



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

ANNUAL REPORT

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1. SUMMARY

The report on the work of the Agency for the Protection of the Right to Free Access to Public Information in 2019, as a legal follower of the Commission for the Protection of the Right to Free Access to Public Information (hereinafter: the Agency) derives from the legal obligation to submitting an Annual Report to the Assembly of the Republic of North Macedonia, reflecting the competences established in Article 30 of the Law on Free Access to Public Information, for the implementation of which the Agency is competent. The report presents the work of the Commission on each of the competences and the results of its work and activities in 2019.

Namely, during 2019, the Commission for the Protection of the Right to Free Access to Public Information faced several challenges and limitations related to its operation and functioning, due to the following:

Pursuant to Article 31 of the Law on Free Access to Public Information ("Official Gazette of the Republic of Macedonia" no. 13/2006, 86/2008, 6/2010, 42/2014, 148/15, 55/2016 and 64/2018), the Commission for the Protection of the Right to Free Access to Public Information was composed of a president, their deputy and three members, who performed the position professionally with a mandate of five years and with the right to re-election. The President, Deputy and members of the

Commission were appointed and dismissed by the Assembly of the Republic of North Macedonia on the proposal of the Commission on Elections and Appointments. Pursuant to Article 33 of the same Law, the Commission performed its tasks in sessions, and worked and made decisions with a majority of the total number of members.

The Commission functioned for a long period of time with a president, their deputy and one member. Namely, on May 2, 2018, the Assembly of the Republic of North Macedonia accepted the resignation of the President of the Commission, after which it was prevented from making a final decision.

On October 18, 2018, by Decision of the Assembly of the Republic of North Macedonia No. 08-6026/1, the former deputy was appointed as the President of the Commission. Thus, the Commission at that moment was composed of a president and one member, which means that it did not have a majority of the total number of members and therefore could not perform its legal obligations, i.e. work and decide, until a deputy president and members are appointed .

On 08.02.2019, by Decision of the Assembly of the Republic of North Macedonia no. 08-1065/1, a new member of the Commission was appointed. From that moment, the Commission had a president and two members and could make decisions with full rights. In view of the above, the Commission held a session on February 13 and 14, 2019, at which it focuses on deciding on all backlogged cases, which have already been acted upon by the Secretariat of the Commission. At the mentioned session, the Commission acted according to the total **457** objects and brought **399** solutions and **58** conclusions. However, immediately after the session, the newly appointed member of the Commission submitted his resignation to the Assembly, which was confirmed on 14.03.2019, and in the meantime, on 19.02.2019, the mandate of another member of the Commission expired, after which it was left with only a President and again could not make full decisions until the establishment of its legal successor - the Agency for the Protection of the Right to Free Access to Public Information. Regarding this situation, the President of the Commission addressed the Assembly of the Republic of North Macedonia on several occasions, orally and in writing, asking for an immediate resolution, that is, re-equipping the Commission for its further functioning.

On May 22, 2019, the new Law on Free Access to Public Information was published in the "Official Gazette of the Republic of North Macedonia No. 101". Article 46 of the said Law stipulates that this law enters into force on the eighth day from the day of its publication in the "Official Gazette of the Republic of North Macedonia", and it will begin to be applied six months from the day this law enters into force. Article 43 of the same law specifies that the Parliament, within 15 days from the date of entry into force of this law, will publish a public notice for the appointment of the director and deputy director of the Agency and that the Commission shall cease to operate on the day of its commencement. of the Agency. In paragraph 3 of the same article, it is further specified that "The Agency starts working on the day of the appointment of the Director of the Agency". Due to the above, the Commission did not function until 26.12.2019, when the director and deputy director of the Agency were appointed, although the public announcement was announced in June 2019.

After its establishment on 26.12.2019 and the completed formalities regarding the same, the Agency from 10.01.2020 put an emphasis on dealing with backlog cases from 2018 and 2019, which were over **750**. The action on them has been completed.

Otherwise, 755 appeals were submitted to the Commission during the

reporting period. Due to the situation that has arisen, the Report in the part of the procedure refers to the only session held in February 2019, which was acted upon **457** appeals that were transferred as unresolved during 2018 and beyond **14** from 2019. The newly delivered **741** appeals submitted after February 13-14, 2019, have been transferred to the competence of the Agency for its handling during 2020.

In the part of the cooperation with the holders, informing the public and international cooperation, as well as the plan for the realization of the education of the officials who mediate the public information, the data analysis refers to the entire reporting year 2019.

2. INTRODUCTION

The annual report for 2019 covers the operation of the Commission for the Protection of the Right to Free Access to Public Information in the exercise of its basic competences.

Regardless of the circumstances in which the Commission found itself, through no fault of its own, and which are explained in detail in the Summary, it continued with its Mission, with the sole purpose of protecting the exercise of the constitutionally guaranteed right to free access to public information, through efficient and independent implementation of the procedure, through continuous information to the public and education of the holders of information.

Otherwise, during 2019, they were submitted to the Commission **755** s against administrative and real acts of the first instance authorities, or against silence on the part of the holders of information. Even **677** out of the total number of appeals were submitted due to silence of the administration. The majority of appeals were submitted by legal entities, i.e. by citizens' associations and foundations (**621**), and were submitted by natural persons **134** appeals. Interestingly, the largest number of appeals (**411**) have been filed against health organizations by the same citizens' association, within the framework of the implementation of its project activities. They have been filed against state institutions **130** appeals, **97** against municipalities, **43** against public enterprises, **38** against the judicial authority, against legal and physical persons exercising public authority were targeted **20** appeals, a **15** against educational institutions.

The commission, due to the above reasons, acting on the appeals at the session held on February 13-14, 2019, decided only **14** cases from 2019, with which in 13 cases it upheld the appeals and instructed the first-instance authorities to act on the requests for access to information, and in only one case it passed a decision rejecting the as unfounded. The remaining ones **741** have been transferred for action in 2020.

Unlike the last reporting year, out of total **1.257** holders of information, submitted an Annual Report on the application of the law to the Commission **1.047** holders, that is **83,29** percent of them, until the legal obligation is fulfilled by **210** institutions, or **16,71%** from the holders of information.

As we have already emphasized, in the inability to use its budgetary financial resources, the Commission fulfilled the legal obligation to undertake activities for the education of information holders by holding 4 trainings within the framework of the

previously established cooperation between the Commission and the OSCE Mission in Skopje.

As in almost all previous reports, it must be emphasized that even now it has been established that in order to more successfully fulfill its role in accordance with the legal competences, the Commission (now the Agency) needs qualitative personnel re-equipment, as well as stronger budgetary support so that it could better approaches to strengthening the development side in the operation.

The Law adopted in May 2019 contains several novelties, of which we highlight the following:

- The Commission has been transformed into an Agency, which means from a collegial body, it has become an independent body;
- the holders of information are more precisely defined;
- political parties have been added as holders in the section of revenues and expenditures;
- the public interest in exercising the right of access to public information has been clarified and
- the establishment of a Misdemeanor Commission with the task of conducting misdemeanor proceedings and imposing misdemeanor sanctions was established.

The Agency's vision is to be recognized and respected by the holders, applicants and the general public as a basic institution responsible for exercising the right to free access to public information, which contributes to increased accountability and transparency in society.

3. STATUS, MANAGEMENT, COMPETENCE AND ORGANIZATIONAL STRUCTURE:

The Commission, in accordance with the Law on free access to public information ("Official Gazette of the Republic of Macedonia" no. 13/2006, 86/2008, 6/2010, 42/2014, 148/15, 55/2016 and 64/2018) worked as an independent state body, consisting of - president, deputy president and three members, who performed the function professionally, with a mandate of 5 years, with the right to re-election. The President, Deputy and members of the Commission were appointed and dismissed by the Assembly of the Republic of Macedonia on the proposal of the Commission on Elections and Appointments. Pursuant to Article 33 of the same Law, the Commission performed the tasks of its competence in a session, and worked and made decisions with a majority of the total number of members.

However, the Commission could not work in full composition during the entire reporting period, and in the end it was left with only a President, i.e. at no time did it have the legally required number of members and was forced to function briefly with a President, his deputy and one member. whose mandate ended during the second month of the year.

The Agency, as the legal successor of the Commission, after fulfilling all legal obligations, i.e. after appointing its director and deputy director, was established on 26.12.2019, the day from which it was supposed to continue as a new legal entity

("Official Gazette of the Republic North Macedonia" no. 101/2019). Practically, after completing the administrative tasks, it officially started working at the beginning of 2020.

Until the day the Agency started working, that is, until the application of the new Law on Free Access to Public Information, the Commission worked and made decisions in accordance with the competences established in Article 32 of the previous Law on Free Access to Public Information, where it is stated that:

- decides on appeals against the decision and decision by which the holder of the information refused the request for access to information of the information requesters;

- takes care of the implementation of the provisions of this Law;

- prepares and publishes a list of information holders;

- gives opinions on proposals for laws regulating free access to information;

- undertakes activities related to the education of information holders to enable applicants free access to the information they have;

- cooperates with the holders of information regarding the realization of the right of access to information;

- makes proposals for the necessary funds for the work of the Commission during the preparation of the Budget of the Republic of North Macedonia;

- they brings Rules of procedure for your work;

- prepares an Annual Report on its work and submits it to the Assembly of the Republic of North Macedonia;

- carries out works of international cooperation related to the execution of the international obligations of the Republic of North Macedonia, participation in the implementation of projects of international organizations and cooperates with the authorities of other countries and institutions in the field of free access to information of a public nature;

- adopts acts regulating the way of work and organization of the Commission;

- promotes the right to free access to public information, and

- performs other tasks determined by this and other Laws.

Administrative, professional and other administrative-technical work, during this period, is performed by the Secretariat of the Commission.

According to the then Rulebook on internal organization and the Rulebook on the systematization of jobs, two sectors were established in the Secretariat of the Commission:

- Sector for implementation of procedures for appeals, legal, general, educational and analytical matters and

- Sector for cooperation with the holders of information, informing the public and international cooperation in the field of free access to public information.

The sectors have two (2) Departments each. Outside the departments there is a Department of Financial Affairs.

According to the Rulebook on internal organization and systematization of jobs in the Commission, twenty-nine (29) jobs have been systematized, of which nineteen (19) jobs have been filled. Sixteen (16) of them have a higher education, and three

(3) have a secondary education. The qualification structure of the employees with higher education is as follows: seven (7) are law graduates, three (3) are from the Faculty of Philology, one (1) is a journalist graduate, one (1) is from the Faculty of Philosophy, two (2) are graduates economists, one (1) is a graduate manager in marketing and one (1) is a graduate manager in human resource management. There are three (3) employees with secondary education, of which one (1) has a hospitality and tourism profession and two (2) have a secondary trade profession.

According to categories of administrative officers, the situation is as follows:

- Head of Department;
- Assistant Head of Department;
- Two (2) Department Heads;
- Two (2) advisers;
- Nine (9) junior associates;
- One (1) independent referee;
- Three (3) junior referees.

Of the total number of employees, eight (8) are of Macedonian nationality (42%), five (5) are of Albanian nationality (26%), four (4) are of Aromanian nationality (21%) and two (2) are of Roma nationality (11%).

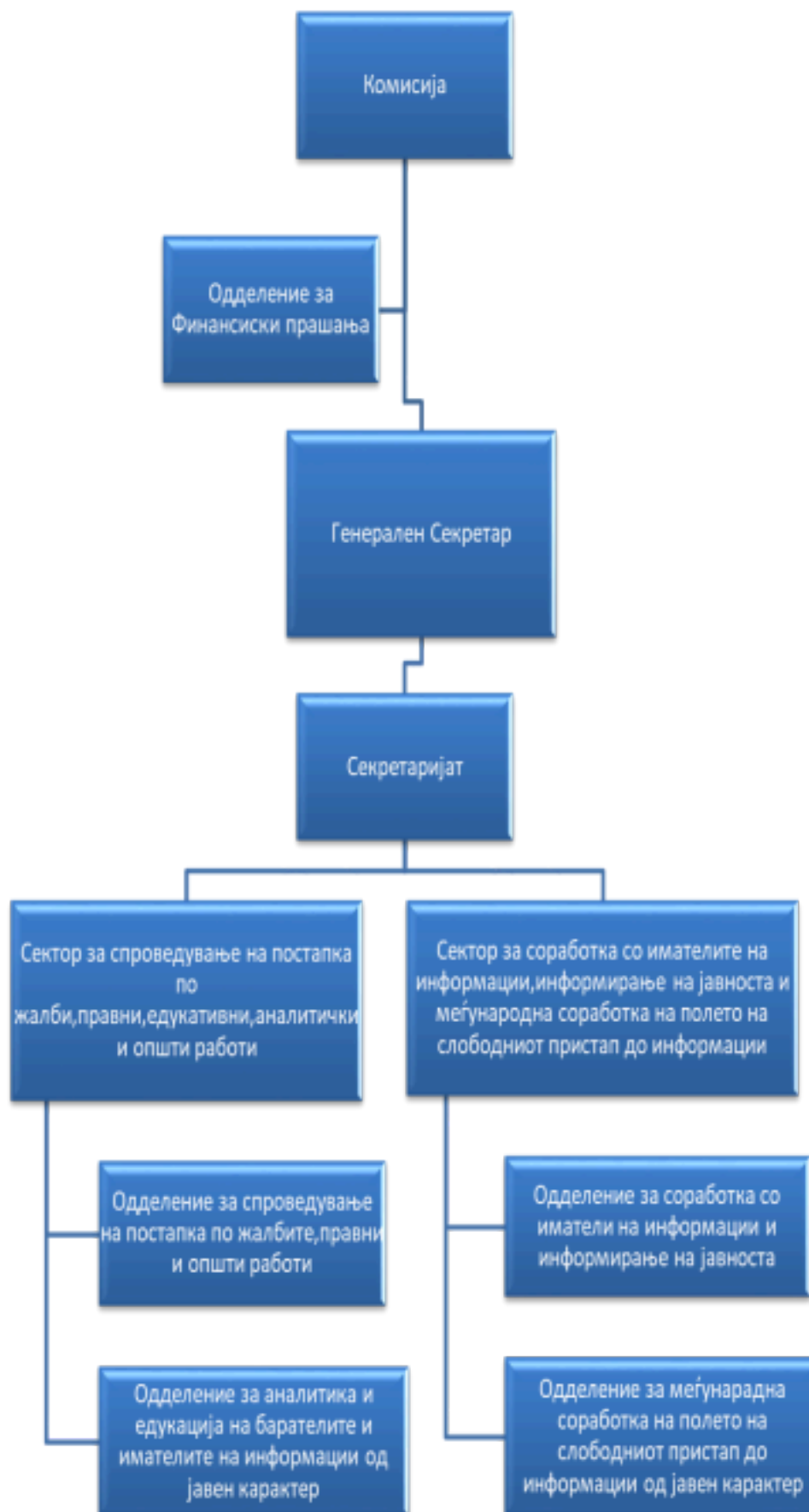
Seven (7) employees are male, and twelve (12) are female, aged between thirty (30) and sixty-six (66).

Two (2) employees work part-time.

Percentage of the total number of employees by nationality in the Secretariat of the Commission:

| | Systematized jobs | Completed working places | Percentage of total number of employees | High education | Average education |
|-------------|-------------------|--------------------------|---|----------------|-------------------|
| Macedonians | | 8 | 42% | 7 | 1 |
| Albanians | | 5 | 26% | 5 | |
| Aromanians | | 4 | 21% | 4 | |
| Roma | | 2 | 11% | / | 2 |
| In total | (28) | 19 | | | |

We note that, during this reporting period, in addition to the fact that on 19.02.2019 the term of office of one member of the Commission came to an end, from 30.06.2019 the Secretariat of the Commission remained vacant. general affairs, due to the retirement of the employee. From the beginning of the next year, the head of the department and one department head will retire.



Organogram

4. REALIZED ACTIVITIES DERIVED FROM THE LEGAL COMPETENCES AND THE WORK PROGRAM:

4.1. Adjudication of appeals

As a secondary authority in the procedure for appeals submitted by information requesters, the Commission decided in cases where the holders did not act on the requests for access to public information within the legally stipulated period, or delivered to the requesters answers, notices, or administrative acts from which the requesters they were not satisfied. The right, according to the Law, was used by applicants who submitted an oral, written or electronic Request for access to public information. The commission, immediately after receiving the appeal, forwarded them to the holders of the information, in order to receive within seven days a ruling and a set of documents on the same, in order to act immediately, observing the legally provided deadline. Only in the cases where the appeals were filed against the silence of the administration, the Commission made decisions ordering the first instance authorities to act on the request of the applicant, in accordance with the provisions of the Law on free access to public information, within seven days from the receipt of the solution.

The processed data show that in the reporting year 2019 a total of **755** appeals, with what for **133** the number of has been exceeded **622** reported appeals in the previous year 2018.

The status of s submitted by information requesters by month is as follows: in the month of January, **17** appeals, February-**46**, March-**83**, April-**25**, May-**51**, June-**10**, July-**411**, August-**36**, September-**16**, October-**14**, November-**19** and in the month of December-**27** appeals.

In Appendices: Chart 1)

From the total number of appeals submitted to the Commission, **134** are declared by natural persons, while **621** from legal entities - almost all associations of citizens. It should be noted that all **411** filed appeals during the month of July are by the Association for Emancipation, Solidarity and Equality of Women ESE-Skopje, which represents more than half of the total appeals filed in 2019. (in Appendices: Chart 2)

The above-mentioned number of appeals from only one association of citizens, exclusively submitted due to the silence of the administration, raises the number of reported appeals against the silence of the administration to a total of **677**, which represents a large percentage in relation to the total **755**- the appeals filed during the reporting year. This indicates the fact of non-action by the holders of information on requests for free access to public information within the legally stipulated period.

Against the Response of the holders of public information, the information requesters submitted to the Commission **59** appeals, against Decisions of the holders of information to deny access to the requested information have been submitted **16 appeals** and **3** appeals have been filed against the adopted Conclusion by the holders of information.

4.2. Solved subjects and their structure

During 2019, the commission held only one (1) session (on February 13 and 14) and acted on a total of **457** subjects transferred from 2018 and 14 subjects each from the current year 2019. They resulted from the conducted appeal procedure **399** solutions and **58** conclusions. The rest **741** appeals, received in the Commission after 14.02.2019, due to the lack of legal opportunities for decision-making, were transferred for action during the next year 2020.

(in attachments: **Chart 3**)

In terms of the resolved cases and their structure, the situation is as follows:

- 237** decisions by which the Appeal is respected and the first-instance authority is ordered to act on the request of the applicant;
- 107** decisions by which the Appeal is respected and obliges the holder to provide the requested information;
- 18** decisions rejecting the as unfounded;
- 14** decisions rejecting the as untimely/inadmissible/premature;
- 23** decisions by which the Appeal is respected and the case is returned to the first-instance authority;
- **58** conclusions with which the procedure after the Appeal is stopped due to its withdrawal, or due to an answer received in the meantime. (in attachments: **Chart 4**)

4.3. s filed against information holders:

Regarding the s filed against the information holders, the data shows the following:

- the largest number of appeals (**411**) have been declared against health organizations and institutions (by one requester of information);
- have been filed against state institutions **130** appeals;
- 97** appeals against municipalities;
- against public enterprises and institutions - **43** appeals;
- 38** appeals against the judiciary;
- 20** **appeals** against legal or natural persons exercising public powers and
- 15** against educational institutions.
- 1** appeal submitted to non-holder of information. (in attachments: **Chart 5**)

4.4. Nature of submitted appeals:

The Commission has data from which it can be determined that in the reporting year 2019, the most appeals were filed against: state institutions, municipalities, public enterprises, health facilities and the judiciary. The realized workshops with the officials at the holders of information did not give an adequate effect in removing the most common one reason for submitting appeals to the Commission - the silence of the administration. Appeals have been filed due to the

requesters' dissatisfaction with the answers received from the information holders and against the received decisions for denying access to the requested information.

The most frequently mentioned dissatisfaction of the appellants with the actions of the holders of information is in relation to requests that related to:

- records and reports on conducted public procurements, annual plans for public procurements, etc.;
- information on received and spent budget funds under programs that treat specific diseases, treatments of certain categories of persons, etc.;
- biographies of members of supervisory and management boards and the amount of their fees;
- information on announcements and employment procedures;
- copies of necessary evidence in court proceedings;
- documentation for the legalization of facilities;
- documents for the holdership of the working premises of the municipalities;
- business plans to support self-employment and entrepreneurship;
- official contacts with public enterprises (telephone, e-mail of the enterprise and the director);
- documents for the rolling stock of public enterprises;
- documents for total costs from the final account of the budget and

others.

4.4.1. Status of lawsuits:

In 2019, according to the records of the Commission, against its final decisions, some of which date back to 2014, a total of **29** lawsuits. Administrative disputes are initiated by **18** legal entities (of which **11** are from the same information holder) and **11** by natural persons (of whom **8** are from the same information requester).

Administrative disputes are initiated against:

- 14** decisions of the Commission respecting the complaint and obliging the holder to provide the requested information;
- 2** decisions of the Commission by which the is respected and the holder is ordered to act in accordance with the Law;
- 9** decisions of the Commission rejecting the as unfounded and
- 4** Decisions by which the is rejected as impermissible or inadmissible.

The Commission acted on all the submitted lawsuits and submitted a response to the Administrative Court.

Acting on the aforementioned lawsuits, the Administrative Court passed in 2019:

- **8** Judgments rejecting the lawsuit as unfounded and
- **1** A decision upholding the lawsuit.

In the same period, the Commission was also submitted 6 appeals against decisions of the Administrative Court that rejected the plaintiffs' lawsuits as unfounded, or rejected them as inadmissible.

The Higher Administrative Court acted on these and previously submitted appeals against the decisions of the Administrative Court and made the following ruling:

- 17 Judgments rejecting the as unfounded and
- 1 A judgment that returns the case to the Administrative Court for retrial.

As can be seen from the above statistics, the Administrative Court and the Higher Administrative Court also in this reporting period made decisions by which the lawsuit/appeal is rejected or rejected, which in fact confirms the Commission's decisions, from which it can be concluded that the Commission, acting on the appeals, made correct decisions and law-based solutions.

4.4.2. Implementation and experiences from the application of the Law:

The 14 years of operation of the Commission and the implementation of the Law on free access to public information show that information requesters seek the most information from state institutions as holders of information. Similarly, as in the previous reporting periods, the largest number of s filed due to the silence of the administration was registered, which points to the conclusion that the most common reason for filing appeals with the Commission is the non-implementation of the Law by the holders of public information, or rather the failure to act on Requests by the first instance authority within the legally stipulated term. Indeed, in many cases the holders reacted only after the expiration of the term stipulated in the Law and after submitting the appeals, but through the mediation of the Commission they submitted the requested information, but this does not coincide with the realization of the purpose of the Law, which is to quickly and efficiently enable access to public information.

Due to the stated situation, and during this reporting year, the Commission adopted a large number of Decisions ordering the holders to act in accordance with the Law on Free Access to Public Information within 7 days of receiving the Decision.

Following the practical application of the Law, the Commission determined that for better implementation, amendments and additions to it are needed. For this purpose, in 2018 the Ministry of Justice established a Working Group composed of representatives of the Commission, the non-governmental sector, the Ministry of Information Society and Administration and the OSCE Mission in Skopje. As a result of the work of this Working Group in May 2019, a new Law on Free Access to Public Information was adopted, with essential changes to the existing one. With the new Law, the Commission is transformed into an Agency, that is, the new legal entity becomes legal successor of the Commission, taking over its activity and all its resources in full.

This means that it is no longer a collegial, i.e. collective body, but becomes an independent body headed by a director and deputy director. Due to the fact that the Agency was founded on 26.12.2019, the application of the new Law, i.e. its

implementation, starts from the beginning of the next year 2020.

4.4.3. List of information holders:

The extinction, transformation (merger) of already existing and registered holders, as well as the formation of new institutions and entities, imposed the need for immediate further updating of the List of Holders, regardless of the non-functioning of the Commission until the very end of 2019.

With the addition of **4** new holders and the deletion of **3** educational institutions, the total number of registered holders reached **1.257**, or for **1** more in relation to the reporting year 2018.

There are changes in the part of the List of educational institutions of all degrees, which now counts in total **551** holder, or one less than in 2018. This is due to the removal from the List of the Fifth Private Gymnasium, which has been closed, as well as the primary schools "Blagoj Kirkov" and "J.H.K. The Giant" from Veles, with the merger of which by decision of the Council of the Municipality of Veles, the new Municipal Primary School "Panko Brashnarov" was founded. At the same time, in this part of the List, OSU Second Gymnasium "7 Marsi" from Tetovo was registered as a new holder, which submitted data on the designated official and the Annual Report on the implementation of the Law in 2019 on its own initiative.

With the addition of the newly formed Agency for the Application of the Language Spoken by at least 20% of the Citizens in the Republic of North Macedonia and the Operational-Technical Agency-Skopje, the part of the List of State Institutions has been expanded for two holders and now amounts to **126**.

The number of holders in the links with health institutions has not changed **108**, the municipalities in the Republic of North Macedonia **82**, at public enterprises and institutions with **279**. There are no changes in the legal and natural persons who exercise public powers with **28** holders, as well as in the judicial authority link that counts **83**. (in attachments: **Chart 6**)

4.4.4. Content of Annual Reports:

From the reports that contain a description of the received requests, it emerged that natural persons, and above all Citizens' Associations and foundations, used their legal right to request answers to numerous questions of a very different nature from the holders of information of a public nature.

Dominant are the requests for information related to the disposal of budget and donor funds, specific tender procedures, implemented public procurements and e-auctions, requests related to the appointment and realized incomes of individual members of management and supervisory boards and commissions, implemented procedures for opening new jobs for a specified and indefinite period, total number of foreign companies receiving state aid, as well as lists of beneficiaries of financial support who have public office holders in the management structure.

Addressing the state institutions, the claimants also expressed interest in the Report of the Commission for assessment and determination of the amount of damage to immovable and movable property in the areas of Tetovo and Skopje regions, as a result of increased volume of precipitation and floods, for reports on the work of ministers in the reporting period, as well as for the number of received s about the illegal behavior of officials appointed by the Republic of North Macedonia Government. The costs related to the Pope's visit and from which budget the funds

were allocated, information on acting on the recommendations of UNESCO, data on the total amount of medical waste received in the Drisla landfill, financial resources allocated for the prevention and control of air, water and soil pollution, they are also an integral part of the reports of individual state institutions.

Among the requests addressed to the municipalities, the most numerous are those for certain situations in the area of urbanism and the communal sphere, then requests for issued or adopted documents, permits and decisions, spent funds for project and promotional campaigns, requests for lists of settlements, information on names of the lessor and the amount of rent paid for work premises used by separate units of local self-government, criteria according to which streets are built, extended, reconstructed and renovated, as well as for the number of firefighting vehicles, by brand, type and year of manufacture.

The bodies of the judicial authorities have received requests for the number of petitions and s submitted by citizens and legal entities in connection with the work of individual courts and judges, for information related to the functioning and application of the AKMIS system, decisions to revoke the immunity of judges in various cases. Data on civil cases in which audio recordings were listened to, number of lawsuits received on the basis of discrimination, data on convicted persons for activities in the field of corruption, i.e. for activities in the field of organized crime, number of parties exempted from paying the costs of the procedure, as well as how many total proceedings are being conducted against persons who obstructed the elections and voting, are an integral part of the requests, which were also addressed to the judicial authorities.

Citizens sought insight into concluded contracts with media, production houses and web portals, photocopies of acts on the basis of which compensation is paid, photocopies of concluded contracts with law firms and lawyers and contracts for payment of compensation for their services, and were also interested in The questionnaire on management parameters of state-owned public enterprises, but also on the method and procedure for the care and capture of stray animals from public lands.

The health institutions were mainly asked for data on the situation with several infectious diseases, documentation on the generated medical waste, by type and origin and handling of it, information on the number of medical vehicles purchased on lease, donated or obtained for use by another institution according to brand, model and purchase value, data on the number of people suffering from addiction diseases by gender and age in certain regions, the number of doctors referred to specialization, as well as health tables with indicators of the rate of violence against children.

4.4.5. Annual reports of holders:

Out of total **1.257** Institutions, institutions, bodies and other entities registered on the List of Holders submitted annual reports within the prescribed period. **1.047** or **83,29%** of holders. The number of received reports also includes **6** reports which, due to the perceived omissions and shortcomings, are incomplete or invalid, and the indicators, especially the numerical ones contained in them, were not taken into account. Officials in charge of implementing the Law at **210** institutions, or at **16,71%** of the holders included in the List did not submit annual reports within the stipulated period, so for these institutions it is not possible to determine whether there were requests submitted in accordance with the law and how they were acted upon.

Regardless of the number of submitted reports **84** greater than the previous reporting year, the analysis of the implementation of the Law, showed movements and achievements that in many segments are similar to the results in 2018. **(In attachment: Chart 7)**.

Of the total recorded **126** state institutions, **119** submitted an annual report, while **7** holders did not submit a report on the implementation of the Law. They did not act in accordance with the Law **8** out of total **82** the municipalities, including the Community of Local Self-Government Units (ZELS). Out of total **83** holders from the judicial sphere, **5** they were not transparent and did not submit an annual report.

Of the total registered **28** legal and natural persons exercising public powers, **4** holders did not submit a report, while the officials at **21** out of total **108** health facilities did not act according to the law.

A reduced number of reports compared to the previous reporting period were submitted by public enterprises and institutions, where **55** out of total **279** registered holders did not comply with the legal provisions. In contrast to the reporting year 2018, drastically greater transparency is evident in institutions of all levels of the educational process, where **110** from **551** registered holder did not submit reports within the legal term. The processing of the reports refers to the receipts data **8.752** requests, of which the officials responded positively **8.299**. The persons in charge of mediation with the public information also inform about rejected and rejected **163** requests based on the exceptions prescribed in article 6, or in accordance with other legal regulations. The reports also contain data on **283** unanswered requests. According to the clarification contained in the report in question, **125** of them remained unanswered due to non-compliance of the time period stated in the requests of the Citizens' Association-the applicant. **Seven** requests received before the very end of 2019, by the holders, have been transferred for processing in the current year 2020.

In the received and processed annual reports there are **87** appeals against the first instance decisions submitted directly to the holders, after which the Commission made a positive ruling on **45** from them. Institutions also report on **5** modified first instance decisions after the action of the Commission, for **3** rejected appeals, as well as for **2** rejected appeals on her part **(In attachments: Chart 8)**

The persons in charge of mediating the information with the state institutions recorded **4.054** requests, which points to the conclusion that the activity of this category of holders initiated the largest number of requests. The most requests or **981**, were submitted to the Assembly of the Republic of Northern Macedonia, which for the second time in a row leads in relation to the requests received. For questions from the scope of work of the municipal authorities, there were **1999** initiated requests, which is a respectable figure, regardless of the fact that, judging by the submitted requests, the interest of the applicants in relation to 2018 was lower. **845** requests were sent to the holders by the judicial authority, public enterprises and institutions noted **509** requests, educational institutions in all degrees have archived **353** requests, while officials at legal and natural persons exercising public powers had the obligation to respond to **96** requests.

Compared to the previous reporting period, citizens and associations of citizens and foundations showed an increased interest in the functioning of the health facilities to which they were addressed, i.e. **896** requests **(in attachments: Chart 9 and 10)**

As the holder of public information, the Commission received **17** requests, of which the **5** was positively answered, while **12** requests were transferred to 2020, which

were acted upon at the beginning of the year.

4.4.6. Cooperation with officials of the holders:

The Secretariat of the Commission was available to officials whenever the need for consultation arose. Most often, advice and opinions were sought on how to properly act or respond to a certain request, whether or not access should have been denied, whether specific data should be provided or falls under the exception category, as well as whether the Harm Test was properly implemented.

At the same time, the Department for cooperation with the holders, throughout the year insisted and reminded the duty and obligation of the holders to determine one or more officials, but also to regularly and proactively update the data and information that they have created and have at their disposal. In the instructions to the officials, the Lists of information on the web sites to be published in review places, noting that this obligation is already, but will be subject to special monitoring.

Despite the fact that there is no legal obligation, before the end of 2019, and in order to apply the Law more efficiently, officials were sent a notice by email reminding them that the application of the new Law has begun and that they are obliged to submit an Annual report on the implementation of the Law. This email reminder was distributed to everyone **1.257** registered holders, and to **19** institutions whose emails turned out not to work, the Notification was also delivered by mail.

During the one-month period provided for the submission of the annual reports, the Secretariat practiced a constantly open telephone line for the persons in charge of mediating the public information. In the numerous contacts made, the officials were particularly interested in the correct completion and certification of the new form for the Annual Report in accordance with the provisions contained in the new Law, but also in the newly assigned delegated competences.

In the reporting period, individual holders submitted a request for appointment of a total **115** officials, while from the beginning of the work of the Agency in addition to the annual reports, there were decisions made for **139** officials. **102** were newly appointed, while for **37** persons who had mediated the information until then, a Decision was drawn up in accordance with the new Law. In order to more successfully respond to the obligations arising for them from the new Law on Free Access to Public Information, a significant part of them showed interest, and also the initiative to organize trainings on the provisions of the new Law.

Striving to provide a simpler, cheaper and faster way of mutual communication, the Secretariat also created a special e-mail for submitting annual reports, totalling **482** reports.

4.4.7. Training and education:

During 2019, the activities of the education plan for officials with holders of public information also continued. The Commission, in cooperation with the OSCE Mission in Skopje, (as part of the activities from the project application adopted in 2017), realized a cycle of four one-day workshops, i.e. trainings on the topic: "Implementation of the new Law on Free Access to Public Information - novelties and challenges". Two of the trainings took place in Skopje, and two were regional and took place in Veles and Tetovo.

The trainings covered a total of **80** newly appointed and officials who did not attend

training, from ministries, agencies, bureaus, inspectorates, municipalities, bodies of judicial authority, health facilities, inter-municipal centers and from educational institutions, to which the applicants sent the largest number of requests based on the Law on Free Access to public information.

Key innovations in the Law on Free Access to Public Information, adopted by the Assembly of the Republic of North Macedonia on May 16, 2019, were presented to the officials.

Unlike the previous trainings, these educational meetings had a different, i.e. emphasized interactive and intercommunicative approach, and officials had the opportunity and more time to debate and ask questions regarding the new legal provisions, clarify dilemmas and exchange opinions regarding with the application of the Law.

4.4.8. Incomplete reports and recorded irregularities:

The reports of six holders were incomplete and invalid, in which irregularities and omissions were detected, which is why the data, primarily numerical, were not taken into account in the preparation of this Annual Report of the Commission.

Contrary to the law, the reports of two public enterprises and one public institution, an inter-municipal center for social work, an educational institution, as well as one legal entity exercising public powers established by law, were filled out.

4.4.9. Website of the Commission:

The website www.komspi.mk in the reporting period it was regularly updated and supplemented. In the List of Holders, the changes occurred with the extinction and transformation of already existing and registered holders, but also as a result of the establishment of new institutions, were entered. This part of the website was updated and supplemented on a daily basis with the changed address and contact data of individual holders, that is, with the generals for the newly appointed officials.

The Annual Report on the work of the Commission in 2018, as well as the Budget for 2020, were uploaded to the website.

Nine meetings with citizens in order to raise their awareness and increased use of the right to free access to public information, four trainings for officials, as well as a meeting of the President of the Commission with representatives of the Mission of OSCE in Skopje.

4.5. Public at work:

The President of the Commission was a guest on Alsat television on two occasions, once in the contact show 360 degrees. He answered journalistic questions regarding the problems in the implementation of the Law on Free Access to Public Information, caused by the non-functioning of the Commission, as a consequence of its incomplete composition and the inability to make decisions with full rights.

In a guest appearance at the invitation of TV21 in the Albanian language, the President of the Commission announced and commented on the most essential novelties and legal solutions contained in the new Law on Free Access to Public Information.

At the very beginning of the implementation of the new Law on Free Access to

Public Information, a representative of the Secretariat was a guest in the morning programs of TV-Alfa and Slobodna TV. At the same time, he presented to the viewers the novelties brought by the new Law, and he referred to the changes in the handling of requests for access to public information by the holders of information.

5. COLLABORATION WITH OTHER INSTITUTIONS AND INTERNATIONAL COLLABORATION

Within the framework of the Inter-institutional and International Cooperation of the Commission for the Protection of the Right to Free Access to Public Information in 2019, project activities were prepared and implemented in cooperation with the OSCE Mission in Skopje, project materials for the IPA project, preparation of Reports, participation of trainings and participation in working groups in cooperation with the Delegation of the European Union, MIOA, MP and SEP, as well as with organizations from the non-governmental sector.

The Commission for the Protection of the Right to Free Access to Public Information for the period January 1 to December 26, 2019 has carried out the following activities:

5.1. INTER-INSTITUTIONAL COOPERATION

5.1.1. Implementation of Project Applications in cooperation with the OSCE Mission in Skopje

In 2019, the last activities were implemented from the project application for "Three-year cooperation and activities for the Commission" which was accepted by the OSCE Mission in Skopje in 2017.

Within the framework of the above-mentioned project application, the last four (4) workshops were realized and organized in 2019, namely trainings for officials at the holders of information in charge of mediating public information, of which two (2) were in Skopje, and two (2) regional in Veles and Tetovo.

The one-day trainings on the topic: "Implementation of the new Law on Free Access to Public Information - Novelties and Challenges" which was attended by three dozen newly appointed and civil servants who had not attended training before, and to whom applicants make the largest number of requests based on the Law on free access to public information.

Key innovations in the Law on Free Access to Public Information, adopted by the Assembly of the Republic of North Macedonia on May 16, 2019, were presented to the officials. Unlike previous trainings, these educational meetings had a different, i.e. emphasized interactive and intercommunicative approach, and officials had the opportunity and more time to debate and ask questions regarding the new legal provisions, clarify dilemmas and exchange opinions regarding with the application of the Law.

5.1.2. Open Government Partnership

An employee of the Secretariat of the Commission actively participated in the activities foreseen by the Action Plan for Open Government Partnership 2018-2020.

In 2019, a representative from the Secretariat of the Commission participated in nine meetings with citizens from Shuto Orizari, Sveti Nikole, Vinica, the village of Crnik, Delchevo, Tetovo, Bitola and Strumica, according to the measure "Increasing citizens' awareness of their rights to access public information and increased use of the right by citizens". At the meetings held by the representatives of the Commission and the ESE Association, citizens were introduced to their constitutionally and legally guaranteed right to free access to public information, through examples from the daily needs of citizens and how to get the requested information through the legal procedure which is determined by the Law on free access to public information.

5.1.3. Strategy for Public Administration Reform 2018-2022

In the Action Plan of the Public Administration Reform Strategy 2018 - 2022 FRY, the Commission is the bearer of activities listed in Special Objective 3.4, "Strengthened transparency of institutions and improvement of communication between institutions and citizens and the business community", for which Passport indicators have been prepared for Measure 3.4.1, for activities related to the Commission for the Protection of the Right to Free Access to Public Information, namely Activity 3.4.1.5 and Activity 3.4.1.6.

According to the prepared material specified in the Passport Indicators, the Commission, as the leading institution of three activities provided for in the Action Plan of the SFRY (2018 – 2022), had the obligation to prepare and submit information to the MIOA on the status of the implementation of the activities provided for points I and II, as well as for the III and IV quarter of 2019.

According to the Passport Indicator 47 of **Activity 3.4.1.5**, the percentages of rejected requests for access to public information by the institution, namely by 128 state administration bodies, agencies and inspection services from the central government, are processed.

For 2019, out of 128 state administration bodies, agencies and inspection services from the central government, 2.9% did not submit an Annual Report. The percentage value of this indicator is calculated according to a previously determined formula, namely, the total number of requests divided by the total number of rejected requests. From the processed data of 122 holders from the central government, applicants submitted a total of 2379 requests, of which 69 were rejected, that is, 3.4% for 2019.

From the developed parameters, it can be concluded that the interest of the applicants to receive information in relation to the Law varies from 2015 to 2019. So in:

- 2015, the percentage is 6.5%,
- 2016 4.1%,
- 2017 7.2%,
- 2018 it is 3.1%,
- 2019 the percentage is 3.4%

According to Passport Indicator 48, for **Activity 6.1.5** Monitoring of websites of information holders in connection with the implementation of Article 9 and Article 10

of the law on free access to public information:

According to the Action Plan for the implementation of the Public Administration Reform Strategy 2018-2020, in the special objective 3.4., it is foreseen **Measure 3.4.1.6** Strengthening the mechanisms for the availability of public information.

In 2019, the Commission conducted monitoring of the websites of the information holders of the state administration bodies, agencies and inspection services from the central government. The total number, according to the Catalog of Institutions, is 128 holders, of which 7 institutions are not holders of information, because the Catalog of Institutions will be used as a data source, and not the List of Holders of Information of the Commission.

The monitoring was carried out according to a predetermined methodology through a review of all documents that the institutions are competent to publish in accordance with Article 9 and Article 10 paragraph 1 of the Law on Free Access to Public Information ("Official Gazette of the Republic of Moldova" no. 13/2006, 86/2008, 6/2010, 42/2014, 148/2015, 55/2016 and 64/2018).

Pursuant to Article 9 and Article 10 of the aforementioned Law, a total of 10 documents were monitored from each website and scored with:

- a. 1 point for institutions that had published complete document from the above 10
- b. 0.5 points for institutions that had published partial document from the above 10
- c. 0 points for the institutions that had published none document from the above 10

For each website, that is, for each holder, a sum was made of all the points expressed in percentages of the above 10 documents. The results of scoring the three groups for 121 information holders/institutions of state administration bodies, agencies and inspection services are as follows:

1. **85** institutions that have published 7 to 10 documents from the above 10;
2. **17** institutions that have published 4 to 6 documents from the above 10;
3. **0** institutions that have published 1 to 3 documents from the above 10.

While **19** institutions are scored with = 0 points of which:

- **9** institutions do not have their own websites, they are holders - (organs in composition) for which another holder submits an Annual Report to the Agency, usually the line Ministry
- **10** holders do not have their own websites and are scored with 0.

The difference between 2018 and 2019 is that this year there are no institutions from the 3rd group with 1 to 3 documents published.

Also, a comparative analysis was made between 2018 and 2019 in which institutions that showed a downward trend in publishing information on their websites were noted.

Out of the monitored 121 institutions, in total 21 institutions in 2019, during the monitoring, a downward trend in the publication of information was ascertained, of which 10 are at the top of the list with a decrease in scoring with a difference of 2-3 points from the last monitoring. While with a total of 16 institutions, 8 institutions demonstrated a growing trend of published information in 2019 on their websites.

| ГОДИНА | | 2018 | 2019 |
|--------------------|---|--------|--------|
| Име на институција | | ВКУПНО | ВКУПНО |
| 25 | АГЕНЦИЈА ЗА ЦИВИЛНО ВОЗДУХОПЛОВСТВО | 8.5 | 6.5 |
| 47 | ДРЖАВЕН ЗАВОД ЗА СТАТИСТИКА НА РСМАКЕДОНИЈА | 8.5 | 6 |
| 50 | ДРЖАВЕН ИНСПЕКТОРАТ ЗА ЗЕМЈОДЕЛСТВО | 7 | 4 |
| 54 | ДРЖАВЕН ИНСПЕКТОРАТ ЗА ТРУД | 7.5 | 4.5 |
| 82 | МИНИСТЕРСТВО ЗА КУЛТУРА | 9 | 5 |
| 87 | МИНИСТЕРСТВО ЗА ПРАВДА | 8.5 | 4.5 |
| 89 | МИНИСТЕРСТВО ЗА ТРУД И СОЦИЈАЛНА ПОЛИТИКА | 8 | 5.5 |
| 99 | МИНИСТЕРСТВО ЗА ПОЛИТИЧКИ СИСТЕМ И ОДНОС МЕЃУ ЗАЕДНИЦИТЕ (Секретаријат за спроведување на рамковниот договор) | 7 | 0 |
| 127 | ЦЕНТАР ЗА УПРАВУВАЊЕ СО КРИЗИ | 10 | 8 |
| 128 | ЦЕНТРАЛЕН РЕГИСТАР НА РЕПУБЛИКА МАКЕДОНИЈА | 9.5 | 6 |

Table 2: Institutions with a decreasing trend of published information in 2019

| ГОДИНА | | 2018 | 2019 |
|--------------------|---|--------|--------|
| Име на институција | | ВКУПНО | ВКУПНО |
| 7 | АГЕНЦИЈА ЗА КВАЛИТЕТ И АКРЕДИТАЦИЈА НА ЗДРАВСТВЕНИТЕ УСТАНОВИ | 0 | 7 |
| 124 | ФОНД ЗА ИНОВАЦИИ И ТЕХНОЛОШКИ РАЗВОЈ | 4.5 | 7 |
| 29 | БИРО ЗА ЈАВНИ НАБАВКИ | 7 | 9.5 |
| 32 | БИРО ЗА РЕГИОНАЛЕН РАЗВОЈ | 5 | 8.5 |
| 64 | ДРЖАВНА КОМИСИЈА ЗА ОДЛУЧУВАЊЕ ВО УПРАВНА ПОСТАПКА И ПОСТАПКА ОД РАБОТЕН ОДНОС ВО ВТОР СТЕПЕН | 8 | 10 |
| 67 | ДРЖАВНО ПРАВОБРАНИТЕЛСТВО НА РЕПУБЛИКА МАКЕДОНИЈА | 6.5 | 9 |
| 123 | ФОНД ЗА ЗДРАВСТВЕНО ОСИГУРУВАЊЕ НА МАКЕДОНИЈА | 6.5 | 8.5 |
| 84 | МИНИСТЕРСТВО ЗА НАДВОРЕШНИ РАБОТИ | 7 | 9 |

Table 3: Institutions with a growing trend of published information in 2019

During 2020, the joint cooperation of the Agency with the institutions, such as

the Ministry of Communications, Transparency and Accountability, and the cooperation with MIOA and SEP, which evidently bear fruit with productive initiatives and joint influence to strengthen the Law in the system, continues.

5.2. PARTICIPATION IN THE WORK OF WORKING GROUPS

In 2019, the Commission was an active member in the work of the Sectoral Working Group for Priority Area 3: Responsibility, accountability and transparencies for the "2018 Public Administration Reform Strategy" – 2022" and the Action Plan. The sectoral working group met once a month during 2019.

In November 2019, the Commission was an active member in the work of the Plenary Session of the Sectoral Working Group on PAR.

The Agency, as a member, will actively continue to participate in the work of the Sectoral Working Group (SWG) for public administration reform during 2020 and by preparing the Reports and information on the status of implementation.

Representatives from the Secretariat of the Commission actively participated in the working group in charge of preparing the Transparency Strategy of the Government of the Republic of North Macedonia (2019-2021). The Agency for the protection of the right to free access to public information will have a significant role in the implementation of the Action Plan, with the help of which the outlined contents of the Strategy will be realized.

In October 2019, the Commission participated in the first meeting of the IPA Sectoral Monitoring Committee for the area of Democracy and Governance. A representative of the Commission participated as a panelist on the second day of the 15th conference entitled: "e-Society: Open Institutions and Accountability", organized by the "Metamorphosis" Foundation, where the Transparency Strategy of the Government of the Republic of North Macedonia (2019- 2021).

5.3. TRAININGS

5.3.1. Three-day training on "Monitoring and evaluation of policies" from March 13 to 15, 2019 in Skopje

A three-day training on the topic "Monitoring and evaluation of policies" was organized by the Center for Change Management. The training was part of a project activity within the project "Bringing change – effectiveness and good management in public administration". This project is financed by the British Embassy in Skopje, and implemented by the Change Management Center in cooperation with the Ministry of Information Society and Administration.

The purpose of the training was for the participants to gain knowledge about effective principles for monitoring and evaluating public policies, designing and using key performance indicators, methods for collecting data for key performance indicators, designing an evaluation process, etc.

5.3.2. TAIEX Information Session

In February 2019, an information session on TAIEX was held at the EU Delegation (EU Information Center).

The purpose of the session was the use of TAIEX instruments, familiarization of the participants with the news, as well as an open discussion with the participants

about the challenges, as well as potential needs/problems of TAIEX users.

5.4 INTERNATIONAL COLLABORATION

In terms of international cooperation, in 2019 the main focus of the work of the Department for International Cooperation in the Commission was the IPA project application, as well as continuous maintenance of relations with its international collaborators and related institutions.

5.4.1. IPA Project

During 2019, the Department for International Cooperation of the Commission prepared the ToR (Terms of Reference), participated as a member in the work of the Evaluation Committee, in the rights and in the second stage of evaluation of the tender documentation and the documents in which the conditions for participation.

In November 2019, the EU Funded Project "Promoting Transparency and Accountability in Public Administration" (Public reference EuropeAid / 139891 / DH / SER / MK), ProTracco (EU Funded Project "Promoting Transparency and Accountability in Public Administration") was launched (Public Reference EuropeAid/139891/DH/SER/MK, referred to as ProTracco)).

The Agency is a direct beneficiary of activities contained in Component 2: Support of the Agency for the protection of the right to free access to public information from the tender documentation (ToR).

This component includes activities that will focus on strengthening the Agency's institutional capacity through the enhanced promotion and strengthening of the implementation of the Law on Free Access to Public Information in the system. The same is planned to be achieved through institutional reorganization and the production of internal regulations for work and other strategic documents, implementation of modernized IT tools for improved operational capacity, provision of improved services, increasing the responsibility and transparency of state authorities, as well as strengthening on the capacity of information holders to comply with legal obligations and EU standards.

Component 2 includes, among others, the following activities:

- Support for institutional preparation of regulations for policy making, according to the new Law on free access to public information;
- Upgrading the capacity and competences of the Agency for the protection of the right to free access to public information, preparation of internal documents, functional analysis and systematization and other strategic documents; as the development of the Strategy for free access to public information 2020 - 2024 with an Action Plan;
- Improving communication and cooperation with the holders of information, officials and managers of the institutions through the development of IT tools for communication and performance measurement, transparency and responsibility of the Agency and the institutions;
- Support for setting standards for transparency at the central and local level with the support of IT tools and training for the employees of the Agency for the

implementation of trainings for the holders;

- Support to the Agency in starting its new obligation to conduct criminal proceedings for those holders of information who do not comply with the Law on Free Access to Public Information (Official Gazette of the Republic of North Macedonia number 101/2019);

- Raising public awareness of the right to free access to public information as a fundamental human right, etc. In December 2019, the project team prepared the documents from the Inception period, such as the Inception Report, the Logframe, the table with the Inductive Timeframe for the implementation of the activities, as well as the tables with the analysis of stakeholders and risks. Part of the sub-activities from the above activities from Component 2, according to the Logframe, are planned to be implemented in 2020, and part in 2021.

5.4.2 Preparation of NPAA Reports and Preparation of materials for Macedonia's contribution to the European Commission Report

In addition to the preparation of reports on the undertaken obligations with the elaboration of undertaken actions, it is connected with the activities of the Agency for the Special Group for the Reform of Public Administration (SGPAR).

In September 2019, the President of the Commission participated in the working meeting of the Special Group for Public Administration Reform (SGPAR) where he presented the results of the Commission for the current year.

The Commission prepared and submitted material for the Annual Audit of NPAA to SEP NPAA for 2018 for PAR to MISA, as well as material for Macedonia's contribution to the Report of the European Commission to SEP, MP and MIOA.

5.4.3 Maintaining relations and collaborations with related institutions

In 2019, the Commission, with the Hungarian National Authority for Data Protection and Freedom of Information, exchanged working materials and experiences, as well as sharing material from the International Workshop on Object Handling held in Budapest, at which the Commission due to lack of financial resources, did not participate.

In 2019 The Commission continued to maintain relations with the Secretariat and contact person of the International Conference of Information Commissioners (ICIC).

The Commission, like every year, received an invitation to participate in the 11th International Conference on Information Commissioners (ICIC) held in Johannesburg from 10 and 14 March 2019, but due to lack of financial resources, the Commission did not participate.

6. Budget, final account and financing

The Commission for the Protection of the Right to Free Access to Information of a Public Character, as a budget beneficiary, funds for its work are provided solely by the Budget of the Republic of North Macedonia under Section 19302, Program 20 - Free Access to Information. All funds were planned and implemented in accordance with the competences, rights and powers of the Commission in order to use them

legally, efficiently and economically.

6.1. Brief financial report

The commission started 2019 with a budget in the amount of MKD 16,748,000.00. During 2019, after the adopted amendments and additions to the budget of the Republic of North Macedonia, the approved budget of the Commission amounted to MKD 15,280,000.00.

After the adopted rebalancing, due to the lack of funds in item 424, within the approved budget, the Commission requested and approved a redistribution of funds to provide additional funds in the total amount of MKD 200,000.00 under item 424 - repairs and ongoing maintenance, from items 421 – Communal services, heating, communication and transport in the amount of 102,000.00 denars and from 425 – Contractual services in the amount of 98,000.00 denars.

The total implementation of the budget for 2019 is MKD 12,359,178.00, or expressed as a percentage, 80.88%. The expenses were realized according to the needs, and in accordance with the items approved by the budget. For a more detailed overview of the incurred expenses for 2019, a tabular and graphic presentation follows.

| | Буџет 2019 | Завршна сметка 2019 |
|--|----------------------|----------------------|
| 401- Основни плати | 8.833.000,00 | 7.538.448,00 |
| 402 - Придонеси за социјално осигурување | 3.267.000,00 | 2.852.932,00 |
| 420 - Патни и дневни расходи | 200.000,00 | 0,00 |
| 421 - Комунални услуги, греење, комуникација и транспорт | 1.698.000,00 | 1.199.985,00 |
| Комунални услуги, греење | | 969.465,00 |
| Комуникација | | 230.520,00 |
| Транспорт | | 0,00 |
| 423 - Материјали и ситен инвентар | 100.000,00 | 87.206,00 |
| 424 - Поправки и тековно одржување | 400.000,00 | 399.708,00 |
| 425 - Договорни услуги | 395.000,00 | 94.277,00 |
| 426 - Други тековни расходи | 70.000,00 | 21.316,00 |
| 464 - Разни трансфери | 50.000,00 | 50.000,00 |
| 465 - Исплата по извршни исправи | 67.000,00 | 66.442,00 |
| 480 - Купување на опрема и машини | 100.000,00 | 48.864,00 |
| 481 - Градежни објекти | 100.000,00 | 0,00 |
| Вкупно | 15.280.000,00 | 12.359.178,00 |

Table no. 4: Budget realization by items

Analyzing the basic budget by types, the participation of individual types of expenses in the total realized expenses for the reporting period is as follows:

- Item 401 - Basic salaries, expenses in the amount of 7,538,448.00 denars or 85.34% of the planned 8,833,000.00 denars were realized;

- Item 402 – Contributions for social insurance, expenditures in the amount of MKD 2,852,932.00 or 87.33% of the planned MKD 3,267,000.00 were realized;

- Item 420 – Travel and daily expenses, 0.00 denars or 0.00% of the planned 200,000.00 denars were realized;

- Item 421 – Communal services, heating, communication and transport, 1,199,985.00 denars were realized or 70.67% of the planned 1,698,000.00 denars;

- Item 423 – Materials and small inventory, 87,206.00 denars or 87.21% of the planned 100,000.00 denars were realized;

- Item 424 – Repairs and ongoing maintenance, MKD 399,708.00 or 99.93% of the planned MKD 400,000.00 were realized;
- Item 425 – Contractual services, 94,277.00 denars or 23.87% of the planned 395,000.00 denars were realized;
- Item 426 – Other current expenses, 21,316.00 denars or 30.45% of the planned 70,000.00 denars were realized;
- Item 464 – Miscellaneous transfers, expenditures in the amount of MKD 50,000.00 or 100.00% of the planned MKD 50,000.00 were realized;
- Item 465 – Payment according to executive documents, expenditures in the amount of MKD 66,642.00 or 99.17% of the planned MKD 67,000.00 were realized.
- Item 480 – Purchase of equipment and machines, expenditures in the amount of MKD 48,864.00 or 48.86% of the planned MKD 100,000.00 were realized;
- Item 481 – Construction facilities, expenditures in the amount of 0.00 have been realized

6.2. Comparative table of budget and expenditures in the last three years

Below is a tabular comparative overview of the budget and realized expenses from the final accounts of the Commission in the last three years.

| | Буџет 2019 | Завршна сметка 2019 | Буџет 2018 | Завршна сметка 2018 | Буџет 2017 | Завршна сметка 2017 |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| 401 - Основни плати | 8.833.000,00 | 7.538.448,00 | 9.782.000,00 | 8.081.030,00 | 9.000.000,00 | 8.017.484,00 |
| 402 - Придоноси за социјално осигурување | 3.267.000,00 | 2.852.932,00 | 3.618.000,00 | 2.984.976,00 | 3.300.000,00 | 2.975.858,00 |
| 420 - Патни и дневни расходи | 200.000,00 | 0,00 | 100.000,00 | 24.911,00 | 100.000,00 | 83.008,00 |
| 421 - Компютарни услуги, греење, комуникација и транспорт | 1.698.000,00 | 1.199.985,00 | 1.800.000,00 | 1.141.600,00 | 1.667.500,00 | 1.377.027,00 |
| 423 - Материјали и ситен инвентар | 100.000,00 | 87.205,00 | 100.000,00 | 69.798,00 | 100.000,00 | 99.442,00 |
| 424 - Поправки и тековно одржување | 400.000,00 | 399.708,00 | 200.000,00 | 182.572,00 | 200.000,00 | 156.964,00 |
| 425 - Договорни услуги | 395.000,00 | 94.277,00 | 560.000,00 | 285.408,00 | 300.000,00 | 299.680,00 |
| 426 - Други тековни расходи | 70.000,00 | 21.316,00 | 70.000,00 | 21.559,00 | 70.000,00 | 59.273,00 |
| 464 - Разни трансфери | 50.000,00 | 50.000,00 | 50.000,00 | 15.000,00 | 0,00 | 0,00 |
| 465 - Исплати по извршни исправи | 67.000,00 | 66.442,00 | 0,00 | 0,00 | 0,00 | 0,00 |
| 480 - Кулување на опрема и машини | 100.000,00 | 48.864,00 | 100.000,00 | 21.651,00 | 82.500,00 | 79.899,00 |
| 481 - Градежни објекти | 100.000,00 | 0,00 | 100.000,00 | 0,00 | 0,00 | 0,00 |
| Вкупно | 15.280.000,00 | 12.359.178,00 | 16.480.000,00 | 12.808.505,00 | 14.820.000,00 | 13.148.615,00 |

Table no. 5: Budget and realized expenses in the last three years

6.3 Final Account for 2019

A copy of the final account for the accounting period 01.01.2019 to 31.12.2019, for the basic budget account – 193026020863713, is submitted as an annex to the report.

7. CONCLUSIONS:

1. The Agency will continue with activities to update the list of information holders in accordance with the new legal solutions, then it will continue with the education of the officials among the information holders, with a special emphasis on the news in the Law, the cooperation with the information holders will continue, with informing the public and international cooperation.
2. In the part of re-equipping the Agency, after preparing a functional analysis and the acts for internal organization and systematization of the jobs in the Agency,

actions will be taken to realize new employments and advance the existing staff.

8. RECOMMENDATIONS:

1. The Agency should get involved and take an active part in all activities in the field of transparency and accountability.
2. The new Law meets international standards for free access to public information, but the intention is primarily to raise awareness among the holders of information for faster and more efficient action on received requests for free access.
3. Increasing the Agency's budget in order to create opportunities for improving working conditions, as well as for its more active and independent operation based on its own funds, primarily in the area of education.

9. APPENDICES:

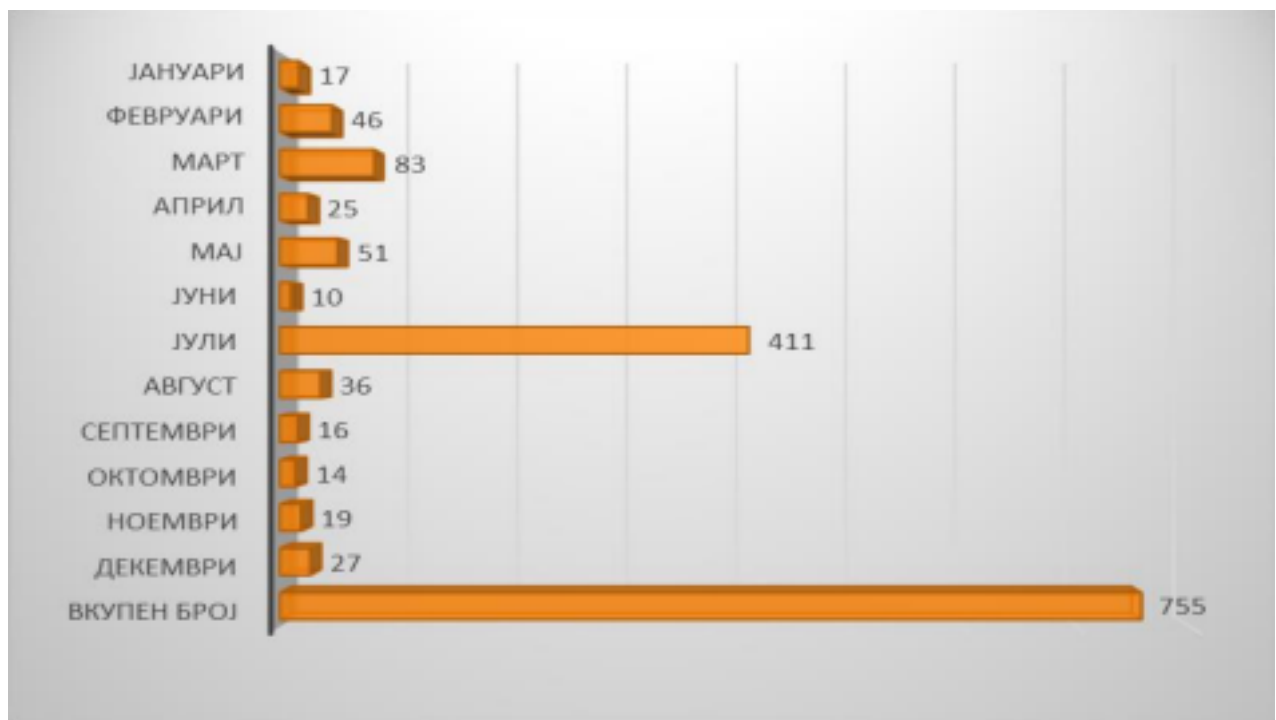


Chart 1: Number of submitted appeals by month

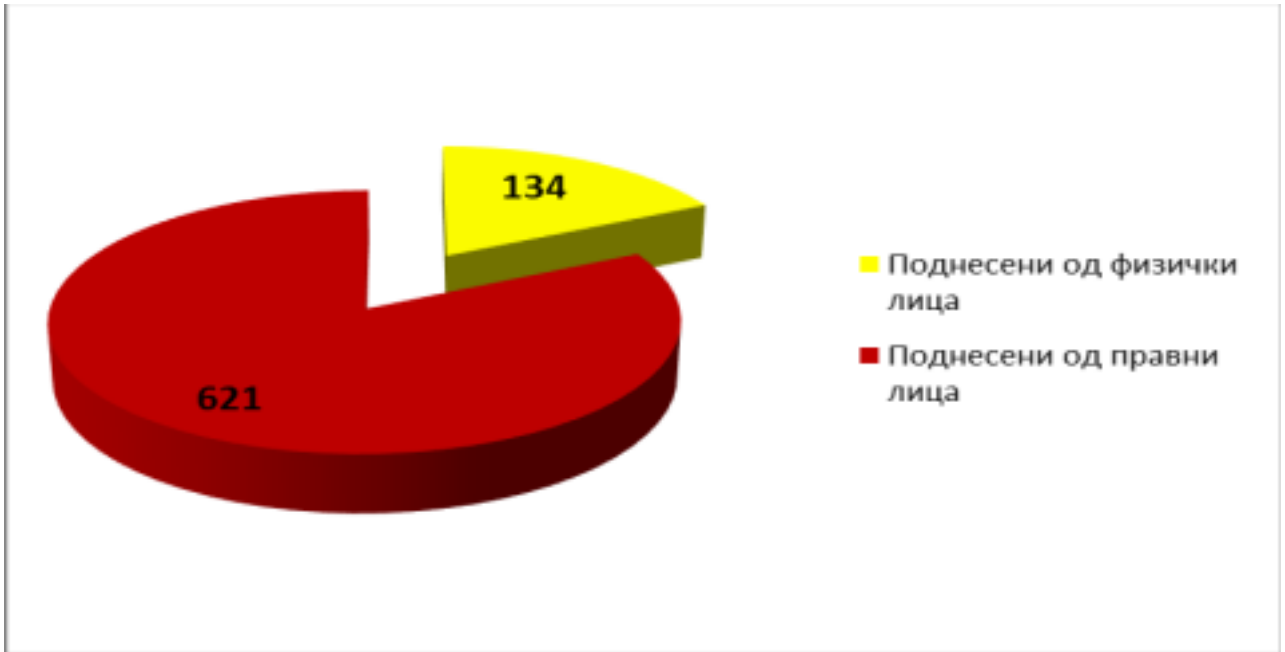


Chart 2: Number of submitted appeals

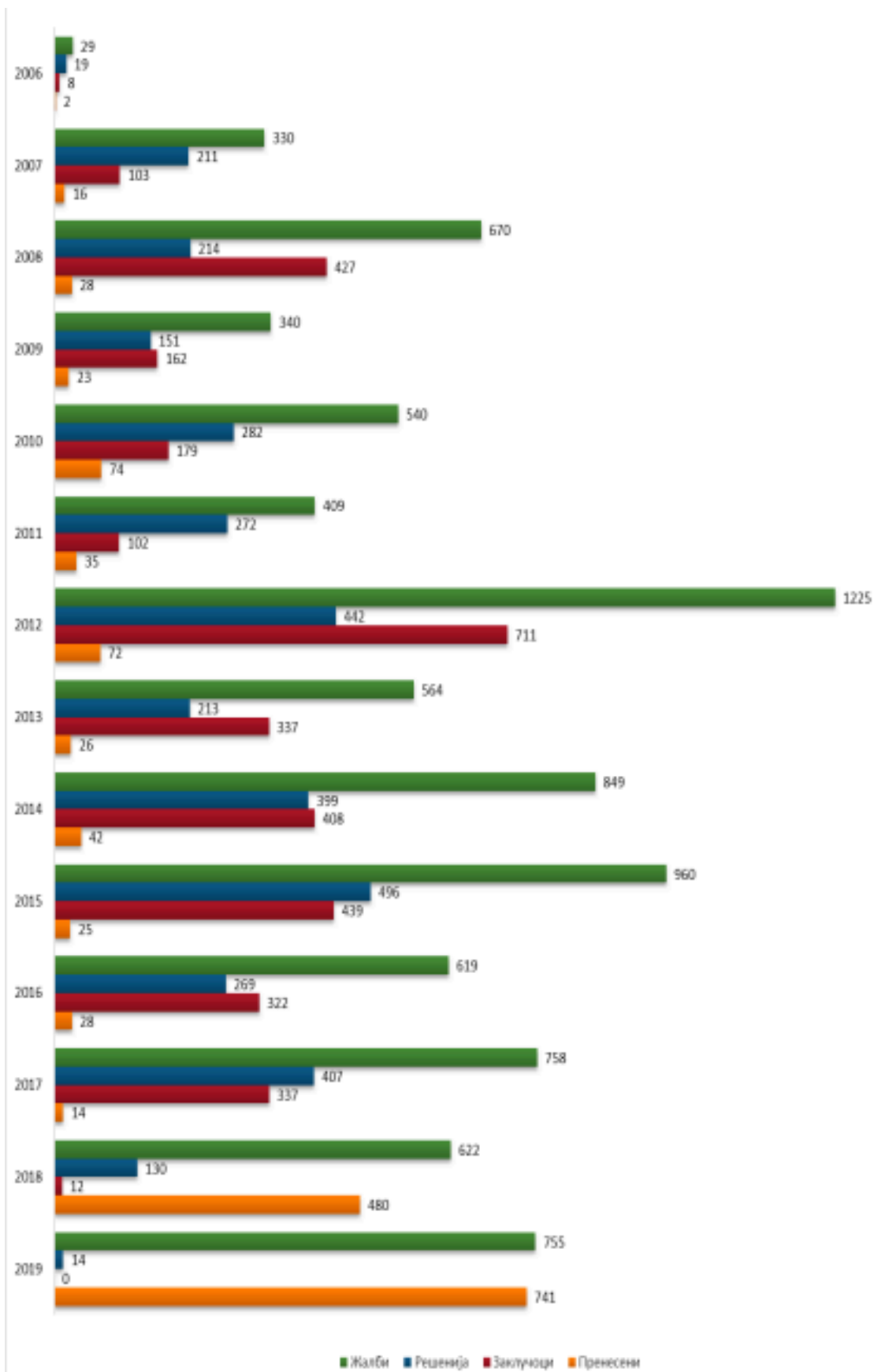


Chart 3: Comparative data of submitted appeals by year



Chart 4: Solved cases and their structure

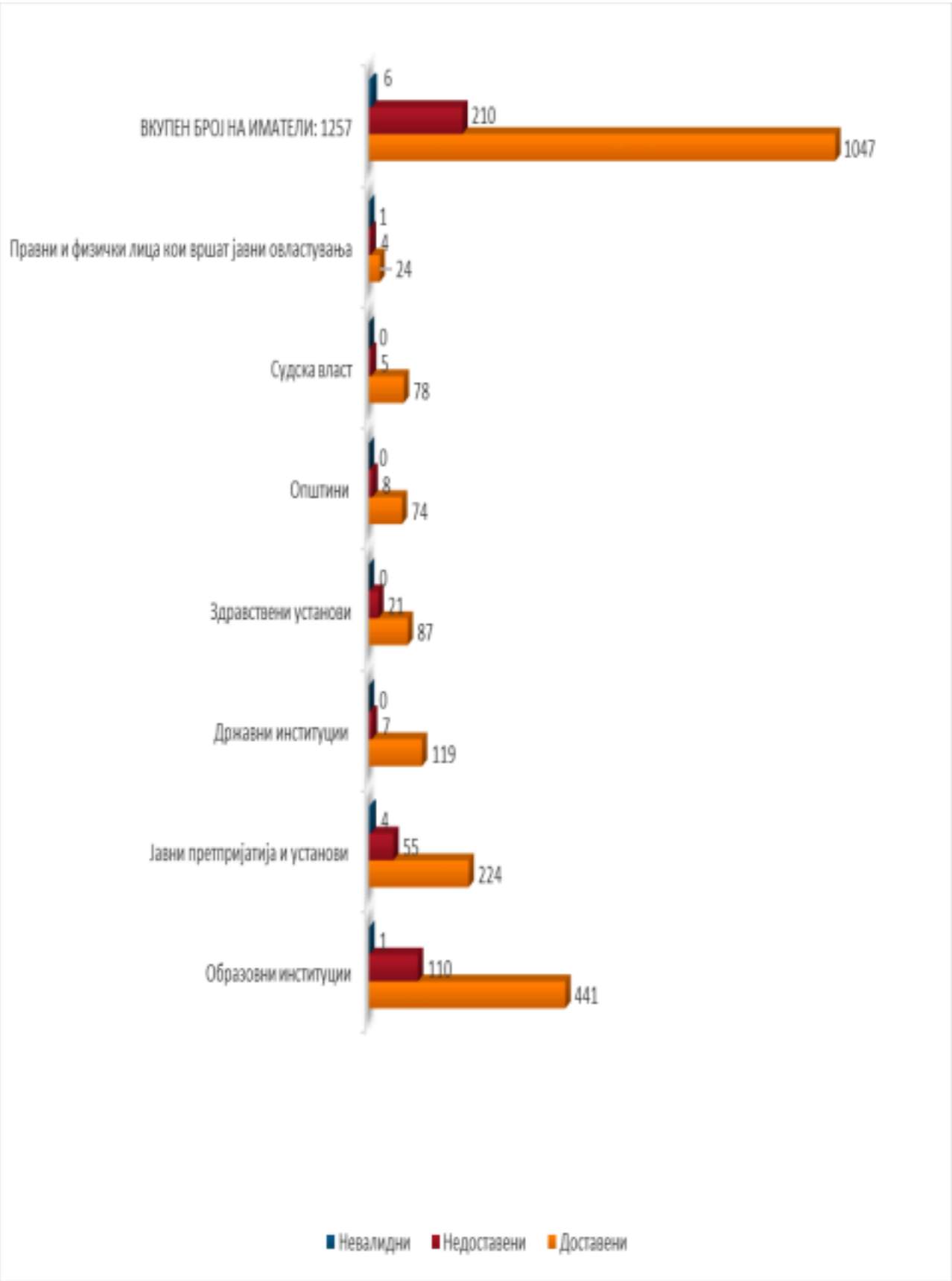


Chart 7: Number of Annual Reports



Chart 8: Procedures by request

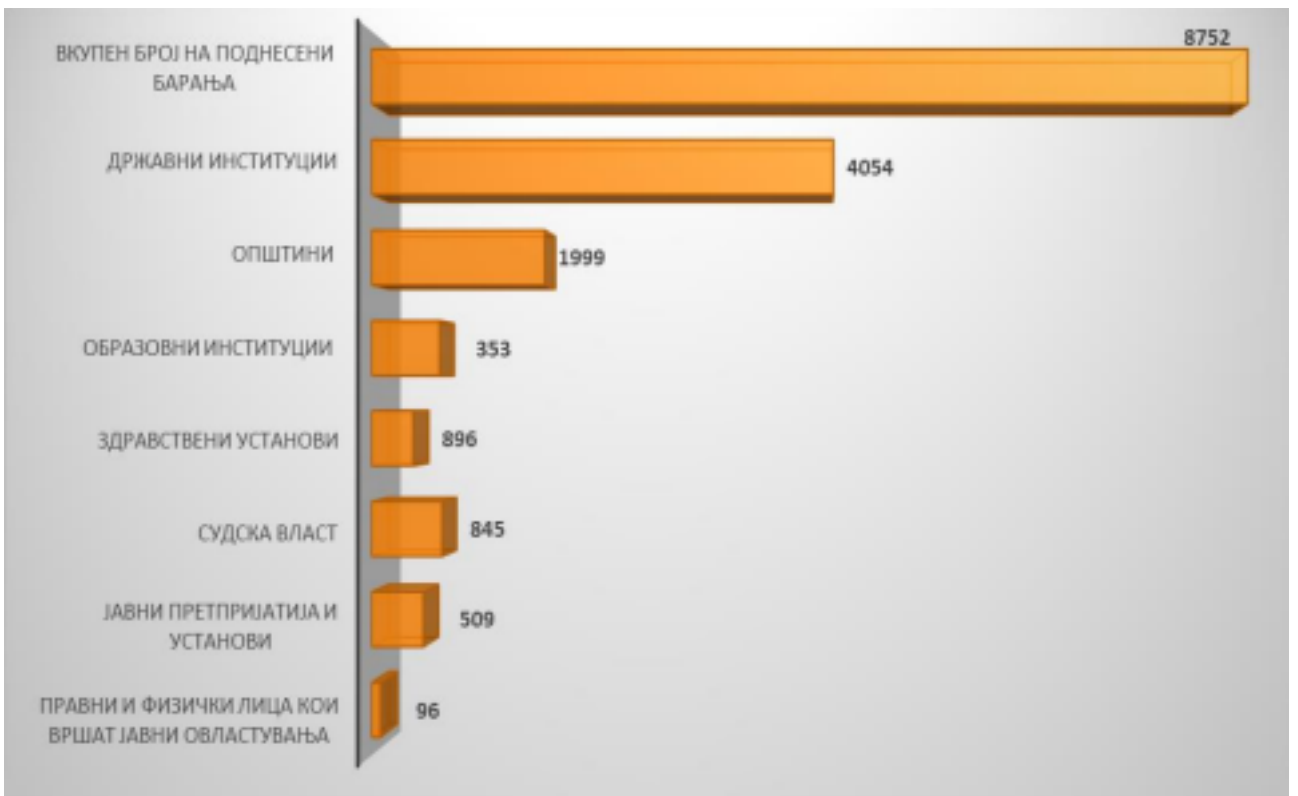


Chart 9: Number of requests submitted to holders



Chart 10: Comparative overview since the beginning of the application of the Law (holders of information, submitted requests, answered requests and received Annual reports)



Chart 11: Percentage of budget realization by items

ATTACHMENT: COPY OF FINAL ACCOUNT FOR 2019



