



Accountability, Technology and Institutional Openness Network in SEE

# Road map on good governance for state institutions in Bosnia and Herzegovina

*Based on the Regional Openness Index of state institutions*

*Based on the measurements for 2018*



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The Accountability, Technology and Institutional Openness Network in South East Europe "ACTION SEE" project is implemented by Metamorphosis Foundation, Westminster Foundation for Democracy, CRTA – Center for Research, Transparency and Accountability, Citizens Association Why not?, Center for Democratic Transition, Open Data Kosovo (ODK) and Levizja Mjaft!.





# Road Map

on Good governance  
for state institutions in  
Bosnia and Herzegovina

*Based on the  
measurements for 2018*

Sarajevo, 2019

## **Citizens Association *Why not?***

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### **Contributors:**

Amina Izmirlić  
Danira Karović  
Dalio Sijah  
Damir Dajanović

## **PROJECT COORDINATOR**

**Metamorphosis Foundation**  
North Macedonia  
[www.metamorphosis.org.mk](http://www.metamorphosis.org.mk)

## **PARTNER ORGANISATIONS**

**Westminster Foundation for Democracy**  
United Kingdom  
[www.wfd.org](http://www.wfd.org)

**CRTA - Center for Research Transparency and Accountability**  
Serbia  
[www.crtars.org](http://www.crtars.org)

**Center for Democratic Transition**  
Montenegro  
[www.cdtmn.org](http://www.cdtmn.org)

**Open Data Kosovo (ODK)**  
Kosovo  
[www.opendatakosovo.org](http://www.opendatakosovo.org)

**Levizja Mjaft!**  
Albania  
[www.mjraft.org](http://www.mjraft.org)

### **ACTION SEE – Accountability, Technology and Institutional Openness Network in SEE**

project aims to increase the inclusion of civic society and media organisations in decision making processes and the creation of public opinion and policies, as well as to raise the capacity of civic societies to address sensitive issues.

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# 1. GENERAL INFORMATION

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Openness is a key requirement of democracy since it allows citizens to receive information and knowledge necessary for equal participation in political life, effective decision-making and holding institutions accountable for conducted policies. Institutions worldwide undertake specific activities to enhance their transparency and accountability toward citizens.

Open governance is based on four organizational principles: **transparency, accessibility, integrity and awareness**. These principles apply to all branches and levels of power, from the central executive power to the local self-government, parliaments and the judiciary.

**The Openness Index** is a complex indicator that measures the degree to which governments in the Western Balkan countries are open to citizens and society, and is designed to define to what degree citizens of the Western Balkans receive opportune and understandable information from their institutions.

The Openness Index is part of the **ACTION SEE** project – the network for responsibility, new technologies and openness of institutions in Southeastern Europe, financed by the European Union. Seven organizations are implemented in six countries: Metamorphosis foundation (North Macedonia), CRTA – Center for research, transparency and accountability (Serbia), NGO Why not? (Bosnia and Herzegovina), Center for democratic transition (Montenegro), Open Data Kosovo (Kosovo), Mjaft! (Albania) and Westminster Democracy Foundation.

**Action SEE** is a civil society organizations network working together to promote and ensure accountability and transparency of authority in the Southeastern Europe by creating the potential for civil activism and for participation, promotion and protection of human rights and liberties on the internet, as well as by strengthening the capacity of non-government organizations and individuals in the region regarding the usage of new technologies to ensure government accountability.

In order to measure the degree of institutional openness, the **ACTION SEE** partners, adhering to international standards, recommendations and examples of good practice, assessed the institutions through special quantitative and qualitative indicators, which conduct the assessment on the basis of: access to information on official websites of institutions, the quality of the legal framework for individual cases, other sources of public informing and questionnaires delivered to the institutions.

The responsiveness of the institutions to the questionnaires was an additional indicator of their openness. A substantial number of institutions scored negatively on the indicators due to their non-responsiveness, the importance of which is twofold: first, that institutional responsiveness is an indicator of openness itself, and second, that institutions' non-responsiveness has affected their index scores negatively, as in these cases they automatically scored 0. Additionally, some of the indicators could have been assessed positively only if the existing laws were fully implemented.

The research was conducted in the period from December 2018 to the end of March 2019. A set of recommendations and guidelines based on data monitoring and research results has been created for the institutions. The recommended steps made for each category of institutions were based on the indicators that were not entirely fulfilled. Additionally, for some of the categories of institutions assessed, i.e. executive agencies, local self-governments, courts and public prosecution offices, the recommendations and action steps are general and they apply to all of the institutions in the group.

Readers can find the methodology and general information about the project at the end of this document.



## 2. LEGISLATIVE BODIES IN BOSNIA AND HERZEGOVINA

### PARLIAMENTS IN BiH

The research conducted in BiH covered the Parliaments at state and entity levels (both Houses of the Parliamentary Assembly of BiH, both Houses of the Parliament of FBiH and National Assembly of RS) and showed that their practices in publishing the relevant documents, informing the public and communicating with the citizens are highly irregular – identical to previous years.

In spite of the differences in results between individual legislative bodies, there is room for improvement within all of them. Recommendations for improvement set out in this document are general in character and they refer to all Parliaments in BiH included in this research.

### GENERAL CONCLUSIONS

Legislative bodies in Bosnia and Herzegovina on average meet 47% of the indicators of openness in the areas of transparency, accessibility, awareness and integrity. Compared to other countries in the region, Parliaments in BiH are at the bottom of the list when it comes to fulfilling the above-mentioned indicators, which raises concerns about the low level of openness of the legislative power in BiH.

In the Parliamentary Assembly of BiH and the Parliament of FBiH both of which consist of the House of Representatives and the House of Peoples, indicators were followed for each House respectively, due to the fact that the Houses are organized individually in their communication practices, publishing of information, documents and materials on their respective websites.

The National Assembly of RS has the best single result (53%) in fulfilling all the monitored indicators, while the lowest result was achieved by the House of Representatives of the Parliament of FBiH (36%).

### **ACTION STEPS**

#### ACCESSIBILITY

The principle of accessibility in the legislative bodies in BiH in the last research was fulfilled with just 37% of the indicators. In terms of access to information, the fulfillment of this segment is 44%. Interaction with citizens, having fallen from 37% to only 14% of indicators fulfilled the year before, remains at said 14% this time as well. Public consultations meet 40% of indicators this year around, which represents a decrease of 9% compared to last year's 49%.



Public involvement in activities of legislative bodies in BiH is also very low. Communication mechanisms are usually one-way and they include only the contact forms and the contact information on the official sites of the Parliaments. Parliaments in BiH do not use the available channels of two-way communication with citizens, like social networks and online petitions.

In order to improve the situation in the mentioned area, legislative bodies in BiH should implement the following recommendations:

- Continuous implementation of the laws on freedom of access to information in the manner that each legislative body should consistently publish the register of information in possession, in accordance with the Law on Freedom of Access to Information.
- Appoint the person responsible for requests for access to information and publish their contact information on the official website of each legislative body.
- Prepare adequate guidelines and establish a system of education for employees to enable them to perform adequate assessment of the archives of documents and other information and also to successfully process all the applications and perform other duties in line with the Law on Freedom of Access to Information.
- Publish responses to received requests for access to information.
- Further strengthen the regulations in the area of freedom of access to information by establishing stronger mechanisms of supervision over the implementation of the Law on Freedom of Access to Information including the independent body whose decisions would be legally binding.
- Use the available channels of two-way communication with the citizens via social networks and online petitions.
- Develop, use and actively promote the mechanisms of citizen and expert public involvement in the work of the Parliament with emphasis on participation of public in consultation on legislation in the parliamentary procedure.
- Regularly and consistently publish the overall information gathered in the process of public consultation on the official web sites.
- Publish the information in open data format to make them available and searchable.



## AWARENESS

Regarding the principle of awareness, legislative powers in BiH have 58% of fulfilled indicators – a slight increase of 4% compared to the previous year. Parliaments in BiH meet 61% of the indicators of openness in the field of parliamentary monitoring.

In the field of strategic planning, Republika Srpska National Assembly and the House of Peoples of the Parliament of FBiH meet 99% of set indicators, while the other House of the Parliament of FBiH and both Houses of the PA BiH scored 0%.

To improve the category of awareness, the parliaments in BiH should implement the following recommendations:

- Create, use and actively promote mechanisms for the participation of citizens and professionals in the work of the Parliament, with emphasis on public involvement in consultation on legislation in parliamentary procedures.
- Ensure the participation and expertise of the interested professional public in the evaluation of the impact of laws and other acts in the parliamentary procedure prior to their adoption.
- Regularly and consistently publish all relevant information collected during the public consultation, on the official websites of the parliaments.
- Perform consistent and continuous impact assessment of the adopted regulations through the implementation of the following steps:
  - 1) Establish unique methods and impact assessment procedures and consistently apply them in their activities in order to guarantee that the adopted legislation is purposeful and efficient.
  - 2) Ensure the participation and expertise of the interested and expert public in the impact evaluation of laws.

## INTEGRITY

The integrity of the legislative power in BiH meets 49% of the indicators. None of the Parliaments in the country meet the set of indicators regarding the regulations about lobbying, since the issue of lobbying is not regulated by law at any level of government. Adoption and publication of ethical codes of Parliaments is also unsatisfactory, and Parliaments in BiH fulfill 49% of indicators.

The National Assembly of RS and both houses of the PA of BiH have ethical codes for parliamentarians that are published on official websites, while the ethical codes of the Parliament of FBiH have not been published. However, none of the existing ethical codes oblige Parliaments to publish the results of investigations initiated based on violations of ethical codes.

In order to improve the situation in this area it is necessary to implement the following recommendations in the legislative bodies in BiH:

- All the legislative bodies should adopt ethical codes with specified supervision procedures over the implementation of the code.
- Ethical codes must be published on the official websites of the legislative bodies along with the information on monitoring the implementation of the ethical code and any investigations in case of code violation.
- Existing ethical codes must be revised, harmonized and consistently implemented.
- After last year's recommendations, asset cards of the members of parliaments were made publicly available at the official websites, and the same should be done for the newly-elected representatives, i.e. their asset cards should be uploaded to the parliaments' websites immediately after the forming of the government.
- Legislative bodies of BiH must adopt the regulations concerning lobbying in the legislative institutions in line with international standards.



## TRANSPARENCY

Legislative bodies in BiH meet 49% of the indicators of openness according to the criteria of transparency. The best result achieved in this criteria concerns the transparency of public procurements - 65% of indicators satisfied. Compared to the results last year where there had been a 5% decrease, this year there was a 5% increase.

On the other hand, budget transparency indicators of the Parliaments in BiH have had another decrease this year, meeting only 22% of set indicators. As was the case in the previous research, the parliaments in BiH very unevenly publish budgets and budget execution reports which, more often than not, cannot be found on their official websites. None of the parliaments have published the "Budget for citizens" which was the case in the previous years as well.

Parliaments in BiH are not transparent enough in terms of reporting on their annual work plans and their implementation, with extremely uneven practices in this field. The work programs for the previous three years were published on the pages of both houses of the Parliamentary Assembly of BiH, while on the web page of the National Assembly of RS there were only two. On the websites of the federal parliamentary houses only one work program has been published in the last three years.

In order to improve the transparency in general, the legislative bodies in BiH should implement the following recommendations:

- Legislative bodies in BiH should continuously and consistently publish their work programs and reports on activities for a minimum of the previous three years.
- All the legislative bodies in BiH should publish the annual plans of public procurement on their official websites.
- Parliaments should make the information on the names and positions of their employees available on their official websites, including the names and contact details of the civil servants.
- It is also necessary to establish the practice of reporting on the activities of the parliamentary representatives and monitoring mechanisms, documenting the sessions of the Parliamentary assemblies, such as audio and video transmissions and recordings, continuously keeping the record on all the following documentation (agenda, documents revised at the sessions, session transcripts, data on voting etc.) which have to be searchable and available to the public. The same principle has to be applied on all the sessions of all the parliamentary bodies, including the permanent and ad hoc commissions.

Legislative bodies in BiH also have to ensure that the public is continuously and consistently informed on their work by maintaining the archives of content on their official web sites, including:

- 1) Announcements, records, reports and conclusions from the sessions;
  - 2) Records on activities of representatives;
  - 3) Documentation on the legislative procedure such as documentation for sessions of the parliamentary bodies.
- Tenders, decisions, contracts and other documentation regarding public procurements also need to be available on corresponding websites. Despite the fact that there is a public procurement portal which unifies the public procurement process of all levels of government, the transparency standards dictate that all financial documents of the institutions, including the documents relating to public procurement, are published on their official websites so as to fully commit to the public's right to information and transparency regarding public procurement.
  - Legislative bodies in BiH should ensure that all the budget documents are published continuously and consistently, especially quarter and annual reports on the execution of the budget for the minimum of the past three years.
  - Parliaments should publish the "Budget for Citizens" in order to provide simple and accessible insight into budgets.
  - Published data should be in open data format in order to make the information more accessible and searchable.

### 3. INSTITUTIONS OF EXECUTIVE POWER IN BIH

(COUNCIL OF MINISTERS OF BOSNIA AND HERZEGOVINA, GOVERNMENT OF FEDERATION OF BOSNIA AND HERZEGOVINA, GOVERNMENT OF REPUBLIKA SRPSKA)

Mentioned research of executive authorities in Bosnia and Herzegovina included the institutions at the state and entity level, i.e. the Council of Ministers of BiH, Government of FBiH and Government of Republika Srpska. The research showed that, compared to the previous year, institutions did not make any progress in improving the level of openness.

#### **GENERAL CONCLUSIONS**

The executive power in BiH meets a total of 49% of openness indicators in analyzed areas of transparency, accessibility, integrity and awareness. Bosnia and Herzegovina is thus at the fifth, penultimate place in the region when it comes to the openness of the government, only by a few percent higher than Kosovo which is last on the list.

The differences between the three observed institutions of executive power are significant. Thus, the Council of Ministers of BiH had the best result, with 61% of the indicators fulfilled in all areas, the Government of FBiH is second with 44% of the indicators fulfilled, while the Government of RS takes the third place with only 43% of the indicators fulfilled.

It is clear that there is a significant number of institutions which resist the introduction of the concept of openness and that the issue has to be systematically resolved with the engagement of management structures in all the institutions. What is needed is a swift reaction and dedicated efforts in order to avoid the negative practice of not adopting the important documents which address this issue. State and entity development strategies and openness promotion should be prepared and adopted and the action plans implemented.

#### **ACTION STEPS**

##### **ACCESSIBILITY**

The principle of accessibility, with an emphasis on access to information, interaction with citizens, and conducting public consultations with executive authorities, is met with 39% of the fulfilled indicators in BiH.

Executive powers in BiH should consistently implement the following laws on access to information in the manner that each institution should:

- Publish the register of documents in possession on the official website.
- Respect legal deadlines in the proceedings involving access to information.
- Prepare adequate guidelines and establish a system of education for employees in order to enable them to perform adequate assessment of the archives of documents and other information in order to successfully process all the applications and perform other duties in line with the Law on Freedom of Access to Information.
- Governments should prepare amendments to the laws regarding the freedom of access to information in the manner that the decisions of the body competent for monitoring the implementation of the law are binding for institutions.
- Publish information for which free access is granted (replies to requests for access to information).
- Executive power in BiH should use contemporary ways of communication with the citizens and provide the public with online consultations. State ministries could use the existing eKonsultacije website for that purpose, whose capacities are not sufficiently used. Entity governments should develop a similar online consulting model for their respective ministries.
- Information and data collected in the process of public consultations have to be regularly, consistently and completely published on official websites of the institutions.
- Reports and evaluations adopted after the public consultations have to be available to the public, i.e. published on the official websites of the institutions.
- The published information should be in open data format, in order to make the data more easily available and searchable.



## AWARENESS

The awareness principle meets 45% of the set indicators. In this area, the Council of Ministers meets 57% of the set indicators. In this area, the Council of Ministers (87%) has a very good result, while the Government of FBiH (58%) and the Government of Republika Srpska (25%) have achieved much lower results.

The issues of reporting, strategic planning, monitoring and evaluation of the activities of the ministries are regulated by laws and bylaws for each level separately. Nevertheless, it is necessary to move towards harmonization of laws and bylaws in this area in order to meet all the international standards prescribed by the Open Government Partnership (OGP) which was joined by BiH in 2014.

Reporting, strategic planning, monitoring and evaluating the activities, as building blocks of this principle, can be improved by the following steps:

- It is necessary to establish a single method and procedures for quality planning and control of the performance policies and their consistent implementation.
- It is necessary to establish a single method of reporting to the government on the operations of ministries annually.
- Authorities of the executive power should develop adequate monitoring indicators that measure the efficiency of their programs, policies and regular activities in order to perform the follow-up of the effects of their policies.

## INTEGRITY

When it comes to the integrity of the executive authorities in BiH, it meets 54% of the indicators and it includes areas such as Code of Ethics, prevention of conflict of interest and the rules and laws on lobbying.

In order to improve the situation in this area it is necessary to implement the following recommendations:

- Asset cards should be available to the public on the official websites of the institutions, regardless of the above stated problem of the Central Election Commission of BiH.
- It is necessary to establish the procedures for storing the asset cards in electronic form and make sure they are saved in one of the open data formats.
- Governments should initiate the necessary amendments to the laws which would provide for the obligation of publishing the information related to gifts and it is also necessary to introduce sanctions for persons who provide false information for their asset card.



- Governments should initiate establishment of implementation mechanisms for the Ethical Codes and define the procedures for the cases of breaching the codes.
- Governments should initiate the passing of the legislation which regulates lobbying practices.

## TRANSPARENCY

The principle of transparency meets 51% of the indicators, and includes the organization of information, public procurement as well as the budget transparency.

One of the dominant problems with transparency of the institutions is the lack of complete transparency of government sessions of the executive authorities in BiH. Although there are always some limits to the coverage of the government sessions, the public in BiH does not have insight into some elements which should be easily available (key points of discussion at the session, for example). The website of the Council of Ministers of BiH does not provide the materials discussed at its session, publishing only the agenda, conclusions and a press release after the session. Official minutes from the sessions are not published either, so the citizens are denied a complete insight into the dynamics and approach to policies and issues which influence the standards and the quality of their lives. The same issues arise with the sessions of the entity governments. This aspect of the executive's work needs to be significantly improved.

The budget transparency is met with 35% of the indicators, which is a significant decline compared to last year's 47%. The budgets are not entirely searchable, making it harder to conduct budget analysis, comparisons, or utilizing the budget data. The citizens are not given an opportunity to analyze budgets through narrative and graphic clarifications which should be available through documents such as the "Budget for Citizens", or similar forms which represent the budgets in a way that is simple and easy to understand.

In order to improve the area of transparency in the institutions of executive power in BiH, it is necessary to implement the following recommendations:

- Reports on activities must be published on the official websites for the period of the past three years.
- Documents for the sessions of the governments should be available to the public. Governments should make them available on their official websites. Therefore, the citizens would have an insight into discussion topics of the sessions.

- Minutes and/or transcripts of the sessions of the government should be available to the public. Governments should make them available on their official websites.
- Official websites should include the information on the organizational structure of the institutions of executive power such as: organogram, competencies of the government and its organizational units and basic biographical information about the Prime Minister.
- Institutions of the executive power should publish the data on the names and positions of the employees, the civil servants and other employees respectively, as well as the name and contact of the public service employees on the official websites.
- Institutions of executive power should publish annual plans for public procurement on their official websites.
- Public calls, decisions, contracts and other documents on public procurements should also be available on the official websites of the institutions of executive power. Even though there is a website containing information about public procurements which unifies the process of public procurement for all levels of government, transparency standard is that all the financial documents related to the public procurement procedure should be published on the official websites in order to fulfill the right of the public to be informed about the public procurement procedure and be transparent.
- Data on the budget (for the period of minimum past three years) should be available to the public on the official websites.
- It is necessary to publish the quarterly and annual reports on the execution of the budget, for the period of minimum past three years.
- It is necessary to develop the “Budget for Citizens” in order to provide the citizens with insight into the expenditures of their own funds.
- It is necessary to keep the archives of old content on the official websites.
- The published data should be in open data format, in order to make the data more easily available and searchable.

## **4. MINISTRIES**

The research in Bosnia and Herzegovina included all the ministries at state and entity level, 41 in total. However, not a single website of these institutions contains these types of documents. The research has shown that there are significant discrepancies in openness among the ministries but also that there is room for improvement in all of the mentioned institutions. The recommendations stated in this document are general and relate to all the ministries which took part in the research.

### **GENERAL CONCLUSIONS**

Ministries in Bosnia and Herzegovina meet 30% of the indicators, on average, analyzed in the area of transparency, accessibility, awareness and integrity, which indicates a very low level of openness of the executive power in BiH.

It is clear that there is a significant number of institutions that are resisting the implementation of the openness concept. This problem needs systematic solving with the involvement of all institutions' higher-ups. What is needed is a quick reaction and dedicated work so as to avoid negative practices of non-adoption of important documents dealing with this subject. State and entity strategies of developing and promoting openness should be prepared and adopted, and action plans implemented.

### **ACTION STEPS**

#### **ACCESSIBILITY**

When it comes to the principle of accessibility, which includes access to information, interaction with citizens and the mechanism of public consultations, the Bosnian-Herzegovinian ministries meet only 17% of the criteria that were analyzed. A small number of questionnaires returned by the ministries of Bosnia and Herzegovina, including questions about trainings, seminars and similar activities with the aim of educating and increasing the accessibility of institutions, additionally contributed to the poor results in this field.

When it comes to public consultation and interaction with citizens, this year's results are identical to last year's. Only 9% of the BiH ministries carried out some kind of public consultations and interactions with citizens, which is a devastating fact considering that public consultations represent the main and fundamental way of civic participation in decision-making processes.

In order to improve the situation in the area it is necessary to introduce the following recommendations:

- Ministries must consistently enforce the laws in the area of freedom of access to information in the manner that each ministry should:

Publish the register of information in possession on the official website.

Publish the Guide on access to information on the official website which would contain the contact details of the person responsible for proceedings regarding the access to information.

All the ministries should respect the legal deadlines in the proceedings involving requests for access to information.

Each ministry should prepare adequate guidelines and establish a system of education for employees in order to enable them to perform adequate assessment of the archives of documents and other information and in order to successfully process all the applications and perform other duties in line with the Law on Freedom of Access to Information.

Publish information for which free access is granted (replies to requests for access to information).

- Ministries should use contemporary ways of communication with the citizens and provide public consultations online. State ministries could use the existing website “eKonsultacije” for that purpose, whose capacities are not sufficiently used. Entity governments should develop a similar online consulting model for their respective ministries.
- Information and data gathered in the process of public consultations should be regularly and consistently published in full on the official websites of the ministries.
- Reports and evaluations adopted after the public consultations should be publicly available – published on the official websites of ministries.
- The published data should be in open data format, in order to make the data more easily available and searchable.

## AWARENESS

The criterion of awareness is unsatisfactory and BiH ministries have met only 35% of the indicators. Only 38% of ministries sends the financial reports to the institutions in charge within the legal deadline.

Reporting, strategic planning, monitoring and evaluating the activities of the ministries can be improved using the following steps:

- It is necessary to establish a single method and procedures for quality planning and control of the performance policies and their consistent implementation.
- Unique methods via which the ministries would report to the government on an annual basis need establishing.
- Ministries should develop adequate monitoring indicators for measuring the efficiency of their programs, policies and regular activities in order to perform the follow-up of the effects of their policies.
- It is necessary that the ministries initiate, together with the competent governments, a single bylaw which would regulate the inter-ministerial consultations.
- There should be an obligation of reporting on inter-ministerial consultations and those reports should be available to the public.

## INTEGRITY

The integrity of all the analyzed ministries is at 23%, since asset cards of the ministers are not publicly available on any of the ministries' websites. In addition to questions about the availability of assets cards, two new questions have been included in this year's research, relating to anti-corruption policies, the adoption and publication of the Integrity Plan, which, in addition to being legally binding, has only 50% of monitored institutions.

- Asset cards of the ministers should be publicly available on official websites of the ministries.
- Each ministry should adopt and publish the Integrity Plan on its official website, and implement it consistently.
- Educate employees on topics such as conflict of interest, prevention of corruption and whistleblowers.

## TRANSPARENCY

The overall transparency score of the ministries in BiH amounts to a modest 38% of indicators met. Ministries' public procurement transparency stands at around 39% of analyzed criteria. About 36% of ministries in BiH did not publish the public procurement plan for the previous year. Monitoring has shown that 44% of ministries publishes tenders, and that there are 71% of institutions that publish public procurement decisions.

Only 12% of ministries in BiH have made certain budget information available on their websites (the same average in the last three years). This trend of non-transparent budget spending demands a systematic approach and more of an effort from both the authorities and civil society, in order to initiate and implement these types of changes.

To improve transparency in the ministries, it is necessary to implement the following recommendations:

- Every official website needs an easily accessible search tool which has to function properly so as to enable access to a desired piece of information
- The ministries in BiH do not show enough dedication to informing the public about their work. International standards dictate that ministries should publish their agendas for at least three previous years on their websites.
- Official websites of the ministries need to contain reports on ministries' work, again – for the last three years.
- Official websites need to contain basic organizational information on the ministry such as: an organogram, the jurisdiction of the ministry and its organizational units, and basic biographical information on the minister.
- Official websites need to contain names and functions of the employees.
- Official websites need to contain annual public procurement plans.
- Tenders, decisions, contracts and other documentation regarding public procurements also needs to be available on the official websites of the ministries.
- Data on the budgets of ministries should be publicly available on their official websites for the minimum period of the past three years.



- Ministries must publish quarterly and annual reports on the execution of the budget for the minimum period of the past three years.
- Ministries should keep the archives of the old content on their official websites.
- Published information should be in open data format to make it easily available and searchable.

## **5. OTHER ADMINISTRATIVE BODIES IN BIH**

Administrative bodies in BiH (45 administrative bodies have entered the survey sample) achieved a modest result of 26% of the openness indicators fulfilled.

Recommendations for the improvement of the situation presented in this document are of general character and concern all the authorities involved in the research.

### **GENERAL CONCLUSIONS**

Significant deviations in the results of the governing bodies are noticeable, which is why certain institutions have much better results than others. The achieved 26% is certainly not commendable, it is not unexpected and is in line with previous openness measurements at the regional level, but there was also a decline in the level of openness compared to the previous year.

Promotion of openness takes place rarely or not at all. Certain bodies even show disrespect to legal obligations and principles of good management practices without any consequences. This created significant discrepancies regarding the openness of the administrative bodies in BiH. The issue of openness is still treated as a matter of personal attitude of the head of the institution or their team and not a subject of straightforward policies. It is clear that there is a significant number of institutions which resist the introduction of the concept of openness and that the issue needs to be approached systematically with the engagement of the management structures of the institutions.



## ACTION STEPS

### ACCESSIBILITY

The principle of accessibility, which is focused on access to information, interaction with citizens, and the implementation of public consultations, is met with 19% of the fulfilled indicators by the executive bodies in BiH.

In order to improve the accessibility of the administrative bodies it is necessary to implement the following recommendations:

- Institutions should consistently enforce the laws in the area of freedom of access to information in the manner that each ministry should:

Publish the register of information in possession on the official website.

Publish the Guide on access to information on the official website which would contain the contact details of the person responsible for proceedings regarding the access to information. All the ministries should respect the legal deadlines in the proceedings involving requests for access to information.

Each ministry should prepare adequate guidelines and establish a system of education for employees in order to enable them to perform adequate assessment of the archives of documents and other information and in order to successfully process all the applications and perform other duties in line with the Law on Freedom of Access to Information. Publish information for which free access is granted (replies to requests for access to information).

- Institutions should use contemporary ways of communication with the citizens and offer public consultations online.
- Information and data gathered in the process of public consultation should be regularly and consistently published in full on the official websites.
- Reports and evaluations adopted after the published public consultations should be publicly available – published on the official websites.
- The published data should be in open data format, in order to make the data more easily available and searchable.



## AWARENESS

The awareness of the work of the administrative bodies in BiH meets 28% of the set indicators. The administrative authorities are not sufficiently committed to informing the public about their work. The survey showed that the authorities do not have a uniform practice of submitting and publishing both quarterly and annual financial reports.

In order to improve the awareness of the institutions it is necessary to implement the following recommendations:

- Administrative authorities should provide quarterly and annual financial reports in a uniform, continuous and legal manner to the competent ministry.
- All authorities need to develop adequate indicators to monitor the effectiveness of their programs, policies and regular activities.

## TRANSPARENCY

The transparency of the administrative bodies on state and entity levels is at only 28%. Almost 93% of the institutions don't publish their budgets. About 52% of the administrative bodies do not publish even the public procurement plans. Tenders for public procurements are found in only 29% of institutions, while the decisions are found in 43%. Information on public procurement contracts are almost impossible to find and when all the institutions researched are considered, the results are insignificant.

When it comes to publishing the list of employees with titles and functions, the results show that only 2% of administrative bodies have this information on their websites, and 57% have the information on the holders of public functions. Regarding the publication of the list of employees, the results show that nearly 43% of the authorities deprive the public of basic information about who their public officials are, how much they earn and what their contact information is, which means no progress has been made compared with the previous year.

In order to improve the transparency of administrative bodies, it is necessary to follow the recommendations for improving the situation:

- All the administrative bodies should regularly update their official websites.
- Every official website of the institutions should contain a functional search tool which would allow the users to easily find the required information.
- Since the administrative bodies are not dedicated enough to informing the public on their activities, which is in accordance with the international standards, they should publish their agenda on the official websites for the period of minimum past three years.
- Reports on the activities of the executive bodies for the period of past three years should also be published on their official websites.
- The official websites of the executive bodies should contain basic organizational information about the administrative body, such as: organogram, competencies and its organizational units and basic biographical data of the head.
- Names and positions of the employees, both civil servants and other employees, should also be available on the official websites of the administrative bodies, as well as the information on the contact details of public service employees.
- Executive bodies should publish the annual plans for public procurement on their official websites.
- Public calls, decisions, contracts and other documents on public procurements should also be available on the official websites of the administrative bodies.
- Data on the budget of the administrative bodies (for the period of previous three years) should also be available on their official websites.
- Administrative bodies should make quarterly and annual reports on the execution of budget available for the period of minimum past three years.
- All the administrative bodies should publish the registers of documents in their possession on their official websites.
- The published data should be in open data format, in order to make the data more easily available and searchable.

## INTEGRITY

The integrity of all administrative bodies (at state and entity levels in BiH) is 37%, given that the asset cards of the heads of administrative bodies are not publicly available for any administrative body in BiH.

In order to improve the integrity of administrative bodies, it is necessary to follow recommendations for improving the situation:

- Every institution should adopt and publish the Integrity Plan on their official website, and implement it consistently.
- Educate employees on topics such as conflict of interest, prevention of corruption and whistleblowers.

## 6. LOCAL SELF-GOVERNMENTS IN BOSNIA AND HERZEGOVINA

The openness monitoring of municipalities and cities in BiH in 2018 included 36 units of self-government. As in previous years, the monitoring showed several “critical points”, i.e. key obstacles when it comes to openness and transparency of the local self-government bodies in BiH. The analysis of transparency, accessibility, integrity and awareness has shown that municipal and city authorities in BiH meet 30, 60% of indicators, which is a slight increase in openness compared to 27% of indicators met in 2017.

## GENERAL CONCLUSIONS

By analyzing numerous indicators in the third year, certain differences in results were determined compared to the previous year’s results. When it comes to more demanding indicators, significant improvements are still missing (the strengthening of the role that local self-government bodies have in the BiH society).

It is noticeable that results vary in some municipalities/cities, however there is room for improvement, even when it comes to the best-ranked local self-government bodies.

The recommendations for improvement below are general in character and are in reference to all local self-government bodies in BiH.

## ACTION STEPS

### TRANSPARENCY

When it comes to the principle of transparency, local self-government bodies in BiH meet 36% of indicators set. This is a somewhat better result compared to the previous year. Local self-government bodies still are not sufficiently transparent when it comes to budget, organizational information, and public procurement actions. A little over 50% of municipalities and cities included in the research in 2018 implemented some form of public consultations regarding budget plans for that year, and the Budget for citizens has only a few self-government units. Information on employee names, organizational information, reports and materials from held meetings, decisions made are not transparent and detailed enough.

When it comes to transparency of internal documents of the self-government bodies, the results are not satisfactory. Annual agenda of the municipal and city administrations are available to the public in only 5% of self-government bodies, and the rules of conduct are available on the websites of 50% of self-government bodies. Municipal and city administrations do not have a unified practice nor do they continuously publish financial information and documents. To improve the transparency of the local self-government bodies the following needs to be done:

In order to improve the transparency of the Local self-governments it is necessary to:

- Pay special attention to financial transparency
- Establish a consistent practice of publishing the budget and reports on budget execution, in accordance with the principles of proactive transparency.
- Publishing of the “Budget for citizens” should be common practice.
- All data should be published in an open data format.
- Information on internal organization, i.e. contact information and names of employees should be available on the official websites.
- Information on public procurement procedures (public procurement plans, tenders, decisions and contracts) should be made available.
- Annual agendas and rules of conduct need to be publicly available.

## ACCESSIBILITY

The principle of accessibility in the local self-government bodies (from here on out “LSGs”) of BiH meet only 16% of set indicators in 2018. When it comes to public consultations, the results are somewhat better compared to the year before, amounting to 13%. When it comes to citizen interaction, and freedom of access to information, most LSGs still have poor results.

The research shows a drop compared to the previous two years in these categories. Municipalities and cities still are not sufficiently active on social media. When it comes to using social media as a form of communication with the citizens, the situation is somewhat better than previous years seeing as 55% of LSGs included in the research actively use Facebook.

In order to improve the situation in this area it is necessary to introduce the following recommendations:

- Local self-governments in BiH should establish adequate and effective mechanisms of accessibility and consistently implement their legal obligation to conduct public consultations.
- Every municipality/city needs to have a regularly-updated official website.
- All official websites need to have a person in charge of resolving requests for access to information.
- Official website should also have an update guide on access to information, as well as all information for which access was granted.
- Open data format should increase accessibility and make it easier for citizens to reach desired information.
- Apart from the usual channels of communication, the LSGs should use contemporary methods of communication with the citizens, i.e. online communication, e-konsultacije Facebook, Twitter etc.

## INTEGRITY

Only 5% of LSGs have some sort of developed mechanism for raising awareness on the importance of preventing conflict of interest in municipal and city administrations. The anti-corruption policy in the official document form is available in only a few of the LSGs included in the research.

In most cases, there are no instructions or adequate guides for citizens regarding submission of complaints directed towards the work of civil servants. Still, it should be stated that online communication of LSGs with citizens, via which concerns and complaints regarding the work of civil servants can be submitted, is somewhat better than previous years.

- Municipalities and cities should continuously organize and participate in training or workshops that deal with anti-corruption policies and topics.
- The Integrity Plan should be published on the official website of municipalities and cities.
- LSGs should have clearly defined internal anti-corruption policies, which imply measures to prevent and eliminate various forms of corruption and unethical behavior within the institution
- Websites of municipalities and cities should contain a direct online channel of communication via which concerns can be expressed and complaints submitted regarding the work of civil servants, and there should also be direct phone lines for the same purposes.

## AWARENESS

When it comes to awareness, LSGs have approximately the same result as the previous year. Monitoring and evaluation of their work in 2018 was done by 63% of local administrations analyzed.

The legally-binding procedure of regular annual reporting by the municipal/city councils in 2018 was followed by the majority of LSGs included in the research.

Out of all the analyzed municipalities and cities, 67% of them had development strategies for 2018. However, it is still concerning that about 33% of LSGs do not adopt development strategies and do not use efficiency indicators when creating annual agendas.

- The administrative services of the LSGs should be more efficient and available to their citizens. Their working procedures should be based on openness and with as little expenses as possible.
- The evaluations and work reports should be available on the websites for the period of the last three years, with the possibility of searching and comparing with the previous years.
- The preparation of the annual work programs of LSGs needs to be made in accordance with the performance indicators.
- Development strategies should be prepared and adopted in all municipalities and cities, and the Action plans implemented.

## **7. OPENNESS OF JUDICIARY IN BOSNIA AND HERZEGOVINA**

The judicial system in Bosnia and Herzegovina is significantly different than judiciary systems in other countries of the region. In order to make a comparison between them a unique methodological approach is required. Since Bosnia and Herzegovina, due to its specific structure does not have a unique judicial system on state level, like other countries of the region, this research was conducted by examining chosen courts and prosecutors' offices of state and entity level, with the addition of High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

### **PROSECUTOR'S OFFICES**

This year's research included a total of 11 Prosecutors' Offices: four cantonal prosecutors' offices, four district prosecutors' offices (RS), Prosecutor's Office of FBiH, Brčko District Prosecutor' Office and the Prosecutor's Office of BiH

## GENERAL CONCLUSIONS

In total, the Prosecutor's Offices in Bosnia and Herzegovina fulfill 40% of the indicators, and are third in the region, behind Montenegro (54.21%) and Kosovo (50.79%). If we look at the average score in the region, Prosecutors' Offices in Bosnia and Herzegovina are significantly above the average score, which is 24.11%. Compared to the research in 2017, the prosecutors' offices in BiH openness decreased by 1.08% in 2018.

When looking at the institutions individually, Brčko District Prosecutor's Office has the best result, with 65.22% of indicators met, while the Cantonal Prosecutor's Office of Western Herzegovina Canton has the lowest score – 25.38% of indicators met.

Although there are differences between institutions, there are also similarities between them, so we could extrapolate recommendations which can apply to all the institutions.

## **ACTION STEPS**

### ACCESSIBILITY

When it comes to accessibility, the prosecutors' offices in BiH meet 64.72% of set indicators, which is the highest recorded percentage within the prosecutors' offices openness principle.

To further improve the situation, the institutions should implement some of the following recommendations:

- Institutions need to publish FOI approved requests, and the Register of information they have in their possession.
- Data that is being published needs to be in open data format, and appropriate training needs to be conducted for persons who are responsible for publishing the data in open formats.
- FOI guides need to be published, as well as contacts of person or persons who are responsible for handling these requests.

### AWARENESS

Indicators for the awareness principle were fulfilled at a rate of 54.09%. Since this principle is comprised mostly of indicators related to reports on performance, it has been noted that these reports are not delivered to the relevant authorities in a timely manner.



These reports should also include data on disciplinary measures and complaints against prosecutors.

Some of the recommendations are as follows:

- Yearly reports need to be delivered to the competent authorities in a timely manner.
- Yearly reports need to include data on disciplinary measures and complaints against prosecutors.
- Yearly reports need to include data on solved cases, verdicts etc.

## INTEGRITY

The Integrity principle was fulfilled with 44.32% success rate, and key problems that were identified are a lack of Integrity plans and non-publishing of codes of ethics. Recommendations are as follows:

- Publish the Code of Ethics for prosecutors on the websites of the Prosecutors' Offices.
- Compose and publish the Integrity plan for prosecutors (a document which clearly outlines measures for prevention and elimination of different forms of corrupt and unethical behavior within the institution).

## TRANSPARENCY

In the area of transparency, the Prosecutors' Offices in BiH fulfilled 38.12% of the set indicators. One of the positive findings in this area is that almost all Prosecutors' Offices regularly publish news and other content on their websites, and the fact that more than half of the Prosecutors' Offices publish names and contacts of prosecutors on their websites.

However, there is still a significant number of flaws that were noted during the monitoring, and in order to improve the score, institutions should implement the following recommendations:

- Publish the data on salaries of the prosecutors on the websites.
- Publish current strategies by which the prosecutors' office is acting.
- Publish yearly Work programs on websites.
- Publish organograms of institutions on the websites.
- Set up online notice board on the websites.

## **8. COURTS**

### **GENERAL CONCLUSIONS**

The monitoring included a total of 18 courts from all levels of government: four basic courts in Republika Srpska, two cantonal courts in the Federation of BiH, eight municipal courts in the Federation of BiH, two commercial courts of Banja Luka, the District Court of Doboj, the Supreme Court of the Federation of BiH and the Court of Bosnia and Herzegovina.

When it comes to the overall results of the courts in BiH, only 25.66% of the openness indicators were met, which is almost the same result as in the previous research (25.92%). This puts Bosnia and Herzegovina in last place. Montenegro, whose courts have satisfied 56.79% of openness indicators is the best in this area. The courts in BiH are also below the regional average of 37.24%.

The highest ranking court in the research is the Court of Bosnia and Herzegovina, which satisfies 68.40% of the set indicators, while the worst result was achieved by the Kalesija Municipal Court with only 10.19% of the satisfied indicators.

As in the case of prosecutorial and judicial institutions, they are viewed through four basic principles: accessibility, awareness, transparency and integrity, and institutions could improve their openness by implementing the following recommendations.

### **ACTION STEPS**

#### **ACCESSIBILITY**

In the category of accessibility, the courts in Bosnia and Herzegovina in the last research satisfied 22.12% of the set indicators - a decrease in this area compared to 24.02% of the set indicators in the 2017 research. Access to information in all courts researched is only 6.94%.

The most obvious problems are the non-publication of verdicts with explanations, the non-publication of information for which a request for access to information has been granted, the absence of special departments for communication with the public, the lack of electronic databases of court verdicts and also the non-publication of data in an open data format.

In order to improve the result in this area, the following recommendations need to be implemented:

- Establish electronic databases for court verdicts.
- Publications of verdicts, accompanied by explanations.
- Update the Access to Information Guides once a year and make them available on the court's official website.
- Establish citizen complaint lines.
- Establish a public relations department.
- Organize trainings to familiarize those in charge of publishing data with open data formats and adopt the practice of publishing that data in machine-readable formats.

## **AWARENESS**

In terms of awareness, judicial institutions in Bosnia and Herzegovina met 27.06% of the set indicators. The key problems are the lack of information on disciplinary measures and appeals filed against judges, non-publication of statistics on the number of cases, the duration of the proceedings and the number of verdicts rendered, etc. An additional problem is the fact that reports are not sent to the competent institutions on time.

The recommendations are as follows:

- Work reports should be submitted to the relevant institutions within the deadlines set out for this purpose.
- Information on disciplinary measures and complaints against judges should be included in the work reports.
- Publication of statistics on the number of cases, the length of the process and the number of verdicts.

## **INTEGRITY**

In the area of integrity, the courts in BiH meet 34.44% of the set indicators. In this area, the biggest problems are the lack of integrity plans, which would prescribe correct measures to prevent corrupt and unethical behavior, as well as the failure to publish a Code of Ethics for judges.

In order to improve results in this area, it is necessary to:

- Develop and publish an Integrity Plan (a document that clearly identifies measures for the prevention and elimination of various forms of corrupt and unethical behavior within an institution).
- Publish the Code of Ethics for Judges on the official website of the courts.

## **TRANSPARENCY**

As in the previous research, the Courts of Bosnia and Herzegovina achieved the best result in the area of transparency with 27.28% of the set indicators being fulfilled this year, which is a clear decrease from the previous research, as 35.90% of the set indicators were fulfilled in last year's report.

The annual work programs of judicial institutions are not published, nor are current strategies under which the judiciary operates, there are no documents to ensure transparency, nor are the salaries of judges or organograms of the institutions published.

Following the research, it can be concluded that these institutions in the area of transparency could improve their results by implementing the following recommendations:

- To publish the annual work plans of the courts on official websites.
- To publish currently valid court action strategies.
- To announce the salaries of judges.
- To post information from bulletin boards on websites.
- To establish strategies to ensure openness and transparency.

## **9. HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BIH**

Unlike the countries of the region, which have separate judicial and prosecutorial councils within their judicial systems, Bosnia and Herzegovina has one body in charge of securing an independent, objective and professional judiciary in BiH, the High Judicial and Prosecutorial Council of BiH. In order to make the research results comparable to regional results, the methodological approach required examination of separate indicators relating to judicial and prosecutor office, through the competences of the HJPC towards them.

## The High Judicial and Prosecutorial Council of BiH through judicial indicators

The HJPC BiH meets 64% of the judicial indicators of openness and ranks second behind Montenegro (80%). When it comes to the regional average, the HJPC BiH score is slightly better than the average score of 57%.

### ACCESSIBILITY

When it comes to accessibility, the HJPC meets 45% of the indicators set. Problems have been identified in the area of access to information: no information for which access has been granted on requests for access to information has been published, nor an updated Guide to Access to Information has been published. In addition, it is necessary to establish guidelines for cooperation with the media when it comes to monitoring the work of the Council. Also, guidelines for citizens who wish to file complaints have not been published, nor is there a direct channel available on the website through which complaints and complaints can be directed.

Based on the analysis, the recommendations are as follows:

- Publish information for which access has already been granted on requests for access to information.
- Update the Guide to Access to Information once a year and make it available on the HJPC official website.
- Establish guidelines for cooperation with the media when it comes to monitoring the work of the Council.

### AWARENESS

In the area of awareness, the HJPC met 100% of the set indicators. Mechanisms for impartial assignment of cases have been put in place, the annual report includes information on disciplinary proceedings and appeals, and there are documents specifying the content of work reports that other judicial institutions send to the Council.

### INTEGRITY

In the area of integrity, the Council met 74% of the set indicators. Although this is a solid result, it is necessary to establish monitoring mechanisms for the implementation of the Code of Ethics, as well as procedures for breaches of the Code of Ethics. As with other judicial institutions, an Integrity Plan needs to be put in place.

Recommendations for improving the situation in this area of openness are as follows:

- Establish monitoring mechanisms for the implementation of the Code of Ethics.
- Establish procedures for dealing with violations of the Code of Ethics.
- Develop and publish an Integrity Plan (a document that clearly identifies measures for preventing and eliminating various forms of corrupt and unethical behavior within an institution).

## **TRANSPARENCY**

In this area, the HJPC fulfilled only 53% of the set indicators. The biggest concerns relate to the institution's budget, since budgets are not available on the official website. The current strategies under which the Council operates and the salary information within the Council should also be published. Increasing transparency in public procurement is also needed.

The recommendations for improving transparency results are as follows:

- Publish the institution's budget on the official website.
- Publish budget reports on the official website.
- Publish annual work programs on the official website.
- Publish strategies under which the Council operates on the official website.
- Publish salary information of Council members on the official website.
- Publish the concluded public procurement contracts on the official website.

## **The High Judicial and Prosecutorial Council of BiH through prosecutorial indicators**

The HJPC BiH meets 60% of prosecutorial indicators and ranks second behind Montenegro (67%). When it comes to the regional average, the HJPC BiH is significantly better than the average, which is 59%.

## ACCESSIBILITY

The principle of accessibility, followed through prosecutorial indicators, meets only 41% of set indicators. Problems have been identified in the area of access to information, as information for which access had already been granted upon requests for access to information has not been published. An updated Guide to Access to Information has not been published either. In addition, it is necessary to establish guidelines for cooperation with the media when it comes to monitoring the work of the Council. There is no direct channel on the website via which citizens can submit complaints or objections. Based on the research, the recommendations are as follows:

- Publish information for which access has already been granted on requests for access to information.
- Update the Guide to Access to Information once a year and make it available on the HJPC official website.
- Establish guidelines for cooperation with the media when it comes to monitoring the work of the Council.

## AWARENESS

The awareness principle, followed through prosecutorial indicators, meets 100% of set indicators. Mechanisms for case allocation have been put in place, the annual report includes information on disciplinary proceedings and appeals, and there are documents specifying the content of work reports that other judicial institutions send to the Council.

## INTEGRITY

In the area of integrity, the HJPC meets 71% of the set indicators. To improve this result it is necessary to:

- Establish monitoring mechanisms for the implementation of the Code of Ethics, as well as procedures for breaches of the Code.
- An Integrity Plan (a document that clearly identifies measures for the prevention and elimination of various forms of corrupt and unethical behavior within the institution) should also be established.

## TRANSPARENCY

When it comes to transparency indicators, only 53% of them are met. The key changes to be made relate to the budgets, specifically their proactive publication, the publication of all budget reports for the last three years, and transparency of the procurement process, as well as transparency regarding the staff of this institution. To improve the result, the following recommendations must be fulfilled:

- Publish the institution's budgets on the website, for the last three years minimum.
- Publish budget reports on the website, for the last three years minimum.
- Publish annual work programs on the website, for the last three years minimum.
- Publish the strategies under which the Council operates on the website.
- Publish salary information of Council members on the website.
- Publish information about employees (names, positions and contacts) on the website.
- Develop documents regarding the openness and transparency of institutions.
- Publish the finalized public procurement contracts on the website.

## 10. METODOLOGY

The Regional Index of Openness is a composite indicator that measures the degree to which governments in the Western Balkan countries are open to citizens and society. Openness is a key condition for democracy because it enables citizens to obtain the information and knowledge they need to equally participate in public debates, to take enlightened decisions and to hold governments accountable. Openness also supports good governance because it allows governing elites to reconsider and draw on ideas and expertise dispersed in society.

The Regional Index of Openness measures the extent of institutions' openness to citizens and society based on the following four principles: transparency, accessibility, integrity and awareness. The principle of transparency means that a government provides clear and relevant public information on its work. This information relates to the organization and work of government institutions, mostly to budgeting and public procurement procedures.

Accessibility is related to ensuring and adhering to procedures on free access to information as well as strengthening interaction with citizens. Integrity includes mechanisms for preventing corruption, adopting codes of conduct and regulating lobbying activities. The last principle, awareness, is related to monitoring and assessment of policies which are conducted. Awareness denotes the availability and provision of information and knowledge within the government.



The four principles are further disaggregated into individual questions that are assessed on the basis of the information availability on official websites, legal framework's quality for specific questions, and other sources of public informing and questionnaires delivered to institutions. The Openness Index assesses how these four principles are realized in the following institutions or sets of institutions: core executive; line ministries; executive agencies; parliament; local self government; courts; public prosecution. Since these institutions perform different functions in the process of governing or policy-making, individual questions are adapted to match the profiles of the respective institutions.

## **METHODOLOGICAL CONSTRAINTS**

Research methodology provides a formal insight into the achieved level of institutional openness in the region. However, in certain cases, its conclusions on how the institutional openness functions on the ground are limited. The very existence of the legal framework on institutional openness is not a guarantee that good governance principles are implemented in practice. This research provides a space for further, in-depth policy analyses of particular segments of openness and good governance principles implementation, which would be valuable for obtaining a comprehensive and clear picture of the openness of public institutions in the region.

Moreover, differences in governance structure and territorial organization between Western Balkans countries limit, to a certain extent, the comparative assessment of the achieved levels of institutional openness. In that regard, results of executive, legislative and judicial openness sometimes do not reflect actual relations between different institutions at both national and regional levels.

Members of the Action SEE network undertook improvements and modifications of the research methodology and its indicators on the basis of the results and findings from the monitoring conducted in 2016, hoping that the new information obtained would contribute to better project results. The goal to use new and improved indicators is adding a new dimension to the research and more efficient approach to improvement of openness of institutions in the region.

Possessing the knowledge, concrete results and analysis of regional openness, and believing that the institutions of executive power would work on improvements in the area led by simply presented steps for making the improvements, we decided to advocate for the higher level of openness of institutions of government in the region.

Through about 80 indicators per institution, we measured and analyzed the openness of 645 government institutions through 30,000 indicators. After the monitoring was carried out, a control phase followed that showed a standard measurement error of +/- 3%.



## 11. PROJECT

Good governance is key to the rule of law. While corruption, transparency, rule of law and good governance are always in the spotlight, the understanding of systematic problems, which hardly receive sufficient coverage, remains very limited.

**“ACCOUNTABILITY, TECHNOLOGY AND INSTITUTIONAL OPENNESS NETWORK IN SOUTHEASTERN EUROPE - ACTION SEE”** project aims to raise awareness of such challenges by facilitating cooperation among civic organizations and consolidated strategic efforts for representation.

**ACTION SEE** provides a platform for dialogue and a concrete tool for measuring the degree to which state institutions uphold principles and standards of open governance (Index of Openness).

The project aims to increase the inclusion of civic society and media organizations in decision making processes and the creation of public opinion and policies, as well as to raise the capacity of civic societies to address sensitive issues.

### SPECIFIC PROJECT GOALS

Promote a dynamic civic society which effectively mobilizes citizens for active participation in issues related to the rule of law and good governance and affects policies and decision making processes at a national and regional level.

Strengthen mechanisms for dialogue between civic organizations and government institutions and influence good governance and public administration reforms.

Stimulate civic and media organization networking at local and EU level, allowing the exchange of know-how, skills and connections, as well as increase the influence of their representation efforts.

**Action SEE** is a network of civil society organizations that jointly work on promoting and ensuring government accountability and transparency in the region of Southeastern Europe, raising the potential for civic activism and civic participation, promoting and protecting human rights and freedoms on the Internet and building capacities and interests within civil society organizations and individuals in the region when it comes to the usage of new technologies to ensure government accountability.

**ACTION SEE** project, funded by the European Union, is implemented by Metamorphosis Foundation, Westminster Foundation for Democracy, CRTA – Center for Research, Transparency and Accountability, Citizens Association Why not?, Center for Democratic Transition, Open Data Kosovo (ODK) and Levizja Mjaft!.

