



REPUBLIC OF NORTH MACEDONIA

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

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No. \_\_\_\_\_

Skopje \_\_\_\_\_ 2022 year

Based on Article 34 of the Law on Free Access to Public Information ("Official Gazette of the Republic of North Macedonia" No. 101/2019), acting on the conclusion of the 55th session of the Government of the Republic of North Macedonia, item 45, held on 28 June 2022, the Director of the Agency for the Protection of the Right to Free Access to Public Information, on 14.07.2022

## **ANNUAL PLAN FOR THE ASSESSMENT OF RISKS OF CORRUPTION FOR THE YEAR 2022**

As a result of the efforts of the Government of the Republic of North Macedonia in the fight against corruption, and in accordance with the provisions of the Law on the Prevention of Corruption and Conflict of Interest and the National Strategy for the Prevention of Corruption 2021-2025 of the State Commission for the Prevention of Corruption, the Agency for protection of the right to free access to public information, adopted this Annual Plan for Prevention of Corruption. The annual plan for the prevention of corruption aims to increase the institutional resistance to corruption and to establish a mechanism for control and prevention of the occurrence of corruption.

The Annual Plan provides a brief overview of the Agency's role in the fight against corruption, the Agency's profile and its competencies. Furthermore, the Plan contains identified risk areas susceptible to corruption within the scope of the Agency's operations, an Action Plan and its operationalization.

### **INTRODUCTION**

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Systematic building of a society based on transparency and openness of institutions is the most sustainable approach in the prevention and fight against corruption at the national level. The agency for the protection of the right to free access to information of a public nature has a key role in the protection and realization of the right to free access to information, as well as in the promotion and encouragement of the transparency and accountability of the institutions. Transparency has an inversely proportional effect on corruption, that is, the increase in transparency and access to information has an impact on the reduction of corruption at the national level.

The taking of activities for the prevention of corruption by the Agency will be considered from two aspects:

- External aspect, that is, what the Agency for the Prevention of Corruption can do at the national level in relation to the activity of public interest;

- Internal aspect, that is, what measures the Agency will take to prevent and prevent corruption from within the institution itself;

□ Regarding the first aspect, the activities undertaken by the Agency are defined as:

- The action plan of the Strategy for the reform of the public administration 2018-2022, in which the Agency is the bearer of the activities for the fulfillment and realization of the special goal 3.4.: Strengthened transparency of institutions and improvement of communication between institutions and citizens and the business community" with defined measures through which the activities will be carried out and realized;

- The Action Plan of the Agency's Strategy for 2021-2025, in which the activities for the fulfillment of the strategic goals "Facilitating the application of the right to access to public information" and "Increasing the efficiency and effectiveness of holders of public information" are defined for realizing the right to free access to information, contribute to increasing the transparency and accountability of the institutions.

□ Regarding the second aspect, the Agency has prepared this Annual Plan for the assessment of corruption risks, which is the basis for determining and defining the risk areas for corruption within its competence and scope of work, as well as identifying specific measures and activities for control and prevention of the occurrence of corruption.

## 1. ABOUT THE AGENCY

### Mission

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**Continuous implementation, promotion and protection of the right to free access to public information in the direction of increasing the transparency and accountability of institutions and facilitating access to public information.**

### A vision

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**Institutional recognition of the Agency as a credible affirmer and protector of the right to free access to public information.**

The Agency for the Protection of the Right to Free Access to Public Information (hereinafter: the Agency) is an independent and independent state body, which works and makes decisions in accordance with the competencies established in the Law on Free Access to Public Information ("Official Gazette of the Republic of North Macedonia" no. 101/2019). According to the legal competencies defined in Article 30 of the Law, the Agency performs the following tasks:

- Conducts administrative proceedings and decides on appeals against the decision by which the owner of the information refused or rejected the request for access to information of the applicants;
- Takes care of the implementation of the provisions of this Law, prepares and publishes a list of holders of information;
- Gives opinions on proposals for laws regulating free access to information,
- Develops policies and provides guidelines regarding the exercise of the right to free access to information;
- Conducts misdemeanour proceedings through the Misdemeanor Commission, which decides on misdemeanours in accordance with the law;

- Undertakes activities on the education plan of the holders of public information;
- Cooperates with the holders of information regarding the exercise of the right of access to information;
- Prepares an annual report on its work and submits it to the Assembly of the Republic of North Macedonia;
- Performs works of international cooperation;
- Promotes the right to free access and
- Performs other tasks according to the Law

## 2. IDENTIFIED AREAS SUBJECT TO CORRUPTION WITHIN THE SCOPE OF THE AGENCY

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Based on an assessment of the factors that influence the operation of the Agency, the annual plan has determined 5 priority areas where there is often a risk of corruption:

- Individual and institutional integrity
- Improvement of the quality of work in the Agency
- Acting on reports of irregularities and reports from whistleblowers
- Public acquisitions
- Prevention of conflict of interest when undertaking official actions

Through the Action Plan that follows, an overview of specifically planned activities and the way of their operationalization, dynamics of their realization, holders and financial implications for the realization of the activities through which they would be successfully implemented the defined measures.

### 3. ACTION PLAN FOR 2022

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<b>Area 1: Individual and Institutional Integrity</b>				
<b>Measure</b>	<b>Activity</b>	<b>Holder/Competent organizational unit</b>	<b>Deadline for realization</b>	<b>Financial implications</b>
Promotion of personal and professional integrity and ethics of employees	Encouraging continuous consistency in respecting professional, ethical and institutional rules of operation	- Heads of organizational units -Senior management: Director and Deputy Director	Continuously	There is none
Professional development of employees and development of a culture of continuous learning	Development and implementation of human resource management policies and practices for their professional development and upgrading	- Heads of organizational units -Senior management: Director and Deputy Director	Continuously	There is none
Commitment of senior management in creating a moral and organizational culture of professionalism, legality and intolerance of corruption	Periodic assessments of work processes in order to identify their vulnerability to corruption	- Heads of organizational units -Senior management: Director and Deputy Director	Second half of 2022	There is none
<b>Area 2: Improving the quality of work in the Agency</b>				
<b>Measure</b>	<b>Activity</b>	<b>Holder/Competent organizational unit</b>	<b>Deadline for implementation</b>	<b>Financial implications</b>
Compliance with certification standards ISO 9001:2015	Application of the procedures for the work processes in the Agency and monitoring of the actions of the employees according to them	Authorized person	Continuously	There is none

Enabling full functionality of the document management system (DMS system)	Regular maintenance of the document management system	- Department for administrative-legal and general affairs - Department of ICT - information and communication technologies	Continuously	There is none
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**Area 3: Action on reports of irregularities and reports from whistleblowers**

<b>Measure</b>	<b>Activity</b>	<b>Holder/Competent organizational unit</b>	<b>Deadline for implementation</b>	<b>Financial implications</b>
Strengthening the position of the person who reports irregularities and suspicions of fraud and corruption in the Agency	Creation of conditions for the performance of its obligations according to the regulations for public internal financial control	Authorized person reporting irregularities and suspicions of fraud and corruption	Continuously	There is none
Adequate application of the Whistleblower Protection Law, by-laws and internal procedure for the procedure for protected internal reporting	Timely and legal action on reports submitted by whistleblowers, as well as notification of the measures taken to the report submitters within the legally established deadline	Authorized person for receiving reports from whistleblowers	Continuously	There is none
Raising the awareness of the Agency's employees about the possibilities for action under the Law on the Protection of Whistleblowers and the internal procedure for protected internal reporting	Acquaintance of the employees of the Agency with the Law on Protection of Whistleblowers and the Procedure for Protected Internal Reporting	Authorized person for receiving reports from whistleblowers	Continuously	There is none

**Area 4: Public Procurement**

<b>Measure</b>	<b>Activity</b>	<b>Holder/Competent organizational unit</b>	<b>Deadline for implementation</b>	<b>Financial implications</b>
Strengthening integrity in public procurement	Encouraging continuous consistency in the observance of the Code of Conduct in the implementation of public procurement and internal procedures for all employees involved in the public procurement process	All employees involved in the public procurement process	Continuously	There is none
	Implementation of comprehensive periodic analyzes of the conducted public procurements including all stages of the public procurement process with measures for improvement	-A person for performing work in the field of public procurement -Department of Financial Affairs -Department for legal and general affairs	End of 2022	There is none
	Professional development and continuous education of employees participating in the public procurement process	All employees involved in the public procurement process	Continuously	There is
<b>Area 5: Prevention of conflict of interest when undertaking official actions</b>				
<b>Measure</b>	<b>Activity</b>	<b>Holder/Competent organizational unit</b>	<b>Deadline for realization</b>	<b>Financial implications</b>
Prevention of influence on the members of the Offenses Commission which decides on offenses in accordance with the Law on Free Access to Public Information	Reporting an attempt to influence members of the Offenses Commission (to the person authorized to receive reports from whistleblowers)	All appointed members of the Offenses Commission	Continuously	There is none

Prevention of influence on the members of the Public Procurement Commissions during the implementation of public procurement procedures	Reporting an attempt to influence members of the Offenses Commission (to the person authorized to receive reports from whistleblowers)	All appointed members of Public Procurement Commissions	Continuously	There is none
Prevention of influence on administrative officials who prepare Decisions that decide on Complaints in accordance with the Law on Free Access to Public Information	Reporting an attempt to influence the administrative officers who prepare Decisions that decide on Complaints (to the authorized person for receiving reports from whistleblowers)	Administrative officers who prepare Decisions that decide on Appeals Heads of organizational units that act on complaints -Senior management: Director and Deputy Director	Continuously	There is none
Prevention of abuse by administrative officials who act when drafting Decisions that decide on Appeals in accordance with the Law on Free Access to Public Information	Reporting of attempted abuse by administrative officials who act during the preparation of Decisions that are decided on Complaints (to the authorized person for receiving reports from whistleblowers)	All employees of the Agency Heads of organizational units that act on complaints -Senior management: Director and Deputy Director	Continuously	There is none

**Director,  
Plamenka Bojcheva**