



ROLE OF **INSTITUTIONAL** **TRANSPARENCY**

IN TACKLING
DISINFORMATION AND
SPECULATION IN
NORTH MACEDONIA

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Acronyms

MFA – Ministry of Foreign Affairs

MOD – Ministry of Defence

MES – Ministry of Education and Science

MOI – Ministry of Interior

ME – Ministry of Economy

MOJ – Ministry of Justice

MTC – Ministry of Transport and Communications

MLSP – Ministry of Labour and Social Policy

MF – Ministry of Finance

MH – Ministry of Health

MC – Ministry of Culture

MPSCR – Ministry of Political System and Community Relations

MOEPP – Ministry of Environment and Physical Planning

MOAFWM – Ministry of Agriculture, Forestry and Water Management

MLSG – Ministry of Local Self-Government

MIOA – Ministry of Information Society and Administration

DPGRNM – Deputy Prime Minister of the Government of the Republic of North Macedonia

OPGRNM – Office of the Prime Minister of the Government of the Republic of North Macedonia

GSGRNM – General Secretariat of the Government of the Republic of North Macedonia

ARNM – Army of the Republic of North Macedonia

NSA – National Security Agency

IA – Intelligence Agency

EA – Energy Agency

AEC – Agency for Electronic Communications

ACR – Agency for Commodity Reserves

MA – Military Academy

DSCI – Directorate for Security of Classified Information

NISCDF – National Institute for Cyber Security and Digital Forensics

MRT – Macedonian Radio Television

NSSC – National Cyber Security Council

SEA – Secretariat for European Affairs

CMC – Crisis Management Centre

ENER – Electronic National Register of RNM regulations

AJM – Association of Journalists of Macedonia

Executive Summary

The development and expansion of information and communication technologies, has led among other things, to increase of the impact of disinformation with far-reaching political consequences on democratic societies globally. In the digital age, disinformation can spread rapidly and cause significant damage, undermine trust in institutions and lead to spread of false information with potentially serious consequences. This has become apparent in recent years, during the COVID-19 pandemic and the war in Ukraine.

The analysis by the Institute for Communication Studies (ICS) 'The Role of Institutional Transparency in Countering Disinformation and Speculation in North Macedonia' is a conceptual-research attempt to get an insight into the relationship between open and accountable government against false/misinformation that undermines trust in state institutions. The research sheds a light on two key entities in the society – central government institutions and media (electronic and printed). In general, the goal is to identify if and how much the (non)transparency of institutions can contribute to (countering) the spread of disinformation.

Research findings point to numerous challenges, both on a normative-legal, as well as on organisational and technological-technical level. The EU comprehensive approach to tackling disinformation, as well as the EU general norms and documents on institutional transparency and fighting corruption, offer useful guidance for overcoming these challenges. Their recommendations are focused on strengthening the resilience of democratic societies to disinformation, supporting free and independent media and quality journalism, promoting transparency and accountability in online platforms and advertising, strengthening co-operation and coordination among EU Member States and international partners, empowering citizens by improving media literacy and critical thinking skills.

Transparency is considered one of the key prerequisites for fighting corruption. This research showed that the relationship between transparency and disinformation is similar, i.e., they are inversely related. Transparency has emerged as a counterweight to disinformation, because of its value in openness, building trust, preventing disinformation and promoting accurate and open information. When there is institutional transparency and openness, mistrust in institutions declines, and the space for spreading disinformation narrows. This does not mean that such space can be completely eliminated, since, a series of other intertwined social actors and processes, also play a role in the spread of disinformation, and they are often not limited within country borders. Therefore, increasing institutional transparency is the logical step that could be taken to reduce the influence of disinformation.

The absence of institutional transparency means the curtailment of citizens' right of access to information, i.e., their marginalisation from decision-making processes and policy-making. These tendencies not only disable citizens to follow the decision-making by governments in an informed manner, but also increase the risk of disinformation. When institutions are not transparent about their actions and decisions, the lack of institutional transparency can lead to the spread of disinformation. When people do not have access to the facts they become susceptible to believing misinformation. When institutions are not transparent, it can be difficult for people to know who to trust, which increases the probability that people will believe disinformation that is in line with their beliefs or prejudices. Therefore, similarly to the European approach, transparency should play a key role in the Macedonian approach for tackling disinformation and be a key tool for solving the issue of disinformation, since it enables users to identify sources of information and make informed decisions about the credibility of information they

come across online. Overall, transparency should be considered a tool for tackling disinformation, since it aids the creation of a more open, accountable and trustworthy information environment and supports the efforts of policy-makers, businesses and civil society organisations to address the challenges posed by disinformation.

Combatting disinformation is a complex process that neither the media, nor the institutions, nor the civil society organisations, least of all the citizens themselves, can combat alone. Moreover, it is a long-term process in which one of the key factors is the general, but also the media literacy. Therefore, we need a strategic plan with good measures that will be consistently implemented. Of course, with a clear definition of disinformation, in order to avoid the 'trap' of their free, voluntarist interpretation and questioning the creation of efficient and coordinated policies and measures to prevent the spread of disinformation.

When trying to regulate disinformation, it is necessary to be aware of the risks, the largest of which relates to censorship and the restriction of freedom of speech. Considering the potential risks, the best approach to tackling disinformation should be focused on narrowing the conditions for the creation and spread of disinformation, rather than censoring. The best manner to achieve this is a proactive rather than reactive approach that includes some of the following approaches: improving media literacy and institutional transparency, open collaboration between various stakeholders, including governments, technology companies, media and civil society organisations in locating and monitoring the issue, encouraging self-regulation particularly in media and online media, investing in research and decreasing the structural economic benefits from the spread of disinformation.

This study should help policy-makers, media professionals and civil society actors who try to improve the transparency of institutions and combat disinformation, but also to those who want to understand the phenomenon of disinformation, its influence, as well as the European and national regulations for countering disinformation.

Introduction

The rapid development and spread of information and communication technologies has created a series of socio-political challenges for democratic societies globally. These processes have become particularly evident in the second decade of the 21st century with the emergence and mass use of new media, and have particularly intensified in recent years with the global COVID-19 pandemic and the war in Ukraine. In parallel with these developments, terms such as 'disinformation' and 'fake news' have found their place in both dictionaries and the societal reality, while bringing far-reaching political consequences (Martens et al, 2018).

In this regard, research that aims to study the correlation between disinformation and democratic processes is a necessary first step towards a better understanding of these complex social phenomena, their influence and consequences. This research aims to make exactly such a contribution, through a qualitative analysis of the relationship between disinformation and institutional transparency in the Macedonian context. In an attempt to research and dive deep into the issue, it directs the attention on the transparency of institutions at the national level (primarily the executive power: central Government and ministries, as well as the Assembly and the President), as one of the prerequisites for preventing the spread of disinformation, and also for the media as an important factor in these complex processes.

About the Research

01

The research focuses primarily, on two key social entities – state institutions on national level and mass media (both traditional and online media). The overall goal is to identify if and to what extent the (non)transparency of state institutions can contribute to the (combat) spread of disinformation. In addition, the research aims to determine the role of the media in that ‘labyrinth.’ The analysis is an attempt to answer the following key questions:

- *What is the current awareness/perception about disinformation, as well as the correlation between transparency and disinformation among institutions and the media?*
- *Whether and how the policy of transparency, accountability and openness of state institutions at the national level contributes to tackling the inflow of disinformation in the public sphere?*
- *Which forms and methods do communication specialists in state institutions use to apply transparency and combat disinformation?*
- *Whether and how European standards are transposed in the Macedonian legislation with regard to transparency, accountability and openness of state institutions?*
- *Whether and how does the inflow of disinformation and manipulation, as well as the current level of transparency of the institutions, affect the media and journalists and vice versa?*
- *Whether and how can disinformation be prevented? What role could the production of documents and mechanisms/bodies for the prevention of disinformation play and with which possible consequences?*

1.1. Methodological Approach

The empirical part of the research examines the relationship between institutional transparency and disinformation in the Macedonian context. Methodologically, the research is based on four methods/techniques: desk research, content analysis of relevant documents, focus groups with media representatives and interviews with representatives of state institutions on national level:

- 1) Desk-research - analysis of secondary data aimed at analysing the webpages of state institutions (ministries), action plans for transparency and disinformation, media posts, in order to get a picture

of the forms, methods of their practice; as well as content analysis – a quantitative and qualitative approach of analysing key documents such as laws, strategies, recommendations, plans, codes of European and Macedonian regulations on institutional transparency and disinformation.

- 2) Focus groups with journalists - group interactive interview aimed at obtaining information about the perceptions that exist among accredited journalists who follow the work of the Government and government institutions, about the level of transparency of institutions, as well as their perspectives about the mutual relationship between transparency and disinformation. The questions were divided into two segments – section related to transparency of institutions and a section related to disinformation. There were conducted four focus groups with 6-8 journalists from print media (daily, weekly, news agencies), TV stations (public and private, national, regional), radios (public, national, regional) and online media. Discussions included a total of 35 journalists from the same number of media that publish daily information content. The questionnaires are available for review in Annex 5 of the document.
- 3) Semi-structured interviews - with representatives of the Government, Parliament, Office of the President and state institutions - ministries, primarily aimed at persons responsible for communications, managers or coordinators for communications, spokespersons and persons responsible for free access to public information. The questions were organised in two groups, one about the transparency of state institutions, and the second about disinformation. The interviews were conducted in two manners: part spoken (primarily with representatives of the Government, the Parliament and the Office of the President of the country) and the largest part via e-mail (primarily with the ministries). A total of 26 questionnaires were disseminated, and answers were submitted to 20 questionnaires. The questionnaires are available for review in Annexes 3 and 4 of the document. Answers were received from representatives of the Assembly, the Intelligence Agency, 9 ministries and 8 representatives from the Government responsible for transparency and the Office of the President. The data was gathered between November 2022 and January 2023.

1.2 Theoretical Postulates about Transparency and Disinformation

When we consider the complexity of the terms ‘disinformation’ and ‘transparency’ as concepts and socio-political phenomena, then it becomes clear that disentangling their relationship is a complex task, which needs to be approached with scientific precision and social responsibility. Therefore, the analysis of the relationship between disinformation and institutional transparency should begin by analysing the meaning of each of these two concepts individually.

1.2.1 About Disinformation

Disinformation stands for publishing verifiably incorrect and fraudulent information, its publication for the purpose of economic gain and/or intentional deception of the public (Edson et al 2017). Disinformation is not a new phenomenon. It has been present in human communication since the beginning of civilisation and the creation of organised societies. With the appearance of electronic media, disinformation has moved from paper to screens and microphones. What has changed drastically in recent years is the amount and speed with which it can reach a target audience through new technologies and cause harm to the public interest (Martens et al, 2018).

In the 21st century, the term disinformation refers to the spread of false or misinformation, frequently with the aim of manipulating public opinion or undermining trust in institutions. They can take many forms,

including untruths, media manipulations, conspiracy theories and propaganda, and can also be spread through numerous channels, such as social media, traditional news and digital applications (Kapantai et al 2021). In the contemporary information environment and thanks to new methods, techniques and technologies of production and dissemination of information, its quantity and speed reach unprecedented proportions without any limitations. The entire world is faced with this phenomenon, and North Macedonia is no exception, whether it is about (dis)information in politics, economy, culture, health, environment, or other areas (Bayet et al, 2019).

1.2.2 About Transparency

The evolution of the use and meaning of the term 'transparency' is closely related to supranational and non-governmental organisations (Ball, 2009). It appears for the first time in the early 1990s in documents related to the founding of the European Union, the General Agreement on Tariffs and Trade (GATT), as well as in other documents produced by European institutions and international non-governmental organisations (Cooper & Yodder, 2012). However, what helped to establish the word with the broader public and academia was the choice of the name Transparency International for the non-governmental organisation founded in 1993, due to the association of the word transparency with the idea of openness (Ball, 2009).

In the years since, the use has spread through documents of international organisations, which include recommendations for public policies to ensure transparency, credible policies to avoid conflicts of interest, open budget design and implementation, freedom of information and participation of citizens in the design and implementation of public policies, as well as the responsibility of enterprises that are public, i.e. owned by the state. Transparency International publishes an index every year which measures perceptions of corruption, and has developed also its so-called National Integrity System, which represents an assessment tool, of all key actors in the fight against corruption and refers to their integrity, transparency and accountability (TI 1995, 2000). The holistic assessment of a country's 'integrity system' aims to present the strengths and weaknesses, as well as identify recommendations for policy-making (TI 2006). Integrity systems, in addition to transparent and open official structures, also include criteria such as free media, an honest and incorruptible private sector, and a civil society that uses information and expects businesses and government to act openly and honestly. An important role in the evolution of the term 'transparency' also has its correlation with corruption. Transparency is considered one of the important preconditions in fighting corruption because transparency and corruption are inversely related, which means that more transparency leads to less corruption, whereas less transparency leads to more corruption. Corruption thrives in environments where there is little transparency, because those in power can act with impunity and avoid accountability. Thus, when there is more transparency in the system, it becomes harder for corruption to occur, because the actions of those in power are more visible and subject to scrutiny. Similarly, when there is less transparency, corruption can set in and flourish more easily, because those in power are protected from the public eye and can act with impunity. In short, transparency can be a powerful deterrent to corruption, while corruption can erode transparency and accountability in the system.

Common definitions of transparency stem from this correlation between corruption and transparency. Therefore, transparency is defined as 'lifting the veil of secrecy' (Davis, 1998) or 'the ability to look clearly through the windows of the institution' (den Boer, 1998). The general idea is that something is happening behind the curtains and once these curtains are removed, everything is open and can be scrutinised. According to Birkinshaw, transparency means conducting public affairs openly or in a manner that is subject to public scrutiny (Birkinshaw, 2006). Black defines transparency on the basis of what it is not: 'transparency is in contrast to covert political measures, where it is difficult to discover who makes the

decisions, what they are, and who gains and who loses from their implementation.’ (Black, 1997). For Ball, ‘transparency’ is a metaphor or symbol for a multitude of ideas that point to the existence of corruption as a problem. They also offer a solution - providing information to the public through open decision-making. Thereto, transparency can be seen as a synonym for honest and accountable public officials and public decisions (Ball, 2009). Although there is no common definition about transparency of institutions, there is a common consensus that it refers *to the right of citizens to be informed and to have access to the information necessary for decision-making* (Etzioni, 2016).

At the same time, institutional transparency refers to the extent to which the internal affairs of institutions, such as the government and other state institutions, are open and easily accessible to the public. It denotes disclosure of the information possessed by the authorities (the state) for the benefit of the citizens and dissemination of such information, in order to enable citizens to have access to decision-making processes (Wanna and Vincent, 2018). This may include publishing information about the activities and decisions of the institutions, as well as the policies and procedures they follow. Information is a very important precondition in the exercise of political and economic power. Therefore, nowadays there is an understanding that institutional transparency can help in building trust between institutions and the public, as well as promoting accountability and good governance. When institutions are transparent, it becomes easier for the public to hold them accountable for their actions and ensure that they work for the public’s best interest.

In a broader sense, transparency as a right to information refers to:

- *Citizens’ access to the internal (insider) information of the authorities,*
- *The volume, precision and promptness of the information that citizens have access to,*
- *The mechanisms that citizens have at their disposal, if they are not allowed access to the internal (insider) information of the authorities or the volume, precision and promptness of access to information is not satisfactory.*

As a result of the establishment of the concept internationally, now the role of transparency is considered crucial for important and effective democratic processes. On the other hand, excessive secrecy has a corrosive effect on all social aspects, because it undermines the quality of public decision-making and prevents the involvement of citizens in controlling the abuse of public power (Florini, 2007).

1.3 The Correlation between Disinformation and Transparency

Disinformation and transparency are considered inversely related i.e., opposing terms and social phenomena. Disinformation stands for deliberate creation and dissemination of false or misinformation, while transparency is a state of openness and honesty. Transparency helps to build trust and prevent the spread of disinformation. On the other hand, disinformation can undermine the trust by spreading false, partially false information or misinformation. Therefore, transparency can be seen as their counterbalance as it can help in preventing false information and promote sharing of accurate information (Lazer et al, 2018). This is especially important in the digital age, when disinformation spreads quickly and causes significant damage, undermines trust in institutions with potentially serious consequences. In some cases, disinformation can be spread by the institutions themselves in an attempt to manipulate public opinion or conceal the truth. The lack of transparency of government institutions means the absence or curtailment of citizens’ right of access to information. This implies elimination or marginalisation of citizens

from decision-making and policy-making processes (Abramowicz and Ho, 2020). Hence, the absence of transparency means restriction or deficit of democratic processes, and at the same time it makes space for the spread of disinformation and speculation, thus undermining the functioning of the media.

The lack of transparency of institutions increases the risk of disinformation, which can trigger violations of human rights from various aspects because it disables citizens to follow decision-making by the government, in an informed manner. Lack of institutional transparency can lead to the spread of disinformation in numerous ways. Firstly, when institutions are not transparent about their actions and decisions, an environment is created where disinformation can thrive, because people become susceptible to believing false or misleading information when they do not have access to the facts. Secondly, the lack of transparency can also make it easier for those who intentionally spread disinformation. Without transparency, it is hard to hold institutions and individuals accountable for the information they share. Finally, a lack of transparency can make it hard for people to distinguish between credible and non-credible sources of information. When institutions are not transparent, people could find it hard to believe who to trust, which increases the probability for people to believe disinformation that is in line with their own beliefs of prejudice.

Therefore, increasing institutional transparency is the logical step that can be taken to prevent or reduce the impact of disinformation. On the other hand, taking strict measures by the authorities to prevent disinformation creates a risk for violation of the right to freedom of speech, freedom of media and editorial freedom (Hoboken and Ronan, 2021). Institutional transparency is an important component of good governance and can help in the promotion of trust and responsibility, in balancing the efforts to oppose disinformation, while offering an approach that ensures access to accurate and credible information, and media and the public retain their freedom of speech.

1.4 Methods and Risks in Tackling Disinformation

Methods and approaches for tackling disinformation must start with an awareness about the risks associated with regulating this area (Hoboken & Ronan, 2021). There are several major risks associated with trying to regulate disinformation. One of the main risks is the potential for censorship and restriction of freedom of speech. Governments and private companies can use regulation as a mechanism to silence those they disagree with or to suppress certain type of information. In addition, disinformation is a complex and multifaceted phenomenon that is difficult to define and identify. This aggravates the process of designing regulations that effectively target disinformation without restricting free speech. Even if they are designed, they may be difficult to apply, particularly in the context of the vast and growing digital landscape. On the other hand, the excessive regulation of disinformation can lead to undesirable consequences and squash freedom of speech and freedom of expression. Additional difficulties arise from the fact that some forms of disinformation can be difficult to distinguish from satire or parody, which can lead to censorship of legitimate forms of expression.

Having in mind these risks, there is a multitude of different approaches to tackling disinformation, and the best approach depends on the specific context and goals of the intervention. According to Wardle and Hossein (2017) some of the best approaches to tackling disinformation include:

- *Improving media literacy*: One of the most effective ways to tackle disinformation is to improve media literacy so that people are better equipped to critically evaluate the information they come across and recognise disinformation when they see it.
- *Improving transparency*: Improving transparency, for example by making it clear who is behind certain

information or who finances the spread of that information, can help reduce the spread of disinformation

- *Co-operation*: Co-operation among various stakeholders, including governments, technology companies, media and civil society organisations, is essential to effectively tackle disinformation
- *Encouraging self-regulation*: self-regulation among online platforms can help reduce the spread of disinformation by making it harder for malign actors to use these platforms to spread false information
- *Investing in research*: Investing in research to better understand the nature of disinformation and how it spreads can help develop more effective countermeasures
- *Reducing the economic benefits of spreading disinformation*: Another important approach is to reduce the economic benefits of spreading disinformation by making it harder for those who profit from spreading false information.

European Regulation on Disinformation and Transparency

02

The European Union's approach for tackling disinformation is particularly relevant for the Republic of North Macedonia as a candidate-country for EU membership. Disinformation is a global challenge, and the EU faces similar issues and challenges, but it has far more advanced institutional mechanisms to tackle these processes. The comprehensive strategy for tackling disinformation has an important role, which includes adoption and application of new regulation that primarily aims at improved transparency of major platforms and the modes of how content and algorithms are moderated, investment in fact-checking, media literacy and support of independent media.¹ Access to these resources, as well as the expertise of EU institutions and Member States in combating disinformation, can offer solutions that are also relevant to the Macedonian context, particularly since the EU approach to tackling disinformation is based on common democratic values, such as freedom of expression, media pluralism and the protection of fundamental rights. In addition, respecting these values is important for EU candidate countries, since they are part of the democratic criteria for membership that must be met.

2.1 Comprehensive European Approach of the EU to Combat Disinformation

In recent years, the spread of disinformation online has become a reason for concern in numerous countries across the world, particularly due to the impact of such practices on informed citizenship and democratic systems as a whole (Nenadić, 2019). As far as 2018, the European Commission (EC) recognised the significant exposure of its citizens to online disinformation as a major challenge for European democracies (EC, 2018a & EC, 2018b). In response to these challenges, to ensure citizens' access to credible information and sources, the EC introduced several measures aimed at creating a so-called comprehensive European Approach (Ibid). The 'European Approach' to tackle the challenges

¹ EC (2018). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 'Tackling online disinformation: a European Approach', <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0236>, accessed on 15.02.2023

of disinformation generally refers to the actions and strategies taken by the European Union (EU) and its Member States to address the issue of disinformation. The Approach stems from regulation, self-regulation of digital platforms initiated by the EC (EU Code of Practice on Disinformation), as well as non-binding communications and recommendations from the Commission to Member States.

EU documents and policies define disinformation as the dissemination of false or misleading content for economic or political gain, while at the same time it can cause public harm, a threat to democracy, security and health of citizens². Disinformation is treated as a major challenge, which requires a coordinated response from institutions, online platforms, media and citizens.

Few documents are emphasized as key in the EU for the prevention of disinformation, (with their main features outlined in Table 1). The details of each individual document are explained in more detail in Annex 1.

Communication from the European Commission on tackling online disinformation - 2018³	
Description	The document is a collection of tools for effectively preventing the spread of disinformation and protecting EU values
Measures-goals	<ul style="list-style-type: none"> • Strengthening the EU self-regulatory Code of Practice On Disinformation, which sets out a series of obligations for online platforms and other stakeholders to combat disinformation • Improving the transparency of online political advertising • Improving media literacy and encouraging fact-based public discourse • Support for quality independent media • Tackling financial incentives for disinformation, including by promoting advertising transparency and developing new tools to detect and remove fake accounts and bots
Action Plan against Disinformation – 2018⁴	
Description	Comprehensive set of measures adopted by the European Commission to strengthen the EU’s ability to prevent, detect and respond to disinformation

2 Commission of the European Union (2018), COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Tackling online disinformation: a European Approach, COM/2018/236 final (accessed on: 20.11.2022) <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018DC0236&from=EN>

3 EC (2018). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, ‘Tackling online disinformation: a European Approach’, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0236>, accessed on 15.02.2023

4 EC (2018). Joint Communication to the European Parliament, the European Council, The Council, The European Economic and Social Committee and the Committee of the regions, ‘Action Plan against Disinformation’, https://www.eeas.europa.eu/sites/default/files/action_plan_against_disinformation.pd, accessed on 15.02.2023

Measures - goals	<ul style="list-style-type: none"> • Improving the ability of EU institutions to detect, analyse and expose disinformation, by establishing a dedicated unit to monitor and analyse disinformation trends and to support Member States in identifying and responding to disinformation campaigns. • Strengthening coordination and joint action against disinformation • Encouraging online platforms to act responsibly, calling for greater accountability for the content they publish and taking measures to combat the spread of disinformation, including by promoting transparency in political advertising • Raising awareness and improving resilience in the society • Supporting independent and quality journalism due to its value in tackling disinformation
European Democracy Action Plan – 2020⁵	
Description	The Action Plan is focused on three areas: protection of free and fair elections; strengthening media freedom and media pluralism; as well as prevention of disinformation.
Measures - goals	<ul style="list-style-type: none"> • Protection of safety of journalists.⁶ • Combat against the abuse of the possibility to initiate court proceedings against journalists and persons involved in the protection of public interest⁷ • Establishing and implementing professional journalistic and media standards by promoting self-regulation and strengthening media self-regulation bodies. • Strengthening media pluralism and transparency of media ownership • Improving transparency in online political advertising • Promoting media literacy and critical thinking skills, supporting independent journalism and improving fact-checking and verification.
The Strengthened Code of Practice on Disinformation – 2018 and 2022⁸	
Description	Voluntary self-regulatory measures agreed by the European Commission and major online platforms to combat disinformation.

5 EC (2020). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, ‘On the European democracy action plan’ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A790%3AFIN&qid=1607079662423>

6 Commission of the European Union (2021) COMMISSION RECOMMENDATION of 16.9.2021 on ensuring the protection, safety and empowerment of journalists and other media professionals in the European Union, Brussels, C(2021) 6650 (accessed on: 26.11.2022) <https://digital-strategy.ec.europa.eu/en/library/recommendation-protection-safety-and-empowerment-journalists>

7 Commission of the European Union (2022) Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on protecting persons who engage in public participation from manifestly unfounded or abusive court proceedings (‘Strategic lawsuits against public participation’), Brussels, 27.4.2022 COM(2022) 177 final, 2022/0117 (COD) (accessed on: 26.11.2022) <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022PC0177&from=EN>

8 The Strengthened Code of Practice on Disinformation 2022 <https://digital-strategy.ec.europa.eu/en/library/2022-strengthened-code-practice-disinformation>

Measures - goals	<p>The signatories of the Code undertake to:</p> <ul style="list-style-type: none"> - take steps to improve the transparency of online news, political advertising and user-generated content, including by disclosing information about the identity of advertisers and news sources - take steps to improve the information environment for users, including by providing tools and information to users that will help them identify and evaluate information on the Internet - work with fact-checkers and academic researchers to help identify and tackle disinformation online - take action against malicious actors who try to use online platforms to spread disinformation or engage in other forms of online manipulation -take steps to improve the accountability of online platforms, including by developing clearer terms of use and community guidelines and by providing users with clear and effective mechanisms for reporting offensive content.
Digital Services Act – 2020⁹	
Description	The act aims to protect internet users by establishing a new standard for transparent operation of online platforms.
Measures - goals	<ul style="list-style-type: none"> • New obligations for major online platforms, including requirements to report illegal content, to ensure greater transparency in content moderation practices and to implement effective measures to tackle disinformation. • New rules for online advertising including transparency requirements for the use of user targeting and profiling techniques. • New protective measures for user rights by requiring platforms to have clear and effective policies for content moderation, providing effective legal remedies for users in the event of wrongful removal of content, and to respect fundamental rights such as freedom of expression and privacy. • Improved co-operation between Member States to ensure a coordinated response to illegal content and disinformation online.
European Media Freedom Act – 2022¹⁰	
Description	A set of new rules to protect media pluralism and independence in the EU. The document is in the phase of a draft law submitted in September 2022, by the European Commission.
Measures - goals	Protective measures against policies of pressures on editorial freedoms, strengthening the protection of journalists and the journalistic profession, ensuring independent/stable financing of the public broadcasting service, transparency in the allocation of state advertising, as well as media ownership.

⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020PC0825&from=en>

¹⁰ Commission of the European Union (2022) European Media Freedom Act (DRAFT, presentation) https://ec.europa.eu/commission/presscorner/detail/en/ip_22_5504

European Media and Audio-visual Action Plan – 2021¹¹	
Description	A package of measures adopted by the European Commission to support the recovery and transformation of the European media and audio-visual sector, including measures to combat disinformation.
Measures - goals	<ul style="list-style-type: none"> • Support for media freedom and pluralism • Promoting quality journalism and media literacy • Strengthening the competitiveness of European audio-visual works • Ensuring a level playing field for all players in the digital single market • Improving transparency in the media and audio-visual sector • Supporting the development of new technologies and business models
European Digital Media Observatory – 2021¹²	
Description	The European Observatory is a platform established by the European Commission to monitor and analyse the online environment and identify trends, risks and opportunities related to digital services.
Measures - goals	Co-ordinating, connecting and offering assistance in designing policies to prevent disinformation

The EU approach to preventing the spread of disinformation makes a clear distinction between the media, especially the public service, and social media as a potential source or transmitter of disinformation. One of the most important specifics of EU policies is the fact that media is treated as a subject-partner for preventing the spread of disinformation. Thereto, the European approach to preventing disinformation is accompanied by measures and policies to strengthen democracy, which include protection of the journalistic profession. These measures are of particular importance and offer guidance for national strategies and policies to prevent disinformation in the Republic of North Macedonia. Within these frameworks, attention should be paid to European measures for protecting journalists, and especially female journalists, from threats online. There should be harmonisation of national legislation related to media with the European regulation (the Audio-visual Media Services Directive (AVMSD), the Digital Services Act, the proposed European Media Freedom Act, etc.) and with other European standards, self-regulatory and co-regulatory documents, as well as with the recommendations by the Council of Europe. Also, the EU Directive on strategic lawsuits against public participation (SLAPP)¹³ should be fully integrated into national strategies and policies. This abuse is called strategic lawsuits against public participation (SLAPPs).¹⁴ The Directive treats strategic lawsuits as a special form of harassment, which relies on unfounded or excessive legal proceedings, usually petitioned by state authorities, powerful companies or powerful individuals.¹⁵

11 European Media and Audiovisual Action Plan, <https://digital-strategy.ec.europa.eu/en/policies/media-and-audiovisual-action-plan>

12 European Digital Media Observatory (EDMO), <https://digital-strategy.ec.europa.eu/en/policies/european-digital-media-observatory#:~:text=The%20European%20Digital%20Media%20Observatory,to%20collaborate%20with%20each%20other,> accessed on 10.02.2023

13 Commission of the European Union (2022) Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on protecting persons who engage in public participation from manifestly unfounded or abusive court proceedings ('Strategic lawsuits against public participation'), Brussels, 27.4.2022 COM(2022) 177 final, 2022/0117 (COD) (accessed on: 26.11.2022) <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022PC0177&from=EN>

14 Strategic lawsuits against public participation – SLAPPs, accessed on: 26.11.2022, [https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI\(2022\)733668#:~:text=One%20of%20these%20techniques%20is,relation%20to%20matters%20of%20public](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2022)733668#:~:text=One%20of%20these%20techniques%20is,relation%20to%20matters%20of%20public)

15 Commission of the European Union (2022) Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on protecting persons who engage in public participation from manifestly unfounded or abusive court proceedings ('Strategic lawsuits against public participation'), Brussels, 27.4.2022 COM(2022) 177 final, 2022/0117 (COD) (accessed on: 26.11.2022) <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022PC0177&from=EN>

2.2 Transparency as the Imperative of the European Approach

The issue of transparency of EU institutions gains constitutional weight with the Lisbon Treaty¹⁶, whose principles are specified by the Rules of Procedure of the Council and the European Council¹⁷. In this context, the Directive on open data and re-use of public sector information is also relevant¹⁹, as it aims to make public sector and publicly funded data re-usable. The Directive is based on two key principles of the European market: transparency and fair competition. The Directive also envisages improving transparency of public-private partnership agreements, which include information from the public sector and avoiding exclusive arrangements.

Transparency plays a key role in the European approach to tackling disinformation and is seen as a key tool to address the problem of disinformation, since it enables users to identify the sources of information and make informed decisions about the reliability of the information they come across online. Overall, transparency is considered a key element of the European approach to tackling disinformation, because it helps to create a more open, accountable and trustworthy information environment and supports the efforts of policy-makers, businesses and civil society organisations to tackle challenges posed by disinformation.

EU documents and policies define disinformation as the dissemination of false or inaccurate content for economic or political gain, while at the same time it can cause public harm, cause a threat to democracy, security and health of citizens.²⁰ Disinformation is treated as a major challenge, which requires a coordinated response from institutions, online platforms, media and citizens. The main goals of the so-called European approach to tackling disinformation are:

- To strengthen the resilience of democratic societies against disinformation
- To support free and independent media and quality journalism
- To promote transparency and accountability in online platforms and advertising
- To strengthen co-operation and coordination between EU Member States and international partners
- To empower citizens by improving media literacy and critical thinking skills.

16 Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon, 13 December 2007, OJ C 306, 17.12.2007, p. 1–271

http://publications.europa.eu/resource/cellar/688a7a98-3110-4ffe-a6b3-8972d8445325.0007.01/DOC_19

17 Council of the European Union, Council Decision of 1 December 2009 adopting the Council's Rules of Procedure OJ L 325, 11.12.2009, p. 35–35 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009D0937&from=EN>

18 It establishes the basic rules for meetings, including voting rules, which sessions should be public, and when documents should be published: minutes, votes on draft-legislations, descriptions on voting, and statements given by Member States, information on documents which are subject to discussion and main conclusions adopted by the Council.

19 European Parliament and the Council of the European Union (2019) Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast), PE/28/2019/REV/1 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L1024&from=EN>

20 EC (2018). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 'Tackling online disinformation: a European Approach', <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0236>, accessed on 15.02.2023

In general, the current approach can be seen as primarily designed to (1) prevent illegal micro-targeting of voters by protecting personal data;²¹ and (2) combating disinformation by increasing the transparency of online platforms.²² Another important aspect of the European approach is the emphasis on co-operation between different stakeholders, including governments, technology companies, media and civil society organisations.

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- 21 Transparency measures in the European Approach include requests for online platforms to disclose information for sources of political advertising and news content, as well as measures to improve transparency of algorithms and data collection practices
- 22 Few of the mentioned EU documents on disinformation address the issue of transparency such as: transparency of political advertising included in the Action Plan against Disinformation https://www.eeas.europa.eu/sites/default/files/action_plan_against_disinformation.pdf, and The Strengthened Code of Practice on Disinformation 2022 - 2022 Strengthened Code of Practice on Disinformation | Shaping Europe's digital future, transparent and fair allocation of state or political advertising included in the Action Plan against Disinformation https://www.eeas.europa.eu/sites/default/files/action_plan_against_disinformation.pdf, transparency of media ownership included in the Action Plan against Disinformation https://www.eeas.europa.eu/sites/default/files/action_plan_against_disinformation.pdf and transparent work of online platforms from the Digital Services Act <https://eur-lex.europa.eu/legal-content/en/TXT/?qid=1608117147218&uri=COM%3A2020%3A825%3AFIN>

Institutional Transparency and Disinformation in the Macedonian Context

03

The European Union has developed a comprehensive strategy to combat disinformation, including promoting transparency, media literacy and independent fact-checking. In comparison, the Macedonian approach to tackling disinformation is still in its early beginnings, and the country is in the process of developing effective measures to tackle the issue.

The European Commission country report on North Macedonia for 2022²³, highlights several areas in which it is necessary to improve institutional transparency. The report indicates that civil society organisations should be involved in order to improve transparency in policy-making and inclusiveness in consultation processes.²⁴ The need for transparency in the financing of political parties is also emphasised²⁵, and need for transparency in access to the judicial position. The report points to the issue of lack of transparency and efficiency of state aid,²⁶ as well as the need to improve transparency in public procurement and transparency of the budget and the effectiveness of public expenditures.²⁷ According to the report, the Ministry of Finance 'must put additional efforts to increase public participation at every stage of budget preparation, execution and reporting.'²⁸

Regarding the improving the freedom and transparency of media, the report states that there should be greater transparency in advertising by state institutions and political parties in media²⁹. The report points to the problem of absence of legal obligations for online portals, regarding transparency of their ownership.³⁰ It also points to the need to align national legislation with EU standards, to ensure independence, professional standards and financial sustainability of the public broadcasting service, to continue activities for self-regulation of media³¹, as well as to solve the problem with the labour rights

23 European Commission (2022) North Macedonia 2022 Report, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2022 Communication on EU Enlargement policy SWD(2022) 337 <https://www.sep.gov.mk/page/?id=1117#.Y860ga3MK5c> (accessed on 01.12.2022)

24 *ibid.* (стр. 14)

25 *ibid.* (стр. 11-12)

26 *ibid.* (стр. 70)

27 *ibid.* (стр. 16)

28 *ibid.* (стр.16)

29 *ibid.* (стр. 32)

30 *ibid.* (стр. 94)

31 *ibid.* (стр.7)

of journalists, particularly the cases with threats and violence, and sanction perpetrators.³² The report states a lack of transparency in access to information.³³ In this context, it indicates that the administrative capacity at all levels remains insubstantial, with insufficient human and financial resources for the implementation and application of the existing legislation³⁴. Portion of the problems and issues noted by the EU report have been addressed continuously within the international Open Government Partnership program, initiated by the United States.

3.1 National Acts Encompassing Transparency

Open Government Partnership – OGP (Partnership for Open Government)

Open Government Partnership (OGP) is an international initiative, initiated by the US, where the Republic of North Macedonia has been a member since 2011³⁵. By joining the initiative, the Government signed a Declaration binding to prepare and implement specific commitments to promote transparency, support civil participation, fight corruption, as well as use new technologies in public administration and outside it, to support innovation. In accordance with these obligations, the Government, in co-operation with the civil society organisations, has been preparing two-year National Action Plans (NAP). Five (5) such plans have been adopted: NAP1 (2012-2014), NAP2 (2014-2016); NAP3 (2016-2018), NAP4 (2018-2020) and the last, current NAP5 (2021-2023), presented in Annex 2a).

The desk analysis of this research concludes that there is continuity of the structure and priorities in the first three action plans. Specifically, NAP1, NAP2; NAP3 have almost identical structure and priorities. NAP4 notes bigger differences and the differences are most visible with NAP5. In addition to the Open Parliament priority, NAP5 also includes the Open Justice priority. Due to these changes, the North Macedonia Government, with the latest action plan NAP5 (2021-23), renamed the initiative to Partnership for Open Government (POG)³⁶.

What is striking about NAP5 is that five priorities have been removed from previous action plans:

- Participatory policy-making
- Open data
- Access to public information
- Efficient management of public resources (fiscal transparency)
- Openness at the local level

In NAP5, these priorities have been removed i.e. merged and reduced to measures or activities, within the new priority called Transparency, Accountability and Inclusiveness. The idea of merging the abovementioned priorities can be understandable because they all have a direct link to affirming transparency. The new priority of NAP5 called Transparency, Accountability and Inclusivity outlines six

32 *ibid.* (стр. 32)

33 *ibid.* (стр. 112-113)

34 *ibid.* (стр. 112-113)

35 Ministry of Information Society and Administration, Partnership for Open Government <https://ovp.gov.mk/%d0%be%d1%82%d0%b2%d0%be%d1%80%d0%b5%d0%bd%d0%be-%d0%b2%d0%bb%d0%b0%d0%b4%d0%b8%d0%bd%d0%be-%d0%bf%d0%b0%d1%80%d1%82%d0%bd%d0%b5%d1%80%d1%81%d1%82%d0%b2%d0%be/> (accessed on 11.1. 2023)

36 Ministry of Information Society and Administration of the Republic of North Macedonia (2021) National Action Plan for Partnership for Open Government 2021-2023, https://ovp.gov.mk/wp-content/uploads/2021/07/NAP5-PARTNERSTVO-ZA-OTVORENA-VLAST-2021-2023-_-potvrden-od-Vlada-26.10.2021.pdf (accessed on 11.1. 2023)

(6) measures, which is much less compared to the measures of the previous action plans that refer to the abovementioned priorities: NAP1 had 22 measures, NAP2 had 35 measures, NAP3 had 26 measures, and NAP4 had 13 measures. (see Table in Annex).

National Action Plan (2021-2023) for Open Government Partnership³⁷ or NAP5³⁸, establishes three key areas – Open Government, Open Parliament and Open Justice. Five priorities have been set for Open Government: (1) transparency, accountability, proactivity and inclusiveness, (2) anticorruption and promotion of good governance, (3) improving delivery of public services, (4) access to justice, (5) environment and climate change. Three priorities are set for Open Parliament: (1) Assembly delivering for citizens, with open response and open recovery from the COVID-19 pandemic, (2) improved ICT infrastructure and (3) citizen participation/Open Parliament. There are two priorities for Open Justice: (1) access to information and data and (2) performance of institutions.

Specifically, the priority Transparency, Accountability, Proactivity and Inclusiveness includes implementation of six measures:

1. *Public disclosure of beneficial ownership in companies that are awarded public procurement contracts*, as a measure to increase transparency in ownership structure of legal entities to prevent money laundering and terrorist financing
2. *Proactive disclosure of public information on the institutions' official websites*, which refers to the implementation of Article 10 of the Law on Free Access to Public Information.³⁹
3. *Publication of basic information about public procurements on the institutions' official websites*. They are already available on the government portal Electronic System for Public Procurement (ESPP). The measure envisages that the institutions should create a special section (tab) on their webpages for 'public procurement' and publish there the public procurement contracts they are part of. It is also planned to publish the following information and documents on the webpage of each institution (in the public procurement section): annual plan for public procurement (with all amendments and additions); calls for public procurements (links from announcements from ESPP); notifications about concluded contracts (link from ESPP announcements); concluded contracts for public procurements and notices of completed contracts (links from posts from ESPP)⁴⁰.

37 https://vlada.mk/sites/default/files/dokumenti/final_mkd_nap5_pov_2021-2023_compressed.pdf

38 The Fifth National Action Plan. Open Government Partnership is an international initiative where RNM has been a member since its beginnings in 2011. By signing a Declaration, the Government has committed to prepare and implement specific commitments for promoting transparency, support to citizen participation, fighting corruption, as well as use of new technologies in public administration and outside of it, to support innovation. According to these obligations, the Government in co-operation with civil society designs two-year National Action Plans (NAP). There have been five plans so far NAP1 (2012-2014), NAP 2 (2014-2016); NAP 3 (2016-2018), NAP 4 (2018-2020) and the current NAP5 (2021-2023).

39 Implementation level has been assessed as significant and it refers to active transparency and has two requests to information holders: providing links to their webpages and annual reports (for implementation of Article 10) to the Agency for Free Access to Public Information. The obligations from this measure apply for 1.445 registered public information holders. Regarding the web links, 322 holders (22,28%) are assessed as proactively transparent 934 (64,63%) are not actively transparent and 78 (5,39 %) are partially transparent. The obligation of submitting annual report was completed by 1334 (92,32%) entities, and 111 (7,68%) didn't – Proactive publishing of public information on institutions' webpages. https://ovp.gov.mk/nap_proposals/%d0%bf%d1%80%d0%be%d0%b0%d0%ba%d1%82%d0%b8%d0%b2%d0%bd%d0%be-%d0%be%d0%b1%d1%98%d0%b0%d0%b2%d1%83%d0%b2%d0%b0%d1%9a%d0%b5-%d0%bd%d0%b0-%d0%b8%d0%bd%d1%84%d0%be%d1%80%d0%bc%d0%b0%d1%86%d0%b8%d0%b8/

40 Measure implementation assessed as significant. See Publishing basic information on public procurements on institutions' webpages https://ovp.gov.mk/nap_proposals/%d0%be%d0%b1%d1%98%d0%b0%d0%b2%d1%83%d0%b2%d0%b0%d1%9a%d0%b5-%d0%bd%d0%b0-%d0%be%d1%81%d0%bd%d0%be%d0%b2%d0%bd%d0%b8%d1%82%d0%b5-%d0%b8%d0%bd%d1%84%d0%be%d1%80%d0%bc%d0%b0%d1%86%d0%b8%d0%b8-%d0%b7/

4. *Improve access to information and number of open data published by local self-Government units (LSGUs)* includes data collection and measurements of LSGU openness, as well as transparency and open data training of 30 local government units (LGUs). The measure is completed.⁴¹
5. *Ensure free access to data for civil society organizations and regular update.*⁴²
6. *Fiscal transparency and accountability at local level and improved participation of citizens in decision-making*, provides for the establishment and putting into operation of electronic boards in 20 municipalities where quarterly reports on the implementation of the municipality's budget will be automatically published, processed in a digestible manner and accessible to citizens.⁴³

The implementation of the priority for transparency, accountability and inclusiveness is chronologically linked to two national strategic documents, which directly affect the issue of transparency of institutions - Open Data Strategy (2018-2020) and the Transparency Strategy (2019-2021).

Open Data Strategy

The term open data implies opening data which results from the work of the bodies and institutions from the public sector and their availability to the public in a user friendly manner. It is an obligation of public institutions and bodies to provide easy access to data they have, which will be available in an open format, i.e. a computer-usable web format that can be downloaded, indexed, reused, searched, and regularly updated.

The Open Data Strategy 2018-2020 points to the need for improved implementation of the Law on Use of Public Sector Data and the by-laws related to it. The law was adopted to align national legislation with the European Union Directive on the re-use of public sector information 2003/98/EC. The most positive aspect of the Strategy is the definition of transparency. This is the only national strategic document that offers comprehensive definition of transparency: *'Transparency means that the government is open to citizens and makes available not only information, but also activities and the decision-making process.'*⁴⁴

There is a two-year Action Plan as part of the Strategy, which outlines 20 measures within three priorities:⁴⁵

- (1) *Favourable* regulation and training of officials responsible for implementing open data.
- (2) *Institutions open their data.* The establishment of a new data.gov.mk portal is announced here, but

41 Improving the access to information and the number of published open data in LSGUs https://ovp.gov.mk/nap_proposals/%d1%83%d0%bd%d0%b0%d0%bf%d1%80%d0%b5%d0%b4%d1%83%d0%b2%d0%b0%d1%9a%d0%b5-%d0%bd%d0%b0-%d0%bf%d1%80%d0%b8%d1%81%d1%82%d0%b0%d0%bf%d0%be%d1%82-%d0%b4%d0%be-%d0%b8%d0%bd%d1%84%d0%be%d1%80%d0%bc%d0%b0/

42 Activities within the measure note significant progress, see: Procviding free access to data for civil society https://ovp.gov.mk/nap_proposals/%d0%be%d0%b2%d0%be%d0%b7%d0%bc%d0%be%d0%b6%d1%83%d0%b2%d0%b0%d1%9a%d0%b5-%d0%bd%d0%b0-%d0%b1%d0%b5%d1%81%d0%bf%d0%bb%d0%b0%d1%82%d0%b5%d0%bd-%d0%bf%d1%80%d0%b8%d1%81%d1%82%d0%b0%d0%bf-%d0%b4%d0%be/

43 This measure has significant implementation, see: Fiscal transparency and accountability at local level and improved participation of citizens in decision-making https://ovp.gov.mk/nap_proposals/%d1%84%d0%b8%d1%81%d0%ba%d0%b0%d0%bb%d0%bd%d0%b0-%d1%82%d1%80%d0%b0%d0%bd%d1%81%d0%bf%d0%b0%d1%80%d0%b5%d0%bd%d1%82%d0%bd%d0%be%d1%81%d1%82-%d0%b8-%d0%be%d1%82%d1%87%d0%b5%d1%82%d0%bd%d0%be%d1%81/

44 Visit https://mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/strategija_za_otvoreni_podatoci_mk_0.pdf

45 Government of the Republic of North Macedonia (2018) Open Data Strategy of the Government of the Republic of North Macedonia (2018-2020) https://mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/strategija_za_otvoreni_podatoci_mk_0.pdf (accessed on 29.11.2022)

there is no mention at all that a functional portal already exists www.otvorenipodatoci.gov.mk.

(3) *Increased use of open data.*

There is neither data on the success of the implementation of the Action Plan, nor an announcement about the adoption of a new document after the expiration of the Strategy in 2020. The activities of NAP1⁴⁶, NAP2⁴⁷ and NAP3⁴⁸ are aimed at creating, functioning and improving the portal www.otvorenipodatoci.gov.mk. But, NAP4 (2018-2020) mentions completely different portal <https://data.gov.mk/>, which coincides with the Open Data Strategy 2018-2020.

Transparency Strategy

The Transparency Strategy 2019-2021⁴⁹ is closely focused on the concept of active transparency and the implementation of Article 10 of the Law on Access to Public Information. It encompasses the Government, ministries, bodies within the ministries, the independent bodies of the state administration, the independent state bodies that are accountable to the Government (whose managers are chosen/appointed by the GRNM), the administrative organisations that are accountable to the GRNM, as well as the public enterprises founded by the GRNM and state-owned joint stock companies. It also covers not only those established by the Law on Organisation and Work of State Administration Bodies, but also those established by special laws.

For the implementation of the Strategy, an Action Plan for the period 2019-2021 was adopted with 45 activities, of which only two have been completed and two have been started.⁵⁰ The software update of ENER for uploading by-laws by executive institutions and bodies has been fully completed. However, it is unclear why the Government has not yet implemented the follow-up activity to adopt a decision, making it mandatory for all institutions to publish by-laws on ENER. Also, the obligation of the Government to submit a list with a minimum number of information and documents for mandatory publication on the webpage of each state body and establishing a framework for monitoring the connection of webpages with the electronic system has been fully implemented. The drafting of a model of solution on the transfer of decision-making authority in the procedures for access to information has been partially carried out, as well as the transfer of the authorisation from a competent person to an official for free access to public information for independent decision-making in the procedures for access to information.

46 Ministry of Information Society and Administration of the Republic of North Macedonia (2012) National Action Plan for Open Government Partnership 2012-2014

<https://ovp.gov.mk/nap/%d0%bd%d0%b0%d1%86%d0%b8%d0%be%d0%bd%d0%b0%d0%bb%d0%b5%d0%bd-%d0%b0%d0%ba%d1%86%d0%b8%d1%81%d0%ba%d0%b8-%d0%bf%d0%bb%d0%b0%d0%bd-%d0%b7%d0%b0-%d0%be%d0%b2%d0%bf-2012-2014/> (accessed on 03.01. 2023)

47 Ministry of Information Society and Administration of the Republic of North Macedonia, (2014) Information about the results of the working group for implementing the Action Plan for Open Government Partnership 2014-2016 with a final report

<https://ovp.gov.mk/nap/%d0%bd%d0%b0%d1%86%d0%b8%d0%be%d0%bd%d0%b0%d0%bb%d0%b5%d0%bd-%d0%b0%d0%ba%d1%86%d0%b8%d1%81%d0%ba%d0%b8-%d0%bf%d0%bb%d0%b0%d0%bd-%d0%b7%d0%b0-%d0%be%d0%b2%d0%bf-2014-2016/> (accessed on 03.01. 2023)

48 Ministry of Information Society and Administration of the Republic of North Macedonia, (2016) National Action Plan for Open Government Partnership 2016-2018 година

<https://ovp.gov.mk/nap/%d0%bd%d0%b0%d1%86%d0%b8%d0%be%d0%bd%d0%b0%d0%bb%d0%b5%d0%bd-%d0%b0%d0%ba%d1%86%d0%b8%d1%81%d0%ba%d0%b8-%d0%bf%d0%bb%d0%b0%d0%bd-%d0%b7%d0%b0-%d0%be%d0%b2%d0%bf-2016-2018/> (accessed on 29.12. 2022)

49 Visit: https://vlada.mk/sites/default/files/dokumenti/strategii/strategija_za_transparentnost_mk.pdf

50 Visit: https://metamorphosis.org.mk/wp-content/uploads/2021/03/izvestaj_02_monitoring-na-strategijata-za-transparentnost.pdf

Despite the failure in the implementation of the activities, the Strategy is significant in terms of the definition it offers for transparency: *'GRNM recognises that a given political authority/government/organ of the state administration cannot be appraised as transparent without fulfilling at least two preconditions: (*) that citizens can effectively exercise their right to request public data without facing difficulties, and (*) that proactive publication of public data has been noted.'*⁵¹ This definition is completely different from the definition in the Open Data Strategy and indicates that the Government reduces transparency in a very narrow sense. The Transparency Strategy emphasises that such a definition serves to promote 'active transparency.'

In principle, the promotion of active transparency underscores complementing transparency, which provides the possibility to institutions to use the advantages of new technologies (the Internet), to publish certain amount of information without anyone's request. In this context, it is very important to keep in mind that technology is in operation and helps transparency, but it is not a prerequisite for transparency. Transparency is a systemic issue and demands systemic solutions which can be sustainable only in a culture of transparency, i.e. culture of the public administration which serves the interests of citizens, i.e., the interest of the citizens is identified with the interest of the state.

In February 2023, the Deputy Prime Minister of the Government of the Republic of North Macedonia in charge of Good Governance Policies, Slavica Grkovska, and the Metamorphosis Internet and Society Foundation concluded a Memorandum of Co-operation, with the aim of preparing a new Strategy for Transparency of the Government of the Republic of North Macedonia⁵². The Government's press release stated that with the new Strategy, the rules for communication between institutions and citizens and the principle of transparency will be operationalised and improved, and the Government's Transparency Strategy will be prepared through a broad consultative process.⁵³ According to Metamorphosis, the goal of the new strategy is to bring systemic changes for good governance. Both sides announced that the Strategy would be adopted in a broad consultative process with civil society organisations.⁵⁴

3.2 National Documents Encompassing Disinformation⁵⁵

Similar to the European Union, we also have an attempt to operationalise combatting disinformation. The most common models are the United Kingdom and Estonia, where there are separate sectors that in recent years have been enhanced with human and financial resources or at the policy level (internal

51 Transparency Strategy of the Government of the Republic of North Macedonia (2019-2021), p. 13

https://vlada.mk/sites/default/files/dokumenti/strategii/strategija_za_transparentnost_mk.pdf (пристапено на: 25.11.2022)

52 Government of the Republic of North Macedonia (2023), Grkovska: The Government in co-operation with Metamorphosis will prepare the new Transparency Strategy <https://vlada.mk/node/32072> (accessed on 20.02.2023)

53 Grkovska: The Government in co-operation with Metamorphosis will prepare the new Transparency Strategy, published on 13.02.2023, available at <https://www.slobodenpecat.mk/grkovska-vladata-vo-sorabotka-so-metamorfozis-kje-ja-podgotvi-novata-strategija-za-transparentnost/>, accessed at 20.02.2023

54 Metamorphosis by supporting the process for creating Transparency Strategy of the Government will contribute to improving government and institutional transparency, Skopje, February 2023. https://metamorphosis.org.mk/aktivnosti_arhiva/metamorfozis-so-poddrshka-na-procesot-za-kreiranje-na-strategija-na-transparentnost-na-vladata-ke-pridonese-vo-unapreduvanje-na-procesot-na-transparentnost-na-vladata-i-instituciite/ (пристапено на 20.02.2023)

55 In addition to the Proposed Plan of the Government against Spreading Disinformation the following three documents address (implicitly or explicitly) the issue of disinformation: 1) National Strategy on Cyber Security of the Republic of North Macedonia (2018-2022) The Strategy does not address the issue of disinformation but it contains elements that touch upon this problem, especially whether the issue of cyber-culture, and culture of cyber-security can be related and 2) National Strategy for Building Resilience and Countering Hybrid Threats. The Strategy defines six areas of operational activities for countering hybrid threats. Disinformation are mentioned in few 3) National Stra National Strategy for Building Resilience and Countering Hybrid Threats. The Strategy addresses disinformation in a wider framework as part of the hybrid threats (See Annex 2).

protocols). North Macedonia is one of the few countries in the region which has made an attempt at a systematic and systemic combat against disinformation, both vertically and horizontally. One of those documents was the Proposed Plan for Resolute Action against Spreading Disinformation.

Proposed Plan for Resolute Action against the Spreading of Disinformation and Attacks on Democracy

The issue with the spread of disinformation received significant attention from government institutions for the first time in 2019, when the Government promoted the Proposed Plan for Resolute Action against the Spreading of Disinformation.⁵⁶ The document consists of two parts, security and proactive measures. Security measures underline the need to produce protocols for communication in institutions, a protocol for digital communications for all civil servants (internet, e-mail, mobile phone, etc.), as well as a protocol for crisis communications between the central government communication service and the ministries in order to counter spreading disinformation through social networks and internet portals. These measures include the internal IT infrastructure in the Government and ministries, the telephone number and mobile device of the president of the Government of RNM, and the implementation of a security protocol for digital communications. The second part of the Proposed Plan includes several 'proactive measures':

- Promoting active transparency as a prevention to disinformation.
- Establishment of Action Group to combat disinformation and attacks on democracy. The group will analyse and monitor disinformation and co-operate with social media platforms used to spread the disinformation.
- Producing a National Strategy for Media Literacy.
- Designing a model for supporting media content to combat disinformation, as well as educational programmes and trainings for media workers, with the aim of raising their professional awareness in the combat against disinformation.
- Encouraging discussion among media, media associations and the civil society, on self-regulation, co-regulation and establishing media standards for internet portals, in accordance with the recommendations from the EC and the Council of Europe.
- Introducing 'clear criteria for media, which are accredited to follow government events and press conferences, in accordance with the standards of the journalistic profession.'
- Co-operation with organisations and projects that work on fact-checking (fact-checkers) and creating a registry for established and debunked disinformation, as well as a list of sources that spread disinformation.
- Co-operation with the EC and inclusion in the rapid alert system for spread of disinformation, to exchange information about the content and topics of disinformation campaigns across Europe.
- Co-operation with EU and NATO in combating disinformation.

The Proposed Plan was promoted back in 2019, but it wasn't adopted after causing criticism among the expert public and professional journalistic associations. The Association of Journalists of Macedonia (AJM) assessed that the measures from the proposed plan had a series of ambiguities and can be interpreted as an attempt to restrict the freedom of expression, imply paid campaigns in the private

56 Visit: https://vlada.mk/sites/default/files/dokumenti/predlog-plan_za_akcija_protiv_dezinformacii_final.pdf

media, and expressed doubts about the announcement of co-regulation and the introduction of criteria for accrediting media that will have the right to follow government events. In addition, they emphasised that policies to prevent disinformation should be designed by complete inclusion of journalists and the media, in order to rule out the risks that they will be abused against freedom of speech and recommended the EU's approach to tackling disinformation, emphasising that the local context should be taken into account in this process.⁵⁷

Serious drawback of the Proposed Plan (as well as in other strategic documents) is the absence of a definition of disinformation, which calls into question the creation of efficient, co-ordinated policies and measures for their prevention. Also, a clearer differentiation is needed between conventional media and internet portals and social networks, which are the most common source of disinformation with the domestic public. The potential danger of 'laundering information'⁵⁸ should be taken into account, i.e., the danger of the possibility of disinformation posted on internet portals and social media to be published in traditional media and thus gain legitimacy of credible information for the broader public.

Other Documents

Two more documents that implicitly or explicitly touch on the problem of disinformation should be mentioned in this context. **One is the National Strategy for Cyber Security of the Republic of Macedonia (2018-2022)** which does not directly address disinformation, but contains elements and activities that touch upon this issue, particularly in relation to the issue of cyber-culture and the culture of cyber-security which can be considered related. The second document is the **National Strategy for Building Resilience and tackling Hybrid Threats of the Republic of North Macedonia (2021)**. The strategy defines six areas of operational activities addressing hybrid threats, and disinformation is mentioned in several of them. In doing so, disinformation is addressed in a broader framework, as part of hybrid threats (more in Annex 2).

57 Visit: <https://znm.org.mk/znm-del-od-merkite-vo-planot-na-vladata/>

58 Klein Adam (2012) Slipping Racism into the Mainstream: A Theory of Information Laundering , available at: https://www.researchgate.net/figure/Model-of-information-laundering_fig2_263138211

Practice of Transparency by State Institutions in Combating Disinformation

04

Numerous political leaders around the world respect the idea of Open Government. The example is followed by the European Union, although it is not a Government in the literal sense of the word, thus strengthening its legitimacy. Since 2011, North Macedonia has been normatively paving the way for open Government, and that process continues today.

There to, empirically, the research examines the relationship between institutional transparency (openness) and disinformation in the Macedonian context. Thematically, the analysis provides insight into the ways in which institutional transparency is perceived and practiced by the representatives of the institutions, as well as the way they think about and tackle disinformation. Thus, the foundations are the national strategic documents and action plans, which outline the key areas, priorities, measures, methods, instruments and implementers of planned activities for 'Open Government' and tackling disinformation.

In Focus: Transparent Functioning of State Institutions

Strategically, with a separate document (from 2019), North Macedonia has outlined active, i.e. 'voluntary' transparency, which implies the publication of data by the Government and the bodies of the state administration, without the citizens, legal entities, media, etc. to use the mechanisms for access to

public information as laid down in the legislation.⁵⁹ In particular, the planned activities are defined with an action plan, but the monitoring of the Action Plan of the Transparency Strategy (which refers to the period 2019-2020) evaluates low level of realisation of the planned.⁶⁰

What is the situation currently? The results 'on the ground' vary, they are even contradictory. One of perhaps 'the most transparent' examples, which confirms this, are *the webpages of state institutions* for which the transparency strategy notes non-functionality, uneven amount of data, even institutions that do not have webpages at all, which every citizen should check and confirm by simply browsing them. At the same time, in the largest number of institutions (ministries), according to the statements of the public relations specialists, the web pages are regularly updated (often daily), and the public relations departments are most often engaged in this, independently or in co-operation (for the technical part) with people from the IT sector of the institution itself. In exceptional cases, these are: the logistics support departments (MC), the IT sector (MOJ), and even the person who is in charge of the right to access of public information (MLSG).

It is emphasised that 'the process for establishing new unified web pages', led by the Ministry of Information Society and Administration, which will replace the outdated ones, (MTC, MC, MOEPP, MOI) is pending as one of the tools for greater transparency of institutions. Meanwhile, the Ministry of Defence, in 2021, produced new design of its webpage. On the 'priority' page there is a line of transparency where an immense volume of information about the work of the ministry can be found quickly and easily, a section - the public has a right to know which includes frequently asked questions, asset declaration, salaries of officials... audit reports, inspection supervision; section for free access to public information, legislation with all laws and by-laws, strategic documents, budget and spending, public procurements, concluded agreements...⁶¹ But here the dilemma opens whether it is a matter of lack of interdepartmental co-ordination and organisation of the work of state institutions, and no less important, whether the Ministry will change the webpage again or, if the new unified webpage has not been prepared by now, will the model be this webpage?

However, the key address for greater transparency and accountability of state institutions is the Law on Free Access to Public Information⁶², and especially Article 10, which lists the obligations for holders of information (the bodies of the central government, the bodies of the municipalities, the city of Skopje, institutions and public services...) to inform the public about data and contacts for employees, officials, organograms, regulations, laws, rulebooks, decrees, programmes, strategic plans, budgets, audit reports, public procurements, programmes, work reports, studies, statistical data... What is missing, and has already been concluded, is efficient and consistent application of the Law, which is a priority of the RNM Government.

But, seen through the prism of the institutions (ministries), it seems that this mechanism works 'flawlessly' and 'smoothly'. Public relations specialists note that all ministries receive requests (some more, some less) for access to public information and all of them are answered 'according to the legal regulations and according to deadlines', of course by the persons in charge of access to public

59 Visit: https://vlada.mk/sites/default/files/dokumenti/strategii/strategija_za_transparentnost_mk.pdf

60 Visit: https://metamorphosis.org.mk/wp-content/uploads/2021/03/izvestaj_02_monitoring-na-strategijata-za-transparentnost.pdf

61 Statement from an interview with a representative of the Department for Communications, Analytics and Operational Support, Ministry of Defence, December 2022.

62 For more information check Law on Free Access to Public Information (Official Gazette of the Republic of North Macedonia, No. 101/19)

information. Hence, no attention is paid to the possibility of submitting requests orally, in writing or electronically, and citizens can usually submit requests only in written form. It is the same at present and can be checked on the webpages of the institutions themselves. No less important is the issue of the seriousness of this matter, which requires maximum staff expertise, which is specifically noted in the Transparency Strategy as a challenge for institutions. Perhaps the solution is in what the Ministry of Defence is doing, as this process is provided in detail in the Rules for transparency in the operation of the ministry where the responsible organisational units and the deadline for making a specific request are defined.

At the same time, for the normative strengthening of transparency, as a mechanism for reducing disinformation, as an upgrade (in addition to the Proposed Plan for Resolute Action against Spreading Disinformation) several documents have been adopted to strengthen the transparency of state institutions, which represent 'tools' for transparent governance, openness, open institutions, open data⁶³. But when the institutions (ministries) were asked to note which of these documents were operationalised in their work, formal answers were received that 'all documents are upheld and applied to the greatest possible extent', that 'the documents are applied in daily work in all sectors', that 'all guidelines are fully respected and all documents are implemented.' Only, the Ministry of Defence specifically and decisively referred to the 'Communication Strategy of the Ministry which is based on the Communication Strategy of the Government, the Communication Plan based on the 4-year program of the Government, with the aim of speaking 'with one voice' on topics of the highest interest to the public, the Rulebook for transparency in the operation of the Ministry.'⁶⁴ For example, the Open Data Portal and the Ministry of Information Society and Administration as the coordinator of open data publishing activities (available on the Ministry's webpage) are not mentioned.

What are the findings about the legislative home, its transparency, openness in its work? The *Assembly of the RNM* has long had a dedicated Assembly channel (as a third channel within the public broadcasting service) on which the parliamentary sessions are regularly broadcast (live), as well as the sessions of the parliamentary committees, and each citizen can follow them. The sessions are open to journalists, who can follow them from the gallery and ask questions. In addition, since 2017, the president of the Assembly has established a practice of regular monthly briefings with journalists who can ask him any question, and this is an integral part of the Assembly's calendar of activities. There is also the Parliamentary Institute through which visits to the Assembly are organised, from schools, colleges, and citizens, on daily basis.

*'A step in strengthening transparency is the new webpage where you can get all the data regarding the work of the Assembly, for each law, the agenda for each session, voting, for all working bodies, events in the Assembly (meetings with ambassadors, statesmen) even with opportunities for visually impaired people.'*⁶⁵

63 Primarily, the Government Communication Strategy, Strategy and Action Plan on Transparency (2019-2021), Strategy and Action Plan on Open Data (2018-2020), Action Plan for Partnership for Open Government (2021-2023).

64 Statement from an interview with a representative of the Department for Communications, Analytics and Operational Support, Ministry of Defence, December 2022.

65 Statement from an interview with the Head of Public Relations Department at the Assembly of RNM, December 2022.

The Department of Public Relations, which covers the issue of disinformation, and the Department for the Parliamentary Channel have also been enhanced. Communication with journalists takes place through regular press releases, telephone, or through the joint viber group. Hence the conclusion of the public relations representative: 'In general, the Assembly is one of the most transparent, open institutions. That's why it's called the People's Assembly.'⁶⁶

Certainly, the *institution President of the Republic of North Macedonia* should also be open and transparent. Here, the Office of the President plays a key role as a professional service to support the work of the president. The instruments, mechanisms and resources are numerous. According to the representative of the professional service, everything that can be published by law is published on the webpage, from data on employees with contact numbers, competences, working bodies and their members, press releases, meetings, speeches, interviews of the president, etc. It is a practice to hold regular press conferences, especially after major events, with no restrictions on journalists' questions, but also briefings with journalists and editors on various issues, especially regarding promotions, decrees or decisions. 'We have a policy of 24/7 availability for journalists to answer all their questions.'⁶⁷ But remarks can be noted, first of all, on the web page. That is, if the state institutions (ministries) need 'updating' and adding data to their outdated webpages, the webpage of the President of the RNM needs more user friendly approach of the existing data.

Regardless of all numbers, percentages, approximations for the achieved level of transparency of state institutions, there is a need for serious evaluation of what has been done so far and designing a 'new long-term strategy for transparency'. But the steps that have been made so far for proactive transparency makes it impossible to go back. It is also a guide for other institutions. But it must be taken into account that there is no capacity that will manage to fully open all institutions during one term in office, bearing in mind that the Government is a political body composed of various political stakeholders.⁶⁸ In that context is the thinking of one of the Government representatives in the direction of a systemic approach, which will include everyone, from the central government (executive, legislative, judicial) and its bodies and organs, local self-government, and even the private (business) sector.

*'A system that will function, but not within the Government and the cabinets of ministers without portfolio, who have limited personnel capacity, but outside, as a Commission, Agency, Institute, Secretariat for good and responsible governance, but which will not depend on the political will of the Government. With the authority to monitor everyone, both the Government and the judicial system, the local self-government with employed professionals and experts and the involvement of the non-governmental sector. Something similar to the State Commission for the Prevention of Corruption.'*⁶⁹

66 Statement from an interview with an associate in the Public Relations Department at the Assembly of RNM, December 2022.

67 Statement from an interview with the Deputy Secretary General, Head of Communications, Office of the President, November 2022.

68 Statement from an interview with a National Coordinator at the Government, November 2022.

69 Statement from an interview with a National Coordinator at the Government, November 2022.

In Focus: Tackling Disinformation in the Public Sphere

The inflow of disinformation, particularly expressed in recent years both globally and within country level, will seriously open the issue of taking measures to protect democracy from this challenge. In that context is also the Proposed Plan for Resolute Action against Spreading Disinformation⁷⁰, a summary of recommendations in combatting disinformation which the Government promoted in 2019.

Neither then, nor today, in any document, there is consensus nor formal, institutional definition of disinformation. Thus, a year earlier (2018) before the Government's Proposed Plan, the European Commission adopted an EU Action Plan against Disinformation in which a definition of disinformation is also provided:

*'The creation, presentation and dissemination of verifiably false or misleading information for economic gain or intentionally deceiving the public, which may cause public harm. Such harm may include undermining democratic processes or threats to public goods such as health, the environment and security.'*⁷¹

The Government, state institutions (ministries) in terms of the definition of disinformation rely on 'expert academics, media and civil society organisations.' Only the Ministry of Defence stands out, which in its work is primarily guided by the strategic documents of the NATO Alliance and the definition of disinformation as 'deliberately created false or manipulative information that aims to deceive, i.e., mislead the target audience.' However, there are several views of the representatives of the public relations departments (in the ministries) about what disinformation is, most of which emphasise that it is false information, incorrect information, untrue information. For example:

- False information, unverified, statement of incorrect facts, incompletely transmitted information. The goal is to manipulate the public opinion, i.e., to leave a wrong or incorrect conception about a certain thing in front of the public. (MOE)
- False information that no one knows who is behind it. (MOISA)
- False information that aims to mislead and initiate a reaction from a certain group/category of citizens or the entire public and thereby cause mistrust towards the work of the institution/management. (MOES)
- We are guided by the facts in our work. If any information is contrary to facts, we consider it disinformation, half-truth, manipulation of the public. (MOC)
- Incorrect information, produced with the intention to achieve a specific goal that may harm the institution or the state. (MOLSG)
- Information that is untrue, unverified and unsubstantiated. They are aimed at misleading the population. (MOH)

70 Visit: <https://vlada.mk/node/18640>

71 Visit: https://www.eca.europa.eu/lists/ecadocuments/ap20_04/ap_disinformation_en.pdf

- In principle, we equate disinformation with incorrect information with which the entity that publishes it wants to damage the credibility of the institution (MOTC)
- Disinformation cannot be clearly defined, but it can be recognised. It can be intentional, result from insufficient information and research, misunderstanding, misinterpretation. (MOJ)
- Any misinformation that is deliberately and knowingly published by groups and individuals, organised or not, with the aim of harming the public interest, denying citizens the right to access accurate, timely and quality information. Thereto, they deny them the chance to make decisions and conclusions based on facts. This directly erodes the trust of citizens in the institutions, and in certain cases it also represents a threat to general security. (Government spokesperson)
- Intentionally, deliberately, with a political or ideological purpose, spreading false or misleading information. A process with a plan, strategy and intention for such incorrect information with the aim of undermining the rule of law, political stability, creating hatred among people, reducing citizens' trust in education, health, science. (National Coordinator at the Government)

Thus, it is emphasised that the consensus regarding what is disinformation should not only be institutional, but social as well. That is why it is necessary that: *'institutions, the civil society, the media, the expert public to speak openly about the core of disinformation, while of course European and international standards should be followed.'*⁷² And perhaps the most important thing is in sight, although in the initial phase, 'the creation of a National Strategy for countering disinformation, with the involvement of not only the Government, but also the involvement of the Assembly, the Cabinet of the President of the State, the civil society.'⁷³

At the same time, there is almost no institution (ministry) that has not faced disinformation in its work, but, according to public relations representatives, as soon as it is detected, it is answered in a timely manner with rebuttals to media, social networks and the webpage of the institution itself, the approach varies from institution to institution:

- through the coordination with the private office in the institution and the special advisor for public relations (MOISA)
- in coordination with the Office of the Prime Minister and the Government Communications Service (MOEPP)
- through internal procedures for establishing and verifying the facts and according to competences in order to jointly determine the best way of reaction and going public (MOI),
- by sending information to the media to refute disinformation, i.e. sending correct information and facts (MOE)
- through a letter to the media (including social networks) and the public or by a statement from the management (MOES)
- through coordination with the PR team in the institution, responding with arguments and facts (MOC)
- through fact-checking, presenting evidence, co-operation with the media, regular briefings to journalists, timely information on all activities and current topics (MOJ)

⁷² Statement from an interview with the Deputy Prime Minister for Good Governance Policies, November 2022.

⁷³ Statement from an interview with the Deputy Secretary General, Head of Communications, Office of the President, November 2022.

- through coordination with different institutions and responsible persons, depending on the area/ problem that the disinformation includes (MOH)

Certain number of institutions, primarily due to their 'specific' competences, face disinformation daily and continuously, as follows:

- *Ministry of Education and Science* which covers a large number of citizens (pupils, students, parents, teachers, employees in educational institutions) 'the emergence and creation of disinformation (mostly through social networks) is rapidly spreading and covers a large part of the population. But the public relations department monitors the media and social networks and therefore quickly detects disinformation and reacts in time.'⁷⁴
- *Ministry of Transport and Communications*, which due to its competences, 'expectedly has a good amount of speculative information that is placed in the public. The communication team from the ministry always reacts quickly and promptly with verified and established facts to prevent the continuation of disinformation. In addition, combatting against fake news takes place through the Crisis Communications Protocol.'⁷⁵
- *Ministry of Defence* continuously faces disinformation of a different nature. 'It requires constant vigilance and agility of the system, primarily in terms of their detection, transmission, systematisation of internal correct information and making a decision on tackling disinformation. Regarding the reaction, the Ministry follows the Crisis Communications Protocol.'⁷⁶

Regarding the Government, it also tackles disinformation on a daily basis through the established system for crisis communications. 'It is a system through which certain suspicious news is checked very quickly and if it is fake, the ways and channels of reaction are immediately defined in order to prevent further spread. The spokesperson's office is involved by preparing and delivering a substantiated response/rebuttal that is sent to the media where the disinformation was published.'⁷⁷ However, 'not every disinformation is denied, the decision is made according to the credibility of the source that publishes it to the public, the speed of dissemination and the content of the disinformation. Following the assessment, every disinformation is not denied, so as not to give it more promotional power than it has.'⁷⁸ In essence:

*'The best answer to prevent the spread of disinformation is maximum transparency of institutions, but this does not mean that this way will automatically solve the problem of disinformation.'*⁷⁹

This is clearly recognised by the institutions (ministries) themselves, which regularly refer to accountability and transparency as one of the mechanisms against speculation and disinformation.

74 Statement from the interview with representative of the Public Relations Department, Ministry of Education and Science, December 2022.

75 Statement from the interview with representative of the Public Relations Department, Ministry of Transport and Communications, December 2022.

76 Statement from the interview with representative from the Office of the Spokesperson of Defence, December 2022.

77 Statement from the interview with representative from the Office of the Spokesperson, Government of RNM, December 2022.

78 Statement from an interview with associate for digital communications, Office of the Prime Minister, December 2022.

79 Statement from an interview with Deputy Prime Minister for Good Governance Policies, December 2022.

Even the Office of the President of the State is not spared from disinformation, but far less than, for example, than the Government, primarily because of the limited competences, and the fact that 'the institution is one person'. Reactions vary from case to case. Sometimes 'the approach was more daring, when the President decided to directly respond to some disinformation at a press conference, we sometimes responded to journalistic questions, but we did not take the initiative if we saw that a story was starting to develop and we were the first to come out with a statement and we explain. In some examples, it turned out that it was good that we did not go head-on with some disinformation to make a bigger story and thereby spread it, and sometimes it was good the other way around. The issue is complex and each case is assessed individually.'⁸⁰ The conclusion is that the institution itself is rarely the target of disinformation.

It appears that only the Assembly of the RNM can claim that it almost never faces disinformation in its work, or if it does appear, it is 'benign' and it is immediately reacted to. The explanation why the Assembly is not subject to disinformation is that 'MPs themselves convey their views, their truth, which depends on which political party they belong to, and then others with a reply counter their views. They contradict themselves, but that is their position and not disinformation. One political option will appear, tell their truth, then the other will appear and it will tell their own. And the letter of the law is what it is and it can be read.'⁸¹

A particular problem in constant facing disinformation is when it appears in the form of a 'hybrid threat'.⁸² The state experienced this intensively in the last few months last year, when false reports for bombs in secondary and elementary schools, transportation and shopping centres were reported daily, defined as a classic example of hybrid threats. The Ministry of Interior points out the 'Public Relations Department and the Computer Crime and Digital Forensics Department as the main departments in the combat against these threats, of course in co-operation with the OSCE, EUROPOL, INTERPOL and all other related institutions from this field of operation.'⁸³ The Government and the Security Council at the Office of the President also met.

In the meantime, Government informed that the formation of a new operational team for cyber security and hybrid threats, which will be managed by the Public Security Bureau within the Ministry of Interior.⁸⁴ This was also the case with the Proposed Plan for Resolute Action against Spreading Disinformation, where the Government was supposed to establish Action Group for tackling disinformation with the task of analysing and monitoring the appearance of disinformation and co-ordinating the combat against their spread. Only the constitutive session of the working group was held and the whole work ended here.⁸⁵

80 Statetement from an interview with Deputy Secretary General, Head of Communciations, Office of the President, November 2022.

81 Statement from interviews with representatives of the Public Relations Department, Assembly of RNM, December 2022.

82 The 2021 Government Strategy for Building Resilience and Countering Hybrid Threats refers to this.

83 Statement from an interview with representative of the Public Relations Department, Ministry of Interior, December 2022.

84 Establishing operational team for cyber security and hybrid threats, published on 19.12.2022, <https://fokus.mk/ke-se-formira-operativen-tim-za-sajber-bezbednost-i-hibridni-zakani/>, accessed on 01.02.2023

85 State leadership united in the intention for resolute combat and organised approach in tackling attacks by disinformation centres and fake news on democracy in our country, published on 09.09.2019, <https://vlada.mk/node/19020?ln=mk>, accessed on 01.02.2023

Regarding the sources of disinformation, they are assessed as both external and internal, and the main goal is 'undermining democracy, acting against the Europeanisation of the country, against EU and NATO.'⁸⁶ According to the Intelligence Agency, which is in charge of monitoring hybrid threats from external actors with a strategic interest in presence in the region, 'disinformation comes directly from third countries or from their transmitters or proxies in the region.' Disinformation is difficult to recognise by the broader public, who are not always interested in the source of the information and its credibility. Social networks are mostly used to spread disinformation, from where they are later taken to official webpages, for 'trolls' or 'bots', internet sites or portals, as well as statements from official representatives.'⁸⁷ 'Political parties, business structures, state institutions, local self-Government, various entities in society, led by personal interests or lack of knowledge of the issue they promote, could be disseminators of disinformation, publishing or allowing disinformation to be published. This is made possible by the media system as well, primarily portals and social media, because there is no regulation or notification.'⁸⁸ This raises the question about capacities of the institutions in preventing the spread of disinformation. Seen through the lens of staffing, the numbers are different. But most of the institutions have only one member of staff (without a separate unit for public relations)⁸⁹, as well as institutions with two or three employees (one of whom is the manager)⁹⁰, and few are those with five, seven, ten or more people in the public relations departments. The picture is complemented by sporadic trainings for tackling disinformation, mostly organised at the Government level, in which they only partially participate.'

Undoubtedly, state institutions have limited institutional capacities in combatting disinformation. But those that openly confirm it are almost the exception (like MOLSG). The reasons are numerous. First of all, it is pointed out that disinformation is a widespread instrument of influence within public relations, but no less important is the absence of an analysis of the root of the problem, and when there are no foundations, it is difficult to talk about tools with which you can combat disinformation. And finally:

*'That battle is fought by people from public relations departments who are not treated as a function in institutions (like accounting or human resources) but as attachments, who mostly come and go as the official who runs the institution comes and goes.'*⁹¹

But despite everything, most representatives of the institutions point out that through their public relations departments (albeit with a minimal number of employees) they respond to the challenges by applying the Crisis Communications Protocol. And as an argument for that, they state the experience in working with the media, the knowledge of the subject matter and scope of work of the parent institution, as well as the fact that they are trained professional journalists who quickly recognise disinformation

86 Statement from an interview with National coordinator at the Government of RNM, November 2022.

87 Answer to a questionnaire sent to the Intelligence Agency, December 2022.

88 Statement from an interview with National Coordinator at the Government, November 2022.

89 Examples include Ministry of Information Society and Administration, Ministry of Local Self-Government, Ministry of Justice, Ministry of Culture.

90 Examples include Ministry of Economy, Ministry of Education and Science, Ministry of Transport and Communications, Ministry of Health.

91 Statement from an interview with Deputy Secretary General, Head of Communications, Office of the President, November 2022.

and institutionally respond to them.

In this context, the application of one of the security measures from the Proposed Plan for Resolute Action against Spreading Disinformation (2019) - the Crisis Communications Protocol, for communications between the central government communication service and the ministries, which aims to quickly and accurately counter disinformation, which spread through social media and internet portals, is notable. The question is how much that tool helps institutions in tackling disinformation against their insubstantial institutional capacities. Unfortunately, the document is not publicly available.⁹² On the other hand, one of the few institutions that stands out with its capacities in this 'combat' is the Ministry of Defence. The activities are within the Department of Communications, Analytics and Operational Support (consisting of five units) where conceptually three types of functions are developed - preventive, proactive and reactive. 'The proactive function is based on the early detection of possible disinformation (so-called pre-debunking) and their interception with increased visibility of factually correct information in the detected area, as well as wider information of the detected key audiences on topics of interest related to defence and NATO Alliance. Reactive is the process of quickly intercepting disinformation in the information space through appropriate monitoring, their transmission in the system and a quick, timely and appropriate response. And the preventive one is the Public Affairs Regional Centre, which recently conducted the first course on tackling disinformation and building resilience with the participation of government communicators.'⁹³

It is continuously highlighted that the institutions respond through proactive and reactive measures, as well as that the existing capacities are upgraded with trainings. This is contradicted with the view that until now there was no formal or at least coordinating structure that would work on preventive measures for tackling disinformation. 'We are currently working on its creation and are in the consultation phase among the institutions. Undoubtedly, the capacities of the institutions will have to be upgraded according to the degree of threat of disinformation, especially taking into account the security threats, but we leave it to arise naturally according to the needs, current capacities, experiences of other NATO and EU countries, the direction of development that should be achieved.'⁹⁴ Hence the conclusion that:

'Capacities should be constantly upgraded, institutions should invest in their communication services, not only promotional PR, but also PR which implies responsibility, transparency and accountability, i.e. being constantly ready to respond to the needs of the media, the public, the various targets groups.'⁹⁵

Transparency, i.e. 'active transparency' placed high on the agenda of the institutions of the central Government, is slowly and unevenly implemented, both legally and in terms of action-planning, as well as

92 The Crisis Communications Protocol is part of the Government Programme Action 21 - European Standards at Home, publicly presented in December 2020, marked as a working version, visit: <https://vlada.mk/search/node/%D0%9F%D1%80%D0%BE%D1%82%D0%BE%D0%BA%D0%BE%D0%BB%20%D0%B7%D0%B0%20%D0%BA%D1%80%D0%B8%D0%B7%D0%BD%D0%B8%20%D0%BA%D0%BE%D0%BC%D1%83%D0%BD%D0%B8%D0%BA%D0%B0%D1%86%D0%B8%D0%B8%20language%3Amk%2Cund>

93 Statement from an interview with a representative of the Department for Communications, Analytics and Operational Support, Ministry of Defence, December 2022.

94 Statement from an interview with a Secretary for Communications and Public Policies, Office of the Prime Minister, December 2022.

95 Statement from an interview with National Coordinator at the Government, November 2022.

in the absence of interdepartmental co-ordination of measures related to enhancing transparency. Hence the need for a systemic approach that will cover all levels of Government, as well as other segments of society. At the same time, the battle with disinformation, in the absence of a harmonised definition in state institutions, leaves room for each department to approach their interpretation separately. This potentially affects the effectiveness of tackling disinformation. This is complemented by insubstantial institutional capacities, staffing and (lack of) training of public relations departments for tackling disinformation that continuously spread and undermine democracy.

Media and Journalists at a Crossroads between the Transparency of Institutions and the Inflow of Disinformation

05

Transparency or openness in governance is a sine qua non in democracy. 'Government must be fully transparent in its decision-making process, as well as in the implementation of laws and policies that should be consistent with the rules and regulations of good governance.' (Ali, Muhammad, 2015:72). Thus, all information must be easily accessible and understandable for media and citizens. In this process, the media has a special role as an important source of information from the Government to the citizens and from the citizens to the Government, but at the same time a factor in combatting disinformation and manipulation. Hence the question, how much today, faced with a real 'invasion' of disinformation, the Open Government, on the one hand, and the media, on the other hand, can contribute to the battle with this 'evil' that erodes democracy.

Transparency of the Central Government

Central Government's openness is far from the desired level, as seen through the media's angle. The perception by journalists (both from the electronic and print media), gained from the immediate experience in the 'field', ranges from the view that the institutions are closed (especially the Government and the ministries, as well as the local self-government - the municipalities), occasionally that they are relatively transparent, but their formal transparency is emphasised, and even the so-called transparency for PR purposes is mentioned. Contrary to this, the research Index of active transparency - 2022 notes that the

Government and the ministries have 85%, and separately, the Government and the Ministry of Defence have a maximum of 100%, i.e., they publish all the information as outlined in the active transparency.⁹⁶

That is why the argumentation by journalists for their critical view towards the transparency of the institutions of the central Government seems crucial. They explain in detail their views and remarks about the transparency of state institutions. Primarily, it cannot be said that the institutions are not transparent. They are open to journalists both formally and technically in the sense that they can call them to request information on a particular topic or issue. That is not in dispute at all. But it is more essential, that:

*'The best indicator of transparency are the answers we receive from the institutions to the requested questions. If I get relevant answers, answers I'm looking for, that means they're transparent. However, it often happens, when it does not suit institutions to respond, they do not respond to the questions, we do not get relevant answers and they are formally-legally or technically transparent.'*⁹⁷

Hence, transparency is not low when it comes to journalism on daily basis, but, above all, when a certain issue is investigated thematically and analytically by the media. 'Journalists usually receive some kind of answer (mostly technical) to their questions in a relatively decent time, but how much it covers the essence of the problem varies from institution to institution. The quality of the information obtained from that communication is crucial. It's relative transparency, that's how we operate, we accept what's available to get some text'⁹⁸ although very often these are institutionally limited, dry and service-oriented answers, practically answers that are void. Journalists even consider themselves to be acting transparency by:

*'They will formally send an answer, but it's not an answer to the question, but excerpts from press releases that had already been sent to the media, something already published on their webpage, a quote from the law, and they even teach you what you should have actually asked.'*⁹⁹

At the same time, they emphasise that the central Government has a different approach in different situations, once it is transparent, other times it is not. Journalists point to 'the Ministry of Health during the COVID-19 crisis, now during the current economic and energy crisis, the Ministry of Economy as examples of transparency, and the least transparent is the Ministry of Political System and Community Relations, where there are literally no answers to any journalistic question.'¹⁰⁰ According to them, there are numerous situations where there is so-called 'battle' with state institutions in order to obtain the required information. When it comes to simple information, the answers are easier to get, but when you dig deeper in terms of the functioning of the institutions (for example, information about fees for advisers in the ministries) then the information is more difficult to get. Essentially, 'the eternal battle of patience and persistence'. Examples are not rare, when journalists request information on a certain issue from the competent institutions (ministries), they do not answer, but the next day they send a press release on the same issue to the media.

Separate problem for journalists is when on the public stage there are activities for example of the type of passing responsibilities i.e. 'transferring the authority from one to another or a third institution for the requested information', and also referring to the 'wrong door', 'delaying with the answer', mainly to

96 For more information see Index of Active Transparency – 2022, Centre for Civil Communications <https://www.ccc.org.mk/images/stories/akt22.pdf>

97 Statement from a journalist in online media, focus group on 10.11.2022.

98 Statement from a journalist in daily, focus group on 11.11.2022.

99 Statement from a journalist in online media, focus group on 10.11.2022.

100 Statement from a journalist in a daily, focus group on 11.11.2022.

get time so that the answer does not harm anyone, and even ‘silence from the institutions’. At the same time, regardless of whether the issue is simple or more complex, ‘everything that interferes with personal integrity’, in any topic where there is a suspicion of a conflict of interest, of some personal interest of an official, then journalists have a serious problem. In contrast:

‘Is it transparency when literally every step of what the official did during the day is followed, regardless of whether it has any informative value or not. Thus, they do produce a lot of material, and that may make them transparent by some criteria, but it’s focused on what suits them.’¹⁰¹

In that direction is their proposal, in addition to the numerous emails and photos that are sent to the media from various events in which officials participate, why not send, for example, information (with a link) about a certain report, decision, analysis, etc. published on the institution’s webpage, which the media will be able to read and inform the public about. ‘That way they will be completely transparent, not just for PR purposes.’¹⁰²

This is linked with the issue of press conferences, as one of the tools for transparency. Journalists believe that they offer information on numerous current topics and questions about the activities of the Government, ministries, state institutions, but they mean nothing to those who do not work in daily journalism. They are mostly focused on the topic for which the press conference was convened and organised, and very rarely allow questions on other topics. Even when journalists have announced questions about the press conference, the answer they receive is usually in some general form (without details, data, decisions which are necessary for their story). Even Government press conferences are not enough to convey quality information to citizens, because a press release is prepared in advance and there is no deviation from the intended topic. Even, they consider that they are unusable because immediately after the Government session, a press release is sent to the media in the evening, and the following day the same press release will be read to journalists who are waiting to ask questions about everything except the topic for which the conference was convened, and the answers are in two or three summarised sentences. In essence:

‘It all boils down to how open the institutions are, because if they don’t want to answer a certain question, they won’t even answer it at a press conference. They can always use some excuse, that they will check, they will call, that they are not sure and so on.’¹⁰³

Spokespeople are an indispensable part of this chain of communication. According to the journalists, they are spokespersons of the state institutions, but it is as if they are not. ‘They ask for an email to be sent to them for everything, and even then they will answer three out of five questions, which leaves doubt as to how familiar they are with the work of the institution where they have been working for many years. It is not always necessary for the minister to make a statement if there is a spokesperson, but the spokesperson cannot answer your question if the minister or the director does not see the answer.’¹⁰⁴

101 Statement from a journalist in online media, focus group on 10.11.2022.

102 Statement from a journalist in online media from focus groups.

103 Statement from a journalist in radio, focus group on 11.11.2022.

104 Statement from journalist in radio and online media, focus groups, 10.11 and 11.12.2022.

*'Nowadays, when we have information at every second, every minute, you cannot ask for an answer from an institution with YES and NO, and the spokesperson tells you to wait for the question to be sent to the services so that they can give you answer.'*¹⁰⁵

This approach makes the work of journalists more difficult, the information changes daily, if there is no response to the news from the institutions its 'expiration date' passes, it is replaced by another one tomorrow. Of course, there are exceptions and examples that are remembered and retold, such as *'such commitment of a spokesperson for an institution I have never met in my career until now. To make you say to yourself, well, thank you, I have information, that's sufficient.'*¹⁰⁶

At the same time, the work of media photojournalists is also hard and endangered. Journalists point out that in addition to spokespersons, state institutions also have their own photojournalists and videographers (primarily the Government) who send the media daily, free of charge, photo galleries and video excerpts from various events. According to them, the number of spokespeople and people in charge of information is sufficient, 'we see them, they exist, but as if they are more engaged for the service of the institution itself, the minister, the director, their appearance on television, the recording of the show, and which piece from the interview to convey to other media, and for us they don't have enough time for what we want to receive as information from the press conferences.'¹⁰⁷

An indicator of the transparency of the institutions of the central Government are of course also their *web pages*. They offer service information, activities of the institution, event galleries, contacts. They help the work of journalists, but they cannot rely on them alone. At the same time, the problem is not only how the pages are organised, but also how much they are safe and updated. Instead of an easy and simple approach, not only for journalists, but also for citizens, data is offered, which is often almost impossible to use, such as 'organograms of institutions that require a million clicks to search for specific information' or 'data for whose use you would need user manual to get to the requested information, even though it has been published much earlier, thereby wasting valuable time.'¹⁰⁸ They notice when:

*'For months, the basic communication channel of the institutions has been hacked, we don't have secure webpages of the state institutions where journalists and citizens can get information, and no one gives an answer to that.'*¹⁰⁹

Finally, a key element in promoting the transparency of institutions is free access to information. Journalists often use this tool, especially those who do investigative journalism, and their experiences vary. According to them, the mechanism is both effective and ineffective. There are cases when the institutions responded within the legal deadline, cases when they waited longer than necessary, but also when, without explanation, no response was received. They point out that not only journalists, but also citizens should have access to public information. 'If it's difficult and complicated for us journalists to get such information, then it's out of the question for citizens... it's technically a delicate tool that requires a very skilfully and precisely written request to be accepted,'¹¹⁰ for which journalists frequently use the help of people in the Commission for Free Access to Information. But even when 'we write specifically what we are looking for, such as the name of the document and the date it was issued, for which it would only

105 Statement from journalist in online media, focus group 10.11.2022.

106 Statement from journalist in online media for the Crisis Management Centre, focus group, 10.11.2022.

107 Statement from a journalist in online media from focus group, 10.11.2022.

108 Statement from a journalist in online media and journalist from a weekly, focus groups from 10.11 and 11.11.2022.

109 Statement of a journalist in television, focus group on 10.11.2022.

110 Statement from journalists in television, focus group on 10.11.2022.

be necessary to open a drawer and take it out, the deadline of twenty days is used for the institution to respond to us.’¹¹¹

In general, journalists evaluate the transparency of the institutions of the central Government, first of all, as formal-legal and technical, often for PR purposes. According to them, the institutions are not open if the officials’ every step is followed and a huge amount of material is produced from that, but when a certain issue or problem is covered journalistically and thematically, hence this is often evaded. For journalists, transparent Government is not the one with daily press releases, photos, video materials, that is just good PR. They consider press conferences (especially those of the Government) to be formal and dysfunctional, with press releases that journalists have received in advance, and they rarely receive answers to other questions. Hence the dilemma about the role of spokespersons, who rarely answer orally, requiring that questions be sent to them in writing to consult with the competent people. According to the journalists, the web pages are informative, with service information, galleries of events, technical information for citizens, and for information about the work of the institution (decisions, solutions, laws, protocols, regulations...) and they often need ‘user manual’. The tool for free access to information is defined as ‘technically delicate’ which requires a very skilful and precisely written request that makes the work especially hard for journalists who do investigative journalism.

A Journalist’s Close Look at Disinformation

There has always been disinformation, there is, and probably there will be in the future. In the past, we talked about propaganda, then about false information or news, and in journalism about ‘journalistic hoax.’ Of course, there are differences between them. Today, we are talking about disinformation that journalists encounter every day, and in the absence of a single, coherent definition, Macedonian journalists simply note that it is ‘*false, inaccurate and untrue information and news.*’ At the same time, perhaps it is more important how to recognise them, how to tackle them in defence of their profession. And the battle is not easy amidst the inflow of huge amount of information and the same number of different media and ‘informants.’ There is the danger of self-censorship, which is an even greater risk for the dignity of journalism, which is already suffering from a bad reputation. The audience assesses and evaluates, and more and more recognises which media are ‘relevant’ and offer correct and verified information, which are ‘suspicious’ and publish lies, fabrication and manipulation.

For journalists, primarily disinformation is a serious problem that inevitably leads to their reservation of any information, whether it is correct or incorrect, so they check from several sources. ‘It is a trend that is transferred from the world information context to the domestic’ and ‘practice has taught us that our region and our country is a fertile ground for conspiracy theories and a lot of work must be done to create a critical mass of people with knowledge to recognise these unreliable sources, propaganda, fake news.’¹¹² In that context is their view that:

‘We have all been, are and will fall into the trap of unconsciously transmitting some disinformation, especially when it comes to foreign policy news, news from the world, because we are all in a race against time. That news is difficult to verify, you have to wait for time to confirm or reject it and you can’t immediately verify it from relevant sources.’¹¹³

111 Statement from a journalist in online media, focus group on 10.11.2022.

112 Statement from journalists in dailies, focus group on 11.11.2022.

113 Statement from journalists in a weekly, focus group on 11.11.2022.

Undeniably, the *deliberate spread of disinformation* is much more dangerous. There are 'media influenced or completely governed by various structures that produce and knowingly spread disinformation.'¹¹⁴ Moreover, in general, according to journalists, the biggest generator of fabrication and disinformation are portals and social networks that spring up every day like mushrooms, especially during elections, primarily parliamentary and local. Of course, 'very rarely portals with an imprint (serious, professional) are a source of disinformation, but those created for such purpose.'¹¹⁵ They are the most numerous in the media market, and their operation is not legally regulated, without criteria and standards for their work. If earlier there were a few online media, now there are hundreds, a real expansion, and they are more powerful than traditional media. In that direction, journalists emphasise that the world is moving forward, everything is digitalised, it is a new type of media where there are employees, and the least they need is to have an imprint, to have credits, to know who publishes what type of texts, who is the editor in chief, because anyone can be employed there. But the party bots are also put in focus:

*'We have a whole army of bots from one party and another, both those in power and in the opposition. They practically know how to twist the truth in their favour or to promote something that is not completely true, that is, there is truth in it but it is not completely true, in order to gain political points and simply criticize the opponent.'*¹¹⁶

Often journalists 'don't check what someone has written on social networks, they copy it and publish it as correct news, and the second problem is copy journalism when someone writes some news and everyone else copies it without checking it, and the goal is to get clicks. They simply choose the easiest and fastest, but wrong way.'¹¹⁷ We can also mention the sensationalism used by fellow journalists, which can sometimes really mislead and misinform. This is especially evident in the titles of journalist's works, and journalists know very well what role and function they have, above all, to attract attention. Then, in the inflow of information from different media, *'it is not easy for an ordinary citizen to distinguish what is disinformation, what is fake news, what is true, they simply see only the title and the picture, they do not read the text and say this is it.'*¹¹⁸ But what is important, and journalists themselves highlight, due to lack of information, they are put into a situation of being unprofessional, of being disinformers.

*'When you don't have relevant information, when you don't have a transparent channel, you become an easy target for spreading disinformation, regardless that you do not want to do it. You are asking for information, you wait and wait, you are run by time, so you put yourself in a situation where you say a speculation and then let it be corrected with a rebuttal.'*¹¹⁹

However, it appears that one of the key questions, it seems, is who is producing disinformation? Whether it is disinformation, misinformation, or even propaganda, according to the journalists, 'they have to come from somewhere, it is not possible for any journalist, be it from a good or bad portal, to come up with, to design, to dare to publish something. There is vested interested behind it.'¹²⁰ They point to 'political parties, intelligence groups, powerful structures' who, through certain media, achieve their goals, which are mostly political, but also economic, in order to stay in power or come to power; 'officials who have a dozen of their own portals that they use to degrade the political opponent by spreading disinformation;

114 Statement from a journalist in a weekly, focus group on 11.11.2022.

115 Statement from a journalist in television, focus group on 10.11.2022.

116 Statement from a journalist in a radio, focus group on 11.11.2022.

117 Statement from a journalist in a radio, focus group on 11.11.2022

118 Statement from a journalist in a radio, focus group on 11.11.2022.

119 Statement by a television journalist, focus group on 10.11.2022.

120 Statement by a journalist from online media, focus group on 10.11.2022

companies with multiple fake profiles and web portals intended primarily for rivalry with competitors and even ministries targeting political opponents.’¹²¹

Finally, the question, *is there a cure against disinformation?* Since 2019, when the Government announced combatting disinformation with an Action Plan, until today they have been talking with their colleagues and questioning what has been done in the country so far in that regard, and today, in addition to disinformation, there are also hybrid threats.

Others say that they had forgotten that such an action plan existed, which was undoubtedly a demonstration of political will to improve the situation in a certain sphere, in this case the media. Journalists have the impression that, after the Government’s plan was announced, and the Association of Journalists (AJM) assessed it as an attempt at censorship and restriction of freedom of speech, it seems that nothing has been done, nor is it mentioned, or said that some steps have been taken. It seems as if the idea was forgotten and let go. ‘Even, as if one of the options is to allow such news, that they will be forgotten in two days and other news will be published that will bury them, but there is growth of disinformation.’¹²² Again, the question arises, is there a remedy? Many point to the peer community:

‘The media should do their job professionally, while it is very difficult to do that for disinformation on social networks. Finally, there was an effort by Facebook in terms of content being published on topics of global interest, and it was seen that it was not enough and again there is disinformation.’¹²³

Perhaps ‘the remedy is in media literacy in the educational process, not only in primary, secondary and higher education, but also in kindergarten. And there is already progress among the citizens. They are becoming more and more media literate, if for no other reason than because they are already tired of everything that is being promoted to them, so they refuse to read, or read the media they trust the most, so they increasingly ignore the information that is being spread by portals that are already known to be spreading disinformation.’¹²⁴

Undoubtedly, disinformation is a serious problem that journalists face every day in their work. They define them as false, incorrect information and news, and they consider social networks and the huge number of portals (primarily unregistered) as the biggest generators. They point to numerous entities as sources, ‘producers’ of disinformation, such as intelligence groups, political parties, powerful structures, companies, and even officials, party bots, state institutions, above all, for political and economic gain. The media landscape is ‘oversaturated’, information changes daily, from minute to minute, and journalists, knowingly or unknowingly, often fall into the ‘trap’ of conveying disinformation or half-truths, especially for news from abroad, but also domestic news when they cannot get relevant information, when there is no transparent channel. In combatting disinformation, they appeal for respecting the professional journalistic standards, but also media literacy education.

121 Statement by a journalist from a daily, weekly and radio, focus groups on 11.11.2022

122 Statement from a journalist from online media, focus group on 10.11.2022 .

123 Statement by journalist in radio, focus group on 11.11.2022

124 Statement by journalist in information agency, focus group on 11.11.2022

Concluding Remarks

06

The development and expansion of information and communication technologies, among other things, has led to an increase in the influence of disinformation with far-reaching political consequences on democratic societies around the world. In the digital age, disinformation can spread quickly and cause significant damage, erode trust in institutions and lead to the spread of false information with potentially serious consequences. This has become especially evident in recent years, during the COVID-19 pandemic and the war in Ukraine.

At the same time, transparency has emerged as a counterweight to disinformation, due to its role in openness, building trust, preventing false information and promoting accurate and open information. However, the absence of institutional transparency means curtailing citizens' right of access to information, their marginalisation from decision-making processes and policy-making. These tendencies not only disable citizens to follow the decision-making in the Government in an informed manner, but also increase the risk of disinformation. When institutions are not transparent about their actions and decisions, the lack of institutional transparency can lead to the spread of disinformation. When people do not have access to the facts, they become susceptible to believing disinformation.

However, when trying to regulate disinformation, it is necessary to be aware of the risks, the biggest of which relates to censorship and the restriction of freedom of speech. Considering the potential risks, the best approach to tackling disinformation should aim to narrow the conditions for the creation and spread of disinformation, rather than censoring it. The best way to achieve this is a proactive rather than reactive approach that includes some of the following actions: improving media literacy and institutional transparency, open co-operation among various stakeholders, including governments, technology companies, media and civil society organisations in locating and monitoring the issue, encouraging self-regulation especially in the media and online media, investment in research and decreasing the economic gain from the spread of disinformation.

In that context is also the European regulation on disinformation, which consists of several action plans against disinformation, codes and laws (for digital services and for media freedoms) whose attention is directed to the media sphere, the protection of media pluralism, journalistic independence and editorial freedom, transparent media ownership, standards for transparent operation of online platforms. Thus the approach to preventing the spread of disinformation, makes a clear distinction between the media, especially the public service, and social media as a potential source or transmitter of disinformation. One

of the most important specifics of EU policies on this issue is the fact that the media is treated as an entity - a partner to prevent the spread of disinformation and hence the measures and policies to strengthen democracy which include protection of the journalistic profession.

In Macedonia, in 2019, the Proposed Plan for Resolute Action against Spreading Disinformation was transparently promoted and it has not been adopted as an official document to date, although some of the planned measures (primarily security ones) have been implemented in practice. In contrast to the European approach and protection of the journalistic profession in combatting disinformation, the Proposal Plan, among other things (in the proactive measures), provides for the Government to introduce 'clear criteria for the media that are accredited to follow events and press conferences, in accordance with the standards of the journalistic profession', which led as expected, to a fierce reaction from the media and journalists that it was an extremely undemocratic act and a blow to the freedom of the media, raising the question whether this was a way to combat disinformation, or paving the way to silence the critical public and restrict freedom of speech and editorial media freedom. Then there are several more documents - strategies (for cyber security, for hybrid threats), but in none of them there is a clear definition of disinformation. Even the government institutions do not have a consolidated definition of disinformation, with the exception of some that rely on the definitions from NATO and the EU, without specifying them. The absence of a clear and harmonised definition between Government institutions questions the creation of efficient, co-ordinated policies and measures for their prevention.

In practice, in search for public information, the media and journalists are constantly confronted with disinformation and speculation. State institutions are no exception, but also the citizens, as 'end-users of information.' The main actors of disinformation are widespread, from intelligence groups, powerful structures, business structures, but not excluding, though mostly unintentionally, out of ignorance or in the rush to be the first on the public stage, journalists, state institutions, local self-Government, political parties, officials. Hence the conclusion that combatting disinformation is a complex process that neither the media, nor the institutions, nor the civil society organisations, least of all the citizens themselves, can combat alone. And more importantly, it is a long-term process in which one of the key factors is the general, but also the media literacy. For this we need a strategic plan with good measures that will be consistently implemented. Certainly, it should be with a clear definition of disinformation, to avoid the 'trap' of their free, voluntarist interpretation and questioning the creation of efficient and co-ordinated policies and measures to prevent the spread of disinformation. And perhaps more importantly, a consolidated, harmonised definition of disinformation as a bulwark against the risk that anti-disinformation policies will be aimed at silencing the critical public and restrict free speech and journalistic editorial freedom.

As for the transparency, the openness of the state institutions, the theory simply notes that it is like 'making the invisible visible', but also knows how to characterize it as a metaphor with many faces, and 'if you ask ten citizens (and politicians) who think the government should be more transparent, you can expect eleven answers' (Hillebrandt, 2021: 292). Within the EU, starting from the early 1990s, through numerous decisions, codes, it received an institutional regulatory form in 2001.

In the Macedonian context, this story started in 2011, but the 'strategic' impulse was in 2019 and is focused on active (voluntary) transparency, which means the dissemination of free and regularly updated information without anyone requesting it from the state institutions, or for the institutions themselves to offer citizens 'as much information as possible.' But first of all, the passive transparency measures should be completed, i.e. the full implementation of the Law on Free Access to Public Information (primarily Article 10), which clearly lists which and what kind of data the institutions are obliged to publish on their webpages. At the same time, chronologically speaking, measurements (for the transparency index) and monitoring (according to the principle of self-evaluation of institutions) point to the improvement of institutional transparency against the failed implementation of the Transparency Strategy, the absence

of a new strategy as well as the reduction of the measures to strengthen institutional transparency within the program for Open Government Partnership. Thus, out of the several adopted documents, only the Open Data Strategy offers a more comprehensive definition of transparency. Most of the documents are now outdated (especially the Transparency Strategy).

The perception remains that there is almost no change in the culture of public administration, for government officials to be transparent and accountable to the public. The media, journalists point to relative, formal and even transparency of institutions that primarily favours the personal image of the office holder declaring it as transparency. Spokespersons, press conferences or webpages of the institutions are of little help for obtaining information on current issues and problems. Finally, transparency cannot be limited to press conferences, non/updated web pages, available/unavailable spokespersons for questions and answers, or measuring indices. Transparency is a systemic issue and requires a systemic approach. Apart from publishing and availability of information, it also implies a binding, clear, open, understandable process of making decisions by the Government, as well as mechanisms for correction. If these three aspects are not represented in parallel then there is no transparency, it is not sustainable in a systemic way, despite the indices and the ratings.

Recommendations

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- It is extremely important to ensure that the range of measures to tackle disinformation does not affect freedom of expression and create an environment for self-censorship, as well as creating or increasing the risk of violating the right to freedom of speech, freedom of the media and editorial freedom.
- Preparation of a National Strategy for combating disinformation with concrete measures and an action plan for implementation and a clear definition of disinformation, misinformation and malinformation, their meaning, emerging forms and challenges
- Upgrading existing institutional capacities for tackling disinformation and developing new ones
- Organising regular trainings with all public relations personnel in the ministries and the General Secretariat of the Government
- Media and journalistic organisations should organise separate trainings with journalists on tackling disinformation
- Consistent implementation of the Law on Access to Public Information, particularly Article 10, which clearly states which documents, decisions, decrees, reports, should be published by state institutions.
- Preparation of a long-term strategic plan for transparency, which will include all state institutions, both at the central and local level, as well as the non-Governmental and private (business) sectors.
- Establishing separate, independent body with experts and professionals, independent of the Government, to monitor the activities and transparency measures.
- Dynamising the activities of the Public Affairs Regional Centre at the Ministry of Defence with trainings on disinformation and hybrid threats.
- Personnel staffing of the ministries with a sufficient, appropriate number of persons in charge of public relations
- Staffing and training of persons in charge of access to public information

- Harmonisation of the Macedonian regulation with the European, especially the one related to disinformation
- Harmonisation of the national legislation related to media with the European regulation (the Audio-visual Media Services Directive, the Digital Services Act, the draft European Media Freedom Act etc.) and with other European standards, self-regulatory and co-regulatory documents, as well as with the recommendations by the Council of Europe
- Adoption of a National Strategy for Media Literacy (planned with the Proposed Plan for Resolute Action against Spreading Disinformation) with a clear designation of the activities, subjects and measures for implementation.
- State support for conducting in-depth scientific research on transparency and disinformation
- Introduction of advanced training for cyber security for all levels of Government in the digital security sphere

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European Regulation on Transparency and Disinformation

Annex 1

Communiqué of the European Commission on Tackling Disinformation

One key aspect of the European approach is the development of a comprehensive strategy to combat disinformation. In 2018, the EU published Communication 'Tackling online Disinformation', outlining a strategy to combat disinformation. It is focused on online disinformation, sets principles and goals, which should be followed in order to raise public awareness and effectively tackle disinformation. The Communiqué also provides special measures to be taken by the European Commission. The document presents a collection of tools to prevent the spread of disinformation and protect EU values, which include measures such as improving the transparency of political advertising online, enhancing media literacy and encouraging fact-based public discourse (EC, 2018a).

Action Plan against Disinformation

This document aims to strengthen the ability and co-operation in the EU in the combating disinformation. It points out that countering disinformation requires political commitment and united action by all relevant parts of national Governments, including Government bodies dealing with hybrid threats, cyber-security, intelligence and strategic communications, data protection, conducting elections, law enforcement and the media. Such action is planned to be carried out in co-operation with the global partners, the EU institutions, the Member States, the civil and private sectors, especially the online platforms. The action plan has four pillars to prevent disinformation: (1) Improving the capabilities of EU institutions to detect, analyse and expose disinformation. (2) Strengthening coordinated and joint responses to disinformation. (3) Mobilising private sector to tackle disinformation. (4) Raising awareness and improving

societal resilience. The action plan indicates the need for co-operation with three neighbouring regions: the Western Balkans, the Union's Eastern and Southern Neighbourhood. For this purpose, the European External Action Service established appropriate working groups for strategic communication with the three neighbouring regions. In this context, the EU is interested exclusively in disinformation that has a geo-political dimension, i.e. to prevent Russian influence in these regions.

European Democracy Action Plan

The document provides guidance on the obligations and accountability of online platforms in combatting disinformation. It is focused on three areas. In the first, protecting free and fair elections, it is pointed out that social media are part of the channels for manipulation of the public opinion and that there are documented attempts to disrupt the electoral process by foreign governments. In that direction, the Action Plan proposes several measures:¹²⁵enactment of legislation for improved transparency of political advertising, revision of the Regulation on the funding of European political parties, setting up a joint mechanism for deployment of expert teams that would work to counter cyber threats to the electoral process and promotion of participatory and deliberative (advisory) democracy.

The second, on strengthening media freedoms, foresees several measures and recommendations: (1) Protection of the safety of journalists, taking into account the threats to the journalists, especially to the female journalists, as well as the need for sustainable financing of projects with a focus on legal and other assistance for journalists in the EU and beyond. Based on this measure, the EC prepared a Recommendation for the protection, safety and empowerment of journalists.¹²⁶(2) Fight against abuse of the opportunity to initiate legal proceedings against journalists and persons involved in the protection of the public interest. This abuse is called Strategic Lawsuits against Public Participation (SLAPPs) and represents a special form of harassment, and relies on groundless or excessive court proceedings, which are usually initiated by the state authorities, powerful companies or powerful individuals. The measure has already been transposed into a draft EU Directive.¹²⁷(3) Establishing and implementing professional journalistic and media standards by promoting self-regulation and strengthening media self-regulation bodies. (4) Strengthening media pluralism and transparency of media ownership. The new, revised Audiovisual Media Services Directive (AVMSD) is also in function of this measure. The action plan also foresees measures for transparent and fair allocation of state advertising. The third one, for the prevention of disinformation, specifies several terminological differences between the terms: (1) Disinformation, as incorrect content with harmful intentions. (2) Distorted information (disinformation), such as incorrect content without bad intentions. (3) Tactical information activities by domestic or foreign actors (information influence operations) that use deception in order to influence a certain target audience. (4) Foreign interference in the information space, most often as part of a broader hybrid operation.

125 Visit:<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A790%3AFIN&qid=1607079662423>

126 Visit:<https://digital-strategy.ec.europa.eu/en/library/recommendation-protection-safety-and-empowerment-journalists>

127 Visit:<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022PC0177&from=EN>

Code of Practice on Disinformation 2022¹²⁸

This document is a new, upgraded version of the previous Code from 2018 which is the first example in the world, where the industry (the online platforms) voluntarily agrees to establish standards for self-regulation against disinformation. The code calls on tech companies to take steps to tackle disinformation on their platforms. The 2022 Code aims to fulfil the objectives set by the EC Communiqué of April, 2018, and it relies on the principle of self-regulation and stipulates obligations that the signatories undertake voluntarily. It was adopted by the major online platforms, the specialized platforms, the entities from the advertising industry, the research and civil society organizations, and based on the guidelines from the EC from May 2021, which set a wider range of obligations and measures to combat disinformation. According to the principle of self-regulation, the Code is the result of the signatories that voluntarily choose which of the foreseen obligations they will accept and they are responsible for ensuring their effective implementation. They undertake to take specific actions in several areas, such as:

- Demonetisation of the dissemination of disinformation
- Transparency of the political advertising
- Ensuring the integrity of the online services with activities to strengthen measures to reduce and manipulative behaviour to spread disinformation.
- Empowering content users with media literacy initiatives
- Strengthening the co-operation between fact-checkers
- Enabling better access to data for researchers' needs
- Opening of a Transparency Centre and a permanent Working Group.¹²⁹
- Strengthening the Framework for the supervision of the implementation of the Code in the EU and at the level of the Member States¹³⁰

The Code should be part of a wider regulatory framework, in conjunction with the Regulation on the transparency and targeting of political advertising and the Digital Services Act (DSA).

Digital Services Act

The Digital Services Act addresses the problem of disinformation in several articles (Articles 63, 68, 69, 71).¹³¹ Its purpose is to protect the internet users by establishing a new standard for transparent operation of the online platforms. It requires the search engines, the social networks and the online marketplaces to be responsible for managing their content. More specifically, it should make it possible for big companies

128 Visit: The Strengthened Code of Practice on Disinformation 2022

<https://digital-strategy.ec.europa.eu/en/library/2022-strengthened-code-practice-disinformation>

129 The center should be open to all citizens, to provide a better overview of the implementation of the Code and to provide regular notifications. The working group should establish a forum for revising and adjusting the obligations, according to the technological changes, social, market and legislative trends.

130 The framework also has Service Level Indicators that measure the implementation of the Code. The development of structural indicators that will measure the overall impact of the Code on the prevention of disinformation is also foreseen.

131 See: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020PC0825&from=en>

like Google, Meta, (Facebook) and Twitter to bear responsibility for harmful or illegal content. Also, the Act requires the online platforms to share information about the operation of their algorithms, to remove quickly illegal and harmful content, and to prevent users who spread disinformation.¹³²

The act is considered a political triumph for the EU in its efforts to make 'very large platforms' responsible for moderating content that causes disinformation. The term 'very large platforms' refers to the platforms that reach 45 million followers or about 10% of the EU population. The law provides for each of the EU Member States to appoint a Digital Services Coordinator as a regulator who is independent, competent and impartial. The coordinators for digital services of all EU Member States shall co-operate within the framework of an independent advisory group, called the European Board for Digital Services.

The Digital Services Act and the new Digital Market Act (DMA) are the new EU legal framework for a safer and unified European digital space.

European Media Freedom Act

In September 2022, the EC presented a proposal for a European Media Freedom Act, as a set of new rules for the protection of media pluralism and independence in the EU.¹³³ The document foresees safeguards for protection against political pressure in editorial freedoms and surveillance of journalists. It focuses on independent/stable financing of the public broadcasting service, and transparency of the allocation of funds for state advertising, as well as media ownership. The document provides for safeguards to protect the independence of editors and the publication of conflicts of interest, as well as the protection of online content on the media platforms. It should enable the media (private and public) to operate much more easily across the borders of EU Member States, i.e., in conditions of a single European media market.

The draft regulation provides for the establishment of a new regulatory body - the European Board for Media Services (EBMS), which will include national media regulators from the Union's members. The Board shall replace the Audio-visual Regulators Group (ERGA) established by the EU Audio-visual Media Services Directive (AVMSD). The new body shall have a special role in combatting disinformation, foreign interference and information manipulation. Therefore, the Board has competences to promote effective and permanent application of the new Media Freedom Act and the wider legal framework for the media, to provide expert advice on the regulatory, the technical or the practical aspects of the media regulation, opinions on the national measures regarding media concentration and to promote co-operation and exchange of information, experiences and good practices between the national media regulators.

The European Media and Audiovisual Action Plan

The European Media and Audiovisual Action Plan is a package of measures adopted by the European Commission to support the recovery and transformation of the European media and audio-visual sector. Its main features and objectives include:

132 See: <https://eur-lex.europa.eu/legal-content/en/TXT/?qid=1608117147218&uri=COM%3A2020%3A825%3AFIN>

133 Commission of the European Union (2022) European Media Freedom Act (DRAFT, presentation) https://ec.europa.eu/commission/presscorner/detail/en/ip_22_5504

- Promoting the recovery and transformation of the media and audio-visual sector through targeted support measures such as funding, training and capacity building,
- Improving the diversity and quality of the European media and audio-visual content and strengthening the competitiveness of European productions,
- Ensuring a level playing field for all players in the digital single market, including the traditional media and the new online platforms,
- Supporting the development of new technologies and business models that can help European media and audio-visual companies innovate and adapt to changing market conditions,
- Protection and promotion of the fundamental values of democracy, pluralism and freedom of expression in the media and audio-visual sector

Transparency plays a key role in the Media and Audio-visual Action Plan, as it is considered a key tool to combat disinformation and promote trust in the media and the audio-visual content. The action plan includes measures to improve transparency in online advertising and to promote media literacy and critical thinking among the citizens. It also aims to improve transparency of the media ownership and financing of the media and to support independent journalism and the fact-checking initiatives. By improving the transparency, the Media and Audio-visual Action Plan seeks to promote a more informed and responsible public discourse and to help citizens make better decisions based on accurate and reliable information.

European Digital Media Observatory

The European Digital Media Observatory (EDMO) is a project that supports and brings together the fact-checkers and the academic researchers that are experienced in the field of online disinformation, social media platforms, journalists and media literacy practitioners/activists. The observatory should enable them to better coordinate, connect and offer assistance in creating policies to prevent disinformation.

National Acts Relating to Disinformation

Annex 2

National Cyber Security Strategy of the Republic of Macedonia (2018-2022)

In July 2018, the Government adopted the 'National Cyber Security Strategy of the Republic of Macedonia (2018-2022)¹³⁴ and Action Plan (2018-2022).¹³⁵ The strategy is in the sphere of action of MOIOA, and it refers to the protection of the national communication and information infrastructure and treats it as a vital national interest, on which a large number of economic, political, financial, social functions in society, as well as military-security functions, depend. The Action Plan is aimed at several areas for protection against cyber threats, of which the biggest priority is the formation of working bodies for the implementation of the Strategy and the precise identification of critical information infrastructure. It also includes activities in the field of cyber-crime, cyber resilience, cyber security, cyber defence, as well as co-operation and exchange of information at the national level. Cyber security i.e. preventing cyber threats are an integral part of the broader concept of preventing and combating hybrid threats, which dim the usual boundaries of the international politics and operate in the interspace where the legal and the illegal, war and peace, the foreign and the domestic politics simultaneously confront other.¹³⁶

134 National Cyber Security Strategy of the Republic of Macedonia 2018-2022, available at https://mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/ns_sajber_bezbednost_2018-2022.pdf

135 National Cyber Security Strategy 2018-2022, Action Plan 2018-2022, available at https://mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/AP%20v1.13MK.pdf

136 The European Center of Excellence for Countering Hybrid Threats (Hybrid CoE), Hybrid threats as a concept, available at: <https://www.hybridcoe.fi/hybrid-threats-as-a-phenomenon/>

The Strategy does not address the problem of disinformation, but it contains elements and activities that are connected with this problem, especially in relation to the issue of cyber culture and the culture of cyber security. It indicates that promoting a cyber-security culture means encouraging responsibility and understanding of cyber threats in all spheres of the society, by developing informed trust of the users in the electronic services. The strategy sets the cyber culture and the cyber security culture as part of its goals for strengthening the cyber capacities in Macedonian society, as well as in the public and private sectors. This goal was set based on the assessment that a large part of Macedonian internet users has no knowledge at all or a low level of knowledge about cyber threats.

In accordance with this goal, the Action Plan foresees several activities to strengthen the culture of cyber security, three of which can be used to build the capacities in society to recognise and prevent disinformation. Specifically, these are activities¹³⁷ for:

1. Development and promotion of cyber security curricula and training at all levels of education
2. Increasing awareness and basic knowledge about cyber security among citizens with the involvement and co-operation of all relevant stakeholders
3. Providing education and training and increasing cyber security awareness in the public and private sectors.

From the aspect of cyber security culture in the Macedonian society, the findings of the expert Review on the assessment of cyber security capacities are of great interest.¹³⁸ It precedes the adoption of the Strategy, which is essentially adopted on the basis of one of the many recommendations from the Report. Regarding the cyber security culture in Macedonia, the Review states that it is not at a very advanced level and that most internet users are not aware of the risks and 'blindly trust' information and communication technologies and internet services.¹³⁹ It states that cyber security as a topic is not sufficiently represented in the contents of both traditional and online media. The main reason for the weak media coverage of cyber security and the lack of interest and knowledge about cyber security lies in the general public. In addition, of particular importance is the assessment that 'most (Internet) users do not have the ability to critically evaluate the content they see or receive online.' Since the Internet, especially the portals and social media are the main source of disinformation, such assessment points to the problem that most Internet users in the Macedonian society can be easily susceptible to disinformation, as a form of hybrid threats.

National Strategy for Building Resilience and Confronting Hybrid Threats

The strategy treats disinformation in a broader framework, as part of the hybrid threats. The term 'hybrid threat' implies a combination of malicious and subversive activities, coordinated and synchronised by state or non-state actors, who use mechanisms of 'soft' power (political, economic, information), to

137 National Cyber Security Strategy 2018-2022, Action Plan 2018-2022, available at:

https://mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/AP%20v1.13MK.pdf

138 Nagyfejeo E. , Weisser C. , Griffin M. (2018) Cybersecurity Capacity Review FYRM, available at:

https://mioa.gov.mk/sites/default/files/pbl_files/documents/reports/cmm_fyrom_report_final_13_august2018_2.pdf

139 Ibid, p. 41, 9.

weaken the institutions, economies and societies and threaten their safety.¹⁴⁰ The document points out that hybrid threats have an evolving nature and hence, their definition 'should be viewed broadly and flexibly'. They target the vulnerable aspects of the society (political, economic, military, civilian or informational) and 'represent a combination of military and non-military means, including disinformation, cyber-attacks, economic pressure, the use and deployment of irregular armed groups, as well as the use of regular military forces.'

The strategy locates the methods and the instruments of hybrid threats and treats the disinformation problem within that framework. It emphasizes that 'the most visible method of the hybrid threat is the use of instruments in the information sector. Information operations can be used to directly attack the Government, to shape the public opinion and to impact the will to resist. These operations are specifically focused on the political elite and the civil sector, and are synchronized with the political, economic, military and diplomatic activities of the entity that creates the hybrid threat. Information operations include the use of media, 'bots' and 'trolls' on social networks, but also methods by placing false scientific theories in the public, paradigms, concepts and strategies that influence state administration, in order to reduce the potential for national defence.' The Strategy does not state a specific definition of disinformation, except that it emphasises that it is a direct danger to the Government, the political elite, the civil sector and the public administration, and that 'RNM should have the potential and the capacities to detect hostile sources of propaganda, disinformation and fake news.' Thereto, it emphasises that in order to counter information operations, a high civic awareness and the ability to create a critical opinion are needed.

The Strategy defines six areas of operational activities for countering hybrid threats. Disinformation is mentioned in several of them. The first one does not directly mention disinformation, but it still refers to this problem and stipulates ensuring protection of the electoral process from hybrid threats, hostile cyber-activities and information operations conducted by other state and non-state entities. The fourth, which covers the threats of causing social divisions and riots to overthrow the Government, through disinformation and psychological operations, emphasizes the need to develop critical awareness and media literacy among the citizens, as well as achieving a high level of inter-ethnic and inter-religious tolerance. The fifth area refers to the threats from Internet 'trolls' and artificial intelligence, in the process of spreading fake news and disinformation and psychological operations. Herein, the Strategy states that it is necessary for the public broadcasting service to implement planning activities to combat fake news and disinformation. It is also necessary for the Government to create a system for strategic communication, in co-operation with other relevant state institutions.

For the implementation of the Strategy, an Action Plan (2021-2025) focused on six areas was adopted: politics, economy, military-security forces and capacities, civil society, information sector and infrastructure. The Plan envisages tasks directly related to tackling disinformation within four of these areas:

- **Politics:** The Crisis Management Centre should be part of the critical national infrastructure and be able to respond appropriately to threats from disinformation and enable secure communications, in co-operation with all ministries (until 2023). The State Election Commission (until 2022), should establish a System for early recognition and warning of disinformation related to the electoral process, (according to the example of the British platform Resist Counter-disinformation toolkit 2018),¹⁴¹ and in co-operation with the General Secretariat of the Government, MoI, MJ, MISA (Ministry of Information Society and Administration).

140 National Strategy for Building Resilience and Confronting Hybrid Threats (p. 2)
<https://mod.gov.mk/storage/2021/12/Nacionalna-Strategija-za-gradene-otpornost-i-spravuvane-so-hibridni-zakani-april-2021.pdf>

141 UK Government Communication Service (2019) RESIST: Counter-Disinformation Toolkit. Available at: <https://gcs.civilservice.gov.uk/wp-content/uploads/2021/11/RESIST-2-counter-disinformation-toolkit.pdf>

- **Military and security forces and facilities:** The Agency for Commodity Reserves should establish a communication mechanism (by 2024) in the event of a crisis situation, related to the security of the supply chain and assessment of potential disinformation related to it, in co-operation with the MD, CMC, MI, MH, ME, MTC.
- **Civil society:** All mandatory degrees of education in the syllabus (until 2024) to include content on recognising methods of manipulation, disinformation and fake news. MPSICR is in charge in co-operation with the Council for Co-operation with and Development of the Civil Sector, Department for Co-operation with NGOs of the General Secretariat of the Government, MES, SEA, MLSP.
- **Information sector:** The General Secretariat of the Government, responsible for combating fake news and disinformation, should establish a system for strategic communication (until 2022) in co-operation with the MOD, MOI, MFA, SEA. Primarily, the Public Broadcasting Sector, in co-operation with the MOES, should include in the syllabus, educational content for recognising fake news and disinformation and creating the ability for critical opinion. Also, the ministries, in their annual plans and programs, should plan co-operation and support of NGO projects combating fake news and disinformation.

Institutions in charge/responsible for the implementation of the mentioned activities should once a year (until December 30), submit notifications about the degree of realization of the Action Plan, as well as proposals for overcoming them. The Office of the Council for Coordination of the Security-Intelligence Community, once a year, by 1 February, should submit information on the implementation of the Action Plan to the Government.

Interview - questions in reference to the state institutions - the ministries

Annex 3

1. How does your Ministry define disinformation? Is there a harmonised definition at the level of government institutions in relation to what the term disinformation represents?
2. What are the institutional capacities of your Ministry to prevent the spread of disinformation? Are trainings held for the employees of the Ministry to tackle disinformation? How do you respond to external and internal challenges from the spread of disinformation?
3. What are the previous experiences of your ministry in the prevention of speculation and disinformation? How timely were the reactions of the ministry and how do you react? Is there a set protocol for public reaction?
4. Can you point to an example of a situation where you were faced with disinformation related to your department and work, to which you had to react? What was your reaction, how was the communication with the public and the media? What were the methods of communication with journalists regarding the topic: telephone, in person, e-mail, press conferences? How was the process of providing public information?
5. In 2019 The Government adopted a Proposal Plan for Resolute Action against Spreading Disinformation. This document states that with improved transparency of the institutions, the possibility of spreading disinformation decreases. In recent years, the Government adopted several documents and initiatives to strengthen the transparency of the Government institutions: The Communication Strategy of the Government of the RNM the Transparency Strategy of the Government of the RNM with the Action Plan (2019-2021), Open Data Strategy and Action Plan 2018-2020, Open Government Partnership

Action Plan (OGP) 2021-2023. Which parts of these documents have you operationalised in your work and ministry-level documents? Are these documents applicable in daily work?

6. The active transparency of the Ministry for ... in 2022 amounts to ... (out of a possible 100 %), wherewith the Ministry is in the group of institutions with ... active transparency (fulfilment of obligations from 60% to 80%). The results of the focus groups with journalists from this research show that journalists often have a problem finding the necessary information on the webpages of the ministries. What is carried out in your Ministry to improve transparency?
7. What capacities does your Ministry have for the purpose of communication with the citizens and for public relations? How many employees are there in the public relations and communications department?
8. Who is in charge of updating the web pages? Is the alignment of the different language versions being monitored and in what manner?
9. What is your experience with the application of the mechanism for free access to public information?
10. Apart from active transparency, as a mechanism for publishing information on the Ministry's webpage, how does the Ministry plan to acknowledge the transparency of decision-making? In which of the Ministry's strategic documents is the transparency and accountability policy affirmed?

3.a) Pyetje shtesë për ministri të caktuara

Ministry of Interior

- How does the Ministry of the Interior work to suppress disinformation and hybrid threats? What are the departments within the Ministry of Interior that are in charge of this? Which institutions (internal and external) does the Ministry of Internal Affairs co-operate with in this field? To what extent can the measures to suppress the hybrid threats and disinformation collide with freedom of speech and what steps does the Ministry of Interior take in outlining the border between confronting hybrid threats and protecting human rights and freedom of speech?

Ministry of Economy

- Why is not there any data on the concessions subcategory on the webpage of the Ministry? Apart from publishing information on the ministry's webpage, how does the ministry plan to affirm the transparency of decision-making? In which of the ministry's strategic documents is the transparency and accountability policy affirmed?
- What measures does the Ministry of Economy take to communicate in a transparent manner with the media/public regarding the energy crisis and the implications on inflation?
- The guidelines for the implementation of the public procurement procedures stipulate that one of the criteria for selecting the most favourable offer should be the proof that the labels (for the goods, services or works) were established in an open and transparent procedure. In what manner, in which document, are the rules and mechanisms for providing such evidence for the implementation and establishment of an open and transparent procedure determined?

Ministry of Information Society and Administration

- What is the progress of the Working Group on Transparency and Accountability within the Open Government Partnership Action Plan (OGP) 2021-2023? Why is the ratio of institutions-civil associations not 50-50% within this Working Group? Why is not there any information on the webpage that meetings of the Council for coordination and monitoring of the 2021-2023 OGP process were held?

Ministry of Education and Science

- How is the introduction of the media literacy in schools? Why were the first and fourth grades chosen as appropriate for this topic? What are the expectations and plans?

Ministry of Culture

- What corrective mechanisms of accountability and transparency are foreseen during the implementation of the investment-construction programs of the ministry, in order to prevent manipulations like with the Skopje 2014 project?
- What mechanisms for guaranteeing expertise and transparency are foreseen when hiring construction companies for the protection of cultural heritage?

Ministry of Local Self-Government

- How is the implementation of the Transparency Code at the local level, which was adopted in October 2022, progressing? What are the expectations?
- According to the Action Plan for implementing the program for sustainable local development and decentralisation 2021-2026, for the period 2021-2023, the Law on Amendments and Supplements to the Law on Local Self-Government was adopted. Among other things, the Law was adopted for the purpose of promoting transparency, inclusiveness and accountability. Which Articles of the new Law refer to transparency, inclusiveness and accountability? How will these changes affect the previous practice of the State Inspectorate for Local Self-Government to stop local referendums? In 2017, the inspectorate stopped 12 initiatives for local referendums, which is in compliance with the provisions referred to in Article 2 of the Law on the Ratification of the Additional Protocol to the European Charter of Local Self-Government on the right to participate in local government affairs (2015).

Ministry of Environment and Physical Planning

- What is the Ministry undertaking to promote the public's right to information about environmental conditions, in accordance with the Basel, Rotterdam and Stockholm conventions, as well as in accordance with the Aarhus convention, which stipulates access to information, public participation in decision-making and access to justice for environmental issues? Is it planned to introduce criminal liability for violation of the right to information about environmental conditions?

Ministry of Justice

- How is the implementation of the Law on Ratification of the United Nations Convention against Corruption taking place? The Ministry is responsible for updating the Law on Prevention of Corruption and the Law on Prevention of Conflict of Interest in order to implement Article 9, Paragraph 1 of the Convention, which refers to Public Procurement and Public Finance Management. What changes have been made in these two laws? In particular, in what manner was the commitment of Article 9 of the Convention implemented, which requires adoption of measures for the public dissemination of information on the public procurement procedures and contracts, as well as information on invitations to tenders and appropriate information on the contract awarding, leaving enough time for potential bidders to prepare and submit their bids?

Ministry of Health

- How does the Ministry of Health communicate with patients regarding the current crisis with the unavailability and procurement status of critical therapy (e.g. therapy for oncology patients and patients with cystic fibrosis)? What mechanisms and regulations exist for accountability and responsibility in such crises?

Ministry of Defence

- What are your experiences from the work of the Public Affairs Regional Centre (RCOJ/PARC)? How is the development of the capacities for tackling disinformation taking place?
- The Strategy for Building National Resilience and Confronting Hybrid Threats treats disinformation as an instrument of hybrid warfare. In response to such threats, the Strategy indicates that it is necessary to provide an independent public broadcasting service. What is the Ministry undertaking in order to effectuate one of the activities foreseen by the Strategy, for the provision of an independent public broadcasting service?

Ministry of Transport and Communications

The webpage of the Ministry has a link for public procurements, where the announcements for public procurements are published, but the notices about concluded contracts and completed contracts are not published. Why is that so?

Interview - questions for Government bodies

Annex 4

1. How does the Government define disinformation? Is there an institutional consensus on the definition of what disinformation is?
2. How do the institutions respond to external and internal challenges from the spread of disinformation? What are the institutional capacities of the Government to prevent the spread of disinformation? Are there trainings for government employees to tackle disinformation?
3. How timely are the reactions of our institutions and how responsive are they, given the lack of clear and precise information in the public? What are the previous experiences of the Government regarding timely action and prevention of speculation and disinformation?
4. To what extent does the Government follow the EU approach to combat disinformation? On the one hand, the EU Action Plan to prevent disinformation is focused on self-regulation, and on the other hand, the EU adopted a new Media Freedom Act. What is the position of the Government?
5. The EU Action Plan against Disinformation treats the problem of disinformation primarily as an external threat in a problematic geo-political context. In Macedonia, part of the analyses indicate that disinformation is mostly of a domestic nature and for domestic lucrative/daily political purposes. In this sense, it is possible for the policies to prevent disinformation to turn into policies of silencing the critical public, above all the media. How can the Government prevent it?
6. What is happening with the implementation of the Government's Proposal Plan for decisive action against the spread of disinformation and attacks on democracy? What is happening with the work of the Action Group for Co-ordination of State Institutions for Combating Disinformation and Attacks on Democracy? What is the mandate, who controls it and to whom is this Group accountable?
7. Item six (6) of the Proposal Plan states that with improved transparency of the institutions, the possibility of spreading disinformation decreases. In recent years, the Government adopted several

documents and initiatives to strengthen the transparency of the Government institutions. What aspects of these documents do you consider critical to prevent the spread of disinformation? The focus groups with journalists from this research emphasise the problem with the low level of transparency of the institutions.

8. The monitoring of the Transparency Strategy Action Plan (2019-2021) states that the implementation faced difficulties. Is the Government planning a new Strategy and a new Action Plan? If so, what does it plan to improve with the new Transparency Strategy and what implications would such a document have in the combat to prevent disinformation?
9. What is the progress of the working group on Transparency and Accountability under the Open Government Partnership Action Plan (OGP) 2021-2023? Why is the ratio of institutions-civil associations not 50-50% within this working group? Why are not there any Council meetings for coordination and monitoring of the POG process for 2021-23? (There is not any information on the webpage that such meetings were held, where the progress of the POG 2021-23 is monitored and discussed).
10. The Active Transparency Index highlights a large disparity between the Government and the ministries in terms of updating their webpages and posting online information. The ministries of Defence and Finance and the Government of RNM are the highest ranked in 2021 with results of 100%; 94.4% and 93.5%. On the other hand, the Ministry of Political System and Community Relations is the lowest ranked, with 28.3%. The other ministries are ranked between 91% and 64%. How do you plan to achieve approximation in the ratings between the ministries and the Government as a function of active transparency? How are the criteria determined, who and how should 'populate' the webpages of the ministries?
11. How does the Government plan to contribute to develop efficient mechanisms for correction, if the administration of the executive power does not allow access to public information or the volume, precision and timeliness of access to such information is not satisfactory?

Questions for focus groups with journalists

Annex 5

1. How do you evaluate the transparency of the institutions towards the media and the journalists? What is the best indicator of their non/transparency?
2. Which institutions in the past period do you evaluate as the most open (the most transparent) - state a few, and which ones as the most closed - state a few.
3. Do you notice a trend of improvement/deterioration in the transparency of institutions? Where, why?
4. How do you most often contact the institutions, which methods/channels of communication and why? And how do the institutions usually communicate/inform you?
5. How does the system of press conferences of the Government, the ministries work today? Is this a reflection of transparency for you?
6. How accurate, timely, relevant and detailed information is found on the webpages of state institutions? Which are the most/least transparent?
7. Do you, in what manner and how timely do you receive information on current social issues?
8. Which topics in the past period have you had difficulties in getting timely and detailed answers from the institutions on? Which were the most open/closed?
9. Do you use the mechanism for free access to public information? How effective is it or not and why/when is that the case?
10. How do you define and distinguish disinformation from information?
11. What disinformation have you noticed lately in your field of work and what measures have you taken?

12. What is the main reason for disinformation in Macedonia, and which are the sources, bearers, actors of the disinformation?
13. Which media is disinformation spread most often through?
14. What affects the volume, power of disinformation in the media the most?
15. Does the Government have a strategy to combat disinformation? Are you informed and what is being applied in practice?
16. What is the result of the Government's Proposal Plan against the spread of disinformation?
17. Does and to what extent the non-transparency of the institutions, the Government (can) play a role in spreading/preventing disinformation? To what extent?
18. Is there a cure, a prevention against disinformation in the public space? In what manner in the media, in what manner in the institutions, in what manner in the Government?

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