

REPUBLIC OF NORTH MACEDONIA

AGENCY FOR THE PROTECTION OF THE RIGHT OF FREE ACCESS TO PUBLIC INFORMATION



Skopje 2022 година

PROGRAM
for the work of the Agency for the Protection of the Right to
Free Access to Public Information
for the year 2023

Skopje, 2022

1. INTRODUCTION

The Agency for the Protection of the Right to Free Access to Public Information is an independent state authority that makes decisions in accordance with the competencies established by the Law on Free Access to Public Information ("Official Gazette of the Republic of North Macedonia" No. 101/2019) - (hereinafter referred to as "the Agency"), in order to protect and promote the right to free access to public information, a right guaranteed by the Constitution of the Republic of North Macedonia.

The law on free access to public information regulates the right of access to public information and aims to enable all domestic and foreign natural and legal persons access to information available to the information holders.

Access to public information ensures publicity and openness in the operation of institutions at the central and local level, enabling natural and legal persons who request such information to exercise their constitutionally guaranteed right from Article 16 of the Constitution of the Republic of North Macedonia.

By enabling access to information of a public nature, the development of a transparent state is encouraged in which public authorities provide information to interested natural and legal persons from the country and abroad upon request for free access to public information and with the regular publication of the information about their operation, about the spending of public funds and the making of decisions, as matters of public interest.

Holders of information are obliged to publish public information (proactive obligation) as well as to immediately respond to requests for public information (reactive obligation).

The law on free access to public information, which guarantees the basic human right to give and receive information, is part of the European legislation that implements this human right, that is, it belongs to the order of anti-corruption laws and is a preventive tool for fighting corruption which on the one hand strengthens the openness of the operation, and on the other hand narrows the space for abuse of public authorities, encouraging them to work legally and correctly when acting in accordance with their competences.

Legal protection of the right to free access to public information, based on the Law on Free Access to Public Information, is provided by the Agency.

The agency establishes an annual program for its work while taking into account its competencies arising from Article 30 of LFAPI.

The essence of the adoption of the Work Program is to establish clear goals, determine measures and activities, as well as to distribute tasks, and define performance indicators, which will define and give a target direction for the work of the Agency.

The Agency's annual work program contains the goals and activities that will be implemented during 2023, and refer to:

- 1. Subject operation**
- 2. Monitoring of the legislation in terms of free access to public information**
- 3. Trainings for holders and requesters of information**
- 4. Normative and analytical activity**
- 5. International cooperation**
- 6. Project activities**
- 7. Cooperation with the civil sector**
- 8. Public relations**
- 9. Human resource development and management**
- 10. Final provision**

1. Subject operation

To exercise the right to free access to public information of natural and legal persons (information requesters), the Agency will continue with the following activities during 2023:

- a) Decision-making on complaints of information requesters filed against:

- The decisions by which the holders of information refused the Request for access to public information;
- The decisions with which the holders of information rejected the request for free access to public information, and
- The decisions by which the holders of information stopped or terminated the procedure according to the requests;
 - b) Acting on petitions of information requesters regarding free access;
 - V) Education of the officials among the holders of information both at the central and local levels;
 - d) Carrying out official visits;
 - e) Cooperation with the holders and requesters of information of a public nature, to realize the right to free access to public information;
 - f) Daily updating of information holders' data on the Agency's website. In addition to introducing current changes, it will work on recording, processing and submitting proposals to the Agency's management for deletion or addition of existing holders of information, termination or formation of new entities on the list of holders, change of activity, etc.;
 - g) Harmonization of the contents of the Agency's website with the needs arising from the current operation.
 - h) In addition to regular, comprehensive and timely information to the public through portals for information requesters and holders, in order to further affirm the activity of the Agency, it will strive to raise public awareness of free access to public information through greater media representation and organization of information sessions for holders and requesters of public information.
 - with) Preparing an Annual Report on its work and submitting it to the Assembly of the Republic of North Macedonia;
 - i) Cooperation with national and international organizations and institutions in the field of free access to public information;
 - j) Monitoring the websites of the information holders and publishing/submitting monitoring reports in order to encourage proactive transparency;
 - k) Other matters arising from the Law on free access to public information

Bearer: Director / Deputy-director of the Agency
Executors: The Department for Administrative - Legal and General Affairs and the Department for Cooperation, Transparency and Education,
Deadline: Continuous throughout the year

2. Monitoring of the legislation in terms of free access to public information

During the year, the Agency will continuously monitor the application of the Law on Free Access to Public Information.

According to the Strategic Plan of the Agency 2021-2025, in 2023 the work process will be defined in several stages, namely:

- Monitoring and implementation of European legislation in the field of access to

public information Preparation and planning

- Collection and analysis of primary and secondary data for current and future activities of all stakeholders that affect the operation of the Agency
- Provision of trainings for advanced training of the Agency's employees
- Discussions and workshops with the employees of the Agency
- Preparation of draft documents according to the Strategic Plan of the Agency
- Monitoring of the Action Plan from the Strategic Plan 2021-2025

Bearer: Director / Deputy Director of the Agency **Executors:** The Department for Administrative - Legal and General Affairs and the Department for Cooperation, Transparency and Education
Deadline: Continuous throughout the year

3. Trainings for holders and requesters of information

During 2023, the Agency will continue with the education of the holders of public information in accordance with the dynamics established in the Annual Program for the training of officials among the holders of information at the central and local levels.

The training will primarily cover newly appointed officials with information holders who did not attend trainings and officials who attended trainings, but expressed interest in attending again.

The Agency plans to hold informative and educational working meetings with the responsible persons among the holders of information at the central, regional and local levels.

Also, depending on its financial capabilities, as well as through cooperation with external partners, the Agency plans to educate citizens, as well as other target groups such as the media, students, high school students, the business sector and others, through various methods and forms of animation, video content, through holding trainings, delivering printed brochures, manuals, etc.

The Agency will also continue the cooperation with higher education institutions that have been established in the area of the protection of the right to free access to public information. Cooperation will take place through the signing of memoranda of cooperation, and within those frameworks holding training for students at universities and colleges with the aim of raising public awareness and the level of students' familiarity with the Law on Free Access to Public Information.

The implementation of the above-mentioned planned activities will be carried out within the budget of the Agency and with the help of external partners. Given that this is one of the basic competencies of the Agency, and in the interest of achieving the goal of the Law, referring primarily to anti-corruption measures, it will request the addition of its budget funds for the execution of the planned activities.

Bearer: The Director / Deputy director of the Agency **Executors:** Department for Cooperation, Transparency and Education and Department for Administrative Procedures **Deadline:** Continuous throughout the year

4. Normative and analytical activity

4.1. Preparation of the Annual Report on the work of the Agency for 2023.

The following parameters will be placed in the Report:

- Competencies of the Agency;
- Decision-making on Appeals (appeal procedure, settled cases and their structure, appeals against the holders of information, nature of the submitted appeals, the status of the cases following lawsuits);
- Implementation of experiences from the application of the Law;

- List of holders of information;
- Content of the Annual Reports of the Holders;
- Cooperation with the officials of the holders;
- Publicity in the operation of the Agency;
- The web page of the Agency;
- National and international cooperation and projects;
- Budget of the Agency;
- Misdemeanour proceedings.

Bearer: The directive/Deputy-director of the Agency
Executors: The Department for Administrative - Legal and General Affairs and the Department for Cooperation, Transparency and Education

Deadline: March 31, 2023

Also, the Agency will provide opinions and proposals according to laws and other regulations drafted by other state administration bodies, if they regulate free access to public information.

4.2. Alignment of the quality management system with the 1SO standard 9001:2015 and certification

The Agency has successfully completed the implementation process of the 1SO standard 9001:2008. According to the new edition of the 1SO standard 9001:2015, the Agency carried out the harmonization of the quality management system according to the changes and carried out its certification. According to the certification plan, in 2023 the first surveillance inspection will be carried out according to the above standard.

Bearer: Director / Deputy. director of the Agency
Executors: The coordinators for the introduction of SMC, the managing administrative officers and the administrative officers in the Agency
Deadline: During the year

4.3. Education of the Agency's employees

- Realization of appropriate training for the employees of the Agency and
- The Agency will actively work on the professional development of the Agency's employees.

Bearer: The agency in cooperation with organizations and institutions

Executors: The Department for Cooperation, Transparency and Education and Department for Administrative Procedures

Deadline: Continuous throughout the year

5. International cooperation

Within the framework of international cooperation in 2023, the Agency will continue with the activities for the exchange of experiences with related institutions and the maintenance of regular

contacts with collaborators and partners from the region and beyond, with the aim of possible cooperation on specific projects, programs and realization of strategic goals outlined in the Action Plan of the Agency.

Realization of study visits to appropriate institutions, authorities and bodies from developed countries in the world with the aim of exchanging experiences in the field of free access to public information.

Establishing and maintaining continuous communication with other related institutions from the member states of the European Union will be one of the basic tasks of the Department for International Cooperation in the current year 2023. Also, one of the basic work tasks of the Department will be to strengthen cooperation on a national level, with existing and new potential collaborators. From the established relationships and collaborations, the realization of projects and the realization of other goals and activities that will enable greater involvement and affirmation of the Agency in the international field of free access to public information is expected.

In the current year 2023, the Department for International Cooperation will undertake activities in the field of free access to information through continuous cooperation with national non-governmental organizations and international institutions and organizations to provide financial support for the realization of projects and project activities to raise the application of the right to free access to public information.

Bearer: The Director / Deputy. director of the Agency **Executors:** The Department for Cooperation, Transparency and Education and the Department for International Cooperation **Deadline:** Continuous throughout the year

6. Project activities

6.1. Project activities with national and international collaborators and partners

The Agency will continue cooperation with existing national and international collaborators and partners, as well as with new potential collaborators, with the aim of realizing projects and project activities.

The Agency plans to implement the project activities in cooperation with external partners who, with their expert participation, will contribute to the realization of the planned projects. The planned activities are contained in the Action Strategic Plan 2021-2025 of the Agency.

Bearer: The Director / Deputy-director of the Agency **Executors:** Department for International Cooperation **Deadline:** Continuous throughout the year

6.2. TAIEX

The Agency will continue its activities through the TAIEX Instrument of the European Commission, which enables the applicant countries for membership in the European Union to gain experience from the member states of the European Union. Regarding the new TAIEX applications for the current year 2023, the topics will be further determined and drafted.

Bearer: The Director / Deputy. director of the Agency **Executors:** Department for International Cooperation **Deadline:** Continuous throughout the year

6.3. Continuation of the established cooperation through participation in the traditional regional meeting of seven secondary authorities and institutions in the field of the protection of the right to free access to public information "Initiative 2020"

During 2023, the Agency will continue to cooperate and actively participate in the traditional regional meeting of seven secondary authorities and institutions in the field of protection of the right to free access to public information **"Initiative 2020"** where experiences and practices from the scope of their work are

exchanged, with the aim of promoting the right of free access to public information.

Bearer: The Director / Deputy. director of the Agency **Executors:** Department for International Cooperation **Deadline:** The month of October 2023

7. Cooperation with the civil sector

The Agency will continuously continue its cooperation with the non-governmental sector to raise awareness among citizens about the importance of this basic human right as well as the implementation of the regulations in this area.

The cooperation with the holders of information and the civil sector will contribute to a better implementation of the Law, transparency, openness and accountability of the institutions for their work, building mutual trust and developing the quality of democracy. The Agency will actively cooperate with the representatives of civil society organizations in the Open Government Partnership initiative, through the joint activities foreseen in the Action Plan 2021-2023. These activities are expected to increase the number of citizens who will exercise the right to free access to public information and the number of institutions that implement the Law, as well as to increase the proactive transparency of information holders.

The good practice of cooperation between the Agency, the holders of public information and the civil sector is key to good governance and is an important factor for transparent operation and implementation of the right of free access to public information.

Bearer: The Agency in cooperation with other institutions and the civil sector

Executor: Department for Administrative Procedures and the Department for Cooperation, Transparency and Education

Deadline: Continuous throughout the year

8. Public relations

With the aim of further affirming the constitutionally guaranteed right to access information, strengthening the awareness of officials among the holders of information and ensuring greater transparency and accountability in operations, the current practice of the Agency will continue with timely, regular and proactive publication and updating of information. on the website of the Agency.

Before or after the holding of significant events, information will be delivered, that is, invitations for the presence of journalists and media.

The overall cooperation with the electronic, printed and internet media will be intensified and deepened.

It is planned to prepare and print a publication with examples from the past practice of the Agency, which will contain characteristic examples of adopted decisions and conclusions following appeals of public information requesters.

Bearer: The Director / Deputy-director of the Agency **Executor;** The Department for Cooperation, Transparency and Education

Deadline: Continuous throughout the year

9. Distribution and management of natural resources

After the successful implementation of the internal organization and systematization of jobs, human resources and spatial and technical conditions for work in the previous year, the Agency in 2023 will continue with activities in the field of employee promotion and stimulation of administrative officers by providing training, visiting workshops and other methods of professional development of the employees of the Agency.

These activities will be undertaken by the Agency with the aim of more successful and higher quality performance of assigned tasks and tasks.

Bearer: The Director / Deputy-director of the Agency
Executor: Department of Legal and General Affairs
Deadline: Continuous throughout the year

10. Final Provision

This Program is published on the website of the Agency for the Protection of the Right to Free Access to Public Information.

Director: Plamenka Bojcheva

