



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

**INFORMATION ACCORDING TO THE DRAFT MINUTES OF
THE 121ST SESSION (JANUARY 24, 2023) OF THE
GOVERNMENT OF THE REPUBLIC OF NORTH MACEDONIA**



Skopje, July 2023

The Agency for the Protection of the Right to Free Access to Public Information, acting on the Extract from the Draft Minutes of the One Hundred and Twenty-First Session of the Government of the Republic of North Macedonia held on January 24, 2023, prepared Information which it submitted to the Office of the Deputy President of the Government, in charge of good governance policies, for implementing the Information to improve the transparency and accountability of public sector institutions by publishing the mandatory information according to the Law on Free Access to Public Information on the web sites of the institutions, as well as the publication of most frequently requested information systematized by area.

The Agency acting on the recommendation from the Conclusion (point 6) on July 5, 2023, to all **1501 holders** submitted an email in which he attached a Questionnaire, as well as the Draft Minutes of the 121st session of the Government of the Republic of North Macedonia. The questionnaire contained five questions to which the holders had to answer with YES/NO and move a link from the website on which they published the information according to the obligations, indications and recommendations contained in the draft minutes. The questionnaire to the holders contained the following questions:

1. Have you published the mandatory information from Article 10 of the Law on Free Access to Public Information on the website?
2. Do you regularly update the published information monthly?
3. Have you published anonymously on the website the requests for access to information of a public nature for 2020, 2021, 2022 and 2023, together with the answers you have already provided to the requester so that they can be reused by other natural and legal persons without resubmitting a request with the same content?
4. Do you have a banner titled "Public Information" prominently placed on the website that leads to the public information (request and response after request)?
5. Have you published public information systematized by area, per Article 10 paragraph 1 point 22 - "other information arising from the competence and work of the holder of the information" of the Law on Free Access to Public Information, as stated in The guideline for improving the transparency of public sector institutions?

The holders were given a deadline of July 21, 2023, to submit the answers to the questionnaires, that is, to fill them with the necessary data that was required of them according to the draft conclusion. They submitted completed questionnaires by the given deadline **437 holders**, or **29,11%** of the holders to whom it was delivered. This is a very small number of received data from which relevant data can be obtained on whether the institutions have complied with the obligations, indications and recommendations of the Government of the Republic of North Macedonia for their transparency and accountability for the publication of information in accordance with Article 10 of the Law on FAPI.

According to the categories of holders that the Agency maintains on its website <https://aspi.mk/листа-на-иматели-на-информации/> answered questionnaires submitted by:

- **Municipalities and Centers for the Development of Planning Regions: 38**
- **Public enterprises and public institutions: 93**
- **Other legal and natural persons exercising public powers and activities of public interest: 21**
- **Educational institutions: 146**
- **Bodies of the state administration: 81**
- **Judicial authorities: 22**
- **Health facilities: 0**
- **Political parties: 10**

Until the deadline given for answering the Questionnaire from the received questionnaires, we can note that the holders who are indebted with this Information (items 1,2,3,4) **81** institutions answered the submitted questionnaire, which is **60,45%** of the total number of holders (**134**), and for these holders in this information, it can be determined how much their transparency and accountability has improved.

In the following, the institutions that submitted an answer to the Questionnaire within the given deadline (holders of information from the Bodies of the State Administration) are shown:

1. Bureau of Public Procurement
2. Ministry of Environment and Spatial Planning
3. State Educational Inspectorate
4. Employment agency
5. Energy Agency
6. State Sanitary and Health Inspectorate
7. Ministry of Political System and Community Relations
8. Health insurance fund
9. Agency for financial support in agriculture and rural development
10. Geological Institute of the Republic of North Macedonia
11. State Statistical Office
12. National Agency for European Education Programs and Mobility
13. Ministry of Internal Affairs
14. Legislation Secretariat
15. Agency for regulation of the railway sector
16. Ministry of Education and Science
17. Agency for Compulsory Oil Reserves - MAKORA
18. Ministry of Justice
19. Agency for Supervision of Capital Funded Pension Insurance MAPAS
20. Commission for Prevention and Protection from Discrimination
21. Auditing body for the audit of the accessibility aid instrument
22. Agency for encouraging the development of agriculture
23. Commodity Reserve Agency
24. Civil Aviation Agency
25. Regional Development Bureau
26. Directorate for Security of Classified Information

27. State Labor Inspectorate
28. State Communal Inspectorate
29. State Commission for Prevention of Corruption
30. Ministry of Agriculture, Forestry and Water Management
31. Administration for Public Revenues
32. Directorate for keeping registers
33. State Administrative Inspectorate
34. Council for the promotion and supervision of the audit
35. State Examination Center
36. the Republic of North Macedonia Government - Office of the President
37. Government of the Republic of North Macedonia-General Secretariat
38. Directorate for Protection and Rescue
39. State Commission for Public Procurement Complaints
40. the Republic of North Macedonia State Attorney's Office
41. the Republic of North Macedonia Accreditation Institute
42. Ministry of Foreign Affairs
43. the Republic of North Macedonia National Bank
44. Commission on relations with religious communities and religious groups
45. the Republic of North Macedonia Securities Commission
46. Ministry of Economy
47. Intelligence agency
48. Real estate cadastre agency
49. State Commission for decision-making in the second degree in the field of inspection supervision and misdemeanour procedure
50. Office for representation of the Republic of North Macedonia before the European Court of Human Rights
51. Central Register
52. Administration Agency
53. Assembly of the Republic of North Macedonia
54. Inspectorate for use of languages
55. Personal Data Protection Agency
56. Innovation and Technological Development Fund
57. Deposit Insurance Fund
58. Center for Vocational Education and Training - Skopje
59. Aviation Accident and Serious Incident Investigation Committee
60. Language Application Agency
61. State commission for decision-making in administrative procedure from the employment relationship in the second degree
62. Financial Police Authority
63. Film agency
64. Spatial Planning Agency
65. Immigration Agency
66. Ministry of Health
67. Ministry of Defense
68. Institute for Standardization

69. Agency for foreign investments and export promotion of the Republic of North Macedonia
70. Customs Administration of the Republic of North Macedonia
71. Radiation Safety Directorate
72. Inspection Council
73. Pension and disability insurance fund of the Republic of North Macedonia
74. Operational-technical agency-Skopje
75. Directorate of Technological Industrial Development Zones
76. Ministry of Transport and Communications
77. Administration for the Protection of Cultural Heritage
78. National Security Agency
79. Bureau of Educational Development
80. Agency for promotion and support of tourism
81. Ministry of Information Society and Administration

In the responses submitted by all institutions, **26** holders report that they do not have a website and hence at the time of reporting they are not able to inform about their transparency and accountability. Also, some of the holders report that during this period the data is being migrated to new websites or they are not active and hence they are not able to practice proactive transparency.

According to the received responses to the Questionnaire from the institutions, we are attaching the table with the summarized data:

HOLDERS/QUESTIONS	Have you published the mandatory information from Article 10 of the Law on Free Access to Public Information on the website?	Do you regularly update the published information monthly?	Have you published anonymously on the website the requests for access to information of a public nature for 2020, 2021, 2022 and 2023, together with the answers you have already provided to the requester so that they can be reused by other natural and legal persons without resubmitting a request with the same content	Do you have a banner titled "Public Information" prominently placed on the website that leads to the public information (request and response after request)?	Have you published public information systematized by area, per Article 10 paragraph 1 point 22 - "other information arising from the competence and work of the holder of the information" of the Law on Free Access to Public Information, as stated in The guideline for improving the transparency of public sector institutions?
Municipalities and Centers for the Development of Planning Regions	35	25	15	22	18
Public enterprises and public institutions	67	60	35	49	47
Other legal and natural persons exercising public powers and activities of public interest	21	20	10	18	16
Educational institutions	87	97	50	73	71
Bodies of the state administration	72	66	49	65	49
Judicial authorities	18	19	8	14	11
Health facilities	0	0	0	0	0
Political parties	7	9	3	5	4
	307	296	170	246	216

NOTE:

Of the 5 questions of the questionnaire delivered to the holders of 437 answered questionnaires, the first question has the largest number of 307 affirmative answers with an attached link or 70.4%.

Out of 88 holders in this group, 35 municipalities and 3 of the development centers or 43.18% answered the questionnaire. Of the 38 questionnaires received with an attached link, 35 or 92.1% have received them.

Out of 354 holders in the group of public enterprises and public institutions, only 93 submitted an answer to the questionnaire or 26.2% of the total number. Of those 93 holders, 63 responded with an attached link or 72%

Holders from Other legal and natural persons exercising public powers and activities of public interest, which are a total of 72, of which only 21 holders or 29.1% answered the questions. All 21 holders or 100% answered the first question from the questionnaire.

Out of a total of 614 holders from educational institutions, only 146 or 23.77% answered the questionnaire. Of them, 87 or 59% answered affirmatively to the first question.

Out of 134 holders of state bodies, 81 institutions or 60.45% sent feedback. Of them, the largest number, ie 72 holders or 90%, gave an answer with an attached link.

The judicial authorities count 65 holders, of which 22 or 33.8% submitted a return questionnaire. However, 18 or 81.8% of those 22 holders answered the questionnaire in the affirmative.

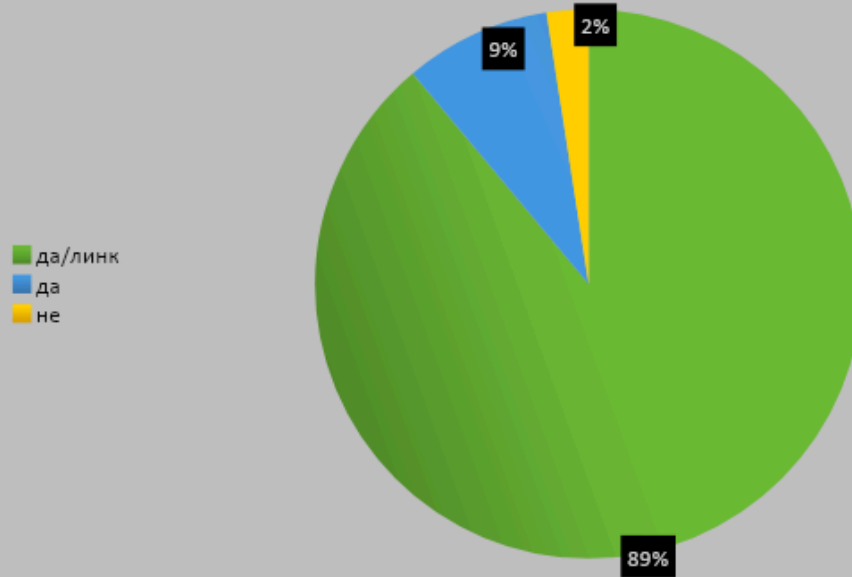
The health institutions count 115 holders, but not a single institution submitted a responsive questionnaire.

There are 59 political parties as holders in the List of Holders, and only 10 or 16.9% of them submitted a questionnaire. Of the 10 submitted questionnaires, 7 or 70% responded with an attached link as an answer to the first question.

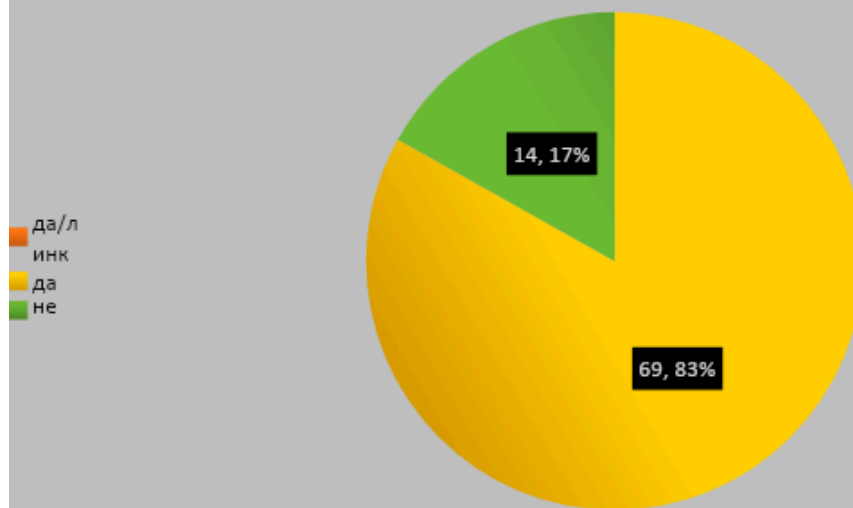
APPENDIX:

In addition to the information, we provide you with a graphic representation of the answers to the 5 questions from the Questionnaire by the state administration bodies:

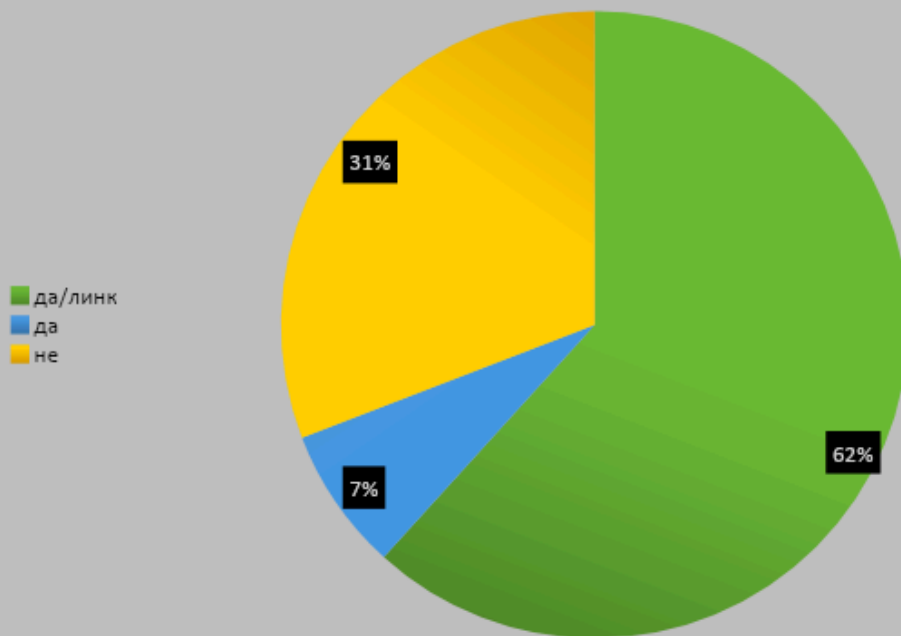
1. Дали на веб страната ги имате објавено задолжителните информации од член 10 од Законот за слободен пристап до информациите од јавен карактер?



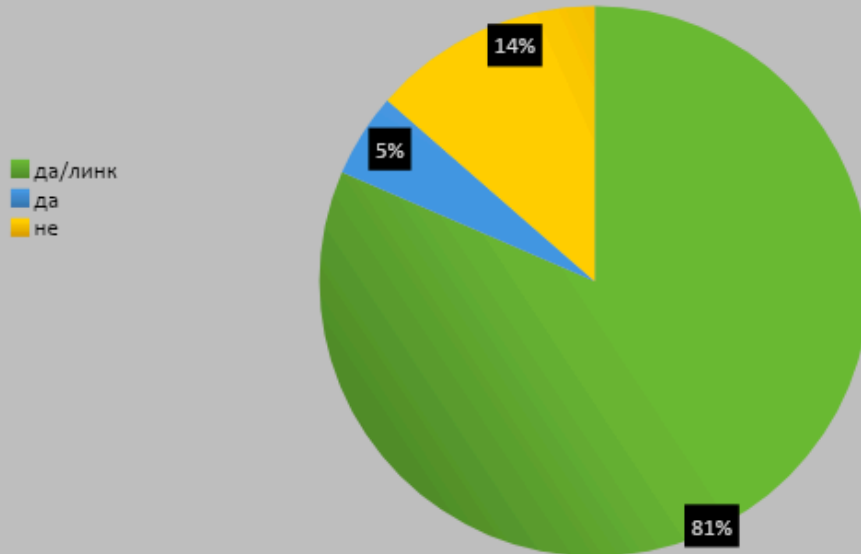
2. Дали објавените информации редовно ги ажурирате на месечно ниво?



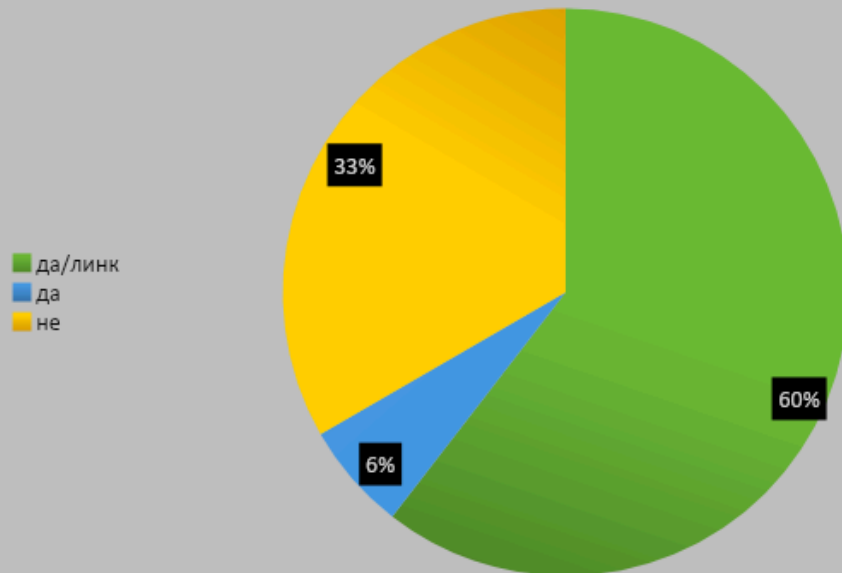
3. Дали на веб страната ги имате објавено анонимизирано барањата за пристап до информации од јавен карактер за 2020, 2021, 2022 и 2023 година, заедно со одговорите кои веќе сте ги доставиле до барателот со цел да можат да бидат повторно употребувани од дру



4. Дали имате поставено банер со наслов „Информации од јавен карактер“ на видливо место на веб-страната и истиот да води до информациите од јавен карактер (барање и одговор по барањето)?



5. Дали ги имате објавено информациите од јавен карактер систематизирано по области, согласно член 10 став 1 точка 22 – “други информации кои произлегуваат од надлежноста и работата на имателот на информацијата” од Законот за слободен пристап до информации



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