

Open Government Partnership Calls for Participation

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List of Abbreviations:

CRPM	-	Center for Research and Policy Making
Codex	-	Codex of Good Practices for the Participation of Civil Sector in the Process of Policy-Making
CSO	-	Civil Society Organization
Guidance	-	Guidance on how to proceed in the work of ministries for the engagement of stakeholders in the procedure for drafting laws (hereinafter: Guidance)
IRM	-	Independent Reporting Mechanism
MIOA	-	Ministry of Information Society and Administration
MP	-	Member of Parliament
NGO	-	Non-governmental organization
OGP	-	Open Government Partnership
Rulebook	-	Rulebook for the Work of the Government of the Republic of Macedonia

Open Government Partnership Calls for Participation

1. Introduction

Citizen participation in decision-making processes is an undisputed element of transparent and accountable governance that makes democracy truly representative of the people. Indeed, the application of this tool is in the benefit of all stakeholders: it is a means of ensuring efficient, responsive policies by familiarizing policy makers with the needs and interests of citizens. On the other hand, it also introduces citizens to the difficult decisions that policy-makers sometimes have to make.

Due to the mutual benefits from openness, citizen participation in decision making is an important pillar of the Open Government Partnership (OGP), and, as such, occupies significant space in both action plans of the Macedonian Government for OGP (2012-2014 and 2014-2016). The commitments in these action plans, mainly, aim for the improvement of already available mechanisms. Yet, even outside the boundaries of OGP, advocacy for citizen participation in decision-making ranks high in the agenda of civil society in Macedonia. Civil Society Organizations (CSO) work with citizens, public administration and elected officials to raise awareness about the benefit of cooperation. Institutions (at the central and local level), on the other hand, also show efforts to give space to citizen engagement in policy-making processes. Yet despite the supportive discourse and activities toward cooperation, manifold challenges remain in the central and local level institutions. The main concern is that citizens are only sometimes invited to participate in the policy-making processes as it has not yet been established as a consistent mechanism in all central and local level institutions. Additionally, there are also concerns that even when invited, it is usually at the finalizing stages – leaving citizens no realistic space to influence policies. To explain all issues at hand, this policy brief gives a situation analysis before it concludes with a set of recommendations for its improvement. However, for the purpose of clarity, it is important to, first, specify that this report focuses particularly on the mechanisms institutions make available for the consistent participation of citizens and associations in their regular work and not on the grassroots initiatives of citizens and CSOs to bring an issue to the attention of institutions.

2. Situation Analysis: What are the challenges to citizen participation in decision-making?

2.1. Central Level Institutions

As an assertive policy of showing interest in cooperating with the civil society, the Macedonian government has adopted two Strategies for Cooperation of Government with the Civil Society (2007-2011 and 2011-2017) that seek to partner with CSOs as well as help develop them. These bylaws, among other provisions, planned the training of civil servants about cooperation with CSOs and, as a result, 83% of ministries report to have educated staff in this regard.¹ The implementation of these strategies is overseen by the Department for Cooperation with Non-governmental Organizations (NGO) at the General Secretariat of the Government. It is intended that this Department gradually grows its engagement in administering cooperation between both sectors. Hence according to the Codex of Good Practices for the Participation of Civil Society in the Process of Policy-Making (2011) (hereinafter: Codex) the staff appointed in each ministry for cooperation with CSOs are to coordinate their work jointly through the Department for Cooperation with NGOs. For the same reason, the Codex suggests that all announcements that government bodies make related to CSOs should also be communicated through the website of the Department for Cooperation with NGOs – what would concentrate most information addressing CSOs in one area, and in this way make the website a reference point for CSOs.² However, in its annual report (2013) for the implementation of the Codex, the Department for Cooperation with CSOs explains that government bodies rarely communicate announcements through them. This website needs additional improvement so as to be made more user-friendly and interactive.

The framework for the engagement of citizens in the decision-making processes of the government is regulated with many laws, by-laws and regulations. The foundation of this framework is the Constitution of the Government of Macedonia, followed by the Law on the Work of the Government, Law on the Organization and Work of the Bodies of Government Authorities. Additionally, besides the abovementioned strategies and the Codex, the Rulebook for the Work of the Government of the Republic of Macedonia (hereinafter: Rulebook), the Methodology for

Implementation of Legislation

- ✓ 25% of ministries have adopted documents with clear instructions about mechanisms of engaging citizens in decision-making
- ✓ For 74% of draft-laws the public was engaged in consultations since the initial stages.
- ✓ Ministries gave feedback to received comments in 63% of draft-laws.
- ✓ 50% of ministries have financial programs for institutional support of CSOs
- ✓ On ENER, only 15 draft-laws were commented on (with a total of 28 comments). Only 9 received feedback from respective ministries.

¹ Macedonian Center for International Cooperation (2014), Government Mirror: Participation of the Public in the Process of Preparing Laws. Skopje Macedonia.

² Official Gazette of the Republic of Macedonia (2011), 'Codex for Good Practices for the Participation of Civil Society in Policy Making' 22 Jul. Skopje, Macedonia.

Regulation Impact Assessment, and the Guidance on how to proceed in the work of ministries for the engagement of stakeholders in the procedure for drafting laws (hereinafter: Guidance) make up some of the most important bylaws and regulations that define the details of how the participation of citizens in decision-making at the central level government is to be shaped. These documents inform about conditions at which institutions must invite CSOs for cooperation, the possible forms of cooperation, the duration of the period for consultations, as well as how the received recommendations need to be processed. Nevertheless, the compliance of institutions with these rules varies significantly – what calls for attention on institutional capacities as well as the need for exchange of experiences between them. On the other hand, targeting citizens, the recently published *Handbook for Stakeholders: Consultations in the Process of Policy-Making in the Government of the Republic of Macedonia (2014)* gives citizens and associations basic instructions about the available mechanisms for participation.³

In practice, 67% of ministries include CSOs in their consultative bodies and commissions. Also, 75% of ministries have appointed a person responsible for cooperation with CSOs⁴ and all of them, in some way, engage civil society in the decision-making processes. All of them (100%) report that they inform the public about the initiation of policy-making procedures through a relevant website (the Unique National Electronic Register of Regulations (ENER) or the web-portal www.e-demokratija.mk, the website of the institution) and less so through direct invitation via email (59%).

With regard to communication, there are insufficient proactive efforts on the side of ministries to inform citizens about, and engage them in, decision making. Interested stakeholders have to regularly visit websites to find out if there are ongoing policy-making procedures in areas of their interest as only 25% of ministries offer the possibility to subscribe for regular updates from the institution.⁵

[Ministries do not always give feedback on the received recommendations over why they were accepted or denied. This is likely the biggest issue that stands between active citizens and ministries, and as such impacting the level of trust toward institutions and toward the sincerity of the will of institutions to engage citizens in decision-making. By not hearing back from respective institutions, citizens have no way of knowing if their recommendation is deemed inapplicable or was not taken into consideration at all]

As for the structural engagement of citizens, 25% of ministries have adopted a document with clear instructions (specific to the ministry) about how public engagement in decision-making will be managed – complementing the general regulations that apply to all institutions.⁶ Generally, ministries lack institutionalized and established means of engaging citizens in policy-making – what negatively impacts the usefulness of the consultative sessions by reducing the likelihood that the engaged

³ Ministry of Information Society and Administration (2014), *Handbook for Stakeholders: Consultations in the process of policy-making in the Government of the Republic of Macedonia*, Feb 2014. Skopje, Macedonia

⁴ See footnote 1.

⁵ Ibid.

⁶ Ibid.

stakeholders will be able to influence policy. On a positive note, however, in 74% of all the draft laws analyzed (out of 35) between June 2013-2014, ministries report to have begun the consultation procedures since the initial phase of the drafting the law.⁷

Finally, the level of policy impact by the public is inevitably affected by the structural and procedural means through which citizens are engaged. Likely, the greatest challenge that institutions face in the implementation of mechanisms for engaging citizens in policy-making is the phase after consultations have ended and recommendations have been submitted. Ministries do not always give feedback to the received recommendations over why they were accepted or denied. This is likely the biggest issue that stands between active citizens and ministries, and as such impacting the level of trust toward institutions. By not hearing back from respective institutions, citizens have no way of knowing if their recommendation is deemed inapplicable or was not taken into consideration at all. There is, nonetheless, paramount improvement in this regard: in 2014 ministries gave feedback to comments for 63% of the draft-laws compared to 9% in 2012.⁸

While CSOs complain about institutions not respecting procedures; institutions, on the other hand, see CSOs as lacking capacities to influence policies. Ministries do not see civil society as a source of relevant expertise for the policies they adopt. They often hire consulting companies and universities and engage less so with CSOs. Indeed, the Strategy for Cooperation of the Government with the CSOs (2012-2017) names the limited capacities of the civil society and their challenge of sustaining themselves (financially) as an issue that needs to be addressed. It means to increase the portion of the budget that supports CSOs' projects and programs every year and also to adopt legislative amendments that will make the dissemination of grants for CSOs a legal obligation for the government. Currently around 50% of the ministries have financial programs for institutional support of CSOs and support their projects.⁹ There is moderate growth in this regard since 2012 when 45% of ministries reported to have financial support programs for CSOs¹⁰. These grants must not be used by the government solely as a tool of empowering civil society, rather as an excellent means of exploiting the expertise of CSOs in many important fields. Cooperation on projects and programs for a common cause is a way of building trust and exchanging experiences between both sectors. The EU funded projects that encourage memorandums of cooperation between CSOs and government institutions also yield the same effect.

2.2. Local Level Institutions

Public participation is essential at any level of decision making as citizen are meant to be the final beneficiaries of all the decisions of policy-makers; however, this is especially true at the local level. Because municipalities have the competences to decide about, and administer, issues that concern individuals and communities directly – such as urban planning, education and

⁷ Ibid.

⁸ Ibid.

⁹ Government of the Republic of Macedonia (2012). Strategy for the Cooperation of Government with the Civil Society (2012-2017).

¹⁰ See footnote 1.

healthcare – it is of the essence that citizens demonstrate the initiative to directly influence policies in these areas.

The Law for Local Self-Governance guarantees citizens the right to participate in decision-making directly through citizen initiatives, association, referendums and other means (Article 25). Citizen awareness about these rights in the country is constantly growing but, nevertheless, remains low. Additionally, although legal obligations for all municipalities, the access that Macedonian citizens have to decision-making in their differs from municipality to municipality.

Cumulative calculations say that the participation of citizens in public debates at the local level (50%) and budgeting (32%) has grown significantly.¹¹ The Municipality of Veles, through the support of a local NGO, is seen as a case of good practice as they begin the procedure of drafting the budget halfway through the ongoing year. In this way the municipality manages to consult more citizens and address more of their concerns – while the practice in most municipalities is to begin consultations on the budget only several weeks before the end of the year. Municipalities score lowest in the degree to which citizens attend sessions of the municipal council.¹² The main remarks have to do with the way citizens are invited (information are put only on the info board of the municipality or webpage and they do not always specify what will be discussed in the session), but municipalities also identify the limited availability of seats in the meeting rooms as a problem.

Indeed, although the Law on Local Self-Governance guarantees citizens participation in decision making; the organization of public debates and consultation is not an obligation for municipalities. The same law (Article 30) states that these forms of meetings with citizens can be organized if the mayor deems them necessary. Hence, the differences between municipalities that use these participatory tools and others which do not are great. Several municipalities have adopted strategies and handbooks for cooperation with civil society and cooperate closely with them – either at their initiative or through foreign-funded projects.

2.3. Citizen Perception

The success of policies that aim to include citizens in decision making is measured with the (1) available legislative framework, the (2) establishment of practical tools in institutions that allow citizen participation, and the (3) actual participation of citizens, which also translates as the implementation of the first two indicators. To complete this policy brief, let us now give a citizen perspective to the issue of participation.

¹¹ Center for Civil Communications (2013), *Transparent Local Governance: Situation, Recommendations and Challenges*. 1 Mar. Skopje, Macedonia.

¹² Ibid.

An ordinary citizen does not have sufficient expertise to decide whether a government decision was good or bad

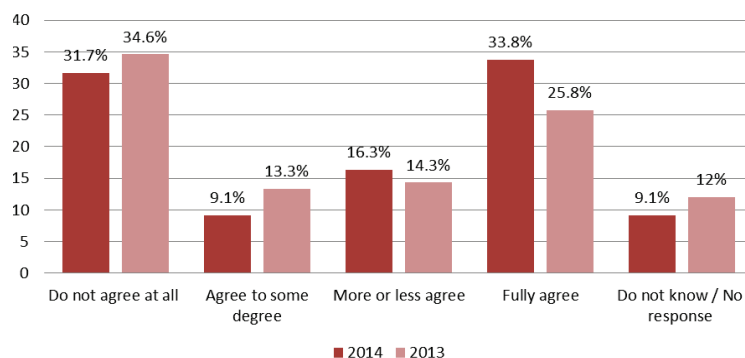


Figure 1. CRPM Public Perception Survey 2013 and 2014.

Citizens are less likely to seek participation in decision-making as individuals in any form: even in such opportunities brought to them via internet (as the results for the usage of ENER show) or the classical meetings in person. It can be explained as a consequence of the previous socialist system in the country; however, 24 years since, when there are citizens over 18 with no memory of the system, it is expected that democratic governance will have positively impacted the general mindset in the country by now. Nevertheless, this absence of responsiveness to tools of participation is more likely due to one of the following reasons: a consequence of trust and satisfaction with the work of institutions or the belief that citizens would not be able to influence decisions in any way.

Public opinion in the country is divided between those convinced that ordinary citizens do not have sufficient expertise to decide whether a government decision is good or bad and those who disagree with this statement (Figure 1). These results reflect that half of the population is aware of the right to engage in decision-making processes as well as the right to have issues explained in understandable ways without needing relevant expertise in the respective field. Additionally, for the other half, it is also a legitimate and expected result in a representative democracy where the government is given the trust of citizens and their expectations to deliver results. If we group

An MP takes over the responsibility of the citizens to shape public affairs

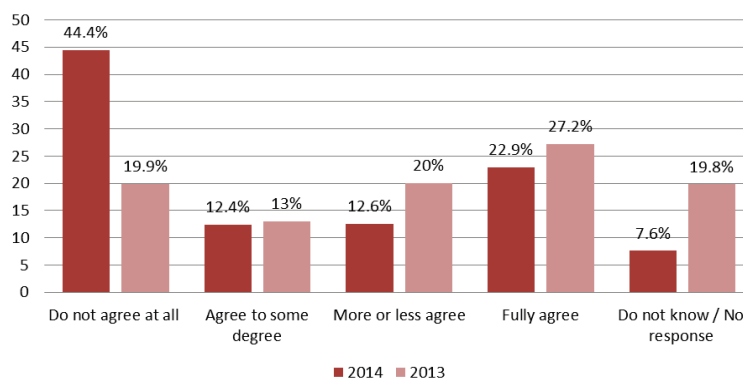


Figure 2. CRPM Public Perception Survey 2013 and 2014.

answers ‘fully agree’ and ‘more or less agree’ in one hand and ‘do not agree at all’ and ‘agree to some degree’ on the other hand, more than half of the citizens (56.8%) believe that a Member of Parliament (MP) does not completely take over citizens’ responsibility to shape public affairs (Figure 2). It is another response revealing that there is awareness among citizens for their rights

and civic responsibility. However, this does not, by default, explain the degree to which citizens use the available mechanisms to participate in policy-making, or seek new ones; nor how much they believe they can influence decision-making.

The dominant opinion in the county is that participation of citizens in consultative meetings at the local level has limited influence in the final decision of the municipality, and this perception has risen since 2013 for 7.5% (32.8% in 2014) (Figure 3).

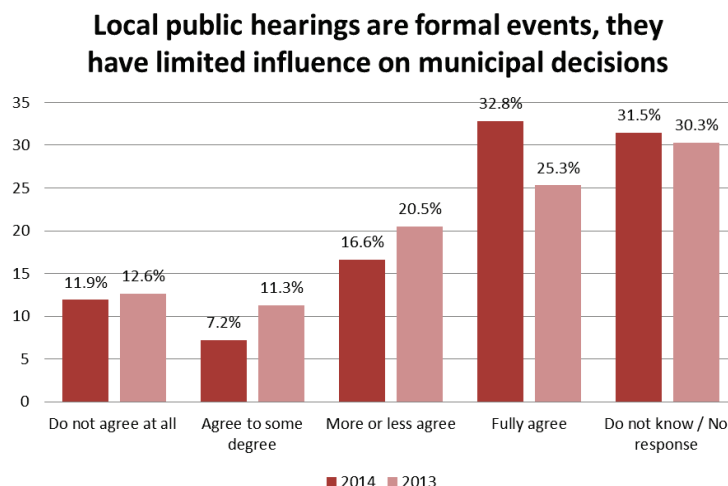


Figure 3. CRPM Public Perception Survey 2013 and 2014

It is noteworthy that just as many citizens have responded as ‘I do not know.’ As these hearings are organized on a voluntary basis by municipalities they are not common in every municipality – hence, these results show that many citizens do not have access to this tool that allows impact on policies or that many of them choose not to attend them. In fact, Figure 4, explains that 88.7% of citizens do not attend such meetings in their municipality. Across age, however, positive responses in this question declines as age increases, and across education, we find that those with a highschool degree are more likely to attend such meetings at the local level (55.7% of those who responded yes) followed by those with an undergraduate degree (33.6%).

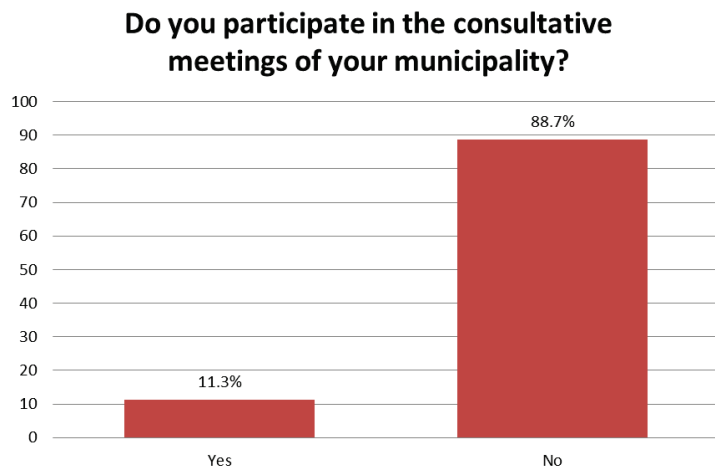


Figure 4. CRPM Public Perception Survey 2014

Not only do citizens individually not use the tools of influencing decision-making, but they also believe that even when organized (in CSOs) they cannot influence government's decision at all (40.5%, Figure 5).

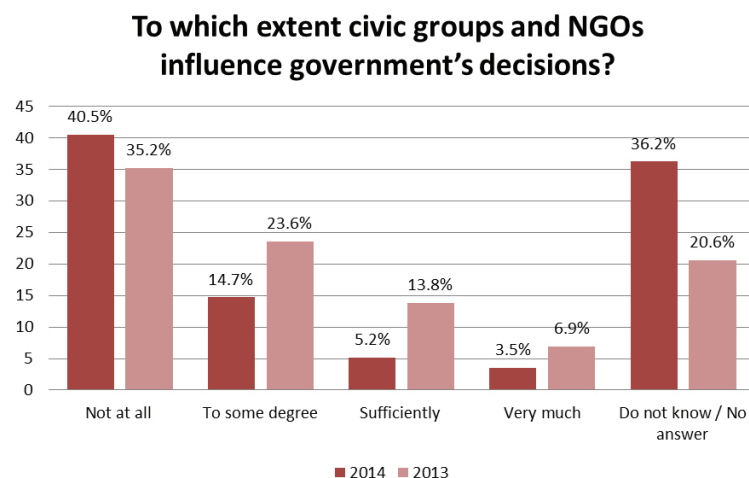


Figure 5 CRPM Public Perception Survey 2013 and 2014

The inactivity of Macedonians is also confirmed with the question about whether they have ever attended a demonstration or rally as 79.6% of them responded 'no' (6). Most of those who responded positively to this question are aged between 18 and 34 (44.2%) and have a highschool (49.1%) or undergraduate degree (33.5%). Nevertheless, looking within the age group 18-34, 77.6% of them say to have never joined a demonstration or rally, what confirms that the experience of the socialist system is not among the main explanations about the inactivity of citizens.

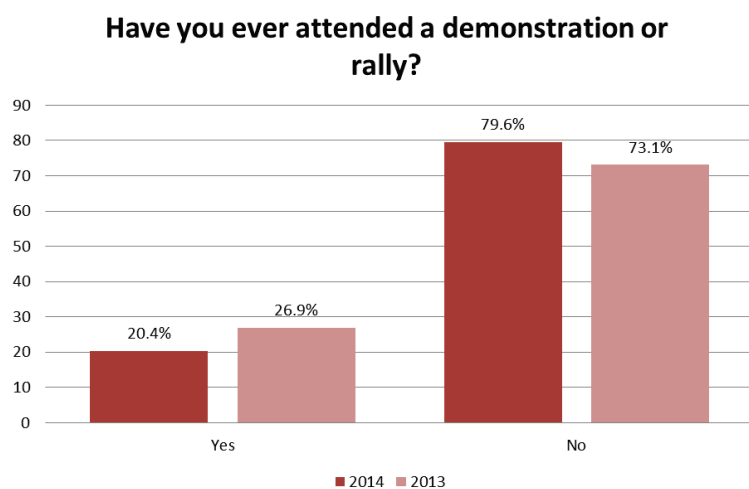


Figure 6. CRPM Public Perception Survey 2013 and 2014.

As majority of citizens say they do not use participatory tools yet still lack trust in their ability to influence policies, this is likely an indicator that the poor public relations and communication of institutions with the citizens has played a major role in the distrust that stands between them. As communication through electronic means for the purpose of transparency and policy-making is constantly promoted and increasingly used, it will certainly carry positive impact in this relationship. Yet, in Macedonia electronic communication and services from institutions occur

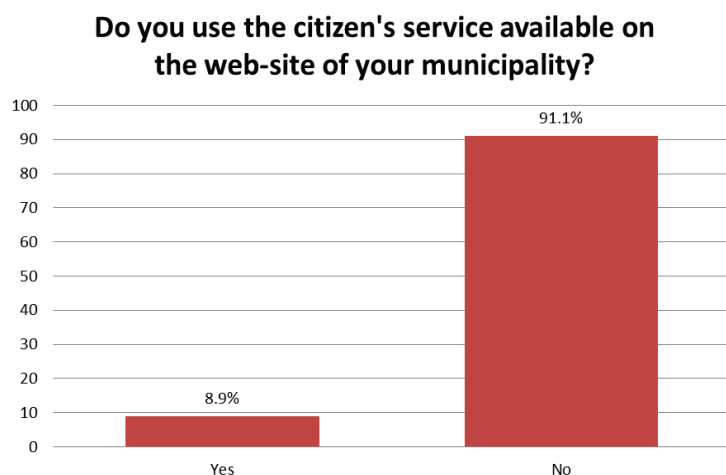


Figure 7. CRPM Public Perception Survey 2014

with many challenges on the way, and are not used widely by citizens either. 91.1% of citizens still prefer receiving the municipal services at a counter to doing it online (Figure 7). When looking at each municipality individually, the results for this question show that in half of the municipalities in the country (43 out of 85 in total) not a single respondent has used the electronic services available at the website of their municipality. In fact, many municipalities still do not offer

electronic services or if they do they often have problems. On the other hand, they do not communicate electronically very efficiently either. Citizens are more likely to get in the habit of substituting traditional means of communication when electronic services become efficient and when information available online consistently. However, to be able to recommend to institutions about the most efficient way to contact citizens for the sake of transparency and for invitation to take part in the policy-making process, we asked citizens themselves to say how they would like to be informed about the activities of their municipality (Figure 8). Interestingly, regardless of their age group all respondents preferred to be informed about municipal activities through email, sms, and through newsletter (with different ranking, but these were the top three preferences of each group), the only difference being that

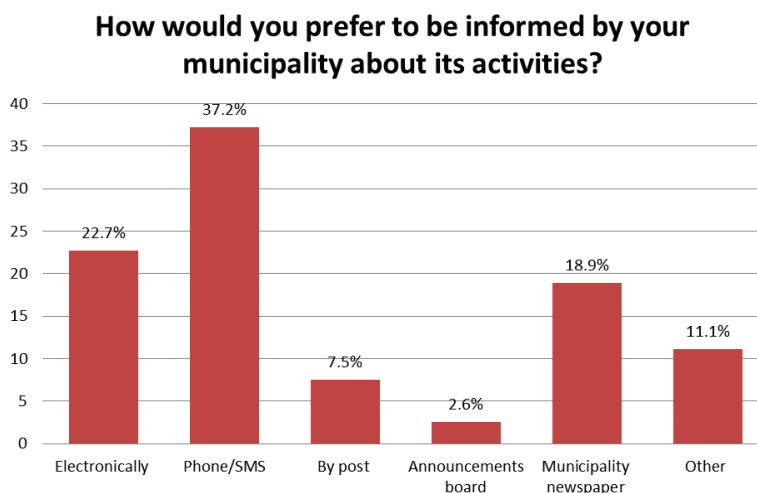


Figure 8.

Interestingly, regardless of their age group all respondents preferred to be informed about municipal activities through email, sms, and through newsletter (with different ranking, but these were the top three preferences of each group), the only difference being that

the age group 55 and above preferred electronic communication equally as much as by post. The same was true for all citizens regardless of education level, with the exception that citizens with primary education preferred post mail and phones mainly. Often times, announcement boards in municipalities are seen as legitimate means of communicating information to citizens. However, this survey shows that they are not perceived as efficient means of communication. Many institutions should consider changing their communication strategies.

3. Is OGP Contributing Toward More Participation in Policy-Making?

When discussing the Action Plan for OGP as a factor in improving public participation in policy making, it is only natural to also look at the Action Plan itself as a policy and the process of creating it as an indicator of its effectiveness in promoting openness.

The process of drafting and adopting the first Action Plan for OGP 2012-2014 was a quick one, however, the procedures for engagement of the public in the process were not completely ignored. The Independent Reporting Mechanism (IRM) report shows that a timeline of the consultation period was never presented and many other information were missing. Additionally, the invitation to participate in the process was published only on www.e-demokratija.mk, considering that it is sufficient to reach interested parties. Only few organizations participated in the consultation process and the very brief period that was given for comments on the draft additionally reduced chances for engagement of citizens in the process. Nevertheless, of the recommendations that were submitted most were accepted.¹³ There is no information whether any of the measures recommended by the CSOs are among those that were implemented. Throughout the implementation period of the first Action Plan no inter-sector working group was formed to oversee the implementation phase. Indeed, no such group has been created for the second Action Plan 2014-2016 yet.

Nevertheless, MIOA, the ministry responsible for the coordination of activities related to OGP, generally, showed more preparedness in organizing the consultative process for the second Action Plan. A timeline of the consultation process was presented initially to a smaller group of CSOs who were actively working on projects related to OGP for basic instruction on the initiation of the consultation process. Around ten days later the first public consultative meeting was held where civil servants, representatives of CSOs and business associations were invited. They were presented with the template format in which the Action Plan was supposed to be written and the timeframe for consultations and the 2012-2014 Action Plan. The time foreseen for comments and recommendations between drafts in the timeframe was less than ten days.

¹³ Neda Korunovska (2014.) Independent Reporting Macedonia: Progress Report.

However, as the process developed behind schedule, stakeholders had two rounds of around 30 days for submitting comments between the first and second draft of the Action Plan. The more cooperative environment in the adoption of the drafting of the second Action Plan for OGP is something that distinguishes the 2014-2016 Action Plan from the previous one. Additionally, this time CSOs organized activities that raised awareness in the public about the OGP initiative. In the framework of the Advocacy for Open Government project, CRPM created a coalition of CSOs which came from all the regions of the county and facilitated their contribution in the new Action Plan. The biggest novelty of the 2014-2016 Action Plan for OGP, compared to the previous one, is nevertheless the fact that this time many CSOs are listed as implementing parties of many measures. Hence, failure to implement the 2014-2016 Action Plan sufficiently will be a shared responsibility of both sectors.

3.1. Action Plan for OGP 2012-2014

Table 1 Measures on participation in policy-making in the OGP Action Plan 2012-2014

Nr of measure	Measure	Description	Status
1.1	Improved usage of ENER 1. Draft laws will be published on the webpages of respective ministries together with the link to ENER. 2. MIOA will conduct a comparative analysis with previous years for the overall visits on ENER, and if necessary additional measures will be proposed for its promotion and use.	The recently strengthened compulsory consultation mechanisms by the government bodies on drafting laws (through www.ener.gov.mk) shall contribute towards increasing the low participation by businesses, chambers, civil society and citizens.	Achieved
1.2	Increase public awareness and use of participatory policy making through the e-democracy web portal by institutions, businesses, chambers, civil society and citizens.	www.e-demokratija.gov.mk Stimulate the participation and interactive initiatives exchange on diverse policy perspective and strategic documents by all interested and contested parties	Partly achieved
1.3	Introduce the possibility for online petitions (online collection of signatures). ... When the required signatures are collected, MIOA informs Government about the requests of the petition. The conclusion of the Government on this issue will be made available to the public.	A new service introduced through the use of digital certificates. Additional mechanisms for collection of signatures from those who do not have digital certificates will be provided.	Not achieved
1.4	Implementation of measures from the Strategy for Cooperation of Government with Civil Sector 2007-2011	As most important aspects of cooperation between sectors are written as specific objectives in this Strategy, its implementation would achieve the desired objectives.	Partly achieved
1.5	Improved use of Code of Best Practices for Participation of Civil Society in the Processes of Policy-Making	The intention of the Government is the consistent implementation of this document by all institutions	Partly achieved

The commitments of the 2012-2014 Action Plan for OGP are generally activities of the government that precede the adoption of the action plan. This rule does not apply only for measure 1.3 which, in fact, has not been started yet. This measure means to make electronic petitions as a form of initiative that can be communicated to the government. It would require 5000 signatures to be qualified as a petition. Although generally perceived as a positive commitment, the main concern with it has been the cost of the digital certificates that not many citizens would be able to purchase. In consequence, there are also concerns regarding the 5000

minimum signatures requested that would be hard to gather considering the price of the certificate. Otherwise this would be a way of backing up policy recommendations with a group subscribing to it to.

ENER (as measure 1.1) on the other hand, is a significant electronic tool for citizen participation in decision making, however, remains rather unknown to citizens and poorly used by CSOs. Although the degree to which government bodies have accepted and use this tool has increased significantly, there are also remaining challenges on the side of the civil servants. The self-assessment of the government for the implementation of the 2012-2014 Action Plan for OGP explains that it is hard to coordinate a large group of civil servants from many government bodies and therefore problems occur at times.¹⁴ Often times, the public is not given sufficient time to comment on the draft-legislations posted, and sometimes the status of draft-legislation is not updated timely. A draft-law may appear as open for comments on ENER even after it has been adopted by the government as civil servants fail to update it regularly. Another significant challenge is the failure to post additional documents as annexes of the draft-law, as for example a timeframe for the consultation period and other related instructions. Between June 2013-2014 of the 201 draft-laws posted in ENER, only 15 draft-laws were commented on (with a total of 28 comments), only few of which were posted by individuals while majority were posted by CSOs.¹⁵ Also, only 9 feedback comments were posted from respective ministries.¹⁶ During the duration of the Action Plan there have also been interventions to improve the operations available on ENER. Allowing citizens to monitor the consultation process much closely, ENER also shows cases of posted comments that were incorporated in the final draft of the law and adopted as such. Its potential as an exceptionally efficient tool is not disputed, however, its promotion, training of citizens and civil servants on how to use it, as well as the improvement of the options it provides, are recommended. The self-assessment report of the government on the implementation of the OGP Action Plan 2012-2014 shows that the number of visits in, both, ENER and www.e-demokratija.mk are already growing significantly¹⁷.

On the other hand, www.e-demokratija.mk, a web-portal that offers options to submit ideas, forum, blogs, and uploaded documents is not an avenue for real policy impact but was meant to be used as a tool that would raise awareness about participation in policy making. It is, generally, a good idea except that only few know about it. As most of the documents and options for discussion are available in most webpages of institutions, it seems that it is one too many websites causing discussions on certain topics to be dispersed in many portals rather than focused in one. Government's self-assessment for the implementation of the Action Plan for OGP 2012-2014 shows that the number of views on the web-portal has grown very quickly. However, this does not signify that the web-portal has contributed toward policy-impact by citizens. Indeed, considering the small number of topics initiated or joined by citizens in the web-portal it is clear that it does not enjoy any significant popularity or cause impact on policies. This measure requires specific explanations about how it will achieve what it aims for to be able to evaluate its effectiveness.

¹⁴ Draft Annual Report for the Implementation of the Action Plan for Open Government Partnership (2012-2014)

¹⁵ See footnote 1.

¹⁶ Ibid.

¹⁷ See footnote 14.

Measure 1.4 aims the implementation of Strategy for Cooperation of the Government with CSOs. There are two technical problems with this measure. First, it is a measure about the implementation of another document which by itself has deadlines and an action plan that clearly defines the process of implementing it. Secondly it refers to a document ending in 2012, the year when the OGP Action Plan is adopted. This Strategy was followed by the 2012-2017 Strategy which continued all the objectives of the first one. Although the value of this document is not disputed, it would have been more measurable and more likely to be interpreted as a success of the OGP processes in the country if it named specific measures related to the Strategy. Nevertheless, some of the measures in the Strategy that were implemented are the training of civil servants about cooperation with CSOs (82% of ministries) and appointment of staff member responsible for this cooperation in each government body (75% of ministries). Additionally CSO representatives were included in the coordination bodies of institutions for specific programs (67% of ministries). Besides the need to continue the implementation of these measures, a significant improvement that needs to be made in the future is the empowerment of the Department for Cooperation with NGOs at the government for a more genuine cooperation between sectors.

Last but not least, measure 1.5, is the implementation of the Codex of Good Practices for the Participation of Civil Society in the Process of Policy-Making (2013). The report of the Department for Cooperation with NGOs on the Implementation of the Codex of Good Practices for the Participation of the Civil Society in the Process of Policy-Making (2013), although not revealing names or exact percentages reports that more than half of the respondents of its survey (government bodies) apply the Codex in processes of policy-making and law-making. Additionally, they reported to apply the Codex in more than half of the cases in their respective institutions, however, only throughout half of the procedure and not since the inception phase of the policy-making process. The fact that this report is based in only seven responded questionnaires takes away the representativeness and, therefore, legitimacy to present the situation in the government bodies regarding participation in policy-making. Additionally, failure of institutions to cooperate indicates that the document is not taken seriously, nor is the Department for Cooperation with CSOs. The website of the Department, www.nvosorabotka.gov.mk has the potential to grow into a significant platform of cooperation between sectors, hence should be made more interactive, organized and informative, and all government bodies should consider posting information in it.

Altogether these measures, besides measure 1.3 (which was not implemented) were being carried out before the adoption of the 2012-2014 Action Plan for OGP, but this document has additionally reinforced the efforts to achieve them. Measure 1.3 is a prototype of a commitment that was not backed up with a feasibility study when entered in the Action Plan and also the prototype of failures that reduce the overall score of the country in the implementation of the

Action Plan, therefore, such measures should be avoided. Otherwise, during the two years period 2012-2014 there have been noticeable efforts to improve cooperation between government and CSOs as well as improve the participation of citizens in decision making.

3.2. Action Plan for OGP 2014-2016

Compared to the previous one, the Action Plan for OGP 2014-2016 has twice as many commitments, each with several specifications about the exact measures that will be taken – what makes the assessment of their implementation feasible. It is also noticeable that half of the commitments are made by CSOs and expected to be implemented by them as well. The implementation of the Strategy for Cooperation of the Government with CSOs and the Codex are included in the action plan again, however, with several specifications. For instance besides the efforts of the government to have the Codex implemented more accurately, it also foresees an analysis about its challenges and how it could be improved. Certainly, one such analysis would have been more useful had it been done in advance, yet even at this stage it may introduce new directions that the government needs to take hopefully in the next Action Plan for OGP.

On the other hand, two new commitments, which also existed prior to the drafting of the Action Plan but are for the first time related to OGP, is a monitoring report published by a CSO on the cooperation of ministries with CSOs and citizens in policy-making procedures and on the activities on ENER. Additionally, the government commits to establishing rules and conditions for civil servants responsible for administering with ENER, as well as publishing a guideline with clear instructions and schedule for them. There are also some technical commitments as to change the amount of information required for registration of users and their categorization that may have useful impact on the system of ENER.

The involvement of CSOs in the making of this Action Plan has been visible since the beginning of the process. Besides consulting with CSOs since the beginning, it was a CSO (CRPM) that organized the second consultative meeting of the government with CSOs, structuring the process in seven working groups, each for one objective of the action plan. Additionally, through the Advocacy for Open Government project, CRPM manages to engage CSOs operating outside of the capital in the process to give the Action Plan ownership and contribution from a wider range of stakeholders. Hence, this Action Plan unifies the already existing, but dispersed activities of the government, CSOs and international community for the same cause. This cooperation will pass test if it proves successful during the implementation of the commitments as well.

4. Conclusion and Recommendations

4.1. Conclusions

Significant steps have been taken by the government to improve the environment for citizen participation in policy-making through electronic means as well as in person. Certainly, challenges remain and the most efficient mean of addressing them begins with the monitoring of available tools – as a source of information about how to improve them. The horizontal cooperation and sharing of experiences between institutions will also contribute toward the improvement of the implementation of available mechanisms. However, this cooperation must be institutionalized and consistent to yield results. Established rules about how to organize cooperation with other institutions, how to carry out consultations and how to process received recommendations need to be the focus of future efforts to improve the available mechanisms to improve the chances of those willing to impact policy to do. As for the low public interest to join such processes, this policy brief has shown that the existing distrust about the ability to influence policies, although most have never tried to, comes as a consequence of unsatisfactory public relations and absence of a two-way communication. Hence, this is another area that requires attention to contribute to the final goal of the engagement of citizens in policy-making procedures. One important point to be made here, when speaking about a two-way communication, is the absolute need to respond to received comments and recommendations from citizens who do take the effort to influence policies. In this way citizens would know the government is sincere about its willingness to cooperate.

On the other hand, participatory tools at the local level are even more essential as, considering the competencies of the municipalities, decisions made at this level affect the lives of citizens faster and more directly. Most municipalities show to have inefficient communication strategies with citizens and fail to nourish the community feeling at this level. The engagement of municipalities in the OGP initiative is also a significant step that must be made by the next action plan. OGP values should be promoted at the OGP local level and engage more CSOs and citizens in the same cause. OGP could popularize open data and contribute toward better public services, and can certainly bring CSOs and municipalities to work more closely together for the implementation of commonly-drafted action plans. The ongoing OGP Action Plan as a document that was written together by civil servants and CSO representatives gives hope that it will show the importance and usefulness of cooperation between sectors in policy-making as well as in implementation.

4.2. Recommendations

To the Government:

- Raise awareness about the use of ENER and e-democracy among different target groups of the broader society.
- Monitor the use of ENER, evaluate whether it has improved citizens' impact in policy making and publish these results regularly.
- Enforce the rules for commenting on accepted and declined recommendations that have been offered by various stakeholders to increase mutual trust and the efficiency of the consultation process.
- Government institutions giving grants to CSOs need to increase the transparency of the selection process and require more accountability throughout the implementation phase. The financed project should be selected based on evaluation that they will contribute significantly toward the objectives of the activities foreseen in the annual plan of the institution.
- All government bodies need to adopt their institutional rules about how to manage the consultation process and how to process the received recommendations.
- Offering the possibility to join mailing lists and subscribing to newsletters is an efficient way of maintaining good communication and cooperation with interested citizens and should be applied by all institutions.
- Improve the website of the Department for Cooperation with CSOs (www.nvosorabotka.gov.mk) so as to make it more informative and interactive for CSOs and government institutions.
- Government bodies should cooperate more closely with the Department for Cooperation with CSOs and publish more information on the www.nvosorabotka.gov.mk website: create a list of information that all government bodies must communicate to this department.
- As some institutions have institutionalized successful mechanism for engagement of citizens in policy-making procedures and others face more serious challenge, it is necessary that institutions share experiences and expertise and approximate their institutional rules for participation with one another as much as possible so that citizens and associations can follow them easier.

To municipalities

- Municipalities that give grants to CSOs should exploit their expertise and network of in the community by funding activities that will benefit the work of the institution: e.g. the organization of the consultation process for the municipal budgeting.
- Show initiative to join the next Action Plan for OGP with concrete measures that would improve the engagement of citizens in decision making and the provision of public services in all municipalities.
- Communicate with citizens though means that they prefer to raise trust in institutions and to increase the participation of citizens in the decision-making processes.

To CSOs

- Conduct regular comparative studies between institutions about how they engage citizens in the decision-making processes – a soft pressure that may encourage institutions to perform better.
- Put pressure on the Government for the organization of the thematic working groups and also offer help in establishing them.



IMPLEMENTING PARTNERS

