



NATIONAL
DEMOCRATIC
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2017 Legislative Transparency Summary

Data-sharing and Civic Engagement in the Western Balkans

Central and Eastern Europe Regional Programs:

**Western Balkans
Legislative
Strengthening
Initiative**

Survey Summary

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Introduction

The following summary provides updated information on current trends and developments in Western Balkan parliaments and compares the data released by each of the reviewed legislatures.

The initial 2013 legislative openness survey summary was compiled to inform discussion at a regional workshop entitled “Transparency and Parliamentary Cooperation with Civic Societies” organized by the National Council of the Slovak Republic (NC SR) and National Democratic Institute (NDI) in Casta Papiernicka, Slovakia from November 6-8, 2013. In January 2016 we released an updated version incorporating data received from the Western Balkan parliaments in the period from November 2013 – January 2016. The current summary summarizes updates for the period from January 2016 - January 2017.

The survey, initial workshop, and other related activities are a part of NDI’s Western Balkans Legislative Strengthening Initiative (WBLSI), which assists parliaments in the region in strengthening their capacities for law-making, oversight, and representation. With funding from the National Endowment for Democracy (NED), the Initiative fosters relationships between the Western Balkan legislatures and their European Union counterparts by creating forums for regional cooperation and information sharing.

Methodology

In January 2017, a questionnaire was distributed to the parliaments of Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, and Serbia.

Acknowledgements

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General overview of developments in the area of legislative transparency

In a democracy, the legislature is the forum where ruling and opposition parties regularly shape the lives of citizens through the legislative process and government oversight. It is a forum where citizens can make their voices heard by commenting on legislation in-process or on the implications of previously adopted legislation. Modern legislatures use new technologies to make democracy more accessible to citizens by releasing information in real time and designing platforms that allow citizens to be part of the process. Equally important to many citizens and advocates is the chance to be physically present during committee deliberations.

In October 2016 the Open Government Partnership (OGP) Steering Committee formally approved a new parliamentary engagement policy that clearly outlines rules for parliamentary participation in the OGP process. The policy enables parliaments to contribute commitment to the National Action Plan in coordination with the government or independently as a chapter of the National Action Plan. It gives new opportunities for inter-branch collaboration and the engagement of opposition political parties. Commitments submitted will be subject to OGP Independent Reporting Mechanism.¹ NDI jointly with the Congress of Chile coordinates the work of the OGP Legislative Openness Working Group that supports governments, legislatures and civil society in the process of developing and implementing OGP action plan commitments around legislative openness and deepens parliamentary engagement in the OGP process.

Leading developments for each parliament can be found in the section below:

¹ For more information go to the Legislative Openness Working Group's homepage:
<http://www.opengovpartnership.org/groups/legislative>

Albania

In 2016, the Albanian Parliament made strides in improving its transparency and advancing its relationship with civil society organizations (CSOs). For instance, from September to October 2016 the Albanian Parliament encouraged CSOs to register to the Parliament's Official CSO Database. The registry is online and updated and includes more than 2192 CSOs. In October and November, the Parliament organized two public forums in Kukës and Dibrë in Northern Albania entitled "Increasing the role and cooperation between CSOs and Parliament". These forums were attended by MPs, representatives from the Organization for Security and Cooperation in Europe (OSCE), CSOs, and citizens.

The Albanian Parliament also utilized technology to increase its openness. In early 2016, the Parliament designed a new website that gives a special focus to transparency and citizen participation. The updated website has facilitated access to the Parliament by introducing e-registration for access to Parliamentary activities, with special access for both the public and CSOs.

In November 2016, the Parliament launched its E-Democracy tool through which citizens can send online comments and feedback regarding Parliamentary work or the work of individual MPs. This platform is managed by the CSOs-Parliamentary Coordinator and the Coordinator on the Right to Information. Additionally, the Parliament published all requests for information from citizens and the status of its response online, as well as its updated program of transparency.

Finally, in December 2016 the Parliament signed a memorandum of understanding (MOU) with the University of Tirana to increase cooperation between the two institutions to in the development of policy recommendations, research, student internships, and education.

Bosnia and Herzegovina (BiH)

The BiH Parliamentary Assembly (PA) receives significant international support; many transparency standards are implemented thanks to international assistance projects. At the moment, the parliament offers several access points through which it shares information, but the practice of proactive transparency is not yet implemented.

All parliamentary sessions have been public since 2007, including committee sessions. Online broadcast of plenary sessions and public hearings is also available.

The PA produces newsletters in the form of weekly and bi-monthly digests. General information on all sessions and meetings (plenary, committees, and other working bodies) are provided in a timely manner on the website, including adopted reports and transcripts when possible.

In 2005, the PA began allowing the public to visit and still regularly organizes Open Parliament activities, which mainly target youth. In 2009, the PA opened a Visitors' Center that offers multimedia presentations and promotional and educational materials for organized citizen groups. Citizens may also take a virtual tour of the parliament.

The BiH PA was the first in the region to adopt an Act on Freedom of Information. Yet, this act is not implemented proactively and some information is still provided or published only by request. A recently conducted audit of the transparency of BiH institutions showed that institutions – including the parliament – still do not provide complete access to information and that there is room for improvement in this sphere.

Kosovo

Since its establishment in 2001, the Kosovo Assembly has made significant progress in developing and introducing measures that foster parliamentary openness and provide for the inclusion and access of citizens and civil society organizations to the business of the Assembly. With the goal of fostering greater dialogue and communication between parliamentarians, civil society, and citizens, the Assembly introduced a set of good practices, including the “Celebration of International Day of Democracy”, “Open Parliament Days”, and “Kids Assembly”. The Assembly recently opened a visitors' center and launched virtual tours via its website. The Assembly is also finalizing its E-Parliament project, which includes the infrastructure for an online legislative tracking system that will provide the public with easy access to information about draft legislation.

Following a series of meetings and roundtables organized with partner CSOs, the leadership of the Kosovo Assembly built the political will to formally endorse the *Declaration on Parliamentary Openness* on May 4, 2015.² Adopting the *Declaration* helped elected representatives and civil society activists agree on common standards of parliamentary openness and design adequate strategies to effectively use parliamentary openness tools to encourage civic engagement.

In addition, a *Forum on Parliamentary Transparency* comprised of Assembly members from all political parties and representatives of domestic civil society organizations was established as an advisory body to the Speaker and the Assembly President, on matters of transparency and openness. During summer 2015 and 2016, under the umbrella of the *Forum*, the Assembly organized “Open Days” for members of the diaspora to allow citizens of Kosovo living abroad to get to know the Assembly and meet with elected representatives.

² The *Declaration on Parliamentary Openness* was officially launched at the World e-Parliament Conference 2012 in Rome, Italy, on the International Day of Democracy, September 15, 2012. The document is accompanied by an extensive compilation of best practices and background information, the *Provision Commentary*, and is endorsed by more than a hundred organizations – including parliaments – world-wide.

The forum has approved the Action Plan 2016-2020, and its members agreed that throughout 2017 the focus should be placed on: a) the E-Parliament, namely e-development and launching of the Legislative Tracking System interface; b) the revision of the Regulation on the Access of Media and Citizens in the Assembly; c) the review of the code of conduct and the preparation of amendments to ensure harmonization with evolving international trends on parliamentary ethics, and d) annual outreach activities, including the annual conference with CSOs and Assembly open Days for the Independence Day, Children's Day, Diaspora Day and Democracy Day.

In December, 2016, the Forum convened the Annual Conference on the topic "Partnership between Assembly and CSOs" to discuss challenges in building a healthy partnership between the Assembly and CSOs. In December, the Kosovo Assembly announced its membership to the Global Organization of Parliamentarians against Corruption (GOPAC), joining parliaments of the world in efforts to combat corruption.

Macedonia

The Assembly holds "Open Day" on the last Monday of every month. The "Open Days" have been regularly organized since April 2015, except during summer holidays in August. So far, 7192 visitors have attended the events. The Assembly is interested in increasing the number of "Open Days" to two per month. In December 2016 three days were used as open parliament days due to increased interest. The advertisement for open days is played continuously on the Parliamentary Channel, and every citizen has the right to register for an organized tour. More and more MPs are willing to welcome and meet groups of citizens, and if there is an ongoing plenary session on the "Open Days", the groups have an opportunity to view the plenary session from the gallery. The demographics of visitors varies from interested citizens to students and visitor groups as requested by MPs, and they are all provided with a promotional package on the legislator (brochures, materials on legislative procedure and oversight, CDs, and a coloring book, in Macedonian, Albanian and English).

In 2016, due to political instability, no CSO events took place. However, the exchange of information for the preparation of research papers increased.

Thus far, eight seminars for 196 students from 40 primary and higher educational institutions from different cities within the country have been organized. Eight such seminars are planned for 2017. The topic of the seminar is "The role of the Assembly in a Parliamentary Democracy".

In its capacity to organize or facilitate administrative capacity activities, the Parliamentary Institute (PI) provided seven workshops and trainings for the parliamentary administration, parliamentary group

assistants and interns. In addition, the PI organizes language courses and IT skills capacity building trainings.

The PI has organized and will organize meetings based on MPs' request, as well as seminars with external groups. For example, a seminar on "The Role of the Assembly in a Parliamentary Democracy" was held in February 2016 with 25 civil society organizations who work with persons with disabilities and special needs.

In 2016 the PI issued four quarterly bulletins to explain MP, administration, CSO and partners for PI activities. In order to publish PI activities as well as promotional and education materials and videos, web page sub-domain was created <http://www.sobranie.mk/parliamentary-institute.nspix>.

Montenegro

The Parliament of Montenegro continued to live broadcasting all plenary sessions, while recordings were made available on YouTube. Committees continued to hold open sessions and hearings, which are a good opportunity for both representatives of state bodies and CSOs to present their views on a particular topic considered by the committee.

In 2016, the Speaker of the Parliament signed a new Memorandum of Understanding with 57 CSOs with the aim to create a sustainable partnership based on the principles of transparency, openness and mutual respect. CSOs can still address committees or any other unit or individual in parliament directly.

The parliament continues to make its work transparent through its website, which was slightly redesigned in 2016, and free access to information with 100 percent of requests answered. Different open parliament projects continued in 2016, as well, such as the *Democracy Workshops* and the *Women's Parliament*. For example, in 2016, 4,622 students from 74 primary schools across Montenegro participated in 213 Democracy Workshops to learn about democracy, the parliament, and human rights.

Serbia

The Serbian Parliament had a turbulent year in 2016. This past year was marked by the work of two parliamentary convocations due to snap parliamentary elections and the formation of the 11th parliamentary convocation since the introduction of the multiparty system in 1990. In the period of March – June 2016 the Parliament was not active, and all activities were on hold. However, even after the new parliament was formed, governmental institutions were not effective until the formation of a new government in August - September 2016. The diverse Parliament composition in 2016 offered more political options than in previous convocations, but was unable to perform its duties effectively and provide a genuine platform for debate.

The Serbian parliament's informal parliamentary group for Open Parliament, an example of good practice in the region in 2015, was also unable to continue its activities due to the unstable situation within the parliament. It had five meetings in total, but after the formation of a new parliament it was unable to set up new meetings and continue its activities.

However, compared with 2015, the Serbian parliament still made a step forward in advancing its transparency. In the past year, the Serbian parliament published a detailed public procurement plan for 2016. However, despite certain progress in this domain, it should be noted that budget related documents are not published in machine-readable formats, which considerably restricts their further use and reprocessing.

From November 7-13, the second Parliament Week was organized by the Open Parliament Initiative³ in cooperation with the National Assembly. Similar to last year's Parliament Week, the goal of the initiative was to open space for discussions about the legislature's work, increase citizens' interest in politics and democracy, and encourage people to get involved in those processes. With over 60 partner organizations and institutions and over 110 events throughout Serbia, the organizers debated different issues including parliamentary democracy in Serbia, fair and free elections, tax relieves, women and youth rights, education, and more. Citizens had an opportunity to participate in several debates, educational workshops, and parliament session simulations and to talk to the members of parliament. Citizens visited the National Assembly, participated in a 48-hour marathon on design and development of an online application, and were part of online discussions on the role of the public in the democratic process.

³ <http://www.nedeljaparlamentarizma.rs>

Key results

- The Parliament of **Kosovo** adopted the Legislative Openness Action Plan for the period 2016-2020 in June 2016.
- In December, 2016, the Forum convened the Annual Conference on the topic “Partnership between Assembly and CSOs”, to discuss challenges in building a healthy partnership between the Assembly and CSOs.
- The parliamentary website provides access to the following new data:
 - Attendance list from Plenary Sessions
 - Voting results of respective MP from Plenary Sessions
 - Exact wording of bills submitted by respective MP
 - Exact wording of parliamentary questions submitted by respective MP during the Question time
 - List of foreign business trips
- In **Montenegro** in 2016, 4.622 students from 74 primary schools across Montenegro participated in 213 Democracy Workshops to learn about democracy, parliament, and human rights.
- The **Serbian** parliament has started publishing more financial and budget related documents. Serbia published a detailed public procurement plan for 2016 for the first time.
- Serbia’s parliament continued supporting Parliament Week, organized under the Open Parliament initiative. Similar to last year, the objectives of the second Parliament Week were to open space for discussions about the legislature’s work, increase citizens’ interest in politics and democracy, and encourage people to get involved in those processes, engaging 60 partner organizations and institutions in 110 events throughout Serbia.
- The **Albanian** parliament launched in November 2016 its E-Democracy tool through which citizens are able to send online comments and feedback regarding parliamentary work or the work of MPs. This platform is managed by the CSOs-parliamentary liaison and Coordinator on the Right to Information. The parliament as well offers online registry of CSO in the Parliamentary CSO database that currently includes more than 2700 CSOs.
- In **Macedonia**, the PI issued 4 quarterly bulletins for outreach on MP, administration, CSO and partners for PI activities.

Information on official parliamentary websites

A) Type of information included within the official website of the Parliament	yes	no
Type of document		
Information on Parliament's roles and functions	Albania, Bosnia and Herzegovina, Macedonia, Montenegro, Serbia	Kosovo
Texts of bills	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Exact wording of all submitted amendments to bills	Albania, Bosnia and Herzegovina, Macedonia, Montenegro	Kosovo, Serbia
Opinions of public and expert reports on bills	Bosnia and Herzegovina	Albania, Kosovo, Macedonia, Montenegro, Serbia
Invitations to Committee meetings	Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	Albania
Schedule of Committee meetings	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Agenda of Committee meetings	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Resolutions of Committees	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Minutes from Committee meetings	Albania, Bosnia and Herzegovina, Kosovo, Montenegro	Macedonia, Serbia ⁴
Stenographic (verbatim) records of Committee meetings	Albania	Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia
Attendance list from Committee meetings	Albania, Montenegro ⁵ , Serbia ⁶	Bosnia and Herzegovina, Kosovo, Macedonia
Voting results from Committee meetings	Montenegro ⁷	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Serbia
Invitations to Plenary Sessions	Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	Albania
Schedule of Plenary Sessions	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Agenda of Plenary Sessions	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Type of document	yes	no

⁴ Minutes are not available; the Public information office prepares a report from committee meetings for the official website.

⁵ Included in the minutes.

⁶ Since December 2015, Serbia's parliament has published information about MP attendance at committee sessions as part of report prepared by the Public Information office. It is not in a form of a separate list, as are voting records from the plenary.

⁷ Included in the minutes.

Resolutions from Plenary Sessions	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Minutes from Plenary Sessions	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Stenographic (verbatim) records of Plenary Sessions	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Attendance list from Plenary Sessions	Albania, Macedonia, Kosovo	Bosnia and Herzegovina, , Montenegro, Serbia
Voting results from Plenary Sessions	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Reports created by the Parliament	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Reports created by parliamentary Committees	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro	Serbia
Reports requested by or required to be submitted to the Parliament	Bosnia and Herzegovina, Macedonia, Montenegro, Serbia	Albania, Kosovo
Reports requested by or required to be submitted to parliamentary Committees	Albania, Bosnia and Herzegovina, Macedonia, Montenegro, Serbia	Kosovo
Exact wording of interpellations of MPs	Albania, ⁸ Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro	Serbia
Exact wording of answers to interpellations	Albania ⁹ , Kosovo, Macedonia, Montenegro	Bosnia and Herzegovina, Serbia
Exact wording of parliamentary questions submitted during the Question time	Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia ¹⁰	Albania
Exact wording of answers to parliamentary questions submitted during the Question time	Kosovo, Macedonia, Montenegro, Serbia ¹¹	Albania, Bosnia and Herzegovina
Financial report of parliamentary political parties		Albania ¹² , Bosnia and Herzegovina, Macedonia, Montenegro, Serbia, Kosovo
Information about the State budget and public expenditures	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro	Serbia
Information about the budget of the Parliament	Albania, Kosovo, Macedonia, Montenegro, Serbia	Bosnia and Herzegovina
Exact wording of bids and contracts of the Parliament	Albania, Montenegro	Bosnia and Herzegovina, Macedonia, Kosovo, Serbia ¹³

⁸ Included in the minutes.

⁹ Included in the minutes.

¹⁰ As part of transcripts.

¹¹ As part of transcripts.

¹² The financial report of political parties if published by the Central Electoral Commission.

¹³ Only public calls for public procurement are available, not contracts.

Information about MPs provided on official parliamentary websites

Type of information	Yes	No
Contact details	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Party affiliation	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Roles in the Parliament	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia	
Attendance at Plenary Sessions (or hours absent)		Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia
Attendance at Committee meetings (or hours absent)	Montenegro	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Serbia
Identities of personal staff (assistants)		Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia
Address of offices	Albania, Kosovo, Macedonia, Montenegro	Bosnia and Herzegovina, Serbia
Voting results of respective MP from Plenary Sessions (i.e. how he/she has voted during Plenary Sessions)	Albania, Macedonia, Montenegro, Kosovo	Bosnia and Herzegovina, Serbia
Voting results of respective MP from Committee meetings (i.e. how he/she has voted during Committee meetings)		Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia
Exact wording of bills submitted by respective MP	Albania, Macedonia, Montenegro, Serbia, Kosovo	Bosnia and Herzegovina,
Exact wording of amendments submitted by respective MP	Macedonia, Montenegro	Albania, Bosnia and Herzegovina, Kosovo, Serbia
Exact wording of parliamentary questions submitted by respective MP during the Question time	Macedonia, Montenegro, Serbia, ¹⁴ Kosovo ¹⁵	Albania, Bosnia and Herzegovina,
Exact wording of interpellations submitted by respective MP	Macedonia, Montenegro	Albania, Bosnia and Herzegovina, Kosovo, Serbia
List of foreign business trips	Montenegro, Kosovo	Albania, Bosnia and Herzegovina, Macedonia, Serbia
Members' asset disclosures	Macedonia, Montenegro	Albania, Bosnia and Herzegovina, Kosovo, Serbia
Members' non-parliamentary income	Montenegro	Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Serbia
Information about members' interactions with lobbyists and pressure groups		Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia

¹⁴ Part of the official transcripts.

¹⁵ Part of the official transcripts

Information about parliamentary staff on official parliamentary websites

Does the website of your Parliament provide also information about parliamentary staff and administration? If yes, please briefly specify to which extent.	
Albania	There is a website section that provides information related to the administration. This information contains: structure of the administration, necessary contacts, laws on the administration and the vacancy positions.
Bosnia and Herzegovina	Yes. Precisely, information on the members of the Collegium of the Secretariat (names, contact details), information about committees duties and staff (names of the secretary of the committees, contact details), and information about sectors/departments duties and staff (names and contact details of the heads of the Parliamentary Assembly's sectors and departments).
Kosovo	Yes. The website of the Parliament includes a separate link that provides information about parliamentary staff and administration. Information includes: Staff structure, responsibilities of main administrative duties, names and photos of heads of administrative units, phone numbers and e-mail addresses.
Macedonia	Yes. Information about parliamentary staff and administration is available on the web site of the Parliament (organization of the Staff Service, regulation concerning the organization of the Staff Service, basic information about the education, skills, languages, previous experience of the parliamentary staff).
Montenegro	Yes. The website of the Parliament of Montenegro provides the following information about parliamentary staff and administration: <ul style="list-style-type: none"> - vision, mission, principles and values; - organizational chart; - job description of organizational units; - list of parliamentary staff with titles; - names and contact details of the Cabinet of the President of Parliament; - names and contact details of the Office of Secretary General; - names and contact details of committee secretaries; - the Rulebook on Organization and Systematization of the Parliamentary Service.
Serbia	Yes. There is a link with the organogram and clicking on the name of the organization unit, available is general information about tasks and name and contacts for the head of department or sector.

Broadcasting and real-time webstreaming of parliamentary proceedings

	Real-time broadcasting and/or webstreaming of the Plenary Sessions	Real-time broadcasting and/or webstreaming of committee proceedings
Albania	Yes (records saved in audio and video system)	No (records saved in audio system)
Bosnia and Herzegovina	Yes (on demand archival access to audio records on Parliament's website)	No
Kosovo	Yes (no on demand archival access to audio and video records on Parliament's website)	No
Macedonia	Yes (on demand archival access to audio and video records on Parliament's website)	only the meetings of the Finance and Budget Committee dealing with State Budget are broadcasted live on the Parliamentary TV Channel; other committee meetings are broadcasted on the Parliamentary TV Channel, but not live (no on demand archival access on the Parliament's website)
Montenegro	Yes (on demand archival access to video records via You-tube)	No
Serbia	Yes (on demand archival access to audio and video records on Parliament's website)	Yes (on demand archival access to audio and video records on Parliament's website)