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# Parliament openness in the region and Macedonia

**META**MORPHOSIS   
Foundation for Internet and Society

 **ActionSEE**



**National Endowment  
for Democracy**  
*Supporting freedom around the world*

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## Introduction

In cooperation with the partners from the regional NGO network “ACTION SEE“, Metamorphosis Foundation for Internet and Society prepared the policy in which it analyzes the level of transparency, openness and accountability of parliaments in the Western Balkans region.

The policy represents a result of research, based on scientific methodology, developed by ActionSEE members during the last several months. Our activities aim to determine the real condition in this area and to give recommendations for its improvement through an objective measurement of regional parliaments' openness. Also, the aim is improvement of the adherence to good governance principles, in which the openness occupies a significant place.

All regional parliaments must ensure full openness of their work and thereby demonstrate political accountability and respect of the basic principles of democracy. Through ensuring all relevant information, parliaments must provide unimpeded insight into their work. Only open and accountable institutions may work on creating democratic society all regional countries strive to.

Declaration on Parliamentary Openness defines parliaments' obligations in the best way, suggesting that a parliament must ensure that citizens have legal aid while exercising their right of access to parliamentary information. An obligation of a parliament to encourage openness and share examples of good practice with other parliaments in order to increase openness and transparency is emphasized. Further, cooperation with non-governmental organizations which deal with monitoring of parliamentary work and citizens is affirmed in order to ensure that parliamentary information is complete, accurate and opportune.

Taking into account all stated items, it is necessary that all regional parliaments, which have not done it, sign the Declaration on Parliamentary Openness as well as to work on its implementation.

Our policy is addressed to decision-makers in the parliaments of the regional countries. It may also be useful for representatives of international organizations and colleagues from NGO sector dealing with these issues.

We are at your disposal for all suggestions, benevolent critics and discussions regarding the policy.

### Openness of legislative power in the region

Regional parliaments meet on average 63% of openness criteria. This result is not satisfactory, taking into account that we talk about bodies that have been directly elected by and are accountable to citizens.

Parliaments have a key role in a democratic system, thus they should be bearers of a process which will enable citizens to monitor institutions' work more effectively. However, as it is the case with executive power, the highest legislative regional bodies do not have a strategic approach to openness policy. Requirements of openness may be indirectly taken from the Constitution, Rules of Procedure and other acts, and as such, they are a subject of different interpretations and mood of a parliamentary majority.

Information regarding parliamentary work belongs to public<sup>1</sup>, thus constant improvement of the existing culture level of parliamentary openness is necessary. Openness policy should be developed by following information and communications trends, using new technologies and publishing data in machine-readable format. This is supported by data indicating that regional parliaments are not dedicated to publishing data in open format and thereby the use value of published data is minimized.

### Insufficient transparency of organizational and financial information

It is defined by monitoring that parliaments are mostly not transparent when it comes to publishing data from sessions of parliamentary committees. Majority of parliaments does not publish voting records and list of MPs who have attended boards' sessions. In addition, in most countries committee sessions are not transmitted.

Majority of regional parliaments has to affirm a principle of financial public and openness. Parliaments mostly do not meet even a minimum of international standards of budgetary transparency<sup>2</sup>, which impose availability of financial documents to the public. On official websites of most parliaments, citizens cannot find budgets for the all previous three years. Additionally, a huge majority does not publish final accounts. Parliaments should conduct control of public expenditure during the year and to publish midyear reports on budget spending.

1) Declaration on Parliamentary Openness. Available at: <https://goo.gl/NhTYvH>. Access: 27.03.2017

2) Best Practices for Budget Transparency, OECD, 2002. Available at: <https://goo.gl/qamVDW>; Guidelines for Parliamentary Websites, Inter-Parliamentary Union, 2009. Available at: <https://goo.gl/gD2Wg0>. Access: 27.03.2017

### **Insufficiently developed communication with citizens and possibility of their participation**

Regional parliaments should strengthen their representative function through establishing communication with citizens and including them in the policy-creation process. The parliaments should pay a special attention to development of electronic services.

Parliaments should be available to citizens and besides expecting a possibility of establishing communication by telephone or e-mail, the initiation of innovative channels for two-way communication with citizens is necessary. Moreover, more active use of existing communication mechanisms, social networks in particular, is needed as well. Monitoring has defined that the majority of parliaments does not have accounts on social networks or it does not use it actively.

Additionally, monitoring has recognized the need for strengthening of capacities for complete and consistent implementation of the Law on Free Access to Information<sup>3</sup>.

### **(Un)ethical behavior of MPs**

Consistent implementation of Codes of Conduct is of fundamental significance when it comes to increasing the level of political accountability and citizens' trust in the parliamentary work. However, while some regional countries have not adopted Code of Conduct, other countries neither promote it actively, nor implement it effectively. Regional parliaments should establish clear mechanisms for monitoring of the implementation of Code of Conduct of MPs as well as sanctions for each violation of prescribed ethical standards.

Regional practice shows that violation of Codes of Conduct mostly does not result in sanctioning of inappropriate behavior and it is usually a subject of political agreements. Also, it is necessary to establish rules which will oblige members of parliaments to publish documents of procedures regarding violation of Code's provisions. In that way, the transparency of these procedures would be increased.

### **Insufficient effects of parliamentary control over other branches of power**

Monitoring has determined that numerous mechanisms for parliamentary control over the executive power have been established in the regional countries. However, their implementation is most commonly of formal nature. In practice, visible effects of control are missing, thus examples which give specific outcomes, related to defining accountability and sanctions for representatives of executive or other branches of power, are very rare.

3) Monitoring has shown that the majority of parliaments does not have an established training system or guidebook for civil servants that would make civil servants able to access data which are published in accordance with the Law on Free Access to Information and assume other obligations envisaged by the Law.













