



EVALUATION REPORT of MOLDOVA OPEN GOVERNMENT ACTION PLAN for year 2012

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ABOUT THE PROJECT

The project aims to strengthen transparent, accountable and efficient governance, by improving decision making processes, participation and social involvement geared towards achieving commitments under the Global Partnership for Open Government.

Objective 1: To ensure transparent, accountable and effective governance through effective implementation of commitments under the Open Government Partnership and improving governance policies (Open Government)

Objective 2: To improve the quality and utility of public governmental data

Objective 3: To increase awareness of the society on Open Government and using public data to increase efficiency and accountability of governance

Association for Participatory Democracy (ADEPT) and the Center for Independent Journalism (CJI) formed a partnership to conduct joint activities aimed at improving the Open Governance insurance policies; increase data quality and usefulness of government are open and ensure applying the results of open government and accountability to increase government efficiency.

The project has two components:

- **Expertise** - evaluation and monitoring, identify problems and deficiencies, promotion recommendations and solutions to improve processes transparent and accountable governance, and determining the level of implementation of the commitments deriving from the Open Government Partnership;
- **Advocacy** – information and training of NGO representatives and media institutions, public communication developments and events / important aspects of open government, open data and related issues.

Products developed under the project are available on the websites www.e-democracy.md and www.ijc.md.

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EXECUTIVE SUMMARY

The report provides a comprehensive evaluation of Moldova Open Government Action Plan 2012-2013 implementation, assessing the level of achievement of the activities planned under the Open Government Partnership commitments. In 2012 the implementation level of the Action Plan was average, of about 55.05%. The first objective “Strengthening public integrity by ensuring a participative decision- making process, citizen participation and increasing transparency in governance” was of 53.86%. The second objective "Effective management of public resources by increasing the transparency of public spending" was fulfilled to an extent of circa 73.01%. The third objective "Improving the quality of public service delivery" was achieved at a level of 12.5%. The conclusion is that the implementation of an open government is difficult, among the main causes being insufficient mechanisms for the monitoring and control of the implementation process, insufficient human resources, and reduced visibility of open government initiatives, public authorities and societal inertia.

ABBREVIATIONS

OGAP	Open Government Action Plan 2012 - 2013
OGP	Open Government Partnership
PPA	Public Procurement Agency
CPAA	Central Public Administration Authorities
LPAA	Local Public Administration Authorities
LPA	Local Public Administration
MHA	Ministry of Home Affairs
MFAEI	Ministry of Foreign Affairs and European Integration
IT	Information Technology
API	Application Programming Interface
CNP	National Participation Council
AIS	Automated Information System
SRPP	State Registry of Public Procurement

1. INTRODUCTION

As an antithesis of a secrecy culture in public institutions, open government is a redefinition of the relationship between government and citizens¹ and includes several complementary concepts such as transparency in decision making, access to information and open data, participation and collaboration, also by means of IT tools, that applied together aim to ensure greater accountability of government institutions, more efficient use of public resources and a better quality of governance for the citizens.

Despite the recent years' efforts made by authorities and civil society, authorities openness is still limited and access to public information at times difficult, which makes public institutions remain further unaccountable to the citizens. This is confirmed by opinion polls that show a decreasing popular confidence in public institutions². Causes often include failure to follow the implementation terms of the planned actions or their poor implementation.

To increase accountability of public institutions, it is important to ensure adequate monitoring and evaluation of government's actions towards the implementation of open government initiative and the accomplishment of Moldova's commitments under the OGP.

Open Government Partnership (OGP) is a global initiative to improve the quality of governments by improving the governance, increase public institutions' transparency and accountability, providing the necessary IT tools to empower citizens and improve interaction between government and civil society. This initiative was officially launched in September 2011, in the UN General Assembly by the eight founding countries (Brazil, Indonesia, Mexico, Norway, Philippines, South Africa, UK, and USA)³. On April 17, 2012, Moldova has joined this global effort of governance improvement⁴, signing the Open Government Partnership Declaration⁵.

To join the OGP, Moldova developed the Open Government Action Plan for 2012 - 2013, adopted by the Government Decision nr. 195 of 04.04.2012, published in "Official Monitor" of 06.04.2012 nr.65-69/224. The implementation of this action plan was made the responsibility of the central government, including the State Chancellery and e-Government Center. The control of the Open Government Action Plan implementation was put in charge of the State Chancellery as well the central administration, with the support of e-Transformation Coordinators or designated civil servants responsible for open government data⁶. At the same time, in this document the Government recommended the National Council for Participation, "to establish a specialized working group for monitoring the OGAP implementation".

¹ Lathrop, Daniel; Ruma, Laurel, eds., Open Government: Transparency, Collaboration and Participation in Practice

² According to Public Opinion Barometer (November 2012), there is a considerable decrease in the level of trust citizens have in the main state institutions, there is increased disagreement with inefficient corruption fighting and inadequate law enforcement, <http://www.ipp.md/libview.php?l=ro&idc=156&id=624>

³ <http://www.opengovpartnership.org/about>

⁴ http://www.egov.md/index.php/ro/initiative/guvern-deschis#UcK-v84cl_A

⁵ <http://www.opengovpartnership.org/open-government-declaration>

⁶ Government Decision no. 195 of 04.04.2012

The goal of the study is to assess the implementation of the Open Government Action Plan (OGAP) in the period of April-December 2012. The objectives of the study are: to determine the progress achieved in the implementation of the OGAP during the analyzed period, to determine the correlation between OGP commitments and the results achieved by the Moldovan authorities, and emphasize issues that hinder the implementation of the OGAP actions. The study also makes some recommendations for the next period of the Action Plan implementation. Besides assessing the implementation of the Action Plan, to a certain extent, the study also touches the topic of institutions openness as well as the openness of data published by public institutions.

This study is a first attempt to conduct a comprehensive and systematic assessment of the OGAP implementation and shows the current situation, trend and progress in the implementation of the Open Governance in Moldova. In order to bring forward a complete picture of the progress and problems in the implementation of OGAP the methodology used includes the quantitative assessment of performance indicators and qualitative evaluation based on interviews with representatives of the central government. The quantitative indicators have been measured using data collected from public sources as well as information obtained through official requests from state institutions. The qualitative assessment was carried out based on information obtained during interviews conducted with a number of representatives of the ministries, the e-Governance Center; Open Government Working Group of the National Participation Council.

It is important to note that some performance and progress indicators stated in the OGAP are insufficient for measuring the degree of implementation of the plan, given the fact that they are vaguely worded and often immeasurable. Similarly, the vague wording of certain OGAP sub-actions, made it difficult to objectively measure their achievement. Thus, it was necessary to develop an alternative set of performance indicators in line with existing international practices. These indicators provide the opportunity to assess the level of achievement of the Action Plan objectives by measuring the degree of OGAP planned actions achievement.

Some of these indicators were tested for the first time in this study. Measurement of all indicators was not possible because they were not planned from the start and therefore corresponding data cannot be obtained. However, provided that the mechanisms for OGAP implementation monitoring will be improved, this evaluation framework and the developed indicators can be applied for the post-implementation evaluation and have to be included in the next OGAP.

It has to be emphasized that this study does not aim to evaluate the quality of the undertaken OGAP activities and their impact, but only the accomplishment of the actions planned in the OGAP. An evaluation of the quality and impact will be appropriate after the full implementation of the Action Plan for 2012-2013 and after the development of an adequate evaluation framework by the international scientific community tailored for the assessment of the impact of open data policies⁷.

⁷ Tim Davies, Notes on open government data evaluation and assessment frameworks, <http://www.opendataimpacts.net/2013/02/506/>

2. METHODOLOGY

In order to assess the implementation of the Open Government Action Plan for the Republic of Moldova (OGAP) it was used a mixed methodology combining both quantitative and qualitative tools. The quantitative evaluation component includes the measurement of a range of performance indicators; the qualitative assessment was made based on interviews with representatives of the central public administration authorities.

The study seeks to answer the following questions: To what extent were implemented and completed the OGAP sub-actions planned for 2012? To what extent were the OGAP objectives achieved? What is the correlation between OGP commitments and Moldova's results? What are the issues affecting the implementation of the planned actions?

The evaluation includes the following steps: studying the legislation that underpins OGAP implementation; developing evaluation tools (a set of indicators, semi-structured interview guide, the list of information sources); determining the sample to be studied; collecting relevant information by monitoring the central public administration websites; conducting interviews with representatives of central public administration; analysis of the collected information; developing conclusions and making recommendations.

Given the fact that some of the sub-actions of the OGAP were vaguely formulated and did not have measurable and clearly defined performance indicators, this made it difficult to measure their level of achievement. Thus, the study has some degree of subjectivity, resulting from these constraints. In order to answer the first and second questions posed by the study it was developed a set of performance indicators for 40 sub-actions planned for 2012⁸. Given the fact that some of the newly developed indicators were not envisaged by the OGAP it was difficult to collect information for their measurement, and thus many were not measured at this moment. However, this evaluation framework, including the newly developed indicators can be further used to assess OGAP implementation at the end of 2013 as well as for the development/assessment of the new Action Plan for 2014-2015.

The answer to the third question posed in the study was formulated based on the analysis of accumulated data on actions taken and results achieved in 2012 through the lens of the principles and objectives of the Open Government Partnership. The last question in this study was answered by analyzing data collected during the monitoring of the OGAP implementation and the information gathered in semi-structured interviews conducted with a number of representatives of the central public administration authorities.

During the evaluation we monitored the web sites of a number of CPAA, analyzed the reports produced by the institutions responsible for the implementation of OGAP as well as reports issued by other institutions. For a more complete picture of the OGAP implementation and in order to triangulate collected data, nine semi-structured interviews were conducted with CPAA representatives responsible for OGAP implementation, representatives of NPC, e-Government Center, and World Bank. In some cases, when it was difficult to find some public information, official requests for information were sent in accordance with Law no. 982 of 11.05.2000 on access to information. Such letters have been sent to the State Chancellery, e-

⁸ OGAP for 2012-2013 includes a total of 49 sub-actions, 40 of them were planned to be completed in 2012 and 9 sub-actions in 2013.

Government Center, Ministry of Environment, Public Procurement Agency, and Agency for Land Relations and Cadaster. The collected information referred primarily to those authorities who were responsible for the implementation of the respective OGAP actions.

To evaluate the OGAP sub-actions referring to the entirety of central public administration authorities in general, a sample of 16 ministries has been studied by monitoring their official websites:

	CPAA	Web address
1.	Ministry of Economy	http://www.mec.gov.md/
2.	Ministry of Finance	http://minfin.md/
3.	Ministry of Justice	http://justice.gov.md/
4.	Ministry of Home Affairs	http://www.mai.gov.md/
5.	Ministry of Foreign Affairs and European Integration	http://www.mfa.gov.md/
6.	Ministry of Defense	http://army.md/
7.	Ministry of Regional Development and Constructions	http://www.mdrc.gov.md/
8.	Ministry of Agriculture and Food Industry	http://maia.gov.md/
9.	Ministry of Transportation and Roads Infrastructure	http://www.mtid.gov.md/
10.	Ministry of Environment	http://www.medi.gov.md/
11.	Ministry of Education	http://www.edu.md/
12.	Ministry of Culture	http://www.mc.gov.md/
13.	Ministry of Labor, Social Protection and Family	http://www.mpsfc.gov.md/
14.	Ministry of Health	http://www.ms.gov.md/
15.	Ministry of Information Technology and Communications	http://www.mtic.gov.md/
16.	Ministry of Youth and Sports	http://www.mts.gov.md/

Thus, each sub-action of the OGAP assessed, received a percentage score based on the following criteria. For sub-actions related to passing legislation and implementation of one-time actions, the following assessment method was used: 100% for a fully completed sub-action, 50% for a partially completed sub-action and 0% for sub-actions not implemented at the moment of the evaluation. All the sub-actions completed with some delay were marked with 100% but with a notice "Completed with delay".

All sub-actions referring to multiple central public administration authorities were marked with a score calculated as the average of the scores obtained by the 16 ministries from the sample. The scoreboard for this type of sub-actions may vary from 0% to 100%, showing the degree to which ministries have completed the planned activities, or the ratio between the ministries that have completed a given action versus those that did not do so.

The level of achievement of each OGAP objective was calculated as the average of the scores given to every sub-action planned towards the achievement this goal: $O_x = (sa_1 + sa_2 + \dots + sa_n) / n$. The implementation degree of the entire OGAP was calculated as the average of the scores obtained by all sub-actions planned for 2012.

To assess the achievement of sub-actions 1.1 and 1.3 of OGAP a sub-set of indicators was developed based on the provisions of the " Regulation on the official websites of Public Administration Authorities"⁹ and of the "Regulation on the implementation of the Law no.239-XVI of 13 November 2008 on transparency in decision making"¹⁰. These indicators were measured by analyzing two or three information samples randomly extracted from the websites of the monitored authorities. Based on these indicators each institution has obtained an average score that reflects the degree of complying with the provisions of these regulations and hence the degree of accomplishment of the given sub-actions.

⁹ Government Decision no. 188 of 03.04.2012

¹⁰ Government Decision no. 96 of 16.02.2010

3. TRANSPARENCY OF PUBLIC AUTHORITIES IN PROVIDING DATA REGARDING THE ACCOMPLISHMENT OF THE OGAP ACTIONS

For the purpose of this evaluation we contacted a number of central government authorities with official requests for access to information of public interest as well as for establishing interviews with representatives of these institutions. Such requests for access to information in accordance with Law no. 982 of 11.05.2000 regarding access to information were addressed to the State Chancellery, e-Government Center, Ministry of Environment, Public Procurement Agency, and Cadaster Agency of the Republic of Moldova. Furthermore, nine semi-structured interviews were conducted with representatives of central public administration authorities, representatives of National Participation Council, e-Governance Center and World Bank.

Overall, the contacted authorities had an open and cooperative attitude, both in terms of answering to requests for information as well as readiness to take part in interviews. Most of the public authorities that were sent requests for public information, responded promptly and on time. The only exception is the State Chancellery that by the end of this evaluation did not provide the information requested.

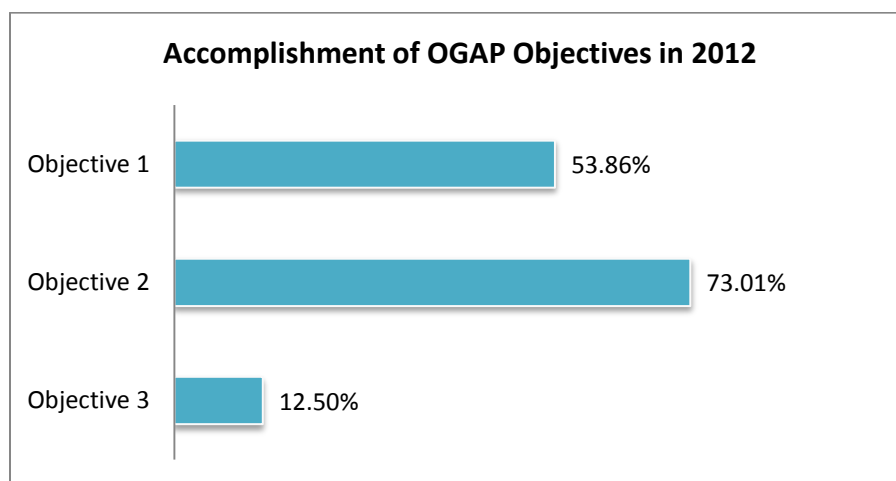
Besides this, there are several remarks to be made regarding public authorities' interaction with citizens. First, we have to mention that some institutions are difficult to be contacted by phone, despite multiple attempts made at different times of the day. This would be a regrettable observation if we refer to individual public servants but unacceptable when it refers to the secretariat or reception desks, who in their capacity as first point of contact of the respective institutions, should be more accessible to citizens, without a need for superhuman efforts from their part.

Another remark is related to difficulties of communication within some public institutions. In some ministries called to obtain the contact information of the e-Transformation coordinators, or that of officials responsible for public consultations, the information desk representatives did not have any of that information.

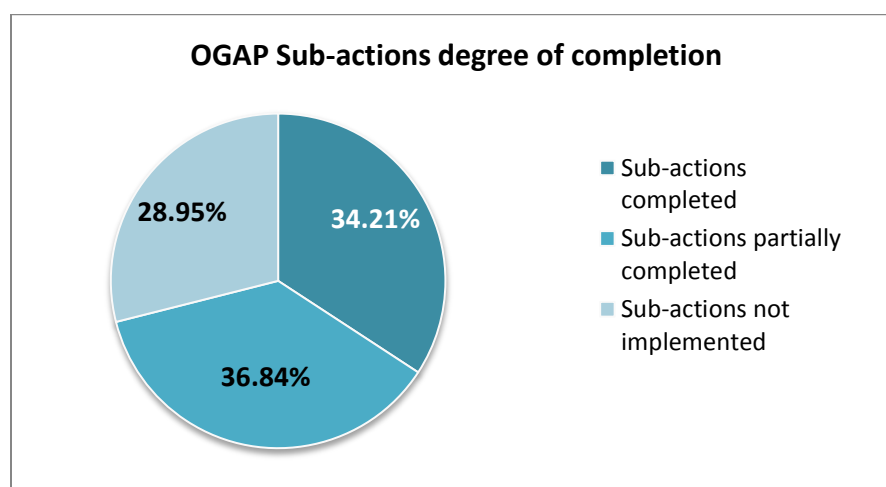
A final remark refers to at least one public institution, on whose website there are no official email addresses or an email addresses dedicated for communicating with citizens. This institution's web site has only one email address, used, as we were told, only to receive information for the newsletter of this institution. It should be noted however, that the employees of this institution have been open for cooperation, although instead of email they recommended fax to make ensure that communication is more efficient.

4. EVALUATION OF THE IMPLEMENTATION OF OGAP ACTIONS SCHEDULED FOR 2012

The open government implementation process is difficult although on a positive trend. The evaluation of OGAP implementation shows that the sub-actions planned for 2012 have been accomplished to an average level of 55.05%. The plan's objectives were achieved as follows: the first objective "Strengthening public integrity by ensuring participatory decision-making and citizen participation and increasing transparency in government" was achieved at about 53.86%. At a greater rate, of about 73.01% was achieved the second objective "Efficient management of public resources through the increase of public spending transparency". The third objective "Improving the quality of public service delivery" was only achieved at a rate of 12.5%.

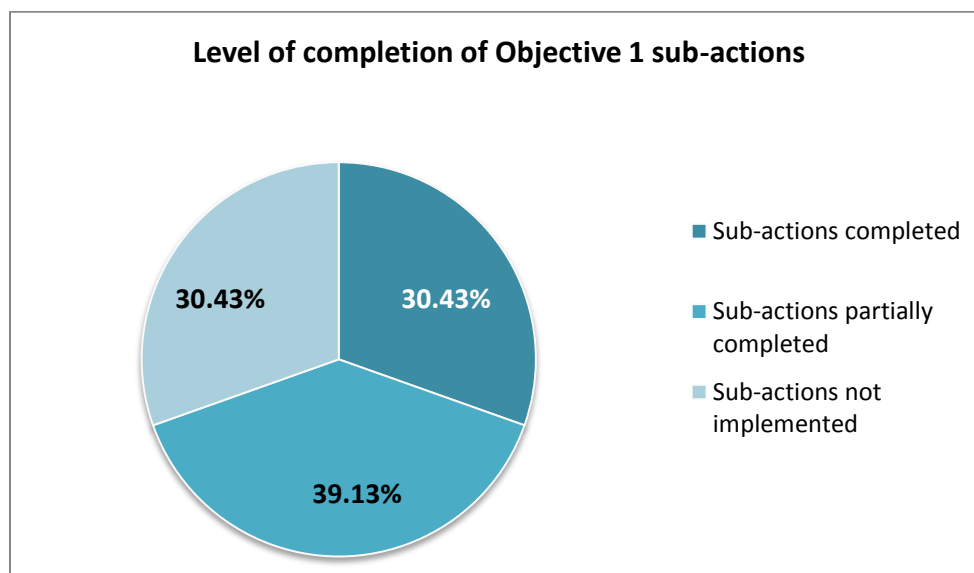


Of the 40 sub-actions planned for 2012, two sub-actions (3.11 and 8.7) were not included in the evaluation, because of the impossibility of collecting data. Thus, out of the 38 sub-actions evaluated, a number of 13 sub-actions were completed (34.21%), including 2 sub-actions accomplished with a certain delay. A total of 14 sub-actions (36.84%) were partially achieved, their degree of completion varying from 12.5% to 87.5%. There are 11 sub-actions (28.95%) that remained unaccomplished at the moment of conducting this evaluation.



OBJECTIVE 1. Strengthening public integrity by ensuring participatory decision-making and citizen participation and increasing transparency in government

The first objective has been achieved at rate of a 53.86%. Out of 23 evaluated sub-actions,¹¹ 7 sub-actions (30.43%) were completed, 9 sub-actions (39.13%) were partially completed and 7 sub-actions (30.43%) were not completed.



Among the main achievements are the draft law on the re-use of public sector information, draft Government Decision on the implementation of the Law on public sector information re-use, publication on the geospatial data portal www.geoportal.md of the information regarding the location of public authorities and their subordinate structures, the beginning of publication of documents approved by local authorities on www.actelocale.md. Furthermore, a competition was organized for the selection of applications that use open government data. Finally, the document "Guidelines for the use of social networking by public authorities" was developed.

Not all ministries have published reports on the OGAP implementation. The legislation on the information to be published on the official websites of the ministries, especially pertaining to transparency in decision making is not always fully respected. About 75% of the ministries do not fully comply with the legal requirement to publish their top management's declarations of income and property. Despite the fact that all the websites of monitored institutions contain contact information of public officials, in most cases there is no information on procedures for submitting petitions by citizens.

¹¹ To achieve the first objective, 24 sub-actions were planned for year 2012. In assessing the achievement of this objective data was collected regarding 23 sub-actions, which have been taken into account in the evaluation. One of the planned sub-actions (3.11) was not taken into account in assessing the achievement of this objective due to the vagueness of the wording of the respective sub-action and the resulting impossibility to assess the implementation of this sub-action based on the answers obtained from the responsible state institution.

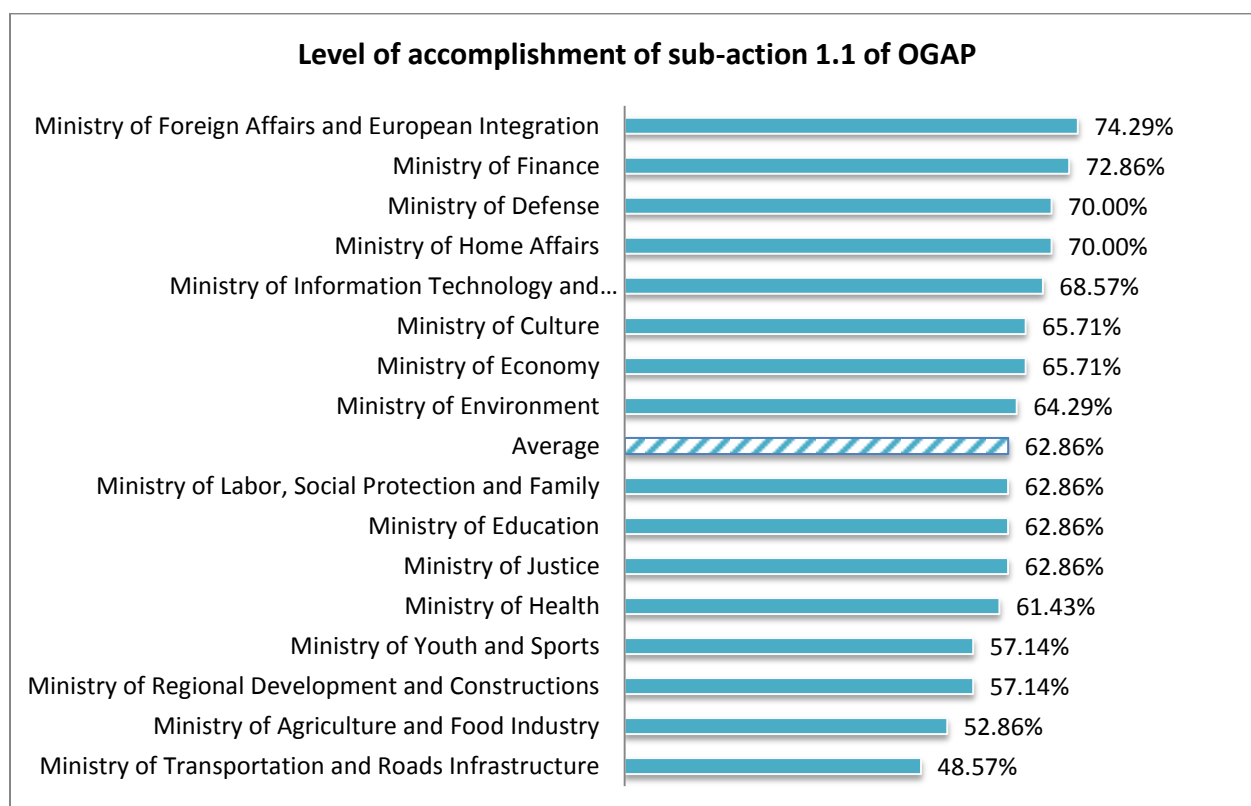
The most complied with legal provisions are those that refer to publishing information about the structure and management of the organizations, news on official visits, official visits and organized events, as well as the information on available vacancies.

There are some delays in the process of adjusting the legal framework. Still not fulfilled are the sub-actions regarding the development or amendment of regulations, as it is the case of the "Methodological Guide for public authorities regarding the publication of information on environmental protection and environmental quality" and "Regulation regarding the public administration email system."

ACTION 1. Ensuring transparency in the activity of public administration authorities and public access to information

Sub-action 1.1

Strengthening the enforcement of the regulation on public authorities official websites and the regulation on the implementation of the Law no.239-XVI of 13 November 2008 on transparency in decision making, by publishing in due time and appropriate format public information regarding the activity of public institutions	Partially completed	62,86%
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The level of achievement of this sub-action is given by the average percentage scores of the 16 ministries monitored and is approximately 62.86% (22 points out of a total possible score of 35 points). Of the 16

central public administration authorities monitored, the highest scores were obtained by the Ministry of Foreign Affairs and European Integration (26 points out of 35, or ~ 74.29%) and the Ministry of Finance (25.5 points out of 35, or ~ 72.86%). The lowest scores were obtained by the Ministry of Transport and Roads Infrastructure (17 points out of 35, or ~ 48.57%) and the Ministry of Agriculture and Food Industry (18.5 points out of 35, or ~ 52.86%).

To assess the level of achievement of this sub-action we have monitored the compliance with the following documents: "Regulation on the official websites of Public Administration Authorities" (GD no. 188 of 03.04.2012) and "Regulation on the implementation of the Law no.239-XVI of 13 November 2008 on transparency in decision making" (GD no. 96 of 16.02.2010). Out of these regulations, we evaluated the non-technical provisions, related directly to the subject of sub-action no. 1.1 of the OGAP, which implies evaluation of public authorities' activities after the official website launch and development of the website functionalities. To ensure that the results of all institutions monitored are comparable we excluded the assessment of the provisions from art. 11 and 15.18 of the "Regulation on the official websites of Public Administration Authorities" because they refer only to some of the authorities monitored.

On the basis of these regulations we developed a sub-set of 35 performance indicators that were used to monitor the websites of the central public authorities from the sample. To assess the level of implementation of these regulations, the monitored institutions received a score for each indicator as follows: 0 points if the provision has not been complied with or the relevant information is missing, 0.5 points if the legal requirement is accomplished partially or in an inconsistent manner, and 1 point if the action prescribed by a legal provision has been accomplished and/or the relevant information is complete. According to this methodology, each ministry has accumulated a certain number of points (in %) showing the fulfillment of the provisions of the above regulations and consequently the level of accomplishment of the sub-action 1.1 of the OGAP. Achievement or failure to achieve these indicators was tested by analyzing two / three samples of randomly extracted information from the websites monitored.

The most complied with legal provisions are those regarding the publication of information about the structure and the top management of the ministries, publication of news about official events organized by the central public administration authorities, visits of foreign officials, trips carried out by ministry officials, as well as the publication of information on the existing vacancies.

Websites of all monitored ministries contain information about how citizens can contact the representatives of the central public administration authorities. The number of tools available on each of these sites differs, but includes at least some of the following: phone numbers, postal address, email and / or online forms for writing to the CPAA public relations department or minister's secretariat. However, within this study we did not evaluate the functioning of these forms or the efficiency of these tools for the communication with the CPAA representatives or the leadership of these institutions.

The majority of the monitored ministries (12 out of 16, or 75%) published on their websites the internal rules regarding the organization of the public consultations during the decision making process. Most of the ministries (15 out of 16, or 93.75%) respect the legal provisions on the publication of announcements regarding the initiated decisions drafting process. All ministries publish announcements regarding the organization of public consultations, the decision drafts, as well as the additional relevant documents. Still

some ministries publish these announcements in other compartments of their websites than those specified in the legislation.

Most of the monitored institutions (14 out of 16, or 87.5%) publish analytical reports regarding their activity. Circa 13 out of 16 ministries (81.25%) publish on their webpages the annual report regarding transparency in the decision making process.

Besides these positive aspects, during the monitoring of the official CPAA sampled, certain inconsistencies were observed regarding the way these institutions respect the regulations included in the sub-action 1.1 of the OGAP. A range of the legal provisions of these regulations are infringed by most of the ministries.

Circa 75% of ministries do not fully comply with the legal requirement to publish the revenues and properties declarations by the management of these institutions. Often the information is incomplete, only the declarations of the minister being published, the declarations of the vice-ministers missing or being outdated.

Only 6 ministries (~37.5%) published data regarding the planned and executed budget, other two ministries having outdated data.

Most of the monitored institutions (15 out of 16, ~93.75%) do not publish data regarding the findings of the controls that the institution has been submitted to, or the published data are outdated.

Even if all ministries published on their websites the citizens' audience times, only a part of these institutions' websites contain online forms to be used for petitions, and rarely do they feature clear instructions regarding the procedures for addressing petitions to the public authorities. Only 2 ministries websites (~12.5%) contain comprehensive information regarding the petitioning procedures, and only 6 ministries out of 16 (~37.5%) have on their websites, templates for inquiries or any other documents that might be useful for citizens in their interaction with the public authorities. Sometimes these documents are published online, but very difficult to be found on the official websites of the public authorities.

Few ministries (6 out of 16, or 37.5%) publish data regarding foreign assistance programs, including technical assistance projects, they benefit from. Other ministries have published incomplete data that do not include all required information (name of the program, goal and objectives, main tasks, key beneficiaries and implementing parties, terms, anticipated results, funds received and sources of financing).

The ministries do not have an established practice regarding the publication of their web address in the official documents' headers. Half of the ministries do not publish their web address in the official documents' headers, the rest of the ministries do this occasionally (for example in their reports regarding the implementation of the OGAP).

A similar situation is observed in the case of the draft decisions, rulings, etc. that do not include in the electronic document's body the date when the document was drafted or updated, this information being especially important in the process of public consultations of the respective documents. Only one ministry occasionally includes in the draft document the date when this document was elaborated.

The most consistency is observed only regarding the news date of publication, while many other important documents such as reports, statistical data, etc. do not include the date of publication or date when it was updated.

Besides these inconsistencies, other problems identified are the lack of the information regarding the “project” status of a document in the drafts that are consulted with the public, the occasional lack of the document’ publication date during public consultations or the absence of the deadline for submitting suggestions within this process, etc. There have been cases when a document was published for public consultations only with a remark about 15 days provided for submitting feedback, but without a publication date, which makes it impossible to identify the period when this public consultation takes place or has already taken place.

There are also inconsistencies in the publishing of official statistics in the main area of activity of the public administration authorities. This information can be located in some of the reports published by the CPAA, however not always in the form of reusable data. In some cases the data published is not standardized: some institutions publish different data every other year.

None of the monitored institutions does not publish data regarding the risks for people’s life, health or properties; data regarding their impact on the environment or the negative influence of some environmental factors, as it is required by the "Regulation on the official websites of Public Administration Authorities".

Sub-action 1.2

Central public administration authorities will publish quarterly reports and submit them to the State Chancellery, regarding the progress achieved in executing the aforementioned regulations	Partially completed	68,75%
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Out of 16 ministries, 11 (or 68.75%) have produced reports regarding the implementation of the Open Government Action Plan. The following ministries did not publish the mentioned reports: Ministry of Justice, Ministry of Regional Development and Constructions, Ministry of Agriculture and Food Industry, Ministry of Environment and the Ministry of Education¹².

Sub-action 1.3

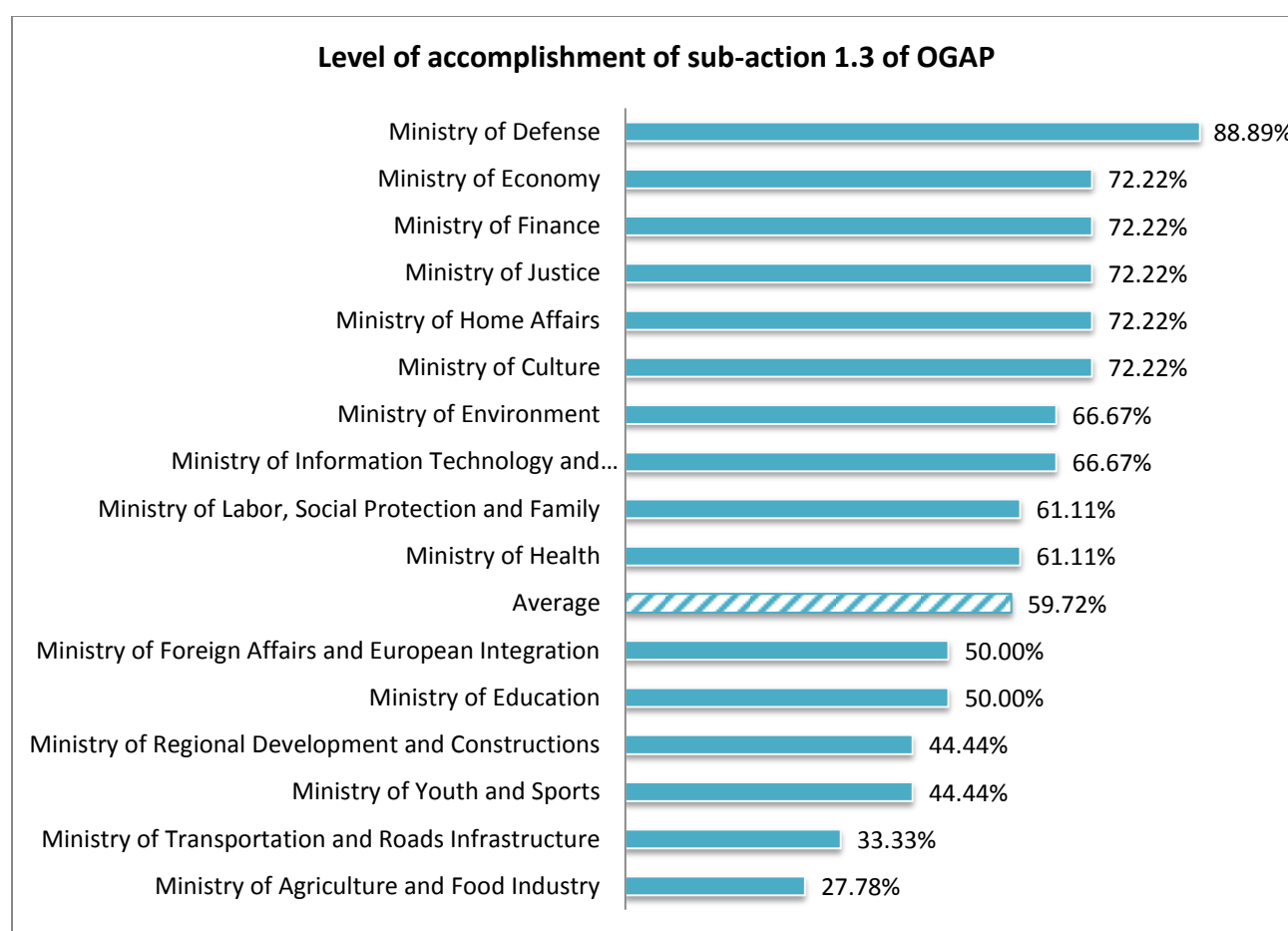
The central public administration authorities will publish on their websites and regularly update the “Decision making transparency” sub-menu, publishing relevant information regarding the participatory decision-making process	Partially completed	59,7%
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The level of accomplishment of this sub-action is given by the average score obtained for this sub-action by the monitored institutions, which is approximately 59.7%. Out of the 16 ministries, 10 have obtained scores above the sample’s average and 6 institutions – a score lower than the average. The top scores in implementing this sub-action have been received by the Ministry of Defense (88.9%) while the lowest scores were received by the Ministry of Transportation and Roads Infrastructure (33.3%) and the Ministry of Agriculture and Food Industry (27.7%).

The implementation of this sub-action was assessed based on a set of 9 indicators developed in accordance with the provisions of article 15.6, paragraphs a) to i) from the "Regulation on the official websites of Public Administration Authorities", that prescribe what data on transparency in the decision making process have to

¹² <http://codd.md/activitatea-grupului-tematic/rapoarte-ministere/>

be published on CPAA official website. These are: a) annual (trimestral) programs of drafting normative documents, b) internal rules of organizing the public consultations in the decision making process, c) name and contact information of the public consultations coordinator, d) announcements regarding the initiated decisions drafting process (the announcements have to correspond to the requirements of Article 9 of the Law on transparency in decision making), e) announcements regarding the organization of public consultations, f) draft decisions and the relevant accompanying documents, g) outcomes of the public consultations (minutes of consultative public meetings carried out, summary of recommendations received), h) decisions adopted, i) public authority's annual report on the transparency in the decision making process. Thus, for every legal provision complied with, the monitored institution received 1 point, for a partially complied with legal provision – 0.5 points, and 0 points for those provisions that were not respected. Consequently, the total score received by each ministry, converted in percentage, reflects ministries' level of accomplishment of sub-action 1.3.



Only 4 out of 16 ministries (~25%) publish their annual (trimestral) programs for the development of normative documents.

The same goes for the ministries' obligation to publish the results of the public consultations (summary of the received inputs/ recommendations) and the adopted decisions. Thus only 4 ministries out of 16 (~25%) periodically publish information regarding the results of the conducted public consultations.

It has been observed that unfortunately the adopted decisions are published not on the same page with the draft decision posted for public consultations, which makes it difficult to track the entire public consultation process from the elaboration of the first draft to the adoption of the final document.

Only 5 of 16 institutions (~31%) have published the name and contact data of the public consultation process coordinator. The other institutions publish the name of the person responsible of each consulted document separately.

The legal requirement from the "Regulation on the official websites of Public Administration Authorities" to publish the source of information (responsible unit) was assessed from the point of view of the process of publishing documents for public consultations. This legal requirement is respected by 6 out of 16 ministries (37.5%), with the rest of the ministries not having a consistent practice in this regard.

Sub-action 1.4

The central public administration authorities will publish on their official websites and update regularly the information on environmental protection and environmental quality, in accordance with paragraph 27 of Annex 2 to the Government Decision no. 195 of 4 April 2012 and will also submit this information to the Ministry of Environment	Not implemented	0%
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The analysis of the sampled public authorities' webpages shows that the monitored institutions did not publish data regarding environmental protection and quality, with the exception of the Ministry of Environment that has published on their website certain information regarding the environment's quality. Based on the information obtained from the Ministry of Environment, in accordance with the Law on access to public information, "no public administration authority has submitted information regarding the environmental quality and protection" as foreseen in the sub-action 1.4 of the OGAP. Among the causes of this set-back is the absence of the "Methodological guide for the public administration authorities regarding the publication of information on the environmental quality and protection" (sub-action 1.5) that was not elaborated till the present, but which should have preceded the obligation of the ministries to publish information regarding the environmental quality and protection.

Sub-action 1.5

Development of the methodological guide for public authorities on publishing information on environmental protection and environmental quality	Not implemented	0%
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According to the information received from the Ministry of Environment, in 2012 the "Methodological guide for the public administration authorities regarding the publication of information on the environmental quality and protection" was not elaborated, its drafting being postponed for year 2013.

Sub-action 1.6

Amending the Regulation on public administration authorities email system by introducing special provisions regarding the exclusive use of governmental email accounts (gov.md) in the official correspondence, and the restriction on the use of other email accounts	Not implemented	0%
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The "Regulation regarding the public administration email system" has not been modified in accordance with this sub-action of the OGAP. On the contrary a Government Decision no. 822 of 06.11.2012 on the email system of the public administration authorities was adopted¹³. This government's decision cancels the GD no. 969 of 23 August 2007 on the adoption of the "Regulation regarding the public administration email system" and provides for the drafting of a new Regulation, in the same time containing some mistakes regarding the terms when the new Regulation has to be drafted: it indicates to the State Chancellery to draft a new Regulation till 1 November 2012, while the GD itself has been adopted on 6 November 2012. Furthermore, the annulation of the previous Regulation, before a new one is adopted makes it difficult to enforce the fulfillment of the sub-action 1.7 of the OGAP that requires the implementation of the provisions of GD no.969 of 23.08.2007. This given situation points to certain discrepancies in the legislation adjustment process.

Sub-action 1.7

Ensure the mandatory use of official governmental email addresses (gov.md) in internal and external communications, according to Government Decision nr.969 of 23 August 2007 on the approval of the Regulation on public administration email system	Partially completed	75%
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All of the monitored ministries have published on their webpages the official email addresses. In most of the cases (12 out of 16, or 75%) these email addresses are on the official governmental domain gov.md, as it is foreseen in this sub-action.

Three ministries (Ministry of Foreign Affairs and European Integration, Ministry of Defense and Ministry of Education) use email addresses that are not on the @gov.md domain. The Ministry of Finances has email addresses that are on the @gov.md domain but also email addresses that are on other domains such as: cancelaria@minfin.moldova.md. A similar situation can be found on the website of the Ministry of Defense that besides its @army.md email addresses has also published the following address: armylives@gmail.com.

In the case of two ministries there is discrepancy between the ministry's official web domain and the email domain. In the case of the Ministry of Finances, the official website is www.minfin.md, while the email addresses are @mf.gov.md. The same situation is in the case of the Ministry of Foreign Affairs and European integration, whose website is at the www.mfa.gov.md address while the email is @mfa.md.

During the collection of data from various state institutions, it has been observed that employees sometimes use personal emails (@gmail.com) in their correspondence with the public. Some institutions have not published on their websites the employees' official email addresses, or at least an email address designed for communication with the public, as an alternative the use of fax being suggested.

¹³ Official Monitor No. 234-236, art No : 880, of 09.11.2012

Sub-action 1.8

The central public administration authorities shall develop and post on their websites the annual report on public information disclosure. The annual progress report on public information disclosure will contain mandatory information on the number of data requests received from individuals and organizations, the type of data requested, number of answered requests, time needed to answer, and other information reflecting the performance of institutions in data disclosure	Not implemented	0%
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The annual reports regarding the publication of public information have not been posted on the websites of those 16 institutions monitored. These reports must include information regarding the number of data requests received from individuals or legal entities, the type of data requested, number of requests that have been answered to, time required to answer these requests, etc.

Sub-action 1.9

Stimulating and increasing the efficiency of public consultation process, by obliging (including through approval of this decision) the central public administration authorities to post on the online platform www.particip.gov.md their policy papers, draft legislation, information on the period and format of public consultations and public officials responsible of these consultations, etc.	Partially completed	87,5%
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Out of the 16 monitored ministries, 14 (or 87.5%) publish draft documents for public consultations on the particip.gov.md website. Two ministries do not publish draft documents on the mentioned platform, but on their official webpage.

In the same time, out of those 14 ministries that do publish documents for public consultations on the particip.gov.md website, 8 ministries used the on their websites the “Participation Module” API provided by particip.gov.md. The other 6 ministries do not use the given API module, publishing the public consultations announcements in their own manner (as lists of links to DOC, PDF files) thus duplicating on the official websites the information already published on the particip.gov.md.

Thus despite the fact that most of the monitored public authorities (87%) publish documents for public consultations on the particip.gov.md platform, only 50% of the ministries use on their websites the functionality offered by the “Participation Module” API offered by the particip.gov.md platform.

ACTION 2. Launching an online petition platform www.petitii.gov.md

Sub-action 2.2

Amending the legal framework on petitions, namely Law No. 190 of 19 July 1994 on petitions and other relevant legislation to regulate the mechanisms and procedures for submitting, receiving, reviewing and resolving petitions submitted electronically to the central public administration authorities	Not implemented	0%
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Law no. 190 of 19.07.1994 on petitioning has not been amended. The State Chancellery has not provided information if there is any progress regarding the amendment of this law.

ACTION 3. Ensuring the re-use of public sector information, developing the open government data portal www.date.gov.md into a single access window to all government data

Sub-action 3.1

Drafting the law on the reuse of public sector information	Completed	100%
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Law no 305 of 26.12.2012 on the reuse of public sector information, was adopted and published in the Official Monitor no. 64-68/197 of 29.03.2013.

Sub-action 3.2

Drafting the Government's Decision on the application of the law on re-use of public sector information	Completed with delay	100%
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The draft of the Government Decision on approving the “Methodological norms of applying the Law no.305 of 26.12.2012 on the reuse of public sector information” has been published for public consultations on 15 May 2013 on <http://particip.gov.md/proiectview.php?l=ro&idd=904>.

Sub-action 3.3

Open government data that have high importance for citizens in accordance with the Annex 2 to the Government Decision no. 195 of 04.04.2012 on the approval of the Open Government Action Plan 2012-2013, with the due observance of the legal framework on the protection of personal data	Partially completed	72,41%
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According to information published on the e-Government Center (<http://data.gov.md/raw/1012>), in the period between 2011, 2012 and the beginning of 2013, a number of 59 data sets were published in accordance with the list of 29 data categories from the Annex no.2 of the GD no.195 of 4.04.2012 on the approval of the Open Government Action Plan for years 2012 – 2013. Out of the 29 categories mentioned, data sets have been opened corresponding to 21 categories (circa 72.41%), data from the other 8 categories have not been published yet.

Thus at the moment of conducting this evaluation, the following ministries have published data sets (as provided by the Annex no.2 to the mentioned Government’s Decision): Ministry of Home Affairs (7 datasets), Ministry of Agriculture and Food Industry (1 dataset), Ministry of Defense (2 datasets), Ministry of Culture (6 datasets), Ministry of Economy (14 datasets), Ministry of Education (7 datasets), Ministry of Finances (2

datasets), Ministry of Environment (4 datasets), Ministry of Health (1 dataset), Ministry of Youth and Sport (2 datasets), Ministry of Work, Social Protection and Family (9 datasets), Ministry of Transportation and Roads Infrastructure (4 datasets).

It has to be mentioned that even if at the moment of the evaluation, datasets from circa 70% of the mentioned categories have been opened; many institutions have opened other datasets that were not included in the annex 2 of the aforementioned Government Decision and that are not included in report published by the e-Government Center (<http://data.gov.md/raw/1012>). Additional information on all institutions that have already published open datasets can be found on the open data portal, under “Top Ministries” (<http://data.gov.md/raw/category>).

Sub-action 3.4

Each public authority will prepare the Institution’s Catalogue of Public Government Data, containing the list of all raw / primary data that may be published on the date.gov.md portal. The catalogue shall be published on the website of the respective public administration authority	Partially completed	12,5%
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Out of the 16 monitored ministries only 2 institutions (12.5%), the Ministry of Home Affairs and the Ministry of Health, have prepared the Institution’s Catalogue of Public Governmental Data. With the exception of the Ministry of Home Affairs¹⁴, the other public authorities monitored have not published on their websites the Institution’s Catalogue of Public Governmental Data. The Ministry of Health, has prepared this document, however it is not published on its official website but is only accessible on the webpage of the Informational Society Development Institute¹⁵. In the same time it has to be mentioned that on the date.gov.md portal there is a Catalogue of Public Data published¹⁶ that contains information regarding all public data sets that have been posted by the central public authorities¹⁷.

Sub-action 3.5

Expanding the technological interface of the date.gov.md portal in order to provide local public administration access to this portal	Completed	100%
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According to the information obtained from the e-Government Center, the date.gov.md portal has the functionality allowing the local public authorities to use it, although in 2012 no local public authorities has yet published data on this portal.

¹⁴ <http://www.mai.md/content/13908>

¹⁵ <http://www.idsi.md/files/file/Ordin%20677.pdf>

¹⁶ <http://data.gov.md/en/raw/933>

¹⁷ <http://www.egov.md/index.php/ro/comunicare/stiri/item/1176-catalogul-datelor-guvernamentale-deschise-un-exerci%C5%A3iu-de-inventariere-a-datelor-cu-caracter-public%20target=#.Ub99Ec5WLuN>

Sub-action 3.6

Posting information on the location of public authorities and their subordinate structures, on the geospatial data portal www.geoportal.md	Completed	100%
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The information on the public authorities' location has been published on the geospatial data portal www.geoportal.md.

Sub-action 3.7

Promotion of development of applications that add value to and facilitate the understanding and use of government open data, through the organization of competitions, trainings, specialized workshops, as well as through the organization of the innovative applications competition that use open data, in May 2012, as well as other actions	Completed	100%
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In May 2012, the e-Government Center has organized a public event for the promotion of Open Data applications – “the Open Innovations Week”. Within this event there was organized a competition of apps using open governmental data where a number of 26 app ideas have been presented. At this event several thematic activities were carried out such as, Data Journalism (with 74 participants), BOOST training (65 participants), Smart Government Day (157 participants) and the Apps competition (105 participants)¹⁸. Besides this, the e-Government Center is the informational partner of the BudgetStories Project that has the goal to create infographics based on the data provided by the Ministry of Finances.

Sub-action 3.8

Implementation of applications selected in the competition of innovative applications using on open data conducted in May 2012	Partially completed	50%
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As stated in the information published on the e-Government Center website, as a result of the competition “E-applications for Moldova” organized in May 2012, four applications were selected¹⁹. According to the e-Government Center, out of the four selected applications two applications “Social Tools” and “OpenMed” have been implemented, however so far only the “Social Tools” has been launched²⁰.

Sub-action 3.9

Develop national standards on collecting, archiving and publishing digital data	Not implemented	0%
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There is no public information about such a document being prepared. The State Chancellery did not respond to our official request for information.

¹⁸ Information provided by the e-Government Center

¹⁹ <http://test.egov.md/index.php/ro/comunicare/stiri/item/186-centrul-de-guvernare-electronic%C4%83-sus%C8%9Bine-idei-de-aplica%C8%9Bii#.UcBe-c5WLuM>

²⁰ <http://socialtools.lungu.info/>

Sub-action 3.11

Develop and launch an application based on the digital archive of public procurement data, in order to increase their usability	Information not available	-
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The information regarding the completion of this sub-action has been requested from the Public Procurement Agency that has provided the following answer: *"Currently the Public Procurement Agency is implementing a document management system (document management, archiving, and workflow). It allows the digitization of information, processes automation, and the archiving of documents, etc. This system is used by 62 employees of the Public Procurement Agency. In terms of procedures launched by electronic means, we have to mention that the Automated Informational System "State Registry of Public Procurement" includes all information on the procurement procedures, accessible to any authenticated user. The AIS "SRPP" is used by contracting authorities and economic operators, a total of 161 registered users"*²¹. The wording of this sub-action does not allow its evaluation given the fact that it does not specify what application it refers to (web application, mobile application, etc.). This conclusion is indirectly confirmed by the aforementioned answer received from the PPA that actually refers to: a) an internal information system for managing documents and b) AIS "SRPP", but its implementation is actually provided by the sub-action 9.2 of the OGAP. Because of this constraint, the sub-action has not been taken into account in assessing the achievement of objectives PAGD. Because of this constraint, this given sub-action has not been considered in the evaluation of the degree of completion of the OGAP objectives.

ACTION 5. Use of the potential of social networking for effective communication between central government and citizens and fostering participatory decision making

Sub-action 5.1

Develop the Guidelines on the use of social media by the public administration authorities	Completed with delay	100%
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The "Guide on the use of social networks by the public administration authorities" has been prepared and published on the website of the e-Government Center on 4 February 2013 and is accessible at the following address: http://egov.gov.md/images/stiri/Ghidul_de_utilizare_a_retelelor_sociale_in_sectorul_public.pdf

Sub-action 5.4

Training of civil servants, responsible for communication (including representatives of local public administration) on the effective and efficient use of social media in their work	Partially completed	50%
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²¹ Information provided by the Public Procurement Agency

On March 13-14, 2012, the e-Government Center carried out training on the use of social media. The training was attended by 21 public servants responsible of communication in their ministries²². Given the fact that this sub-action has planned for the training of “local public administration representatives” too, the conclusion is that this sub-action was only partially completed.

ACTION 6. Ensuring transparency of decision-making process at the local level government

Sub-action 6.1

Development of the Regulation on the use of www.actelocale.md portal in the communication and interaction between State Chancellery structures and the involvement of local public administration authorities in this process	Not implemented	0%
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There is no public information about the drafting or adoption of the “Regulation on the use of www.actelocale.md portal”. The State Chancellery did not respond to our official request for information.

Sub-action 6.2

Ensure that local public administration authorities publish in reasonable time, their approved acts on the www.actelocale.md web portal	Completed	100%
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At the end of year 2012, (19 December 2012), according to data published on the website of the e-Government Center²³, a number of 114 mayoralties were regularly publishing their official documents on the common platform actelocale.md, circa 6085 official documents were already published (among which 4546 decisions and 1539 provisions), the average number of monthly visits in 2013 was 320. At the time of conducting the present evaluation (June 2013), circa 240 LPA had registered on the www.actelocale.md portal²⁴. The wording of this given sub-action does not allow a conclusive evaluation of its completion, due to the fact that it does not include a minimum number of LPA publishing their official documents on this portal, number planned to be reached till the end of year 2012. In this situation there are two possible approaches. If we interpret this sub-action in a more lenient manner, it can be considered as completed (100%) if at least the beginning of the official documents publication process has been ensured. However, in the case of a more rigorous interpretation, as one that refers to all the 903 LPA in Moldova, this sub-action can be evaluated from the point of view of the proportion of the number of LPA that publish official documents on the www.actelocale.md portal versus the total number of LPA. Thus the score that can be attributed to this sub-action in the case of a more rigorous approach would be of circa 26.58%. Still, given the fact that this initiative is a relatively new one for the LPA, a more lenient approach was used to assess this sub-action. For a future action plan however it is recommended that all planned sub-actions are worded in a manner that

²² Information provided by the e-Government Center

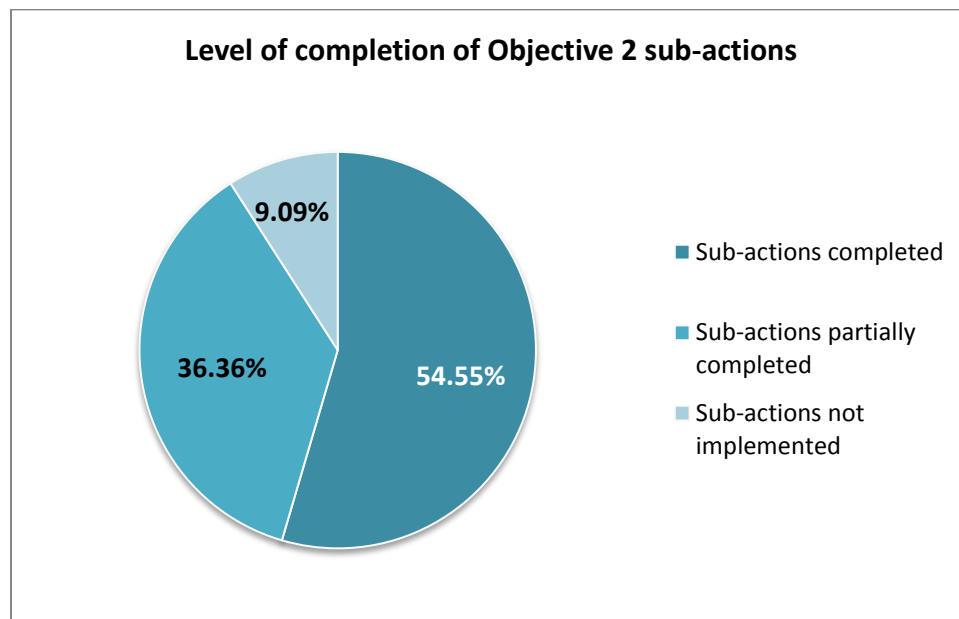
²³ <http://egov.md/index.php/ro/comunicare/stiri/item/1225-tot-mai-mul%C8%9Bi-cet%C4%83%C8%9Bni-au-acces-la-deciziile-ale%C8%99lor-locali#.UafNvc5WLuQ>

²⁴ Information provided by the e-Government Center

allows their measurement. With regard to the LPAs, additional information and training of LPA representatives is required regarding open governance and the publication of local official documents on the internet.

OBJECTIVE 2. Efficient management of public resources by increasing public spending transparency

The achievement level of the Objective 2 is at 73.01%. Out of a total of 11 sub-actions evaluated²⁵, 6 were completed (54.55%), 4 partially completed (36.36%) and 1 sub-action was not implemented (9.09%).



Among the main positive achievements related to this objective are the opening and updating of data on the external assistance offered to Moldova; the creation of the internal integrated information system for collecting information on external assistance (although at the time the study was conducted that system did not yet contain data). With some delay was developed and launched the Automated Information System "State Registry of Public Procurement" with civil servants from circa 34 central public authorities being trained on the use of this system.

The problems identified in the achievement of this objective are largely related to budgetary transparency. Very few ministries (37.5%) publish on their website budget drafts, plans and executed budget reports. Public authorities also do not publish real time data on revenues and expenditures. Additionally, in the case of some ministries (25%), the information on public procurements (announcements, contracts awarded) is not published on their websites and can only be found on the website of the Public Procurement Agency. At the same time, some ministries, such as for example the Ministry of Transport and Roads Infrastructure do not publish any information on procurements neither of their official website nor on the website of Public Procurement Agency.

²⁵ To reach this objective, 12 sub-actions were scheduled for 2012. Data was collected on the degree of completion of 11 sub-actions, that were included in the calculation of the degree of achievement of this objective. One of the sub-actions (no. 8.7) was not considered in evaluating the achievement of this objective, due to the fact that there is no public information regarding this activity, and the State Chancellery did not answer to our request for information.

ACTION 8. Ensuring budgetary transparency

Sub-action 8.1

Publication of budgetary projects, plans and budget reports on the websites of public administration	Partially completed	37,5%
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Out of 16 ministers, only 6 (37.5%) publish on their websites budgetary projects, plans and budget reports; another 2 ministries publish only partial information.

Sub-action 8.2

Publication of real-time information on state budget execution (Open Budget Data)	Completed	100%
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Ministry of Finance publishes on monthly basis information about the State budget execution. According to the e-Government Center this information will continue to be presented monthly due to reduced public demand of the real time budget execution information. Monthly data on state budget execution are published on the data.gov.md website²⁶. It is very important that the information is published in CSV format, a good practice that corresponds with the e-transformation strategy but especially with the open data requirements²⁷ recommending the use of open, non-proprietary formats for the publication of documents that are intended for public reuse.

Sub-action 8.3

Conducting annual updates of the Database on Public Spending (BOOST) and the publication of data for year 2011	Partially completed	50%
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Budget data are published on the website of Ministry of Finance²⁸ (in XLSX format) but it was impossible to open the data file with the BOOST database (as of June 2013). It is also impossible to download the file published on [Date.gov.md](http://data.gov.md) website²⁹ or to view the corresponding on-line file³⁰. In the same time, the online BOOST application is accessible on the website <http://moldova.wb-boost.org/>.

²⁶ <http://data.gov.md/raw/688>

²⁷ <http://5stardata.info/>

²⁸ <http://minfin.md/ro/BOOST/>

²⁹ <http://data.gov.md/raw/107>

³⁰ <http://sheet.zoho.com/view.do?url=http://data.gov.md/download/107>

Sub-action 8.4

Online publication of real-time data on the incomes and expenditures of central public administration authorities	Not implemented	0%
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The analysis of ministries websites reveals the fact that ministries do not have a submenu dedicated to real-time publication of data on their income and expenditures. Some of the ministries monitored (6 out of 16, 37.5%), publish information on budgetary plans and budget reports, (see sub-action 8.1).

Sub-action 8.5

Opening and updating quarterly data regarding all types of external assistance offered to Republic of Moldova and the disbursement of project funds, on the portals www.cancelaria.gov.md and www.date.gov.md	Completed	100%
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Information on the amount of foreign assistance offered to Moldova is published on the website of State Chancellery³¹. In addition to that, on the Date.gov.md website³² there is detailed and updated information about all ongoing projects. The main observation on this sub-action is that there are several locations where the information on external assistance must be published, which results in data duplication. Besides this, the data published on these portals currently is in different formats: PDF on State Chancellery website and XLSX on Date.gov.md website.

Sub-action 8.6

Creating an internal integrated informational system of gathering information on external assistance and publication of this information in accordance with international standards	Completed	100%
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The Information System on Foreign Assistance Data³³ - "Data Management Platform on external assistance" (AMP) can be accessed at <http://amp.gov.md/> but at the moment (June 2013) it does not contain any data/information.

Sub-action 8.7

Creating and launching the web application for monitoring external assistance flows	Information not available	-
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There is no public information on this sub-action. The State Chancellery did not respond to our official request for information.

³¹ <http://www.ncu.moldova.md/pageview.php?l=ro&idc=471&t=/Rapoarte/Rapoarte/>

³² <http://data.gov.md/raw/category/385>

³³ <http://www.ncu.moldova.md/pageview.php?l=ro&idc=654&t=/AMP/AMP/>

ACTION 9. Increasing transparency of public procurement. Implementation of e-Procurement system in the public sector

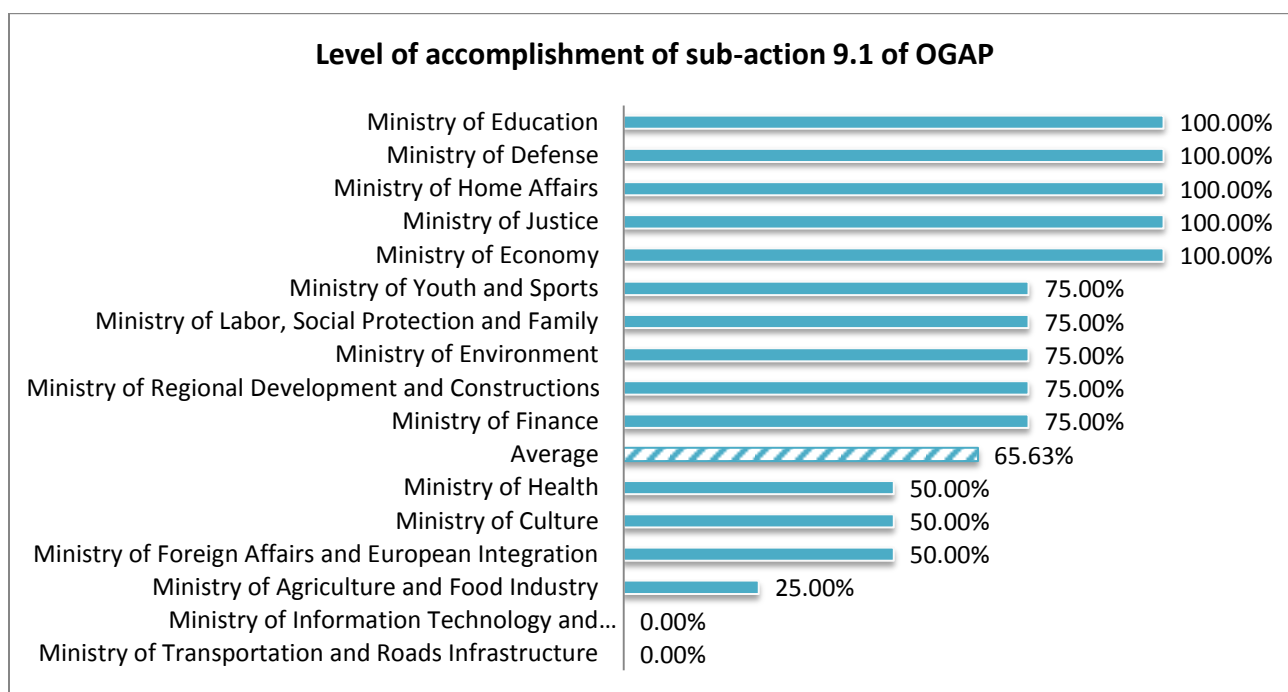
Sub-action 9.1

Online publication in reasonable time and with the possibility of free access to this information to all citizens (on the official websites of public authorities, in the Public Procurement Bulletin and on the website of the Public Procurement Agency) of all announcements of procurement and information on the awarded and signed contracts.	Partially completed	65,63%
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This sub-action was completed to an extent of 65.63%. 10 out of the 16 ministries monitored (62.5% of ministries) meet the requirements set by this sub-action to an extent of 75% to 100%. They publish procurement announcements and information on awarded contracts both on their website and on the website of the Procurement Agency.

Four out of 16 ministries (25%) do not publish on their official websites the information on public procurements and contracts awarded; these data can be found only on the website of the Public Procurement Agency. Two ministries do not publish on their websites the information required by this sub-action.

In some ministries there are inconsistencies in the way procurement notices are published. The website submenu dedicated to procurements is either missing or containing outdated information. The Ministry of Agriculture and Ministry of Culture publish procurement notices under "News" submenu. On the website of Ministry of Foreign Affairs and European Integration there is a "Budget and Procurement" submenu but it does not contain procurement notices, only information on the institution's budget. In the same time, the Ministry of Transport and Roads Infrastructure does not publish any information on their procurements, neither on their official website nor on the Public Procurement Agency website. The Ministry for Information Technologies and Communications has on its website a section dedicated to procurements – however it does not contain any information published. Similarly there is no procurement information from this ministry published on the official website of the Public Procurement Agency either.



Sub-action 9.2

Developing and initiation of the pilot phase of the Electronic Information System "State Registry of Public Procurement"	Completed	100%
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The Automated Information System "State Registry of Public Procurement" is now available at <http://etender.gov.md/public/>. It started being piloted on 1 October 2012³⁴, and the actual launch took place on February 7, 2013³⁵. According to the information provided by the Public Procurement Agency, AIS "SRPP" has a total of 161 users (both contracting authorities and businesses). Till the date of 01/01/2013, the AIS "SRPP" was accessed 9650 times³⁶.

Sub-action 9.4

Training of relevant public servants on the use of the e-Procurement information system	Completed	100%
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According to the information provided by the Public Procurement Agency, in 2012 they trained procurement officers from 34 contracting authorities participating in the piloting of the Automated Information System "State Registry of Public Procurement". Representatives of 12 out of the 16 monitored ministries attended these trainings in 2012³⁷.

³⁴ http://cna.md/sites/default/files/sna_activitati/raport_agentia_achizitii_publice.pdf

³⁵ <http://www.egov.md/index.php/ro/comunicare/campanii-media/lansarea-registrului-de-stat-al-achizitiilor-publice#.Ua3-5M5WLuM>

³⁶ Information provided by the e-Government Center

³⁷ Information provided by the Public Procurement Agency

Sub-action 9.5

Develop indicators and statistical methodology of transparency of public procurements	Completed	100%
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According to information provided by the Public Procurement Agency, statistical indicators have been developed to be implemented within the AIS "SRPP" in the fourth quarter of 2013 (in parallel with the implementation of the "Statistics" module in the e-procurement system).

Sub-action 9.6

The approval of relevant amendments to the legal framework regarding the electronic procurements	Partially completed	50%
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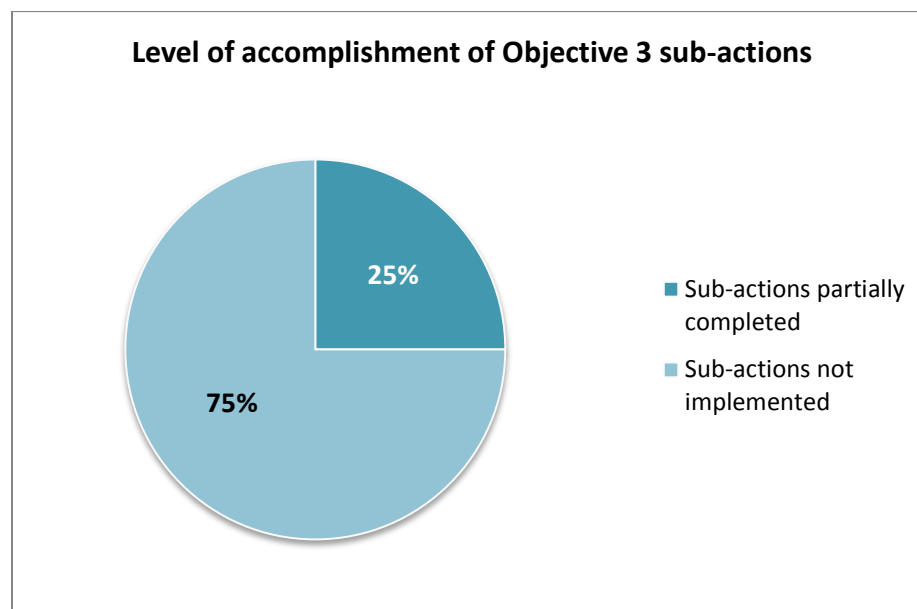
The following documents were prepared and published for public consultation: "Regulation on public procurement by means of electronic auction"³⁸ and "Regulation on public procurement by means of the dynamic system"³⁹. These regulations refer to the procedures of initiating and conducting procurements through electronic means. According to the Public Procurement Agency, these documents have been reviews by the Ministry of Justice and after their final drafting they will be sent to the Government for approval.

³⁸ <http://www.mf.gov.md/ro/TranspDeciz/ProiecDeciz/achizpublice/>

³⁹ <http://www.mf.gov.md/ro/TranspDeciz/ProiecDeciz/10septembrie2012/>

OBJECTIVE 3. Improvement of the quality of public services delivery

From the four sub-actions planned to be carried out in 2012 towards accomplishing this objective, only one can be considered to have been partially completed, the other three were not completed during 2012, which means that Objective 3 has been accomplished to an extent of 12.5%.



The main positive observation is that in 2012 began the digitizing and launching of several e-services including some services that had not been planned in the Open Government Action Plan. The negative observations, besides the failure to meet most of the sub-actions planned towards meeting this objective, is the delay in the implementation of automated information system "Registry of civil service and civil servants" whose development began in August 2011.

ACTION 10. Providing quality public service delivery through process reengineering and optimization of public service delivery

Sub-action 10.1

Drafting and approval of the Catalogue of public services	Not implemented	0%
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There is no public information about the document mentioned in this sub-action. The State Chancellery did not respond to our official request for information.

Sub-action 10.2

Develop and implement quality standards for public services	Not implemented	0%
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It appears that the implementation of this sub-action has been postponed, as it was included in the Strategic objective 3, Activity 5 of the "Public Services Reform Program for 2012 - 2015" adopted by GD no.797 of

26.10.2012⁴⁰: "Authorities shall establish and publish the general and specific quality standards in line with Methodology for setting minimum quality standards and tariffs for the public services offered for a charge, taking into account the specific needs of each public authority " as follows: "5.1. Authorities will develop and submit proposals on minimum quality standards, taking into account their specific needs" and "5.2. The authorities will publish the public services minimum quality standards on their websites and at the premises where the services are delivered."

Sub-action 10.3

Gradual digitization of public services. The following e-services will be launched in 2012-2013: on-line appointments to public administration authorities; online release of documents, licenses, certificates and permits; online reporting for businesses; e-Visa, integrated medical information system, automated information system for primary health care, E-construction.	Partially completed	50%
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This sub-action does not provide clearly what are the services that had to be digitized in 2012 and which ones had to be digitized in 2013. This does not allow for an objective assessment of the level of accomplishment of this sub-action. According to the e-Government Center, but also based on the information published online⁴¹, from among the services mentioned in this sub-action, the following public services were launched in 2012: „E-Record” (launched on 5 September 2012) and „e-Licensing” (launched on 6.11.2012. On 31.12.2012 out of 584 queries received, 90 have been received through this online tool (15.41%)). Thus, out of the 8 public services mentioned in this sub-action, in 2012 only two have been digitized. This means that, using a more rigorous interpretation, this sub-action has to be scored with 25% (2 actions out of 8, $2/8 \cdot 100\%$). A more lenient approach would start from the premise that in 2012 and 2013 it was planned to digitize 4 services per year. Therefore in this case the level of completion of this sub-action is 50% (since in year 2012 only two services were digitized out of the four planned, or $2/4 \cdot 100\%$). Given the vague wording of this sub-action and the fact that this sub-action did not have a fixed deadline for its completion, we opted to apply a more lenient approach in its assessment, thus the given sub-action was considered only partially completed, and the offered score is 50%.

Sub-action 10.4

Implementation of the automated information system "Registry of civil service and civil servants", approved by Government Decision no.1373 of 1 December 2006	Not implemented	0%
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The development of the automated information system "Registry of civil service and civil servants" began in August 2011⁴² and at the time of conducting this evaluation is not yet officially implemented, being still in the "post-testing phase"⁴³ and "the operational acceptance phase which is to be completed in early July"⁴⁴. On the other hand some complementary activities have been carried out: the training of civil servants⁴⁵ and

⁴⁰ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=345215>

⁴¹ http://www.egov.md/images/stiri/Catalogul_serviciilor_electronice.pdf

⁴² <http://cancelaria.gov.md/libview.php?l=ro&idc=277&id=1005>

⁴³ <http://www.rapc.gov.md/md/news/1211/1/3468/>

⁴⁴ http://www.dubasari.md/news/sia_registrul_functiilor_publice_si_al_functionarilor_publici_pe_ultima_suta_de_metri/2013-06-07-2313

⁴⁵ <http://www.cancelaria.gov.md/libview.php?l=ro&idc=277&id=1371>

publication for public consultation of the draft Government Decision for the approval of the Regulation on organization and operation of the AIS "Registry of civil service and civil servants"⁴⁶. At the time of conducting the evaluation no information was published on the outcome of the public consultation of this document.

⁴⁶ <http://particip.gov.md/proiectview.php?l=ro&idd=834>

5. ANALYSIS OF THE RELATION BETWEEN MOLDOVA'S COMMITMENTS WITHIN THE OGP AND THE ACHIEVED RESULTS

Republic of Moldova is still in the process of implementing its commitments taken within the OGP, but based on the results achieved so far, we can speak of a medium level of compliance with these commitments. The comparison of the results obtained by Republic of Moldova in the implementation of the OGAP and the respective commitments shows that the best complied with is the commitment regarding the efficient management of public resources. The second commitment, regarding the strengthening of public integrity, is fulfilled partly, whereas the third commitment, regarding the improvement of the quality of public services is quite low.

Open Government Partnership aims to promote, among its member states, transparency, fighting corruption and citizen participation, as well as to promote the use of new information technologies in order to make governments more efficient and responsible. Member states, signatories of the Open Government Declaration, have undersigned to four principles⁴⁷: transparency, citizen participation, accountability, and use of technologies and innovation. The states that join the OGP have to prepare their action plans targeting the following five intervention domains: improving public services, strengthening public integrity and combatting corruption, improving the management of public resources, improving public safety, increasing corporate responsibility⁴⁸. In the same time, the OGP signatories can choose which of these intervention areas will be addressed in their national action plans.

In its OGAP, Moldova committed to focus on three of the mentioned areas, these being reflected in the three OGAP objectives. These are, strengthening public integrity by ensuring a participative decision-making process, citizen participation and increasing transparency in governance; efficient management of public resources through the increase of public spending transparency; improving the quality of public services delivery. In order to reach these objectives and fulfill its commitments, the OGAP included 10 actions composed of 49 sub-actions, 40 of which being scheduled for year 2012 and 9 sub-actions for 2013. Out of the 49 OGAP sub-actions, 16 refer to publishing information for public access, 14 sub-actions refer to modifying the legal framework (drafting or amending of laws, decisions, regulations), 12 sub-actions refer to the development of applications, web-platforms, information systems, portals for interaction and communication with the public, 4 sub-actions refer to reporting activities and internal management, and 3 sub-actions refer to training processes.

As it can be seen from the analysis of the activities scheduled for 2012, overall Moldova has a moderate performance in fulfilling its OGP commitments. This is visible from the level of achievement of every objective individually, as well as from the level of accomplishment of the sub-actions that had to be completed in 2012.

In terms of strengthening public integrity, the following important activities have been successfully carried out: development of the draft law on the reuse of public sector information and the drafting of the

⁴⁷ <http://www.opengovpartnership.org/open-government-declaration>

⁴⁸ OGP Articles Of Governance

http://www.opengovpartnership.org/sites/www.opengovpartnership.org/files/page_files/OGP%20Articles%20Final%20for%20Posting_04.16.12_0.pdf

government decision on the application of the law on the reuse of public sector information. With regard to the improvement of public resources management, among the most important achievements is the transparency increase in the domain of public procurements (Action 9, completed to an extent of 83.13%). This was achieved among other, through the implementation of the electronic procurement system in the public sector and opening of data regarding the foreign assistance received by Republic of Moldova. In the area of improving the quality of public services, one can mention the gradual digitizing of certain public services and the launching of the www.servicii.gov.md portal, where citizens have access to such e-services as e-Record, e-Licensing, etc.

From the point of view of the relation between OGAP provisions, achieved results and OGP Declaration principles, the situation is as follows.

Transparency. The first OGP principle is that signatory governments have to ensure the availability of information regarding the government activities by promoting increased access to information at every level, consolidate efforts directed at collecting and systematically publishing data regarding government spending and performances in providing the main public services, publishing valuable data in formats that are easily located, understandable, usable and reusable. OGP members commit to acknowledge the importance of open standards for facilitating civil society access to the public data but also for ensuring the interoperability of governmental information systems.

In the Open Government Action Plan there are several activities that are specifically linked to this OGP principle. Among these are the provisions referring to strengthening the capacities of the CPAA to maintain official websites, ensuring transparency in the decision-making process, regular publication of activity reports, opening governmental data, and ensuring transparency of revenues and expenditures. OGAP Action 1, that includes most activities aimed at ensuring the transparency of the public authorities, was only partially completed, to an extent of 39.31%. This shows that public authorities do not yet have a dedicated enough attitude towards ensuring a higher transparency of their activity. Other important activities accomplished in 2012 or in progress, pertaining to the principle of transparency, are the launching of the informational system “State Registry of Public Procurement” and publication of content on the www.actelocale.md portal. The latter one is important especially due to the fact that it expands the open government processes to the local public administration level. Finally it has to be mentioned that unfortunately, OGAP does not include activities directly aiming at promoting the use of open non-proprietary formats for the publication of governmental data.

Civic participation. The second principle the government committed to under the OGP, is the support of citizen participation in the decision-making and policy formulation. A stronger civic involvement has to be stimulated through the development and use of various tools for collecting feedback from citizens and civil society organizations as well as through encouraging monitoring and evaluation of state institutions’ activity.

OGAP contains several provisions aimed at directly or indirectly contributing to a growth of civic participation, such as the organization of activities directed at promoting open data and development of applications using these data, launching of the online petitions portal petitii.gov.md, adjusting the legal framework on the electronic petitions, and finally the organization of public consultations.

The most important instrument implemented by the Government so far in order to make use of the citizen participation potential, is the particip.gov.md portal, which however has certain drawbacks that diminish from its efficiency in the interaction with the public. Another activity accomplished in 2012, that may contribute to an increase of authorities' transparency but also an increase in civic participation is the drafting and approval of the Guidelines on the use of social networks by the public administration authorities. This may contribute to an increased visibility of authorities' actions, especially of the ones where citizens can get involved too. In the same time there is a risk that CPAA social networks will be only used as yet another tool for broadcasting news and press-releases on the institutions' official activities such as protocol visits and travels of the top management, or various inter-ministerial sport competitions, etc. At this moment this function is already accomplished by the CPAA official websites.

Accountability. The third OGP principle refers to the implementation of high professional integrity standards in the public administration, through approval of anticorruption policies and mechanisms that would ensure the transparency of public finances, of public procurements as well as of the revenues of high rank public servants.

The principle of public authorities and public servants accountability was included in several specific sub-actions of the OGAP. These refer to stimulating and increasing the efficiency of the public consultation process, by publishing online the consulted documents, periodic CPAA reporting, publishing data on foreign assistance received, publishing CPAA budgetary data, declarations on incomes and properties of CPAA leadership (this legal requirement was monitored as part of the sub-action 1.1), and the launching of the electronic procurements.

Among the most important accomplishments related to this principle are the launching of the e-procurements system already mentioned, disclosure of data on external assistance and the stimulation of the public consultation process. In the same time, some activities that are related to this principle have been partially completed, such as the legal requirement to publish declarations of income and properties of the public authority management. Most of the times only a minister declaration is published, while the respective declarations of the vice-ministers' missing or being outdated.

Technologies and innovations. Finally the fourth OGP principle refers to the wide use of new information technologies and of the opportunities they can offer: efficient information sharing, public participation and collaboration. The use of new information technologies in the activity of the state institutions but also for interacting with citizens allows the development of efficient platforms for public services delivery and citizen involvement.

This principle is reflected in several OGAP activities, such as those referring to the adjustment of the legal framework on electronic petitioning, development of the legal framework regarding reuse of public sector information, opening of governmental data, the obligatory use of official email by the public servants.

Among the accomplishments related to this principle are, the adoption of the Guidelines on the use of social networks in the CPAA activity, publication of content on www.actelocale.md, digitization of some public services, development of regulations on the reuse of public sector information, opening of governmental data. As it was found during the interviews, some information technologies are used by the public servants (mostly younger ones) without a specific official order in this regard. Examples in this regard are the use of

“Skype” for intra-institutional communication or the use of “Google Docs” for collaboration on documents. In the same time however, there were cases when public servants were not ready to provide an official email address, instead recommending the use of fax for communicating with them.

6. PROBLEMS IDENTIFIED AND RECOMMENDATIONS

1) Insufficient monitoring and control mechanisms regarding the implementation of the planned actions.

Upon adopting the Open Government Action Plan, the Moldovan Government recommended to the National Participation Council to create a new working group for the monitoring of the implementation of the Action Plan. Even if this group was created, its activity did not correspond exactly with what the Government has recommended. Several group meetings were conducted, including meetings for the development of a monitoring methodology; however, a complex monitoring was not carried out, but rather an attempt of a semi-formal monitoring of some OGAP actions through the analysis of three ministries, this fact being also confirmed from the interview with the representative of the respective Working Group. Among the causes of the inadequate functioning of the Working Group, it was mentioned that the group functioned on a voluntary basis, did not have financial resources available, nor sufficient human resources needed for conducting the monitoring function.

In the same time, from the analysis of the action plan and the interviews, it appears that the e-Government Center plays a triple role in the process of OGAP implementation. This institution tries to simultaneously carry out several duties: leadership (promoting concepts of Open Data, Open Government, as well as public servants motivation, training and capacities building), infrastructure developer (data portals, coordinating public services digitizing processes, etc.) and “policing” (enforcing / controlling the execution of the OGAP actions). In the same time, the OGAP implementation control has been attributed also to the State Chancellery, however there is no data to assess how much importance it gave to this task. The activity of the e-Government Center seems to have been focused on infrastructure development and to a certain extent on the leadership role, while the control function has been on a secondary place.

Recommendations

An institutionalized monitoring and control mechanism is required. In this regard it is recommended that to reassess the existing mechanisms of coordination, control and monitoring of the OGAP implementation, in order to identify more efficient models of fulfilling these functions. It is recommended that a wider participatory format is instituted with the participation of the civil society as well as with the participation of top representatives from ministries that will be entirely dedicated to the monitoring of the OGAP implementation. It is required that adequate financial means are assigned to this format, in case they have not yet been provided to the State Chancellery or the e-Government Center. It is recommended that this new participatory structure for the monitoring and control of OGAP implementation has a clear monitoring plan, including the frequent periodic publication of progress reports based on measurable indicators.

2) Poor quality of certain indicators in the Open Government Action Plan

A good example in this regard is the sub-action 3.7: “Promotion of development of applications that add value to and facilitate the understanding and use of government open data, through the organization of competitions, trainings, specialized workshops, as well as through the organization of the innovative applications competition that use open data, in May 2012, as well as other actions“. This wording makes it

impossible to precisely evaluate the degree of completion of this sub-action. It is difficult to know whether that one activity “Innovation Week” carried out for the promotion of open data apps, is enough, or many other activities had to be carried out in order to consider this sub-action fully completed. Similar conclusions can be made about some other sub-actions too, as for example is the case of sub-action 5.4 (“Training of civil servants, responsible for communication (including representatives of local public administration) on the effective and efficient use of social media in their work”), or sub-action 6.2 (“Ensure the timely publication, of documents approved by local public administration authorities, on the www.actelocale.md portal”).

Recommendations

The recommendation in this regard is that the next OGAP actions and sub-actions include corresponding performance indicators, tied to clearly defined timeframes that would allow the precise measurement of the progress achieved in the implementation of these activities.

3) Inertia and/or reticence of the Central Public Administration Authorities and of the society.

One of the problems mentioned during the interviews was the reticence of some ministries to open governmental data that have a public character. Among the mentioned causes is the existence of errors in the data sets, as well as the fear of disclosing the fact of having operated with erroneous data. Other causes that have been mentioned were the existence of data on paper and the respective difficulties linked with the digitizing of this information; insufficient knowledge of using spreadsheet processing software such as MS Excel, existence of data stored .doc files. Furthermore, there is also the lack of a complete understanding among the public servants of the importance of the Open Government, and of opening governmental data, the existence in the state institutions of specific organizational cultures inclined towards secrecy, as well as the persistence of outdated practices of working with data.

Recommendations

Further training and information of public servants as well as of civil society representatives is needed regarding the concept of Open Government and open data, including a focus on the fact that the data opening might bring among other, a collaborative citizen effort to correct existing errors in the data. However, for this to happen, the published data have to be useful for the society or certain groups of citizens, the public has to be informed extensively about the fact that the data have been opened and about the need to correct them. In the same time the public servants have to receive additional training on the use of relevant software tools in order to boost their efficiency of working with data.

4) Insufficient human resources in the CPAA.

From discussions with some e-Transformation Coordinators, among other responsible of the OGAP implementation, a certain frustration was noted, linked to the general insufficiency of human resources and of adequate remuneration. In some institutions there is no sub-division dedicated to the e-Governance processes including Open Government, the e-Transformation Coordinators combine several roles (public consultations coordinator, website manager, etc.). Sometimes these tasks are added to the responsibilities

held by a given public servant prior to the e-Transformation initiative, without a corresponding increase in the salary of this person. This was it is explicable why some public servants are not enthusiastic enough about the open government, and it is clear that in such cases they will see this topic as well as the e-Transformation in general as something of a secondary importance.

Recommendations

The main recommendation is that in the ministries and other CPAA, people responsible of open government initiative, e-Transformation, etc. do not combine these responsibilities with those from other unrelated fields, and where such a separation is impossible to ensure their adequate compensation. It is recommended that, people responsible of the e-Transformation have already a certain background in matters relevant to the fields of governance and/ or informational technologies. Nevertheless it is recommended that these people as well as other CPAA representatives are involved in additional trainings on open government, the utility of open data, web tools for interacting with citizens, etc.

5) *Lack of a common standard in the reporting of the CPAA on the OGAP implementation.*

The lack of a common reporting standard makes difficult the comparative analysis of these reports. Some central public administration authorities did not prepare reports on the OGAP implementation. In the same time, those institutions that did prepare the respective reports, did not follow a consistent format, hence the differences in the quality of these reports, the level of details included in the report, reporting style, etc. Some institutions have reported based on the objectives / sub-actions of the OGAP (e.g. Ministry of Home Affairs, Ministry of Foreign Affairs and European Integration, Ministry of Defense, etc.). Other institutions have produced reports freely in a less structured manner. The lack of measurable performance indicators in the OGAP has been also reflected in the quality of the CPAA reporting.

Recommendations

A standardized reporting format is required based on the OGAP objectives and measurable indicators. This format has to be obligatory for all institutions part of the OGAP implementation process.

6) *Delays in the process of drafting legislation and the existence of discrepancies in the process of legislation improvement.*

Sub-action 1.6 from the Open Government Action Plan refers to the need to amend the “Regulation regarding the public administration email system” (GD no.969 of 23 August 2007), by adding the provision on the obligatory use of governmental email accounts (gov.md), and the exclusion of the use of other email accounts in the business correspondence. Sub-action 1.6 has not been completed, more than that, the GD no.822 of 06.11.2012 on the email system of the public administration authorities, has abrogated the GD no.969 of 23.08.2007 and the respective regulation, before a new regulation is drafted and approved. Thus, the manner the sub-action 1.6 was implemented makes difficult the implementation of the sub-action 1.7 that specifically requires the compliance with the provisions of the GD no.969 of 23.08.2007

7) Failure to publish summaries of recommendations received during public consultations.

Most of the draft documents, published online for public consultations are not accompanied, upon the end of the consultation process, by a summary of received recommendations. According to some interviewed public servants, the reports on the received recommendations are sent to the Chancellery without being later published online. A relevant example in this context is that of the OGAP itself. In various documents published about the OGAP it is mentioned that the drafting of this document was accompanied by a process of consultations with the civil society⁴⁹. This has been confirmed in the interviews with the representatives of the e-Government Center and that of the Working Group Open Government / Open Data of the National Participation Council. However, it has not been possible to find a published summary of the consultation process or a compendium of the recommendations received in this process.

Recommendations

The main recommendation is to ensure conclusion of all processes of public consultations, by offering feedback on the outcome of these consultations. Such an approach is very important due to the fact that it could help increase citizen participation in these processes. It is recommended that citizen are offered access to all documents and relevant information regarding a certain draft document publicly consulted, including the received recommendations, the final document approved or a link to this document. In order to make the public consultations process more efficient it is recommended that the functionality of the particip.gov.md portal is adjusted so that the page of every draft document published, acts as a folder or a “passport” containing all information relevant to the consulted document. Besides the consulted draft document, this page should include all relevant accompanying documents (notes, feasibility studies, etc.), a compilation of received recommendations, and the updated version of the document after the public consultations, as well as the approved document or a link to this document in the legal documents database lex.justice.md. In the situation where no recommendations have been received, this fact has to be specifically mentioned on the “passport” page of the draft document posted for consultations. In this context it is also recommended that the necessary adjustments are made to the "Regulation on the official websites of Public Administration Authorities"⁵⁰ and "Regulation on the implementation of the Law no.239-XVI of 13 November 2008 on transparency in decision making"⁵¹ in order to ensure the obligatory online publication of the all information relevant to the consulted draft documents.

8) Low citizens' involvement in the public consultations processes.

The problem of reduced citizen participation identified in the process of analyzing the particip.gov.md portal was confirmed in the interviews with the ministries' representatives responsible of the public consultations process. The low level of citizen participation in the public consultation of the documents drafted by the state institutions, can be explained by different factors, from the lack of interest or expertise to the lack of

⁴⁹ http://www.egov.md/index.php/ro/initiative/guvern-deschis#.UcK-v84cl_A

⁵⁰ Government Decision no. 188 of 03.04.2012

⁵¹ Government Decision no. 96 of 16.02.2010

information about the very fact of ongoing consultations on a particular document as well as the existence of technical obstacles in the process of submitting suggestions or recommendations to the consulted documents. Besides these factors it has to be emphasized that OGAP contains few activities that would directly contribute to the increase of citizen participation and hence help the fulfillment of one of the OGP principles referring precisely to the support of the citizen participation in the decision making process.

Recommendations on increasing the visibility of public consultations

For a greater visibility of the open government initiatives further citizen information it is required regarding the ongoing public consultations of government documents. Wide mediatizing of these processes has to be performed in a personalized manner so that it addresses not only the public at large but also the target groups of specific draft laws under discussion. This can be done through ads, recommendations on thematic pages within the social networks, thematic blogs, news sites, including through such marketing tools as gamification.

Another cause of low citizen participation can be the technical difficulties in the process of submitting recommendations to the consulted documents. The consulting procedure currently in place on the particip.gov.md portal is rather an asynchronous interaction “Citizen - State” than a real time dialogue “Citizen – Citizen – State”.

A brief analysis of the participation procedure on the particip.gov.md website shows us that the users have to follow 6 steps: identify a consulted draft document, download the document file, download all accompanying documents (notes, plans, etc.), open and review the downloaded documents, typing the suggestions, or proposed amendments to the given document (as side comments, or using the track changes function), send the commented / annotated document file by email / fax to the CPAA representative responsible for the public consultations process. After these actions, the persons that have submitted their amendments / comments to a given draft document, have to wait the end of the public consultation process, to see a summary of this process published online. This summary has to then be located either on the particip.gov.md portal or the website of the relevant ministry.

Another possibility offered by particip.gov.md for submitting suggestions, comments or amendments, is by posting them as commentaries directly on the page of the consulted document. Still, this method does not solve the mentioned problem, due to the fact that these comments are not linked to a specific document or specific articles from that document and in the case when there are several comments it is difficult to distinguish the general comments, and reactions addressed to other users, from the comments regarding a particular document. Another deficiency of the particip.gov.md portal is the absence of information about the finality of a document consultation process – on the page of the consulted documents there is no information about the final version of the respective documents, nor links to the final approved document.

Recommendations

To increase citizen participation in the decision making processes, there is a need for conducting activities aimed at informing and consolidating the capacities of key societal actors that could contribute to a gradual increase of citizens’ interest for participation within the framework of open governance.

To facilitate the use of the particip.gov.md portal, it is recommended to reduce the number of steps that citizens have to undertake in order to submit their comments to a draft document posted for public consultations. In order to do so, interactive technologies that offer collaboration functionalities have to be implemented, to allow the users to interact directly with the text of a consulted draft document, within the web browser, without having to download MS Word or MS Excel files. Several relevant examples in this regard are such tools as Digress.it⁵² or CommentPress⁵³ that offer the possibility to access a consulted draft document directly in the webpage, to insert comments linked to specific articles or paragraphs of the consulted draft document.

A good example of a practical implementation of one of these tools is the “Regulation Room”⁵⁴ public consultation portal of the Cornell University, USA. The example of this portal, that has the motto “People talking to people talking to government” deserves to be perceived as a good practice in this field, due to the fact that it has the “one stop shop” character, where all relevant information can be found: the consulted draft document and all afferent documents, citizens’ and moderators’ comments to every article or paragraph, the most relevant comments recommended by the community, the summary of the submitted contributions, the final version of the document, as well as the final approved document.

9) Use of closed proprietary formats for the publication of governmental data and official documents.

Government Decision no. 710 of 20 September 2011 on the approval of the Strategic plan on technological modernization of the government (e-Transformation) highlights among other problems the fact that *“IT systems are often based on proprietary software using closed standards, which creates dependency on certain suppliers and prevents integration of this software in an interoperable IT system. This way of managing IT resources and systems does not allow efficient resource reuse and distribution resulting in redundancy and low security”*⁵⁵. Thus, although this problem has been stressed even before OGAP implementation, no progress was made in enhancing usage of open document formats. With rare exceptions, most of the state institutions continue to publish documents in closed / proprietary formats. The random analysis of several documents on central public authorities' websites showed that most of the time, text documents are published as DOC, DOCX, and PDF files; while table documents are published tables in XLS and XLSX format. Open document formats (ODT, ODS) are not yet used by public authorities. The open format CSV is only used by the Ministry of Education and Ministry of Finance that published several sets of data in this format on the date.gov.md portal.

It has to be mentioned that the Regulation on official websites of the public authorities (Government Decision no. 188 of 03.04.2012) provides for the use of the following text formats (ODT format (editable), DOC (editable) or PDF (pct.29.6) and tables in CSV format, XLS or ODS (editable) (pct.29.7). Thus, although the regulation provides for the use of open formats, these provisions are not binding, their application being left to the discretion of those responsible for the preparation and publication of documents. This reduces the openness and reusability of the published data. Extensive use of closed formats for publishing documents by

⁵² <http://digress.it/>

⁵³ <http://www.futureofthebook.org/commentpress/>

⁵⁴ <http://regulationroom.org/mortgage-protection/issue-posts/servicing/#2>

⁵⁵ Point 2.13 from the Government Decision no.710 of 20 September 2011

the government institutions is not consistent neither with the idea of "open data" or with that of "open government" because it imposes the use of proprietary software tools, from a single supplier and thus undermines data openness and complicates data reuse.

Recommendations

The aforementioned regulation should be amended to ensure mandatory use of open file formats too, for publishing data on CPAA websites.

10) Low quality of the official CPAA websites

Even though there are regulations that specify what information needs to be published on official websites, currently the ministries' websites show a free interpretation of these regulations by those responsible of managing the respective sites. Thus, the information published does not always comply with legal requirements, having an inconsistent and fragmentary character, sometimes being also difficult to be located. In the case of some ministries, their websites seem to be focused more on providing miscellaneous news rather than useful information on the specific policy area.

Recommendations

Complex audits of the official websites need to be performed in order to eliminate all the shortcomings and inconsistencies with the legal provisions.

11) Insufficient information of CPAA regarding the e-Transformation process and Open Government initiatives.

In the case of some ministries, the secretariat does not know who are the persons responsible for e-Transformation or those responsible for public consultations. In other cases the respective information published on the official website is outdated and does not reflect the changes that have occurred in the organizational chart or the personnel shifts that took place.

Recommendations

Within the ministries there is a need for a higher degree of visibility of civil servants responsible for the e-Transformation processes as well as for the implementation of Open Government.

12) Difficulties in the communication with the public.

As already mentioned, in some institutions it is difficult to reach by telephone certain civil servants or even the secretariat, regardless of the day or time such an attempt is made. This situation impedes citizen interaction with the authorities and reduces people's trust in the government.

Another communication issue is the use of civil servants' personal email addresses (e.g. Gmail.com) in their communication with the public even if most public institutions have standard governmental email addresses @gov.md.

Recommendations

It is recommended to carry out an evaluation of the time required for citizens to reach a public servant by phone. The good practices of ministries that have a functional hotline for interacting with citizens should be taken over. Both officials and civil servants should be trained on the need to respect the regulation on the use of official governmental email addresses.

7. CONCLUSIONS

The main conclusion of the study is that the implementation of open government follows a positive trend but at a slow pace. By the time of conducting the evaluation (June 2013), the level of the implementation of OGAP sub-actions planned for 2012 is medium, about 55.05% of the sub-actions being completed. Regarding the objectives achievement, it has to be taken into account that the implementation of the Action Plan is an ongoing process and a complete picture of Moldova's results in respect to its OGP commitments can be obtained in a post-implementation evaluation. However, as on June 2013 the objectives outlined in the plan were achieved to a different extent, from 12.5% (Objective 3), 53.86% (Objective 1) up to 73.01% (Objective 2).

Based on the obtained results we can talk about a medium level of compliance with the commitments undertaken by the Republic of Moldova in the OGP. The results obtained by Moldova in OGAP implementation shows a greater success in complying with the commitments regarding the efficient management of public resources. The fulfillment of the second commitment of Moldova, on strengthening public integrity, is average; and the fulfillment of the third commitment related to improving the quality of public services, is quite poor.

There are a range of issues affecting the implementation of the actions planned in OGAP in 2012, including the compliance with Open Government principles; the coordination, implementation and monitoring of OGAP; deficiencies in communication between the institutions promoting Open Governance, representatives of public authorities and citizens.

In spite of some achievements in the field of ensuring transparency of the public authorities in their decision making and their activities, there still is an insufficient commitment from their side to ensure greater transparency in their work. Furthermore, the civic engagement is reduced, fact also mentioned repeatedly by interviewed public servants. This is not a problem exclusive to the open governance field, being rather a systemic issue of the Moldovan democracy.

In the same time, it has to be mentioned that as seen from the example of the public consultation tools, the web solutions available to the Moldovan citizens still have certain drawbacks that hinder their efficient participation. The existent consultation platform does not fully use the possibilities offered by modern instruments for information dissemination and real-time collaboration.

Another issue represents the partial compliance of the heads of public authorities with the requirements to disclose information about their income and properties, thus hindering the efforts on increasing public authorities' integrity. Another problem is the fact that public authorities do not publish in real time information about their income and expenditures, and also do not publish the summaries of public consultations results.

With regard to the use of new information technologies, some of the main problems are the lack of consistency in publishing information on public authorities' websites; delays in adjusting the legal framework for electronic petitions; and publishing data using closed or proprietary file formats.

Issues related to the coordination and monitoring of the OGAP implementation reside from the inadequate monitoring and control mechanisms, insufficient information on the process of establishing an open government and lack of human resources at the level of public authorities. Other difficulties in OGAP implementation are the low visibility of open government initiatives, poor understanding of the benefits of open government among both citizens and public servants, and the inertia of public authorities and society.

Considering these findings, for a more efficient implementation of OGAP in the future, the provided recommendations imply the need for policy and technical interventions as well as capacity building. It is important to emphasize the fact that the development of a new action plan for the next period has to include a broader participatory mechanism to provide involvement of all stakeholders in the phase of developing the action plan and ensure that it contains clearly defined actions with measurable indicators and precise time limits that can be later included in the internal work plans of the public authorities. This would facilitate the activity of e-Transformation Coordinators and that of the e-Government Center, and would allow a more effective implementation of planned measures and an early detection of emerging problems. Technical interventions should be based on the need to simplify the citizens' interaction with state institutions, the use of interactive tools and preparation of public authorities to use these tools. At the same time greater promotion of the concept of open government is required with the due emphasis on the benefits e-government can offer to citizens and public authorities.

8. ANNEXES

Annex 1. Level of accomplishment of OGAP sub-actions planned for 2012

Objectives	No.	OGAP sub-action	Level of completion, %
Objective 1	1	1.1	62.86%
	2	1.2	68.75%
	3	1.3	59.70%
	4	1.4	0.00%
	5	1.5	0.00%
	6	1.6	0.00%
	7	1.7	75.00%
	8	1.8	0.00%
	9	1.9	87.50%
	Average score for Action 1		39.31%
	10	2.2	0.00%
	Average score for Action 2		0.00%
	11	3.1	100.00%
	12	3.2	100.00%
	13	3.3	72.41%
	14	3.4	12.50%
	15	3.5	100.00%
	16	3.6	100.00%
	17	3.7	100.00%
	18	3.8	50.00%
	19	3.9	0.00%
	20	3.11	Information not available
	Average score for Action 3		70.55%
	21	5.1	100.00%
	22	5.4	50.00%

	Average score for Action 5		75.00%
	23	6.1	0.00%
	24	6.2	100.00%
	Average score for Action 6		50.00%
Average score for Objective 1			53.86%
Objective 2	25	8.1	37.50%
	26	8.2	100.00%
	27	8.3	50.00%
	28	8.4	0.00%
	29	8.5	100.00%
	30	8.6	100.00%
	31	8.7	Information not available
	Average score for Action 8		64.58%
	32	9.1	65.63%
	33	9.2	100.00%
	34	9.4	100.00%
	35	9.5	100.00%
	36	9.6	50.00%
	Average score for Action 9		83.13%
Average score for Objective 2			73.01%
Objective 3	37	10.1	0.00%
	38	10.2	0.00%
	39	10.3	50.00%
	40	10.4	0.00%
	Average score for Action 10		12.50%
Average score for Objective 3			12.5%
AVERAGE SCORE OF OGAP SUBACTIONS			55.05%