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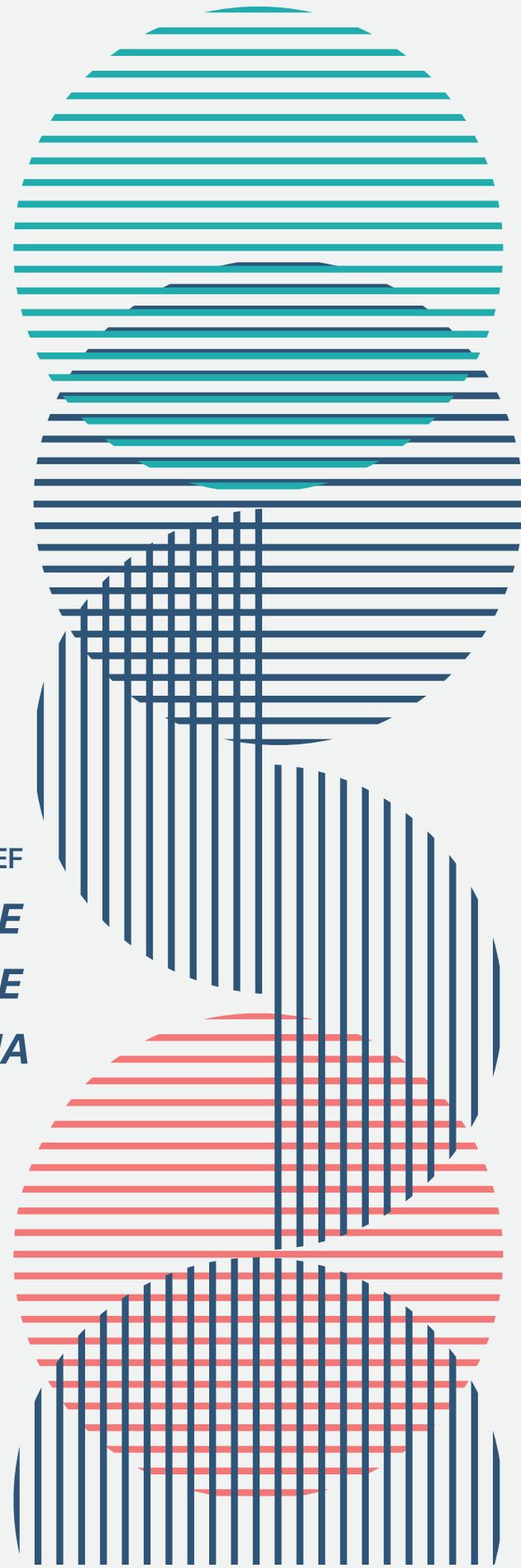


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POLICY BRIEF
***TRANSPARENCY IN THE
WORK OF THE POLICE IN THE
REPUBLIC OF NORTH MACEDONIA***





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About the publisher (editor):
Dimitar Nikolovski, Executive Director

Authors:
Aleksandar Stojanovski, Kristina Angelevska, Dimitar Nikolovski

Graphic design:
Sashka Deskoska

Translated from Macedonian:
Behar Rushit

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EXECUTIVE SUMMARY

The project "Towards a transparent, accountable and inclusive policing in the Republic of North Macedonia" is implemented in order to contribute towards improved policing and increased trust in the Police of the Republic of North Macedonia. The goal of the project is intended to be achieved by assessing the levels of accountability, transparency and inclusive decision-making in the work of the police on a national level.

Furthermore, the ultimate goal of this one-year intervention is to promote a dialogue between the police, media and civil society organizations at the local level, with the aim of contributing towards fostering public debate for obtaining higher security standards in the Macedonian society.

METHODOLOGICAL NOTE FOR THE RESEARCH ACTIVITIES OF THE PROJECT

Measuring public opinion

Telephone survey conducted in the period from November 23 to November 30, 2021 by BRIMA, on a representative sample of 1001 respondents, with a margin of error $\pm 3\%$, through the CATI method.

Focus group discussions with citizens

In the period from December 2021 to March 2022, eight focus group discussions were conducted with 49 citizens, of which 28 were female and 21 were male. The focus groups were made in the cities: Skopje, Kumanovo, Tetovo, Struga, Bitola, Shtip, Strumica and Veles.

Interviews with police officers

In the period from November 2021 to March 2022, 33 interviews were conducted with police officers from all eight Sectors of Internal Affairs (SIAs) within the Ministry of Internal Affairs (MOI) of the Republic of North Macedonia.

Requests for access to public information

In the period from December 2021 to April 2022, 92 requests for access to public information were distributed to 84 central and local public institutions (all units of local self-government, MOI, Ombudsman and Public Prosecutor's Office for Prosecuting Organized Crime and Corruption).

For the Ministry of Interior:

01 For improved passive transparency:

- To improve the categorization of publications, documents and information on its website, which are related to the work and the results of the work, which are mandatory and derive from the laws and internal work procedures (annual reports, strategies, announcements for announcements and public purchases and other);
- To enable the search of information that is published on its website;
- To adapt the internal rules and procedures for the classification of information to the legal framework, in order to facilitate access to public information;
- To introduce localization/regionalization of published information on its website and on social media according to cities/regions, which will enable the placement of relevant information for citizens according to the scope of the eight planning regions, that is, the competence of the eight Departments of Internal Affairs. This information can be categorized according to its nature (for example: repression of crime and misdemeanors; prevention, that is, education, service information, missing persons, searches, etc).

02 For improved active transparency (independent and proactive publication of information that is of interest to the public and citizens):

To adapt the way to provide access to open data to the public, through the construction of smart and interactive systems for displaying timely public data, which will provide access to statistical data on crime rates, its work and results segregated by geographic regions and other parameters.

Although there are already 32 data sets within the data.gov.mk portal, the website of the MOI should make the data for its work available and detailed for the public and the media, by creating additional open data sets, which refer to:

- The number and type of calls for the inclusion of communities and citizens in certain activities, ie processes, related to security, prevention or education;
- The number and type of service information (related to the work of administrative service bodies, movement and traffic, border crossings, emergencies, pandemics);
- The origin and number, that is, the type of calls to 112 or 192;
- The number of accidents in traffic and during movement;
- The number of incidents and cases of violation of public order and peace;
- The number of identifications, searches, deprivation of liberty, sentencing of fines and payment orders;
- The number of cases where force was used;
- The number and type of hate crimes;
- The number of attacks on officials;
- The number of cases where there is use of weapons or armed skirmishes involving police officers;
- The number of complaints, ie reports to the Department for Internal Control and Professional Standards;
- Demographic data for members, that is, candidates for members of the MOI;
- Miscellaneous.

For the media and media workers:

- By maintaining regular contacts and communication with the Department of Public Relations and Strategic Issues within the MOI, to strive to obtain timely and accurate information that they need for the realization of informational and research activities.
- To encourage the MOI to improve the quality and method of informing the public and the media workers, that is, the public broadcasters, all with the aim of improving the awareness of the citizens. Through direct communication with the Department of Public Relations and Strategic Affairs within the MOI, to contribute to the fight against misinformation and fake news.

TRANSPARENCY

The term "**transparency**", in the literal sense, means the possibility to see or see through a certain object, that is, phenomenon, while allowing to see what is behind that object, i.e. behind that phenomenon.

In defining the term "transparency" for the purposes of this public policy document, a connection should be made between the given definition and the context of public administration, and that in terms of the democratic arrangement of a society. **Institutional transparency is the degree to which a public institution, that is, an institution, allows other stakeholders, i.e. external actors, to monitor and evaluate its processes and performance.** This is where the close connection between the concepts of "transparency" and "accountability" is located, and therefore it is considered that transparency is a prerequisite for the existence of accountability. Furthermore, it is important to distinguish between two types of transparency – passive and active.¹ **Passive transparency is called the form that represents a legal obligation, while active transparency is the form of transparency that is recognized in theory as "voluntary", that is, non-binding.**

Through efforts aimed at development and improved functioning, the Republic of North Macedonia and its institutions face the challenge of "transparency", which is one of the principles of modern and advanced democratic governance.² Hence, it can be said that building a culture of transparency in the formulation of public policies and the execution of the goals and obligations assigned to the institutions is a complex process. In the case of the Republic of North Macedonia, efforts to integrate into NATO and the European Union create a catalytic effect on the rise, that is, on the development of institutional transparency.³

¹ Mary Ellen Guy, Todd L. Ely "Essentials of Public Service: An Introduction to Contemporary Public Administration" Melvin & Leigh, Publishers, 2018, p. 332.

² "Key findings from the report of the European Commission on the Republic of North Macedonia for 2021" https://ec.europa.eu/commission/presscorner/detail/en/qanda_21_5280.

³ "National Action Plan for Open Government Partnership 2018-2020" https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_MAC.pdf.

TRANSPARENCY IN POLICING

For the police, transparency is closely related to the principle of publicness in the performance of police work that is delegated to this key institution (especially in the context of the role of public service), within the framework of a democratic society. **Transparency as a principle of democratic policing should be placed in function of the predictability of the organization's competences and be based on the information available to the public, the decisions that are made, the rules and regulations according to which the police act.**

In the legal framework of the MOI of the Republic of North Macedonia, specifically in the Law on Police, the "publicity principle" is more closely regulated in Articles 9, 10, 11 and 21.⁴ In the Law on Internal Affairs of the Republic of North Macedonia, the principle of publicity is regulated in Article 5, while the principle of transparency is regulated in Article 11.⁵ These legal acts define the passive form of transparency of this institution in the legal system.

"Strategy for involvement and communication with the community 2020-2022"⁶ of the MOI is a key document, which, among other things, refers to forms of openness and transparency in policing. This strategic document deals with the issue of transparency in terms of communication to the outside (indirect and direct). It does this by mapping the challenges and shortcomings in the current work practices, in the context of improving the active form of transparency. Furthermore, in the **"STRATEGIC PLAN 2022-2024"**⁷, adopted in March 2022, **the MOI locates communication and transparency as a key tool in its operations.** Through these two documents, the police advocate for encouraging the active form of transparency, in addition to the legally defined obligations.

⁴ "Law on Police of the Republic of North Macedonia"

[https://mvr.gov.mk/Upload/Documents/Zakon%20za%20policija,%20precisten%20april%202022\(1\).doc](https://mvr.gov.mk/Upload/Documents/Zakon%20za%20policija,%20precisten%20april%202022(1).doc).

⁵ "Law on Internal Affairs of the Republic of North Macedonia"

[https://mvr.gov.mk/Upload/Documents/ZVR%20PRECISTEN%20TEKST%20april%202022\(1\)\(1\).doc](https://mvr.gov.mk/Upload/Documents/ZVR%20PRECISTEN%20TEKST%20april%202022(1)(1).doc).

⁶ "Community Engagement and Communication Strategy 2020–2022"

https://mvr.gov.mk/Upload/Editor_Upload/strategii/CEC%20STRATEGY_MK.pdf.

⁷ "STRATEGIC PLAN 2022–2024"

https://mvr.gov.mk/Upload/Editor_Upload/220310%20SP%20na%20MVR%202022-2024.pdf.

TRANSPARENCY REGARDING ACCOUNTABILITY AND RESPONSIBILITY

As an organ of public administration, the police is a taxpayer-funded institution and, as such, is expected to be accountable to the public. **Accountability mechanisms should guarantee impartiality in cases where there is suspicion of: abuse of official position, police brutality, ethnic, gender and other forms of profiling, ie discrimination, both inside and outside the organization.** This includes maintaining and enabling the smooth functioning of effective and independent bodies that will protect, above all, the interests of the community and society as a whole.

The key for this segment is the timely and transparent reporting of the results of the work of the Department for Internal Control, Criminal Investigations and Professional Standards, as well as the external mechanisms for control over the work of the police, such as: The Specialized Department for Research and Prosecution of Criminal Offenses Committed by persons with police powers and the office of the Ombudsman. **It is important to note that on the work of the Department of Internal Control, Criminal Investigations and Professional Standards, the Ministry publishes reports on a regular basis and on the results of the work of internal control there are quarterly reports, in addition to the annual report,** and they are published within the web - the page of the Ministry of Interior under the rubric: "Internal control".

Next, **the publication of documents, such as the annual, financial and audit reports** prepared by the state auditor, as well as other public documents related to the work of this institution, **is a golden standard in preserving transparency.** One of the key aspects affecting the reputation of public administration bodies is transparency, in the context of the availability of information provided by the institutions. As a body of public administration, **the police possess a large number of powers and competences that encroach on the freedoms and rights of citizens, and therefore transparency greatly affects the degree of trust in it.**

The annual report on the work of the MOI for 2021⁸ provides systematized information on the work of this institution in the field of public relations and transparency. **However, it is important to note that the annual report itself is virtually impossible to locate easily on the institution's website itself.** Although the website abounds with sections and special sections dedicated to the publication of mandatory documents and legal acts and information that, according to the principles of passive transparency, should be and are available to the public, however, there is a lack of annual, financial or audit reports that owned by this institution. The search function on the website of the MOI is not functional. The annual report on the work of the MOI can be found using search engines, and at the same time, there is a lack of an appropriately updated announcement in the "news" column for the publication of these documents.

According to the public opinion survey EUROMETAR, 2021, one out of five citizens think that the police is transparent, as opposed to two out of five respondents who do not think that the police are transparent about their work. Two out of five respondents covered by the sample have a neutral opinion regarding the degree of transparency of the police in the Republic of North Macedonia.

Excerpt from the public opinion survey "Eurometer, winter 2021"⁹

22% of the respondents agreed with the claim that "the police in Macedonia is transparent about its work" (grade 4 and 5), while 40% of the respondents in the sample expressed disagreement with this claim (grade 1 and 2). Almost one third of the sample, i.e. 36% of the respondents gave a neutral rating for this claim (rating 3).

⁸ Annual report on the work of the Ministry of Interior for 2012:
https://mvr.gov.mk/Upload/Editor_Upload/Godisen%20izvestaj%20na%20MVR%20za%202021%20godina,%20%20-%2015_04_2022.pdf.

⁹ Stojanovski, Aleksandar "Perceptions and attitudes of the citizens of the Republic of North Macedonia about the work of the police", public opinion research, Eurometer 2021, pg. 9 : shorturl.at/lpV04

DISCUSSIONS IN FOCUS GROUPS WITH CITIZENS

Regarding the transparency of the police towards the citizens, different opinions prevailed among the discussants in the focus groups. Some debaters believe that the Ministry of Interior does not behave transparently. They located the reasons for such attitudes in the insufficiently frequent dissemination of information about the non-repressive activities carried out by the police, that is: information of a service nature, notifications related to prevention or issuing documents and public documents. At the same time, compared to the transparency of the police from 10-15 years ago, participants in the focus group discussions, in general, consider that to some extent the transparency of the institution has increased, but not significantly.

The discussants in the focus groups are mostly informed about the work of the police through the media (television and electronic or printed media). A small part of the discussants have visited or are informed about the existence of the official pages of the MOI on the social network Facebook or YouTube. Among them, the prevailing view is that the police "feel pressured" by the public, but also by modern trends for more frequent sharing of information related to the results of their work. One of the interlocutors expressed a positive attitude about the transparency of the police, especially about the transparency of the internal control and emphasized that, according to her experiences, the MOI transparently and professionally responds to every submitted request for information about the procedures before the Department of Internal Control, Criminal Investigations and Professional Standards.

According to the participants in the discussions, transparency exists when you can see how the institution functions, how it develops and how it is set up as a public service, but also what is the degree of integrity. For some individuals, the police are now more closed than ever, while for other debaters, the police are more transparent than at times in the past.

For the most part, the discussants included in focus group discussions from all eight planning regions consider that the MOI, as an institution, is partially transparent to the public, with the exception of the active sharing of information about committed offenses and crimes, i.e. publishing information about negative phenomena and the so-called "black chronicle".

Within the framework of structured interviews with police officers, the police is highly rated regarding the degree of transparency. From 33 interviews conducted with police officers, in all eight departments of internal affairs of the MOI, the average score (on a scale of one to five) was 3.95. This speaks to the perception of employees, where the police organization itself is qualified as quite open and transparent to the outside. Officers with more years in the service have noted increased activity in the area of public information in recent years, compared to practices that were in place a few decades ago.

Table no. 1: Statistical review of posts on the website of the Ministry of Interior in 2021

Types of announcements on the website of the MOI in 2021	No. of announcements
News-statistics	9
Community involvement	10
Media invitation	27
Service information	46
Activity or announcement information	301
Information about a crime or misdemeanor	2080
Total	2473

The analysis conducted regarding the number and type of posts on the official website of the MOI for 2021 indicates a frequently updated "news" section. From the conducted counting and classification of posts, it is evident that in the last five years the public regularly receives a large amount of individual information about the work of this institution. During 2021, an average of more than six announcements per day were placed on the site and on the page of the MOI on the social media Facebook.

At the time of closing the analysis, the official pages of the MOI on the social network Facebook, as well as on YouTube, have a serious number of followers (over 65,000).

During 2021, 561 videos were published on the YouTube channel of the MOI. The Ministry, through the Department of Public Relations and Strategic Affairs, manages to attract a large number of daily visits to its official channels on these social media. According to the Annual Report for 2021, the Department of Public Relations and Strategic Affairs responded to 2,600 written requests from journalists and the media. In the same period, more than 4,000 letters were received from citizens and institutions, to which the MOI responded or forwarded them to the competent institutions or services.

Taking into account the number of news items published by the MOI during a calendar year, the introduction of tags, i.e. keywords in the posts themselves and the categorization of information by type/nature and location, would help in easier navigation through them, as well as in their search.

CONCLUSIONS

According to the results of the public opinion survey, the percentage of citizens who believe that the police are transparent in their work corresponds to the percentage of citizens who expressed confidence in the police as an institution. One out of five respondents have confidence in the police as an institution, that is, they are convinced that the police are transparent in their work. This shows the correlation that exists between the perception of transparency and trust in this institution.

During discussions with citizens, their opinions and views were fully captured and, unlike interviews with police officers, this diverse group of citizens openly discussed and analyzed the work of the police in their local communities, specifically focusing on transparency, inclusiveness in policy making decisions, the concept of "community policing", police accountability and its effectiveness in local communities.

In principle, for the participants in the focus groups, the definition of transparency and accountability is quite similar. Some of the interlocutors believe that the police are accountable with the information they share on their social media and on the website of the MOI. Some do not consider the accountability of the MOI to be complete and therefore transparency is limited. In relation to the transparency of the police, the participants believe that the MOI is far from that open and democratic concept of work, and therefore they believe that citizens are not sufficiently informed about the work of the police in the area of creating the policies that dictate the direction of the work.

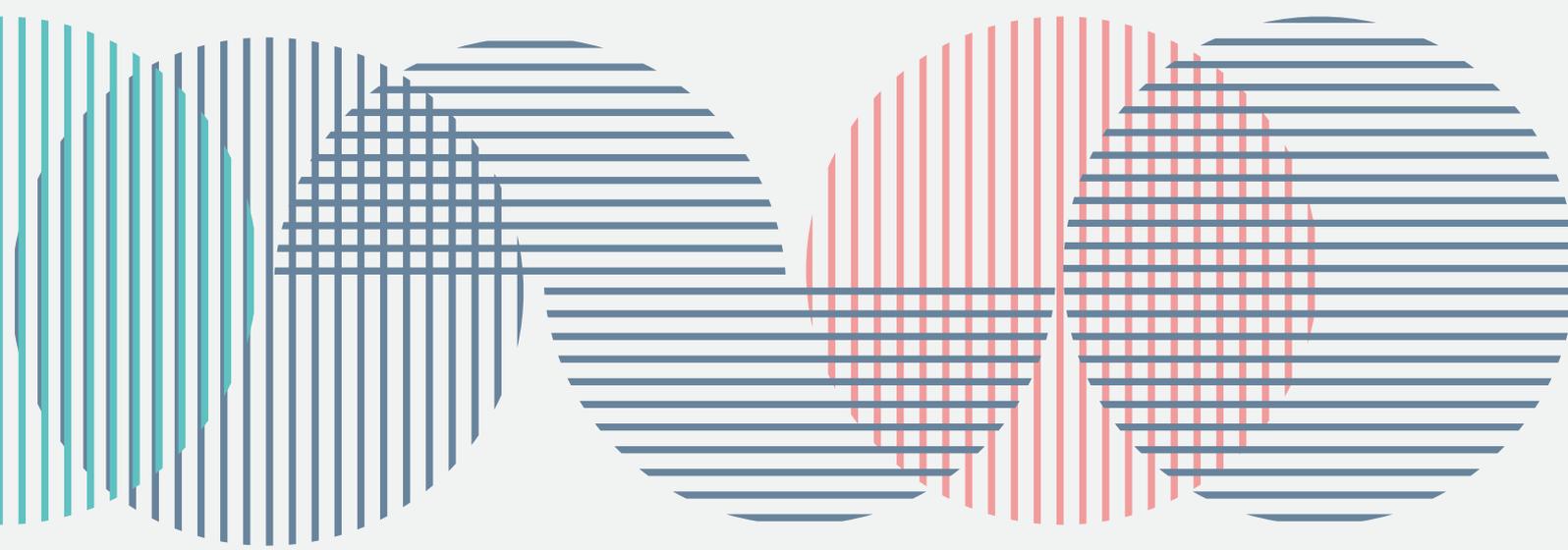
According to them, **transparent and accountable police** means that the MOI regularly points out what has worked in terms of responsibility and the preservation of professional standards.

When asked how they think a public service such as the police should communicate with the public, the discussants declared that **the presence of service information and educational campaigns to prevent deviant phenomena, which mean a disturbance of public order and peace, as well as traffic safety, should be more represented in daily communications with the public.**

The few citizens included in the focus groups who had some experience with requesting access to public information, believe that this mechanism works and that the MOI, in their cases, shared the information that was requested.

The police are the most visible manifestation of the government agencies responsible for public safety. Police transparency is important, because it is the only way to have an informed public about security challenges and problems in a society, but also to get public support in dealing with them.

Transparency in the conduct of police work, such as the maintenance of public order and peace, is not an end in itself. In this context, it is a tool for easier achievement of security and stability in an environment. Transparency in police operations is a tool for reaffirming the thesis that the police is a public service that works in the interest of citizens, that is, taxpayers, and not in someone else's interest. With improved transparency of the police, increased trust is also inevitable, because there is a mutual relationship between these two concepts.



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