi-structured, composed of set of open-ended questions, allowing for a discussion with interviewees and on-the-spot sub-questions rather than strictly following a predetermined format. Selection of interviewees was based on purposive, non-probability sampling, targeting interlocutors based on their expertise and relevance for the topic.

In Macedonia, a total of 9 interviews were conducted within the monitoring period. Interviewees were given full anonymity in terms of personal information and institutional/organisational affiliation, in order to ensure higher response rate and facilitate open exchange.

	Interviewee (number of interviews)	PAR Area
MKD	Representative of CSO (1)	Strategic Framework of PAR
	Civil servant (1)	
	Senior civil servant (3)	Public Service and Human Resource Management
	Former senior civil servant (1)	Public Service and Human Resource Management
	Representative of CSO (2)	Service Delivery
	Executorial level civil servant (1)	Public Financial Management
	Former candidates for a job in central administration (4)	Public Service and Human Resource Management
	Senior civil servant (1)	Public Service and Human Resource Management

## Public Perception Survey

The public perception survey is based on a questionnaire targeting the general public (aged 18 and older) of 6 Western Balkan countries. The survey was conducted through computer-assisted personal interviewing (CAPI), using a three-stage random representative stratified sampling (primary sampling unit: polling station territories, secondary sampling unit: households, tertiary sampling unit: household member). It was implemented as part of the regional omnibus surveys conducted in Albania, Bosnia and Herzegovina, Montenegro and Serbia, with ad hoc surveys conducted for Kosovo and Macedonia, from 15 October to 30 November 2017.

At WB level, the margin of error for the total sample of 6172 citizens is  $\pm 3.03$ - $3.08\%$ , at the 95% confidence level. For Macedonia, the margin of error for the total sample of 1039 citizens is  $\pm 3.04\%$ , at the 95% confidence level.

Table.: Public perception survey methodology framework

Location	Macedonia
Time	15 October – November 2017
Data Collection Method	F2F (Face to Face) at home, CAPI
Sampling Frame	Entire 18+ population of permanent residents of target countries
Sampling	Three stage random representative stratified sample (PSU: Polling station territories, SSU: Households, TSU: Household member)
Margin of error	Margin of error per country ranges from $+3.04\%$ at the 95% confidence level

## Survey of Civil Servants

Civil servants survey was implemented based on a unified questionnaire targeting civil servants working in the central state administrations of Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia. The questionnaire was translated and adapted to local languages with a total of 21 question within five sections covering: recruitment of civil servants, temporary engagements in the administration, status of senior civil servants, salary/remuneration, and integrity and anti-corruption. Data collection was conducted using a self-administered questionnaire on SurveyMonkey platform (web SAQ). In BIH, due to technical problems that the respondents were experiencing while accessing the SurveyMonkey platform from their office computers, the researchers prepared an identical survey on a different platform and disseminated the survey again to all institutions where problems with access were encountered, to ensure a maximum response rate. The two datasets were later merged.

In Macedonia, a total of 293 civil servants participated in the survey from April 3<sup>rd</sup> to April 25<sup>th</sup> 2018.

Table: Breakdown of the sample for survey of civil servants in Macedonia:

	Frequency	% (of cases)
<b>TOTAL</b>	<b>293</b>	<b>100%</b>
Key groups		
Civil service position		
Senior civil service manager – head of authority	1	0.43
Senior civil service manager – not a head of authority	8	3.42
Non-senior civil service manager (executorial)	55	23.5
Civil servant in non-managerial expert position	137	58.55
Administrative support civil servant position	26	11.11
Civil servant on fixed-term contract or otherwise temporarily engaged	5	2.14
Political appointment (minister's cabinet or otherwise)	2	0.85
Other	0	0
State administration institution		
Ministry	225	96.15
Subordinate agency	0	0
Centre-of-government institution (PM office, government of-fice, government service)	7	2.99
Autonomous agency within the central state administration	2	0.85
Other	0	0
Gender		
Male	103	44.02
Female	113	48.29
Don't wish to answer	18	7.69
Years working in the administration		
Mean= 14.5 years; Range=0-38 years		
Sector worked before joining the administration		
Local or regional administration	19	8.12
Other branch of power	10	4.27
Public services	23	9.83
International organisation	6	2.56
Non-governmental organisation	9	3.85
Media	5	2.14
Private sector	69	29.49
This was my first job	69	29.49
Other	24	10.26



## Survey of Civil Society Organisations

CSO survey results are based on a unified questionnaire targeting representatives of CSOs working in Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia. The questionnaire included nine sections covering:

1. CSOs' involvement in evidence-based policy-making,
2. Participation in policy- and decision-making,
3. Exercising the right to free access of information,
4. Transparency of decision-making processes,
5. Accessibility and availability of legislation and explanatory materials,
6. CSO's perceptions on government's planning, monitoring and reporting on its work,
7. Effectiveness of mechanisms for protecting the right to good administration,
8. Integrity of public administration, and
9. The accessibility of administrative services.

Data collection was conducted using a self-administered questionnaire on SurveyMonkey platform (web SAQ).

In Macedonia, a total of 74 CSOs participated in the survey from April 23<sup>rd</sup> to June 7<sup>th</sup> 2018.

Table: Breakdown of the CSO survey sample in Macedonia:

	Frequency	% (of cases)
<b>TOTAL</b>	<b>74</b>	<b>100</b>
Key groups		
Type of organisation*		
Policy research/Think-tank	22	29.73
Watchdog	17	22.97
Advocacy	37	50
Service provider	30	40.54
Grassroot	12	16.22
Other	15	20.27
Field of operation*		
Governance and democracy	24	32.43
Rule of law	29	39.19
Human rights	41	55.41
Public administration reform	14	18.92
European integration	17	22.97
Gender issues	20	27.03
Children and youth	30	40.54
Environment and sustainable development	17	22.97
Education	29	39.19
Culture	16	21.62
Health	7	9.46
Media	10	13.51
Economic development	17	22.97
Civil society development	36	48.65
Social services	13	17.57
Other	6	8.11
Year of registration of the CSO		
Mean= 2004; Range=1944-2018		
Position of the respondent in the organisation*		
Senior-level management	35	47.30
Mid-level management	16	21.62
Senior non-management	9	12.16
Mid-level non-management	5	6.76
Other	9	12.16
Years working with the organisation		
Mean= 7.2; Range=0-28		

\*Multiple response questions. Calculating frequency totals may add up beyond the sample size (74), or total percentage of cases may add up beyond 100%.

## Analysis of official documentation, data and official websites

Monitoring heavily relied on the analysis of official documents publicly available on the websites of the administration bodies and on the data and information contained therein. Documents which were analysed to this end include:

- >>> legislation (laws and bylaws);
- >>> policy documents (strategies, programmes, plans, action plans, etc.)
- >>> official reports (implementation reports, public consultation reports etc.);
- >>> analytical documents (impact assessments, explanatory memorandums to legislation, policy concepts, policy evaluations etc.);
- >>> individual legal acts (decisions, conclusions etc.);
- >>> other documents (agendas, meeting minutes and reports, announcements, guidelines, directives, memorandums etc.);

Additionally, official websites of public authorities were used as sources of data and documents for all indicators, except for the ones completely based on survey data. In certain cases, the websites of public authorities were closely scrutinised as they were the key sources of information and units of analysis.

## Requests for free access to information (FOI)

As the PAR Monitor Methodology strongly relies on the analysis of public availability of information and data, usually based on the websites of public authorities, FOI requests were not comprehensively sent out for each area of the Principles of Public Administration or every indicator. Researchers sent requests in cases where the monitoring focus was on the proper identification of a certain practice within the administration, rather than public availability of information. Hence, where an indicator requires online availability of information on specific websites, FOI request were not sent.

That said, the researchers used FOI requests as a data collection tool in three areas:

**1. Policy Development and Coordination (indicators PDC\_P6\_I1, PDC\_P10\_I1) –**

>>> 4 FOI requests were sent to the Ministry of Labor and Social Policy and Ministry of Environment;

**2. Public Service and Human Resource Management (PSHRM\_P3\_I1, PSHRM\_P2\_I1);**

>>> 3 FOI requests were sent to Agency for Administration and one to the Ministry of Information Society and Administration

**3. Accountability (ACC\_P2\_I2).**

>>> FOI requests were sent to the following sample:

- o 3 line ministries (1 large, 1 medium, 1 smaller in terms of thematic scope), 1 ministry with general planning and coordination function, 1 government office/agency with CoG function, 1 subordinate body/agency (responsible to a minister/ministry) and 1 government office/agency in charge of delivering services.



Public administration reforms (PAR) have been implemented in the Western Balkans for over a decade now, with varying degrees of success. Since 2014, PAR is acknowledged as one of the fundamental areas of reform on any country's path to EU membership and a set of principles was prepared for the accession countries to follow and comply with in this area in order to become successful EU member states.

This PAR Monitor report, produced by the WeBER project, provides detailed monitoring results and recommendations for Macedonia, based on a comprehensive, year-long research focused on PAR. The PAR Monitor adopts the EU principles of public administration as the main building block of the entire endeavour, to allow for regional comparability, peer learning and peer pressure. This also allows WeBER to guide the administrative reforms in the direction of compliance with EU standards and requirements. The WeBER monitoring focus also rests strongly on the citizen-facing aspects of public administration, particularly examining issues of transparency, information provision to the public, citizen participation, accountability, equal opportunity and integrity.

The Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform – WeBER – is a three-year project aiming to increase the relevance, participation and capacity of civil society organisations and media in the Western Balkans to advocate for and influence the design and implementation of public administration reform. WeBER is implemented by the Think for Europe Network (TEN), composed of six EU policy-oriented think tanks in the Western Balkans, and in partnership with the European Policy Centre (EPC) from Brussels.

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