



ANNEX C1bis: Twinning Light Fiche¹

Project title: Supporting the free access to information, - We rise together.

Beneficiary administration: Agency for protection of the right to free access to public information (APRFAPI) North Macedonia

Twining Reference: MK 21 IPA JH 01 24 TWL

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EU funded project

TWINNING TOOL

¹ For Twinning Light the project Fiche should be detailed as it will form an annex to the Twinning Light Grant Contract together with the selected Member State proposal. The Twinning Light project Fiche, besides all the data and information mentioned under section 2.1.1, provide also concrete indications on how the work plan should be established, on the suggested schedule of activities, on the profile of short-term experts and on indicators and targets that should be used to ensure the timely achievement of the mandatory results.

Acronyms and Abbreviations

APRFAP I	Agency for protection of the right to free access to public information
BC	Beneficiary Country
EC	European Commission
EU	European Union
EUD	European Union Delegation to North Macedonia
IPA	Instrument for Pre-Accession Assistance
IH	Information holders
LFAP I	Law on Free Access to Public Information
MS	Member State
MISA	Ministry of information society and administration
NPAA	National Plan for the Adoption of the <i>Acquis</i>
OG	Official Gazette
PL	Project Leader
SAA	Stabilization and Association Agreement
SDG	Sustainable Development Goals
SSO	State Statistical Office
STEs	Short Term Experts
TAIEX	Technical Assistance and Information Exchange
TNA	Training Needs Assessment
UNECE	The United Nations Economic Commission for Europe

1. Basic Information

- 1.1 Programme: EU Integration Facility; Annual action plan in favour of North Macedonia for 2021; CRIS IPA III/2021/ 043-662; OPSYS ACT-61151 (direct management)
- 1.2 Twinning Sector: *Public administration – good governance.*
- 1.3 EU funded budget: 250,000 EUR
- 1.4 Sustainable Development Goals (SDGs):
SDG16: Peace, Justice and Strong Institutions

2. Objectives

2.1 Overall Objective:

To ensure increased respect for the right of free access to public information (right to know) in North Macedonia.

2.2 Specific objective:

To improve the national policy in the field of transparency and accountability of the information holders in North Macedonia in accordance with the best EU practices and recommendations.

2.3 The elements targeted in strategic documents i.e. National Development Plan/Cooperation agreement/Association Agreement/Sector reform strategy and related Action Plans

Free access to public information is targeted in many strategic documents:

NPAA Ensuring respect for the principles of transparency, merit and equitable representation remains essential. The legal and institutional alignment and support to APRFAPI is according to the National Plan for the Adoption of the Acquis (NPAA).

Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2023 Communication on EU Enlargement policy, North Macedonia 2023 Report,²Brussels, 8.11.2023 SWD (2023) , pg16.

“Citizens’ right to access public information is embedded in legislation. The proactive disclosure of information and datasets on official websites needs to be further encouraged, in particular at local level. The Agency for Protection of Free Access to Public Information processes lodged appeals promptly and proactively monitors information holders despite limited funding.”

European Neighbourhood Policy and Enlargement Negotiations (DG NEAR) Screening report - North Macedonia³, publication date 24 July 2023. [Screening report - North Macedonia \(europa.eu\)](#)

²[SWD_2023_693 North Macedonia report.pdf \(europa.eu\)](#)

³[Screening report - North Macedonia \(europa.eu\)](#)

OECD 2021 MONITORING REPORT⁴: North Macedonia November 2021 -Section Accountability-“The legal framework for access to public information system has improved since 2017 through the adoption of a new Law on Free Access to Public Information (LFAPI) in 2019. However, proactive disclosure of information and datasets on official websites remains very low, which indicates significant gaps in the implementation of the new LFAPI. The APRFAPI does not have legal jurisdiction to conduct regular ex officio inspections of the compliance with the legislation on access to information.”

Strategy of the Agency for Protection of the Right to Free Access to Public Character Information (2021-2025) with an Action Plan puts emphasis on transparency and accountability of information holders. The annual monitoring of the web sites that APRFAPI has started since 2018 under the previous PAR Strategy 2018-2022 and is continuing as an activity / indicator in the **new PAR Strategy 2023-2030**. Over the years the monitoring has evolved since under the new law a broader List of information (Article 10) that information holders are obliged to proactively publish. In 2021 under the IPA2 project Monitoring methodology was developed with the sole aim of consistent implementation of article 10, even though according to LFAPI, APRFAPI does not have the authority to monitor the institutions' websites. According to this methodology APRFAPI conducts its monitoring and produces Monitoring report on annual bases for different information categories. The prepared reports are published on the APRFAPI website and the results are shared with the monitored state institutions. The reports aim is to outline the level of proactive transparency of the institutions. Since APRFAPI has no explicit jurisdiction under the LFAPI except for commendatory or corrective measures, it might be useful if there are changes to the LFAPI on this subject area and APRFAPI jurisdictions.

As mentioned above, this project will contribute to the **Public Administration Reform Strategy 2023 – 2030**⁵, to achieve the goals defined under priority area 3, Responsibility, Accountability and Transparency, or more specific under area on Transparency of information holders on local and regional level, where apart from activities on proactive disclosure of information, activities on raising the overall APRFAPI capacities, amendments to the legislation, as well as the capacities of the information holders i.e. public administration are part of the PAR Action plan 2023-2026.

SPECIAL GROUP on Public Administration Reform -12th Meeting 9 March 2023, hybrid Conclusion under **Accountability** - “The national authorities will tackle the problem of administrative silence and ensure that all requests for public information are responded to within the statutory deadline [*continuous*]. The national authorities will take urgent measures to address the technical, financial and human resources capacities of the Agency for Protection of the Right to Free Access to Information [*Q1 2023*].”

In this section in regards to national documents for transparent operation of the institutions includes the Transparency Strategy of the Government of North Macedonia 2023-2026⁶.

The National Strategy for the Prevention of Corruption and Conflict of Interest (2021-2025) of the State Commission for the Prevention of Corruption (SCPC) adopted by the national Parliament. It defines the integrity concept, with a whole area dedicated to

⁴[Monitoring-Report-2021-Republic-of-North-Macedonia \(sigmaweb.org\)](https://sigmaweb.org/)

⁵[РЕФОРМА ВО ЈАВНА АДМИНИСТРАЦИЈА \(miao.gov.mk\)](https://miao.gov.mk/)

⁶ https://vlada.mk/sites/default/files/dokumenti/strategija_za_transparentnost_2023-2026_mkd.pdf

transparency and accountability of public bodies. It underlines that disclosure of public information is an effective tool that can reduce corruption and increase public administration integrity and accountability.

5th National Action Plan for Open Government Partnership

The report on the implementation of the priority area: transparency, accountability, proactively and inclusiveness October 2021 – October 2022⁷. “The effective realisation of the rights and freedoms of the citizens by increasing the accountability of the institutions is one of the basic commitments of the Government of North Macedonia. Namely, the increase in the level of transparency has a positive impact in terms of the democratisation of the state and that enables the citizens to have control over the institutions. In addition, transparency has a positive effect on the economic development of the country, as well as on its Euro-Atlantic aspirations.

It is complementary with the reform of the public administration and with the achievement of the service orientation of the public bodies. Placing an emphasis on active transparency, and taking into account the new trends and digitalisation processes that are happening in the world, the civil society in the country created and then continuously implemented it the index of active transparency in North Macedonia. However, in the latest European Commission country report on North Macedonia, it was noted that when it comes to the work of civil society organisations and citizens, efforts are needed to improve transparency in the creation of policies and inclusiveness in consultative processes. The legal and financial framework needs to be further improved and implemented in practice.”

State Audit Office Report⁸

The project proposed under this fiche aims to support the beneficiary institutions, through assistance in the process of legal and administrative harmonisation with the best EU practices in the field of proactive disclosure of public information per type and category of state intuitions and strengthening provisions of the legislation.

ANNUAL WORK PROGRAM of the Government of North Macedonia for 2024⁹

On its 220th session, held on 16 January 2024, the Macedonian Government, adopted its annual work program for 2024, where for April it is foreseen to adopt a *draft - law amending the Law on free access to public information*. This might be subject to revision as new government took office in the second half of June 2024.

3. Description

3.1 Background

The right to free access to public information in North Macedonia is a constitutionally guaranteed right (Article 16, paragraph 3 of the Constitution of North Macedonia).

The Law on Free Access to Public Information¹⁰ (hereinafter referred to as LFAPI) was enacted on 22 May 2019 ("Official Gazette of North Macedonia" No 101/2019).

⁷[ESE-POV-Транспарентност-отчетност-проактивност-и-инклузивност.pdf \(ovp.gov.mk\)](#)

⁸[Microsoft Word - KI IT revizija ELS 2 \(dzt.mk\)](#)

⁹[programa za rabota na vrsm za 2024 godina.pdf \(vlada.mk\)](#)

¹⁰<https://aspi.mk/wp-content/uploads/2021/02/Law-on-free-access-to-public-information.pdf>

3.1.1 Institutional framework

As stipulated in the LFAPI, APRFAPI is an independent institution. It is the only state body that operates in the field of protection of the right to free access to public information in North Macedonia.

APRFAPI is the highest state authority in charge of increasing the transparency and accountability of the institutions. It decides upon complaints against the decisions refusing or rejecting the requests of the information holders for access to public information. APRFAPI, also, monitors the active publication of information on the institutions' websites.

Also, APRFAPI prepares annual report which is submitted to the Assembly of North Macedonia.

According to the APRFAPI's organisational structure, APRFAPI duties are organised in two sectors and two independent units. The total number of employees in APRFAPI is 19.¹¹

3.1.2 Current status, needs and justification

APRAFPI's primary objective is to provide users with effective access to public information. It, achieved this public interest through:

- Efficient provision of information following individual requests of information requestors or reactive transparency; and
- Systemic proactive publication of information on the web pages of public institutions.

Over 5-year operations of APRFAPI, APRFAPI has drafted and adopted a large number of by-laws, such as the Guide for delegation of authority.

In addition, under an EU funded project, APRFAPI has participated in the preparation of several documents and acts that regulate and facilitate the procedure for proactive publication of public information, for both APRFAPI and for information holder's use. The project (or APRFAPI) also drafted two analysis, one for amendments of LFAPI and one for training needs of the information holders, as well as the manual for implementation of the harm test. Since time has passed since the end of the project, these documents need to be revised by EU MS experts.

In 2023, APRFAPI through its parent ministry, the Ministry of Justice, has initiated ratification process of the Tromsø Convention. The Assembly of the Republic of North Macedonia, at its 12th session held on August 13, 2024, adopted the [Law on Ratification of the Convention of the Council of Europe on Access to Official Documents](#). In combination of the above mentioned analysis and other documents, a comparative gap analysis and report are expected to be delivered under this project. Furthermore, this project will assist in drafting the related bylaw that will assist the APRFAPI in its endeavours to improve the LFAPI. Actions towards

¹¹ Please see Annex 2 page 30 of this document

increasing transparency and accountability of the government are also foreseen in the Work programme of the Government of North Macedonia 2024-2028¹².

In line with the administrative procedure practice conducted in the Agency, several legal terms related to free access in the appeal procedure were detected as problematic for users, such as the terms "public interest", "public character", "public powers" which are subject to free interpretation. Requestors of information sometimes attempt to seek information which is not considered public information. It is information related to their own, personal, private interest, in cases in which they are already parties before the administrative bodies from which they request access to information for the realisation of some of their individual rights and interests, for the provision of evidence in court and other proceedings in which they are parties. In that direction, this project is to propose regulation of what "public interest" is, as well as, the so-called "unreasonable use of access to public information", a term used in the Convention on Access to Official Documents of the Council of Europe (Tromsø Convention). Both terms are of vital need to be clarified, with supporting by-laws and manuals, which will be useful both for the officers responsible for implementing access to information regulations, and for the requestors of public information. Finally, they will be useful for the APRFAPI employees.

Another legislative issue is the harm test procedure, which is a tool that should be applied when dealing with a request for access to information, APRFAPI finds inconsistent and incorrect the use of this tool by the information holders. Therefore, it is necessary to prepare by-laws that will contain more precise explanation of the meaning, application and drafting of the harm test. This will include as well specific cases. The project is also to prepare training and educational material for raising the capacities of APRFAPI and the capacities of the information holders.

The necessity of continuous improvement of the proactive transparency of the institutions is also growing. It is APRFAPI's top priority, as the APRFAPI monitoring of the websites of the information holders reveals the need to improve the proactive transparency of the institutions. It relates to the self-initiative and publication of 22 categories of information contained in Article 10 paragraph 1 of the LFAPI. In addition, since 2021 APRFAPI is an active member of the working group for amendments to the Law on utilisation of public sector data¹³, which is under responsibility of the Ministry of Information Society and Administration (MISA)¹⁴. This project is to assist the APRFAPI in providing comments and recommendations in line with the EU Directive 2019/1024 on open data and the re-use of public sector information and of the Tromsø Convention.

For this purpose, in addition to improving the legal framework in this area supported with manuals and by-laws, it is necessary to continue to work on raising awareness and to encourage the accountability and transparency of proactive disclosure of public information by the public institutions, especially among officials and appointed heads of institutions.

¹²<https://www.sobranie.mk/detali-na-materijal.nspx?param=3ae13141-ac9e-486a-950e-f603c34dcea4>

¹³https://www.mioa.gov.mk/sites/default/files/pbl_files/documents/legislation/zakon_za_koristenje_na_podatoci_te_od_javniot_sektor-eng.pdf

¹⁴ Note: this ministry is subject to change as of July 2024

Under the IPA 2 project, two electronic portals have been developed, one for communication with the information holders (community portal) and the other is a portal for requesters. This portal is a combination of proactive and reactive transparency, a tool that requires continuous updating and maintenance, as well as greater promotion for the use requesters to use the same, all with the aim of raising APRFAPI's e-services and digitization.

Based on its Annual work programme, APRFAPI organises regular training sessions for IH's. Sometimes these sessions are organised with financial support and cooperation with non-governmental organisations due to lack of budget funds. According to the conclusions from the APRFAPI's trainings analysis there is a frequent change of officers responsible for providing public information (partially due to retirement, change of job, etc.). Consequently, APRFAPI points out that it is necessary to work on continuous training and building of the capacities of the IH for proactive and reactive transparency, both at the central and local level.

From all the above reasons of detected areas and needs of support for improvements it is considered that twinning with an appropriate EU member state authority responsible for free access to public information.

3.2 Ongoing reforms:

3.2.1. PAR Strategy 2023-2030 and PAR Action Plan 2023-2026

This project shall contribute to the implementation of the Public Administration Reform Strategy 2023 – 2030, to achieve the goals defined under priority area 3, Responsibility, Accountability and Transparency. More specifically this area foresees activities on proactive disclosure of information, activities on raising the capacities of APRFAPI and of the officers of the information holders for handling requests for free access to information, amendments to the legislation, as well as the awareness raising of the general public.

- PASSPORT INDICATOR

% of institutions that regularly publish and update on their websites the documents that they are obliged to publish and update according to legal regulations.

3.2.2. Bilateral screening for public administration reform is one of the key priorities, as PAR is part of the Copenhagen criteria and an important prerequisite in the process of the European integration of the North Macedonia into the EU.

APRFAPI is directly involved in the screening process. It participated in the bilateral meetings, specifically for public administration, for chapter 32 - financial control, and for functioning of democratic institutions, all part of cluster 1 - fundamental values cluster. The APRFAPI remains committed to strengthening the transparency, accountability and openness of institutions, in the interest of building a democratic society based on European values.

3.3 Linked activities:

3.3.1 On 23-24 .04.2021 under the EC TAIEX instrument, APRFAPI hosted a two-day online event on the topic: "Free Access to Public Information". Experts from Croatia, Slovenia and Bulgaria shared their experiences with about 40 officials of the information holders, representatives of civil society organizations and APRFAPI employees.

The purpose of the workshop was to provide an exchange of experiences and practices in dealing with received requests for free access to public information, guidelines for processing of the requests, application of the harm test, and how to correctly treat the exceptions from the

Law. Most interesting experience shared was regarding the provisions in the Croatian legislation on the excessive abuse of the law by the requestors, and the possible solutions for overcoming problems arising from the application of the Law.

3.3.2 Support and continuation of some ICT and other activates and materials obtained by APRFAPI through the EU project funded IPA2 "Promoting Transparency and Accountability in Public Administration in North Macedonia" (ProTracco) -2019-2022

3.3.3. PAR Strategy 2023-2030, Action Plan 2023-2026 activities in regards to APRFAPI

3.4 List of applicable Union acquis/standards:

The existing national legislation addresses some of the below principles.

- Access to Information can be defined as the right to seek, receive and impart information held by public bodies. It is an integral part of the fundamental right of freedom of expression, as recognized by Article 19¹⁵ of the [Universal Declaration of Human Rights](#) (1948), which states that the fundamental right of freedom of expression encompasses the freedom to “to seek, receive and impart information and ideas through any media and regardless of frontiers”.
- Transparency is one of the EU’s key principles. It requires the EU to disclose information on policy-making and spending and to uphold the principle of freedom of information. These principles are set out in the EU treaties. Where under Article 10 of the [Treaty on European Union](#) stipulates that open decision-making is carried out ‘as closely as possible to the citizen’. Article 11 states that both individuals and representative associations should be given the opportunity to ‘make known and publicly exchange their views in all areas of Union action’. The [Treaty on the Functioning of the European Union](#) ¹⁶expands on these points. It states that the EU institutions are obliged to act publicly and to ensure that individuals and any natural or legal person residing or having its registered office in an EU country can access documents (Article 15).¹⁷
- **Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents Official Journal L 145, 31/05/2001 P. 0043 – 0048**¹⁸ (2) Openness enables citizens to participate more closely in the decision-making process and guarantees that the administration enjoys greater legitimacy and is more effective and more accountable to the citizen in a democratic system. Openness contributes to strengthening the principles of democracy and respect for fundamental rights as laid down in Article 6 of the EU Treaty and in the Charter of Fundamental Rights of the European Union.

¹⁵[International standards: Right to information - ARTICLE 19](#)

¹⁶[Consolidated version of the Treaty on European Union \(europa.eu\)](#)

¹⁷[EUR-Lex - 12012M/TXT - EN - EUR-Lex \(europa.eu\)](#)In practical terms, this means that you are entitled to access documents by the EU institutions, bodies and agencies, including legislative texts, official documents, meeting minutes and agendas. Follow the links on this page to access their databases and public registers, where you can obtain documents either directly online or upon request.

¹⁸[r1049_en.pdf \(europa.eu\)](#)

- [The Council of Europe Convention on Access to Official Documents](#) (CETS No. 205)¹⁹, also known as the *Tromsø Convention*, entered into force on 1 December 2020. North Macedonia is a signatory to the convention since 18.06.2009. This Convention is the first binding international legal instrument to recognise a general right of access to official documents held by public authorities. Transparency of public authorities is a key feature of good governance and an indicator of whether or not a society is genuinely democratic and pluralist. The right of access to official documents is also essential to the self-development of people and to the exercise of fundamental human rights. It also strengthens public authorities' legitimacy in the eyes of the public, and its confidence in them.
- **The United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters**, usually known as **the Aarhus Convention**²⁰, was signed on 25 June 1998 in the Danish city of Aarhus. It entered into force on 30 October 2001. As its title suggests, the Convention contains three broad themes or 'pillars': Access to information, Public participation and Access to justice. In regards to the Access to Information pillar, or the main areas encountered by this convention are further elaborated in the [Content of the Convention](#)²¹.
The Convention also contains several more specific provisions. Among which is the area of Internet access, for which on May 2025 a non-binding [Recommendations on the More Effective Use of Electronic Information Tools to Provide Public Access to Environmental Information](#)²² were developed to provide guidance on implementation of the above provisions.
- **The 2030 Agenda for Sustainable Development, in its Sustainable Development Goal 16**, aims to ensure public access to information as part of the realisation of the broader right to access to information. The SDG Indicator 16.10.2 is used for assessing progress on the reporting on statutory and/or policy guarantees for public access to information. One of the “Principles of Access to Information”¹⁶ which is of relevance to this policy brief is the principle of “limited exemptions” to the right to information.
- Accession of new countries to the European Union (EU) is governed by Article [49](#)²³ of the Treaty on European Union (TEU). A country wishing to join the EU:
 - Must be a European state and must respect the common values held by EU Member States and undertake to promote them — these values are human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities (Article [2](#) of TEU).
 - A country is granted candidate country status by the European Council following an opinion from the European Commission, drawn up following that country's application for EU membership. Candidate status does not give the country an

¹⁹[Full list - Treaty Office \(coe.int\)](#)

²⁰[Introduction | UNECE](#)

²¹[Content of the Convention | UNECE](#)

²²[g0531399.doc \(unece.org\)](#)

²³[EUR-Lex - 12016M049 - EN - EUR-Lex \(europa.eu\)](#)

automatic right to join the EU. During its accession process, the candidate country demonstrates that it meets the accession (Copenhagen) criteria and is able to take on the rights and obligations of EU membership.

In addition, the Twinning partners will also consider all relevant updates of the EU regulations.

3.5 Components and results per component

The project is structured in two components:

Component 1: Policy and legal framework development

Mandatory Result 1: The legal framework of the Law on free access to public information is strengthened in compliance with EU regulations and best practices.

Component 2: Capacity and human capital development for reactive and proactive transparency

Mandatory Result 2: The institutional and capacities of the APRFAPI's employees and selected pilot institutions are strengthened, with the aim of enhancing the implementation of the LFAPI provisions.

3.6 Expected activities:

The Twinning assistance will be provided in the form of know-how transfer, and will be delivered through the activities that will include:

Component 1: Policy and legal framework development

Mandatory Result 1: The legal framework of the Law on free access to public information is strengthened in compliance with EU regulations and best practices.

Activity 1.1: Providing support and prepare comprehensive recommendations, analysis and new by-laws for reactive transparency in the direction of consistent implementation of the provisions of the LFAPI.

Activity 1.2: Preparation of new by-laws, materials and manuals on the public interest, the so-called "unreasonable use of access to public information", for both, information holders and for requesters.

Activity 1.3: Providing support for the revision of the by-laws and deliver new manual for conducting the harm test.

Activity 1.4: Deliver new training and educational material aimed at advancing the legislation in the field of reactive transparency for both, information holders and for requesters.

Activity 1.5: Established and strengthened institutional framework and by-laws for proactive transparency.

Activity 1.6: Providing support and deliver training materials aimed at advancing the legislation in the field of proactive transparency.

Component 2: Capacity and human capital development for reactive and proactive transparency

Mandatory Result 2: The institutional and capacities of the APRFAPI's employees and selected pilot institutions are strengthened, with the aim of enhancing the implementation of LFAPI provisions.

Activity 2.1: Raising the capacities of the APRFAPI's employees for reactive transparency.

Activity 2.2: Raising the capacities of the APRFAPI's employees for proactive transparency.

Activity 2.3: Support to the APRFAPI's technical capacities.

Activity 2.4: Support and deliver trainings for different categories of information holders (IHs).

Production of visibility, promotional and educational materials for training sessions and stakeholders. At least two major visibility events will be organised in the course of the implementation of the project: Kick-off meeting at the start of the implementation process and the Final event at the end of project implementation activities.

3.7 Means/input from the EU Member State Partner Administration(s)

The MS twinning partner shall make available a team of experts suitably qualified to carry out all activities envisaged under this contract and deliver the mandatory results herein described. The team will comprise non-resident project leader and a team of short-term experts.

Profile and tasks of the PL:

Qualification and skills:

- University level education in an area relevant to the project or equivalent professional experience of at least 8 years;
- At least 3 years of specific experience in EU MS administration/assimilated body in the area of *acquis* linked to free access to public information, such as the legislation on protection of the right to free access to public information, disclosure of public information and proactive publication and transparency, proactive transparency, training and education, and other areas related to management and implementation of legislation on free access to information;
- Experience in project coordination in international and/or EU funded projects will be considered as an asset;
- Fluency in written and spoken English.
- Computer literacy.

The main tasks of the Member State Project Leader are:

- Conceive, supervise and coordinate the overall Twinning project;
- Coordinate and monitor the overall implementation of the project including coordination and direction of the MS Twinning partner;
- Coordinate MS experts' work and availability;

- Permanent contacts with the main counterpart in the BC;
- Ensure the backstopping functions and financial management;
- Guarantee from the MS administrative side, the successful implementation of the Project's Work Plan; participate in meetings of the Project Steering Committee with the BC PL;

3.7.1 Profile and tasks of the Component Leaders:

Qualifications and skills:

- University degree in an area relevant to the project or equivalent professional experience of 8 years;
- At least 3 years of specific experience in MS administration in projects dealing with legislation on protection of the right to free access to public information, areas of reactive and proactive transparency, training and education in the field of transparency, and other related areas;
- Fluent in written and spoken English.
- Experience in international cooperation projects as regards to alignment of free access to public information legislative would be an asset.

3.7.2 Profile and tasks of the short-term experts:

Qualification and skills:

Short Term Experts shall comply with the following minimum requirements:

- Have a university degree in an area relevant to the project, or equivalent professional experience of 8 years;
- At least 3 years of professional working experience in the following areas: development of policies and bylaws on free access to public information, legal harmonisation, practical experience in proactive and reactive transparency, development of training and education materials for IH officials and officers and training of employees, transposition of legislation related to EC regulations on free access to public information;
- Be fluent in English, both oral and written.
- Good skills in reporting and communication.

Tasks:

The Short-Term experts will:

- Prepare and implement specific tasks based mainly on practical cases and experience in compliance with their mission description and in accordance with Project activities;
- Provide practical expertise/advice to relevant staff for execution of different tasks related to the project;
- Assist in key tasks, e.g. in the field of revision of by-laws and development and revision of procedures

- Preparation and reporting work, before and after missions to the Beneficiary country; and
- Address cross-cutting issues.

4. Budget

The total budget for this Twinning project is EUR 250.000

	IPA Contribution	TOTAL
Twinning light contract	EUR 250,000	EUR 250,000

5. Implementation Arrangements

5.1 Implementing Agency responsible for tendering, contracting and accounting:

The Delegation of European Union in the Republic of North Macedonia will act as a Contracting Authority for the project, which will be responsible for all aspects for the project (selection, contracting and payments).

Mr Steffen Hudolin
 Head of Cooperation
 Delegation of European Union
 Sv. Kiril I Metodij 52b, 1000 Skopje
 Republic of North Macedonia

The contact person on behalf of the EU Delegation is:

Ms Ruzica Andronikova
 Programme Manager
 Delegation of European Union
 Sv. Kiril I Metodij 52b, 1000 Skopje
 Republic of North Macedonia

5.2 Institutional framework

The project's final beneficiary institution is the Agency for protection of the right to free access to public information (APRFAPI), Skopje, Republic of North Macedonia.

5.3 Counterparts in the Beneficiary administration:

The PL counterpart will be staff of the final beneficiary administration and will be actively involved in the management and coordination of the project.

5.3.1 Contact person:

Ms Aleksandra Stojanovska
Advisor for international cooperation
Unit for international cooperation and projects
Agency for protection of the right to free access to public information (APRFAPI)
Goce Delcev Blvd, No18 (14th floor) 1000 Skopje,
Republic of North Macedonia

5.3.2 PL counterpart

Ms. Plamenka Bojceva
Director
Agency for protection of the right to free access to public information
Goce Delcev Blvd, No18 (14th floor) 1000 Skopje
Republic of North Macedonia

6. Duration of the project

The overall execution period of the Twinning contract is 13 months.

The **implementation period of the Action will last 10 months**, taking into account the comprehensive set of activities envisaged within the project and the necessity for their realisation in order to achieve substantial progress in the field of free access to public information. The execution period of the contract shall enter into force upon the date of notification by the Contracting Authority of the contract signed by all parties, whereas it shall end 3 months after the implementation period of the Action.

7. Sustainability

The achievements of the Twining Light project will be retained as a permanent asset to the beneficiary after the project implementation is completed.

The results achieved with this project will form the basis for a solid fully operational and legally regulated system for the development of structural policies that will continue to be used by the APRFAPI IH users and, requesters. The new provided materials with new elements based on the experience gathered in the process of its implementation pertaining to:

- Harmonised compliance with EU best practices in the area of proactive publication of public information, and reactive transparency (including monitoring and supervision, handling cases, regulations and by-laws, manuals, etc.);
- Legislated and drafted legal acts for implementation of the EU requirements and best practices, and overall improved implementation of the respective legislation;
- Improved and effective proactive publication and transparency and accountability of state institutions regarding the free access to public information;
- Strengthening the administrative capacities of all stakeholders: APRFAPI, information holders, and information requesters;
- Increasing public awareness of the right to free access to information;
- Recommendation for an upgrade, and possible further support of the IT tools delivered to the APRFAPI under the IPA2 project; and
- Continuation of the campaign launched under the IPA2 project.

8. Crosscutting issues

Equal Opportunity

The principles and practices of equal opportunities to ensure equitable gender participation in the project will be guaranteed. The beneficiary will ensure equal access of men and women to the project activities and results and all other forms of discrimination will be eliminated. Information will be provided in the regular reports of the Twining Light partner regarding the participation rates of the sexes in various events, workshops and seminars.

Based on the fundamental principles of promoting equality and combating discrimination, participation in the project will be guaranteed on the basis of equal access, regardless of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Minorities and vulnerable groups

There are no specific actions which are designed for minority and vulnerable groups. However, since free access to public information is a constitutional fundamental right the project will bring about positive impacts for all citizens, while envisaged awareness rising component will be aimed at all relevant persons regardless of the group they belong to.

Environmental considerations

No adverse environmental effects are envisaged from this project. In addition, the effect of the project will gain more environmental concern and will also apply in the long run in the sense of proactive disclosure and publication on environmental issues and matters of public interest. Any ecological friendly initiative which can be taken must be implemented.

9. Conditionality and sequencing

- Appointment of counterpart personnel by the beneficiary before the launch of the call of proposal and guaranteeing the continuity of the appointed and trained staff;
- Allocation of working space and facilities by the final beneficiary within the premises of the final beneficiaries before contract signature;
- Participation by the beneficiary in the selection process as per EU regulations;
- Organisation, selection and appointment of members of working groups, steering and coordination committees, seminars by the beneficiaries;
- Use and application of project outputs.

Beside the above, there are no special conditions that need to be met in order for the project implementation to commence.

The MS TWL Partner will propose the most effective possible sequence of activities (to their best knowledge and experience) while taking into account the stipulated risks in the logical framework.

10. Indicators for performance measurement

Indicators under Component 1 Policy and legal framework development:

Activity 1.1:

- Number of comprehensive recommendations for consistent implementation of the provisions of the LFAPI produced;
- Comprehensive gap analysis prepared;
- A comparative report prepared, based on conducted analysis in compliance with EU legislation and international best practices and standards regarding free access to public information;

Activity 1.2:

- Number of new by-laws aimed in the field of reactive transparency;
- Number of new instructions/manuals on reactive transparency developed for information holders;
- Number of instructions/manuals on reactive transparency developed for requesters;
- Number of reports on reactive transparency aimed at advancing the legislation in the field of reactive transparency drafted;

Activity 1.3:

- Revision of the by-laws and provide recommendations
- Deliver number of new manuals delivered for conducting the harm test for information holders and APRFAPI employees;

Activity 1.4:

- Number of new educational material prepared for information holder officers and officials/ appointed heads of institutions on reactive transparency;
- Number of new educational material prepared for requesters on reactive transparency;

Activity 1.5:

- Number of by-laws and materials in the field of proactive transparency drafted;
- Number of instructions/manuals on proactive transparency per IH categories developed;
- Number of monitored web sites by categories of information holders and materials developed;
- Number of new mechanisms delivered for publishing of public information on the websites of the information holders;
- Number of reports on proactive transparency aimed at advancing the legislation in the field of proactive transparency drafted;
- Number of recommendations methods for improving the proactive transparency;
- Number of recommendations for APRFAPI delivered with the EU Directive 2019/1024 on open data and the re-use of public sector information provided and the Tromsø Convention.

Activity 1.6:

- Number of educational material prepared for information holder officers and officials/ appointed heads of institutions, as well as for APRFAPI employees on proactive transparency.

Indicators under Component 2: Capacity and human capital development for reactive and proactive transparency**Activity 2.1:**

- Number of employees trained in house of the APRFAPI's Sector for Administrative-Legal and General Affairs
- Number of employees that attended the study visit to MS with practical demonstration (on-site experience in MS)

Activity 2.2:

- Number of employees trained in house of the APRFAPI's Sector for Cooperation, Transparency and Education
- Number of employees that attended the study visit to MS with practical demonstration (on-site experience in MS)

Activity 2.3:

- Number of recommendations and assistance provided for upgrade of the deployed ICT services (In need of external service support of the existing ICT software tool, the e-portal for requesters and e-portal for information holders).
- Report with recommendations for improvement of the ICT management system and software solutions prepared.

Activity 2.4:

- Number of information holders officers trained
- Number of information holders officials/heads of institutions trained
- Number of trainings delivered for information holder officers and officials/ appointed heads of institutions, on reactive transparency.
- Number of trainings delivered for information holder officers and officials/ appointed heads of institutions, on proactive transparency.
- Report with recommendations on trainings of information holders officials/heads of institutions

11. Facilities available

The project will be located in the premises of the APRFAPI. The APRFAPI will ensure appropriate support and basic equipment for the work of the experts. The final beneficiary administration shall make available, free of charge, appropriate venues for all activities performed in the Beneficiary country. This includes administrative support, office space, computers, telephone and fax and other necessary facilities. This contribution shall also include logistical support for various training activities, including selection of trainees (in consultation with the MS/Mandatory body experts), as well as providing the MS/Mandatory body experts with the documents and information necessary for project implementation. For project interventions the APRFAPI shall provide the MS experts with all the necessary support throughout the period of their intervention.

ANNEXES TO PROJECT FICHE

1. Simplified Logical framework (Annex 1 pg. 20-29)
 2. APRFAPI organizational structure operations (Annex 2 pg.30)
 3. Relevant Laws and Regulations. Please visit APRFAPI web site [Laws and By-laws](#)
 4. Reference to relevant Government Strategic plans and studies:
 - a. [OGP Report](#) (Annex 3 pg.31-32)
 - b. APRFAPI's data and materials other materials²⁴such as: [Annual Reports](#), [Work Programs](#), [Strategies](#) etc.
 - c. [Analysis of the application of the Law on Free Access to Public Information with recommendations for improving the system for free access to information.](#)
 - d. Report on the compliance of the Law on the use of public sector data with Directive (EU) 2019/1024 of the European Parliament and of the Council of June 20, 2019 on open data and reuse of public sector information (April 2022) Annex 1 Table on compliance of the Law on the use of data from the public sector with Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and reuse of information from the public sector (April 2022)
 - e. [Guidelines for improving the transparency of institutions in the public sector](#)
 - f. Materials from the legal department of the APRFAPI, for the amendment and addition of the LFAPI and
 - g. Proactive Monitoring Reports prepared by the Department for cooperation and [analysis](#).
 5. The project/sector monitoring framework
 - [PAR Strategy 2023-2030 and Action Plan 2023-2026](#)
 6. [SIGMA Sector assessment reports](#)
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Annex 1: Simplified Logical Framework

	Description	Indicators (with relevant baseline and target data)	Sources of verification	Risks	Assumptions (external to project)
Overall objective	To ensure increased respect for the right of free access to public information (right to know) in North Macedonia.	Achieved progress of North Macedonia towards the EU accession processes and respect of human rights	Project Final Report EC Progress Report SIGMA Monitoring Report PAR Reports	Lack of commitment from the managers/high level decision-making of the beneficiary institutions and relevant stakeholders and personnel to participate in the activities of the project;	Government maintains its efforts to adopt the Union acquis, amendments to the law on free access to public information and to maintain the way for final EU accession;
Specific objective: To improve the national policy in the field of transparency and accountability of the information holders in North Macedonia in accordance with the best EU practices and recommendations.	To strengthen the APRFAPI's institutional capacities, management/appointed IH officials and IH officers of state institutions and other stakeholders by implementing international standards and best EU practices and recommendations in the area of transparency and accountability of state authorities. By raising APRFAPI's, requesters and IH capacities in the area of reactive transparency and proactive disclosure of public	1) Relevant by-law prepared 2) Relevant Manuals delivered for IH and requesters 3) Materials revised and delivered in line with best EU practices and conventions on proactive and reactive transparency	• Project progress report • Copies of the developed and revised by-laws • Copies of the revised and developed manuals for stakeholders each	• Legal & regulatory changes impacting the project • External stakeholders have substantial remarks to the new revised or drafted bylaws • Changes in APRFAPI's Management structure	Adoption of legislation amendments by the Government of the North Macedonia; BC institutions staff actively participate in project activities; BC continuously supports and STEs during the implementation of project activities Availability of all necessary data;

	information, with the aim of improving the LFAPI, while ensuring an overall increase of respect of human rights in North Macedonia.	<p>4)APRFAPI staff trained, in-house and on the spot in MS institution</p> <p>5) IH officers and officials/heads of institutions trained</p> <p>6)ICT services deployed</p> <p>7)Increase of transparency and accountability of state authorities</p> <p>8)Improved LFAPI provisions in proactive and reactive transparency</p> <p>9)Increased Requester knowledge of how to properly use this human right of FAPI</p>	<ul style="list-style-type: none"> •Copies of recommendations for APRFAPI •Copies of reports •Increased number of users on the e-portal for requesters •List of participants • Training material •Training evaluation and feedback report •Training certificates 	<ul style="list-style-type: none"> • Fluctuation of APRFAPI's staff involved in the project • APRFAPI's staff unavailable to provide support to MS STEs and project activities participation • project aimed at limited number of employees only • IH officers and officials trained leave their workplace shortly after the project end 	<p>Dedication of high-ranking officials to support the project implementation;</p> <p>Good cooperation between all participants in the project with organizational, technical and human capacities availability</p> <p>Capability and active role of relevant stakeholders to implement project results into practice</p> <p>Provided language translation of necessary documentation (Macedonian, English and Albanian)</p>
Component 1: Policy and legal framework development					
Mandatory Result 1:	The legal framework of the Law on free access to public information is strengthened in compliance with EU regulations and best practices				
Activity 1.1: Providing support and prepare comprehensive recommendations, analysis and new	In the scope of this activity, consultations will be held between the MS experts and experts from APRFAPI's Department for Administrative-Legal and General Affairs in	<p>Relevant laws and by-laws revised</p> <p>Relevant examples and cases inserted</p>	<ul style="list-style-type: none"> •Prepared analysis and report •Copies of the revised by-laws 	<ul style="list-style-type: none"> • Lack of commitment of APRFAPI employees •Insufficient human and technical 	Status and corresponding of EU aquis versus the national legislation versus EU

<p>by-laws for reactive transparency in the direction of consistent implementation of the provisions of the LFAPI.</p>	<p>order to revise the existing manuals and by-laws, determine the priority of implementation of the provisions and legal matters. Manuals and by-laws prepared for improved reactive transparency and legal procedures, when processing requests for free access to public information by information holders in accordance with the best EU standards and practices.</p>	<p>Relevant recommendations delivered for consistent implementation of the provisions of the LFAPI produced;</p> <p>Comprehensive gap analysis prepared;</p> <p>A comparative report prepared, based on conducted analysis in compliance with EU legislation and international best practices and standards regarding free access to public information;</p>	<ul style="list-style-type: none"> •Prepared recommendations •Number of delivered materials 	<p>resources for daily work with Twinning partner</p> <ul style="list-style-type: none"> •Lack of sufficient knowledge and experience from MS experts 	<p>Availability of sufficient and relevant information and materials</p> <p>Active participation of the APRFAPI employees in the project activity</p>
<p>Activity 1.2: Preparation of new by-laws, materials and manuals on the public interest, the so-called "unreasonable use of access to public information", for both, information holders and for requesters.</p>	<p>From practice, APRFAPI finds inconsistent and incorrect use by both IH and requesters. Now with the new Law on Ratification of the Tromsø Convention, it is necessary within this project to prepare a comprehensive analysis with specific manuals and by-laws for several vital provisions of the law, revision of existing manuals and adaptation of the same. Hence in this project, emphasis will be placed on the</p>	<p>Relevant by-laws revised and delivered</p> <p>Relevant recommendations delivered</p> <p>Relevant manuals delivered for both, information holders and for requesters on topics</p> <p>Number of new by-laws in the field of</p>	<ul style="list-style-type: none"> •Copies of the revised by-laws •Prepared recommendations •Prepared manuals and by-laws •Prepared reports 	<ul style="list-style-type: none"> • Lack of commitment of APRFAPI employees •Insufficient human and technical resources for daily work with Twinning partner •Lack of sufficient knowledge and experience from MS experts 	<p>Availability of sufficient relevant information/materials</p> <p>Translation of materials before hand</p> <p>Active participation of the APRFAPI employees in the process of drafting the by-laws and materials</p> <p>Availability of the staff</p>

	<p>meaning of "public interest" and "unreasonable use of access to public information". Also, preparation of educational materials for IN and for requesters on the above topics.</p>	<p>reactive transparency;</p> <p>Number of new instructions/manuals on reactive transparency developed for information holders;</p> <p>Number of instructions/manuals on reactive transparency developed for requesters;</p> <p>Number of reports on reactive transparency aimed at advancing the legislation on reactive transparency drafted;</p>			
<p>Activity 1.3: Providing support for the revision of the by-laws and deliver new manual for conducting the harm test</p>	<p>From practice, APRFAPI finds inconsistent and incorrect use of the harm test tool by the information holders. As well as recommendations and training for APRFAPI legal sector employees.</p> <p>Revision of the existing by-laws and improvement of the same with practical examples and application of the harm test with best EU practices</p>	<p>Relevant by-laws revised</p> <p>Relevant recommendations delivered</p> <p>Number of new manuals delivered for conducting the harm test for information holders and APRFAPI employees;</p>	<ul style="list-style-type: none"> •Copies of the revised by-laws •Prepared recommendations •Number of new manuals delivered for IH and APRFAPI 	<ul style="list-style-type: none"> • Lack of commitment of APRFAPI employees • Insufficient human and technical resources for daily work with Twinning partner •Lack of sufficient knowledge and experience from MS experts 	<p>Availability of sufficient relevant information/materials</p> <p>Active participation of the APRFAPI employees in the process of drafting the by-laws and materials;</p> <p>Translation of materials before hand</p>

<p>Activity 1.4: Deliver new training and educational material aimed at advancing the legislation in the field of reactive transparency for both, information holders and for requesters.</p>	<p>Preparation of training and educational material and by-laws aimed at advancing the legislation in the field of reactive transparency, for both, information holders and for requesters. (Linked with topics covered in activities 1.2 and 1.3)</p>	<p>Number of new educational material prepared for IH officers and officials/ appointed heads of institutions on reactive transparency; Number of new educational material prepared for requesters on reactive transparency;</p>	<ul style="list-style-type: none"> •Copies of educational and training materials in the field of reactive transparency for IH and requesters 	<ul style="list-style-type: none"> • Lack of commitment of APRFAPI employees • Insufficient human and technical resources for daily work with Twinning partner •Lack of sufficient knowledge and experience from MS experts 	<p>Availability of sufficient relevant information/materials</p> <p>Active participation of the APRFAPI employees in the process of drafting the by-laws and materials;</p> <p>Translation of materials before hand</p>
<p>Activity 1.5: Established and strengthened institutional framework and by-laws for proactive transparency</p>	<p>In the scope of this activity consultations will be held between the MS experts and experts from APRFAPI's Department for Cooperation, Transparency and Education for revision of monitoring materials and provide support in development of new manuals and handbooks for each information holder categories (separate for each category). Develop new mechanisms for publishing of public information on the websites of the information holders.</p> <p>Preparation of training and educational material and by-laws aimed at advancing the legislation</p>	<p>Number of by-laws and materials in the field of proactive transparency drafted; Number of instructions/manuals on proactive transparency per IH categories developed; Number of monitored web sites by categories of information holders and materials developed; Number of new mechanisms delivered for publishing of public</p>	<ul style="list-style-type: none"> •Prepared analysis and report •Copies of the revised by-laws •Prepared recommendations •Number of delivered materials •Monitored institutions • Number of new mechanisms • Number of recommendations methods for improving the 	<ul style="list-style-type: none"> • Lack of commitment of APRFAPI employees • Insufficient human and technical resources for daily work with Twinning partner •Lack of sufficient knowledge and experience from MS experts 	<p>Availability of sufficient relevant information/materials</p> <p>Active participation of the APRFAPI employees in the process of drafting the by-laws and materials;</p> <p>Translation of materials before hand</p>

	<p>in the field of proactive transparency.</p> <p>Provide recommendations for APRFAPI in line with the EU Directive 2019/1024 on open data and the re-use of public sector information and the Tromsø Convention.</p>	<p>information on the websites of the information holders;</p> <p>Number of reports on proactive transparency aimed at advancing the legislation in the field of proactive transparency drafted;</p> <p>Number of recommendations methods for improving the proactive transparency</p> <p>Number of recommendations for APRFAPI delivered with the EU Directive 2019/1024 on open data and the re-use of public sector information provided;</p>	<p>proactive transparency</p> <ul style="list-style-type: none"> •Number of reports 		
<p>Activity 1.6:</p> <p>Providing support and deliver training materials aimed at advancing the legislation in the</p>	<p>In the scope of this activity consultations will be held between the MS experts and experts from APRFAPI's Department for Administrative-Legal and General Affairs and Department for Cooperation,</p>	<p>Number of educational material prepared for information holder officers and officials/ appointed heads of institutions, as well</p>	<p>Copies of educational and training materials in the field of proactive transparency for IH officers and</p>	<ul style="list-style-type: none"> • Lack of commitment of APRFAPI employees • Insufficient human and technical 	<p>Availability of sufficient relevant information/materials</p> <p>Active participation of the APRFAPI employees in the process of drafting the by-laws and materials;</p>

field of proactive transparency.	Transparency and Education, to develop and deliver training/educational materials for clarification of the procedure following a request for access to public information, with a special emphasis on the meaning of the institute "unreasonable use of the right to access information" with developed instructions/manuals for appropriate handling of submitted requests for access to public information. As well as, manuals and training materials for information holders in regards to the active transparency obligations under article 10 of the LFAPI. The proactive trainings will be based on the developed manuals under above activity 1.3. (For each information holder categories)	as for APRFAPI employees on proactive transparency.	officials and for APRFPPI employees	resources for daily work with Twinning partner •Lack of sufficient knowledge and experience from MS experts	Translation of materials before hand
Component 2: Capacity and human capital development for reactive and proactive transparency					
Mandatory Result 2:	The institutional and capacities of the APRFAPI's employees and selected pilot institutions are strengthened, with the aim of enhancing the implementation of LFAPI provisions.				
Activity 2.1: Raising the capacities of the APRFAPI's employees for reactive transparency	In the scope of this activity consultations will be held between the MS experts and experts from APRFAPI's Department for Administrative-Legal and General Affairs with Presentation of the above-mentioned by-laws through	Number of employees trained in house of the APRFAPI's Sector for Administrative-Legal and General Affairs	•Copies of the developed training materials per needs of the beneficiary •Developed curriculums and	• Lack of commitment of APRFAPI employees • Insufficient human and technical resources for daily work with Twinning partner	English translation of material in place before project start Ability of the APRFAPI's staff to comprehend the trainings provided and ability to independently accomplish the tasks in the future.

	<p>realisation of workshops for the employees of the APRFAPI with MS experts and other experts. Institutional, and human capital of the APRFAPI through organized in-house trainings on all the new delivered materials and by-laws and on the spot exchange of know-how with EU related institution with provided on-site training of the APRFAPI's team of 8 employees for dealing with cases, the harm test application and handling in cases of improper application of the provisions of LFAPI.</p>	<p>Number of employees that attended the study visit to MS with practical demonstration (on-site experience in MS)</p>	<p>materials of the study visit</p> <ul style="list-style-type: none"> •Reports of the trainings •Certificates 	<ul style="list-style-type: none"> •Lack of sufficient knowledge and experience from MS experts •Organized training sessions for at least in-house 15 employees and two study visits for at least 15 employees according to the request of the beneficiary. 	<p>The APRFAPI' employees who attended the trainings and/or study visit are available.</p> <p>The procedures are used by employees</p> <p>The selection of participants is made based on clear criteria ensuring transparency of the process.</p> <p>Ability of the APRFAPI's staff to comprehend the provided trainings and ability to independently accomplish future tasks.</p>
<p>Activity 2.2: Raising the capacities of the APRFAPI's employees for proactive transparency</p>	<p>In the scope of this activity consultations will be held between the MS experts and experts from APRFAPI's Department for Cooperation, Transparency and Education for preparation of new guidelines for each category of information holders based on art.10 of LFAPI. Preparation of manuals and conducting training for the preparation of analytical reports from the conducted monitoring of information holders developed.</p> <p>Institutional and human capital of the APRFAPI strengthened through organized in-house</p>	<p>Number of employees trained in house of the APRFAPI's Sector for Cooperation, Transparency and Education</p> <p>Number of employees that attended the study visit to MS with practical demonstration (on-site experience in MS)</p>	<ul style="list-style-type: none"> •Copies of the developed training materials per needs of the beneficiary •Developed curriculums and materials of the study visit •Reports of the trainings •Certificates 	<ul style="list-style-type: none"> • Lack of commitment of APRFAPI employees • Insufficient human and technical resources for daily work with Twinning partner •Lack of sufficient knowledge and experience from MS experts 	<p>English translation of material in place before project start</p> <p>Ability of the APRFAPI's staff to comprehend the trainings provided and ability to independently accomplish the tasks in the future.</p> <p>The APRFAPI' employees who attended the trainings and/or study visit are available.</p> <p>The procedures are used by employees</p>

	<p>trainings on all the new delivered materials and by-laws and on the spot exchange of expertise. With MS support and with provided on-site training of the APRFAPI's team of 7 employees to carry out evaluation and monitoring practices of proactive information disclosure and preparation of reports according to EU best practices.</p>				<p>The selection of participants is made based on clear criteria ensuring transparency of the process.</p> <p>Ability of the APRFAPI's staff to comprehend the provided trainings and ability to independently accomplish future tasks.</p>
<p>Activity 2.3: Support to the APRFAPI's technical capacities</p>	<p>ICT APRFAPI new website, DMS (data management system), and two electronic portals for software solutions for information requesters and the community e-portal of information holders; Since the testing period of these portals was the actual year of deployment of the same, APRFAPI is detecting and unfortunately facing some operational issues with both of the portals in 2023.</p> <p>The MS experts will provide recommendations on how to improve the current ICT solutions for better application of the LFAPI and improved APRFAPI e-services (electronic portals). In</p>	<p>Number of recommendations provided and assistance for upgrade of the deployed ICT services (In need of external service support of the existing ICT software tool, the e-portal for requesters and e-portal for information holders).</p> <p>Report with recommendations for improvement of the ICT management system and software solutions prepared.</p>	<ul style="list-style-type: none"> •Copies of the developed materials for ICT •Functionality performance of the delivered IT solutions •Functionality performance of software solutions improved •Increased number of users on the e-portal for requesters 	<ul style="list-style-type: none"> • Lack of commitment of APRFAPI employees • Insufficient human and technical resources for daily work with Twinning partner •Lack of sufficient knowledge and experience from MS experts •Inability to eliminate the technical obstacles of the software solutions 	<p>Availability of employees to participate in the process during the project duration</p> <p>The IT solutions in function and used by requesters</p> <p>Maintenance of the IT solutions by APRFAPI</p>

	need of external service support of the existing ICT software tool, the e-portal for requesters and e-portal for information holders.				
Activity 2.4: Support and deliver trainings for different categories of information holders (IHs)	In the scope of this activity consultations will be held between the MS experts and experts from APRFAP's Department for Administrative-Legal and General Affairs and Department for Cooperation, Transparency and Education, to develop and deliver training/educational sessions for selected pilot institutions. The aim of this activity is to raise the capacities and organized training sessions for IH officers and officials on local and regional level. Organising and hosting educational sessions for IH officers and officials/heads of institutions (at least 5 trainings at the regional level and 2 on central level), for at least 200 IH on regional and 2 in Skopje for over 100 participants on local level.	Number of information holders officers trained Number of information holders officials/heads of institutions trained Number of trainings delivered for information holder officers and officials/appointed heads of institutions, on reactive transparency. Number of trainings delivered for IH officers and officials/appointed heads of institutions, on proactive transparency.	<ul style="list-style-type: none"> •Copies of the developed training materials per needs of the beneficiary •Developed curriculums and materials •List of participants •Training material •Training evaluation and feedback report •Report with recommendations on trainings of IH officers/heads of institutions •Training certificates 	<ul style="list-style-type: none"> • Lack of commitment of NM information holders pilot institutions/ employees •Lack of sufficient knowledge and experience from MS experts • Insufficient human and technical resources for the Twinning partner •Ability to Organization of trainings sessions on local and regional level •Adaptation of the training materials on Macedonian and Albanian language 	<p>English translation of material in place before project start</p> <p>Training materials adopted and prepared in Macedonian for the training target audience</p> <p>Availability of information holder officers and officials to participate on the training sessions</p> <p>The delivered materials are used by information holders</p>

Annex 2 Organisational operations in APRFAPI

The Department for Administrative-Legal and General Affairs, among other things, monitors the implementation of the conditions, method and procedure for exercising the right to free access to public information owned by the information holders; prepares by-laws that APRFAPI adopts in accordance with the LFAPI; follows the legislation of North Macedonia in the area of free access to public information and its implementation; prepares materials for trainings that APRFAPI conducts for the information holders; processes complaints initiated by the information requestors; conducts misdemeanour proceedings through the Misdemeanour Commission that decides on misdemeanours in compliance with the LFAPI; and other activities stipulated by law.

Part of the competences of the Department for Cooperation, Transparency and Education is to communicate with the information holders; process annual reports and prepare and publish the List of Information Holders, with the necessary data on the institutions and on the information holder officers, and constantly updates the List; participates in the realisation of trainings, especially in the domain of proactive transparency; participates in the implementation of the projects of international organisations, related institutions and APRFAPI's collaborators and partners; cooperates with the authorities of other countries and institutions in the field of free access to public information.

As an added value to its operations, APRFAPI monitors the transparency of institutions i.e. the publication of the 22 categories of information that the holders are obliged to publish in accordance with Article 10 of the LFAPI on their web sites. Taking into account the monitoring reports, APRFAPI concluded that most of the information holders do not fully comply with the obligations to publish the information as stipulated by LFAPI. Also, the information that should be proactively published is neither complete nor up-to-date. Data and information was a major problem to find on the websites because the content of the web-sites is not published in a banner on their home pages. According to LFAPI, APRFAPI is not authorised to apply corrective measures, it shares the results with the monitored institutions with guidelines for improvement and publishes the monitoring reports on its website.

In the Department for ICT - information and communication technologies, work is carried out related to providing permanent technical support to employees when using ICT, document management system (DMS), and APRFAPI's web software applications; it takes care of smooth and secure Internet connection for all APRFAPI employees; consultation and training of information holders regarding the application of various APRFAPI ICT tools and software operations. The main focus during the trainings for information holders of the ICT department together with the Department for Transparency are the APRFAPI's electronic portals and their use by the information holders, as well as the technical part of the preparation of the list of information, i.e. proactive transparency.

The work of the Department for Financial Affairs, is related to the preparation of the APRFAPI's budget proposal and its amendments and additions; monitoring of the execution of the APRFAPI's budget; preparation of a financial plan for the execution of the APRFAPI's budget (annual, quarterly and monthly); accounting recording the implementation of the budget and preparing the annual account; providing professional and technical assistance to the APRFAPI Public Procurement regarding the implementation of public procurement procedures and other matters that will be determined in the scope of competences in accordance with laws and other regulations. Organizational structure: [Органограм-АСПИИ.pdf \(aspi.mk\)](#)

Annex 3 OGP Report 2022

Proactive publication of public information on the institutions' websites

DESIGN REPORT	IMPLEMENTATION REPORT
<p>1. The commitment has been developed through an open and consultative process with the participation of relevant stakeholders: YES/NOT</p>	<p>1. Implementation status: completed/restricted /not started</p>
<p>2. The commitment is relevant to POV: YES/NO access to information, civic participation, public accountability</p>	<p>2. The commitment brought changes in the public sector: YES/NOT</p>

The commitment refers to the promotion of the so-called active transparency and increasing the amount of public information that the institutions will publish on their own without the need to submit a request for free access to public information. The commitment includes intensified efforts by the Agency for the Protection of the Right to Free Access to Public Information to improve active transparency among the holders of information, it is expected that the realization of this commitment will lead to an increase in the availability of information from institutions to citizens, which in turn on the one hand, it will reduce the pressure on the institutions by submitting requests for free access to public information, but on the other hand, it will enable the effective participation of citizens in the creation of policies, as well as improving the quality of services and information that citizens receive from state institutions.

The implementation of this commitment can be defined as completed, although it is a process that will take place continuously until the end of the implementation of NAP 5, and beyond, because annual reports with included data on the holders of information, institutions at the national and local level will be published every year. For the year 2021, the annual report for the holders of information has been published, where there is a separate section for the annual reports of the holders of information, so for the year 2021 as many as 1,334 institutions or 92.32% complied with the legal obligation to submit annual reports to the Agency on time out of a total of 1,445 holders of public information. The report also states the trend of increasing the number of holders of information who submit timely reports, so if in 2020 299 institutions did not submit reports, in 2021 that number is only 111, which in turn speaks of the effectiveness and efficiency of the criminal provisions which are applied by the Law, which was also confirmed through the interviews, free access to public information, summary information is published on the annual reports of the holders of public information, as well as the increase in the number of institutions that submitted reports, this commitment can be considered fully realized, and the evidence is visible in [the Agency's annual report for 2021](#), as well as through open data published for information holders.

The successful implementation of the commitment is due to the commitment of the institutions, but the legal obligation to submit annual reports, as well as the application of criminal sanctions, in turn directly contribute to increasing the number of information holders who submit reports to the Agency. On the

other hand, the openness of the Agency's cooperation with civil society organizations, as well as the joint work in the creation and implementation of the commitment directly contributes to its successful implementation. The results of the implementation of the commitment will be seen through the annual report of the Agency for 2022, in the number of requests submitted to the institutions, the time for their response, etc. Through such preparation and publication of reports by the institutions, citizens and civil society organizations will be enabled to have greater insight into the degree of publication of basic information by the institutions, thereby increasing the pressure on the institutions to publish more information.

The implementation of this commitment "opens up the authorities", because if in 2016 before the serious work in this field began the average publication of information was 45%, today it is 92%. According to the report, there is an increase the amount of information for the decisions they make, information is disclosed through which the citizens can demand responsibility from the institutions, but information is also published about the services that the citizens use and need. On the other hand, the institutions themselves promote the principle of good governance and integrity in this way, the institution becomes more responsible in spending public money and is more efficient in managing the information it has. This commitment contributes to transparency, because it improves access to public information, but also its quality, it is further important for civil participation, because in this way the conditions and opportunities for public participation and influence on policy-making processes are improved and making public decisions, and it also contributes to improving public accountability, as it improves rules, regulations and mechanisms for public accountability of officials.

<https://dzt.mk/mk/210706-50-od-opshtinite-na-veb-portalite-nemaat-soodvetni-informacii>