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# GOVERNMENT MIRROR: PUBLIC PARTICIPATION IN THE LAW PREPARATION PROCESSES

Annual Report from Monitoring ENER 2024



# Government Mirror: Public Participation in the Law Preparation Processes

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## Annual Report from Monitoring ENER 2024

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# GOVERNMENT MIRROR: PUBLIC PARTICIPATION IN THE LAW PREPARATION PROCESSES

## *ANNUAL REPORT FROM MONITORING ENER 2024*

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## INTRODUCTION

Active and transparent involvement of citizens in the creation of legislation is a precondition for a democratic society whose postulates are transparency and accountability. The public participation in the processes of law preparation and policy creation enables their influence in the development of policies and laws that affect them. Through stakeholder participation, the Government has access to new ideas, information, and resources important in the policy-making process. Consultations contribute to building mutual trust and developing democratic principles.

In the country, there are several acts that provide the basis for the involvement of the public in the law-making processes. These are the Constitution of the Republic of North Macedonia, the Law on Referendum and other Forms of Immediate Declaration, the Law on the Government's Work, the Law on the Organisation and Work of the State Administration Bodies, etc. Further on, a series of by-laws regulate this issue, such as: Rules of Procedure of the Government of the Republic of North Macedonia, Code of Good Practices for the Participation of the Civil Society Sector in the Policy-Making Process, Strategy of the Government for Cooperation with and Development of the Civil Society Sector, Methodology on Regulatory Impact Assessment, Guidelines for the Work of the Ministries in the Process of Implementing the Regulatory Impact Assessment, Rulebook for the Organisation of Public Consultations when Starting a Legislative Process, etc.

Electronic consultations on draft laws are made possible through the Single National Electronic Register of Regulations (ENER). The Ministry of Information Society and Administration (MIOA) is responsible for developing and maintaining ENER, and each ministry is responsible for publishing draft laws that are under its jurisdiction. On the ENER website, any interested party can express their opinion and give comments and suggestions on the published draft laws. According to the Rules of Procedure of the Government of the Republic of North Macedonia, the ministries are obliged to publish the proposed draft laws on ENER already in the process of their preparation, in order to make them available for public consultation for a minimum of 20 days. Although there are various legal possibilities for consultation, ENER remains almost the only tool for public access to draft laws. This imposes the need for its continuous monitoring.

Since 2013, we regularly monitor the practice of publishing draft laws on ENER. This report presents the results of following the minimum standards for public participation in the preparation of laws, i.e., publication and obeying the minimum time for consultations for the published draft laws on ENER in 2024. The report also covers good practices of ministries respecting obligations to publish draft laws and other supporting materials of ENER. The report should serve the organisations, civil servants, and the public in general to inform themselves about the openness of the state administration bodies in the policy-making process. The intention is to contribute to improved representation and participation of civil society in the preparation of public policies, by informing about the implementation of the existing mechanism (ENER) which provides for the involvement of the public.

Considering that it is a long-term process of building knowledge and trust; it is necessary to continuously work on improving the opportunities for public involvement in order to create quality draft laws and their improved implementation. In addition, it is necessary to gain public trust, which will further legitimize the decision-making and operation of the legislative and executive authorities.

# 1. Methodology and Approach

The analysis monitors the practice of publishing draft laws on ENER, the compliance with the minimum time limit for consultations on the published draft laws, as well as the publication of the necessary documents and the practice of commenting and providing feedback.

## 1.1. Sample and Data Processing

The sample includes draft laws published on ENER during 2024, as well as draft laws passed at Government session and submitted to the Parliament of the Republic of North Macedonia in 2024. The monitoring sample covered only draft laws, while by-laws were not subject to monitoring, because the legal framework does not foresee an obligation for their publishing on ENER. The sample also includes the laws that were proposed by members of the Parliament of the Republic of North Macedonia.

In the monitoring period (January 1 to December 31, 2024) 48 notifications on the beginning of the law drafting process, 40 Regulatory Impact Assessment (RIA) draft reports and 40 draft laws were published on ENER. During the period, a total of 314 draft laws were adopted at Government sessions and submitted to the Parliament, while it was monitored how many of the draft laws, for which there is an obligation, were published previously on ENER, how many were passed with shortened procedure, and how many with regular procedure, as well as how many draft-laws were proposed with EU flag indication.

The analysis also covered to what extent the statuses actually correspond to the stage of the draft law, because the statuses of the draft laws on ENER aim to offer users information about the phase in which the preparation process of a certain draft law is. Thus, the status "Open" should indicate that the draft law is open for consultation by the public, while the status "Closed" should inform that the draft law has already been adopted at Government session.

In order to find out the date of passing a certain draft law by the Government, we monitored the Parliament website ([www.sobranie.mk](http://www.sobranie.mk)), where the proceedings of the sessions of the Government are published. The processed results are presented in tables expressed in absolute numbers and percentages, followed by an appropriate comment and derived conclusions and recommendations.

## 2. Regulatory Impact Assessment Process and Publishing Draft Regulations on ENER

In accordance with the Rules of Procedure of the Government of the Republic of North Macedonia<sup>1</sup> and the Methodology for Regulatory Impact Assessment<sup>2</sup>, the ministries have the obligation to carry out regulatory impact assessment (RIA) for the law proposals, except for the laws that are adopted with an urgent procedure, the ratification of international agreements, terminological harmonization with other laws, proposal for the budget of the

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<sup>1</sup> Rules of Procedure of the Government of the Republic of North Macedonia, Official Gazette of RM No. 38/01, 98/02, 9/03, 47/03, 64/03, 67/03, 51/06, 5/07, 15/07, 26/07, 30/07, 58/07, 105/07, 116/07, 129/07, 157/07, 29/08, 51/08, 86/08, 114/08, 42/09, 62/09, 141/09, 162/09, 40/10, 83/10, 166/10, 172/10, 95/11, 151/11, 170/11, 67/13, 145/14, 62/15, 41/16, 153/16 and 113/17 and „Official Gazette of RNM” No.228/19, 72/20, 215/20, 309/20, 41/21, 56/21 and 70/22)

<sup>2</sup> Methodology for Regulatory Impact Assessment, Official Gazette of RNM, No. 107/13 and 173/17

Republic of North Macedonia, the laws on the execution of the Budget of Republic of North Macedonia, the laws on borrowings of the Republic of North Macedonia and the laws on guarantees of the Republic of North Macedonia. Ministries must publish proposals for the adoption of laws, drafts, and proposals of laws on ENER and they must be available for comments by the public for 20 days from the publication date. Any interested party can submit opinions, observations, and suggestions on ENER, regarding the published law proposals. The responsible ministry should prepare a report on the conducted consultations and publish it on its website and on ENER.

The Parliament has no legal obligation to publish for consultation the regulations that are proposed by members of the Parliament. For that reason, they are not an integral part of ENER. These proposed regulations are published only on the Parliament website. These proposed regulations are subject exclusively to the procedure for enacting laws in accordance with the Rules of Procedure of the Parliament. The Rules of Procedure of the Parliament do not provide for a consultative process for this type of proposed regulations, but only an opinion from the Government. In addition, even if the Government does not submit an opinion, the proposed regulation will be discussed by the Parliament.

## **2.1. Practice of Publishing on ENER Draft-Laws Submitted to the Parliament**

Although the ministries are obliged to publish the draft laws on ENER which are passed with regular or shortened procedure, there is still a practice of draft laws not being published on ENER and not being available for consultations with the public. According to the data published on the website of the Parliament, in the period from January 1 to December 31, 2024, a total of 314 draft laws were submitted to the Parliament, of which 105 were proposed by MPs in the Parliament and are not subject to the obligation for prior publication on ENER and RIA implementation. The remaining 209 submitted draft laws were proposed by the Government and the line ministries, and 101 of them are subject to the obligation for RIA implementation, i.e., their prior publication on ENER. 108 draft laws do not have the obligation to be published on ENER because 13 were draft laws for ratification of international agreements, six refer to the adoption or amendment of the Budget of the Republic of North Macedonia, four are laws on state guarantee, seven on state borrowing and 78 are terminological harmonizations with other laws (primarily harmonization with the Law on Amending and Supplementing the Law on the Organisation and Work of the State Administration Bodies). It was identified that 34.65% (35) of the draft laws obliged to be put on ENER for consultation (101), were published on ENER. There is a deterioration in the situation compared to the previous years, (2023: 51.4% (37 draft laws); 2022: 37% (24 draft laws); 2021: 41% (48 draft laws); 2019: 49.6%).

Table 1 provides an overview of how many of the draft laws submitted to the Parliament were previously published on ENER. The Ministry of Education and Science is the only ministry that has no deviations regarding the publication of draft laws on ENER, that is, all the draft laws submitted by this ministry to the Parliament in 2024 have previously been published on ENER and the 20-day consultation period has been respected. The other ministries published on ENER a smaller number of laws submitted to the Parliament in 2024.

Table 1. Draft laws proposed by the Government and ministries, submitted to the Parliament in 2024.

Ministry	Draft-laws submitted to the Parliament	Draft-laws published on ENER	
		Number of draft-laws	Percentage of the total number of draft-laws
MD	0	0	/
MFA	1	0	0%
MAFWM	4	1	25%
MTC	11	2	18%
MF	15	7	47%
MESP	3	1	33%
MJ	13	3	23%
MES	10	10	100%
MC	4	1	25%
MH	1	0	0%
MIA	0	0	/
MISA	19	8	42%
ME	10	2	20%
MLSP	4	0	0%
MLSG	1	0	0%
Government	5	0	0%
<b>Total</b>	<b>101</b>	<b>35</b>	<b>34.65%</b>

Pursuant to Article 170 of the Rules of Procedure of the Parliament of the Republic of North Macedonia, harmonization of the law can be done using a shortened procedure. In general, the need to review a law with shortened procedure is used when complex and extensive laws or adaptations are not required, to terminate the validity of a certain law or its parts, or when complex or extensive harmonization of the law with European union law is not in question. The conditions for proposing laws are the same, regardless of the procedure to be used, i.e., the law can be proposed by 10,000 voters, any member of parliament or the Government (Article 132).

Table 2 provides an overview of the number of laws adopted after a shortened procedure and how many of them were published on ENER. According to the Rules of Procedure, the ministries have the obligation to implement RIA for the laws adopted with a shortened procedure. In 2024, 57 (56.4%) of the draft laws submitted by the ministries to the Parliament were adopted with a shortened procedure. Out of them, 13 (22.8%) were published on ENER. From the table it can be noted that two ministries did not submit to the Parliament a draft law with shortened procedure (MFA, MH). On the other hand, MISA, MTC, ME and MJ have the largest numbers of draft laws with a shortened procedure submitted to the Parliament. Please note that that MIOA published on ENER eight out of the 15 draft laws submitted to Parliament under a shortened procedure. Out of the 11 draft laws submitted to Parliament by MTC, eight were submitted under a shortened procedure, and only two of those eight draft laws had previously been posted on ENER for public consultation.

**Table 2. Draft laws with shortened procedure proposed by the Government and ministries to the Parliament in 2024**

Ministry	Draft laws submitted to the Parliament	Draft laws with shortened procedure		Draft laws with shortened procedure published on ENER	
		Number of laws	Percentage of the total number of laws	Number of laws	Percentage of draft laws with shortened procedure
MD	0	0	/	0	/
MFA	1	0	0%	0	/
MAFW	4	3	75%	0	0%
MTC	11	8	72.7%	2	25%
MF	15	6	40%	2	33%
MEPP	3	2	67%	0	0%
MJ	13	7	54%	0	0%
MES	10	1	10%	1	100%
MC	4	1	25%	0	0%
MH	1	0	0%	0	/
MIA	0	0	/	0	/
MISA	19	15	79%	8	53%
ME	10	7	70%	0	0%
MLSP	4	1	25%	0	0%
MLSG	1	1	100%	0	0%
<b>Government</b>	<b>5</b>	<b>5</b>	<b>100%</b>	<b>0</b>	<b>0%</b>
<b>Total</b>	<b>101</b>	<b>57</b>	<b>56.4%</b>	<b>13</b>	<b>22.8%</b>

Compared to the previous two years, there is a decrease in the percentage of draft laws adopted through a shortened procedure—64.8% (2023), 61.5% (2022)—but the percentage is higher compared to 2021 (34%) and 2019 (29%). However, regarding the publication of draft laws proposed under the shortened procedure on ENER, the situation has worsened compared to 2023 (36.2%), even though last year showed improvement compared to previous years—2022 (15%) and 2021 (12.5%).

Additionally, we analysed the figures not only by ministries but also by months. Due to the parliamentary elections, no draft laws were submitted by ministries to the Parliament during the April–June period. The only exception was in June, when the Government submitted the Draft Law on Amending and Supplementing the Law on the Organisation and Work of the State Administration Bodies under a shortened procedure, which had not previously been published on ENER for public consultation. According to the data, 10 draft laws were submitted to Parliament in August, all under the shortened procedure, and only one of these had previously been posted on ENER for consultation. In December, out of a total of 22 draft laws submitted by ministries to Parliament, six were under the shortened procedure, and one of those six had previously been published on ENER for public consultation. If we compare the first and second halves of 2024, the data show that in the first half of 2024 there was an obligation for 44 draft laws to be published on ENER for public consultation, of which 19 were actually posted (43%). In the second half of 2024, there was an obligation for 57 draft laws to be published on ENER, of which 16 were posted (28%).

In this report, we also monitor whether the draft-laws submitted by the Government to the Parliament have the EU flag indication, that is, the draft-law harmonises our legislation with the EU acquis. A total of 16 draft-laws of the 101 draft-laws submitted to Parliament by the

Government in 2024 were submitted with the EU flag indication, whereas eight of them were submitted with a shortened procedure. Furthermore, out of these 16 draft-laws with the EU flag indication, 11 (68.75%) draft-laws were previously published on ENER for public consultation. Compared to the data from 2023, there is an improvement in the situation—namely, in 2023, 36 out of a total of 72 draft laws (50%) were submitted to Parliament with the EU flag. These draft-laws should have an indication a star (\*) in the title at the end, which signals that the draft-law has EU flag indication. However, after a detailed inspection of all draft-laws, we determined that 11 out of 16 draft laws with the EU flag had this designation in the title of the draft law.

This analysis also included the method of passing laws that are proposed by Members of Parliament (MPs) and/or authorised drafters of laws. According to the data, a total of 105 laws were proposed by MPs, representing a continued increase in the number of draft laws initiated by MPs (2023: 78; 2022: 86). Out of these 105 draft laws, 71 were proposed under a shortened procedure. A consultative process has not been carried out for these proposed laws because the Rules of Procedure of the Parliament itself do not stipulate the same as an obligation.

## 2.2. Respecting and Deviations from the Minimum Consultation Period

According to the Rules of Procedure of the Government and the Methodology for Regulatory Impact Assessment, ENER consultations can take place in two stages:

- Consultation phase from the day of publication of the notification for the beginning of the process and preparation of the draft law (minimum 5 days);
- Consultation phase from the day of the publication of the RIA draft report and the draft law (minimum 20 days)<sup>3</sup>. The amendment to the Rules of Procedure of the Government of the Republic of North Macedonia from 31st December 2024 increased the minimum consultation period from 20 to 30 days.

With the ENER upgrade, the minimum deadlines for these two phases are automated. By automating the observance of the minimum period of five days from the publication of the notice to the publication of the draft law, one of the key weaknesses of the previous system is avoided. With this, the user is provided with the opportunity to formally participate in the process of preparation of draft laws in the RIA phase.

Additionally, the introduced automated counting of the consultation period facilitates visibility as users know how many days the law is still open for commenting. When putting draft law on ENER, the automated counting has a minimum predefined value of 20 days.

According to the data from the Parliament website, out of a total of 35 draft laws adopted at a Government session, previously published on ENER, and submitted to the Parliament for consideration in 2024, the minimum period of 20 days for ENER consultation, counting from the date of the draft-law publication to the date of its passing at a Government session, was respected for all 35 draft laws.

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<sup>3</sup> *Methodology on Regulatory Impact Assessment („Official Gazette of RM“ No. 107/2013)*

### 2.3. Overview of Published Draft Laws on ENER

The changes in the ENER design and layout in 2004 and 2019 resulted in a series of improvements including easier tracking of all acts related to the history of a law. However, a potential deficiency of ENER that has not been overcome is the inability to automatically signal when a draft law is published on ENER for consultation. Consequently, with the publication of a notification for the start of the process for the preparation of a draft law, a new folder is opened that is kept with the date of the Notice for the start of the process for the preparation of the draft law. In this folder, the rest of the documents related to the specific amendment are placed (RIA draft report, draft law...). However, this structure makes it difficult to follow the publication of the draft laws on ENER for consultation, i.e., it is necessary to open the folder with the date of the Notification to check whether a RIA report or a draft law has been placed, and thus there is no automatic signalling when a draft law is put for consultation.

**Table 3. Published draft laws for ENER consultations during 2024.**

Ministry	No. of published draft laws on ENER
Ministry of Agriculture, Forestry and Water Economy	1
Ministry of Education and Science	9
Ministry of Finance	1
Ministry of Transport and Communications	0
Ministry of Justice	2
Ministry of Culture	0
Ministry of Defence	0
Ministry of Economy	0
Ministry of Environment and Physical Planning	9
Ministry of Labor and Social Policy	0
Ministry of Health	1
Ministry of Internal Affairs	2
Ministry of Local Self-Government	0
Ministry of Information Society and Administration	15
Ministry of Foreign Affairs	0
<b>Total</b>	<b>40</b>

In 2024 a total of 40 draft laws were published on ENER, with the largest number of draft laws published on ENER by the Ministry of Information Society and Administration (15), the Ministry of Education and Science (9), and the Ministry of Environment and Spatial Planning (9). All other ministries have two or less than two draft-laws published on ENER in 2024. As a comparison, in 2023, there were 59 draft-laws published on ENER, and in 2022, there were 39.

According to the statuses in which they were published, all draft laws were published with the status "Open" and were available for public consultation. After the 20-day period for public consultation, this status should be changed from open to closed. As of 01.03.2025, out of a total of 40 draft laws published on ENER in 2024, the status from open to closed was changed for nine draft laws (22.5%) and all nine draft laws were proposed by the Ministry of Environment and Spatial Planning.

According to the Regulatory Impact Assessment Methodology, stakeholders should have the opportunity to be involved in the consultation process for the implementation of the RIA, which is ensured by publishing the notification for the start of the process of drafting the draft laws at least five days before the publication of the text of the bill. In 2022, 48 notifications on

the beginning of the law drafting process were published on ENER. For comparison, in 2023, a total of 59 notifications were published announcing the start of the process for drafting laws.

In 2024, a total of 40 draft Regulatory Impact Assessment (RIA) reports were published on ENER. Following a review of the draft RIA reports, it was identified that in the "Consultations" section, civil society organisations were listed as relevant stakeholders in 9 draft RIA reports, with plans for their inclusion in the consultative process during the preparation of the respective draft laws through public consultations, working groups, and/or written requests for comments. Compared to 2023, there is a decline, considering that in 2023, out of a total of 58 draft RIA reports published on ENER, civil society organisations were identified as stakeholders for consultation in 17 draft RIA reports.

The draft RIA reports contain a section for determining the possible positive and negative impact of the proposed law. Depending on the area, the regulatory impacts can generally be economic, social or environmental, as well as other types of impacts depending on the nature of the issue being analysed. Under social impacts, an assessment of the impacts on the existing differences should be made, which also includes the analysis of the impacts on gender equality. Out of a total of 40 draft RIA reports published on ENER in 2023, only one draft report contain information that the draft law will affect gender equality, i.e. in the draft RIA report for the Draft Law on Adult Education, it is stated that: "The law regulates equal opportunities for adults through inclusion and access to education regardless of age, gender, developmental difficulties and disabilities, disability, racial, national, social, cultural, ethnic and religious affiliation, language, place of residence, financial or health status, and other personal characteristics."

## 2.4. Practice of Publishing Related Required Documents

The analysis also monitored the publication of documents related to the RIA implementation for each draft law published on ENER. In accordance with the Methodology, the ministries during the planning and drafting of the laws publish the relevant documents related to the specific draft law on their website and on ENER: Notification of the start of preparation of the law, draft RIA report, draft law, proposal to law.

In 2024 out of a total of 40 draft laws published on ENER, for all of them notifications and RIA draft reports were published for the beginning of the preparation of the respective draft laws.

However, in addition to the publication of the three basic documents, the ministries rarely published the final text of the proposal to the law and the proposed RIA report adopted at Government session. Some good examples include: the Ministry of Local Self-Government, which, for the Draft Law on Amending and Supplementing the Law on Local Self-Government, published on ENER the proposed RIA report, the proposed law itself, as well as a list of received and incorporated opinions and comments regarding the proposed amendments to the Law on Local Self-Government; The Ministry of Digital Transformation, which, for the Draft Law on Amending and Supplementing the Law on Electronic Communications, published on ENER both the proposed RIA report and an extract from the draft minutes of the Government session.

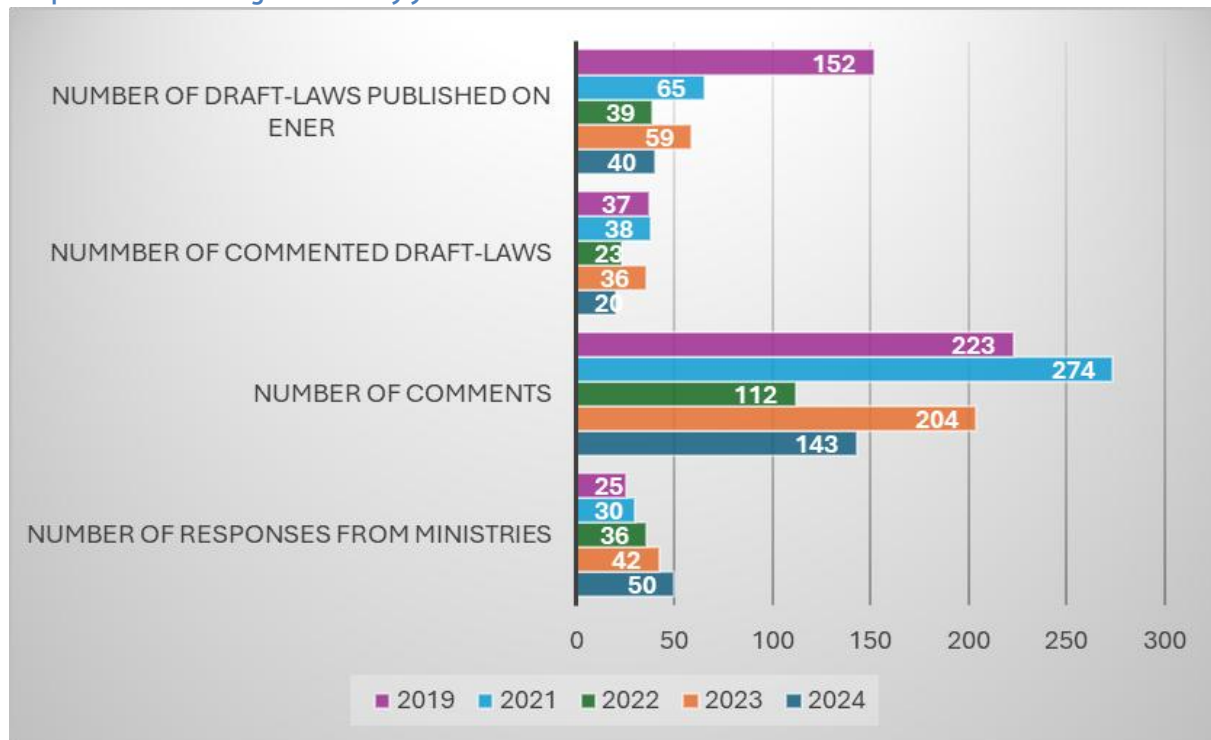
## 2.5. Practice of Commenting on ENER

In order to analyse the extent to which the public uses the given opportunity to influence the laws in the phase of their preparation, the practice of commenting on draft laws on ENER was also monitored. Also, the practice of the ministries in providing feedback to the remarks and comments was monitored.

Out of 40 draft laws published on ENER in 2024, 20 draft laws were commented on, for which a total of 143 comments were left. To these 143 comments, the ministries have published 50 feed-backs, however, most of these feed-backs are that the comments and suggestions will be reviewed. The largest number of comments were given on the following draft laws: Draft Law on Inspection Oversight (40 comments); Draft Law on Amending and Supplementing the Law on Primary Education (15 comments); Draft Law on Textbooks for Primary and Secondary Education (15 comments).

Compared to previous years, the number of draft laws that received comments is the lowest in 2024. Specifically, in 2019 37 draft laws were commented on; in 2021 – 38 draft laws; in 2022 – 23 draft laws; and in 2023 – 36 draft laws. In the past few years, the highest number of comments on draft laws was recorded in 2021.

Graph 1. Commenting on ENER by years



### 3. Conclusions and Recommendations

The conclusions derive from monitoring the compliance with the obligation to publish draft laws on ENER, the minimum period for consultation, updating the status on ENER and publishing the necessary documents, as well as the practice of posting comments by the public and giving feedback by the ministries. In addition, the conclusions are based on the inclusion in the consultative process of the legislature as a creator of legal solutions.

#### 3.1. Conclusions

**Ministries publish around one thirds of the draft-laws on ENER in 2024.** Although the ministries are obliged to publish on ENER all draft laws that are passed by regular or shortened procedure, they did not fully respect the Rules of Procedure of the Government. In 2024, a total of 101 draft laws were submitted from the Government to the Parliament for which there was an obligation to be published on ENER, and for 35 of them (34.65%) the text of the draft law was previously published on ENER. There is a deterioration in the publication of draft laws on ENER compared to previous years (51.4% in 2023, 37% in 2022, 41% in 2021, and 49.6% in 2019).

**The minimum period of 20 days for commenting is respected by the ministries.** Out of 35 draft laws adopted at Government session, previously published on ENER, and submitted to the Parliament in 2024, the minimum period of 20 days for ENER consultation was respected in all cases.

**A small percentage of the draft laws submitted to Parliament were with the EU flag indication.** A total of 16 draft laws, or 15.8% of the 101 draft laws submitted to Parliament by the Government in 2024, were submitted with the EU flag. Of these 16 draft laws, eight were submitted under a shortened procedure (50%). Out of the 16 EU-flagged draft laws, 11 (68.75%) had previously been published on ENER for public consultation.

**Ministries publish the minimum necessary related documents for consultation.** In 2024, out of 40 draft laws published on ENER, notifications for the beginning of the preparation of a draft law and draft RIA reports were published for all of them. In 2024, there are few good examples of ministries that besides the minimum necessary documents publish additional documents such as proposed RIA reports or calls for public consultations for draft law.

**Moderate public interest in commenting on ENER.** 143 comments were posted for 20 out of a total of 40 draft laws published on ENER in 2024.

**Ministries rarely respond to the comments.** During the monitoring period, ministries published 50 responses on ENER to a total of 143 submitted comments (35%). However, the majority of these responses were notifications stating that the proposals would be taken into consideration.

**The Parliament of the Republic of North Macedonia does not implement a consultative process for draft laws that are proposed by MPs and authorized drafters of laws.** Out of a total of 314 proposed laws, a total of 105 laws are proposed by MPs, which represents 33% of the total number. For a significant percentage of the draft laws, it is impossible for them to be consulted with interested parties and for them to be subject exclusively to a legislative procedure for passing laws. Thus, laws that are essential to the legal environment can be passed without the public being consulted.

## 3.2. Recommendations

**Ministries should adhere to the Rules of Procedure of the Government and publish all draft laws on ENER**, regardless of whether they are submitted to the Parliament in a regular or shortened procedure, because the provisions in the Rules are mandatory and any deviation from them is unacceptable. It is necessary that the consultations on ENER are understood as an indispensable part of the process of law preparation, with the aim of building a positive institutional practice that will contribute to increased participation of citizens in the process of law preparation. It is necessary to increase the control of whether a certain draft law was published on ENER for consultation and that it cannot be adopted at Government session if it was not previously published on ENER. In addition, this practice would increase the transparency of the processes of creating laws and would provide space for increased public participation and their involvement in the initial stages of the preparation of draft laws. The goal of ENER should also be seen through the impossibility of the political elites to create laws according to their criteria. Therefore, ENER should be accepted as a mandatory step when the Government proposes laws to Parliament.

**Ministries should use ENER more promptly.** The obligation for regular administration of ENER by the authorized persons should be raised to a higher level and the statuses of the draft laws should be updated regularly, in order for the public to know at any moment whether the published regulation is actually open for consultation or closed and has entered the parliamentary procedure.

**The practice of systematic publishing of the necessary documents should be continued and upgraded.** Although for the most part the basic documents are published regularly, the ministries should also publish the additional documents on ENER after the Government session. In addition, it is necessary for the Government to upgrade RIA and ensure an anti-corruption check of the legislation, which will make it possible to know from the moment of the adoption of the law whether it is subject to corruption risk.

**It is necessary to actively work on promoting ENER and increasing citizens' trust in this tool.** The number of comments on ENER indicates the need for increased information to citizens about the opportunities offered by ENER, and building trust that commenting on ENER can really influence the content of draft laws.

**Ministries should always respond to comments posted on ENER.** Ministries should respond much more promptly to the submitted comments, in order to increase public confidence in the ENER consultation process and to send a clear message that the institutions take public comments seriously. Also, in their answers, the ministries should provide an explanation as to whether and why certain proposals have been adopted or not.

**It is necessary to upgrade ENER.** The ENER upgrade should enable automatic signalling when a draft law is published on ENER for consultation and not only when the Notification is published. Consequently, it is suggested that in the section Latest Proposed Regulations, there should be 10 latest notifications for the start of the draft law preparation process as well as 10 latest draft laws available on ENER for consultation.

**It is necessary to foresee in the Rules of Procedure of the Parliament of the Republic of North Macedonia an obligation for a consultative process for the draft laws proposed by the MPs and the authorized proposers.** In this way, it will be possible for all creators of legislative decisions to be included in the consultation process (legislative and executive authorities) and it will

disable the option of adopting regulations of essential importance for the society without public consultations.