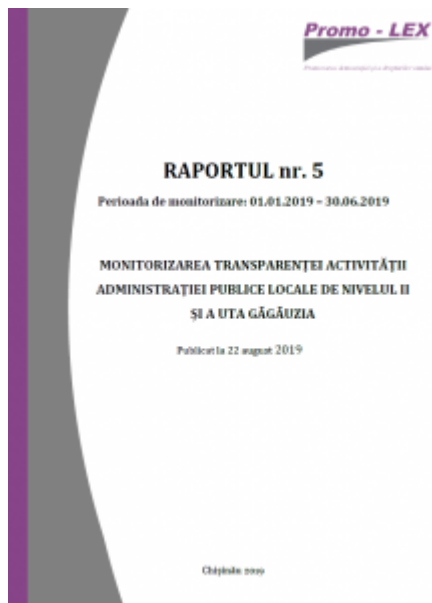


Conclusions of the Promo-LEX Report on monitoring the transparency of activity of level-two local public authorities during the first half of 2019

Local authorities are an important link of the national decision-making process, while the transparency of the local decision-making process and access to official information are essential in ensuring the efficiency of the decision-making, legality and legitimacy of the involved authorities.

Starting from this premise, the Promo-LEX Association presented the fifth report on monitoring the transparency of activity of level-two local public authorities and ATU Gagauzia, based on the findings reported by the monitors, who surveyed the activity of the actors involved in the decision-making process during 01.01.2019 – 30.06.2019.

During the period covered by the Report no. 5 the conclusion on the insufficiency of compliance with the legal provisions related to transparency of decision-making process by level-two LPAs remains valid.



Less transparent LPA authorities' websites in the final term of office

According to the report, communication preferences between LPAs and stakeholders in the decision-making process largely remained the same, the most used source of communication being the website. Even so, in the first semester of 2019, Promo-LEX finds a decrease in the level of compliance of the contents of the LPA authorities' websites in terms of transparent decision-making with the applicable legal provisions.

Thus, if in the second semester of 2018, 91% of the monitored LPAs published their decisions and related materials, then in the first semester of 2019 – only 83% did this. In the case of announcements on public consultations – if 83% of the LPAs published them in the second semester of 2018, then in the first semester of 2019 – only 54% of the LPAs managed to publish them. No changes have been made to the requirements concerning the publication of internal rules (34% of all LPAs) and the annual reports on decision-making transparency (51%).

Situation that can be explained, by the unstable and full of uncertainties political context created in the first part of 2019 following the parliamentary elections and due to the final term of office of the local public administration.

The analysis of the outcomes per LPA, proved that the authorities from Riscani district, Balti municipality,

Criuleni and Falesti districts are doing best in complying with the LPA website content requirements on decision-making transparency. At the opposite extreme – the weakest results were registered by LPAs from Taraclia, Briceni, Donduseni, Rezina and Ialoveni districts.

Increased access to official information, but decreased role of public consultations

We attest a 25.72% increase in the rate of provision of responses to the requests for official information by level-two LPAs both within legal deadline and with a full content.

At the same time, given the non-organization or lack of announcements on the conduct of public consultations by LPAs, a decrease in the use of the mechanism of public debates and participating in them both by LPAs representatives and stakeholders of 18.58% was observed.

More transparent meetings of the level-two LPAs' deliberative authorities

Legal provisions in the field of transparency in preparing and holding the meetings of level-two LPAs' deliberative authorities are observed to a great extent. According to Promo-LEX monitors, in the first semester of 2019, the deliberative authorities of LPAs met in at least 89 meetings, two of which did not have the necessary quorum. All of the meetings were accessible to Promo-LEX monitoring, while the publication rate of the announcements regarding the conduct of meetings on website increased by 2.8%. The number of decisions published in the State Register of Local Acts increased by 6.89%, the latter being published in the case of 86.20% meetings.

The live broadcasting of meetings of level-two LPAs' deliberative authorities is an element that increases the transparency in the decision-making process. The Promo-LEX Association values the fact that citizens were able to watch

the local deliberative bodies in case of 26 meetings out of 89. LPAs that use broadly the live broadcast include: Balti municipality, Chisinau municipality, Falesti, Soroca, Taraclia, ATU Gagauzia, Nisporeni, Soroca and Drochia.

Government portal of public offices still 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 website 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 websites of LPAs ensure a low level of transparency in the procurement process, this summing up to the publication of Procurement Plans. Simultaneously, level II LPAs do not publish on their official websites the reports on public procurement of small value and, respectively, the quarterly/half-yearly and annual reports on monitoring the performance of procurement procedure contracts (18 of 35 LPAs). However, compared to previous periods, we see a decrease in the number of LPAs that complied with the legal provisions. Thus, we found a decrease by 2% in terms of publication of the quarterly report on monitoring the implementation of public procurement contracts (MCA), by 10 % in the publication of the procurement plan and by 3% in the approval of the quarterly report on MCA, etc.

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

The initiative to monitor the transparency of the activity of

the level II LPA authorities and that of ATU Gagauzia is funded by the United States Agency for International Development (USAID) in the framework of the Program for Democracy, Transparency and Responsibility (August 2016 – July 2019). The opinions expressed in the public reports of Promo-LEX belong to the authors and do not necessarily reflect the views of the funders.

For more information, please contact:

Inga Stegarescu, Promo-LEX Association Press Officer

GSM: 069 26 96 84;

E-mail: inga.stegarescu@promolex.md