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POLICY DEVELOPMENT AND COORDINATION *in the* **REGIONAL AND TERRITORIAL DEVELOPMENT**

PAR Principles Mainstreaming in
Sectoral Policies – Report for Serbia



Western Balkan Civil Society
Empowerment for a
Reformed Public Administration

POLICY DEVELOPMENT AND COORDINATION IN THE REGIONAL AND TERRITORIAL DEVELOPMENT SECTOR

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REPORT SUMMARY

The core of this research is the monitoring of the practices of the Ministry of Public Government and Local Self-Government (further MPALSG), in developing two laws and one policy document:

- Law on referendum and citizen's initiative;
- Law on the Protector of citizens – Ombudsman of Serbia;
- Public Administration Reform (PAR) strategy in the Republic of Serbia for the period from 2021 to 2030;

The research initially started as a detailed analysis of the MPALSG's official websites and the e-government portal. In this part of the research, all official documents containing information of great importance were primarily searched for. Those documents included publicly available Impact assessments (further: IA), invitations to the consultations and their reports, official invitations to public debates by the Ministry, as well as all documents contained in the invitation itself such as reports, conclusions and other documents required by law. After online resources' analysis, the second step of the research method was implemented: acquiring the necessary documents or answers through legal tools, most importantly the right of free access to public information (FOI).

The first obstacle on this path was the time period for providing responses based on the sent FOI – prolonged preparation of this report came as a consequence of delay in obtaining the answers

Having two SIGMA Principles in monitoring focus, and the 15 requirements that are used to assess the MPALSG's practices vis a vis selected Principles, the analysis is divided into 4 distinct parts, namely on the implementation of IAs, consultation processes, public debates and the principles of transparency in the work of public authorities.

One of the results is that not enough attention was paid to the nomothetic by the law drafters of the MPALSG as the laws and the policy in focus were drafted using a non-standard way of drafting legal acts without compliance with the methodology of their drafting. The second observation could be drawn in accordance with the lack of necessary documents in the consultation process for one of the laws in the focus of this research, which as a result affects the principle of transparency in the work of the MPALSG. The last major result is the fact that the public debate process was carried out by completely following the letter of the law, but by implementing a legal minimum of timeframe predicted for all the procedures within the process.

The two main obstacles, that were repeatedly present, were the communication process with the Ministry's officials and the overall online transparency. The online transparency was overcome by sending FOI requests, but the communication was terse and very reserved, in the sense that FOI questions were answered as briefly as possible - they did not respond sufficiently in relation to what was requested.

I.

INTRODUCTION

I.1 What does WeBER monitor and how?

The monitoring in Policy Development and Coordination (PDC) area is performed against two SIGMA Principles.

Principle 10: The policy-making and legal-drafting process is evidence-based, and impact assessment is consistently used across ministries

Principle 11: Policies and legislation are designed in an inclusive manner that enables the active participation of society and allows for co-ordination of different perspectives within the government.

PDC checklist consists of 15 requirements that are monitored by analysing practices of developing three adopted policy and legal acts. Starting with practices of assessing policy impacts, it is monitored whether impact assessment documents adequately respond to questions set by regulations, whether they use credible information (quantitative and qualitative) that pertain to various types of impacts (social, economic, environmental, and gender impacts, if required). Furthermore, it is monitored whether policy options are defined when assessing impacts, as well as if cost analysis for such options is performed. Lastly, in the part related to impact assessments, it is examined whether monitoring and evaluation mechanisms for measuring policy performance are developed.

When it comes to inclusiveness of policy design, it is monitored whether consultations have been held in the process of developing sample acts, from the early phases, whether all relevant stakeholders were included from the start, and whether sponsoring institution has taken their comments and suggestions into consideration. Moreover, it is separately monitored if produced drafts of policy proposals undergo public debates (discussion, public consultation) as well as if invitations to such debates include all relevant information and how widely they are disseminated. Monitoring continues with analysing how much time participants in public debates have for preparation and submission of inputs, if detailed public consultation reports are published, and, finally, to what extent inter-ministerial consultations, that happen after public consultations are completed, alter produced drafts acts.

In this checklist, the focus is entirely on the practices in the development of the last three policy documents and laws adopted in the period preceding the assessment. For data collection, approach to this checklist relies on publicly available evidence available online, from websites of the assessed institution, relevant centre-of-government bodies, and public consultation portals, but also on filing of requests for free access to information for all documents that are not available online. Additionally, interviews with participants in consultation processes and with representatives of assessed institution are conducted, to complement available evidence or to get first-hand insights necessary for final assessments.

I.2 In this Report

This Report is based on two principles of SIGMA, within which there are 15 requirements to which the analysis needs to provide adequate answers to. The content is based on the analysis of the documents found on the internet and by acquiring answers through FOI provided by the MPALSG. The main focus of this Report is on three adopted policy and legal acts:

- Law on referendum and citizen's initiative;
- Law on the Law on Protector of Citizens;
- Public Administration Reform (PAR) strategy in the Republic of Serbia for the period from 2021 to 2030;

Section II of this Report consists of the analysis of 15 Requirements pertaining to the practices of developing the aforementioned laws and policy.

As part of the section III, recommendation for improvements were provided regarding the 2 principles that Requirements rely on.

II. ANALYSIS

Requirement 1: Impact assessments produced by the relevant institution adequately respond to the questions posed by the central-government impact assessment regulations and methodologies

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

From the Ex-ante impact assessment for a new Law on Referendum and Citizen's initiative¹ that was created in 2019 by the Swiss Agency for development and cooperation (in further text: "Impact assessment"), a conclusion can be drawn that the Impact assessment adequately responds to the questions posted by the central-government Impact assessment regulations, methodologies and goals. According to the Regulation on the methodology of public policy management, analysis of the effects of public policies and regulations and the content of individual public policy documents (Regulation), the bylaw that regulates in detail what questions need to be implemented in the Impact assessment of the policy, all based on the Law on the Planning System (LPS) of the Republic of Serbia² and Law on Government³. In chapter III, Article of the aforementioned Regulation, there are 7 points that represent steps that need to be covered by the Impact assessment of the policy, and performed by responsible policy proposer:

1. Analyzes the existing situation and identify the change that should be achieved by implementing public policy measures, the conditions for implementing that change and the cause-and-effect relationships between those conditions;
2. Determines the general and specific goals of public policy, as well as the performance indicators on the basis of which the achievement of the goals will be measured;
3. Identifies options - possible measures, or groups of measures, for achieving special goals and resources for their implementation;
4. Analyzes the effects of options - possible measures and risks for the implementation of each of the options;
5. Chooses the optimal option or the optimal combination of considered options;
6. Determines the type of public policy document, that is, the regulation with which it will intervene;
7. Identifies the necessary resources for implementing and monitoring of public policies and determines performance indicators at the level of measures.

From the document that was provided by the MPALSG, all the areas required from the aforementioned Regulation can be found in the Impact assessment.

1 <http://mduls.gov.rs/wp-content/uploads/Analiza-efekata-zakona-RNI.pdf>

2 ("Official Gazette of RS", number 30/18)

3 ("Official Gazette of RS", no. 55/05, 71/05 - correction, 101/07, 65/08, 16/11, 68/12 - US, 72/112, 7/14 - US, 44/14 and 30/18 - other law)

LAW ON PROTECTOR OF CITIZENS

The Ex-ante impact assessment for a new Law on Protector of citizens (in further text: "Impact assessment") was created on the 6th of August 2021, where the MPALSG responded to all the questions posted by Regulation. The Impact assessment for this Law is annexed to this Report, since it was sent from MPALSG in a digital (offline) form.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030 (in further text: Strategy)

Impact assessment is an integral part of the Strategy, and can be found in the Appendix 2 of the Strategy⁴ - all the 7 areas are covered, as requested by the Regulation.

Requirement 2: Impact assessments use quantitative and qualitative data and information, pertaining to various types of impacts as needed

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

The Impact assessment does use quantitative and qualitative data and information. The questions posted in IA regarding quantitative and qualitative data are raised, but the most common answers are "no" or "not applicable", especially to the questions that require qualitative answer. If some statistical data is required through the question regarding quantitative data, mostly the answer is just "no" with no other explanation nor justification. In other words, regarding the quantitative data, it is covered in Chapter 2, subchapter 2.1. point 10 of the IA,⁵ where it is stated that there are no unique records of completed referendums and citizen's initiatives, nor previously determined indicators for monitoring the implementation of this law, and it is not possible to completely present quantitative data in the IA document. In other words, the question of quantitative data was raised in the IA, but when response was provided it is stated that it is not possible to present the quantitative data due to the lack of previous records in this area.

Questions raised regarding qualitative data and information can be found in numerous parts of the Impact assessment, in segments on economic impact (Chapter 2. subchapter 2.5 point 6)⁶ where it is stated that qualitative data analysis is non-applicable for this law, as well as social (Chapter 2, subchapter 2.6 points 7 and 8)⁷, environmental (Chapter 2, subchapter 2.7 points 1 and 2)⁸, and administrative (bureaucracy) impact of the Law (Chapter 2, subchapter 2.8 point 2)⁹.

LAW ON PROTECTOR OF CITIZENS

Qualitative and quantitative analysis can primarily be found in the first part of the Impact Assessment, where 22 statistical tables are presented. These statistical tables are part of the chapter "Key issues for analysing the current situation and properly defining the proposed change"¹⁰. The qualitative data and information are referring to the current and previous results of the field of work of Protector of Citizens.

Furthermore, chapter "Key issues for analysing the current situation and properly defining the proposed change", point 9, is also focused on the qualitative data and information. Another segment where this topic is pointed

4 <https://www.paragraf.rs/propisi/strategija-reforme-javne-uprave-republika-srbija.html>

5 <http://mduls.gov.rs/wp-content/uploads/Analiza-efekata-zakona-RNI.pdf>

6 *Ibid*

7 *Ibid*

8 *Ibid*

9 *Ibid*

10 Point 4 - Have any problems been identified in the field of work of the Protector of Citizens and to whom do they refer to? Causes and consequences of the problem.

out is in the subchapter “Key issues for determining goals” in point 14 which refers to monitoring of the law implementation. Both qualitative and quantitative analysis can be seen in the IA of this law.

When it comes to social impacts, Point 36 of the IA addresses the effects of proposed legal solutions on the *different social groups, especially vulnerable ones (poor, people with disabilities, children, youth, citizens over 65, members of the Roma minority, unemployed... and other vulnerable social groups)*. However, in the answer it is simply stated that, “in compliance with the proposed law, it is possible to provide protection to persons who do not have citizenship”.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

The IA is integral part of the PAR Strategy. The quantitative and qualitative data and information is contained in the Annex 2 of the Strategy, titled “Analysis of the situation by thematic areas with a report on the conducted analysis of effects and a description of measures”.

Quantitative data and information are mainly part of Annex 2, where impacts are assessed for individual thematic areas of the PAR Strategy, most notably for Human resource management, Service delivery, Accountability and transparency, as well as in Annex 3 of IA, which is mainly focused on communication activities.

Qualitative data and information is much more frequently used in the entire IA of the PAR Strategy, when compared to the other two sample acts. First, it is used in the Annex 2, where qualitative data is part of the SWOT analysis of the PAR Strategy. Moreover, qualitative data and information can be found for all six PAR areas¹¹.

Overall, based on the data from the PAR Strategy, Impact assessments do use quantitative and qualitative data and information on a large scale, with more details than the two laws that can be found in this Report. However, this requirement assessed as partially met due to the fact that in the Law on Referendum and Civic Initiative, the questions that were raised regarding qualitative and quantitative data were mostly provided with answers such as “no” or “N/A” with no further explanation or justification.

Requirement 3: Gender impact assessments are conducted as part of the impact assessment process

LAW ON REFERENDUM AND CITIZEN’S INITIATIVE

In chapter 2, subchapter 2.6 – key questions regarding social effects, point 5, gender impacts are generally assessed. Specifically, point 5 the IA asks whether the selected options enable equal treatment, or lead to direct or indirect discrimination of different categories of persons. As an answer, it is stated that the Draft of the Law promotes equality among all citizens, no matter the gender, or any other differences between citizens.¹²

LAW ON PROTECTOR OF CITIZENS

Gender impact assessments are not directly conducted, but it indirectly reflects on the idea of gender impact, as part of the more global issue that covers gender equality among many other sensitive groups. As part of subchapter “Key questions for analysis of social effects” (points 35), 36) and 38) provide one sentence answers. Specifically, under the Point 35¹³, it is assessed whether the effects of the implementation of the adopted

11 The 6 areas are: Policy Planning and Coordination; Human resources management; Service delivery; Accountability and transparency; Public Financial Management; Local Self-Government System;

12 E.g., based on nationality, ethnic origin, language, gender, gender identity, disability, age, sexual orientation, marital status or other personal characteristics), <http://mduls.gov.rs/wp-content/uploads/Analiza-efekata-zakona-RNI.pdf>.

13 The question under this point: “Will the effects of the implementation of the chosen option adversely affect any specific population group and will it negatively affect the successful implementation of that option, as well as what measures should be taken to minimize these risks.”

options of the law will adversely affect a specific group of the population, and stated that *the new legislation will not have such effect on a specific population group*.

In addition, point 38, of the IA examines whether the chosen options of the law enable equal treatment, or lead to direct or indirect discrimination of different categories of persons (based on nationality, ethnic origin, language, gender, gender identity, sexual orientation, or other personal characteristics), where it is stated that the proposed legislation will enable equal treatment of different categories in the population. Overall, gender impact is assessed within the IA procedure, however, rather generally, and from the standpoint of equal treatment, i.e., how proposed interventions affect different categories of population, including gender.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

First indicator in the IA of the PAR Strategy that refers to Gender impact assessment is The Gender Equality (GE) Test, which was created as one of the impact tests¹⁴, that were developed for the special objectives of PAR strategy. GE Test is integral part of the Annex 2¹⁵. Other than the test, qualitative data on gender impact is included in the IA of four PAR areas.¹⁶

Based on the evidence provided in the PAR Strategy, it is clear that in this sample act the most ambitious gender impact assessment was conducted, compared to the other two.

Requirement 4: Policy options are determined as part of the impact assessment process

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

Policy options are conducted through chapter 2, subchapter 2.3 with the headline: Key questions for identifying public policy options. As part of this subchapter, there are 8 points that were created in order to present an answer to the following questions:

1. What relevant options (alternative measures, i.e., groups of measures) for the achievement of the target/ goal are taken into consideration? Has the "status quo" option been considered?

Answer (A): "There are no alternative measures because the improvement of this area must be implemented by passing a new law and the "status quo" is not an option for the reasons mentioned above. It was previously explained that the Constitution of the RS established that issues of referendums and civic initiatives are regulated by law, and the "status quo" does not ensure the implementation of the necessary changes in this area."

2. Apart from regulatory measures, have other options been identified to achieve the desired change and their potential effects analyzed?

A: "No other options have been identified because it is a constitutional obligation to regulate these issues by law. Thus, changes in this area can only be introduced by law."

3. In addition to restrictive measures (prohibitions, restrictions, sanctions, etc.), have incentive measures to achieve the specific goal been examined?

A: "The goal of passing the new law is to significantly improve citizens' rights to referendum and civic initiative, and therefore, the law mainly deals with the affirmation of new rights or procedures that facilitate the realization of these rights. The provisions of this law, which could be prohibitions, restrictions or

¹⁴ The second test that was developed for the special objectives was an Impact test on micro, small and medium economic entities.

¹⁵ More specific: "Analysis of the situation by thematic areas with a report on the conducted analysis of effects and a description of measures", point 1st "Planning and coordination of public policies", chapter "Analysis of the current situation/condition", subchapter "Legal and strategic framework".

¹⁶ Planning and coordination of public policies; Human resources management; Providing services; Accountability and transparency;

sanctions, are aimed at preventing the abuse of the rights established by this law, but do not represent its predominant characteristic, but a necessary guarantee for the successful implementation of the law.”

4. Have the institutional, managerial and organizational measures that need to be implemented in order to achieve the specific goals been identified within the considered options?

A: “No institutional administrative-organizational measures are required. The execution of the right to a referendum and civic initiative established by this law is implemented by relying on existing public authorities that have also fulfilled their role in practice so far, either through the implementation of referendums and civic initiatives or through the procedures for holding elections at all levels of government. The situation is the same with public authorities in the field of justice.”

5. Is change achievable through the implementation of informational and educational measures?

A: “Informative and educational measures are important, but through them, without passing this law, changes in this area cannot be achieved as the desired result. The previous answers explained the necessity of legal regulation of this issue.”

6. Can the target groups and other interested parties, from the civil and private sectors, be involved in the public policy implementation process, or the problem can only be solved by the public sector intervention?

A: All interested groups were included through public discussion and at “round tables”, precisely with the goal of changing the existing law, or passing of a new law. For this reason, the intervention of public authorities through the procedure of passing a new law on referendum and civic initiative is necessary.”

7. Are there available or potential resources that are necessary for the implementation of the identified options?

A: “The solutions from the Draft Law rely on the existing available personnel, organizational and financial resources. With the answer to question number 4) it is explained that this law relies on existing public authorities and courts, which implies existing personnel and financial resources.”

8. Which option was chosen for implementation and on the basis of which option it was estimated that the chosen one will achieve the desired change and achieve the set goals?

A: “Only by adopting or amending the existing law, different legal solutions can be reached. Considering the scope of the changes, nomotechnically and practically, the only solution is the passing of a new law.”

LAW ON PROTECTOR OF CITIZENS

Policy options are determined as part of the impact assessment process, as part of the subchapter “Key issues (questions) for identifying public policy options”.

Within the IA, there are seven questions in total, regarding policy options. However, not all question are responded to by the MPALSG.

The key issues (questions) and answers, are the following:

- 15) What relevant options (alternative measures, i.e., groups of measures) for goal creation have been considered? Has the “status quo” option been considered?

Response: „*The option of not amending the law („status quo” option) was considered, however, in that way it would not be possible to eliminate the problems identified in the previous practice and comply the law with the relevant public policy document in this area. Also, alternative measures to achieve this goal have not been considered.*”

Second part (paragraph) of the point 15) - In addition to regulatory measures, have other options been identified to achieve the desired change and their potential effects analyzed?

Response: *"They have not been identified."*

- 16) In addition to restrictive measures (prohibitions, restrictions, sanctions, etc.), have incentives to achieve a specific goal been examined?

Response: *"No."*

- 17) Have the institutional, managerial and organizational measures, that *need to be implemented in order to achieve the specific goals*, been identified within the considered options?

No response was provided

- 18) Can change be achieved through the implementation of informational and educational measures?

Response: *"Information and educational measures are necessary, especially given the number of rejected complaints. However, the necessary changes in the envisaged scope can be implemented only by changing the regulations (by passing a new law)."*

- 19) Can the target groups and other stakeholders from the civil and private sector be involved in the process of implementing public policies, or the problem can be solved only by public sector intervention?

Response: *"Target groups and other stakeholders from the civil sector can be involved in the process of implementing public policies and regulations. However, the identified problems in the preparation of regulations can be solved only by the intervention of the public sector, i.e., the application and adoption of regulations, i.e, the Law on the Protector of Citizens."*

- 20) Are there available or potential resources to implement the identified options?

Response: *"Yes."*

- 21) Which option was chosen for implementation and on the basis of which it was estimated that this option will achieve the desired change and achieve the set goals?

No response was provided.

Based on the presented issues (questions) and answers, conclusion can be drawn that the Policy options are determined as part of the impact assessment process, but these are not analysed entirely in the IA document, and that their adequacy is questionable.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

Policy options are determined as part of the impact assessment in segments:

- Human resources - For specific objectives 2 and 4, in this area, it is said that no detailed analysis of the effects of the options was done, because the impact test showed a moderately relevant impact. For special objective 3, 5 options are determined¹⁷;

17 1) Status quo; 2) Management of employees' careers by consistent application of existing regulations in practice, with existing capacities; 3) Management of employees' careers through greater responsibilities and an increase in the number of employees in Human Resource Management units; 4) Management of employees' careers through greater competences of managers of internal units, civil servants in positions and HR Management units, with an increase in the number of employees in them; 5) Management of employees' careers through the development of institutional, administrative and personnel capacities for HR management, along with the establishment of new instruments for HR management in practice.

- Service Delivery - As part of specific objective 5, which is addressed through this area, the test of the impact of the options provided for the achievement of this objective has a fully or relatively relevant impact on the criteria. A detailed analysis of the effects of the options for objective 5 determines 7 options¹⁸;
- Accountability and transparency - Within specific objective 6, which is addressed through this area, the test of the impact of the options provided for the achievement of this objective has a fully or relatively relevant impact on the criteria. 5 options were determined¹⁹.

Moreover, options are an integral part of Annex 3: Communication Framework, analysis of effects and measures, which is not the part of the IA. In order to determine how appropriate are presented options for increasing the awareness of key actors and the public about the process and results of public administration reform, an impact test was conducted.

Requirement 5: Policy options are costed, and the outputs of the analysis clearly indicate the costs and the source(s) of funding for the proposed policy

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

Policy options are not costed directly. Financial analysis was briefly mentioned in part related to the key questions for identifying public policy options. It is stated that the solutions from the Draft Law rely on the existing available human (HR), organizational and financial resources. However, there are no exact or precise costs or their analysis.

Additionally, it is stated there is no need to redistribute existing funds, there are no additional costs, and when considering whether the chosen option will have an effect on public revenues and expenditures in the medium and long term, that there are no effects that can be expressed.

Another key segment of the Impact assessment is subchapter 2.5. – key questions regarding the analysis of economic effects. In none of the questions are options costed, nor are the financial costs applicable for the Impact assessment analysis. In a more detailed approach to this topic, in subchapter 2.5. the following is stated:

- There are no specific economic benefits and costs to implementing this policy;
- The issue of economic competitiveness is not the subject or consequence of the application of this law;
- The draft law does not affect the quality and status of the workforce as well as the rights, obligations and responsibilities of employers;
- When it comes to social wealth, the subject of this law, is not jobs that create or distribute social wealth.

18 1) Status quo; 2) Improvement of the process of development and optimization of existing services through the establishment of a special body of the state administration, which would be assigned the authority to formulate and implement the policy of services and the optimization and modernization of administrative procedures.; 3) Improving the process of development and optimization of existing services by establishing a public agency that would have established competences in this area; 4) Increasing the human and technical-technological capacities of the PA for providing services to end users by determining the competence of the MPALSG for the preparation and centralized implementation of public policy documents in this area; 5) Increasing the human and technical-technological capacities of the public administration so that the public administration bodies would provide services to end users decentralized, individually, and based on the standards prescribed by the MPALSG; 6) Improvement of the system of control and quality assurance of services by determining the jurisdiction of MPALSG in these areas and establishing a separate organizational unit in MPALSG; 7) Improvement of the system of control and quality assurance of services by establishing a new state administration body that would determine competence in these areas;

19 1) Status quo; 2) Strengthening the individual capacities of managers for the application of the principles of management responsibility through the implementation of trainings and by organizing the expert meetings in order to exchange experiences and examples of good practice in this area; 3) Establishing systemic solutions for management responsibility in public authorities through the harmonization of the legal framework and the building of capacities and mechanisms for its consistent application; 4) Making guidelines/recommendations to public authorities to appoint ethics and integrity officers; 5) Establishing a system of ethical infrastructure in public authorities in accordance with international standards and examples from comparative state practice;

LAW ON PROTECTOR OF CITIZENS

Two chapters refer to the financial and economic effects of the proposed Law²⁰. When it comes to the financial effect analysis, the only answer provided is that all the financial resources will be segregated from the republic's budget. On every other question²¹, the answer was "not relevant to the subject area".

Based on available response from the IA documentation, it is concluded that the policy options are not costed, and that the outputs of the analysis are not indicating clearly at all the costs and the source(s) of funding for the proposed law.

Additionally, another chapter titled "Key questions for economic effect analysis", is not indicating all the costs or the source(s) of funding for the proposed law, as well. To the question "What costs and benefits (tangible and intangible) will the chosen option cause to the economy, a particular branch of economy, or a certain category of economic entities?", following answer is provided: "Bearing in mind that Article 1 of the Draft of the Law stipulates that the term citizen, in the sense of this law, means not only a natural person who is a domestic citizen, but also any domestic or foreign legal entity whose rights and obligations are decided by public administration bodies over which the Protector of Citizens supervises in accordance with this law, therefore, all the effects of the new legislation relating to economic entities (legal entities) in the part relating to the possibility of filing a complaint to the Protector of Citizens, in accordance with this law, are identical as for individuals."

For all the other questions, it is said that they are "not relevant to the subject area".

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

Development of the new PAR Strategy was followed by the detailed financial plan, which includes clearly indicated costing elements for each policy option, expressed both as total funds (in numerical values and percentages).

An integral part of the PAR Strategy for the period from 2021 to 2030 is the Action Plan for its implementation, which covers the period from 2021 to 2025. The Action Plan contains elaborated measures and activities that contribute to the achievement of the specific objectives of the PAR Strategy, including an impact assessment of the costs and resources required for their implementation.

There are 3 very detailed categories of statistical tables²² with precise costs:

- Summary tables of costs of the Action Plan for the period from 2021 to 2025 for the implementation of the PAR Strategy and three programs;
- Summary table of costs by years, goals and measures of the Action Plan for the period from 2021 to 2025 for the implementation of the PAR Strategy;
- Summary table of provided and conditionally provided funds by objectives, measures, and sources of the Action Plan for the period from 2021 to 2025, for the implementation of the PAR Strategy.

20 The first one is "Key questions for financial effect analysis" where 6 questions were raised, and the second one is "Key questions for economic effect analysis"

21 The questions are: What effects will the chosen option have on public revenues and expenditures in the medium and long term?; Is it necessary to provide financial resources for the implementation of the chosen option in the budget, or from other sources of financing and which ones?; How will the implementation of the chosen option affect international financial obligations?; What are the estimated costs of introducing changes resulting from the implementation of the chosen option (establishment of new institutions, reconstruction of existing institutions, etc.)?; Is it possible to finance the expenditures of the selected option through the redistribution of existing financial resources?; What will be the effects of the implementation of the chosen option on the expenditures of other institutions?

22 Integral part of the PAR Strategy, Chapter IX, clearly indicates the costs and the source(s) of funding for the entire policy intervention.

Requirement 6: Policy monitoring and evaluation mechanisms are properly developed as part of the impact assessment process, along with performance indicators

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

The only section of the IA documentation that is indirectly presenting the monitoring and evaluation mechanism is the subchapter 2.9. - "Key questions for risk analysis". Other than that, no other policy monitoring and evaluation mechanisms are foreseen.

LAW ON PROTECTOR OF CITIZENS

As it was indicated in the last paragraph of Requirement 2 of this Report, the monitoring and evaluation mechanisms developed as part of the impact assessment process can be found in the subchapter "Key issues for determining goals". In the mentioned subchapter, it is asked what the basis is, i.e., performance indicators, that will be used to determine whether the general or specific goals of the proposed law have been achieved. From the answer, it is clear that SMART logic was used in the development of such indicators. For example, the first indicator is titled *Reduction or increase in the number of rejected complaints (by the Protector of Citizens) expressed as a percentage*, with the starting value for 2020 of 63.5% of rejected complaints by the Protector of Citizens, and for 2021 60% of rejected complaints, while the plan for 2022 is 55%.

The second indicator is about an increase in the number of candidates' applications for the future election of the Protector of Citizens. Other than these indicators, there is no direct answer provided regarding which institution is responsible for the implementation, monitoring, and evaluation.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

In order to evaluate the performance, review the direction and focus of the reform and possible amendments, two interim evaluations (2023 and 2027) and ex post analysis of the effects after the implementation of the PAR Strategy are envisaged. Performance evaluation, and especially the first interim evaluation will be used for a possible revision of the Action Plan for the period from 2021 to 2025 for the implementation of the PAR Strategy, as well as for the next action plan.

In addition to the evaluation process, the coordination of the PAR strategy²³ is planned on three levels:

- The first level of PAR coordination, where the professional and operational work of the PAR process is primarily performed, is under the jurisdiction of the MPALSG;
- The inter-ministerial project group represents the administrative level of PAR coordination and monitoring of the implementation process and reporting on PAR;
- The political level of coordination and decision-making regarding the most important issues in the area of the implementation of the PAR is represented by the PAR Council, formed as the central strategic body of the Government;

Monitoring of the implementation of the PAR Strategy²⁴, involves the regular collection of data on the implementation of the activities determined in the action plans in relation to the planned dynamics and analysis of the achievement of goals and the implementation of measures in order to assess progress or map risks that require activities to be adjusted and timely decisions to be made in order to achieve the intended results.

23 Integral part of the PAR strategy, Appendix 5: Coordination, management and reporting on the implementation of the PAR.

24 Integral part of the PAR strategy, Appendix 5: Coordination, management and reporting on the implementation of the PAR, subchapter Monitoring and reporting.

Requirement 7: Consultations are conducted in the course of developing policies and legislation

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

There is no document that clearly indicates that consultations were conducted in the course of development of this Law.

LAW ON PROTECTOR OF CITIZENS

The consultations were conducted from 16th of March 2021 till 9th of April 2021. In compliance with Article 77 of the Law on Public Administration²⁵ as well as Article 3. Rulebook on guidelines of good practice for public participation in the preparation of draft laws and other regulations and acts²⁶, the MPALSG informed the public, that it has begun the work on the preparation of the Draft Law on Amendments to the Law on the Protector of Citizens. The Ministry insisted on respecting the principles of transparent and inclusive adoption of regulations and public consultation in the early stages of preparation of the text of legal amendments, and for the purpose of collecting comments, remarks, and proposals to improve the legal framework, MPALSG initiated online public online consultations.

The Special Working Group for the preparation of the text of the Draft Law included representatives of public administration bodies, the National Parliament and the Protector of Citizens. This Special Working Group prepared the Baseline for drafting of the Law in the form of a review of provisions that should be amended, supplemented, or added to the existing Law.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

The consultations were conducted, which is thoroughly expressed under the Appendix 4 of PAR Strategy, under the whole chapter named "Strategy preparation process and description of the consultation process." The consultation process was officially launched and publicly announced on 12th of August 2019. A widely participatory Special Working Group for the preparation of a public policy document was formed by MPALSG²⁷. The list of members of this Working Group, included CSOs²⁸, representatives of the Chamber of Commerce, who represent the link with the business community, as well as representatives of Standing Conference of Towns and Municipalities (SCTM), who represent the link with the local self-government. Four major meetings of this Working Group were held before the pandemic caused by the corona virus, and after physical contact was limited, as part of the consultation process 53 online official meetings were held.

Requirement 8: The consultations conducted in the policy development process include all relevant stakeholders

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

In the IA document, subchapter 2.9., it is only stated that all relevant stakeholders that were interested to participate were part of the initial consultation without specifying. However, there is no concrete list of institutions or external stakeholders who participated in the consultations.

LAW ON PROTECTOR OF CITIZENS

25 ("Official Gazette of the RS", No. 79/05, 101/07, 95/10, 99/14, 30/18 - other law and 47/18),

26 ("Official Gazette of RS", No. 51/19),

27 Based on the article 35 of the LPS, which regulates the specifics of consultation process that is conducted by the public authorities (in this case MPALSG).

28 Six CSOs representing the civil sector, three of which are based outside Belgrade

In the consultation process, the initial stakeholders included were representatives of public administration bodies, the National Assembly and the Protector of Citizens. Public call for consultations was announced, and it was specifically directed towards representatives of public authorities, bodies of the Autonomous Province, and bodies of the local self-governments, representatives of the academia and professional public, as well as other interested persons to get acquainted with the text of the Draft law and provide proposals, remarks and/or suggestions.

Finally, stakeholders who took place in the consultations conducted were representatives of public authorities, National Assembly, and representatives of the Protector of Citizens, representatives of civil society organisations and human rights associations, representatives of international bodies and other individuals²⁹.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

Members of Reference group for the evaluation of the PAR strategy, in addition to MPALSG, EU Delegation and EU Complementary Support Project for Public Administration Reform are MoF, Ministry of European Integration, Republic Secretariat for Public Policies, National Academy for Public Administration, General Secretariat of the Government, Office for Information Technology and e-Government, QMS, Office for Cooperation with Civil Society, Commissioner for Equality, SIGMA, Center for European Policies, CRTA, SCTM, Swiss SCO (SDC and SECO) and German Organization for International Cooperation. In chapter "Strategy preparation process and description of the consultation process" there are more stakeholders who were also part of the consultation with detailed explanation of where and how they were included in consultation process.

There were 121 representatives of state bodies, including independent state bodies, civil society organizations and the Chamber of Commerce of Serbia involved in the consultation process as part of the aforementioned Special Working Group.

Apart from the public authorities, the representatives from the following CSOs were involved in the consultations through membership in the Special Working Group for the PAR Strategy development: Center for Research in Politics 'Argument'; Civic Initiatives; Belgrade Open School (BOS); European Policy Centre (CEP); Local Democracy agency Subotica; National coalition for Decentralization (NCD).

Requirement 9: Consultations conducted in the policy development give proper consideration to the inputs received from the consultees

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

Since there is no evidence of proper consultations being implemented at all, there is consequently no available record of inputs from consultees. There is no data about this question on the official government websites, nor the answer was received through the FOI request.

In Impact Assessment document, subchapter 2.9, is stated that all stakeholders, in the participatory process of preparation of this law, provided support for its adoption and implementation. However, despite the above-mentioned there is no other document that can confirm the statement from IA, where it is possible to see what exact stakeholders were participating in the consultation process.

LAW ON PROTECTOR OF CITIZENS

Two very extensive points from the Impact Assessment provide evidence on how the inputs received from the consultees were taken into consideration. Chapter "Information on the conducted consultations during

²⁹ IA of the Law on the Protector of citizens, chapter 60.

the preparation of the proposal / draft regulation”, points 61 and 62, clearly state those remarks, suggestions, and comments made during the consultation process that were accepted and included in the draft Law, and rejected. For every remark, suggestion, and comment, accepted or not, rationale for acceptance or rejection is provided. This part of the Impact Assessment, on who was involved in the consultations process, what was suggested and how inputs were treated, is presented on 14 pages, in total.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

Concrete remarks, suggestions, and comments made during the consultation process were not incorporated in the PAR strategy. When FOI was requested, the consultations report was not provided, and there is no information regarding exact remarks, suggestions, and comments available in an online form on official MPALSG website or e-Government website.

Requirement 10: Once the draft policy proposal is prepared, it undergoes a public consultation (debate) process

There were two public consultations (debates) held before this law was passed. One was held in 2019 and another in 2021. The consultations in 2019 were held from 25th October till 22nd November 2019. Due to the fact that the law was not adopted by the parliament in 2019, another public consultation (debate) was conducted from 8th till 29th July 2021³⁰.

LAW ON PROTECTOR OF CITIZENS

The public debate process started on the 28th of April and lasted till the 18th of May 2021, which is the legal minimum for the duration of public debate.³¹

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

On the 10th of December 2020, the MPALSG started a public debate regarding the PAR strategy. The public debate lasted for 20 days, as it is the minimum length of the public debates under the Serbian legal system. It ended on 30th of December.³²

Requirement 11: The public consultation (debate) announcement includes the publication of all relevant documents

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

The call for public debate in 2019 included the following documents:

- The Draft law;
- Rationale for the Draft law;
- Impact assessment for the Draft law;
- Program of public debate on the Draft Law;

30 <http://mduls.gov.rs/javne-rasprave-i-konsultacije/javna-rasprava-o-nacrtu-zakona-o-referendumu-i-narodnoj-inicijativi-2/?script=lat>

31 On the 27th of April 2021 at the proposal of the Ministry of Public Administration and Local Self-Government The Committee for the Legal System and State Bodies, passed Conclusion 05 with registration number: 011-3900 / 2021, which approved the public debate on the Draft of the Law on the Protector of Citizens. <http://mduls.gov.rs/obavestjenja/javna-rasprava-o-nacrtu-zakona-o-zastitniku-gradjana/?script=lat>

32 <http://mduls.gov.rs/javne-rasprave-i-konsultacije/pocetak-javne-rasprave-o-predlogu-strategije-reforme-javne-uprave-za-period-2021-2030-i-ap-za-period-2021-2025/?script=lat>

- Conclusion on the conduct of the public debate on the Draft law;
- Rationale for the conclusion on the implementation of the public debate on the Draft law.

The call for public debate in 2021 included the following documents:

- Conclusion of the Committee on the Legal System and State Bodies 05, number: 011-6413 / 2021 from 7th July 2021, with the Program of public debate for the Draft of the Law on Referendum and Civics Initiative;
- The Draft of the Law;
- Rationale for the law;
- Form for remarks, proposals and suggestions on the Draft law;

The document missing from the 2021 call for public debate was the Impact assessment of the Law. When the MPALSG was asked about the Impact assessment for the 2021 call for public debate, they provided the one from 2019, without providing an explanation why IA from 2021 was still missing.

LAW ON PROTECTOR OF CITIZENS

On the webpage of the MPALSG, where the public call for the public debate was announced, the following documents were published/included:

- The Conclusion 05 with registration number: 011-3900 / 2021 from April 27th 2021;
- Program of public debate on the Draft Law;
- The Draft of the Law;
- Rationale for the Draft of the Law;
- Form for remarks, proposals and suggestions on the Draft of the Law.

The MPALSG did not publish the Impact assessment nor included it in the public call. Also, report on consultations implemented during the draft law development was not published either. However, the Ministry provided the IA upon submission of the fee access to information request.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

On the webpage of the MPALSG, where the call for the public debate was announced, the following documents were published/included:

- Proposal of the PAR Strategy for the period from 2021 to 2030;
- Proposed Action Plan for the period 2021-2025;
- The Draft of the PAR Strategy;
- Conclusion on conducting a public debate.

The MPALSG did not publish the impact assessment document separately, however it is the integral part of the PAR Strategy, which was confirmed by the Ministry's response to the request for free access to public information. All the other documents, that needed to be disseminated through the call for public debate, were integral part of the PAR Strategy.

Requirement 12: The relevant ministry proactively disseminates the invitation to participate in the public consultation (debate)

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

Based on the response by the MPALSG which was received after the FOI request, the invitation to participate in the public debate was promoted through the Ministry's official website³³ and through e-Government³⁴ website, only.

LAW ON PROTECTOR OF CITIZENS

From the answer on FOI, provided by the MPALSG, it was stated that the invitation to participate in the public consultation was only promoted through the Ministry's official website³⁵ and through e-Government website³⁶.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

From the answer on FOI, provided by the MPALSG, it is stated that the invitation to participate in the public consultation was only promoted through the Ministry's official website³⁷ and through e-Government website³⁸.

Requirement 13: The public consultation (debate) process allows sufficient time to prepare and submit inputs

Article 41 paragraph 7 of Rules of Procedure of the Government stipulates that public debate process should last at least 20 days, and in the same article paragraph 8 indicates that the proposer is obliged to publish the report on the conducted public debate on its website and e-government portal no later than 15 days from the day of the end of the public debate.

For all three sample acts, public debate was open for 20 days which is the legal minimum (except for the initial public debate on the Draft Law on referendum and citizen initiative).

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

The first public debate, held in 2019, lasted for 28 days (from October 25th till November 22nd) and the second one lasted for exactly 20 days, as it is the legal minimum.

LAW ON PROTECTOR OF CITIZENS

The public debate process started on the 28th of April and lasted till the 18th of May 2021, 20 days in total.

33 <http://mduls.gov.rs/javne-rasprave-i-konsultacije/javna-rasprava-o-nacrtu-zakona-o-referendumu-i-narodnoj-inicijativi-2/>

34 <http://javnerasprave.euprava.gov.rs/javna-rasprava/291>

35 <http://mduls.gov.rs/javne-rasprave-i-konsultacije/javne-konsultacije-u-postupku-pripreme-nacrta-zakona-o-izmenama-i-dopunama-zakona-o-zastitniku-gradjana/?script=lat>

36 <http://javnerasprave.euprava.gov.rs/javna-rasprava/279>

37 <http://mduls.gov.rs/javne-rasprave-i-konsultacije/pocetak-javne-rasprave-o-predlogu-strategije-reforme-javne-uprave-za-period-2021-2030-i-ap-za-period-2021-2025/?script=lat>

38 <http://javnerasprave.euprava.gov.rs/javna-rasprava/239>

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

The public debate process started on the 10th of December and lasted till the 30th of December 2020, 20 days in total.

Requirement 14: The ministry conducting the public consultation prepares and publishes a detailed public consultation report

LAW ON REFERENDUM AND CITIZEN'S INITIATIVE

The first public debate report is a 4-page document published on 3rd December 2019, and the second on 9th August 2021. In both reports, there is a brief explanation of what were the most common suggestions, and there was a list of all the participants in the process. However, there is no possibility to determine the exact suggestions (original version) provided by the participants, and individual feedback on each received input.

LAW ON PROTECTOR OF CITIZENS

MPALSG conducted a procedure of public online consultations, for the purpose of collecting comments, objections and suggestions. The public debate report is a detailed 21-page document. It contains both general remarks of interested parties on the text of the Draft Law and specific remarks, issues, proposals, opinions and attitudes of interested parties on the text of the Draft. Within the Report there is a list of participants and their concrete remarks. Moreover, a detailed report is in the IA document itself as part of the point 61 named "Which objections, suggestions and comments made during the implementation of the consultation process were accepted and included in the text of the proposed draft regulation?". Both in the public debate report and in the IA, MPALSG provided feedback on every accepted and denied remarks, objections, suggestions and comments.

PUBLIC ADMINISTRATION REFORM STRATEGY IN THE REPUBLIC OF SERBIA FOR THE PERIOD FROM 2021 TO 2030

MPALSG published on its website the public debate report³⁹. The 13-page Report contains a detailed list of submitted objections to the text of the proposed PAR strategy. Other than the description of the objection, the list contains the names of the legal or individual entities who submitted the objections. Moreover, the report contains, as an integral part of the report, a list of all received inputs by consultees with individual feedback on each received input. As the PAR strategy proposal was additionally discussed at the online meeting held via the Zoom platform, the report also links towards the written record (minutes)⁴⁰ of the online meeting.

Requirement 15: Following the public consultation, the agreed final policy proposal does not undergo further changes through inter-ministerial consultation processes

Since there was no online source of information regarding this Requirement, it was only possible to provide necessary information through FOI sent to MPALSG. From the response by the Ministry representative, both the Draft laws, and the PAR Strategy did undergo further changes through inter-ministerial consultation processes, however there was no explanation regarding what exact changes were made.

39 <http://mduls.gov.rs/javne-rasprave-i-konsultacije/pocetak-javne-rasprave-o-predlogu-strategije-reforme-javne-uprave-za-period-2021-2030-i-ap-za-period-2021-2025/?script=lat>

40 <http://mduls.gov.rs/wp-content/uploads/Zapisnik-sa-onlajn-sastanka.docx>

Final assessment of the requirements

Requirement	Final assessment
Requirement 1: Impact assessments produced by the relevant institution adequately respond to the questions posed by the central-government impact assessment regulations and methodologies.	Fully met
Requirement 2: Impact assessments use quantitative and qualitative data and information, pertaining to various types of impacts as needed.	Partially met
Requirement 3: Gender impact assessments are conducted as part of the impact assessment process.	Partially met
Requirement 4: Policy options are determined as part of the impact assessment process.	Partially met
Requirement 5: Policy options are costed, and the outputs of the analysis clearly indicate the costs and the source(s) of funding for the proposed policy.	Partially met
Requirement 6: Policy monitoring and evaluation mechanisms are properly developed as part of the impact assessment process, along with performance indicators.	Partially met
Requirement 7: Consultations are conducted in the course of developing policies and legislation.	Partially met
Requirement 8: The consultations conducted in the policy development process include all relevant stakeholders.	Partially met
Requirement 9: Consultations conducted in the policy development give proper consideration to the inputs received from the consultees.	Partially met
Requirement 10: Once the draft policy proposal is prepared, it undergoes a public consultation (debate) process.	Fully met
Requirement 11: The public consultation (debate) announcement includes the publication of all relevant documents.	Fully met
Requirement 12: The relevant ministry proactively disseminates the invitation to participate in the public consultation (debate).	Partially met
Requirement 13: The public consultation (debate) process allows sufficient time to prepare and submit inputs.	Fully met
Requirement 14: The ministry conducting the public consultation prepares and publishes a detailed public consultation report.	Partially met
Requirement 15: Following the public consultation, the agreed final policy proposal does not undergo further changes through inter-ministerial consultation processes.	Not met

III.

RECOMMENDATIONS FOR IMPROVEMENTS

As SIGMA Principles 10 and 11 are monitored in this Report, for every Requirement used to monitor compliance with these principles, specific recommendations are included in this section.

Principle 10: The policy-making and legal-drafting process is evidence-based, and impact assessment is consistently used across ministries.

Recommendation for Requirement 1: Although the Requirement is fully met, long-term intervention should be implemented when drafting the IA document(s) of the future laws or policies, where more attention should be paid to the nomotechnics by the law drafters of the MPALSG in accordance with the established and predefined nomotechnics of the Serbian legal system.

Recommendation for Requirement 2, 3, 4 and 5: Short-term recommendation to MPALSG is that it should implement more detailed responses to the questions in the IA documents. Short-term timeframe is recommended since it is possible to start implementing this recommendation, as soon as the next IA process is implemented in the preparation of a policy document or legal act.

Recommendation for Requirement 6: Policy monitoring is one of the mechanisms by which parameters are given to the Legislative, Executive and Judicial authorities, as well as to taxpayers, on how successful implementation of the law, or policy document is. Long-term intervention should be implemented by adopting clearly defined parameters for monitoring the results or outcomes of all the newly adopted policy documents or laws.

Recommendation for Requirement 7: All calls for consultations with stakeholders, or consultation reports should be publicly available, especially in an online format – at least on the MPALSG official website, e-consultations website, and on the official social media profiles in order to be easily accessible to all citizens concerned. Having official social media profiles of MPALSG, that are updated on a regular basis, could help in making the whole process of the consultations more transparent. This can be implemented as a long-term intervention by building up the capacity of the PR service of the Ministry.

Principle 11: Policies and legislation are designed in an inclusive manner that enables the active participation of society and allows for co-ordination of different perspectives within the government.

Recommendation for Requirement 8 and 9: The MPALSG should make sure, in the short-term, that all reports on consultations with the stakeholders in the development of policy and legal proposals, include a specific list of all participants in the consultation process, as well as all their proposals and official responses/feedback to each proposal.

Recommendation for Requirement 10, 11 and 13: Even though all of the Requirements are fully met, long-term intervention could be that MPALSG should not follow only the legal logic and issue the legal minimum of the length for the public debates, but to determine the importance of the law or policy document on the whole society and allow sufficient time for all stakeholders to firstly hear about the call for public debate, prepare for it and in the end participate. Another aspect of the same issue is the scope of the draft of a policy document or law, and the length of the documents that are published alongside the call for the public debate. That should be taken in to accounts when determining the timeframe and duration of the call for public debate.

Recommendation for Requirement 12: Having official social media profiles of MPALSG regularly, should bring about in more proactiveness in disseminating the invitations for participation in the public debates.

Recommendation for Requirement 14: In accordance with the recommendations given for requirement 7 and 12, when it comes to the greater use of official social network profiles, it would be beneficial that detailed reports from public debates are published not only on the MPALSG official website but also on social network profiles, so that they are more accessible for all interested citizens.

Recommendation for Requirement 15: MPALSG should name an individual that possess all the competences needed in order to communicate through FOI or in a direct way of communicating in order to provide comprehensive answer to interested parties. Providing the sole information that the Draft law did undergo further changes through inter-ministerial consultation processes, with no explanation regarding what exact changes were made, does not go in line with the transparent way of operating. However, in case of undergoing further changes to the content of the proposal of the act, after the public debate was finished, in the process of inter-institutional exchange of opinions, MDULS should publicly inform (participants in the hearing, and the public in general) about which solutions from the public debate did not end up being included in the final text of the proposal that was adopted (if it is regarding a strategy or a program) or included in the parliamentary procedure (if it is a law).

APPENDICES

Free access to information requests

Institution	Date of sending	Date of receipt
MPALSG	26.04.2022.	12.05.2022.

Other sources

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