Civil Society and Government:
Participatory Policy Formulation in Serbia

Author: Amanda Orza

Attention to policy formulation essentially reminds us that democracy is in the details.[i]

1. Abstract

Up to this point, the issue of a systemic approach to civil society participation in the process of policy making in Serbia has not been resolved. In its last Progress Report, the European Commission notes that "civil society is a crucial component of any democratic system and should be recognized and treated as such by the state institutions"[ii]. Notably, the EU has leverage to emphasize civil society participation mainly in relation to the accession process. Beyond this sphere, the resources and expertise of the civil society should be recognized and taken advantage of by the government and other public institutions. This is supported by the increasing complexity of the course of reforms, the challenge of legislative harmonization, and the lack of human capacity in the public administration as part of the EU integration process. In this regard, substantial effort needs to be invested to assure an evidence basis from the beginning of the planning of a policy, which is the basis of a sound and comprehensive reform.

Thus, it is necessary to raise awareness of the potential mutual benefits of establishing closer and continuous cooperative mechanisms of the governmental and civil sector throughout policy making. On the one side, these promise to result in a more transparent, responsive, and inclusive public administration, which would in return also be more ready to fulfill its obligations and responsibilities towards the EU and its citizens. Moreover, the current constellation is conducive to these types of reforms especially upon the constitution of an ambitious Ministry of Public Administration and Local Self-Government and Secretariat for Public Policies.

This policy paper first elaborates on the policy making landscape in terms of its lack of transparency, which is deemed to be the precondition of a planned, and predictable participation of civil society organizations (CSOs) in policy making. Secondly, despite the lack of policy formulation as a discrete stage of policy making in the Serbian system, its elements are analyzed across other formally prescribed documents in order to pinpoint venues that offer possibilities for CSO participation. Next, the current informal and formal mechanisms of CSO participation are assessed. Finally, a brief reflection on the activities of the CS Office is given as it is the main impetus of change in this regard. Whereas the text focuses on the Serbian case, the recommendations are inspired by comparative experiences of Croatia and Montenegro.[iii]

2. Focus on CSOs[1] in Policy Making

A functioning policy making system forms the basis of a country's performance in the EU accession negotiations. It is the precondition for a candidate country to be able to take up the responsibilities of membership, operate effectively and defend its interests at all levels in the EU, once it attains membership. Furthermore, as the EU does not have an administration at the level of individual member states, it relies on the quality and effectiveness of national administrations and their interaction.

> An evidence based policy making system entails the examination of non-regulatory policy options as legislating is not the sole solution.

A solid policy making system assures that there is an evidence basis for the course of action, which does not necessarily signify a regulatory intervention, and allows participation at every stage of the policy process. Previous analyses conducted by the European Policy Centre show that in the Serbian system legislative drafting subsumes policy formulation. This leads to excessive legislating, but also prevents transparent and efficient civil society participation in developing policies.[iv]

In Serbia, the process of developing policies is not regulated *per se*, but elements related to policy analysis and rationale are incorporated in legal drafting, which means that the regulatory option is by default the preferred policy instrument. As a result, CSO involvement is reactive and untimely, and the potential benefits of CSO involvement remains insufficiently

exploited during the process.

> In the Serbian system, CSO participation in policy making is to a large extent *ad hoc*, reactive and untimely, which prevents the use of the full potential and capital of the sector.

The time pressure and high expectations of EU accession bear an increased risk that legal harmonization will reinforce the argument that there is no need for the collection of primary data, analysis, and contact with the public during the process of defining the policy direction. This is especially the case in countries with a post-communist legacy, which are characterized by a strong legislative and administrative fixation. The investment in the process of participatory formulation may be higher in terms of time invested, however these costs are outweighed by the long-term benefits of a final policy product of higher quality and adequacy.

> The current EU accession process serves as a push towards an enhanced cooperation between the public administration and the CSOs in their reform efforts.

The EU negotiations promise to have a transformative effect not only on the administrative capacities of Serbia, but also on its civil society. To take advantage of the momentum, it is necessary to also use the assets of the civil sector and its awareness of citizens' expectations to *maximize reform results*. Civil society organizations can act as a multiplier of citizens' engagement, as they advocate and defend citizens' needs and concerns through participation in policy making. This contributes to the *quality, responsiveness, transparency, implementability and sustainability of public*

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[1] Civil society and civil society organizations are still not defined in the legal system in Serbia but are referred to under term 'association.' It is regulated by the Law on Associations, "Official Gazette of the Republic of Serbia", No. 51/09.

policies and supports the rule of law reforms in the accession process.[2]

For the public sector to benefit maximally from civil sector contributions and for the CSOs to substantially impact the policy direction and final solutions, CSOs need to participate from the beginning of the policy making process. That is, CSOs need to be involved from the point when various policy options and instruments are designed and analyzed during the stage of policy formulation. It is then that the participants have the opportunity to bring not only additional information and data, but also to propose alternative solutions to the problem, which allows them to influence the set of options for the final policy decision.[v]

> If assured from the very beginning of the process, civil society participation in policy making leads to mutual benefits for all parties involved

In short, on the one side, the public administration gathers CSO contributions, which incorporate the concrete information, arrived at through direct contact with citizens. This adds to the evidence basis and strengthens the policy making system. On the other side, if involved in the policy process at the moment when broad questions of goals, priorities, and impacts on society and the economy are being discussed, CSOs can have considerable bearing on the final policy and its implementation. It also further fosters a sense of co-ownership that increases compliance.

> At the moment, CSO involvement boils down to participation in public discussions and legal drafting working groups.

Cooperation between the public sector and the CSOs has been steadily improving in Serbia. Nonetheless, it still remains fragmented, selective and on an *ad hoc* basis with few long-standing and structured initiatives.[vi] The CSO involvement boils down to two forms, one formally prescribed and the other, an informal practice. The first cooperative practice revolves around ***public discussions*** conducted at the end of the drafting process of a law and in some cases a strategy. The other practice, regards participation in legal drafting ***working groups***.[3]

Despite the fact that the Office for Cooperation with Civil Society (hereinafter: CS Office), which is the main institutional mechanism for the creation of an enabling environment for CSO development, identified participation in law and policy making as one of its main goals,[vii] the focus remains mainly on regulatory solutions. Additionally, in spite of the CS Office's proactive attitude across the public administration, CSO involvement has not gained widespread support. Thus, the policy making process remains to a large extent a governmental responsibility with limited opportunity for substantial CSO participation.

3. Intransparent policy making[viii]

There are a number of characteristics of the policy making system in Serbia, which demonstrate a lack of substantial transparency.[4] The Government[5] determines and conducts the policy for which it is responsible to the Parliament, while ministries and other state

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[2] In the Progress Report of the European Commission, under political criteria, civil society is assessed alongside, for example, government and public administration issues.

[3] There are four types of groups - a coordination body, a project group, a joint body and a separate working group.

[4] As aforementioned, the National Assembly through the use of the urgent procedure breaches the principle of citizen democracy as stated in the Constitution. The Ombudsperson himself addressed the issue of such legislative practice.

[5] According to the Constitution of the Republic of Serbia, Article 125 - Government consists of Prime Minister, deputy prime ministers and ministers.

entities prepare draft laws and strategies, other regulations and measures.[ix] From the start, it becomes clear that the policy making function largely consists of legislative activities, which is supported by the fact that policy initiatives to a great extent imply a legislative initiative and in certain cases strategy making.[x][6]

When legal drafting or strategy making is planned, it can be found either in the Government Annual Work Plan[7] (GAWP) or the National Plan for the Adoption of the Acquis (NPAA). However, the GAWP, which encompasses all the envisioned goals and objectives, as well as activities towards their completion across public institutions, is not publicly available. In order to obtain the GAWP, one needs to make an official request to the General Secretariat of the Government on the basis of the Law on Free Access to Information of Public Importance.

> The fact that the Government Annual Work Plan is not widely available inhibits actors outside the public administration to adequately plan their contributions and involvement.

Understandably, such a situation places the policy making system under a veil of secrecy and inhibits the CSOs from preparing their contributions and advocacy activities. Resolving this problem is the precondition for any further action aiming towards CSO participation.

4. CSOs and the Government

Since the development of policies is not regulated formally, policy formulation as a distinct stage does not exist in Serbia. Never theless, despite the fact that neither documents nor legislation prescribe the required roles and tasks, elements

related to policy analysis and rationale can be found under legal drafting through Regulatory Impact Assessment (RIA) and Annotation to the law.[xi]

Similarly, there is no document that could regulate systemically the cooperation of the Government and CSOs, which results in an unpredictable and case-by-case relationship. The Guidelines for Involvement of CSOs in the Legislative Adoption, adopted recently by the Government of Serbia, represent the first step. However, these Guidelines are rather general soft law instruments, falling short of a systemic solution. Additionally, it only refers to the legal drafting process and not the entire policy cycle.

Namely, depending upon the civil servants, the understanding of CSOs' role in policy making varies across sectors.[xii] For instance, CSOs have proactively participated in certain areas such as social and employment policy,[xiii]while conversely, other more technical areas are not even recognized by the CSOs themselves.

> The Guidelines for Involvement of CSOs in the Legislative Adoption once again reiterate the focus and importance of the regulatory option in the system.

RIA, which should be submitted alongside the draft law for Government adoption, has a methodology that incorporates the development and examination of policy options.[xiv]

The problem description and the question of a regulatory *versus* non-regulatory options i.e. the rationale behind legal drafting, are covered in the Annotation to the draft law. This creates an unnecessary multiplication of documents to accompany the legal draft, further decreasing the ministries' motivation to comply with prescribed requirements.

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[6] Regional development documents are not covered.

[7] State Administration Act, Article 63 prescribes that ministries and organizations submit their individual annual work plans so that the GAWP is prepare and later on adopted by the Government according to Government Rules of Procedure Article 76.

As the Government Rules of Procedure (GRP)[8] does not prescribe the ways in which they should be developed, RIA and Annotation are usually compiled *pro forma* at a very late stage when the draft law is already produced, rather than before the public discussion. Therefore, in practice, there is a noted lack of consideration of policy options.[9]Additionally, while the Annotation is obligatory for all legal acts that are to be deliberated upon by the Government, it is in fact relatively easy for the proposer to circumvent RIA.[10] The Annotation frequently boils down to the simple paraphrasing of the provisions of the proposed piece of legislation without substantively answering the questions prescribed by the GRP.

> Regulatory Impact Assessment offers the possibility for the CSOs to participate timely and substantially in the early stages of policy making.

Since it examines the problem definition and justification of government action, as well as the need for regulation as the best form of action,

RIA may be considered as a proper *ex ante* policy analysis tool. Additionally, it should also assess if all relevant stakeholders were consulted in the drafting process. Moreover, according to the OECD Handbook on RIA, "consultation with stakeholder groups is one of the most cost-effective ways of obtaining data to support RIA."[xv] Inspite of evident favorable arguments in support of CSO involvement, consultations with external stakeholders in this process have not yet been considered in Serbia.

4.1. CSOs in Working Groups

Without the phase of policy formulation, legislative drafting does not stem from policy proposals or analysis of policy options. Discussions on policy approaches may take place under the working group for legislative drafting (WG), which are not documented and therefore cannot be assessed in greater detail.[xvi]

Apart from the establishment of the WG, other elements such as its composition and formation are not prescribed. In other words, there are no clear procedures, standards and criteria on the appointment of members or its operation.[xvii] Even though there appears to be an increased inclination to engage CSOs in WGs, or to request their findings and proposals on particular legislation, it remains a frequent practice for the WG not to incorporate a representative of the civil sector.[xviii]

> The criteria for the selection of members of the WG are not formally regulated, which results in the fact that the CSO representatives are mainly chosen on the basis of their personal expertise.

Moreover, in a number of cases, there is evidence of a growing tendency to send invitations to CSO representatives in a donor-driven and superficial manner.[11] Furthermore, the individuals are as a

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[8] The Legal and Judicial Reform Program conducted by Deutsche Gesellschaft fur Internationale Zusammenarbeit (GIZ) GmbH in Serbia is currently working on amendments too the GRP which are to be expected by the end of 2014. One of the Program's goals is to assure the participation of all stakeholders including the civil society and the private sector in the legislative process.

[9] For instance, based on 14 examples of RIAs at the time of research available on the website of the Office for Regulatory Reform and Regulatory Impact Analysis (herein after: Office for RIA), only 6 have any options considered and those are status quo, amendments to the existing law and new law.

[10] N.B. Following elections in April 2014 through the Law on Ministries the Republic Secretariat for Public Policy was established, which incorporated the Office for RIA. At the time when the research was conducted in November 2013, there were 16 draft laws available on the website of the Office for RIA (submitted April - November 2013), while 6 did not have RIA developed out which 4 were accompanied by an explanation that RIA is not necessary.

[11] The Open Government Partnership, an international initiative under which the Ministry of Public

rule chosen on the basis of their expertise in the domain rather than to represent the civil sector and defend larger interests. In other words, there is no criterion of how representative interests should be met when making the decision as to which particular CSOs to involve. As a consequence, rather than acting as the voice of the citizens, these individuals instead offer opportune and needed expertise to the administration.

The work of the WG results in a draft law, which should be forwarded for a public discussion. However, instances occur in which the proposing ministry substantially alters the draft after the public discussion. For instance, the Law on Volunteering appeared in Parliament without the consideration of CSOs' suggestions, while organizations were not notified that it had entered the legislative procedure. Due to this high risk of their involvement appearing merely as a smokescreen, CSO representatives are wary to directly participate in WGs even when invited.[xix]

As there is no legal definition of the process of strategy and policy making, strategies in the system often serve as *de facto* substitutes for policy papers and as basis for legislation. Additionally, there is a lack of understanding of non-legally binding policy instruments in the system. In this light, the extensive number of strategies with low implementation rates is understandable.[12] Even though there is no formal obligation to constitute a WG in the process of their formulation, it is an established practice in

the majority of occasions.[13] The role of the WG is not fixed and may encompass a different range of responsibilities from consultations on drafts to actual strategy writing.[14]

4.2. CSOs in Public Discussions

The main formal instrument aiming at CSO participation in policy making prescribed under the current legal framework and the earliest moment of their engagement is the public discussion.[15] Moreover, the initiative on the part of the CS Office related to more detailed regulation of the public discussion process was adopted and introduced in the GRP in 2013.

> Participation of CSO representatives in working groups does not assure that the final draft law is the version that they agreed upon as there is no regulation governing the final product of the WG.

The public discussion is mandatory in the preparation of a new systemic law, any new law or law on changes and amendments if they significantly alter the existing law except if the Government Committee decides otherwise on a case-by-case basis.[16] The same provision regulates procedural questions such as the preparation of the public discussion program on the part of the ministry in charge and the approval of the respective Government Committee

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Administration and Local Self-Government leads the development of an Action Plan with a wide-reaching involvement of the civil sector serves as a good example. The second draft of the AP did not incorporate the comments of the CSOs, and no elaboration was given in relation to refused proposals. The final draft is remains in the pipeline.

[12] 91 sector and 14 multi-sector strategies of varying quality and with frequent overlaps. Additionally, there are no quality criteria for strategies referring to either their development or their final quality.

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[13] Through a decision of the minister in charge.

[14] E.g. in relation to Strategy of Consumer Protection and the Strategy for Prevention of Domestic Violence, WGs were in charge of drafting.

[15] E-governance portal:

http://javnerasprave.euprava.gov.rs/

[16] It is organized for approximately 15% to 20% draft laws. For further information please see: Milanovic, D., N. Nenadic and V. Todoric, *Survey of Improvement of the Legislative Process in Serbia*, GIZ, Belgrade, June 2012, pp. 107.

GRP Art. 41 states that a public discussion may be held in the preparation strategies of development, regulations and decisions, as well, but is not required.

following the proposal of the respective ministry, as well its length (minimum 20 days).

The responsible Committee brings a decision on the implementation of the public discussion, its program and deadline for it to be carried out.

> Public discussions are conducted in practice following the development of the draft law, in the form of a single gathering that does not incorporate a comment and feedback mechanism.

A public call for participation in the public discussion along with its program are made available alongside information on the WG and its members on the website of the ministry in charge, the e-government portal and at times the CS Office.

For the majority of cases, CSO participation is reduced to a single debriefing at a conference/public discussion.[xx] This format further supports the argument that the public involvement is not meant to have a significant impact since the cooperation is evidently reduced to informing.

As the timing of the public discussion is not prescribed, in practice it is conducted when the draft document has been developed and as such occurs only once in the process of legislative development. At that point, the CSO comments do not have a great influence, even in terms of the legal solutions.[xxi] Since consultations take place following the decision on the regulatory or policy approach and development of the draft document, it is clear that consultations are not understood as a process that has an added value in deciding on the necessity of regulation.[xxii]

The same is valid for draft strategies; public discussions are conducted upon their finalization.[xxiii] However, possibly due to the fact that the process of drafting strategies is not as rigid as legal drafting, it is more common for a number of consultations to take place at several stages in order to gather the input of specific target groups.[xxiv] Additionally, the discussions unfold at the level of priorities, goals, needs and concerns rather than in relation to particular legal provisions.

Additionally, there is no regulation governing the period after the public discussion. As such, there are no requirements to provide feedback to the comments received in the public discussion either by the members of the WG or the respective civil servants.[xxv] Practice shows that in order to raise the likelihood of their comments being taken into account, certain organizations with sufficient resources have legal support in devising amendments to the laws.[xxvi]

Further to this, the draft is sent to inter-ministerial consultations, i.e. to all relevant authorities in accordance with the relevant sectorial legislation, for a written opinion-gathering procedure. At this point the draft may be substantially altered, but is not consulted again with the public, leading to external actors not being made aware of the final product before it reaches the Parliament.[xxvii]

It was noted that the opinion gathering process both formal and informal has a significant effect on the draft law. The process heavily depends on the individual in charge who works on the legal uniformity and finalizes the text, as (s)he decides on the incorporation of certain opinions rather than others.[xxviii]

5. The role of the CS Office

According to the CS Office Operational Plan for 2013-2014, its key objectives is to develop the Strategy for Creating an Enabling Environment for Civil Society Development, develop the National Council for the Development of Civil Society and push the creation of units or tasks across line ministries. This model was heavily influenced by the Croatian experience.

Presently, there are no specific working positions across ministries and state entities, which are designated for responsibilities falling under cooperation with the civil sector in policy or law

making.[xxix] Broadly speaking, there is usually at least one position, which relates to tenders and calls for funding.[xxx] Other public institutions often see the CS Office as the main CSO interlocutor rather than a facilitator of an enabling environment, which is a misinterpretation of the Office's mandate.[xxxi]

In order to challenge such institutional practices, one initiative from the CS Office has been to adapt the Code of Practice of the Council of Europe, into the abovementioned Guidelines for the Inclusion of Civil Society Organisations in the Process of Legislative Adoption,[17] adopted by the Government in August 2014. During October 2014, the CS Office is organising ten consultative meetings with CSOs in cities across Serbia, to be able to gather comments to the first working draft of the Strategy.[xxxii] This is a good practice example as the CS Office gathered around 450 CSO and local government representatives in devising the priorities of the Strategy, and continues to hold consultations through the process of its development, while the draft is available online for comments. However, it should be noted that it is an externally funded project.

The CS Office conducted a number of training and awareness activities aimed at sensitizing the civil servants, which has led the public administration to incrementally open up to external stakeholders. However, as explained above, consultations still occur towards the final stages of legal drafting and strategy making, while the CSOs are neither given adequate access to information on previous work, nor an adequate amount of time to provide appropriate contributions. For such behavior, civil servants often blame the "lack of institutional memory" and "culture of participation."[xxxiii]

6. Future Steps

6.1. Precondition - Freedom of Access to Information of Public Importance

⇨ **Make the Government Annual Work Plan (GAWP) publicly available.**

As it discloses the timeline of envisioned initiatives across ministries, it is essential for external stakeholders to be able to plan future contributions and initiatives in the policy making process. Additionally, it will allow them to participate from the very onset of policy formulation.

⇨ **Introduce a section to ministries' websites on the planned and upcoming policy, legislative and strategy making activities, publish draft versions of documents, comments and feedback.**

Timely information on the development of draft documents and planned consultations should be made available in line with best international comparative practices. This could imply possible changes to the Guidelines for developing the website of the public administration bodies and local self-government units.[xxxiv] Additionally, this information available across ministries should be synchronized on the e-government portal as a measure against the 'consultation fatigue.'

⇨ **Make feedback in written form to CSO contributions and comments mandatory.**

Specifically in relation to rejected suggestions and proposals, feedback in consultative processes not only has an added value in terms of transparency and accountability, but also stimulates further willingness to engage while forging a relationship built on trust between public institutions and the civil society.

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[17] Additionally, the sole use of terminology 'legislation' re-emphasizes the legislative fixation.

6.2. CSOs in Policy Formulation

Minimalist reform option

⇨ **Incorporate a section on the horizontal aspect in the Strategy for an Enabling Environment for Civil Society Development.**

The CS Office to devise this section in such a way that covers cooperation and consultation mechanisms across line ministries at each policy making stage and level of participation in accordance with Guidelines. It is important to stress that the focus should not be placed on the legislative aspect of the policy cycle as it has been done thus far.

⇨ **Monitor the application of the Guidelines for the Inclusion of Civil Society Organisations in the Process of Legislative Adoption.**

These Guidelines are to be considered as a minimum consultation requirement and as setting standards for the public administration to initiate CSO participation on the central and local level. CS Office should follow the incremental development across defined stages of policy making and established standards of timeliness, substance, feedback etc.

Moderate reform option

⇨ **Incorporate consultations with the civil society during the development of an *ex ante* policy impact assessment.**

Forfeit the differentiation between RIA and Annotation as the multiplication of documents has only backfired in practice and resulted in lack of compliance with the GRP. Accordingly, the line ministries to follow the RIA methodology as available on the website of the Public Policy Secretariat. In order to merge RIA and the Annotation, specifically set the timing of the consultation procedure, and establish obligation to submit the report on the conducted

consultation to the Government alongside the legal draft for adoption, GRP must be changed.

⇨ **CS Office to train civil servants responsible for working on the formulation of policies, laws and strategies on participatory practices of involving CSOs.**

This option is an alternative to the systematization of units or establishing specific contact points for communication with CSOs, which carry the threat to be rendered meaningless soon after the initiation. Namely, it would be necessary to provide appropriate human capacity to be in charge of and responsible for specific tasks of policy analysis as well as initiating cooperation of the institution with the CSOs and monitoring the process.

European Policy Centre

European Policy Centre (CEP) je independent, non-governmental, non-profit think tank organisation founded by a group of professionals in the area of EU law, EU affairs, economics and public administration reform, with a shared vision of changing the policy making environment in Serbia for the better.

CEP develops research and analysis as a basis for policy making and produces high quality options for the decision makers with the aim to substantially improve the accession process of Serbia to the EU and to position Serbia as an equal partner with the EU member states in terms of:

- openness and accountability of the democratic institutions of the government;
- market regulation and performance;
- capacity to not only fulfil the obligations arising from EU membership but also make the most of the resulting rights and opportunities once EU membership is achieved.

German Council on Foreign Relations (DGAP)

The TRAIN programme (Think Tanks Providing Research and Advice through Interaction and Networking) is funded by the Federal Foreign Office (Stability Pact for South Eastern Europe) and run by the German Council on Foreign Relations (DGAP).

The German Council on Foreign Relations (DGAP) is Germany's network for foreign policy. As an independent, nonpartisan, and nonprofit membership organization, think tank, and publisher the DGAP has been promoting public debate on foreign policy in Germany for almost 60 years.

i M. S. Sidney, 'Chapter 6: Policy Formulation - Design and Tools', in: F. Fischer, G. J. Miller and M. S. Sidney (eds.), Handbook of Public Policy Analysis: Theory, Politics and Methods, CRC Press, 2006.

ii European Commission, Serbia 2014 Progress Report SWD(2014) 302 final. Brussels, 8 October, 2014, retrieved 10 October, http://ec.europa.eu/enlargement/pdf/key_documents/2014/20140108-serbia-progress-report_en.pdf

iii Within the TRAIN Programme, interviews were conducted with an unnamed high-level civil servant from the Ministry of Trade, Tourism and Telecommunications, and Director of the Office for Cooperation with Civil Society, as representatives of government institutions. CSO representatives interview were the Autonomous Women's Centre and Belgrade Fund for Political Excellence. Other primary data was collected throughout the research work of CEP.

iv M. Lazarevic et al. *Policy Making and EU Accession Negotiations: Getting Results for Serbia*, Belgrade, GIZ and European Policy Centre, 2013.

v Sidney, *loc. cit.*

vi This research result is supported also by BCSDN Monitoring Matrix on enabling environment for civil society development as conducted by Citizens Initiatives. The document in Serbian available at: http://www.gradjanske.org/wp-content/uploads/2014/10/072-CMR-Serbia-2013_srb.pdf

vii For further information see: Office for Cooperation with Civil Society, *Strategic Framework of the Office for Cooperation with Civil Society 2011-2014,* retrieved 23 May 2014, http://civilnodrustvo.gov.rs/media/2012/10/Strategic-Framework-of-the-Office-for-Cooperation-with-Civil-Society-2011-2014.pdf

viii Relevant legislation which stipulates openness of the system: Law on free Access to Information of public importance, Official Gazette of the Republic of Serbia, No. 120/04, 54/07, 104/09 and 36/10; Law on Public Administration, "Official Gazette of the Republic of Serbia", No. 79/05, 101/07 and 95/10.

ix Law on Public Administration, Official Gazette off the Republic of Serbia, no.79/2005 and 101/2007, Title III - Affairs of the Public Administration, Article12 (1) Participation in the Formulation of Government's Policy.

x Personal interview with a high-level civil servant from the Ministry of Trade, Tourism and Telecommunications. (MTTT)

xi Analysis of the Rulebooks on the Internal Organisation and Systematisation of Jobs within ministries prior to the change in April 2014.

xii Civic Initiatives, *Country report, loc.cit.*

xiii For further information, please see: Maric, Sena et al. How to Acieve Results in Public Policies: Monitoring and Evaluation with the Support of Civil Society. Fondation for the Advancement of Economics retrieved 27 September, http://www.europeanpolicy.org/images/me_studija/studija_final.pdf

xiv Government Rules of Procedure Article 40 and 46.

xv Organization for Economic Cooperation and Development - OECD. Introductory Handbook for Undertaking Regulatory Impact Analysis (RIA),Version 1.0, October 2008.

xvi Personal interview, MTTT representative.

xvii Civic Initiatives, *Country report: Serbia,* Country profile for the year 2012 prepared for the regional civil society conference: For Europe of the Western Balkans, Zadar, Croatia, 26 - 28 September 2012.

xviii *Ibid.*

xix Personal interview, representative of Autonomous Women's Centre. Example given - Society of Judges of Serbia.

xx *Ibid.*

xxi Personal interview, MTTT representative.

xxii SIGMA, 'Policy Making and Co-ordination', in: Assessment Serbia, March 2012, pp. 28 - 32.

xxiii Government Rules of Procedure, Article 41.

xxiv Personal interview, civil servant from the Ministry of Regional Development and Local Self-Government (MRDLSG) prior to the 2014 elections.

xxv Personal interview, MTTT representative.

xxvi Personal interview, representative of the Autonomous Women's Centre (AWC).

xxvii Personal interview, MRDLSG representative.

xxviii Personal interview, MTTT representative.

xxix Analysis of the Rulebooks on the Internal Organisation and Systematisation of Jobs within ministries.

xxx Personal interview, Director of the Office for Cooperation with Civil Society, Ivana Cirkovic.

xxxi Personal interview, Director of the Office for Cooperation with Civil Society, Ivana Cirkovic.

xxxii For further information on the Strategy, please visit: http://strategija.civilnodrustvo.gov.rs/

xxxiii Personal interview, MTTT representative.

xxxiv Guidelines for the Development of Websites of Public Administration Bodies and Local Self-Government Units v.5.0.