

Promo-LEX: lack of transparency in the activity of level II local public administrations

The Promo-LEX Association presented today, June 19, the **Monitoring Report no. 4 on the Transparency of the Activity of Level II Local Public Administrations and ATU Gagauzia**, based on the findings reported by the monitors, who surveyed the activity of the actors involved in the decision-making process.



The monitoring process aimed at studying compliance with the legal provisions and identifying the level of decisional transparency of the LPA II, giving an impetus to the civic activism and offering assistance to the LPA in order to increase transparency.

Social networks continue to be the most in-demand

According to the report, on-line communication channels continue to be most popular with citizens, who want to be informed about the activity of the LPA II, recording a continuous increase compared to the previous first half of 2018, specifically for social networks (+4.94%). Citizens put the emphasis on on-line sources of information available on the webpage and social networks, showing a ratio of 79.89%. In the case of LPAs, we point out a decrease in the use of the sources of information on social networks (-25.71%) and focusing on sources of information available on the authority's webpage and information panel, on average of 95.71%.

Promo-LEX found that the level II LPA webpages, compared to previous periods, recorded a slight increase in the compliance of their content in terms of decision-making transparency, while the number of LPAs that have published the *synthesis of recommendations* has increased. The best results on the compliance of the content of LPA webpages in terms of decision-making transparency has been recorded by the authorities of the Straseni, Riscani, Criuleni districts and the municipality of Balti. The LPAs from Taraclia, Briceni, Donduseni, Rezina and Ialoveni districts are at the opposite extreme, showing the weakest results.

Impediments in the decision-making and public consultation processes

Over the monitoring period, it was found that the number of people involved in public hearings and debates, compared to the previous period, had increased on average by +31.35%, compared to the first half of 2018. Regrettably, further impediments are found in the decision-making and public consultation processes, for some categories of population, such as mothers with children and people with special needs. However, there is progress in ensuring the Level II LPA headquarters with a specially arranged room for mothers with children, compared to the first half of 2018, when none of the

local public authorities had such rooms, in this regard excelling Leova and Cantemir LPAs. In addition, the accessibility of Level II LPA buildings increased due to the fact that they have been equipped with access ramps.

Promo-LEX Association finds regresses as regards the relations between Level II LPAs and applicants for official information, as the number of cases of providing answers in violation of legal deadlines, compared to the first half of 2018, increased from 6 (17.14%) to 9 (25.71%) cases.

Meetings organized with topics included as a matter of urgency on the agenda

Following the monitoring of the transparency of the process of preparing and conducting the meetings of the deliberative authorities of level II LPAs, Promo-LEX found that the legislation in the field is largely complied with. However, in Balti, Briceni, Leova and Cantemir, level II LPAs did not comply with the legal provisions regarding the organization of meetings with topics included as a matter of urgency on the agenda, because the public was not informed about the need to include and adopt any urgent decisions.

After the entry into force of the provisions on the obligation to include decisions in the State Register of Local Acts, starting with October 28, 2018, Promo-LEX Association found that the district council secretaries complied with these provisions. However, the 5-day deadline for including the decisions into the Register has not been met by all level II LPAs.

Government portal of public offices remains to be poorly used by authorities

Promo-LEX Association finds a moderately positive state of affairs with regard to the *transparency of public office contests*. The LPA authorities, who indicated the organization of contests, largely followed the advertising conditions by

placing the notice and their requirements on the webpage and in the media. However, placing notices about the organization of contests on the government portal of public offices, www.cariere.gov.md, still remains to be poorly used by the authorities, especially since it is a mandatory source of publication of advertisements, according to legal provisions.

Low transparency of procurement process

It is alarming that the official webpages of LPAs ensure a low level of transparency in the procurement process, this summing up to the publication of Procurement Plans (32 out of 35 LPAs). Simultaneously, level II LPAs do not publish on their official webpages the reports on public procurement of small value (only 12 of the 35 LPAs have published these reports) and, respectively, the quarterly/half-yearly and annual reports on monitoring the performance of procurement procedure contracts (14 of 35 LPAs). However, compared to previous periods, Promo-LEX Association found an increase in the number of Level II LPAs that complied with the legal provisions.

During 2018, Promo-LEX Association found a reduced involvement of citizens in the process of drafting the local budgets. Only 44 (45.36 %) of the 97 respondents among citizens said they participated in the public consultation of the ATU draft budget for the current year. According to Promo-LEX, although it is growing compared to last year, it has still an insignificant result, especially given that not only non-profit and media associations are part of the stakeholders, but also economic agents.

Monitoring the transparency of decision-making process in level II LPAs is a continuous activity, carried out by the Promo-LEX monitors during 2017, 2018 and 2019. Every six months, Promo-LEX will publish Monitoring Reports on the Transparency of level II LPAs and ATU Gagauzia.

The full report can be accessed [here](#).

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