



GOOD GOVERNANCE

FOR OPENNESS AND ACCOUNTABILITY
IN POLITICS AND GOVERNANCE

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ANALYSIS OF OPENNESS OF LOCAL SELF-GOVERNMENT IN MONTENEGRO AND REGION



CENTER FOR
DEMOCRATIC
TRANSITION



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INTRODUCTION

In cooperation with partners from a regional network "ActionSEE", CDT has prepared the analysis of a level of transparency, openness and accountability of local self-governments in the region of Western Balkans. A general conclusion is that the openness of local self-government is at a very low level in Montenegro and in region. In the period from October to December 2016 members of the network "ActionSEE" worked on detailed research, based on scientific methodology, including sample of 144 municipalities from 6 countries and over 60 indicators per municipality.

The aim of this document is to determine a real state in the area of openness and accountability, to show readiness of municipalities to act as a service of citizens. The openness of local self-government for us includes transparency and efficiency of institutions as well as developed communication with citizens.

In comparison with results of openness of parliaments and bodies of executive power, these results are the worst and at the same time worrying. It is expectable that openness increases as we move towards lower state bodies since they are in direct contact with citizens. However, the research has shown opposite. Regional powers should take much more effort in order to engage citizens in decision-making, which directly reflects on their life quality.

Taking into account that there are many problematic areas, municipalities from the region must be committed to improvement of existing state as soon as possible.

The openness of powers represents one of the fundamental postulates of good and fair governance as well as a significant characteristic of each democratic society. It is a general i.e. public value of developed societies and a significant instrument for controlling work of powers by institutions and citizens. Also, it represents a significant instrument for prevention of corruption. Unfortunately, this topic is not discussed enough in the region while specific steps towards achieving standards of openness are rarely undertaken.

This document is addressed to decision-makers in local self-governments in the region and state bodies dealing with problems of local self-government. It may also be useful for representatives of international institutions and colleagues from NGO sector dealing with these issues.

We are at your disposal for all suggestions, benevolent critics and discussions regarding our proposal.

1) 50% of Montenegrin municipalities was covered by the sample.

Montenegro

Openness of local self-governments in Montenegro is at a low level. Municipalities meet only 58% of indicators¹ of openness. We have set indicators in the way that they cover only fundamental i.e. basic postulates of openness and thus this result concerns at the regional level and at the level of individual countries.

The closure is recorded in more areas: from the implementation of Law on Free Access to Information and showing in which way institutions spend citizens' money to the use of outdated ways of communication. The openness significantly varies from municipality to municipality. Therefore, the best ranked municipality meets 72% of indicators while the worst one meets just 39%.

Public decision-making within municipalities is not at a satisfactory level. Around three quarters of municipalities does not have direct audio or video transmission from sessions of municipal assemblies, which indicates that municipalities are not dedicated to engaging and informing citizens about decisions they make. More than a half of municipalities does not publish minutes from sessions of municipal assemblies, so that citizens cannot be informed about outcomes of sessions through this channel of information.

A huge majority does not have a monthly newsletter about their work through which they would present to citizens current affairs regarding municipality's work. This deficiency is not compensated with presence on social networks (Facebook or Twitter) given that almost 60% of municipalities does not have official accounts on these social networks.

More than a half of municipalities does not have fixed hours for consultations with a president of municipality. Additionally, a half of municipalities does not have established information bureau, which facilitates communication of citizens with municipalities and shortens time of solving reported problems. More than 80% does not publish a list of civil servants with their functions while a half of municipalities does not publish contact information of a person responsible to act in accordance with requests for free access to information.

Municipalities have also undeveloped financial transparency so that a huge majority does not have published citizens' budget through which citizens, as main stakeholders of creating budget, would have insight into money spending in a simple and understandable way. A great majority of municipalities does not have practice of publishing mid-year report on budget spending through which citizens would receive precise information on revenues and expenditures of municipalities during a year.

Even though municipalities have a good practice of publishing calls and decisions on public procurement, the problem exists in relation to publishing plans for public procurements. Apart from that, more than 80% of municipalities does not publish a list of documentation registries in their possession. In most cases municipal property is not presented on the websites.

REGION

A regional result of openness of local self-government is disappointing and amounts to only 34%. Municipalities resemble black boxes more than key institutions of citizens' service. All problems recorded in Montenegro provide a credible picture of situation at a local level in the region, where the situation is worse than in our country. The policy of openness must be a policy of all municipalities and find its place among other significant state policies. It is high time to start with solving this issue.

Research methodology

The openness is a key condition of democracy since it allows citizens to receive information and knowledge about an equal participation in a political life, effective decision-making and holding institutions responsible for policies they conduct.

A number of countries undertakes specific actions towards increasing transparency and accountability of institutions. The Regional index of openness of local self-governments is developed in order to define to which extent citizens of the Western Balkans receive opportune and understandable information from their institutions.

The Regional index of openness measures to which extent institutions of the Western Balkans are open for citizens and society, based on the following four principles: 1. transparency, 2. accessibility 3. integrity and 4. awareness.

The principle of **transparency** includes that organizational information, budget and public procurement procedure are publicly available and published. **Accessibility** is related to ensuring and respecting procedures for a free access to information, improving accessibility of information through a mechanism of public debates and strengthening interaction with citizens. **Integrity** includes mechanisms for the prevention of corruption. The last principle, **awareness**, is related to monitoring and evaluation of policies which are conducted by institutions.

Following the international standards, recommendations and examples of good practice, these principles are further developed through specific,

quantitative and qualitative indicators, which are evaluated on the basis of: information accessibility on official websites of institutions, legal framework's quality for specific questions, other sources of public informing and questionnaires delivered to institutions.

The set of recommendations and guidelines, directed towards institutions, was developed on the basis of research results.

CDT Research Center (RC) was established in **2011** with the support of Think Thank Fund. **RC** strives to advance public policies, contribute to the quality of decisions made by authorities, and enhance public dialogue, and strengthen institutions.

Using contemporary scientific - research techniques and methods **RC** specially analyzes, investigates and evaluates:

- The regularity of the electoral process;
- Transparency and accountability of public administration at national and local level;
- Negotiation processes of European and Euro-Atlantic Integrations;
- Civil society functioning

RC in its work applies standards of transparency, objectivity, and accuracy. Relying on comparative examples of good practice and concrete results it defines measures and recommendations for improvement, which are delivered to decision makers and the general public.

RC is committed to continuous building of its research capacities and mechanisms, and successfully cooperates with domestic and foreign experts. **RC** has conducted a series of research projects. We recommend to your attention:

Parliament openness in the region and Montenegro

<https://www.cdtmn.org/dobroupravljanje/du-analize/otvorenost-parlamenta-2017-predlog-prakticne-politike/>

Recommendations for improvement - Openness of executive power institutions in the region and Montenegro

<https://www.cdtmn.org/dobroupravljanje/du-analize/otvorenost-institucija-izvrsne-vlasti-u-regio-nu-cg-2017-predlog-prakticne-politike/>

Recommendations for improvement of communication of the Ministry of European Affairs

https://www.cdtmn.org/wp-content/uploads/2017/03/Preporuke-za-pobolj%C5%A1anje-komunikacije-Minis-tarstva-za-Evropske-poslove_final.pdf

Policy - Depoliticized and effective electoral management - Precondition for trust in elections

<https://www.cdtmn.org/wp-content/uploads/2017/02/DIK-Policy-01022017.pdf>

Recommendations For Improvement of Work of Agency for Prevention of Corruption

<https://www.cdtmn.org/izbori/izbori-analize/preporuke-za-unapredenje-rada-agencije/>

ANB - from the necessary confidentiality to the democratic transparency

<https://www.cdtmn.org/nato/nato-analize/transparentnost-anb-predlog-prakticne-politike/>

Planning, measuring, and reporting leveraging success of government policies

<https://www.cdtmn.org/dobroupravljanje/du-analize/predlog-prakticne-politike/>

Good governance in Montenegro - challenges and recommendations for improvement

<https://www.cdtmn.org/dobroupravljanje/du-analize/dobro-upravljanje-u-cg-predlog-prakticne-politike/>

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