

## **Monitoring report**

# **OPEN LOCAL GOVERNMENT FOR ACTIVE AND INFORMED CITIZENS**

## **Summary**

### **I. Introduction**

#### **1. Preamble**

A fully transparent administration, either centrally or locally, involves informing citizens in public affairs and their participation in decision-making, becoming an indispensable principle of the rule of law.

The importance of transparency in the public administration can be summed up as follows:

- help reduce corruption and malfunctioning of public administration, by monitoring public administration by interested citizens, business, civil society organizations and other stakeholders;
- enhances public confidence in the government and decisions taken by the authorities;
- improves the communication between citizens and public administration;
- contributes to the effectiveness and accountability of public authorities;
- contributes to building a state of law.

According to the Open Government Index 2015, developed by the World Justice Project<sup>1</sup>, Moldova, regarding the openness of government, ranks 46 of 102 countries worldwide, with a score of 0.55. Similarly, according to the report, in Moldova only 44% of the population know about the existence of laws that guarantees access to public information held by public authorities.

#### **2. Purpose of the report**

This Report aims to monitor local government in 50 administrative territorial units of level I from Moldova to determine the level of transparency in their activity.

In this regard, 38 cities (municipalities) and 12 of the largest villages (communes) in the country to establish the scale (rating) on the opening of local governance to citizens were monitored.

#### **3. Sources of information**

Information sources were:

- The survey based on the transparency of local authorities in Moldova;
- Websites of local authorities;

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<sup>1</sup> WJP Open Government Index™ 2015: <http://worldjusticeproject.org/open-government-index>

- Other information sources (websites: tender.gov.md, cni.md, actelocale.md etc.)

As a result of the request of the IDIS "Viitorul" 27 questionnaires from local government authorities were received: the cities (municipality) Balti, Cahul, Ungheni, Orhei, Drochia, Durlleşti, Causeni, Edinet, Calarasi, Falesti, Nisporeni, Rascani Rezina, Leova, Donduseni, Briceni, Ocnita Noi, Cricova, Stefan Voda, Criuleni, Cupcini and villages (communes) Corjeuti (Briceni) Pelinia (Drochia), Peresecina (Orhei), Sipoteni (Calarasi) and Talmaza (Stefan Voda).

For other authorities of local government analysis method information available on official websites was used: cities (municipality) Chisinau, Soroca, Ceadir-Lunga, Straseni, Hancesti, Vulcăneşti, Ialoveni, Floreşti, Taraclia, Singerei, Cimisia, Basarabasca, Codru Glodeni, bloody and villages (communes) Costesti (Ialoveni) Copceac (Gagauzia) and Truseni (Chisinau).

Here we must mention that five local governments do not have web pages nor completed the questionnaire asked, which is why these villages were excluded from the analysis report and rankings nominated: Bacioi (Chisinau) Carpineni (Hincesti), Congaz (Gagauzia), Baurci (Gagauzia) and Otaci (Ocnita).

#### 4. Criteria for transparency and scoring

Municipalities were evaluated and ranked in nine areas (criteria of transparency) with 53 indicators. Areas assessed include the powers and duties of local administrations according to the law (eg participation in decision making), as well as areas deemed important for good governance (eg ethics, conflict of interest). Among the selected areas, access to information, participation in decision-making, public procurement and budget were considered most important. The results provided are based on publicly available data, measurable and verifiable. The highest score to the administration of a municipality, including all areas was 100 points.

More detailed information on the criteria of transparency and indicators can be found in web sections of the ranking, which will be made public after all the data gathered will be processed.

The evaluation was carried out from May to June 2016 and mainly includes information on local government activity in 2015.

No.	Areas (Criteria of transparency)	Score in %
1.	Access to information	16
2.	Participation in the decision-making process	30
3.	Procurement	12
4.	Managing public property	7
5.	Budgeting	12
6.	Human resources	5
7.	Professional ethics and conflict of interest	6
8.	Social services	4

**Ranking classes**

Overall ranking of a local government of level I ranges from 0% (worst) to 100% (best). For a faster comparison administrations s were classified according to the following scale:

Classes	%		
A+	80-100	C-	40-44
A	75-79	D+	35-39
A-	70-74	D	30-34
B+	65-69	D-	25-29
B	60-64	E+	20-24
B-	55-59	E	15-19
C+	50-54	E-	10-14
C	45-49	F	0-9

Local government representatives should see this ranking both as an appreciation of their work, as well as motivation to improve their efforts and act in a transparent manner to provide quality information. These efforts should be viewed as a significant contribution to local economic development and improve the quality of life of citizens of these local communities.

**II. Results of assessing the transparency criteria**

**Access to information**

- 42.2% of web sites have sections dedicated to decisional transparency. The web pages that had such compartments, mostly were not completed and did not contain the information required by law.
- In 2015, 44.4% of municipalities (20) have not made public the draft decisions / provisions and materials related to the meeting of the public authority. This has limited the right and opportunity for citizens to know the content of draft laws that were discussed in meetings of local authorities.

**Participation in the decision-making process**

- Most public authorities, 86.7% or 39 in number from all localities, did not developed, approved and announced the internal rules of information, consultation and participation in the drafting and adoption of decisions.
- Local authorities are overdue in preparing and publicizing reports on transparency in decision making. Only one locality placed on the web the Transparency Report for 2015.

**Procurement**

- From the analysis we find that at the stage of initiating procedures for procurement, local governments demonstrate a certain openness.
- As for making public the results of public procurement, a limited number of municipalities partly do this and only one local public administration published on the web the public procurement contracts for goods, works and services.

## **Managing public property**

- 1/3 of municipalities do not comply with transparency in management of public property, about 1/3 of localities are partially transparent and about 1/3 of municipalities have a high degree of realization of the LPA obligation to inform the public about the adopted decisions on management public property. From the last group of LPAs, about 90% have on web the archive of results of public property administration of (at least) the last two years.

## **Budgeting**

- 50% of municipalities have public consultations and have made public the draft budget for 2016
- approximately 55.6% of municipalities (25) have published the current budget of the administrative-territorial unit in 2016 on web.

## **Human resources**

- 1/3 of web pages contain information (sometimes in a selective manner) about the selection contests for vacancies conducted during 2014-2015.

## **Professional ethics and conflict of interest**

- about half of the municipalities (51.1%) made public on the website the CV of the mayor that includes information on higher education, work experience, previous membership to companies and non-profit organizations.

## **Social services**

- While some administrations say they have made public through different ways, social assistance adopted programs, the information about social services provided by the administrative-territorial unit and how to apply for a potential beneficiary, however, these local governments do not use the website as a tool for disseminating such important information.

## **Investments, municipal companies and participation in companies**

- Only eight municipalities (17.8%) published the data on the web regards to programs and projects, including technical assistance, whose beneficiaries are public authorities (name, basic goals and objectives, beneficiaries and executors, main program deadlines and the expected results, the volume and funding sources). However, 12 of the municipalities (26.7%) public, partially, the information about activities and outcomes from implementing assistance projects.