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REFORM!
Western Balkan PAR Monitor

NATIONAL
PAR MONITOR
SERBIA

2017/2018

WeBER

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Acknowledgments

About WeBER

Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform – WeBER – is a three-year project funded by the European Union and co-financed by the Kingdom of the Netherlands.

The overall goal of WeBER is to increase the relevance, participation and capacity of civil society organisations and media in the Western Balkans to advocate for and influence the design and implementation of public administration reform.

WeBER is implemented by the Think for Europe Network (TEN) composed of six EU policy-oriented think tanks in the Western Balkans:

1. European Policy Centre (CEP) from Belgrade

2. European Policy Institute (EPI) from Skopje

3. Foreign Policy Initiative (FPI BH) from Sarajevo

4. Group for Legal and Political Studies (GLPS) from Prishtina

5. Institute Alternative (IA) from Podgorica

6. Institute for Democracy and Mediation (IDM) from Tirana

CEP is the coordinator of the Project. By partnering up with the European Policy Centre (EPC) from Brussels, WeBER has ensured the EU-level visibility.

A combination of activities conducted through WeBER has achieved multiple aims:

• Through the Regional PAR Platform (WeBER Platform) and its Small Grants Facility, WeBER has improved the capacity of civil society organisations in the Western Balkans to participate in PAR, whilst building venues for their dialogue with the governments on PAR.

• Through its research and monitoring work and development of the PAR Monitor and through the creation of the CSO PAR Knowledge Centre, a searchable database of studies, analyses and reports on PAR produced by the region's civil society, WeBER has created and gathered evidence for a meaningful dialogue.

• As a result of benchmarking the countries through the Regional PAR Scoreboard based on country-level monitoring, WeBER has promoted regional peer pressure.

All of these products are available on the WeBER website: www.par-monitor.org.
The first WeBER project ran between December 2015 and December 2018.board based on country-level monitoring, WeBER has promoted regional peer pressure.

Who do we cooperate with?

WeBER has established cooperation with a multitude of stakeholders in the region and beyond, by joining efforts towards a sustainable course of administrative reforms in the Western Balkans. At the national level, we have coordinated with PAR ministries and/or offices in each of the WB countries, which have had an associate role in the project. At the regional level, WeBER has cooperated with the Regional School of Public Administration (ReSPA), which hosted the regional PAR platform of civil society organisations, serving to a regional dialogue on PAR. We have also collaborated with the Regional Cooperation Council (RCC), to ensure complementarities with the monitoring approaches by the civil society focusing on the SEE2020 strategy. Furthermore, the Project keeps a close contact and consults with the SIGMA programme of the OECD, which performs regular assessments of the WB countries' progress in the implementation of the Principles of Public Administration in the period leading up to EU accession. Finally, WeBER consults with the DG NEAR of the European Commission, including the Centre of Thematic Expertise (COTE) on PAR.

The Project has established strong cooperation and alliances with civil society organisations interested in or already working on PAR in all WB. By developing a communication strategy for the civil society engagement in PAR monitoring, WeBER has facilitated a more coordinated and complementary approach of various CSOs in their efforts and projects focusing on administrative reform.

Why PAR monitoring by the civil society?

Public administration reform (PAR) is today considered a fundamental requirement for the EU aspirants on their accession path. As a complex and all-encompassing reform, PAR in the Western Balkans region is being thoroughly assessed through the lenses of the SIGMA Principles of Public Administration, developed by the OECD/SIGMA and endorsed by the EU. These Principles define what makes a well-functioning administration in terms of its ability to deliver transparent, efficient and effective services to citizens and to support socio-economic development.

In the context of a high external pressure for tangible developments in PAR, homegrown demand for better administration becomes even more important to keep pressuring the government to pursue reforms once the external conditionality dissipates as the result of a completed accession process. Civil society actors, with local knowledge of an administration's functioning, can lead such domestic advocacy efforts aimed at better administration. An independent PAR monitoring and evidence-based dialogue with the government represent a good approach to achieve this goal.

WeBER PAR Monitor approach

Based on such a rationale, the WeBER project has completed its first monitoring cycle. Its structured and evidence-based approach to PAR monitoring brings the reform closer to the public by particularly focusing on PAR aspects with most relevance to the civil society and the public.

WeBER PAR monitoring strongly relies on the strengths, skills, and local knowledge of the civil society in the Western Balkans. It builds on SIGMA's Principles of Public Administration as a cornerstone of PAR, while assessing them from the standpoint of an independently produced PAR Monitor methodology. Overall, the methodology is based on the selection of 21 SIGMA Principles within six key areas, monitored and reported through 23 compound indicators that focus on different aspects of PAR.

The PAR Monitor methodology is rooted in the regional approach. The design of all WeBER indicators enables comparisons between the administrations in the Western Balkans and allows for regional comparability of results. In addition to the methodology, the PAR Monitor package comprises a comparative monitoring report for the entire WB region as well as six reports which elaborate on detailed findings for each administration. The present report provides monitoring results for Serbia, including a set of actionable recommendations for each of the six PAR areas, directed at the creation of a more citizen-oriented, more open, transparent and accountable administration.

WeBER monitoring results for Serbia

Strategic framework for PAR: insufficiently inclusive design and monitoring of strategic documents

In Serbia, external stakeholders are insufficiently consulted during the development of PAR strategic documents: early consultations are seldom implemented, proactiveness in inviting external stakeholders including diverse groups of interests is an exception, as well as is the publishing of the government's feedback to the consultees' inputs. Consultations on the development of the PAR Strategy Action Plan for 2018-2020 make for a good practice example,

because the process involved the civil society from the very beginning and in an open manner, while the responsible ministry engaged in dialogue to resolve contested issues in the consultation process. In most cases, some form of public debate or public consultation took place before the adoption of the strategic document.

Moreover, civil society organisations in Serbia participate in the work of the Inter-Ministerial Project Group, an administrative-level body for PAR monitoring and coordination. As full members of the Group, civil society representatives have equal standing as civil servants in this body. However, membership is not based on an open competition, but rather on the selection of organisations from another consultative mechanism. As the Group has met rather irregularly, this has effectively limited the overall civil society's contribution. So far, the political-level PAR coordination body – the PAR Council – has not recognised civil society as a relevant interlocutor.

Policy development and coordination: non-transparent government and dissatisfied civil society

Overall, the Government's reporting and decision-making process is largely non-transparent. In practice, information on the Government's work and results is scarce, notwithstanding regular press releases. The Government irregularly uploads reports on the implementation of its Annual Work Plan online, and some other horizontal planning documents are irregularly published as well (e.g. Report on implementation of NPAA). Information on the proceedings and outcomes of the Government's sessions is published only partially: agendas and minutes of sessions are fully unavailable, whereas adopted decisions are only selectively published (for example, Government conclusions are, as a rule, published only exceptionally).

Furthermore, the perception of the civil society in Serbia takes a largely negative turn when it comes to the Government's work, particularly its planning, transparency of decision-making, use of externally produced evidence in policy making and the quality of consultations with civil society. Positive views are held only towards the awareness of an official online legislation database.

In that regard, decision-making is perceived as transparent by a marginal 16% of surveyed civil society organisations, and they largely disagree that the Government's planning documents are relevant for actual policy developments with only 13% of agreement. Similarly, only 17% believe official strategies are relevant for actions of the Government or ministries. Civil society findings are occasionally referenced in policy documents, papers and impact assessments, and around one in three surveyed civil society representatives confirm that institutions invite them to prepare evidence-based papers. Almost every second CSO representative believes that officials do not participate in events organised by civil society, despite being invited. Perception about consultations in policy making and legislative drafting shows that 23% of civil society organisations agree formal consultation procedures are consistently applied, with a notably low perception of 12% on the existence of early involvement, the same as for regular provision of feedback to consultees.

Public service and human resource management: a long way to transparency and professionalisation

Publicly available official statistics on central state administration employees is lacking. The Central Personnel Registry does not collect data on the number of temporarily engaged staff and information from some institutions within the civil service system is missing. Moreover, the data it does contain is not disclosed to the public. Reports on a limited number of areas of public service are regularly published, yet they lack in quality and comprehensiveness, and the Government has not proactively promoted them to the public.

Although temporary engagement in the civil service is legally limited, civil servants believe temporary engagement is frequently used for tasks which should normally be performed by civil servants. Simultaneously, civil servants report that temporary contracts often get extended for over a year, while the legislation is unclear in terms of the duration of certain types of contracts, leaving space for abuse. Criteria for the selection of temporary employees are not fully regulated and the hiring procedure is completely non-transparent.

With regards to recruitment into the civil service, institutions announce vacancies through up to four easy-to-access, legally prescribed channels, but use overly bureaucratic language and avoid modern tools such as social media. Applications are being rejected due to misinterpretation of the requirements, since candidates are not allowed to supplement missing documentation. External candidates face unreasonable barriers and both civil servants and the public believe that the political discretion undermines the merit recruitment: only 17% of citizens and 29% of civil servants believe that public servants are recruited based on merit. The outcome of the competition process is not made publicly available.

The role of the Government Personnel Commission in the appointments of senior civil servants undermines the professionalisation of the recruitment process. Inflation of the number of acting managers additionally hampers the merit principle and leads to increased politicisation of the administration. In a period of one year, there were 691 appointments of senior managers, 94% of which were appointments to acting positions. In numerous cases the same names and positions reappeared several times in a single year, showing that employees are being kept in the acting status for a period longer than legally prescribed. There is a wide-spread perception of politicisation in the senior civil service, as 55% of surveyed civil servants believe that their senior peers are appointed thanks to political support, and as much as 81% of civil society organisations think that senior civil servants are political favourites

The overall civil service remuneration system is simply structured; however, some parts of the administration are excluded from general civil service legislation. Salary supplements for civil servants are fully defined and clearly limited, but civil servants believe their managers use bonuses or increases in pay grades for reasons other than rewarding performance. A majority of civil servants also believes that political and personal connections help employees to receive bonuses or increases in pay grades. Apart from legislation, information on salaries of civil servants is not available online.

Formal integrity and anti-corruption measures are in place, but with implementation deficiencies. Unlike civil society, civil servants perceive these measures as impartial and effective, however only 11% of them would feel protected as whistle-blowers.

Accountability: proactive information of the public fares better than reactive information

Civil society's perception indicates shortcomings in the application of free access to information of public importance. CSOs strongly believe that public authorities should record more information to enable the exercise of this right as there is 24% of agreement that the current scope of information is sufficient. In addition, 11% believes that legally prescribed exceptions to the public character of information are adequately applied.

Largely positive views are held towards practical aspects of requesting information: information is provided in requested format, within deadlines and free of charge, without the need to state reasons for requests. However, for information containing classified parts and personal data, a rather small percentage of organisations think that access to parts of information cleared from such sensitive data is made possible, and many CSOs simply "don't know" if this is the case. Despite the highly positive perception of 79% civil society organisations of the

role and results of the work of the Commissioner for Information of Public Importance and Personal Data Protection, only 17% believe sanctions for the violation of the free access to information right are effective.

Furthermore, as a widespread feature of Serbian public authorities, the information provision on their websites lacks a citizen-friendly approach. Most of the publicly available information is complete, updated, and accessible within a maximum three clicks from home-pages. Authorities publish some crucial information on their work, such as budgetary data, through obligatory Information Booklets. Nevertheless, critical issues such as the inexistence of the annual reports of administration bodies, an uneven practice of informing about channels for cooperation with civil society and other external stakeholders, the use of highly bureaucrat-ic language and copy-pastes from legislation, as well as the still insignificant number of those who publish data in open formats, points to the need to improve proactive disclosure of infor-mation and make it more citizen-oriented.

Service delivery: favourable public perception, accessibility concerns in civil society

In general, citizens of Serbia consider that the administration pursues user-oriented service delivery, reflected in a high awareness of the Governments' digitalisation policy by 70% of citizens and of efforts to simplify administrative procedures by 56%. Perception drops, how-ever, when it comes to the ability to give proposals for improvement of services, as 33% of citizens report they have been asked for such proposals. This perception is reinforced by the analysis of websites of a sample of administrative service providers, indicating they rarely pub-lish any information on citizens' feedback online.

Civil society's perception, on the other hand, is the most positive regarding the existence of different channels for obtaining services (in-person, online) with 24% of agreement, while it turns highly negative when asked about the accessibility of one-stop-shops with 9% of agree-ment, and adaptation of service provision to vulnerable groups with 6% of agreement. Finally, the practice of disclosing online information necessary for obtaining services is average at best. Analysis of sample providers' websites shows that citizen-friendly guidance for obtaining services is an exception, and on rare occasions can services be fully obtained electronically.

Public finance management: (un)ease of access to budgetary information

Online accessibility of budget reports is hardly achieved, as the Ministry of Finance does not publish mid-year and year-end reports, the only exception being in-year reporting. Publicly available budgetary reports are based only on economic classification of budget realisation, without performance information on the budgetary achievements of the Government. On the other hand, citizen-friendly budgets have been regularly produced and published since 2015, explaining annual enacted budgets in a simplified, clear and comprehensible way.

Annual consolidated reports on public internal financial control in the public sector are regularly produced and published, as well as internal audit quality reviews since 2016. Never-theless, individual budget beneficiaries, such as ministries, barely publish basic information online on financial management and control. The Central Harmonisation Unit of the Ministry of Finance, despite having its own website with all the core information, does not engage proac-tively enough with the public except for infrequent press releases and media appearances by its representatives. Finally, the National Assembly of Serbia has not deliberated on the annual consolidated reports on public internal financial control for the last two reporting cycles.

The State Audit Institution of Serbia (SAI) aims to further develop external communica-tion practice through its Strategic Plan, but also dedicates a job position for handling citizens' queries. SAI makes use of press conferences and releases to communicate its work and

products to the public, but the scope of external communication is limited as advanced communication tools are missing, such as social media or data visualisations. However, performance auditing of SAI is becoming more citizen-oriented through simple and citizen-friendly summaries. The channel for receiving citizens' complaints exists, but it is neither institutionalised nor clearly marked at the SAI website. Finally, no evidence is found that SAI consults civil society when identifying risks in the public sector.

Brief overview of recommended actions

To address the identified weaknesses, government institutions should take measures listed below. (This is a selection of recommendations for solving critical issues; please consult the detailed list of recommendations provided at the end of each chapter.)

In the Strategic Framework for PAR:

• Consultations with CSOs about strategic documents in PAR should take place as early as possible.

• Consultations need to be broadly advertised, and all interested CSOs, especially disadvantaged groups, need to have a chance to participate.

• Reports on the consultations should be produced as a rule and should be made public, clearly addressing all received inputs.

• Proactively including a diverse group of stakeholders, representing various interests relevant for the PAR policy, should become a regular practice.

• MPALSG should ensure that CSO contributions are meaningfully considered at both levels within the overall decision-making of the monitoring and coordination structure.

• Currently, civil society is not represented in the PAR Council, and introduction of a liaison representative from among the CSO members of the Inter-Ministerial Project Group (IMPG) to facilitate closer ties with the PAR Council should be considered.

• In the work of IMPG, MPALSG should place greater focus on the concrete issues and problems deriving from the current PAR implementation, and particular attention should be devoted to openness, transparency, responsiveness of administration and external accountability.

• Finally, it is important to ensure consistency of the Inter-Ministerial Project Group calendar, with at least one meeting every six months and ideally one meeting every three months.

In Policy Development and Coordination:

• GAWP implementation reports should be regularly published at the official Governments' website and include citizen-friendly descriptions of Government's achievements.

• The Government should start regularly publishing agenda items and meeting minutes for each session.

• Ministries, and other public authorities organising public consultations (and public debates) should ensure timeliness and proactiveness in announcing them.

• When organising consultations in the development of policy and legal documents, inputs and comments from the civil society and the public should be sought as early as possible in the process.

• Authorities should inform the public on consultation proceedings without exception.

• Additional consultations should be considered when the consultation process is returned unresolved, contested or concerns especially important issues for civil society and the public, but also when no input was received in the first attempt.

• An online database of legislation should be promoted through the government's and individual administration bodies' websites and all materials in the database made publicly available.

In Public Service and Human Resource Management

• Publishing statistical data on the civil service should be made legally binding in open data formats and include gender segregation of the data.

• The HRMS should produce and publish comprehensive annual reports on the implementation of laws and policies pertaining to human resource management in the civil service.

• The Government, the MPALSG and the HRMS should actively promote reports on the civil service through the most popular nation-wide means.

• The Government should explicitly limit the duration and prescribe unambiguous criteria for the selection of temporary staff in the state administration.

• The Government should ensure maximum transparency of the outcomes of the recruitment procedures, including when competitions are annulled, and eliminate unreasonable barriers for external candidates.

• The legislation should regulate the acting positions in a way which unequivocally shows the intention of regulating such a state as exceptional, temporary and serving the sole purpose of ensuring continuity in the work of a body or sector with a vacant SCS position.

• The Government should urgently cease the practice of appointing and reappointing acting managers and start making appointments of senior civil servants in accordance with the legal provisions.

• Information on the salary for jobs in the civil service should be part of public competition announcements that are advertised through nation-wide channels.

• The web pages of the MPALSG and HRMS should contain information on average total salaries per different categories of civil servants. Vacancy announcements should also include salary information.

• Central state administration bodies should continuously promote the whistle blower protection system to their employees.

In Accountability:

• Public authorities should:

- communicate to the public by using simple, citizen-oriented language on their web-sites, focusing on ease of access and better user experience,
- proactively publish their annual work reports online,
- start producing and publishing citizen-friendly versions of their annual budgets,
- start publishing at least one open dataset pertaining to their scope of work in line with the open data standards.

• Information on cooperation with civil society, and external stakeholders in general, should be clearly displayed on the websites.

• For public consultations and public debates on policy documents and legislation, a separate website section should be available.

• Public authorities should always provide information in the requested format(s) and avoid providing information as scanned documents.

In Service Delivery:

• The Government should adopt an overall, comprehensive policy framework proclaiming the vision of the service delivery policy and its mid-term goals.

• The Government should assign central authority for the entire service delivery policy to a single institution, ideally at the centre-of-government level.

• The Government needs to further steer the service delivery towards the one-stop-shop system that includes as many obtainable services as possible in one place.

• The Office for Information Technologies and E-Government needs to further promote the E-government portal, reaching out to as many users as possible.

• The Office should also set standards and recommend individual service providers in the administration about how to promote and present offered e-services on their web-pages.

• The Office should support enhanced user experience of the E-government portal, implementing more responsive web design with optimal navigation experience.

• Service providers' websites and the E-government portal should ensure channels for collecting user feedback as a standard practice, publish feedback results and encourage users to send improvement proposals.

• Accessibility should be clearly addressed as one of the cornerstones in the service delivery policy.

• Civil servants in charge of delivery of in-person administrative services should undergo mandatory training courses for communication with and assistance to people with disabilities and other vulnerable groups.

In Public Finance Management:

• MoF should dedicate a single point on its website for ALL budget reports.

• Publishing of budget execution data should be as comprehensive as possible, for better understanding of external stakeholders and greater transparency.

• Year-end budget reports should provide performance information of the Government.

• MoF should pursue an open data policy to the fullest, by publishing ALL budgetary data in preferably more than one open format.

• Ministries, but also other direct budget beneficiaries, should dedicate an easily accessible, single website section for updates on PIFC within the organisation.

• CHU should improve external communication by publishing dynamic materials for explaining PIFC and highlighting important developments in the public sector to the citizens.

• SAI should aim to produce a citizen-friendly summary for each audit report published, regardless of the audit type.

• On a specifically dedicated website location, SAI should clearly promote information on receiving, and procedure of handling, citizens' inputs, tips, and complaints.

• SAI should consider using as many citizen-friendly tools as possible for communication of its work.

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List of abbreviations

AP	Action Plan
APIGP	Action Plan for the Implementation of the Government Programme
BSL	Budget System Law
CHU	Central Harmonisation Unit
CPR	Central Personnel Registry
CSL	Civil Service Law
CSO	Civil Society Organisation
EC	European Commission
ERP	Economic Reform Programme
FAQ	Frequently Asked Questions
FMC	Financial Management and Control
FOI	Freedom of Information
GAWP	Annual Work Plan of the Government
GSG	General Secretariat of the Government
HCSC	High Civil Service Council
HRM	Human resource management
HRMS	Human Resource Management Service
IA	Internal audit
ID	Personal Identification Document
IMF	International Monetary Fund
IMPG	Inter-Ministerial Project Group
IPA	Instrument for Pre-Accession
ISSAI	International Standards of Supreme Audit Institutions
LGAP	Law on General Administrative Procedure
LPS	Law on Planning System
LSA	Law on State Administration
MCTI	Ministry of Construction, Transport and Infrastructure
MME	Ministry of Mining and Energy
MoF	Ministry of Finance
MoI	Ministry of Interior
MPALSG	Ministry of Public Administration and Local Self-Government
MTTT	Ministry of Trade, Tourism and Telecommunications
MYS	Ministry of Youth and Sport
NCEU	National Convention on the EU
NPAA	National Programme for the Adoption of the Acquis
OGP	Open Government Partnership
PA	Public Administration
PDA	Public Debt Administration
PFM RP	Public Finance Management Reform Programme
PIFC	Public Financial Internal Control
PPS	Public Policy Secretariat
PS	Public Service
RGA	Republic Geodetic Authority
RIA	Regulatory Impact Assessment
RoP	Rules of Procedure
SAI	Supreme Audit Institution
SBRA	Serbian Business Registers Agency
SBS	Sector Budget Support
SIGMA	Support for Improvement in Governance and Management
TA	Tax Administration
VAT	Value Added Tax
WB	Western Balkans
WG	Working Group

I.INTRODUCTION

I.1 Public administration reform and Western Balkans' EU integration – Why monitor?

For over 15 years, the Western Balkan (WB) countries have undergone democratisation and transition processes, embarking onto deep structural, economic and social reforms to modernise their societies and improve the lives of their citizens. The reform processes are reinvigorated by the aspiration of these countries to become members of the European Union, and they are framed to a large extent by the EU integration process. Good governance lies at the heart of the European integration project, while a public administration that supports good governance needs to be professional, reliable and predictable, open and transparent, efficient and effective, and accountable to its citizens.

Accordingly, reform of public administration has been acknowledged as one of the fundamental areas of reform on any country's path to EU membership. WB countries have been implementing administrative reforms for over a decade now, but since 2014 the EU offers a set of principles for the accession countries to follow and comply with in this area in order to become successful EU member states. The European Commission defined the scope of PAR through six key areas:

1. strategic framework for public administration reform
2. policy development and co-ordination
3. public service and human resource management
4. accountability
5. service delivery
6. public financial management

OECD/SIGMA,[1] in close co-operation with the European Commission, adopted this scope in the *Principles of Public Administration*, which became a new framework for guiding and monitoring administrative reforms in the Western Balkan countries and Turkey.[2] These principles, thus, offer a common denominator of public administration reform of all EU-aspiring countries, setting its course towards EU membership.[3] Their purpose is described as follows:

The Principles define what good governance entails in practice and outline the main requirements to be followed by countries during the EU integration process. The Principles also feature a monitoring framework to enable regular analysis of the progress made in applying the Principles and setting country benchmarks.

EU acquis requirements, guidelines and instructions are the core of the Principles in relevant areas. In other areas, the Principles are derived from international standards and requirements,

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[1] SIGMA (Support for Improvement in Governance and Management) is a joint initiative of the OECD and the European Union. Its key objective is to strengthen the foundations for improved public governance, and hence support socio-economic development through building the capacities of the public sector, enhancing horizontal governance and improving the design and implementation of public administration reforms, including proper prioritisation, sequencing and budgeting. More information is available at: http://www.sigmaweb.org/.

[2] A separate document entitled The Principles of Public Administration: A Framework for ENP Countries has been developed for the countries encompassed by the European Neighbourhood Policy (ENP): http://bit.ly/2fsCaZM.

[3] Based on the Principles, SIGMA conducts regular assessments of the progress made by the WB countries' governments in fulfilling them. Across-the-board assessments (for all the six key areas) are conducted once every two years, whereas in-between smaller scale assessments are conducted for specific chapters that are evaluated as critical by SIGMA. For more information on SIGMA assessments, visit www.sigmaweb.org.

as well as good practices in EU member states and OECD countries. As a minimum benchmark of good administration, countries should ensure compliance with these fundamental Principles.[4]

WeBER has adopted the Principles of PA as the main building block of its PAR Monitor, following a twofold rationale. On the one hand, being the only common denominator for PAR reforms for all Western Balkan countries, the Principles are of major importance for WeBER in order to allow for regional comparability and regional peer learning and peer pressure. On the other hand, the Principles guide the reforms in these countries in the direction of compliance with EU standards and requirements, thus also supporting their transformation into future EU member states.

An important consideration in designing the monitoring approach lies in the understanding that until the WB countries' EU accession moment, SIGMA/OECD will be engaged in the region, relying also on the hard EU conditionality as an external driving force of reforms. In that period, the local civil society should deliver complementary, add-on findings in the areas of its strength. In this period, civil society should also gradually expand the scope of its monitoring and seek ways to continue with the external monitoring in a more holistic way post-accession, when SIGMA will no longer perform its external assessments. By then, the local civil society actors should have a developed approach in identifying the critical areas of intervention on which to focus their monitoring efforts.

Moreover, although EU conditionality is currently ensuring regular external monitoring and assessment of the progress of reforms, previous enlargements have demonstrated that many countries have backslid in their reforms post-accession, effectively moving away from good governance standards as the EU approach softened. In several countries, governments have decreased their standards of transparency, administrations have been re-politicised and anti-corruption efforts have dwindled. WeBER's rationale is that only by empowering local non-governmental actors and strengthening participatory democracy at the national and local levels, can the same pressure on the governments to continue implementing the often painful and inconvenient administrative reforms be maintained post-accession. This empowerment needs to include the improvement of the CSOs' awareness, knowledge and other capacities, such as research and analytical skills and tools. It is precisely these elements that the WeBER project and the PAR Monitor aim to strengthen.

In line with the TEN's and WeBER's focus on the region's EU accession process, the PAR Monitor also seeks to guide the governments in the region towards successful EU accession and membership. That is why the entire approach has been devised around the PAR requirements defined under the EU's enlargement policy. A critical necessity in this endeavour is strengthened participation of the civil society and media in the reform (i.e. educating and enabling them to monitor reform progress, assess its quality and propose new solutions based on evidence and analysis). That way, public administration reform can support the creation and implementation of inclusive and transparent policies that take into account citizens' needs and that are at the same time more EU-membership-compliant.

I.2 PAR monitoring – How do we monitor?

• EU principles as the starting point and a common framework of reference

As mentioned above, the WeBER approaches monitoring of PAR in the Western Balkan countries from the perspective of uniform requirements posed by the EU accession process for

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[4] Principles of Public Administration for EU Enlargement countries, SIGMA, http://bit.ly/2f0WLf9.

the entire region. As the EU and SIGMA/OECD developed a comprehensive set of principles for all countries to transform their administrations into modern EU-members, WeBER has used these principles as the golden standard and a starting point for developing its monitoring methodology. Moreover, in line with its overall rationale, WeBER has emulated SIGMA's methods to create its own indicators from the viewpoint of civil society, using a similar compound-indicator structure and the same scoring approach: quantification of elements (sub-indicators), with the total scores assigned to indicator values on a scale from 0 to 5.

- **The regional approach**

An important facet of WeBER monitoring of PAR is its regional character. The regional approach first means that all indicators are framed and phrased in a manner which enables comparisons between the six national systems. Second, the regional approach means that the findings are regionally comparable. The former was achieved through close regional consultations in the process of designing the methodology and developing the indicators, including occasional revisions of the indicators and their specific methodologies based on identified difficulties of application and measurement in the national contexts. The latter was achieved through the internal quality assurance procedures developed as part of the monitoring methodology, which are described below.

The regional approach admittedly results in a certain loss of detail and national specificity in the monitoring work. However, it presents many benefits compared to the nationally specific approaches, first and foremost the comparability aspect, which allows benchmarking of countries and their systems, recognition of good practices in comparisons of the countries, as well as creation of positive competition between the governments when exposed to regional comparisons. Last, but not least, it allows for creation of regional knowledge and peer learning of PAR among civil society organisations, which is particularly useful for inspiring new initiatives and advocacy efforts at the national level, inspired by positive practices identified in the immediate neighbourhood. The fact that all WB countries are undergoing the same or similar processes on their road towards the EU makes them a perfect group for creation of useful comparisons.

- **Selection of principles "for the civil society and by the civil society"**

The PAR Monitor maintains a basic structure which follows the six chapters of the Principles of PA. It does not attempt to cover all the principles under each chapter nor does it seek to cover them in a holistic manner, but adopts a more focused and selective approach. Considering that the empowering of the civil society in the region to monitor PAR will need to be a gradual process, the criteria for selecting the principles (and their sub-principles) were developed with three main thoughts in mind:

- There are certain aspects of the Principles in which civil society is more active and consequently has more knowledge and experience;

- In order to gain momentum, the PAR Monitor will need to be relevant to the interests of the wider public in the region;

- The approach should ensure an added value to SIGMA's work and not duplicate it.

- **WeBER indicators design**

WeBER has designed compound indicators, each comprising a set of elements (essentially sub-indicators), which elaborate various aspects of the issue addressed by the indicator on

the whole. The entire design of indicators is quantitative, in the sense that all findings – based on both quantitative and qualitative research – are assigned numerical values. Findings are used to assess the value of individual elements, assigning them total element scores of either 0-1 (for the less complex assessments) or 0-2 (for the more complex assessments). Only integer values are assigned to elements.

Furthermore, for each element a weight of either 1 or 2 is applied. In principle, a weight of 2 is assigned to what was evaluated as a basic, key requirement, whereas a weight of 1 is applied to more advanced requirements. To exemplify, a weight of 2 is used for an element assessing a basic government reporting practice, whereas a weight of 1 applies to an element evaluating whether the data in a report is gender sensitive or whether it is available in open data format. Moreover, as most indicators combine different research approaches and data sources, in cases where perception survey findings are combined with hard data analysis, a weight of 1 is assigned to the former and a weight of 2 to the latter.

Finally, for each indicator there is a formula for turning the total score from the analysis of individual elements into the values on a unique scale from 0 to 5. The final indicator values are assigned only as integers, i.e. there are no half-points assigned. The detailed scoring and methodologies for each indicator are available on the PAR Monitor section of the WeBER website.[5]

• Reliance on knowledge accumulated by civil society

Local civil society actors lack official resources that would allow them to take a comprehensive view on the Principles of PA and monitor all their aspects in each of the six chapters. Moreover, the CSOs' projects and initiatives are as a rule fragmented and based on individual ad-hoc approaches. WeBER has overcome this problem by creating a Platform through which civil society in the region can conduct consultations and coordinate these individual, fragmented efforts. As a result of the work of this platform, the PAR Monitor reports encompass both the findings of the WeBER project and the key results and findings of a major part of the individual CSOs' (or other networks') research and analyses in the PAR area, including local CSOs supported through the WeBER Small Grant Facility.

The WeBER monitoring approach utilises to the maximum extent possible the experience and expertise accumulated within the civil sector in the WB countries. Therefore, a number of indicators rely on the civil society as one of the core sources of knowledge. Understandably, the PAR Monitor and its wider approach to incorporating other CSOs' findings will remain a work in progress in the upcoming years as well, in order to allow adjusting to new developments in the region's civil sector.

• Focus on citizen-facing aspects of public administration

There has been a clear shift of trends in recent years in how administrations act towards citizens, gradually comprehending their role of service providers in the society rather than merely feeding the rigid, formalistic and bureaucratic needs. One of the factors for this change lies in the development of new technologies and more direct opportunities to scrutinize, interact and influence, which consequently stimulated the interest of the public and instigated higher demands and pressures from the citizens for better administration.

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[5] WeBER project website: http://www.par-monitor.org. Methodology and the individual indicator tables can be accessed within the PAR Monitor menu.

Because of this unambiguous connection between the administration and its citizens, another key criterion which has led the selection of WeBER principles (and its sub-principles) is their relevance to the work and interests of the wider public. To that end, WeBER indicators have been led by the question of the extent to which they address citizen-facing aspects of public administration.

- **Complementarity with SIGMA monitoring and SEE 2020 strategy**

As mentioned above, one of the main considerations underpinning the WeBER PAR monitoring is to ensure complementarity with the assessment process of SIGMA/OECD. This approach acknowledges that SIGMA's comprehensive approach cannot and should not be replicated by local actors, as it already represents an independent monitoring source (in the sense of independence from national governments in the WB). In that sense, WeBER does not seek to present a contesting (competitive) assessment of how the principles are fulfilled in the WB countries, but rather offer a complementary view, based in local knowledge and complementary research approaches.

Finally, after the indicators were developed, each of them was analysed for relevance against the regional strategy SEE 2020,[6] in order to determine whether they can serve for the purposes of its monitoring as well. Therefore, each indicator that has been determined relevant for the monitoring of the SEE 2020 Strategy was marked accordingly in the methodology document, and the link to the specific dimension of that strategy was stated.

- **The PAR Monitor package**

As the final product of the WeBER monitoring, the PAR Monitor is composed of the one regional, comparative report of monitoring results for the entire region and six national reports that elaborate in detail the monitoring findings for each administration in the Western Balkans. In line with this approach, the regional report focuses on comparative findings, regional trends and examples of good or bad practices, but does not provide any recommendations. On the other hand, the national reports provide in depth findings for each administration and identify a set of recommendations for each PAR area, targeting national policy makers.

The Master Methodology document and the detailed indicator tables – all available on the WeBER website[7] – should also be regarded as part of the entire PAR Monitor package and can be used to fully understand the details of this monitoring exercise, where needed.

- **Quality assurance procedures within the monitoring exercise**

To guarantee that the PAR monitoring findings are based on appropriate comparative evidence and that WeBER products create a notable impact, the monitoring applied a multi-layered quality assurance procedure, which included internal and external expert reviews and a stakeholder community review. The internal quality assurance comprised two main elements:

1) a peer-review process, which involved different collaborative formats, such as written feedback, team meetings, or team workshops;

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[6] South East Europe 2020 Strategy of the Regional Cooperation Council: http://www.rcc.int/pages/62/south-east-europe-2020-strategy.

[7] WeBER project website: http://www.par-monitor.org. Methodology and the individual indicator tables can be accessed within the PAR Monitor menu.

2) once the scoring for each administration was finalised, a senior coordinator performed a horizontal cross-check of the findings to ensure their regional comparability and alignment of assessment approaches, and prepare the analysis for the external review.

The first part of the external review was a fact-checking process by government institutions in charge of the given assessed area. Up to this point of the review process, all mentioned steps were repeated for each individual indicator measured.

Following the drafting of the regional report, selected members of WeBER Advisory Council performed the expert review of chapters pertaining to their areas of expertise. The drafting national reports underwent standard peer review procedures within each WeBER partner organisation.

• **PAR Monitor Report timeframe**

The monitoring exercise was conducted between September 2017 and September 2018. Findings predominantly relate to 2017 and the first half of 2018, except in the analysis of Government reports, where 2016 was included as the base year due to the governments' reporting cycles. Within the indicators that monitor the regularity of reporting practices, a minimum of two years preceding the monitoring year were taken into account.

It is important to emphasise that for certain indicators (and particularly those measured in the last quarter of 2017) the situation on the ground was changing until the moment of the report writing. The developments which occurred after the monitoring work on those indicators could not be included, as that would necessitate repetition of the entire monitoring exercise for the given indicator in all countries. Therefore, the individual indicator measurements indicate the exact periods of measurement, kept comparable across the region, which allows for clear identification of the timeframes of reference for all findings in the reports. Where situations have changed, those changes will be reflected in the scores in the next biennial WeBER monitoring cycle and the PAR Monitor 2019/2020.

• **Limitations in scope and approach**

As with all research, the PAR Monitor also has its limitations. The main limitation stems from the fact that – for reasons which were elaborated above – it does not cover the entire framework of principles, but only those in which the interest and the added value of the civil society is the strongest in the pre-accession period. Moreover, selected principles are not always covered in all of their facets, but rather in specific aspects which have been determined by the authors as the most relevant from the perspective of civil society monitoring. In all such cases, the specific WeBER approach is described in the Methodology and individual indicator tables.

In addition, timeframe-related limitations have influenced the course of measurement. As mentioned, the monitoring work was initiated in September 2017 and proceeded into 2018, which reflected on the period of measurement of specific indicators, as well as on the results. Also, monitoring work was implemented over a one year period due to the limited staff capacities vis-a-vis the workload covered (23 compound indicators) which made it impossible to measure all indicators within a short period of time.

Moreover, due to a combination of limited staff capacities and the workload of the 23 compound indicators covered – with some comprising over 15 elements (sub-indicators) – a few initially planned indicators were mutually agreed to be left out from the first monitoring cycle. Those indicators relate to public procurement, as well as accountability mechanisms to protect the public interest and the right to good administration. The WeBER team consciously

decided to give advantage to the quality of work over maximizing the coverage of issues. The team will seek to include these indicators in the next monitoring cycle.

Lastly, some of the principles are approached from a rather perception-based point of view. This is mainly the case where SIGMA monitors a specific principle very thoroughly, so the most useful way to complement its approach was deemed to be by monitoring perceptions of certain key stakeholder groups (public servants, CSOs, etc.). This is a deliberate part of the WeBER approach and those indicators should be looked at as complementary to the assessments conducted by SIGMA for the same principles.

In terms of geographical scope, the monitoring exercise and the report cover the entire Western Balkan region: Albania, Bosnia and Herzegovina (BiH), Kosovo*, Macedonia, Montenegro and Serbia. BiH being a country with a complex governance structure, WeBER decided to focus only on the state level institutions, wherever the structures and practices of institutions are analysed. Only the service delivery indicators include lower governance levels in BiH (entities), in line with the competences for delivery of the administrative services covered by the indicator sample.

I.3 Structure of the National PAR Monitor report

The report is divided into six chapters, pertaining to the core areas of PAR: 1) strategic framework for public administration reform, 2) policy development and coordination, 3) public service and human resource management, 4) accountability, 5) service delivery, and 6) public finance management. Each chapter follows the identical structure.

In each chapter introduction, the reader is briefly introduced to the WeBER indicators used in the observed area and their values for Serbia, on a scale from 0 to 5. Immediately after, a brief state of play in Serbia is given to contextualise the analysis for the observed area, followed by the WeBER monitoring focus, describing the methodological steps in more detail and illustrating the structure of each principle and indicator, including data collection and analysis methods.

The key section of each chapter is the presentation of WeBER monitoring results, stemming from thorough and methodologically robust research conducted in Serbia. Throughout this section, the report includes boxes with partners' findings as an added value and complementary element of the report. A summary of results for each area is given at the end of each chapter and present key, succinct one-page findings and trends.

Finally, based on the detailed elaboration of the findings for Serbia, the national PAR Monitor report proposes actionable recommendations for the responsible government authorities.

II. STRATEGIC FRAMEWORK OF PAR

WeBER indicators used in the Strategic Framework of PAR and country values for Serbia

SFPAR P1 I1: Use of participatory approaches in the development of key strategic PAR documents

| 0 | 1 | **2** | 3 | 4 | 5 |

SFPAR P2_P4 I1: Civil society involvement in the PAR monitoring and coordination structures

| 0 | **1** | 2 | 3 | 4 | 5 |

II.1 State of play in the Strategic Framework of PAR

The existing strategic framework of PAR in Serbia consists of several strategic documents. The PAR Strategy, as the umbrella document, provides a comprehensive framework covering all relevant PAR areas of the SIGMA Principles of Public Administration. More detailed reform measures for certain areas are further laid down by separate reform documents, such as the Public Finance Management Reform Programme 2016-2020 (PFM RP), the E-government Development Strategy 2015-2018, and the Strategy for Regulatory Reform and Improvement of Policy Management System 2016-2020. These documents do not exhaust the PAR agenda in Serbia; however, other PAR relevant sub-strategies were deliberately left out from the WeBER monitoring. They either tackle in-depth specific issues that are further reported in the overall strategy reports or represent wider documents taking over PAR priorities from other governmental strategies. For the former, this is the case with the Public Internal Financial Control Strategy 2017 - 2020, and the Public Procurement Development Strategy 2014 - 2018, and for the latter with the Action Plan for the implementation of the Open Government Partnership (OGP) in Serbia.

Coordination and monitoring of strategic documents is in practice performed by different institutions at the expense of having a more effective and consolidated PAR coordination and monitoring in general. The PAR unit within the Ministry of Public Administration and Local Self-Government (MPALSG) monitors and reports on implementation of overall PAR strategy, and the Ministry of Finance (MoF) chairs the working group for monitoring PFM RP with the representation of all relevant institutions.[8] The Public Policy Secretariat (PPS) monitors the implementation of the Strategy on regulatory reform, and the Office for Information Technologies and E-Government oversees E-government Development Strategy.

As regards to overall PAR coordination and management, a four-level institutional structure for the PAR Strategy implementation was initially designed. The first two levels constituted expert (administrative) structures, the first one being the previously mentioned PAR unit of the MPALSG[9] and the Inter-Ministerial Project Group (IMPG), which ensure participation of all

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[8] Working group includes representative of MoF, National Assembly's committee for finance and budget, State Audit Institution, Ministry of Public Administration and Local Self-Government, Public Policy Secretariat, Public Procurement Office, Audit Authority for the EU funds, and Ministry for European Integration (formerly Serbia European Integration Office).

[9] Group for Public Administration Reform Management within the Good Governance Development Sector, under current MPALSG internal organisation. See MPALSG organisation at:
http://www.mduls.gov.rs/ministarstvo-unutrasnje-uredjenje-pravilnik.php.

relevant public administration bodies in expert coordination and reporting on PAR. Political-level coordination is composed of the College of State Secretaries and the PAR Council as the central, strategic PAR body of the Government.[10] Due to this complex coordination structure, SIGMA has recommended either to eliminate or merge the College of State Secretaries with the IMPG,[11] strengthening IMPG expertise, increasing the frequency of its meetings, and alleviating burden on the PAR Council.[12] Finally, in July 2018 the Government adopted a decision on amending the PAR Strategy, including the revision of the monitoring and coordination structure by eliminating the College of State Secretaries.[13] From the perspective of civil society's participation in these structures, strengthening the IMPG merits the most attention since it is the only body with CSO participation.

The coordination mechanisms of other strategic documents in different PAR areas make references to coordination with the umbrella PAR Strategy. For example, the Steering Committee of the PFM RP, mandated for political coordination with the support of the Technical Secretariat at the administrative level, ensures that all changes and updates of the PFM RP are in line with regular revisions of the PAR Strategy AP, the Public Internal Financial Control Development Strategy and other relevant documents.[14] Moreover, based on SIGMA findings "there is a unified approach for management and coordination of the PAR Strategy and Action Plan and the Electronic Government Development Strategy and its Action Plan. For both documents, the key political-level forum is the PAR Council [...] while at the administrative level there are inter-ministerial working groups."[15] In practice, however, PAR Strategy structures do not ensure effective monitoring and coordination of the entire PAR agenda and there is at times lack of clarity of the coordination lines for different strategic documents. When it comes to the financial sustainability of the PAR strategic framework in Serbia, the European Commission's latest country report indicates financing is a concern "due to inconsistencies between planned allocations and actual appropriations" but also that it "relies heavily on external donor funding."[16]

The PAR Strategy was adopted by the Government in 2014.[17] It does not set any limitation in terms of duration and was followed by the AP for the period 2015-2017, whereas the AP for the period 2018-2020 was approved in July 2018.[18] Both AP documents were developed in an inclusive manner, with participation of relevant stakeholders, including civil society. The consultation process for the incumbent AP was inclusive and was based on an open, competitive call for CSOs to apply, which ended in February 2018. Each of the two APs contains specific measures and activities for greater involvement and participation of civil society in decision-making.[19] MPALSG dedicates a single website location for all PAR Strategy related documents,

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[10] See Amendments to the Decision on Establishing the PAR Council, available at:

http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/reg/viewAct/f8489ebe-e07b-40aa-8d84-5718fd4a53b0.

[11] SIGMA Monitoring Report for Serbia, 2017, p.20, available at:

http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf.

[12] PAR Implementation Report for 2015-2017, p. 56, available at: http://www.mduls.gov.rs/doc/PAR_Report_2018.pdf

[13] Decision available at website of the Government: http://www.srbija.gov.rs/vesti/dokumenti_pregled.php?id=326243.

[14] Public Financial Management Reform Programme, p. 34, available at: http://www.mfin.gov.rs/UserFiles/File/dokumenti/2016/Public%20Financial%20Management%20Reform%20Program%202016-2010%20EN.PDF.

[15] SIGMA Monitoring Report for Serbia, 2017, p.18.

[16] European Commission, Serbia 2018 Report, p. 12, available at:

https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-serbia-report.pdf.

[17] Public Administration Reform Strategy, Official Gazette no. 9/2014-4, 42/2014-11 (correction), 54/2018-4, available at:

http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/reg/viewAct/f41c2b9e-0c1d-4676-bc2b-78df9b78c677.

[18] AP for 2018-2020 available at: http://www.mduls.gov.rs/doc/AP-RJU-narativni-deo-2018-2020.pdf.

[19] Activities listed under the AP measure 5.1 - Improvement of conditions for participation of interested public in the work of public administration with increased availability of information on the work of public administration and

making it easier for external stakeholders to access them (although only on the English version of the website, whereas the Serbian version is practically empty).[20] It started producing more citizen-friendly reports on PAR Strategy implementation, including a summary of achievements and an aggregate overview with visually enhanced data presentation.[21]

Furthermore, the Government adopted the PFM RP in November 2015, with the accompanying AP for the whole period of implementation.[22] The PFM RP, expectedly, focuses on the management of the entire system of public finances in a comprehensive manner, detailing reform measures and activities within the main pillars of the PFM.[23] The PFM RP provides a detailed overview of the process of developing and consulting the draft.[24] It was extensively consulted with the international stakeholders including SIGMA, the EC, the World Bank, the International Monetary Fund (IMF), and the Delegation of the EU to Serbia. According to the text of the PFM RP, the draft was presented and discussed with the civil society through the National Convention on the EU (NCEU), albeit with no factual details on the quality of consultations.[25] Similar to MPALSG, the MoF uploads all reports on implementing the PFM RP at a single website location.[26] The draft report for the two-year implementation of the PFM RP is published, annotating that revisions to the RP and its AP are expected in 2018.[27] In addition, the MoF has initiated the PFM Policy Dialogue for the reviewing progress, mainly through the discussion on draft implementation reports. Two such dialogues have been held to date, in June 2017 and in April 2018.

The Government adopted the Strategy for Regulatory Reform and Improvement of the Policy Management System, with an AP, in January 2016.[28] The goal of this five-year strategic document is to establish an efficient and effective policy management and legislative system based on evidence and other principles of good regulatory practice.[29] To that end, a specific objective of strengthening the role of citizens and businesses in policy and legislation making, and in improving the quality of administrative procedures, is envisaged. The Public Policy Secretariat, in charge of the Strategy development, organised several public consultation events at the time of its development, but the adoption of the AP for the period 2018-2020 is still pending.

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public finances, p. 28 of the AP. The expired AP contains the same measure, but with different activities for the envisaged period of the first AP implementation. Available at: http://www.mduls.gov.rs/english/reforma-javne-uprave.php.

[20] Under the side-banner Public Administration Reform: http://www.mduls.gov.rs/reforma-javne-uprave.php.

[21] PAR Strategy Implementation report for 2015-2017, available at:
http://www.mduls.gov.rs/doc/PAR%20Report_eng_mar2018.pdf.

[22] Public Finance Management Reform Programme 2016-2020, available at:
http://www.mfin.gov.rs/pages/article.php?&id=12054&change_lang=ls.

[23] The main pillars of the PFM RP include a mid-term macro-fiscal and budgetary framework, the planning of budget expenditures, budget execution, public internal financial control, accounting and financial reporting, and external oversight over public finances.

[24] Public Finance Management Reform Programme, p. 44.

[25] NCEU Working groups for Chapter 5 - Public Procurement, Chapter 22 - Regional policy and coordination of structural instruments, and Chapter 32 - Financial Control of the EU accession negotiation process. The NCEU is "a permanent body for thematically structured debate on Serbian accession into the European Union, between representatives of the governmental bodies, political parties, NGOs, experts, syndicates, private sector and representatives of professional organizations." See at: http://eukonvent.org/eng/.

[26] Under the side-banner Public Finance Management Reform: http://www.mfin.gov.rs/pages/article.php?id=10756.

[27] The new AP is planned to cover the period from 2019 to 2021.

[28] Strategy for Regulatory Reform and Improvement of the Policy Management System, Official Gazette no. 8/2016-9, available at: http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/reg/viewAct/0ccc4117-e878-433e-bced-c47486a63045.

[29] Strategy for Regulatory Reform and Improvement of Policy Management System, Section III - Strategy Goals, p. 28.

Lastly, the E-Government Development Strategy, adopted in December 2015, contains the AP for the first two years of implementation (2015 and 2016). Presently, no official AP exists that would cover the remaining timeframe of this Strategy, although the implementation period is soon coming to an end.[30] Expectedly, this Strategy has a strong orientation towards citizens, and service users in Serbia generally, and proclaims the increase in user satisfaction with e-services and a lessening of the administrative burden for citizens and business as its Strategy goals.[31] Nevertheless, inadequate planning, i.e. failure to adopt a new AP on time, together with a very modest implementation rate, leaves reform efforts for the most part unattended.[32]

II.2 What does WeBER monitor and how?

The monitoring of the Strategic Framework of Public Administration Reform is based on three SIGMA Principles in this area focusing on the existence of an effective PAR agenda, the implementation and monitoring of PAR, but also on the existence of PAR management and coordination structures at the political and administrative level.

> **Principle 1:** The government has developed and enacted an effective public administration reform agenda that addresses key challenges;
>
> **Principle 2:** Public administration reform is purposefully implemented; reform outcome targets are set and regularly monitored;
>
> **Principle 4:** Public administration reform has robust and functioning management co-ordination structures at both the political and administrative levels to steer the reform design and implementation process.

Selected Principles are assessed entirely from the view of the quality of involvement of civil society and the public in the processes of development of PAR strategic documents, and participation in the monitoring and coordination structures that should ensure their purposeful implementation. A focus on inclusiveness and participation aims to determine the extent to which relevant stakeholders' needs and views are consulted and taken into consideration when developing and implementing the reform agenda.

For this purpose, two WeBER indicators are developed. The first one focuses on the existence and quality of the consultation process in the development of key PAR strategic documents. A sample of up to six key PAR strategic documents is determined in each Western Balkan administration based on the strategic framework in place. The most comprehensive PAR documents (PAR Strategy or similar), and PFM reform documents are selected as mandatory sample units, whereas selection of other strategic documents covering the remaining PAR areas is dependent on the PAR agenda currently in place. Monitoring is performed by combining data sources to ensure the reliability of results, including qualitative analysis of strategic documents, their action plans, and official data that is publicly available or obtained from the PAR responsible institutions. Moreover, analysis of documents was corroborated with results of the semi-structured interviews with representatives of the PAR responsible institutions, and a focus group with civil society representatives who participated in the consultation process.

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[30] E-Government Development Strategy, Official Gazette no. 55/05, 71/05 – correction, 101/07, 65/08, 16/11, 68/12 – УС, 72/12, 7/14 – УС and 44/14), available at:

http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/reg/viewAct/52e59c72-5205-49f0-8e65-d9269122fdc5.

[31] E-government Development Strategy, Section 5 - Strategy Goals, p. 16.

[32] 58% for 2015, and only 34% for 2016. See SIGMA Monitoring Report for Serbia, p. 15. Available at:

http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf.

For Serbia, therefore, the analysis under this indicator included:

• PAR Strategy Action Plan 2018-2020

• Public Finance Management Reform Programme

• E-government Development Strategy, and

• Strategy for Regulatory Reform and Improvement of Policy Management System.

The monitoring of participation of civil society in PAR implementation (i.e. PAR coordination and monitoring structures) considered only the most comprehensive PAR strategic document under implementation as a unit of analysis. The intention of this approach was to determine whether efforts exist to better facilitate monitoring and coordination structures of the whole PAR agenda. As for the first indicator, the review and qualitative assessment of official documents pertaining to the organisation and functioning of these structures was performed, and other data sources used to corroborate the findings.

II.3 WeBER monitoring results

Principle 1: The government has developed and enacted an effective public administration reform agenda that addresses key challenges

WeBER indicator SFPAR P1 I1: Use of participatory approaches in the development
of key strategic PAR documents

Indicator elements	Scores
Consultations with civil society are conducted when the documents are developed	2/4
Consultations with civil society are conducted in an early phase of the development of the documents	2/4
Invitations to civil society to participate in the consultations are open	2/4
Responsible government bodies are proactive in ensuring that a wide range of external stakeholders become involved in the process	0/2
Civil society is provided complete information for preparation for consultations	2/4
Comments and inputs received in the consultation process are considered by responsible government bodies	0/4
Responsible government bodies publicly provide feedback on the treatment of received comments	0/2
Responsible government bodies engage in open dialogue with civil society on contested questions	1/2
Consultations in the development of strategic PAR documents are open to the public	2/4
Total Score	**11/30**
Indicator Value (scale 0 – 5)[33]	**2**

Consultations with civil society are not always conducted at the time of development of strategic documents, i.e. before their formal adoption. In case of three out of four sample strategic documents, some extent of consultations with civil society at the time of developing these documents is reported either by official documentation or by participants in these processes. However, variation in practices of responsible institutions, and absence of keeping detailed written trails on consultations, affect the possibility for making a more positive assessment.

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[33] Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points =3; 21-25 points = 4; 26-30 points = 5.

- **Action Plan for the Implementation of the Strategy on Public Administration Reform**

Above all, consultations for the PAR Strategy AP 2018-2020 are assessed as satisfactory in terms of the depth of the process. Civil society has been consulted through two channels: 1) participation in formal working (sub)group(s) for AP development and 2) e-mail commenting on the Draft AP. Also, CSOs had enough time to contribute and besides its own website, MPALSG made sure to announce that the draft is available for commenting through the portal of the Office for Cooperation with Civil Society.[34]

The announcement was proactively disseminated through the mailing list of the Office as well,[35] which was confirmed by participating CSOs.[36] It is also noteworthy that consultations started at a very early phase of development.[37] As noted above, a special working group (WG) tasked to develop the PAR AP 2018-2020 included twelve CSO members, who were able to contribute from the very beginning of the drafting process.[38] CSO members in the working group commended the practice of including all who applied for membership and especially for extending membership to local organisations.[39]

Invitations to participate in the WG were openly and broadly published,[40] and member CSOs revealed they could see the open calls through different web platforms – the websites of MPALSG, the Office for Cooperation with Civil Society and its Facebook page,[41] while some received the call through emails.[42] The application for the WG was organised in a way so that each applicant could indicate a preferential sub-group for participation, groups which were divided according to five specific objectives of the PAR Strategy. No evidence was found, however, that the MPALSG made proactive efforts to ensure diversity of interest representation in the WG by inviting business associations, trade unions, CSOs focusing on gender equality, or those dealing with people with disabilities.[43] MPALSG explained that they did not consider these groups as key stakeholders for drafting the PAR AP.[44] Nevertheless, through the regular application process one business association applied and was admitted into the WG.[45]

The MPALSG demonstrated a willingness to engage in dialogue on contested issues that emerged during the process. Namely, at first MPALSG published the decision to select seven CSOs to participate in the WG.[46] After reviewing a complaint of an applicant that no CSO outside

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[34] Available at: https://bit.ly/2ChHBWt, and https://bit.ly/2Iungok.

[35] Available at: https://mailchi.mp/c7d8c2107fe1/ysem8ks1uf-1382553?e=949980ea53.

[36] Focus group with civil society organisations, held on 13 June 2018 in Belgrade.

[37] An early phase is defined as the phase of scoping PAR-related agenda, problem identification, or the formulation phase (determining the directions of the PAR strategic document), and before a draft document has been developed or published.

[38] See the final Decision on Establishing the Working Group for PAR Strategy AP 2018-2020, with the list of CSOs. Available at: http://civilnodrustvo.gov.rs/vest/kona%C4%8Dna-odluka-o-izboru-%C4%8Dlanova-radne-grupe-za-izradu-akcionog-plana-strategije-reforme-javne-uprave-iz-reda-ocd.37.html?newsId=814.

[39] Focus group with civil society organisations, held on 13 June 2018 in Belgrade.

[40] See call for applications for membership in the working group, published in April 2017, available at: http://civilnodrustvo.gov.rs/poziv.39.html?invitationId=392.

[41] https://www.facebook.com/vladaOCDrs/.

[42] Focus group with civil society organisations, held on 13 June 2018 in Belgrade.

[43] Confirmed in the interview with the executorial level civil servant, held on 18 May 2018 in Belgrade.

[44] Interview with the executorial level civil servant, held on 18 May 2018 in Belgrade.

[45] Association of Accountants and Auditors of Serbia. See the final Decision on Establishing the Working Group for PAR Strategy AP 2018-2020, with the list of CSOs.

[46] Initial Decision on the selection of CSOs is available at: https://bit.ly/2mfPx5b.

of the capital city was selected, contrary to the decentralisation principle, the decision on WG membership was altered to include all CSOs that initially applied.[47]

In the course of the preparation of the AP, MPALSG provided timely and complete information, enabling civil society to be well-informed in advance of scheduled consultation events (both for WG meetings and online consultations). WG members agree that invitations for individual meetings contained sufficient information for a proper preparation. However, for CSOs outside of the capital, meetings were initially organised at unsuitable times and led to higher costs of participation as a side-effect (e.g. for accommodation or travel).[48] Also, focus group participants reported that the topic of the meeting and the quantity of documents submitted affected the possibility for proper preparations.[49]

Furthermore, having twelve CSOs as formal members of the WG implies their equal rights to contribute to its work and to have their proposals considered. Nevertheless, meeting minutes exist only for the introductory, plenary meeting of the WG, whilst for the subsequent sub-groups' meetings no official minutes were kept.[50] Review of the plenary meeting minutes shows there was no actual discussion beyond introduction to the WG work. Still, CSO members confirmed the overall positive communication and consideration of their proposals. Consideration of comments and other proposals, however, at times depended on decisions of the respective subgroup's chair and some comments submitted in writing received no replies at all.[51]

Finally, consultations in the development of the Draft PAR AP were also opened to the wider public. A call to participate in public consultations was published online at the MPALSG website "with the aim of collecting comments and suggestions from the wider public", and it contained the draft AP and information on the channels for submitting comments and inputs and contact information.[52] And yet, for online consultations on the Draft AP, which took place between the 12th and 28th February 2018, an official consultation report was not published.[53]

• **E-Government Development Strategy**

Consultations for the E-Government Development Strategy were openly announced. The invitation contained all necessary information, and the representation of business associations was ensured. However, there was no proactive invitation, and consultation reports were not publicly available at the time of monitoring.

The consultation process lasted for 15 days during October 2014.[54] At the time of monitoring, the invitation to consultations could not be found online (on the websites of the Office for Information Technologies and E-Government, the Office for Cooperation with Civil Society or the archive of the former responsible body - the E-Government Directorate).[55] Furthermore,

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[47] The final decision on the selection of CSOs with reasoning provided is available at: https://bit.ly/2rsIDNv. Except for this case, CSO representatives confirmed that in the focus group there were no exceptionally contested questions within the WG.

[48] Focus group with civil society organisations, held on 13 June 2018 in Belgrade.

[49] Focus group with civil society organisations, held on 13 June 2018 in Belgrade.

[50] Interview with the executorial level civil servant, held on 18 May 2018 in Belgrade.

[51] Focus group with civil society organisations, held on 13 June 2018 in Belgrade.

[52] Available at: https://bit.ly/2ChHBWt.

[53] According to the interview with the executorial level civil servant, held on 18 May 2018 in Belgrade, no substantial comments were submitted to be considered for preparation of the consultation report.

[54] Based on the official report from the consultation process, not available online.

[55] See at: http://www.ite.gov.rs/arhiva.php. E-government Directorate, the agency subordinated to the MPALSG, was designated authority for drafting the E-government Development Strategy. After the formation of the new Government in 2017,

there is no evidence of any proactive invitation of the responsible authority to the CSOs. The only publicly available evidence on holding the consultations was found at the E-Government Portal.[56] The invitation was for CSOs as well as the wider interested public, and public events were organised to discuss the draft with the stakeholders in Belgrade, Niš, Novi Sad, and Zrenjanin (in December 2014). Official reports from these events, although not publicly available, indicate the participation of CSOs who made comments on the Strategy proposal.[57]

Based on the available documentation, there is no visible distinction between the different stages of the consultative process, i.e. the ongoing consultations in the development of the strategy and the formal public debate procedure at the end of the drafting and before formal adoption by the government. Still, a member of the Serbian Chamber of Commerce and a university representative were included in the WG on the Strategy development,[58] though the latter was not formally a member. Based on the interview, other CSO representatives participated in WG meetings, albeit as observers.[59] Whereas involvement of the Serbian Chamber of Commerce did ensure representation of the business community, other specific groups of stakeholders (gender or disability groups) were not involved.

The call for the public debate published at the E-government website provided all the necessary elements: the draft Strategy, information on the duration of the process and on the manner for submitting comments (through the commenting section at the Portal).[60] In addition, the official report contains individual comments received at consultative meetings in Niš, Novi Sad and Zrenjanin, with individual senders stated, as well as answers to each comment, although it does not does include comments received online through the E-Government portal.[61] The same official report on consultations does not include any information on follow-up discussions, and it was confirmed in the interview there were no contested issues with civil society. In addition, the e-Government Directorate kept a datasheet with listed comments received in consultations, including fields for senders, dates, how the comment was received, official responses, and the status of comments (accepted, partially accepted, or rejected), but it was only partially filled in and rather than being published, it is kept as an internal working document.

- **Public Finance Management Reform Programme**

Although the text of the PFM RP contains a positive assessment of the consultative process with civil society, held via the NCEU platform, the available documents and other evidence do not support an assessment that the consultation was sufficiently open, inclusive, held early, or that feedback was given.

The PFM RP devotes a detailed section to the process of developing and consulting on the draft AP. More specifically, the document states that civil society was consulted in October 2015

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the Directorate ceased to exist, and the Government Office for Information Technologies and E-Government was established assuming part of the competences once belonging to the Directorate. For these reasons, pieces of data and information could be lost (which is also confirmed during the field research) with potential influence on the assessment for this Strategy.

[56] Available at: https://bit.ly/2IrtVPL.

[57] Official reports from consultations held in Belgrade, Niš, Novi Sad, and Zrenjanin, in December 2014. Consultation report from Belgrade event is the only one indicating names and organisations of participants who commented. Therefore, the overall number cannot be determined.

[58] Member of the Serbian Chamber of Commerce. From the Decision on the establishment of WG for the Strategy Development from November 2014.

[59] Interview with executorial level civil servant, formerly working in the E-Government Directorate, held on 24 May 2018 in Belgrade.

[60] See at: http://javnerasprave.euprava.gov.rs/javna-rasprava/18.

[61] Interview with executorial level civil servant, formerly working in the E-Government Directorate, held on 24 May 2018 in Belgrade.

within the framework of the NCEU platform of civil society organisations,[62] and that NCEU working groups "appraised the Program as good and were particularly interested in the PIFC issues, monitoring the implementation of the Program and the possibilities of capacity building at the local level for dealing with PFM issues."[63] In addition, based on the text of the PFM RP "CSOs are of the opinion that the PFM Reform Program represents a sound framework for implementing the PFM reforms, and the Ministry of Finance was commended for its efforts in initiating the consultation process with the civil sector[...]."[64]

Despite this highly positive assessment of consultations in the text of the PFM RP, step-by-step monitoring returned no evidence that would signify consultations were fully based on a participatory approach. In other words, analysis of available documents and information do not demonstrate that there were at least 15 days of consultative process or an open invitation for contributions, neither through the Office for Cooperation with Civil Society,[65] nor at the E-government Portal.[66] The registration form of the PFM WG meeting held in September 2015, received by the MoF, does not list any CSO representative.

Moreover, based on data provided by the MoF, presentation of the Draft PFM RP took place in October 2015 on the occasion of the NCEU working groups.[67] It states that "conclusions from the meetings were taken into account when the Program was adopted",[68] making it impossible to assess whether comments were actually considered and in what way, and whether feedback was provided. For the reasons stated, it is assessed that neither were the consultations held in an early drafting phase nor was there a proactive engagement to ensure the diversity of civil society's interests. Lastly, there is no evidence that there was an open invitation for the wider public to contribute to the draft PFM RP.

- **Strategy of Regulatory Reform and Improvement of the Policy Management System**

Although open to all interested stakeholders and proactively announced, consultations were organised on the draft text of the Strategy at the end of the development process, and the invitation did not target specific groups of stakeholders.

The PPS website informs that, at the time of developing the Strategy of Regulatory Reform and Improvement of the Policy Management System, detailed analyses were performed and that cooperation was achieved with relevant public administration bodies, businesses, international organisations and civil society.[69]

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[62] NCEU working groups monitoring accession negotiations of Serbia for Chapters 5 - Public Procurement, 22 - Regional Policy and Coordination of Structural Mechanisms, and 32 - Financial Control.

[63] Public Finance Management Reform Programme, p. 46.

[64] Public Finance Management Reform Programme, p. 46.

[65] The webpage of the Office contains open calls for two PFM Policy Dialogues. However, this was not relevant for the analysis in this case, since these dialogues pertain to the already adopted PFM Reform Programme and served the purpose of drafting and presenting reports on PFM RP implementation. Available at: https://bit.ly/2vGI7zp, and https://bit.ly/2Llap5w.

[66] Meeting minutes of the IPA Collegium held on 25 December 2015 state that "The adopted PFM was the result of two months of work with the sectors and administrations of the MoF as well as other stakeholders - the State Audit Institution (DRI), the Ministry of Public Administration and Local Self-Government (MDULS) and the RSPP".

[67] A news article on consulting NCEU working groups is available at the NCEU website: https://bit.ly/2LvvgUI and also in "Blic" daily: https://www.blic.rs/vesti/svet/konvent-o-eu-dobar-nacrt-programa-reforme-javnih-finansija/c47vd9b.

[68] E-mail correspondence with the MoF.

[69] See at: http://rsjp.gov.rs/reforma/.

The mechanism used during the Strategy drafting for consultations with civil society and the wider public alike was a formal public debate held towards the end of the Strategy development, meaning that no early consultations took place. Held in October 2015, consultations were open and disseminated through the website of the PPS,[70] the Office for Cooperation with Civil Society,[71] and the E-government portal,[72] together with downloadable draft documents. In addition, it was proactively published on the Facebook page of the Office for Cooperation with Civil Society,[73] and additional stakeholders were also personally invited.[74] Four round tables to collect comments and suggestions from the stakeholders (CSOs, businesses, public authorities) were organised in Belgrade within the consultation period. Yet, the available invitation and official consultation reports did not specifically target business associations, trade unions, or organisations focusing on gender equality or people with disabilities.[75]

The official report on consultations includes comments and suggestions received during the consultations process, but also clear reference to their status (whether they were considered, accepted or rejected) with justifications. However, references to contributors are missing, and comments are outlined in a rather synthesised manner, making it unclear whether the report is comprehensive and if it includes all comments received and through all channels. Although this report is currently inaccessible online due to redesigning of the PPS website, it was available online at the time of monitoring. The fact that consultations were conducted in the form of official public debate, observing procedurally legally prescribed requirements,[76] means it was open to all external stakeholders. Lastly, the official consultation report does not include any information on follow-up discussions on contested issues that potentially occurred during the process.

How does Serbia do in regional terms?

Indicator SFPAR P1 I1: Use of participatory approaches in the development of key strategic PAR documents

ALB	BIH	KS	MKD	MNE	SER
2	1	1	2	3	2
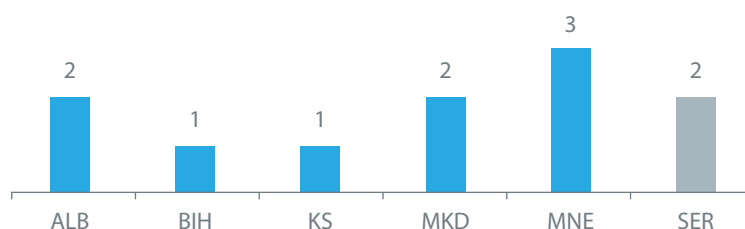
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

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[70] Available at: https://bit.ly/2OyTNJ5.

[71] Available at: https://bit.ly/2w2I7Xe.

[72] Available at: https://bit.ly/2KPGN0G.

[73] Available at: https://bit.ly/2w9LD23.

[74] E-mail correspondence with the PPS.

[75] The participants' list for one of the round tables organised on 12 October 2015 includes business associations.

[76] Pursuant to Article 41 of the Rules of Procedure of the Government. The public debate begins with the publishing of an invitation to participate, together with the public debate program on the websites of the proposers and the E-Government portal. The public call contains information on education and the composition of the working group that prepared the draft or proposed act which is the subject of public debate. The programme of public debate includes the draft or proposed act, the deadline for public debate, important information about the activities that are planned as part of the public debate (roundtables, forums, address and time their maintenance, etc.), the method of submitting proposals, suggestions, comments and initiatives, as well as other data relevant to its implementation. Based on the same Article, the deadline for commenting in writing or electronically is at least 15 days from the date of publication of the call. The debate itself lasts at least 20 days.

> **Principle 2:** Public administration reform is purposefully implemented; reform outcome targets are set and regularly monitored;
>
> **Principle 4:** PAR has robust and functioning management co-ordination structures at both the political and administrative levels to steer the reform design and implementation process

WeBER indicator SFPAR P2_4 I1: Civil society involvement in the PAR monitoring and coordination structures

Indicator elements	Scores
Administrative structures for PAR coordination and monitoring foresee an involvement of CSOs	2/2
Political level structures for PAR coordination foresee an involvement of CSOs	0/2
Format of CSO involvement in administrative structures for PAR coordination and monitoring	4/4
Format of CSO involvement in political structures for PAR coordination and monitoring	0/4
Involvement of CSOs is achieved based on an open competitive process	0/4
Meetings of the PAR coordination and monitoring structures are held regularly with CSO involvement	0/4
The format of meetings allows for discussion, contribution and feedback from CSOs	2/4
CSOs get consulted on the specific measures of PAR financing	0/2
Total Score	**8/26**
Indicator value (scale 0 – 5)[77]	**1**

Civil society representatives participate in the administrative level PAR coordination and monitoring structures - IMPG. The text of the PAR Strategy itself does not foresee involvement of CSOs in any PAR coordination and monitoring structure, and for the IMPG membership it firstly specified only secretaries of ministries and, with the 2018 amendments, also assistant ministers with PAR related scope of competences.[78] Nevertheless, participation of civil society representatives in the IMPG is stipulated by the Decision on establishing this group. Membership numbers ten representatives from five CSOs (a member and deputy member for each CSO).[79] Review of other available working and reporting documents also confirms CSOs are envisaged as IMPG members and that they participated in the work of this coordination body in practice.[80]

According to the Rules of Procedure (RoP) of the IMPG, when the group discusses issues from the purview of respective public administration bodies, only the attendance of members of those bodies is foreseen, as well as of those CSOs whose activities relate to issues on the respective IMPG meeting agenda.[81] However, there is no distinction between CSOs and other IMPG members in any of the official documents on establishing and regulating the IMPG work, and the same membership rights apply to all.[82]

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[77] Conversion of points: 0-5 points = 0; 6-9 points = 1; 10-13 points = 2; 14-17 points =3; 18-21 points = 4; 22-26 points = 5.

[78] Public Administration Reform Strategy in Serbia, p.55., and Decision on amending the PAR Strategy, p. 2.

[79] Decision on Establishing the IMPG from February 2015, and Amendments to the Decision from August 2015 enlists the IMPG members including two representatives of the European Movement in Serbia, the European Project Centre, the European Policy Centre, the Belgrade Open School, and the Belgrade Fund for Political Excellence. Representatives of the Standing Town of Cities and Municipalities are also listed as members of the IMPG.

[80] The Rules of Procedure of the IMPG, PAR Strategy AP Implementation Reports, MPG meeting mutes.

[81] The Rules of Procedure of the IMPG, Article 2, paragraph 3.

[82] For example, CSO members can propose items on the IMPG agenda. The Rules of Procedure of the IMPG, Article 8, paragraph 2.

The approach of the MPALSG to CSO involvement in the IMPG was rather pragmatic than based on a fully open and competitive process. From the analysis of official documents, one can learn that the Ministry sent invitations to participate in the IMPG to five CSOs of the leading consortium of the Sectorial Civil Society Organisations for the PAR sector (SECO PAR), part of an already established cooperation mechanism of civil society and public authorities on the programming of EU and other donor funds.[83] To that end, although transfer of SECO PAR membership to the IMPG can be justified with greater efficiency and synergies between existing mechanisms of cooperation and dialogue, the assessment is that the selection process was not organised competitively and was not open to all interested CSOs (without major restriction for applying except for the basic requirements).

Furthermore, the IMPG has met five times since its establishment in 2015. Review of the official proceedings from the IMPG sessions reveals that the first four meetings were held at least once in every six months.[84] However, there is a one-year gap between the last two meetings, and then the IMPG has not met again since May 2017, indicating an irregular practice of convening the IMPG, which questions its effectiveness in coordinating PAR, but also the ability of the CSOs to exercise real influence in the policy. The IMPG RoP, however, indicates scheduling of sessions at least quarterly with possibility of scheduling additional ones based on the PAR coordination and monitoring needs.[85] In this regard, irregularity will persist even if flexible RoP provisions are considered. IMPG members from civil society confirm the infrequency in holding its sessions.[86]

On a more positive note, being on an equal footing with the counterparts from the administration bodies means that CSOs can provide a real contribution since the format of meetings allows for discussion and feedback. The documentation review (agendas and minutes of the IMPG sessions) confirms the attendance of CSOs and the availability of timeslots for discussion, although the extent of CSO engagement in each IMPG meeting is not high. That is, out of all CSO participations in five IMPG sessions held to date, official minutes of the IMPG sessions indicate that only in one case did CSO representatives engage in discussions. Although information from the official meeting reports provides little evidence of contribution and feedback from CSOs, the focus group confirmed that opportunities for providing meaningful contribution from the CSO side exist, although the participants emphasised again the problem of irregularly held meetings.[87]

Finally, little evidence was found that CSOs were consulted on the questions of PAR financing within the IMPG. Out of the five sessions, questions of external PAR funding were discussed on two occasions - the World Bank loan and the Sectoral Budget Support (SBS) of the EU. Nevertheless, consultations on financing are regularly held through the SECO PAR mechanism (which includes civil society representatives who are members of the IMPG), pertaining to IPA and other external international assistance to Serbia for PAR.[88]

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[83] From the Letter to the IMPG members announcing the first session. The letter is addressed to the ministries, special organisations, government services and SECO PAR organisations indicating that there was not an open selection process but that the consortium members within SECO for PAR had been invited to participate. See more on SECO at:
http://www.sekomehanizam.org/index.asp?language=en-us.

[84] On 29 June, 7 October, 15 December, 2015, and on 4 April 2016. The last meeting was held on 10 May, 2017. See also PAR Strategy AP Implementation Report for 2015-2017, p. 55.

[85] The Rules of Procedure of the IMPG, Article 6, paragraph 1.

[86] Focus group with civil society organisations, held on 13 June 2018 in Belgrade.

[87] Focus group with civil society organisations, held on 13 June 2018 in Belgrade. Focus group participants included CSOs who are members of the IMPG.

[88] Focus group with civil society organisations, held on 13 June 2018 in Belgrade.

Contrary to the administrative level, the political level structures do not provide for any civil society involvement, either through the official documents on the establishing and functioning of the PAR Council and the College State Secretaries, or through their actual work in practice.[89] In fact, very little information about the meetings of these structures can be found online: except for the short news articles on the website of the MPALSG, no further information has been released to the public.

How does Serbia do in regional terms?

Indicator SFPAR P2_P4 I1: Civil society involvement in the PAR monitoring and coordination structures
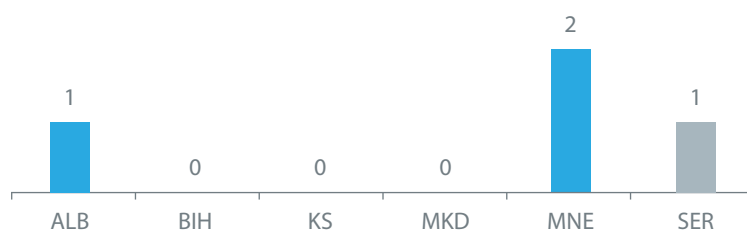
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

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[89] As noted previously, PAR strategy does not stipulate CSO involvement in political structures, nor does the Decision on establishing the PAR Council.

II.4 Summary results: Strategic Framework of PAR

In Serbia, civil society is insufficiently consulted during the development of PAR strategic documents. CSO participation is ensured either through public consultations, formal public debates or both. Availability and reliability of information on all critical aspects of consultation processes is often deficient, as information is often left incomplete, or authorities do not publish all the information online. Out of the four strategic documents analysed, only in the case of the PAR Strategy Action Plan (AP) and the E-Government Development Strategy is there indisputable evidence of early involvement of CSOs in the development process. The Ministry of Public Administration and Local Self-Government (MPALSG), the institution in charge of the PAR Strategy, has shown a commitment to deal with the contested questions through dialogue and communication with CSOs.

The Draft PFM Reform Programme (PFM RP) was presented to civil society organisations in the framework of the National Convention to the EU (NCEU), but there is no straightforward evidence regarding consultation proceedings in the course of the RP development. Official public debate held for the Strategy for Regulatory Reform and the Improvement of Policy Management System did allow for involvement of CSOs through a properly conducted official public debate procedure, but not in the early phase of the Strategy drafting.

In addition, there is a lack of proactivity among all responsible institutions to ensure that a wider range of external stakeholders becomes involved in consultations, and only in the case of one strategic document (Strategy for Regulatory Reform) was consultation feedback published online. The wider public was invited to participate in consultations for all strategic documents analysed, except for the PFM RP.

Furthermore, PAR monitoring and coordination structures envisage civil society representation at the administrative level, through membership in the Inter-Ministerial Project Group (IMPG). Although CSO representatives have full membership rights, they were not selected based on a procedure open to all interested civil society stakeholders. As formal IMPG members, CSOs are formally invited to each meeting of this group, however the group has met infrequently since its establishment, the last meeting having taken place in May 2017. Member CSOs confirm that the format of the IMPG meetings allows for discussion and meaningful contribution to the work of this Group, but except for the SECO PAR mechanism that involves civil society in consultations on external funding, no evidence was found of consulting CSOs on either the external or domestic measures of PAR financing in Serbia.

II.5 Recommendations for the Strategic Framework of PAR

Public authorities in Serbia showcase different approaches when consulting CSOs on the strategic documents they develop. Although there are examples of good practice, such as the MPALSG led consultations on the PAR Strategy Action Plan, the consultation processes can be better organised overall.

1) Institutions should organise consultations with CSOs as early as possible in the development process of documents. Although modalities of early involvement of external stakeholders can differ - from consultation meetings or similar events, participation in working groups, or even online consultative forums – early consultations should serve to gather substantive inputs before the final drafts, and *before the main policy directions are decided upon.*

2) Consultations need to be broadly advertised, and all interested CSOs need to have a chance to participate. For the former, announcements posted at least on one's own website, the E-government portal, the Office for Cooperation with Civil Society, and available social media channels (of the responsible body if applicable and of the Office) should become a universally applied standard. For the latter, restrictions to participate in consultations, if any, should be limited to only basic criteria and CSOs from local communities need to be included as much as possible.

3) Reports on consultation results should be produced as a rule and should be made public, clearly addressing all received inputs. To make full use of public consultation reports and increase trust in the process, it is recommended to address each comment individually, explaining the reasons behind accepting or rejecting it. Although addressing groups of comments/inputs can be justified in certain cases, vague statements that do not clearly explain how a comment has been integrated into the adopted solutions or why it has been rejected, need to be avoided.

4) Proactively addressing a diverse group of stakeholders representing various interests relevant for the PAR policy should become a regular practice. That is, all consultations should include invitations to organisations that focus on specific issues which should be treated as cross-cutting questions in this policy, especially those representing persons with disabilities, gender equality and anti-discrimination issues and the business community.

Civil society in Serbia is represented in the administrative PAR monitoring and coordination structure - the Inter-Ministerial Project Group (IMPG), for the two consecutive Action Plans for the PAR Strategy implementation. With the brand new IMPG established, with increased CSO membership, findings on the operation of the previous group (for the AP 2015-217) give ground for enhancing the CSO role in the future.

5) The MPALSG should ensure that CSO contributions are meaningfully considered at both levels within the overall decision-making of the monitoring and coordination structure. Given that CSO involvement is limited to the administrative level, it is of utmost importance that their concerns and proposals are properly communicated to the political level body - the PAR Council, which holds the ultimate decision-making power in steering PAR.

6) Currently, civil society is not represented in the PAR Council, and introduction of a liaison representative, from among the CSO members of the IMPG, to facilitate closer ties with the PAR Council should be considered as a viable option for ensuring that CSO messages are communicated to the political level. In the mid-term, however, the MPLASG

should consider the formal membership of at least one CSO in the PAR Council, and all IMPG members should have an opportunity to participate in proposing and choosing a representative as a way to increase trust and transparency and to reduce discretion.

7) MPALSG should place greater focus on the concrete issues and problems deriving from the current PAR implementation and from the PAR AP calendar. Instead of, or in parallel to, presenting the whole PAR monitoring report, attention should be devoted to the most pressing issues and the most problematic areas, particularly those related to citizen-facing aspects of administration: openness, transparency, responsiveness of administration and external accountability.

8) Finally, it is important to ensure the consistency of the IMPG calendar, with at least one meeting every six months, and ideally one meeting every three months (as stipulated by the IMPG RoP). Having in mind the schedule provided in the RoP, failure to hold a regular meeting should be preceded by a written notice to *all* members stating the reasons and the measures to manage backlog.

III. POLICY DEVELOPMENT AND COORDINATION

WeBER indicators used in Policy Development and Coordination and country values for Serbia

PDC_P5_I1: Public availability of information on Government performance

| **0** | 1 | 2 | 3 | 4 | 5 |

PDC_P5_I2: Civil society perception of the Government's pursuit and achievement of its planned objectives

| **0** | 1 | 2 | 3 | 4 | 5 |

PDC_P6_I1: Transparency of the Government's decision-making

| 0 | **1** | 2 | 3 | 4 | 5 |

PDC_P10_I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development

| 0 | **1** | 2 | 3 | 4 | 5 |

PDC_P11_I1: Civil society perception of inclusiveness and openness of policymaking

| **0** | 1 | 2 | 3 | 4 | 5 |

PDC_P12_I1: Perception of availability and accessibility of legislation and related explanatory materials by the civil society

| 0 | 1 | 2 | **3** | 4 | 5 |

III.1 State of play in Policy Development and Coordination

As part of the PAR agenda, the Government adopted the Strategy of Regulatory Reform and Improvement of Policy Management System in January 2016 for the five-year period, with the AP covering 2016 and 2017. With the overall goal to establish an efficient and effective policy management and legislative process based on evidence,[90] this Strategy is further operationalised through four specific objectives. However, "implementation of this Strategy has not yet produced any substantial change in the system."[91] Moreover, adoption of a new AP for 2018-2020 is yet expected, and the report on previous AP implementation is not available from the website of the Public Policy Secretariat (PPS), the centre-of-government institution in charge of the development and oversight of this strategy.

In addition, the newly adopted AP for the PAR Strategy envisages a specific measure and four activities for the improvement of the policy management system.[92] Based on the two-year PAR AP implementation report, the results achieved to date include adoption of the Strategy of Regulatory Reform and the AP; completion of an inventory of administrative procedures and

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[90] Available at:

http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/reg/viewAct/0ccc4117-e878-433e-bced-c47486a63045.

[91] SIGMA 2017 Monitoring Report for Serbia, p. 22, available at:

http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf.

[92] Objective 1, Measure 1.3, of the PAR Strategy AP for 2018-2020.

other requirements for the operation of businesses; piloting of the Action Plan for the Implementation of the Government Programme (APIGP) and establishing a coordinating body chaired by the Prime Minister to implement APIGP.[93]

In April 2018, after three years of consultation and as a key element of the ongoing reform of the policy planning and policy making, the Law on the Planning System (LPS) was adopted aiming to *inter alia* regulate in detail the "policy system management and medium-term planning, the types and contents of the planning documents proposed, adopted and implemented by the planning system participants in accordance with their respective mandates, and the mutual consistency of planning documents."[94] Apart from defining specific terms such as the planning system and the concept of public policy or policy coordination, to mention only a few, LPS introduces the principle of publicity and partnership which means that "during the development and implementation of planning documents, as well as impact assessments and policy evaluation, a transparent consultation process with all stakeholders and target groups is conducted[...]."[95] For full application of the LPS, which entered into force in October 2018, two by-laws are yet to be adopted, the Regulation on Public Policy Management and the Regulation on Mid-term Planning.

Furthermore, central institutions and formal rules and procedures for policy development and coordination in Serbia are largely in place; however, policy planning and reporting suffer a few shortcomings. Currently, there are no reporting requirements for sector strategies, and reporting on central planning documents is irregular. In that sense, SIGMA assessment reveals that reports on the "NPAA [National Programme for the Adoption of the Acquis], the GAWP [Annual Work Plan of the Government], the APIGP and sector strategies are not comprehensively available."[96] In addition, available reporting practices notably lack information on performance, i.e. achievement of outcomes against performance indicators.[97]

In addition to this, the agendas of the Government sessions, managed by the General Secretariat of the Government (GSG), remain systematically unavailable to the public, decreasing the overall transparency of governmental decision-making.[98] SIGMA assesses that "information about the key decisions of the Government sessions is communicated to the public" but all types of decisions are unavailable in practice.[99]

Moreover, the basic elements for evidence-based policy development are in place, the challenge being implementation of the internal procedures and proper application of tools for evidence-based policy making in the ministries. SIGMA denotes that despite comprehensive requirements for developing regulatory impact assessments (RIA) of legislation, and regular scrutiny of RIAs by the PPS, the quality is uneven.[100] That said, the PPS regularly publishes opinions on RIAs online.[101]

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[93] PAR AP 2015-2017 Implementation Report, p. 16, available at: http://www.mduls.gov.rs/doc/PAR_Report_2018.pdf.

[94] Art. 1, Law on Planning System, Official Gazette no. 30/2018-3, available at:

http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/reg/viewAct/8d252714-1d35-419d-ab7f-bd230b962ab3.

[95] Art. 3, point 11, Law on Planning System.

[96] SIGMA 2017 Monitoring Report for Serbia, p. 22.

[97] SIGMA 2017 Monitoring Report for Serbia, p. 22.

[98] European Commission, Serbia 2018 Report, p. 9, available at:

https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-serbia-report.pdf.

[99] SIGMA 2017 Monitoring Report for Serbia, p. 41.

[100] SIGMA 2017 Monitoring Report for Serbia, p. 50.

[101] Available at: http://rsjp.gov.rs/fokus/#misljenja.

As another major development, the Law on State Administration (LSA) was amended in June 2018.[102] One of the introduced changes obliges ministries and special organizations to publish a concept note with problem description, objectives and anticipated effects of a proposal when initiating a draft law that significantly changes the legal regime in a certain area or regulates issues that are of special interest to the public. Related to this new requirement, the LPS introduces the obligation of administration bodies to conduct ex-ante impact assessments before deciding on a specific policy, but also to monitor implementation, perform ex-post impact assessments, and ultimately evaluate policy performance within their purview.[103]

Civil society and the expert community are mostly involved in policy development through the most common consultation mechanism - public debates (*javne rasprave*, in Serbian) on draft laws, regulated by the Rules of Procedure of the Government (RoP),[104] and conducted at the very end of the drafting process when the possibility for intervention into policy directions is limited. However, at the ministerial level, consultations are not systematically and consistently conducted, there is no responsibility for reviewing the process and outcomes of consultations, and the ministries do not use the E-government portal to regularly publish consultation calls despite the requirements.[105] As a way of increasing the inclusiveness of policy making and legal drafting, the previously mentioned amendments to the LSA introduce the obligation of the ministries and special organisations to inform the public through its websites and E-Government portal that they are about to start law drafting. In other words, the LSA introduces the institute of consultations that aims to ensure open and effective public participation throughout the entire process starting from the inception phase. Similarly, the LPS stipulates an obligation to conduct consultations at all stages of the policy development, including public debates before the adoption of a policy document.[106]

Finally, when it comes to public availability of legislation in Serbia, SIGMA assessment shows that legal requirements are in place as is quality control for legal texts, the downside being the absence of the official versions of consolidated law texts.[107]

III.2 What does WeBER monitor and how?

In the Policy Development and Coordination area, WeBER monitoring is performed against five SIGMA Principles:

Principle 5: Regular monitoring of the government's performance enables public scrutiny and supports the government in achieving its objectives;

Principle 6: Government decisions are prepared in a transparent manner and based on the administration's professional judgement; legal conformity of the decisions is ensured;

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

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[102] Art. 77, Law on State Administration, Official Gazette no. 79/2005, 101/2007, 95/2010, 99/2014, 30/2018 - др. закон, 47/2018 available at:

http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/reg/viewAct/8abb35ef-c4b9-499a-9220-ea98d5dcaddf.

[103] Art. 31 and 40, Law on Planning System.

[104] Art. 41, Rules of Procedure of the Government.

[105] SIGMA 2017 Monitoring Report for Serbia, p. 51.

[106] Art. 34 and 36, Law on Planning System.

[107] SIGMA 2017 Monitoring Report for Serbia, p. 55.

> **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 and allows for co-ordination of different perspectives within the government;
>
> **Principle 12:** Legislation is consistent in structure, style and language; legal drafting requirements are applied consistently across ministries; legislation is made publicly available.

Six WeBER indicators are used for the analysis. The first one measures the extent of openness and availability of information about the Government's performance to the public, through analysis of the most comprehensive websites through which the Government communicates its activities and publishes reports. Written information published by the Government relates to press releases, and online publishing of annual (or semi-annual) reports. The measurement covers a period of two annual reporting cycles, except for the press releases which are assessed for a period of one year (due to the frequency of their publishing). Other aspects of the Government performance information analysed include its understandability, usage of quantitative and qualitative information, presence of assessments/descriptions of concrete results, availability of data in open format and gender segregated data, and the online availability of reports on key whole-of-government planning documents.

The second indicator measures how civil society perceives Government's planning, monitoring and reporting on its work and objectives that it has promised to the public. To explore perceptions, a survey of civil society organisations in Western Balkan region was implemented using an online surveying platform, in the period between the second half of April and the beginning of June 2018.[108] The uniform questionnaire with 33 questions was used in all Western Balkans, ensuring an even approach in survey implementation. It was disseminated in local languages through the existing networks and platforms of civil society organisations with large contact databases but also through centralised points of contact such as governmental offices in charge for cooperation with civil society. To ensure that the survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and hence contribute to is representativeness as much as possible, additional boosting was done where needed to increase the overall response. A focus group with CSOs served the purpose of complementing the survey findings with qualitative information.

The third indicator measures the transparency of decision-making by the Government (in terms of the Council of Ministers), combining the survey data on the perceptions of civil society with the analysis of relevant governmental websites. Besides publishing information on the decisions of the Government, the website analysis considers information completeness, citizen-friendliness, timeliness, and consistency. Monitoring was done for each government session in the period of the last three months of 2017, except for timeliness which is measured for the last month and a half.

The fourth indicator measures whether government institutions invite civil society to prepare evidence-based policy documents and whether evidence produced by the CSOs is considered and used in the process of policy development. Again, the measurement combines expert analysis of official documents and a survey of civil society data. In relation to the former, the frequency of referencing CSOs' evidence-based findings is analysed for official policy and strategic documents, policy papers, and ex-ante and ex-post policy analyses and impact assessments for a sample of 3 policy areas.[109]

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[108] The survey of CSOs was administered through an anonymous, online questionnaire. In Serbia, the survey was conducted in the period from 23 April to 4 June 2018. The data collection method included CASI (computer-assisted self-interviewing).

[109] Policy areas where a substantial number of CSOs actively works. For Serbia, the three policy areas selected are the

Finally, the fifth indicator, focusing on the quality of involvement of the public in the policy making through public consultations, is entirely based on the survey of CSOs data. The same is true of the sixth indicator focusing on the accessibility and availability of legislation and explanatory materials to legislation, except for the sub-indicator related to the existence of official online governmental database of legal texts.

III.3 WeBER monitoring results

▌ **Principle 5:** Regular monitoring of the government's performance enables public scrutiny and supports the government in achieving its objectives

WeBER indicator PDC_P5_I1: Public availability of information on
Government performance

Indicator elements	Scores
The government regularly publishes written information about its activities	0/4
The information issued by the government on its activities is written in an understandable way	0/2
The information issued by the Government is sufficiently detailed, including both quantitative data and qualitative information and assessments	0/4
The information issued by the Government includes assessments of the achievement of concrete results	0/4
The information issued by the Government about its activities and results is available in open data format(s)	0/2
The information issued by the Government about its activities and results contains gender segregated data	0/2
Share of reports on Government strategies and plans which are available online	0/2
Total Score	**0/20**
Indicator Value (scale 0 – 5)[110]	**0**

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environment, anti-discrimination, and culture and media.

[110] Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-11 points = 2; 12-14 points =3; 15-17 points = 4; 18-20 points = 5.

Public availability of information on the performance of the Government is substantially lacking mostly due to fact that annual reports on GAWP implementation are not regularly published on the Government's website. Press releases are for the most part published regularly, i.e. on a weekly basis.[111] Publishing is conducted through various website sections (activities, and press releases), differentiating between the activities of the Prime Minister, Deputy Prime Minister, the Government, and ministries.[112] Generally, information therein is provided in an understandable way, mostly written briefly and devoid of bureaucratic language. However, no GAWP implementation reports are published for the two consecutive years preceding the monitoring, i.e. 2016 and 2015. Moreover, there was no evidence that the Government adopted the 2016 annual report at one of its sessions in 2017.[113]

Nonetheless, the annual reports on implementing GAWP for 2013 and 2014 can be found at the official website of the National Assembly,[114] and the report for 2016 at the website of the Ministry of Finance (MoF).[115] Thus, monitoring confirmed that GAWP implementation reports are in fact produced, but their publishing occurs in a sporadic and unpredictable way. Also, not being published on the Government's website, where the public would expect to find them, their availability becomes ineffective in a practical sense. Review of previous annual reports on GAWP available to the public reveals that these reports are not written in a way which would make them understandable to citizens. The introduction to the report simply repeats the reporting requirements from the Law on Government and the Government's RoP. The reports are structured to reflect the realisation of mostly legislative activities contained in GAWP by central administration bodies (ministries, special organisations, etc.). Although they do contain some detailed quantitative and qualitative information, there are no references to performance or the concrete results achieved by the Government as a whole. Consequently, no additional features, such as availability of gender-segregated data in reports on GAWP or data in open format, have been identified.

> ## WeBER Platform members' findings
>
> Based on the analysis of legislative activities of the Serbian Government in the period August 2016 - March 2017, out of 37 law proposals submitted by the Government (excluding laws confirming international agreements), 19 proposals were planned by the Government's Annual Work Plan (GAWP) and 16 of them were adopted in the first six months of the Government's work.
>
> Furthermore, out of 34 adopted law proposals, 11 were contained in the National Programme for the Adoption of Acquis (NPAA) from 2014 (and 10 adopted), and 15 in the revised NPAA from 2016 (13 adopted). That said, 10 planned law proposals were contained in both NPAAs (9 adopted).
>
> Finally, out of the same 37 law proposals, a public debate was organised in case of 10 documents.
>
> Belgrade Open School, 2017, p. 15.

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[111] Period observed is from October 2016 to October 2017.

[112] See at: http://www.srbija.gov.rs/vesti/.

[113] Sessions held in 2017 available at: http://www.srbija.gov.rs/vesti/dokumenti_sekcija.php?id=296177.

[114] Available at: http://bit.ly/2Bl3JTp. These reports are valid for the period not covered by WeBER monitoring.

[115] Available at: http://www.mfin.gov.rs/pages/article.php?id=9056.

It is noteworthy that besides reports on GAWP, there are no available documents on the Action Plan for Implementation of the Government Programme (APIGP) - either APIGP itself, or an implementation report. The PPS keeps a "Q&A" section on its website for explaining the APIGP and its purpose,[116] but the practice of publishing APIGP and its reports is to date non-existent.[117] What is more, apart from the absence of publicly disclosing reports on GAWP and APIGP, reports on other key central planning documents of the Government observed within the WeBER monitoring are not regularly made available to the public either, such as reports on the National Plan for the Adoption of the Acquis (NPAA) for 2016 at the time of monitoring (October 2017). Reports for two (out of four analysed) central planning documents for 2016 were found online at an appropriate location: the Economic Reform Programme (ERP)[118] and the Fiscal Strategy.[119]

WeBER indicator PDC_P5_I2: Civil society perception of the Government's pursuit and achievement of its planned objectives

Indicator elements	Scores
CSOs consider government's formal planning documents as relevant for the actual developments in individual policy areas	0/2
CSOs consider that the Government regularly reports to the public on progress against the set objectives	0/4
CSOs consider that official strategies determine governments' or ministries' actions in specific policy areas	0/2
CSOs consider that the ministries regularly publish monitoring reports on their sectoral strategies	0/4
CSOs consider that the EU accession priorities are adequately integrated into the government's planning documents	0/2
CSOs consider that the Government's reports incorporate adequate updates on the progress against the set EU accession priorities	0/2
Total Score	**0/16**
Indicator Value (scale 0 – 5)[120]	**0**

Having in mind the assessment under the previous indicator, it does not come as a surprise that there is a prevailing trend of civil society's disagreement when asked to reflect on the Government's pursuit of its planned objectives. More closely, roughly 13% of surveyed CSOs agreed (including those who agreed and strongly agreed) that there is direct connection between the GAWP and actual developments in specific policy areas. Only a slight increase in the level of agreement, in an otherwise remarkably negative perception, is found when CSOs are asked if the Government regularly reports to the public on the progress in the achievement of the objectives set in its work plan - 17%. In addition, at the focus group, CSOs agreed that

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[116] Available at: http://www.rsjp.gov.rs/pitanja-i-odgovori-o-apspv.

[117] Pursuant to Art. 79a of the Rules of Procedure of the Government, the Government adopts the APIGP to determine priority goals, deadlines for their achievement and expected results. Proposal of the APIGP is prepared by the PPS, which also monitors the APIGP implementation and reports to the Government on achievement of priorities, based on the annual reports of state administration bodies.

[118] The report on the implementation of priority structural reforms for 2016 from ERP 2016 -2018 is given as annexe to the ERP 2017-2019, available at: http://www.mfin.gov.rs/pages/article.php?id=13105.

[119] Fiscal Strategy 2017-2019 reports on the fiscal and macroeconomic changes, public debt, investments and capital expenditures for 2016. For each three-year period, the Fiscal Strategy is prepared before the end of the current year. Therefore, reporting contains data roughly for January-September 2016, and estimates for the whole year. Available at: http://www.mfin.gov.rs/pages/article.php?id=12826.

[120] Conversion of points: 0-3 points = 0; 4-5 points = 1; 6-7 points = 2; 8-10 points =3; 11-13 points = 4; 14-16 points =5.

reporting on GAWP does not represent a meaningful mechanism, as there is a lack of a broader national development or other planning document that the GAWP would be derived from, but also a lack of a planning process that is based on achievements and performance.[121]

Finally, perception shows that around 17% of surveyed CSOs agree that official strategies determine the governments' or ministries' actions in certain policy areas, and 16% agree that ministries regularly publish monitoring reports on their sectoral strategies. What is more, at the focus group, civil society representatives expressed the opinion that when searching for necessary data and documents, the websites of ministries are not the most relevant or useful sources of knowledge, and that they usually have to turn to unofficial sources instead.[122]

When it comes to priorities of the EU accession process, and if they are adequately integrated into the Government's plans in the policy areas in which the CSOs work, survey respondents have a slightly more positive opinion, although still less than a quarter of respondents at 23%. Lastly, just above 15% express agreement that the Government's reports contain updates on the progress against the set of EU accession priorities.

CHART 1 CIVIL SOCIETY PERCEPTION OF THE GOVERNMENT'S PURSUIT AND ACHIEVEMENT OF ITS OBJECTIVES (%)

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Don't know
There is a direct connection between the workplan of the government and actual developments in specific policy areas	12	41	27	12	1	6
The Government regularly reports to the public on the progress in the achievement of the objectives set in its work-plan	17	36	28	16	1	3
Official strategies determine the governments' or ministries' action in certain areas	12	37	27	16	1	6
Ministries regularly publish monitoring reports on their sectoral strategies	16	33	24	14	2	12
In the policy area my organisation works, priorities of the EU accession process are adequately integrated into the government's plans	11	30	28	20	3	8
In the policy area my organisation works, government's reports incorporate adequate updates on the progress against the set of EU accession priorities	14	30	34	14	2	6

● Strongly Disagree ● Disagree ● Neutral ● Agree ● Strongly Agree ● Don't know

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%, N=155

How does Serbia do in regional terms?

Indicator PDC_P5_I1: Public availability of information on Government performance

Indicator PDC_P5_I2: Civil society perception of the Government's pursuit and achievement of its planned objectives

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[121] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.
[122] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.
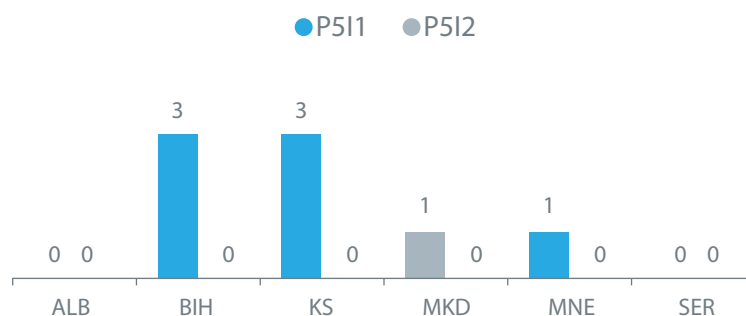
Legend: ● P5I1 ● P5I2

	ALB	BIH	KS	MKD	MNE	SER
P5I1	0	3	3		1	0
P5I2	0	0	0	1	0	0

Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

Principle 6: Government decisions are prepared in a transparent manner and based on the administrations' professional judgement; legal conformity of the decisions is ensured

WeBER indicator for PDC_P6_I1: Transparency of the Government's decision-making

Indicator elements	Scores
CSOs consider government decision-making to be generally transparent	0/2
CSOs consider the exceptions to the rules of publishing Government's decisions to be appropriate	0/2
The Government makes publicly available the documents from its sessions	0/4
The Government communicates its decisions in a citizen-friendly manner	2/4
The Government publishes adopted documents in a timely manner	2/4
Total Score	**4/16**
Indicator Value (scale 0 – 5)[123]	**1**

CSOs perceive the decision-making of the Government as highly non-transparent, with only 13% of the surveyed organisations expressing some level of agreement that it is transparent. Similarly, slightly above 10% agree that exceptions to the requirements to publish the Government's decisions are appropriate.

CHART 2 CSO PERCEPTION OF THE TRANSPARENCY OF DECISION-MAKING PROCESSES OF THE GOVERNMENT (%)
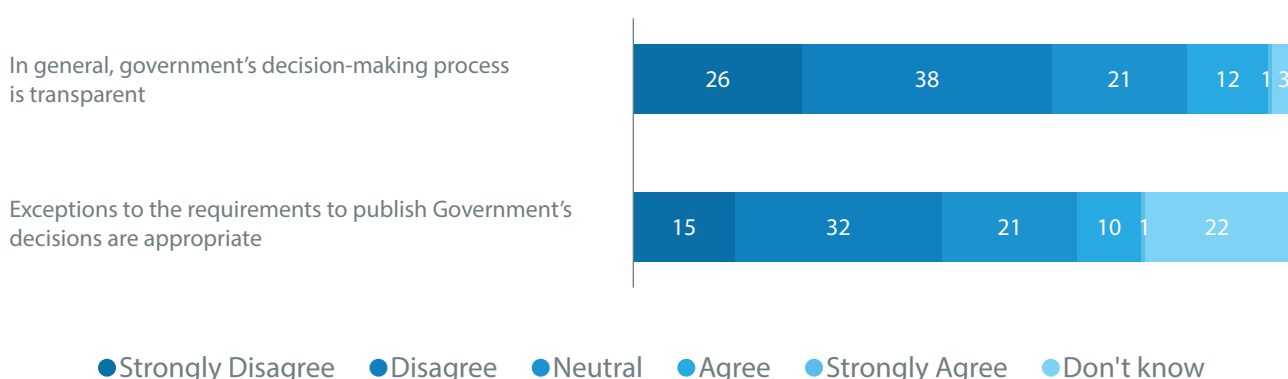
	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Don't know
In general, government's decision-making process is transparent	26	38	21	12	1	3
Exceptions to the requirements to publish Government's decisions are appropriate	15	32	21	10	1	22

● Strongly Disagree ● Disagree ● Neutral ● Agree ● Strongly Agree ● Don't know

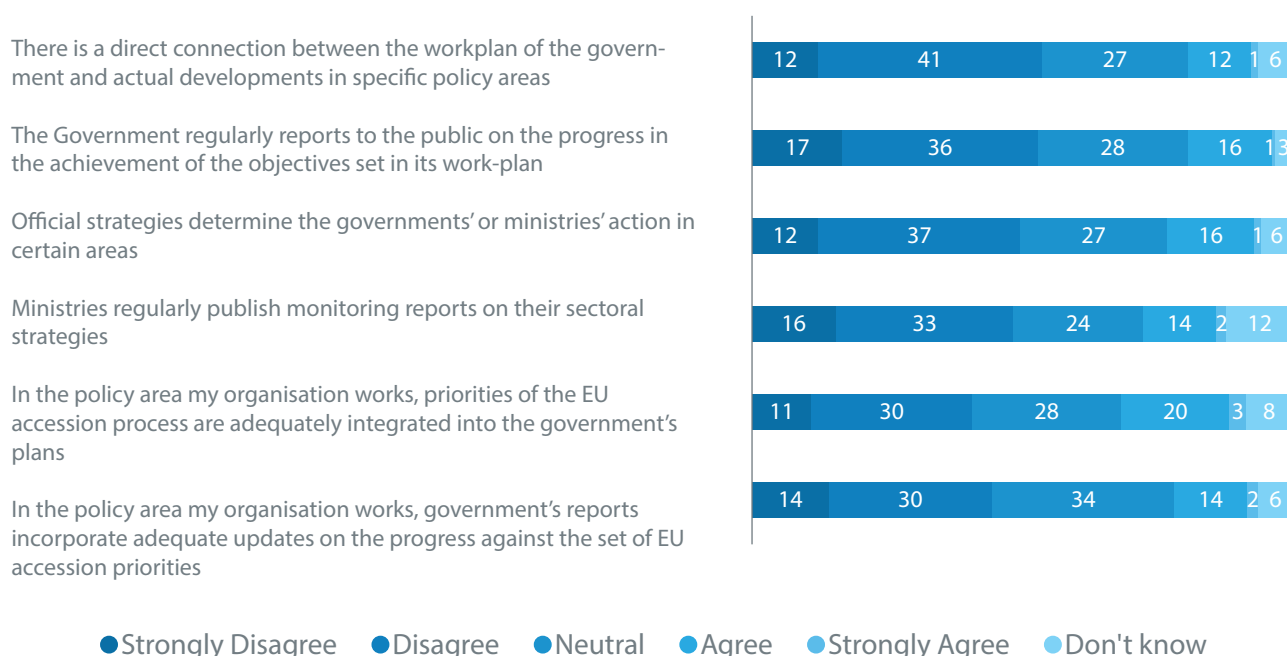*Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%, N=155*

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[123] Conversion of points: 0-2 points = 0; 3-5 points = 1; 6-8 points = 2; 9-11 points =3; 12-14 points = 4; 15-16 points = 5.

In support of such a perception, monitoring of public disclosure of decisions and documents adopted at individual sessions by the Government shows that non-transparent decision-making is rather a rule than an exception. In the monitoring period of three months (Government sessions held in the period between 1 October – 31 December 2017) agenda items or minutes of the Government's sessions were not published at the official website of the Government at all.[124] In the same period, documents from these sessions were largely made available, except for five cases where even this information was missing (see table below). However, since no agendas are published, it is impossible to assess with certainty whether the Government publishes all adopted documents.[125] What is more, the Governments' conclusions are as a rule not being published, except if it is laid down by very conclusion, which adds to the overall assessment of non-transparent decision-making.

Furthermore, not every individual session is followed with a press release (see table below), and in some cases press releases inform on the Government decisions (adoption of documents) that are not published on the website. In brief, the absence of published agenda items and minutes of each Government session, together with missing press releases in some cases and incomplete information on adopted documents, leads to an assessment that the Government of Serbia takes its decisions in a largely non-transparent way.

Session	Date	Agenda	Minutes	Documents	Press
18	6 Oct 2017	X	X	✓	✓
19	No information	No info.	No info.	No info.	No info.
20	9 Oct 2017	X	X	✓	✓
21	12 Oct 2017	X	X	✓	✓
22	16 Oct 2017	X	X	X	X
23	18 Oct 2017	X	X	✓	✓
24	19 Oct 2017	X	X	✓	✓
25	No information	No info.	No info.	No info.	No info.
26	26 Oct 2017	X	X	✓	✓
27	31 Oct 2017	X	X	X	✓
28	2 Nov 2017	X	X	✓	✓
29	9 Nov 2017	X	X	✓	✓
30	15 Nov 2017	X	X	✓	✓
31	20 Nov 2017	X	X	✓	✓
32	24 Nov 2017	X	X	✓	✓
33	29 Nov 2017	X	X	✓	✓
34	1 Dec 2017	X	X	✓	✓
35	5 Dec 2017	X	X	✓	✓
36	No information	No info.	No info.	No info.	No info.
37	8 Dec 2017	X	X	✓	✓
38	14 Dec 2017	X	X	✓	✓
39	18 Dec 2017	X	X	✓	✓

[124] Sessions of the Government, and its proceedings available at:
http://www.srbija.gov.rs/vesti/dokumenti_sekcija.php?id=311607.
[125] Requests for access to information were sent to the General Secretariat of the Government on two occasions (on 6 December 2017 and 15 January 2018) to obtain missing documents, but no response was ever received to these requests.

Session	Date	Agenda	Minutes	Documents	Press
40	21 Dec 2017	X	X	✓	✓
41	25 Dec 2017	X	X	✓	✓
42	27 Dec 2017	X	X	✓	✓
43	28 Dec 2017	X	X	✓	✓
44	29 Dec 2017	X	X	✓	✓
Total	27	0	0	22	22

Source: http://www.srbija.gov.rs/

When published, press releases mostly use simplified language that rather clearly, in non-bureaucratic manner, explains the decisions made. For these reasons, it is assessed that the Government partially communicates its decisions in a citizen-friendly way. In addition, available press releases are easily accessible at the official website of the Government, i.e. not more than three clicks away from the homepage; however, it is assessed that the Government meets the criterion of timeliness of publishing (i.e. one week after the session at latest) only partially.

CSOs which participated in the focus group argued that availability of the Government's decisions and related data represents a more general problem beyond their availability on the governmental portal. In other words, tracing adopted decisions online at different governmental websites is usually impeded by navigation issues as these websites are not customised or structured in a way to make search easy.[126] In addition, transparency issues can be profoundly influenced by external stakeholders, i.e. without the support of the international community, and especially in relation to the EU accession process, transparency can either stagnate or drop.[127]

Author's remark: As this report went into printing, the Government introduced its new online portal, significantly changing or altering the way different information and data is presented to the public. At the same time, this change effectively resulted in implementing some of the proposed actions that are presented in recommendations section below (especially regarding the recommendation no. 6). This change of the official portal of the Government will be reflected in the scores awarded in the next WeBER monitoring cycle.

How does Serbia do in regional terms?

Indicator PDC_P6_I1: Transparency of the Government's decision-making
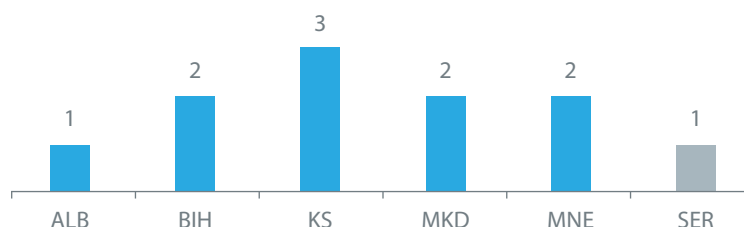
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

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[126] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.
[127] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.

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

WeBER indicator PDC_P10_I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development

Indicator elements	Scores
Frequency of referencing of evidence-based findings produced by CSOs in the adopted government policy documents	4/4
Frequency of referencing of evidence-based findings produced by CSOs in policy papers and ex ante impact assessments	2/4
Share of evidence-based findings produced by a wide range of CSOs, such as think tanks, independent institutes, locally-based organisations, referenced in ex post policy analyses and assessments of government institutions	0/2
Relevant ministries or other government institutions invite or commission a wide range of CSOs, such as think tanks, independent institutes, locally-based organisations, to prepare policy studies, papers or impact assessments for specific policy problems or proposals (CSO perception)	1/2
Representatives of relevant ministries participate in policy dialogue (discussions, round tables, closed door meetings, etc.) pertaining to specific policy research products (CSO perception)	0/2
Representatives of a wide range of CSOs, such as think tanks, independent institutes, locally-based organisations are invited to participate in working groups/ task forces for drafting policy or legislative proposals when they have specific proposals and recommendations based on evidence (CSO perception)	0/4
Relevant ministries in general provide feedback on the evidence-based proposals and recommendations of a wide range of CSOs, such as think tanks, independent institutes, locally-based organisations which have been accepted or rejected, justifying either action (CSO perception)	0/2
Ministries accept CSOs' policy proposals in the work of working groups for developing policies and legislation (CSO perception)	0/4
Total Score	**7/24**
Indicator value (scale 0 – 5)[128]	**1**

In practice, the frequency of referencing of CSOs findings in the adopted government policy and strategic documents shows that ministries do use the evidence provided by civil society when developing policy documents in specific policy areas. Yet, in the opinion of some CSOs, this is not always officially reported, and appropriate references are often missing from strategic documents.[129]

Based on a review of sample strategies, and programme documents that at the time of WeBER monitoring were being implemented in Serbia, in the three policy areas where many CSOs actively work (environment, anti-discrimination, and the culture and media), references to CSO findings are contained in around half of these documents.[130]

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[128] Conversion of points: 0-5 points = 0; 6-8 points = 1; 9-12 points = 2; 13-16 points =3; 17-19 points = 4; 20-24 points = 5.

[129] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.

[130] The assessment of distribution/number of CSOs working in these policy areas was done combining the following sources: TACSO Serbia Needs Assessment Report, available at: http://www.tacso.org/Publication/ArchiveRead/14797?title, SECO membership, available at: http://www.sekomehanizam.org/index.asp?language=en-us, OCDoskop, available at: http://www.ocdoskop.rs/en.html, and Ecological Movement Odzaci database, available at: http://www.epodzaci.org/korisno.

TABLE 1. FREQUENCY OF REFERENCING OF EVIDENCE-BASED FINDINGS PRODUCED BY CSOS IN THE ADOPTED GOVERNMENT POLICY DOCUMENTS

POLICY AREA	POLICY DOCUMENT	# of references
Anti-discrimination	1. Strategy for Prevention and Protection against Discrimination with the Action Plan	9
	2. National Strategy for Gender Equality with the Action Plan	8
	3. Strategy for Social Inclusion of Roma in the Republic of Serbia for the period 2016 to 2025 and Action Plan 2017-2018	8
Environment	4. Strategy for Water Management	0
	5. Strategy for Implementation of the Aarhus Convention	1
	6. Strategy of Biodiversity	0
	7. Waste management Strategy	1
	8. National Strategy for a Sustainable Use of Natural Resources and Goods	0
	9. National Strategy for Approximation in the Environment	0
	10. Status and Plans of Transposition and Implementation of the EU Acquis for Chapter 27	1
	11. National Programme of Environment Protection	0
Media and Culture[131]	n/a	n/a

Furthermore, in relation to the frequency of referencing evidence produced by CSOs in policy papers and ex-ante impact assessments, occasional referencing is found once again. More precisely, within the same sample policy areas, 7 out of 77 examined documents (either explanatory memorandums/justification to legislation, or RIAs prepared for legislation) contain occasional references to CSOs' findings and proposals, which makes 9% of total documents.[132]

TABLE 2. FREQUENCY OF REFERENCING OF EVIDENCE-BASED FINDINGS PRODUCED BY CSOS IN POLICY PAPERS AND EX ANTE IMPACT ASSESSMENTS - SUMMARY

POLICY AREA	POLICY DOCUMENT	CSO references
Anti-discrimination[133]	1. Explanatory Memorandum to the Law on Sports	1. Centre for free Elections and Democracy; 2. Standing Conference of Towns and Municipalities; 3. Football Association of Serbia
	2. RIA of the Law on Sports	1. Centre for free Elections and Democracy; 2. Standing Conference of Towns and Municipalities; 3. Football Association of Serbia; 4. Sports Medicine Association of Serbia, and Spinal Centre Milinkovic Foundation 5. Association of Super League of Football Clubs
	3. RIA of the Law on the Basics of the Education System	1. Institute of Psychology, Faculty of Philosophy, Belgrade, Centre for Applied Psychology

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[131] In the media and culture policy area there were no relevant policy and strategic documents that are currently implemented and therefore subject to analysis.

[132] Out of 77 documents, 36 RIAs, 41 explanatory memorandums to legislation, and one concept document.

[133] For anti-discrimination, sectorial legislation containing relevant provisions on anti-discrimination was included.

POLICY AREA	POLICY DOCUMENT	CSO references
Anti-discrimination	4. RIA of the Law on Youth	Package of analytical documents was used for drafting of the Law on Youth; however, it included analysis made by CSOs RIA and EM that do not explicitly refer to those documents.
	5. Explanatory Memorandum on the Law on Youth	
Environment	6. RIA of the Law on Waters	1. Belgrade Open School; 2. Faculty of Mining and Geology
	7. RIA of the Law on Waste Management	1. Serbian Association of Re-cyclists

Finally, when it comes to the referencing of CSO findings in ex-post analyses and assessments, these documents could not be found during the review of websites of policy making authorities. Similarly, replies to FOI requests did not show the existence of ex-post analyses, except in one case leading to the overall assessment that ex-post policy analyses or assessments are not produced by governmental institutions.[134]

The perception of Serbian CSOs on the use of evidence in policy development, created by think tanks, independent institutes and other CSOs, signals that civil society is still not recognised as a valuable source of evidence among policy making institutions at the central level.

In other words, although more than a third of surveyed CSOs that produce policy inputs for the decision-making at the central level report agreement ("agree" and "strongly agree") that government institutions invite them to prepare or submit policy products when addressing policy problems or developing policy proposals within their purview (35%), disagreement largely prevails (45%).

Similarly, a large share of respondent CSOs believes that relevant government institutions never or rarely participate in the events organised by their organisations and upon invitation - 39%, and above half of them had the same responses when asked whether ministries invite their organisation to participate in working groups for drafting policy or legislative proposals, when CSOs have specific evidence-based proposals and recommendations - 55%.

WeBER Platform members' findings

Monitoring Matrix on Enabling Environment for Civil Society Development, Country Report for Serbia 2016, indicates that a majority of respondents (84%) stated that no one from their CSO was elected to take part in an advisory or consultative body within the state in 2016 and. Key reasons for such statements: they were not asked to participate (43%), there was no public call in the area in which their CSO operates (41%), they asked to participate, but were rejected (10%), there are no such bodies in the area in which their CSO works and other reasons (6%).

Moreover, the same reports shows that from those who stated they participated in such bodies, 67% said they participated in working groups that develop and follow policy implementation, strategies, laws, regulations, guidelines; 33% in bodies that have a consultative or advisory role in the government, such as councils; 11% in bodies that monitor the implementation of the national strategy or legal acts, financing programs, bodies that decide on the allocation of funds and other.

Civic Initiatives, 2017, p. 38.

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[134] FOIs were sent to 13 responsible bodies in March-April 2018. Out of all received documents, only one document was found relevant for the analysis - Analysis of the harmonisation between the Law on Prohibition of Discrimination and EU Legislation and the Analysis of the Implementation of the Law on Prohibition of Discrimination.

The very same trend continues in relation to the perception of the frequency of feedback provided by ministries on the reasons for acceptance or rejection of evidence-based inputs coming from CSOs during the working group activities: around 69% find that this happens rarely or never. Finally, roughly 16% of respondents perceive that relevant ministries generally consider the policy proposals made by their CSOs, but again with over half of them stating that this happens rarely or never (56%).

CHART 3 CSO PERCEPTION ON THE USE OF EVIDENCE CREATED BY THINK TANKS, INDEPENDENT INSTITUTES AND OTHER CSOS IN POLICY DEVELOPMENT (%)

	Never	Rarely	Sometimes	Often	Always	Don't know
When invited by my CSO, representatives of relevant government institutions participate in the events organised to promote our policy products	9	30	31	22	5	3
Relevant ministries invite my CSO to participate in working groups for drafting policy or legislative proposals, when we have specific evidence-based proposals and recommendations	19	36	22	20	3	1
Relevant ministries provide feedback on reasons on either the acceptance or rejection of evidence-based proposals and recommendations coming from my CSO during the participation in the working groups	36	33	15	9	4	4
Relevant ministries generally consider the policy proposals made by my CSO	22	34	20	14	2	8

● Never ● Rarely ● Sometimes ● Often ● Always ● Don't know

Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%, N=107*

How does Serbia do in regional terms?

Indicator PDC_P10_I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development

ALB	BIH	KS	MKD	MNE	SER
1	0	3	0	0	1

Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

55
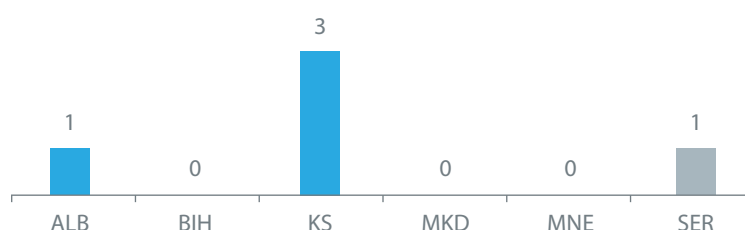
Principle 11: Policies and legislation are designed in an inclusive manner that enables the active participation of society

WeBER indicator PDC_P11_I1: Civil society perception of inclusiveness and openness of policymaking

Indicator elements	Scores
CSOs consider formal consultation procedures create preconditions for effective inclusion of the public in the policy-making process	0/4
CSOs consider formal consultation procedures are applied consistently	0/4
CSOs consider that they are consulted at the early phases of the policy process	0/4
CSOs consider consultees are provided information in a timely manner on the content of legislative or policy proposals	0/2
CSOs consider consultees are provided with adequate information on the content of legislative or policy proposals	0/2
CSOs consider public consultation procedures and mechanisms are consistently followed in the consultation processes	0/2
CSOs consider sponsoring ministries take actions to ensure that diversity of interests are represented in the consultation processes (women's groups, minority rights groups, trade unions, employers' associations, etc.).	0/2
CSOs consider ministries (sponsors of policy and legislative proposals) provide written feedback on consultees' inputs/comments	0/4
CSOs consider ministries (sponsors of policy and legislative proposals) accept consultees' inputs/comments	0/4
CSOs consider ministries (sponsors of policy and legislative proposals) hold constructive discussions on how the consultees' views have shaped and influenced policy and final decision of Government	0/2
Total score	**0/30**
Indicator value (scale 0-5)[135]	**0**

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[135] Conversion of points: 0-6 points = 0; 7-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-24 points = 4; 25-30 points =5.

Statement	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Don't know
Formal consultation procedures provide conditions for an effective involvement of the public in policy-making processes	14	37	18	25	4	2
Government institutions consistently apply formal consultation procedures when developing policies within their purview	12	39	24	22	1	2
Government institutions timely provide information on the content of legislative or policy proposals	14	47	19	15	3	2
Government institutions provide adequate information on the content of legislative or policy proposals	12	41	25	17	3	2

● Strongly Disagree   ● Disagree   ● Neutral   ● Agree   ● Strongly Agree   ● Don't know

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%, N=161

That the formal consultation procedures in Serbia provide conditions for an effective involvement of the public in policy-making processes is the opinion of less than a third of surveyed CSOs (29% who either agree or strongly agree). From there onwards, civil society's perception lowers, with less total agreement on all the following statements referring to some crucial aspects of public consultation practices. In that regard, 23% of respondents agree that the formal consultation procedures are in fact consistently applied by relevant authorities when developing policies within their purview, with just 13% stating that same procedures and mechanisms are, always or often, consistently followed. And when it comes to the timeliness of informing stakeholders, 18% of surveyed CSOs agree that information on the content of legislative or policy proposals is provided in a timely manner, and a slightly higher percentage of 20% agree that they are provided adequate information on the content of legislative or policy proposals.

More importantly, however, CSOs highlight that consulting stakeholders through public debates on already produced draft documents does not accomplish the purpose of inclusive policy making as documents come late in policy making, when room for intervention is quite narrowed and key solutions are already decided upon.[136] In this regard, the steady drop in perception continues with only around 12% of surveyed CSOs confirming (stating "always" or "often") they are consulted at the early phases of policy and legislative processes before any draft documents are produced. In addition, only around 12% state that written feedback on accepting or rejecting consultees' inputs is provided. In general, CSOs even less frequently report that their feedback is accepted by authorities, with only 9% stating either often or always, and civil society experience is that public consultation reports do not serve as trustful mechanisms for getting information on feedback.[137]

Furthermore, only a slight increase in reported frequency is seen in relation to representation of the diverse interest groups in the public consultation processes, such as

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[136] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.
[137] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.

women, minorities, trade unions, employers' associations, etc. as just about 17% of surveyed CSOs state either often or always. Instead, selectivity in inviting external stakeholders to participate in consultations is settled practice according to the CSOs.[138] There is tendency to invite more "mainstream" CSOs, but also those "fitting" and less criticising, both in the central and local level decision and policy making.[139] One the reasons for such approach is found in the highly formalistic approach to consultations without seeking to truly apply participation and inclusiveness as standards, but rather to formally bring the consultation procedure to an end and reduce involvement to minimum.[140]

CHART 5 CIVIL SOCIETY PERCEPTION OF INCLUSIVENESS AND OPENNESS OF POLICY MAKING (%)

	Never	Rarely	Sometimes	Often	Always	Don't know
Relevant government institutions consult CSOs at the early phases of policy or legislative processes	12	57	17	10	2	1
Legally prescribed public consultation procedures and mechanisms are consistently followed	7	46	24	10	3	10
Relevant ministries provide written feedback to consultees on whether their inputs are accepted or rejected	18	43	16	9	3	11
Relevant ministries accept the feedback coming from my organisation	21	37	19	7	2	13
Relevant ministries ensure that diverse interest groups are represented in the public consultation processes	9	43	21	14	3	9
Relevant ministries conduct additional consultations with CSOs outside of the formal scope of public consultations	25	39	11	7	0	19

●Never ●Rarely ●Sometimes ●Often ●Always ●Don't know

Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%, N=161*

Finally, that additional consultations with CSOs outside of the formal scope of public consultations are often conducted is reported by roughly 7% of respondent CSOs (no respondent replied with "always").

How does Serbia do in regional terms?

Indicator PDC_P11_I1: Civil society perception of inclusiveness and openness of policymaking

	ALB	BIH	KS	MKD	MNE	SER
	0	0	1	0	0	0
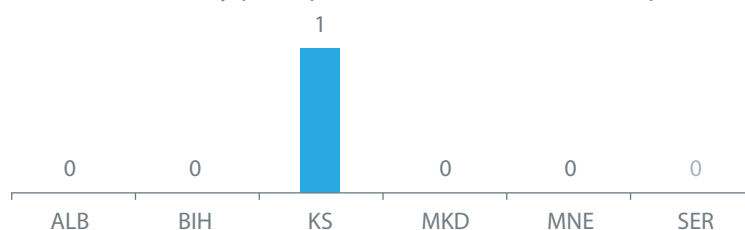
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

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[138] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.
[139] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.
[140] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.

> **Principle 12:** Legislation is consistent in structure, style and language; legal drafting requirements are applied consistently across ministries; legislation is made publicly available

WeBER indicator PDC_P12_I1: Perception of availability and accessibility of legislation and related explanatory materials by the civil society

Indicator elements	Scores
Existence of an online governmental database of legal texts	4/4
CSOs are informed of the existence of online database of legal texts	4/4
CSOs confirm they have used online database of legal texts	2/2
CSOs consider the explanatory materials relevant to the legislation as easily accessible online	0/4
CSOs consider the explanatory materials to be written so as to be easily understandable	0/2
Total Score	**10/16**
Indicator value (scale 0 – 5)[141]	**3**

In Serbia, all enacted legislation can be found and accessed at the online database of legal texts - legal information system of the website of the Official Gazette of the Republic of Serbia.[142] It is established based on the Law on the Publication of Laws and Other Regulations and Acts, as the database containing e-versions of the Official Gazette, register and texts of existing legislation and other acts, database of judicial practice and other data on the legal system of Serbia.[143]

The legislation database contains consolidated versions of the legal texts searchable based on different categories: (sub)areas of legal texts, content, type of legal documents, legal basis, title, and keywords. It includes both primary and secondary legislation, but also policy documents such as strategies and individual legal acts. Importantly, legislation can be used and downloaded free of charge and is available from the homepage of the Official Gazette.[144] Access to other electronic databases available, including judicial practice, legal acts in English, opinions and other acts produced in the work of public authorities, models of agreements and other acts, as well as legal literature are subject to subscription fees.[145]

CSOs in Serbia are to a large extent aware of the existence of the Official Gazette's online database of legislation and report that they use it frequently. More precisely, 70% of surveyed CSOs state they know where to find and access a database of enacted legislation (laws and bylaws) free of charge, and out of those who are aware, 86% of respondents have accessed it in the past year. In support of this result, focus group participants reported that, in comparison to websites of individual public administration bodies, civil society finds the Official Gazette's register of legal acts as generally more updated and more reliable in terms of accessing legislation.[146]

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[141] Conversion of points: 0-3 points = 0; 4-5 points = 1; 6-8 points = 2; 9-11 points =3; 12-14 points = 4; 15-16 points = 5.

[142] Available at: http://www.pravno-informacioni sistem.rs/SlGlasnikPortal/reg/advancedSearch.

[143] Law on the Publication of Laws and Other Regulations and Acts, Official Gazette no. 45/2013-32. Available at: http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/reg/viewAct/59655c11-ca51-416a-ad1b-ce06782954da.

[144] Users can access free of charge original versions of all the Official Gazettes in PDF.

[145] Database of judicial practice is available free of charge to courts, public prosecution offices, the Public Prosecutor, the State Attorney's Office, the Judicial Academy, the Ombudsman, the Commissioner for Information of Public Importance and Personal Data Protection, and to municipal and city attorney's offices.

[146] Focus group with civil society organisations, held on 13 July 2018, in Belgrade.

CHART 6 PERCEPTION OF AVAILABILITY OF LEGISLATION BY THE CIVIL SOCIETY (%)

● NO   ● YES

Are you informed about a government website where
you can find and access a database of enacted
legislation (laws and bylaws) free of charge?

| 30 |
| 70 |

Have you accessed such a website in the past year?

| 14 |
| 86 |
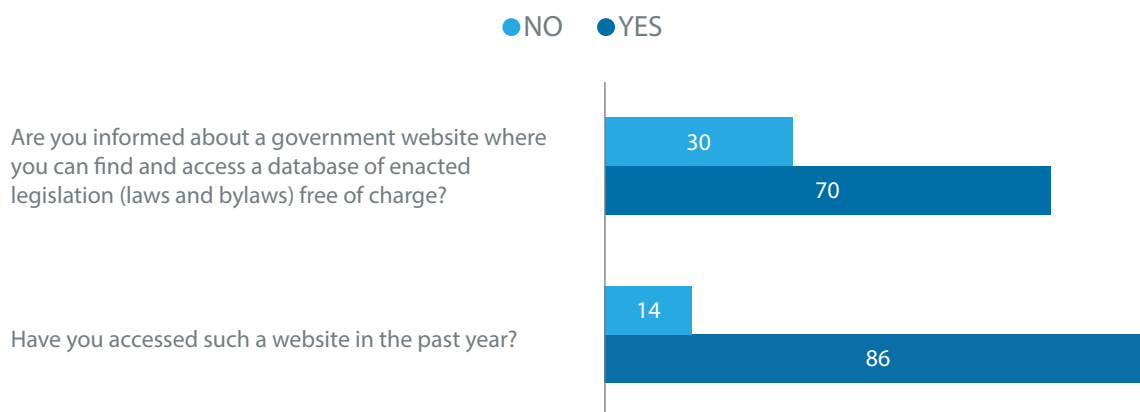
Note: *Results are rounded to the nearest integer, N=155, N=109*

Perception turns considerably negative, however, when it comes to explanatory materials relevant to existing legislation in Serbia that do not have a force of law but have a practical impact.[147] That is, 27% of surveyed CSOs agree to some extent with the statement that such materials are easy to access, and just above 18% agree that they are written in a manner and style which makes them easy to understand. It is also noteworthy that for the latter there was no respondent who expressed strong agreement. However, as stated previously, users are not granted free access to some of these documents as they are subject to subscription fees.[148]

CHART 7 PERCEPTION OF AVAILABILITY OF LEGISLATION BY THE CIVIL SOCIETY (%)
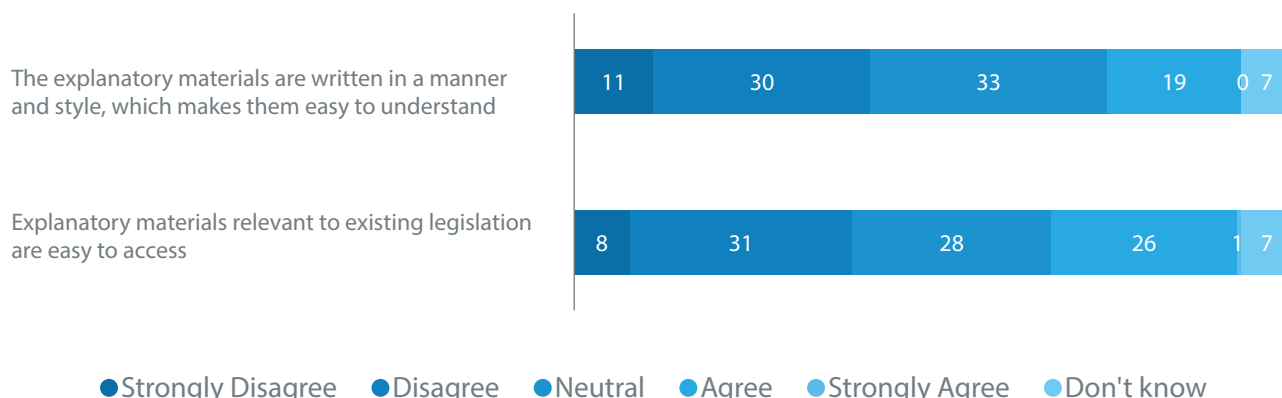
The explanatory materials are written in a manner
and style, which makes them easy to understand

| 11 | 30 | 33 | 19 | 0 | 7 |

Explanatory materials relevant to existing legislation
are easy to access

| 8 | 31 | 28 | 26 | 1 | 7 |

● Strongly Disagree ● Disagree ● Neutral ● Agree ● Strongly Agree ● Don't know

Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always*
appear to add up to 100%, N=155

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[147] Under this principle, SIGMA defines documents as administrative guidance, documents, directives, interpretation bulletins or other rules that have practical impact, but do not have the force of law. See SIGMA Principles of Public Administration, p. 36, available at: http://www.sigmaweb.org/publications/Principles-of-Public-Administration_Edition-2017_ENG.pdf.

[148] See electronic database of opinions, models and literature, available at:
http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/mml/latest.

How does Serbia do in regional terms?

Indicator PDC_P12_I1: Perception of availability and accessibility of legislation and related explanatory materials by the civil society
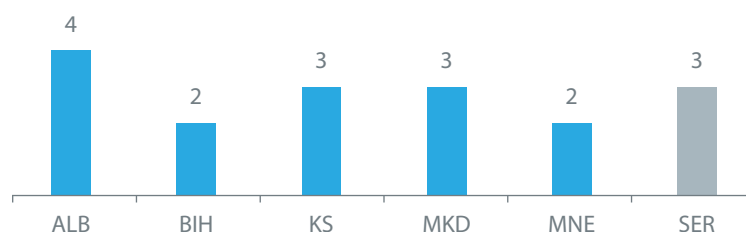
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

III.4 Summary results: Policy Development and Coordination

Reports on implementing the Annual Work Plan of the Government (GAWP) are not regularly published at a designated online location. The contents of these reports show they are compiled from reports on activities of central administration bodies with no references to the achievements of the Government as a whole. In addition, the share of implementation reports available online for whole-of-government planning documents is below 50%, as only two out of five reports analysed for 2016 were available during WeBER monitoring.

CSOs in Serbia disagree that the Government's planning documents are relevant for the actual developments in their respective policy areas (below 13%), and only 16% agree that the Government reports to the public on achieving its objectives. Similarly, 17% agree that official strategies determine the actions of the Government or ministries. However, around 23% of CSOs agree that the EU accession priorities are integrated into the Government's plans - the highest level of agreement when it comes to planning. In addition, the Government's decision-making process is perceived as largely non-transparent. The Government in practice does not publish all decisions from its sessions. Some of the adopted documents are regularly published and followed with press releases, while agendas and sessions' minutes are not shared with the public.

The evidence-based findings of CSOs are occasionally referenced in official policy and strategic documents, policy papers and ex-ante impact assessments, which cannot be stated for ex-post analyses, though, as they are largely not produced (or not publicly available). More than a third of surveyed CSOs confirm they are invited by government institutions to prepare policy papers, studies or impact assessments, but almost a half state that representatives of government institutions rarely or never participate in their events. In addition, 22% of CSOs report they are invited, often or always, to participate in working groups for drafting policy or legislative proposals.

In general, CSOs perception is unfavourable concerning the existing practices of public consultations. Only 23% agree that the governmental institutions consistently apply formal procedures for involvement in policy development, and even fewer CSOs agree that they are involved in the early policy making stages. Representation of diverse groups is not ensured, according to the CSOs, since just above 17% of them state this is often or always the case. Below 12% of CSOs agree there is a practice of providing feedback, and even fewer, around 9%, agree that the feedback coming from their organisations is accepted.

Finally, all legal acts in Serbia can be accessed at the website of the Official Gazette, free of charge and consolidated. This database is easily accessible, and over 70% of CSOs are informed it exists, out of which more than 85% have accessed it in the past year. Still, when it comes to explanatory materials relevant to legislation, around a quarter of CSOs agree these are easy to access and roughly 18% that they are written in a manner and style that makes them easy to understand.

III.5 Recommendations for Policy Development and Coordination

Information on performance of the Government is mostly available through press releases, due to the absence of transparent, regular, and predictable GAWP reporting, whereas the quality of reporting to the public lacks critical data to assess the Government's performance.

1) GAWP annual implementation reports should be regularly published at the official Governments' website, easily visible and accessible from the landing page.

2) GAWP annual reporting should include citizen-friendly descriptions of achievements by the Government as a whole, in addition to or instead of the reporting as per existing GAWP structure.

3) GAWP annual reporting should be improved to include assessment of results achieved in different policy areas in the reporting period including relevant information on horizontal policy dimensions, such as but not limited to gender equality, environment and sustainable development.

Despite publishing the majority of adopted documents and press releases online, the Government's decision-making lacks transparency and regularity.

4) The Government should start regularly publishing agenda items and meeting minutes for each session. Whereas it is preferable to publish an agenda in advance of an individual session, minutes should be published in a timely manner, a week after the session at latest.

5) Press releases should be published or linked together with other materials, so all the information from an individual session can be found and accessed at the single website location.

6) The structure and appearance of information on sessions should be revamped for easier access. Although this information is available via the homepage banner, visibility should be improved and the download of documents in zipped format avoided.

Perception of civil society of the quality of public participation in policy making indicates significant dissatisfaction among CSOs. In general:

7) Ministries, and other public authorities organising public consultations (and public debates), should ensure timeliness and proactiveness in announcing them. That is, enough time should be dedicated for the preparations of civil society and other interested stakeholders, and all available channels should be used to announce consultations – including the websites of the responsible body, the E-government portal, the Office for Cooperation with Civil Society and the social media of all the involved institutions, at least. In cases of local policies, adequate local channels with wide reach should be applied as well.

8) In this regard, keeping and updating the record of civil society organisations and individuals who previously participated in consultations and public debates should be practiced, ensuring continuity of inviting already engaged and interested organisations and individuals. However, calls for participation have to be as openly and widely disseminated from the very beginning; that is, inviting previously active stakeholders should come as an additional measure to ensure continuity and support specialisation of CSOs in the PAR field.

9) When organising consultations, inputs and comments from the civil society and the public should be sought as early as possible in the process, and preferably in the policy formulation phase.

10) Moreover, authorities should without exception inform the participants on consultation proceedings, be it public debate on draft documents or earlier held consultations. In other words, irrespective of the types of consultation (online, face-to-face), consultation reports should be published in each case, addressing each input, and providing explanation for acceptance or dismissal, so the entire process is easily traceable from start to finish, as well as transparent and unambiguous.

11) Additional consultation should be considered in each case when the consultation process returned unresolved, contested or especially important issues for civil society and the public, but also when no input was received in the first attempt. Such practice can increase trust in the process and, eventually, the quality of adopted solutions.

Finally, when it comes to the availability and accessibility of legislation (laws and bylaws):

12) The online database of legislation should be promoted through the governmental and individual administration bodies' websites, preferably through banners easily redirecting visitors. Although accessible and free of charge on the Official Gazette website, awareness of this database should be improved to reach as many of those interested in browsing it as possible.

13) In addition, all materials contained in the online database of the Official Gazette should be made publicly available.

WeBER indicators used in Public Service and Human Resource Management and country values for Serbia

PSHRM_P2_I1: Public availability of official data and reports about the civil service and employees in central state administration

0 | 1 | 2 | 3 | 4 | 5

PSHRM_P2_I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime

0 | **1** | 2 | 3 | 4 | 5

PSHRM_P3_I1: Openness, transparency and fairness of recruitment into the civil service

0 | **1** | 2 | 3 | 4 | 5

PSHRM_P4_I1: Effective protection of senior civil servants' position from unwanted political interference

0 | 1 | 2 | 3 | 4 | 5

PSHRM_P5_I1: Transparency, clarity and public availability of information on the civil service remuneration system

0 | 1 | **2** | 3 | 4 | 5

PSHRM_P7_I1: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service

0 | 1 | **2** | 3 | 4 | 5

IV.1 State of play in Public Service and Human Resource Management

Reform of the public service has been part of the Government's priorities since the first PAR Strategy, adopted in 2004, while the reform process was largely conducted in 2006-2007. The Government renewed the focus on establishing a merit-based PS system and introducing modern HRM instruments in public administration in the second strategy, adopted in 2014. The PAR Strategy (2014) and its first Action Plan (2015-2017) envisaged measures and activities for improving the PS&HRM system, but this reform was outside of the Government's focus during 2015 and 2016. Consequently, the Government accomplished only 28.6% of activities and 10% of planned results related to PS&HRM in the first two years of the PAR AP implementation.[149] Relevant international reports, such as SIGMA's monitoring reports[150] and the European Commission's country reports,[151] also emphasised lack of progress in this area.

The situation improved following 2016, when MPALSG and HRMS, two Government institutions in charge of PS&HRM, made an effort to place civil service reform on the Government's agenda. The PS&HRM area progressed as follows: 51% of activities were implemented and

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[149] MPALSG's official Report on PAR AP implementation covering March 2015-June 2017, available at the following link: http://mduls.gov.rs/doc/Izvestaj_20152017-171227.pdf.

[150] Available at: http://www.sigmaweb.org/publications/monitoring-reports.htm.

[151] Available at: https://ec.europa.eu/neighbourhood-enlargement/countries/package_en.

30% of results were fully achieved from the start of implementation until the beginning of 2018.[152] Following the re-established focus on HRM in civil service, the most recently adopted PAR AP 2018-2020[153] contains three measures and 15 activities for the further improvement of PS HRM and its implementation remains to be monitored in the future.

In 2017, the Government PAR Council endorsed the *Policy Framework for HRM in the State Administration*, with an overall objective to establish a harmonised PS system based on merit and to improve general HRM in the state administration. In line with the objectives, the HRMS and the MPALSG developed a competency framework for civil servants, introducing two types of competences that would be tested through the recruitment and performance appraisal procedures: behavioural – covering patterns of civil servants' behaviour, and functional – the knowledge and skills needed for performing tasks at a given job position.

This framework will be formally introduced through amendments to the general Civil Service Law (CSL),[154] which is in the final development stage and is expected to be adopted by the Parliament by the end of 2018. The MPALSG drafted two bylaws to ensure implementation of the upcoming CSL amendments – the Regulation on Conducting Competitions for Civil Service and the Regulation on Performance Appraisal of Civil Servants. While the former aims to guarantee that the best candidates are admitted to the civil service, the latter is expected to improve the career development of existing civil servants. These two bylaws are still in the pipeline and depend on the enactment of the new CSL.

Besides the CSL, the legislative framework for PSHRM includes the Law on State Adminis-tration,[155] as well as several regulations, rulebooks, codes and other bylaws addressing various issues (such as internal organisation, staff planning, job competitions and performance appraisal).[156] There are a number of special laws regulating particular aspects of the civil service, including the Law on Salaries of Civil Servants and General Employees and the Law on Whistle Blower Protection.

Recruitment in the civil service is regulated by the existing CSL and the regulation that governs the recruitment procedure.[157] The recruitment process is a combination of centralised and decentralised processes, but directed more towards decentralisation. Namely, the central HRM Office of the Government has over the years via several amendments to the CSL been pushed out of certain aspects of the procedure, with a justification of inefficiency of centralised recruitment. In addition to the CSL that divides employment between fixed-term and perma-nent contracts, additional forms of temporary engagement that have been used in the civil service are based on temporary contracts and service contracts, which fall within the general Labour Law. Finally, civil servants' salaries are prescribed in the Law on Salaries of Civil Serv-ants and General Employees[158] which has been in force since 2006 and amended several times. The Government is working on a new Law on Salaries of Civil Servants and General State

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[152] Final report on PAR AP implementation covering the period 2015-2017 is available at the following link: http://mduls.gov.rs/doc/PAR_Report_2018.pdf.

[153] The AP for implementation of PAR Strategy for the period 2018-2020 was adopted in July 2018.

[154] Official Gazette no. 79/2005, 81/2005 - corr., 83/2005 - corr., 64/2007, 67/2007 - corr., 116/2008, 104/2009, 99/2014, 94/2017).

[155] Official Gazette no. 79/2005-3, 101/2007-4, 95/2010-7, 99/2014-11, 30/2018-3 (др. закон), 47/2018-7.

[156] A detailed list of legal acts within the HRM area can be found at the webpage of Human Resource Management Service, section "Documents", available at: http://suk.gov.rs/sr/dokumenti/index.dot.

[157] Regulation on Conducting Internal and Public Competitions for Filling Vacancies in the State Bodies, Official Gazette RS, 41/2007-7 (consolidated text), 109/2009-7.

[158] "Official Gazette of RS", no. 62/2006, 63/2006 - correction., 115/2006 - correction., 101/2007, 99/2010, 108/2013 and 99/2014.

Employees, aiming to harmonise it with the systemic Law on the Salary System in the Public Sector (adopted in 2016) with an expected enforcement in 2019.

The legal framework related to integrity management and anti-corruption in the civil service is also in place. Since 2014, the Law on Whistle Blower Protection[159] furthers anti-corruption measures and encourages reporting of corruption. Conflict of interest in the civil service is regulated by the CSL and the Code of Conduct for civil servants, which establishes ethical standards. Nevertheless, the EU has identified shortcomings in this area within the framework of negotiating Chapter 23, as the Government's progress in integrity-related EU benchmarks has predominantly focused on policymaking and the adoption of laws.[160] The EU has urged Serbia to ensure effective implementation of integrity measures and sanction non-compliance, to invest in integrity trainings for civil servants, to introduce a comprehensive mechanism for the implementation of the Code of Conduct for civil servants and track record of sanctions in cases of its breach.[161] The MPALSG and the Anti-Corruption Agency have worked together to address these issues in the expected amendments to the CSL.

The civil service legislation covers the legally prescribed categories of employees of state administration bodies, courts, public prosecutor's offices, Public Attorney's Office, offices of the Parliament, the President, the Government, the Constitutional Court and offices of the bodies appointed by the Parliament. SIGMA has characterised the horizontal scope of civil service as narrow,[162] because of its limited coverage compared to the overall public sector employment, and because employees of some government institutions (such as the Customs Administration, Tax Administration, and Administration for Execution of Criminal Sanctions), although performing tasks comparable to general civil servants', work under special legislation different from the CSL.[163] Regarding the vertical scope and the dividing line between the administration and politics, legislation clearly distinguishes between the political and administrative posts, as well as between senior civil servants[164] and civil servants.[165] SIGMA underlines, however, that this legal distinction fails to prevent non-competitive recruitment to senior civil service posts.[166]

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[159] Official Gazette RS, 128/2014-3.

[160] Sena Marić, Dragana Bajić, "EU's Benchmarking within Chapters 23 and 24 in Accession Negotiations with Serbia: Effects and Challenges", European Policy Centre (CEP), Belgrade, 2018, p.16, available at

https://cep.org.rs/en/publications/eus-benchmarking-within-chapters-23-and-24-in-accession-negotiations-with-serbia/.

[161] European Union Common Position, Chapter 23: Judiciary and fundamental rights, p. 27, available at

http://www.mei.gov.rs/upload/documents/pristupni_pregovori/pregovaracke_pozicije/Ch23%20EU%20Common%20Position.pdf.

[162] SIGMA, "Baseline Measurement Report: The Principles of Public Administration; Serbia", April 2015, p. 43, available at
http://www.sigmaweb.org/publications/Baseline-Measurement-2015-Serbia.pdf.

[163] For example, the Law on tax procedure and tax administration ("Official Gazette of RS", no .80/2002, 84/2002 - correction, 23/2003 - correction, 70/2003, 55/2004, 61/2005, 85/2005 - 62/2006 - other law, 63/2006 - other law, 61/2007, 20/2009, 72/2009 - other law, 53/2010, 101/2011, 2/2012 - correction, 93/2012, 47/2013, 108/2013, 68/2014, 105/2014, 91/2015 - authentic interpretation, 112/2015, 15/2016, 108/2016, 30/2018).

Rulebook on salaries and other income of employees in the Ministry of Finance - Tax Administration ("Official Gazette of RS", no. 88/09, 47/10, 21/11, 43/13, 104/13, 67/17, 101/17).

Law on Execution of Criminal Sanctions ("Official Gazette of RS", no. 55/2014).

Regulation on coefficients for calculation and payment of salaries in the Administration for Execution of Criminal Sanctions ("Official Gazette of RS", no. 16/2007, 21/2009, 1/2011, 83/2011, 102/2011).

[164] Assistant ministers; secretaries of the ministries, directors of bodies subordinated to the ministries; directors, and deputy directors of special organisations, directors, deputy directors and assistant directors of government offices.

[165] Senior advisor, independent advisor, advisor, junior advisor, associate, junior associate, administrator and junior administrator.

[166] SIGMA, "Monitoring Report: The Principles of Public Administration; Serbia", 2017, p. 65, available at.

http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf.

Institutionally, the MPALSG is the primary body responsible for the design of the HRM policy, while the HRMS has a key role in the implementation of this policy by providing support to the ministries, special organisations, and other government agencies, mostly through the recruitment of executorial levels of civil service posts. It answers directly to the General Secretariat of the Government. A High Civil Service Council, on the other hand, has authority over recruitment and management of the senior civil service, and it monitors implementation of integrity measures for civil servants. Progress has been made in the institutional framework related to professional development (training) of civil servants. Namely, establishment of the National Academy of Public Administration (NAPA) in 2017[167] opened the door to better horizontal coordination and coherence of professional development programmes, which will be fully mandated to the Academy. NAPA is in an inception period, not entirely established up to the capacity and structure that is envisiged. Still, it provides training programmes according to the curriculum and methodology developed by the HRMS.

Depoliticization and professionalisation of public administration have been lacking in practice, while a fully merit-based PS system remains a proclaimed goal, particularly for senior positions. This finding has been reiterated in a number of reports issued by both international actors (e.g. the European Commission and SIGMA), as well as national stakeholders.[168] Serbia's score for merit-based recruitment as measured by SIGMA is 2 out of 5, showing that procedures enshrined in the legislation have not led to actual results. Additionally, in its latest report, the European Commission criticized that "political influence on senior managerial appointments remains an issue of concern, with an estimated 60% of senior managers in acting positions, many for an extended period of time".[169]

IV.2 What does WeBER monitor and how?

WeBER monitoring within the PSHRM area covers five SIGMA Principles and relates exclusively to central administration (centre of Government institutions, ministries, subordinated bodies and special organisations). In other words, monitoring encompasses central government civil service, as defined by the relevant legislation (primarily the Civil Service Law). The selected principles are those that focus on the quality and practical implementation of the civil service legal and policy frameworks, on measures related to merit-based recruitment, use of temporary engagements, transparency of the remuneration system, integrity and anti-corruption in the civil service. The WeBER approach is based on elements which SIGMA does not strongly focus on in its monitoring, but which are significant to the civil society from the perspective of transparency of the civil service system and government openness, or the public availability of data on the implementation of civil service policy.

The following SIGMA principles were selected for monitoring, in line with the WeBER selection criteria:

> **Principle 2:** The policy and legal frameworks for a professional and coherent public service are established and applied in practice; the institutional set-up enables consistent and effective human resource management practices across the public service.

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[167] The Law on the National Academy of Public Administration, Official Gazette RS No. 94/2017-3.

[168] See: Vladimir Mihajlović and Dušan Protić, "Dobar menadžer u državnoj upravi", CEP, Belgrade, 2018, available at https://cep.org.rs/publications/dobar-menadzer-u-drzavnoj-upravi/; Vladimir Mihajlović, "Serbia Scores a Weak Two in Professionalisation of Public Administration", available at http://cep.org.rs/en/publications/8576/.

[169] European Commission, "Serbia 2018 Report," p. 10, available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-serbia-report.pdf.

Principle 3: The recruitment of public servants is based on merit and equal treatment in all its phases; the criteria for demotion and termination of public servants are explicit.

Principle 4: Direct or indirect political influence on senior managerial positions in the public service is prevented.

Principle 5: The remuneration system of public servants is based on the job classification; it is fair and transparent.

Principle 7: Measures for promoting integrity, preventing corruption and ensuring discipline in the public service are in place.

Monitoring combined the findings of SIGMA's assessment within specific sub-indicators with WeBER's expert review of legislation, documents and websites, including collection and analysis of government administrative data, reports and other documents searched for online or requested through freedom of information (FoI) requests. To create a more balanced qualitative and quantitative approach, research included the measuring of perceptions of civil servants, CSOs and the wider public by employing perception surveys. Finally, data collection included semi-structured face-to face-interviews and focus groups with relevant stakeholders such as senior civil servants, former senior civil servants and former candidates for jobs in civil service, as well as representatives of governmental institutions in charge of the human resource management policy.

Surveys of civil servants and CSOs in the six Western Balkan administrations were implemented using an online survey tool.[170] The civil servants' survey was in most administrations disseminated through a single contact point originating from national institutions responsible for the overall civil service system.[171] The CSO survey was distributed through existing networks and platforms of civil society organisations with large contact databases, but also through centralised points of contact such as governmental offices in charge of cooperation with civil society.[172] To ensure that the CSO survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and hence contributed to is representativeness as much as possible, additional boosting was done where needed. Finally, the public perception survey included computer-assisted personal interviewing of the general public (aged 18 and older) of the Western Balkans region during the period of 15 October - 30 November 2017.[173] In all three surveys, WeBER applied uniform questionnaires throughout the region and disseminated them in local languages, ensuring an even approach in survey implementation.

WeBER uses six indicators to measure the five principles mentioned above. In the first indicator, WeBER monitors the public availability of official data and reports about the civil service and employees in the central state administration. In the second indicator, monitoring includes the extent to which widely applied temporary engagement procedures undermine the

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[170] Surveys were administered through an anonymous, online questionnaire. The data collection method included CASI (computer-assisted self-interviewing). In Serbia, the civil servants' survey was conducted from 26 March to 30 April 2018, and the CSO survey in the period from 23 April to 4 June 2018.

[171] For Serbia, the survey sample was N=1193. The base for questions within Principle 2 was n=1086 respondents, Principle 3 had n=1029 respondents, Principle 5 had n=979 respondents and Principle 7 had n=992 respondents.

[172] For Serbia, the survey sample was N=183. The base for questions within PS&HRM area was n= 154 respondents.

[173] The survey was conducted through computer-assisted personal interviewing (CAPI), using a three-stage random stratified sampling, targeting the general public. It was implemented as part of the regional omnibus surveys conducted in Albania, Bosnia and Herzegovina, Montenegro and Serbia (ad hoc surveys were conducted for Kosovo and Macedonia). For Serbia, the margin of error for the total sample of 1029 citizens is ± 3.06%, at the 95% confidence level.

merit-based regime. Openness, transparency and fairness of recruitment into the civil service, as a particularly critical aspect of HRM in the public administration due to its public facing character, is examined within the third indicator. The fourth indicator places focus on the prevention of direct and indirect political influence on senior managerial positions in the public service, while the fifth indicator analyses whether information on the civil service remuneration is transparent, clear and publicly available. Finally, in the sixth indicator, WeBER examines the promotion of integrity and prevention of corruption in the civil service.

IV.3 WeBER monitoring results

> **Principle 2:** The policy and legal frameworks for a professional and coherent public service are established and applied in practice; the institutional set-up enables consistent and effective human resource management practices across the public service

WeBER indicator PSHRM_P2_I1: Public availability of official data and reports about the civil service and employees in central state administration

Indicator elements	Scores
The Government keeps reliable data pertaining to the public service	0/4
The Government regularly publishes basic official data pertaining to the public service	0/4
Published official data includes data on employees other than full-time civil servants in the central state administration	0/4
Published official data on public service is segregated based on gender and ethnic structure	0/2
Published official data is available in open data format(s)	0/1
The government comprehensively reports on the public service policy	2/4
The government regularly reports on the public service policy	1/2
Reports on the public service include substantiated information concerning the quality and/or outcomes of the public service work	1/2
Data and information about the public service are actively promoted to the public	0/2
Total Score	**4/21**
Indicator value (scale 0 – 5)[174]	**0**

The Government does not keep reliable data on the central state administration employees. WeBER monitoring in this indicator started from SIGMA's finding that the database on human resources in central state administration (Central Personnel Registry – CPR) is not regularly updated nor connected to other relevant databases. Moreover, SIGMA states that the HRM Service (HRMS) does not have the authority to ensure its accuracy.[175] According to WeBER findings, the CPR contains data on permanently employed civil servants, general state employees ("nameštenici") and trainees, including their number, functions and ranks, where applicable. Some data is gender segregated – for the total number of civil servants and for certain managerial positions. The CPR, however, lacks data on the number of temporarily engaged staff as well as data on some particular groups of civil servants, belonging to the Customs Administration, the diplomatic ranks in the Ministry of Foreign Affairs, the Administration for the Execution of Criminal Sanctions, the Ministry of Interior and the Security Information Agency (BIA). Lack of complete data impacts the Government's HRM policy planning and policy making and contributes to incomprehensible and fragmented staff management in the central state administration.

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[174] Conversion of points: 0-5 points = 0; 6-9 points = 1; 10-13 points = 2; 14-17 points = 3; 18-21 points =4; 22-25 points =5.

[175] SIGMA, "Monitoring Report: The Principles of Public Administration; Serbia", 2017, p. 66, available at. http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf.

Official data that the Government does keep, however, is unavailable to the public. The HRMS administers the CPR and individual state bodies are tasked to update it, but the public has no means to access any of its parts. The responsible institutions (the HRMS and the MPALSG) also do not provide any statistics on the civil service on their web pages. Dealing with poor data in this particular area limits the progress in HRM management in the central administration, since the interested expert community and the civil society are short of opportunity to monitor and provide recommendations for improvement.

Government institutions produce and publish reports on HRM policy, but reporting is moderately comprehensive. The HRMS web page regularly publishes reports covering three key issues: professional development of civil servants, disciplinary procedures and integrity/anti-corruption in the civil service. HRMS additionally produces summary annual reports on the performance appraisal for informing the Government, which are unavailable to the public. Reporting on professional development (training) includes reports on training programme implementation, training evaluations and training needs assessment.[176] The annual evaluation of trainings is based on participants' feedback. Regarding the disciplinary measures and integrity/anti-corruption in the civil service, the High Civil Service Council regularly reports on these issues through annual reports on adherence to the code of conduct for civil servants.[177] Reports are available at the HRMS website, containing information on compliance with the Code, the number of citizens' complaints and their processing, as well as decisions/measures taken and disciplinary proceedings launched regarding the breach of the Code.[178] Content wise, the analysed reports offer uneven information regarding the quality and outcomes of the public service work, with mainly general statements and, in some cases, relevant statistics. The Government lacks all-encompassing reports on the implementation of public service policy, which would serve for better HRM policy planning, making and implementation.

Despite producing and publishing reports in three sub-areas of HRM, the Government fails to proactively promote them to the public. Review of the websites of the Government, the HRMS and the MPALSG, as well as an online media search, returned no results in this aspect for 2017, meaning that there were no press releases, posts or statements mentioning the content of the published reports. This lack of proactivity hinders the public awareness of the state of play in the public service, which in turn can negatively impact the image of the administration for the public.

WeBER Indicator PSHRM_P2_I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime

Indicator elements	Scores
The number of temporary engagements for performance of tasks characteristic of civil service in the central state administration is limited by law	4/4
There are specific criteria determined for the selection of individuals for temporary engagements in the state administration	0/4
The hiring procedure for individuals engaged on temporary contracts is open and transparent	0/4
Duration of temporary engagement contracts is limited	0/4
Civil servants perceive that temporary engagements in the administration are an exception	0/2

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[176] All reports are available at: http://suk.gov.rs/sr/strucno_usavrsavanje/analitika.dot.

[177] Available at http://suk.gov.rs/sr/visoki_sluzbenicki_savet/akti_saveta.dot.

[178] Breach of the Code of Conduct represents a minor breach of civil servants' employment relation duties, Article 108 of the CSL.

Indicator elements	Scores
Civil servants perceive that performance of tasks characteristic of civil service by individuals hired on a temporary basis is an exception	0/2
Civil servants perceive that appointments on a temporary basis in the administration are merit-based	1/2
Civil servants perceive that the formal rules for appointments on a temporary basis are applied in practice	1/2
Civil servants perceive that individuals hired on a temporary basis go on to become civil servants after their contracts end	0/2
Civil servants perceive that contracts for temporary engagements are extended to more than one year	0/2
Total Score	**6/28**
Indicator value (scale 0 – 5)[179]	**1**

An important segment of human resource management in the civil service relates to temporary forms of employment, which deviate from the standard civil service regime that is normally subject to merit-based criteria, hence hampering the merit principle. In the Serbian system, there are three possible forms of temporary engagements: the CSL provides the possibility that civil servants are employed based on **fixed-term contracts,[180]** while the Labour Law regulates labour relations based on **temporary contracts[181]** and **service contracts.[182]** This means that an employee enjoys the status (rights and duties) of a civil servant only within the first form mentioned above, while the second two forms consider the staff as general employees under the Labour Law.

According to the CSL, civil servants are by default engaged on permanent bases, while fixed-term contracts are allowed in legally defined circumstances (Article 63, CSL): 1) to replace an absent, permanently employed civil servant, until his/her return; 2) due to a temporarily increased workload, not more than six months; 3) at job positions in an official's cabinet, until the end of his/her mandate; 4) as a trainee, until the end of the traineeship.

Temporary engagements are legally limited in number, but they are excessively present in the civil service. In legal terms, the total number of temporary employees in the civil service of Serbia cannot exceed 10% of the number of permanently employed staff, as stipulated by the Law on Determining the Maximum Number of Employees in the Public Sector.[183] Nevertheless, a majority of surveyed civil servants (53%) state that hiring individuals on a temporary basis is usual in their institutions. Combined with the finding that temporary staff tend to perform tasks which should normally be performed by civil servants (confirmed by 48% of surveyed civil servants), this means that a significant part of the administration is exempted from the rights and duties that apply to civil servants.

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[179] Conversion of points: 0-4 points = 0; 5-9 points = 1; 10-14 points = 2; 15-19 points =3; 20-24 points =4; 25-28 points = 5.

[180] In Serbian "ugovor na neodređeno vreme" - Article 62, Civil Service Law, Official Gazette no. 79/2005, 81/2005 - corr., 83/2005 - corr., 64/2007, 67/2007 - corr., 116/2008, 104/2009, 99/2014 i 94/2017).

[181] In Serbian "ugovor o privremenim i povremenim poslovima". Article 197, Labour Law, Official Gazette no. 79/2005-3, 101/2007-4, 95/2010-7, 99/2014-11, 30/2018-3 (др. закон), 47/2018-7.

[182] In Serbian "ugovor o delu". Article 199, Ibid.

[183] Article.10, Law on the Manner of Determining the Maximum Number of Employees in the Public Sector, Official Gazette no. 68/2015-16, 81/2016-19 (УС).

Hiring of individuals on a temporary basis (on fixed-term, service and other temporary contracts) is an exception in my institution

| 13 | 20 | 33 | 14 | 16 | 4 |

● Don't know/No opinion/ Don't want to answer
● Disagree
● Agree
● Strongly disagree
● Neither disagree nor agree
● Strongly agree

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. **Base:** *N = 1086*

The legislative framework is insufficiently clear in terms of the duration of temporary contracts, which opens space for abuses. In case of a fixed-term employment,[184] for example, an employee hired as a replacement can work until the return of the permanently employed civil servant, which in practice can last for years. In terms of the engagements stemming from the Labour Law, Article 197 limits the duration of a job contract to a maximum of 120 working days per calendar year, while it does not specify the duration of service contracts. Although the substance of the service contract suggests that the engagement period should be temporary, the legislative framework fails to specify this, which opens the space for abuses of this type of contract in practice. Civil servants' perception of the current practice corroborates the analysis of legislation, as more than a half of surveyed civil servants (55%) note that temporary contracts often get extended for over a year.

Criteria for the selection of temporary employees are not fully regulated and the procedure of hiring individuals on a temporary basis is non-transparent. Employment criteria stipulated by the CSL are applied for both fixed-term and permanent civil servants, but there are no competitions or examination of skills and knowledge for temporary positions in the civil service. Moreover, since the Labour Law fails to specify criteria for service contracts or temporary contracts, and the CSL makes no references to these types of contract specifically for use in the administration, in practice a vast space is left open that the jobs of civil servants be performed by those who lack competences similar to those required for civil servants.

WeBER Platform members' findings

Research conducted at the local level with WeBER support revealed that temporary hiring practices constitute a problem at the local level as well. As reported by CentRiR, local civil society representatives from one Serbian town pointed to a prevalent practice of their authorities to hire local government employees based on temporary job contracts, without disclosing what exactly these persons do in the municipal/city administration. An example was of a person who worked at the cabinet of the president of the municipality, although being legally hired as a storekeeper on the basis of a temporary employment contract.

Moreover, CentRiR highlights that local civil society representatives who participated in a focus group reported that 61 new persons had been employed based on a fixed-term or temporary job contracts in 9 months following the last local elections. They explained this massive recruitment as fulfilment of pre-election promises to those who either brought the voters or financially helped the pre-election campaign.

Centar za ravnomerni regionalni razvoj (Centrir), "Uspostavljanje funkcije upravljanja ljudskim resursima – korak ka dobroj lokalnoj samoupravi," Belgrade, 2017, pages 41 - 42.

[184] Article 63, CSL
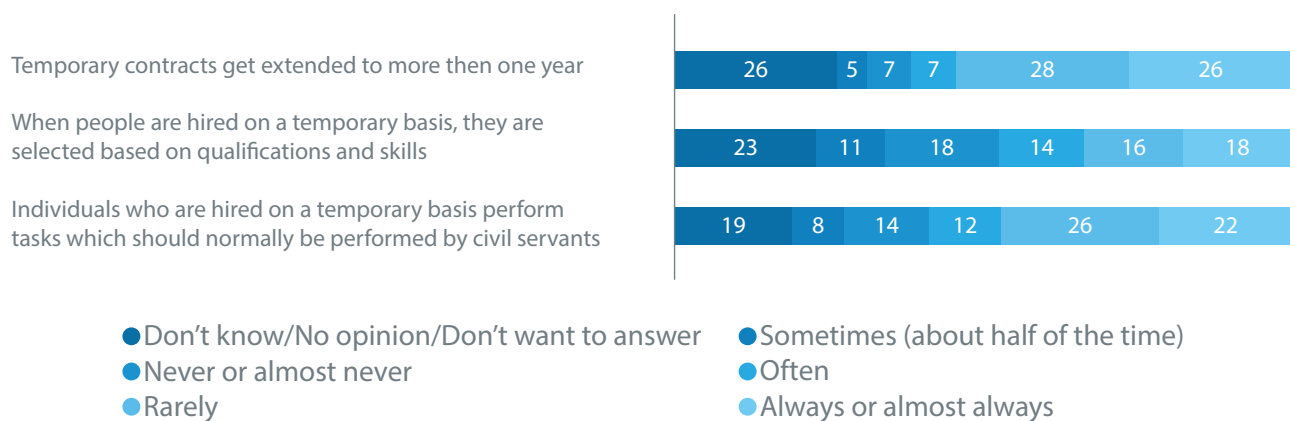
Temporary contracts get extended to more then one year

| 26 | 5 | 7 | 7 | 28 | 26 |

When people are hired on a temporary basis, they are selected based on qualifications and skills

| 23 | 11 | 18 | 14 | 16 | 18 |

Individuals who are hired on a temporary basis perform tasks which should normally be performed by civil servants

| 19 | 8 | 14 | 12 | 26 | 22 |

● Don't know/No opinion/Don't want to answer ● Sometimes (about half of the time)
● Never or almost never ● Often
● Rarely ● Always or almost always

*Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. **Base:** N = 1086*

Perception of civil servants is split when asked about the consequences that the lack of temporary employment criteria brings. The WeBER survey findings, addressing this issue, reveal that a similar percent of civil servants think that temporary engagements are rarely/never based on skills and qualifications (29%) and that this is often/always the case (34%). More than a third (37%) of surveyed civil servants state that the formal rules for hiring people on a temporary basis are usually applied in practice, while a majority (52%) note that temporary engagement sometimes (20%), often (22%) or (almost) always (10%) leads to a civil service position.

How does Serbia do in regional terms?

Indicator PSHRM_P2_I1: Public availability of official data and reports about the civil service and employees in central state administration

Indicator PSHRM_P2_I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime

● P2 I1 ● P2 I2

	ALB	BIH	KS	MKD	MNE	SER
P2 I1	2	0	2	2	1	
P2 I2	2	1	1	1	1	1

Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

WeBER Indicator PSHRM_P3_I1: Openness, transparency and fairness of recruitment into the civil service

Indicator elements	Scores
Information about public competitions is made broadly publicly available	4/4
Public competition announcements are written in a simple, clear and understandable language	0/4
During the public competition procedure, interested candidates can request and obtain clarifications, which are made publicly available	2/4
There are no unreasonable barriers for external candidates which make public competitions more easily accessible to internal candidates	0/2
The application procedure imposes minimum administrative and paperwork burden on candidates	0/4
Candidates are allowed and invited to supplement missing documentation within a reasonable timeframe	0/4
Decisions and reasoning of the selection panels are made publicly available, with due respect to the protection of personal information	0/4
Information about annulled announcements is made publicly available, with reasoning provided	0/4
Civil servants perceive the recruitments into the civil service as based on merit	0/2
Civil servants perceive the recruitment procedure to ensure equal opportunity	1/2
The public perceives the recruitments done through the public competition process as based on merit	0/2
Total Score	**7/36**
Indicator value (scale 0 – 5)[185]	**1**

WeBER findings reveal a widespread perception in Serbia's society that political discretion undermines the merit principle in the civil service. While a majority (53%) of civil servants think that the recruitment procedure is non-discriminatory, only 29% find it merit-based.[186] The perception of civil servants corresponds to that of the Serbian population, since a vast majority of citizens (73%) believe that public servants are not recruited according to their skills and competences. A negative perception of the recruitment procedure can impact the interest of top-quality candidates in pursuing careers in the civil service.

CHART 10 PUBLIC PERCEPTION OF THE MERIT-BASED RECRUITMENT IN THE CIVIL SERVICE (%)
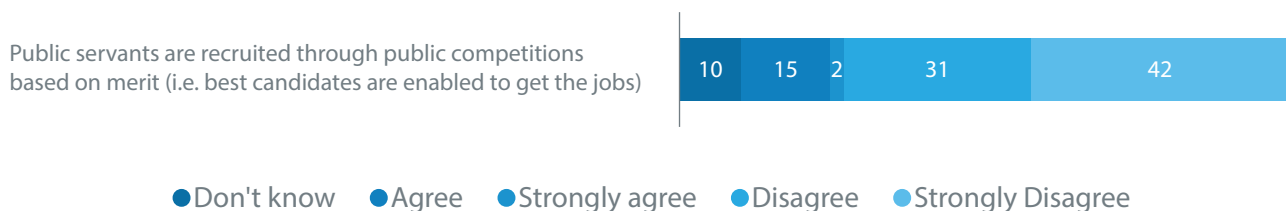
Public servants are recruited through public competitions based on merit (i.e. best candidates are enabled to get the jobs)

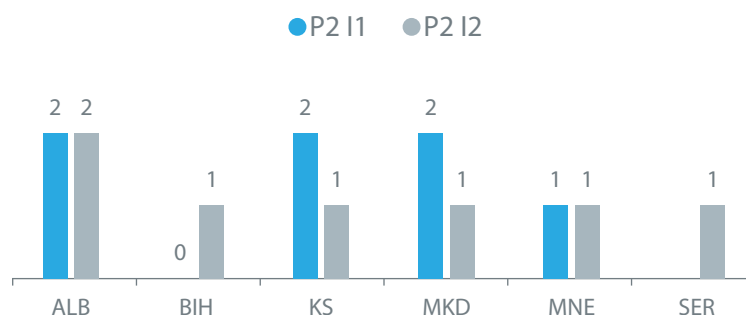| 10 | 15 | 2 | 31 | 42 |

● Don't know ● Agree ● Strongly agree ● Disagree ● Strongly Disagree

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.

Base: N=1029

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[185] Conversion of points: 0-6 points = 0; 7-12 points = 1; 13-18 points = 2; 19-24 points = 3; 25-30 points =4; 31-36 points = 5.

[186] This is an average score calculated based on two questions asked in the survey. 35.4% of surveyed civil servants either agreed (25.4%) or strongly agreed (10%) with the statement "Civil servants in my country's administration are recruited on the basis of qualifications and skills". 23.1% of surveyed civil servants either disagreed (15.1%) or strongly disagreed (8%) with the statement "Political or personal connections are necessary to get a civil service job in my country's administration".

WeBER analysis went beyond the perception and explored how steps of the recruitment process influence meritocracy. Administration bodies announce public competitions predominantly online, through easy-to-access, broadly available, legally prescribed channels, i.e.1) a website of the body announcing a competition; 2) the website of the HRMS, 3) the eGovernment Portal, as well as 4) the National Employment Agency's (NEA) bulletin board, web page and periodical.[187] [188] In practice, based on a sample of five public competition announcements, WeBER research found that state administration bodies advertised public competitions through the website of the HRMS and NEA without exception, and usually through one additional channel (table 3 below). The observed practices allow interested candidates to find the information on the vacancies in the civil service in multiple ways, through channels which are accessible throughout the country.

WeBER Platform members' findings

Research of local level practices, conducted under WeBER's support, revealed that politicisation is a problem in the employment of local officials. CentRiR argues that politicisation on the local level is reflected in hiring party staff and supporters, but also corruption in the form of selling vacancies. This entails the consequence of a noticeable incompetence of persons employed in local government bodies.

Moreover, CentRiR reports that local CSO representatives assessed that competent public servants made up about a half or slightly more than half of the employees in the three examined local administrations, but that they were overshadowed by incompetent staff, mainly employed through political or familiar lines.

Centar za ravnomerni regionalni razvoj (Centrir), "Uspostavljanje funkcije upravljanja ljudskim resursima – korak ka dobroj lokalnoj samoupravi," Belgrade, 2017, pages 42 - 43.

TABLE 3 REVIEW OF ONLINE CHANNELS USED FOR ANNOUNCING A SAMPLE OF PUBLIC COMPETITIONS FOR CIVIL SERVICE POSITIONS.

	Institution website	HRMS website	eGovernment Portal	National Employment Agency
Ministry of Agriculture, Forestry and Water Management, public competition for a Junior Advisor (published on 20 December 2017)	✓	✓	✓	✓
Ministry of Economy, public competition for an Advisor (published on 20 September 2017)	✓	✓		✓
Ministry of Finance, public competition for Advisors and Junior Advisors (published on 24 January 2018)	✓	✓		✓
Ministry of Culture and Media, public competition for an advisor (published on 7 February 2018)	✓	✓		✓
Public Procurement Office, public competition for Advisors and Junior Advisors (published on 5 June 2017)		✓	✓	✓

[187] Article 54, CSL.

[188] It should be noted that the Regulation on Conducting Internal and Public Competitions for Filling Vacancies in the State Bodies is unaligned with CSL, since it requires different means of advertisement from the CSL - Official Gazette and "another nation-wide newspaper", in addition to the HRMS web page. Article 18, Regulation on Conducting Internal and Public Competitions for Filling Vacancies in the State Bodies, Official Gazette, 41/2007-7 (consolidated text), 109/2009-7.

These bodies, however, comply with the minimum legal requirement without being proactive in promoting and presenting their announcements through more innovative mechanisms (e.g. social media or special search/filtering engines) and thus reaching a larger number of prospective candidates. Interviewed former candidates for civil service positions stated that they informed themselves by regularly visiting and searching through the HRMS web page. This page does not contain a convenient search engine or option to filter announcements, hence users may need to scroll for a long time to find individual announcements. Additionally, although a majority of sampled institutions, including the HRMS, has at least one active social media account, not a single post related to the published vacancies can be found on those profiles. An interviewed senior civil servant believes that "serious announcements" should not be part of social media channels.189 Accordingly, a mere online publication of announcements without applying additional measures to reach the target groups and enable easier search and access to the information may negatively impact the number and quality of applications received.

Effort is also lacking to make the competition announcements visually more attractive, or to simplify their language and make them more comprehensible to external candidates. Rather, job descriptions are copied from the Rulebooks on Internal Organisation and Job Classification and written in a bureaucratic manner,190 while there are no graphical illustrations or Q&A section that can serve for easier understanding of the process and translate the bureaucratic into plain language. A description on acceptable evidence of work

WeBER Platform members' findings

Supported by WeBER, CentRiR analysed recruitment practices on the local level. Findings show that two out of three examined local self-governments (Užice and Požega) failed to implement formal procedures for filling vacancies in accordance with the new Law on the Employees of Autonomous Provinces and Local Self-Government Units. Unlike them, the municipal administration of Gornji Milanovac has so far successfully conducted one internal and one public competition in line with the new Law. After examining the complete recruitment files, the researchers found that the competitions had contained all the prescribed elements and they had been adequately advertised – the internal one on the bulletin board of the municipal administration, and the public one on the official website of the municipality, the daily newspaper "Novosti" and the periodical "Jobs" of the National Employment Service. The professional competence of candidates was tested orally in an internal competition and through practical work on the computer on the public competition. Nine applications were received during the public competition, but eight failed to fulfil the formal requirements, i.e. they were incomplete.

Centar za ravnomerni regionalni razvoj (Centrir), "Uspostavljanje funkcije upravljanja ljudskim resursima – korak ka dobroj lokalnoj samoupravi," Belgrade, 2017, page 22.

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189 Interview with a senior civil servant, 6 July 2018.

190 For example, a public competition announcement of the Ministry of Economy describes jobs as follows: "monitors the realisation of tasks and the execution of assumed obligations and participates in the preparation of reports and information

experience is insufficiently clear,[191] and its misinterpretation by the candidates has been the most common reason for rejection of applicants.[192] And although candidates can request clarifications using the telephone number indicated in the competition announcements, replies are not made publicly available, hence not all candidates can access the provided information. This is highly problematic given that misinterpretation of the requirements results in rejection of entire applications, since candidates are not allowed to supplement missing documentation[193] except in the case of state and bar exams.[194] Unappealing and incomprehensible competition announcements, combined with rigid formal requirements (which will be addressed below in more detail), can lead to annulment of competitions because a low number of accepted applications lowers the chance that the administration will find a candidate that fulfils all the criteria. In turn, frequent annulments cause waste of human and financial resources of the Government.

These issues and other elements of the recruitment process indirectly privilege candidates from within the civil service, who have better insight as compared to the less experienced, external applicants. For example, information on the documents that are kept in the official records is described in a legalistic manner, requiring legal knowledge from the candidate to understand that some documents can be collected by the administration ex officio. The impression of former candidates is that only those who are already "trained" in applying for a job in the state administration know how to submit an application successfully.[195] Although candidates cannot be tested against requirements that are not specified in the competition announcement,[196] an interviewed senior civil servant confirmed that in practice competitions can be tailored for a particular candidate from within the civil service, therefore testing the knowledge that only those already working in the civil service could have.

External candidates also face certain additional unreasonable barriers when applying for civil service jobs. For example, candidates for senior positions need to take a state exam at their own expense (app. EUR 50) and submit proof of passing the exam within 20 days after the deadline for applications.[197] An interviewed former candidate reported that there was extremely little time to apply and prepare for the exam, especially for already employed people. Another example of an unreasonable barrier relates to the candidates for Junior Advisor or Junior Associate positions, who are legally required to have either a completed traineeship or, alternatively, at least five years of working experience in the state authorities.[198] A senior civil servant explained that "traineeship" in practice meant at least one year of work experience in the relevant field,[199] but the manner in which this requirement is described in the competition announcements creates confusion and potentially discourages external candidates. A civil

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in the execution of operations from the scope of the Group". See:

http://suk.gov.rs/sr/zaposljavanje/konkurs_sadrzaj.dot?tabela=oglasi2010&godina=2017&id_oglasa=1214.

[191] "Certificates, decisions and other acts indicating which jobs, in what period and with what degree the candidate acquired work experience".

[192] Interviews with former candidates for jobs in the civil service, 26 June 2018 and 2 July 2018; examination of recruitment files (obtained through FoI requests); interview with a senior civil servant, 6 July 2018.

[193] CSL, Article 55, par. 3.

[194] CSL, Article 102.

[195] Interview with former candidates for jobs in the civil service, 26 June.2018 and 2 July 2018.

[196] Article 25, Regulation on Conducting Internal and Public Competitions for Filling Vacancies in the State Bodies, Official Gazette, 41/2007-7 (consolidated text), 109/2009-7 of the Regulation.

[197] Article 20, Regulation on Conducting Internal and Public Competitions for Filling Vacancies in the State Bodies, Official Gazette no. 41/2007-7 (consolidated text), 109/2009-7.

[198] CSL, Article 39 and 41.

[199] Interview with a senior civil servant, 6 July 2018.

service expert added that the provision of five years in the state bodies was intended to facilitate employment of those who already worked in the administration at the lower levels without a degree and without relevant experience in the field, but who in the meantime graduated from universities and wanted to advance their position.[200]

Document submission within the application procedure is organised in one phase, with all documents to be obtained and submitted by the candidate upfront. This is burdensome, time-consuming and expensive for the candidates given the number of different types of documents (usually eight) and the requirement that the copies need to be stamped by a notary. In cases of more senior candidates who need to prove longer work experience, the actual number of documents can be significantly higher than eight. A former candidate that had applied for a senior position stated that it was overly demanding to collect all the documents in a single instance.[201] While document collection may, in reality, take up to a month, candidates are required to apply in very short terms, usually seven days, which is another major problem that discourages external candidates. Candidates can request that the administration itself collects three documents from the official registers ex officio, owing to the new Law on General Administrative Procedure.[202]

The document submission stage is simultaneously the first eliminatory phase, as supplementation of missing documentation is not allowed. An interviewed senior civil servant believes that rejection of incomplete applications does not harm high quality candidates and that the administration sees it as a test of motivation by the candidates.[203] In practice, the only omission allowed is when candidates state that they would independently collect documents from official records, but fail to do so, in which case the administration in practice takes over this task.[204]

Table 4 below illustrates the requested documentation by five sample institutions.

● Documents that candidates need to collect and submit
● Documents that could be obtained ex officio

	Ministry of Agriculture, Forestry and Water Management	Ministry of Culture	Ministry of Finance	Public Procurement Office	Ministry of Economy
Signed letter of application	x	x	x	x	x
Candidate's biography and specified professional experience	x	x	x	x	x
Declaration on collecting information from official records	x	x	x	x	x
Personal ID (copy)		x		x	
Evidence of work experience	x	x	x	x	x
Certificates of education	x	x	x	x	x
Proof of citizenship	x	x	x	x	x
Birth certificate	x	x	x	x	x
Proof of a passed state exam	x	x	x	x	x
Total number of documents	**8**	**9**	**8**	**9**	**8**

[200] Interview with a civil service expert, 23 July 2018.

[201] Interview with a former candidate for a job in the civil service, 2 July 2018.

[202] Article 9, Law on General Administrative Procedure, Official Gazette, no. 18/2016-10.

[203] Interview with a senior civil servant, 6 July 2018.

[204] Ibid.

Information on the outcomes of the competition processes, including when the competitions are annulled, is not made publicly available and communication with the candidates is slow and conservative. There is no legal requirement to publish information on the outcome of the competitions, neither does it happen in practice, which is evidenced by a review of web pages of the responsible institutions and the statements of interviewees. To the contrary, only candidates receive the final decision on the selection, including the reasoning for (non)selection via postal mail. As reported by one of the former candidates, return of rejected application documents can take up to several months. This lack of transparency and efficiency of communication with rejected candidates undermines the credibility of the recruitment procedures and discourages such candidates to reapply. But even in cases where they do want to apply again, the long waiting period for the receipt of documents may prevent them from efficiently applying to other vacancies.

The formal requirements for ranking of candidates cannot ensure the impartiality of the process. Candidates are usually ranked based on the grades received in interviews and not based on the complete testing process, since the test results are descriptive and mainly serve for progressing to the subsequent stage of examination. Moreover, decisions are generic and follow the same pattern, without a personalised elaboration on the candidates' results (e.g. "answers given are partially/completely correct and precise", "partially/fully meets the job requirements"). All this cannot guarantee a fully impartial and unbiased selection of the candidates.

The CSL stipulates that a public competition is considered "unsuccessful" if none of the candidates meets the selection criteria,[205] but insight into the sample institutions' reasoning for annulment shows reasons additional to those legally prescribed. In practice, public competitions can be annulled based on internal organisational changes. Although CSL obliges the head of the body filling the vacancy to select a candidate from a ranking list, it fails to set the deadline for this decision. The authorities can thus circumvent this obligation by amending the Rulebook on Internal Organisation and abolishing the announced position. In practice, annulment can also happen when there are no applications.[206]

How does Serbia do in regional terms?

Indicator PSHRM_P3_I1: Openness, transparency and fairness of recruitment into the civil service
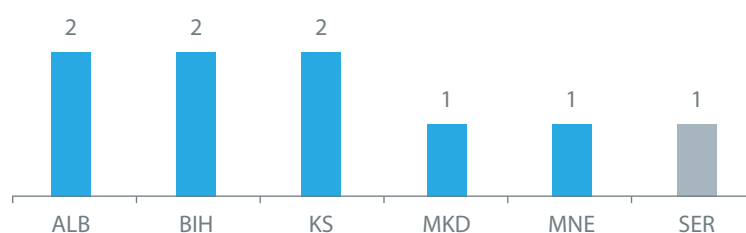
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

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[205] Article 60, CSL.

[206] Interview with a senior civil servant, 6 July 2018.

Principle 4: Direct or indirect political influence on senior managerial positions in the public service is prevented

WeBER Indicator PSHRM_P4_I1: Effective protection of senior civil servants' position from unwanted political interference

Indicator elements	Scores
The Law prescribes competitive, merit-based procedures for the selection of senior managers in the civil service	2/2
The law prescribes objective criteria for the termination of employment of senior civil servants	0/2
The merit-based recruitment of senior civil servants is efficiently applied in practice	0/4
Acting senior managers can by law, and are, only appointed from within the civil service ranks for a maximum period limited by the Law	0/4
Ratio of eligible candidates per senior-level vacancy	4/4
Civil servants consider that the procedures for appointing senior civil servants ensure that the best candidates get the jobs	0/2
CSOs perceive that the procedures for appointing senior civil servants ensure the best candidates get the jobs	0/2
Civil servants perceive that senior civil servants are appointed based on political support	0/2
Existence of vetting or deliberation procedures on appointments of senior civil servants outside of the scope of the civil service legislation	0/2
Civil servants consider that senior civil servants would not implement and can effectively reject illegal orders of political superiors	0/2
Civil servants consider that senior civil service positions are not subject to political agreements and "divisions of the cake" among the ruling political parties	0/2
Civil servants perceive that senior civil servants are not dismissed for political motives	0/2
Civil servants consider the criteria for dismissal of senior public servants to be properly applied in practice	0/2
CSOs consider senior managerial civil servants to be professionalised in practice	0/2
Civil servants perceive that senior civil servants do not participate in electoral campaigns of political parties	0/2
Share of appointments without competitive procedure (including acting positions outside of public service scope) out of the total number of appointments to senior managerial civil service positions	0/4
Total Score	**6/40**
Indicator value (scale 0 – 5)[207]	**0**

WeBER monitoring in this indicator started from SIGMA's assessment that the legal framework regulating recruitment of senior civil servants, although prescribing competitive and merit-based procedures, is not efficiently applied in practice.[208] This finding was substantiated by WeBER surveys. Most civil servants disagreed that formal procedures for appointing senior civil servants ensure the best candidates get the jobs (40% disagree compared to 23% who agree), while civil society organisations disagreed to an even higher extent (83% of surveyed CSOs). There is a prevailing perception of politicisation of the senior civil service, as more than a half of surveyed civil servants believe that their senior peers are often or (almost)

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[207] Conversion of points: 0-7 points = 0; 8-14 points = 1; 15-21 points = 2; 22-28 points =3; 29-34 points =4; 35-40 points = 5.

[208] Serbia received 11 out of 15 points for the sub-indicator "Adequacy of the legislative framework for merit-based recruitment for senior civil service positions," and 2 out of 9 points for the sub-indicator "Application in practice of recruitment procedures for the senior civil service". SIGMA, "Monitoring Report: The Principles of Public Administration; Serbia", 2017, p. 78, available at http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf.

always appointed thanks to political support (55%). Additionally, a vast majority of CSOs (81%) think that senior civil servants are political favourites. These survey findings reveal that the same extent of the problem is perceived both within the system and among the external actors.

CHART 11 SURVEYS OF CIVIL SERVANTS (CS) COMPARED TO THE SURVEY OF CIVIL SOCIETY ORGANISA-TIONS (CSO). QUESTION: *PROCEDURES FOR APPOINTING SENIOR CIVIL SERVANTS ENSURE THAT THE BEST CANDIDATES GET THE JOBS (%)*

CSO	5	52	31	10	3	0
CS	20	19	21	17	16	7

- ●Don't know/No opinion/Don't want to answer
- ●Strongly disagree
- ●Disagree
- ●Neither disagree nor agree
- ●Agree
- ●Strongly agree

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. CS survey base: N=1002; CS survey base: N=154

A significant aspect of persistent politicisation lies in the vetting or deliberation procedures on appointments of senior managers outside of the scope of the civil service legislation. The selection process of senior civil servants formally ends when the head of the body discretionally selects one candidate from a ranking list and submits the proposal to the Government for appointment.[209] However, the Government Rules of Procedures[210] authorise the Personnel Commission, comprising high level political officials,[211] to finally decide on placing appointments and dismissals to the Government's agenda. This committee, whose work falls outside of the civil service legislation scope, is the ultimate political structure impacting recruitment of senior civil servants. Interviewed senior civil servants agree the Personnel Commission is

WeBER Platform members' findings

Field research that CEP conducted in early 2018 indicated that ministers have the greatest influence on the candidate selection process, while respondents also often refer to the government, other political officials, party leaders, etc. The authors argue that the legal possibility given to the head to avoid proposing a candidate from the ranking list has turned into a rule. One of the respondents stated that ministers will make the final decision depending on whether they value more the competence of the candidates or their ability to be loyal. Also, the lack of an obligation for the Government to appoint candidates based on the proposal of the minister further complicates the process. The consequence of the great discretionary authority of both the Minister and the Government is that a large number of competitive procedures conducted in the previous period did not result in the appointment of candidates.

European Policy Centre (CEP), "Dobar menadžer u Državnoj upravi: Kakav profil državnog službenika je potreban Srbiji?" Belgrade, 2018, page 15.

[209] Appointment of senior civil servants is regulated by Article 66-81 of CSL and the Regulation on Carrying out Internal and Open Competitions for Filling Posts in State Bodies.

[210] Articles 9, 25 and 31, Rules of Procedures of the Government, Official Gazette RS no 61/2006-3 (пречишћен текст), 69/2008-3, 88/2009-72, 33/2010-6, 69/2010-3, 20/2011-10, 37/2011-3, 30/2013-4, 76/2014-3.

[210] Interviews with senior civil servants, 25 July 2018.

[211] According to the Rules of Procedures of the Government (Article 10), the Personnel Commission is a permanent working body. Such bodies are composed of members of the Government (e.g. deputy prime ministers or ministers), and they may also be state secretaries and other persons appointed by the Government to work in the state administration bodies and whose work is within the scope of the permanent working body.

governed by political practices and that its decision-making role undermines the professionalisation of the recruitment process.[212] Civil service experts characterise this body as a main political filter for appointments of the senior staff, serving to partisan and coalition deals.[213] This practice represents a distortion in relation to the procedure prescribed by the CSL, leading not only to politicisation, but to inefficiency and waste of resources, given the unsuccessful competition procedure because the selected candidates do not get appointed.

Inflation of the number of acting statuses is an additional factor hampering the merit principle in the senior civil service, as a large number of senior positions are not being appointed competitively. In the measurement period 1 June 2017- 31 May 2018, there were 691 appointments to 282 senior civil service positions, which represents an average of 2.5 appointments per position. According to data from early 2018,[214] a total number of senior civil service positions is 347.[215] Out of the total number of appointments of senior managers , 94% of them were appointments to acting positions, which is a critical issue given that acting managers are legally prescribed to be appointed to the position without the competition process.[216] In numerous cases, the same names and positions reappear once, twice or even three times in a single year, showing that the same persons are being kept in the acting status for a period longer than legally prescribed. Although the law limits the duration of an acting status to six months, this period can be extended an additional three months "if the competition ends without the appointment of a senior civil servant."[217] According to senior civil servants and experts, there are no consequences after the legal deadline expires, i.e. the acting manager often continues performing duties with the same acting status, sensitive to various political influences due to a high level of job uncertainty, and therefore without full autonomy, dependent on political decision making.

Additionally, although required to fulfil general requirements for recruitment into the senior civil service positions, acting managers can work without previous professional experience in the administration and without the obligation to pass the professional state exam for employment in the civil service. Interviewees have a mixed opinion on whether an acting status is in practice more frequently given to external compared to internal actors, but senior civil servants principally agree that the lack of any previous verification of the reqired qualifications leaves room for politicisation.

WeBER analysis also showed that 21 out of the 35 individuals (60%) who were in fact appointed as senior civil servants in the period of one year mentioned above were previously doing the same job in an acting status. Additionally, WeBER found evidence of cases where persons had been rotated among the acting positions within the same body.

Attitudes of civil servants are split when asked whether in their view senior civil servants would implement illegal orders from their political superiors. While 23% of them agree, slightly more disagree - 29%. It is noteworthy to mention that around a third of surveyed civil servants (including on the executorial levels, which comprised a majority of respondents in this survey), refused to answer these questions, which points to the political sensitivity of the topic. On the other hand, all the interviewed senior civil servants denied having obstacles for performing their work in a politically impartial way.

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[212] Interviews with senior civil servants, 25 July 2018.

[213] Interviews with a former senior civil servant and a civils service expert, 23 July 2018.

[214] Vladimir Mihajlović and Dušan Protić, "Dobar menadžer u državnoj upravi", CEP, Belgrade, 2018, p. 16, available at https://cep.org.rs/publications/dobar-menadzer-u-drzavnoj-upravi/.

[215] Vladimir Mihajlović i Dušan Protić, "Dobar menadžer u državnoj upravi", CEP, Beograd, 2018, p. 16, available at https://cep.org.rs/publications/dobar-menadzer-u-drzavnoj-upravi/.

[216] Article 67a, CSL.

[217] Ibid.

Senior civil servants can reject an illegal order from a minister or another political superior, without endangering their position	32	8	16	17	19	8
In my institution, senior civil servants would implement illegal actions if political superiors asked them to do so	35	11	18	14	15	8

● Don't know/No opinion/Don't want to answer ● Strongly disagree
● Disagree ● Neither disagree nor agree
● Agree ● Strongly agree

Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.*
Base: *N=1002*

The electoral process impacts the work of senior civil service, as a third of surveyed civil servants (33%) believe that sometimes, often, or (almost) always, senior civil servants participate in electoral campaigns of political parties during elections. Based on interviews with former senior civil servants and experts in civil service, this practice has increased since 2012, but through less apparent mechanisms.[218] According to those interviewed, political superiors seek inputs for campaign purposes, and state apparatus becomes embroiled in politics. Senior civil servants become worried for their future and regular everyday activity is instrumentalised by a political campaign. Some of the former senior civil servants stated that they had been required to produce various expert analyses and papers outside of their ordinary workload. Lastly, almost a half of surveyed civil servants (48%) perceive that the distribution of senior civil service positions is subject to agreements between the ruling political parties, while an interviewed expert in civil service stated that the Government Personnel Commission is a key mechanism in charge of implementing such agreements.[219]

Lastly, findings indicate that senior civil servants can be dismissed for political reasons. Within generally objective criteria, legislation adds that a "serious disturbance" during the mandate of a senior manager can be a reason for his/her dismissal,[220] but fails to define this concept, which SIGMA considers as space for political influence. In practice, around 21% of surveyed civil servants confirmed that sometimes or (almost) always senior civil servants get dismissed for political motives in their institutions, while only 13% think that formal dismissal rules are (almost) always applied in practice. At the same time, nearly half of surveyed civil servants chose not to answer these two questions. A senior civil servant shared that decision makers have ample manoeuvring space for casting aside unwanted senior managers, e.g. through Government reorganisation (splitting or merging ministries/departments) or internal restructuring of government institutions, which can serve as an excuse for abolishing senior civil service posts.
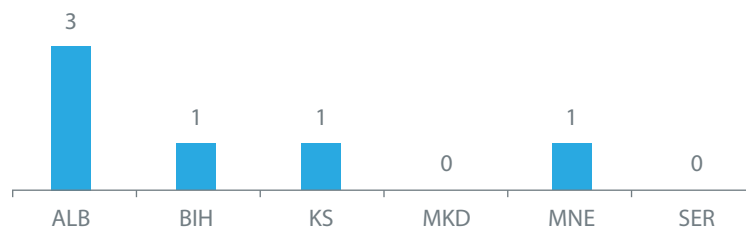
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[218] Interview with former senior civil servants, 25 July 2018; Interview with civil service experts, 23 July 2018.
[219] Interview with a civil service expert, 23 July 2018.
[220] CSL, Article 78.

Indicator PSHRM_P4_I1: Effective protection of senior civil servants' position
from unwanted political interference

Principle 5: The remuneration system of public servants is based on the job classification; it is fair and transparent

WeBER Indicator PSHRM_P5_I1: Transparency, clarity and public availability of information
on the civil service remuneration system

Indicator elements	Scores
The civil service remuneration system is simply structured	2/4
The civil service salary/remuneration system foresees limited and clearly defined options for salary supplements additional to the basic salary	4/4
Information on civil service remuneration system is available online	2/6
Citizen friendly explanations or presentations of the remuneration information are available online	0/2
Discretionary supplements are limited by legislation and cannot comprise a major part of a civil servant's salary/remuneration	2/4
Civil servants consider the discretionary supplements to be used for their intended objective of stimulating and awarding performance, rather than for political or personal favouritism	0/2
Total Score	**10/22**
Indicator value (scale 0 – 5)[221]	**2**

The remuneration system for civil servants is simply structured[222] based on the analysis of the Law on Salaries of Civil Servants and General Employees, but the fragmentation of the system makes it more complex. Namely, several parts of the civil service have their salaries regulated by special legislation. In general, a salary is composed of 1) the basic salary (calculated by multiplying a coefficient with the salary base for calculating and paying out salaries) and 2) salary supplements.[223] The salary base is identical for all civil servants and is determined by the Budget Law for each fiscal year.[224] There is a table with salary groups and coefficients belonging to each category/rank of civil service, with exact coefficients for each salary class

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[221] Conversion of points: 0-3 points = 0; 4-7 points = 1; 8-11 points = 2; 12-15 points = 3; 16-19 points = 4; 20-22 points = 5.

[222] A simple structure of a remuneration system entails a table with clearly provided coefficients or other numerical values per public service rank/position and a clear and limited set of rules and formulas for calculating supplements (both statutory and discretionary).

[223] The Law on salaries of civil servants and general employees, Official Gazette RS no. 62/2006-12, 63/2006-20 (corr.), 115/2006-149 (corr.), 101/2007-4, 99/2010-3, 108/2013-11, 99/2014-10, Article 2 and 7.
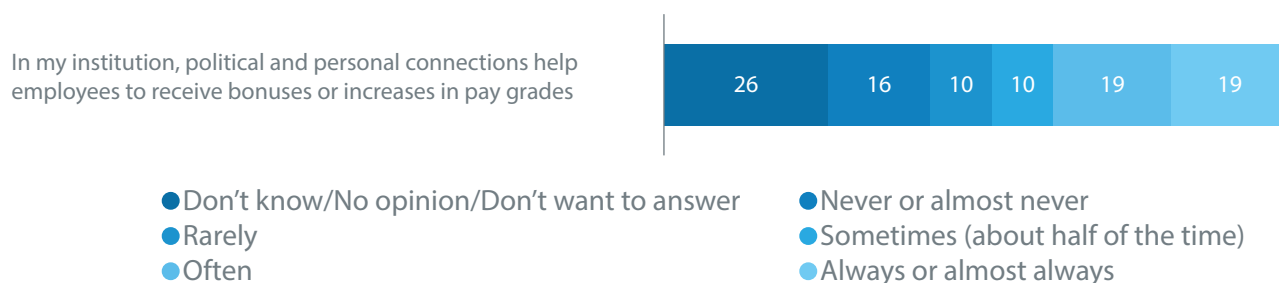
[224] Ibid, Article 8.

within each salary group (salary groups are organised per civil service ranks).[225] However, some categories of civil servants are excluded from general legislation and therefore their salaries are defined in a separate way. For example, Tax Administration employees receive their salary according to a special rulebook,[226] containing two types of coefficients - basic coefficients and additional coefficients for each rank. This system is more complex than the general system. Salaries for employees of the Administration for Execution of Criminal Sanctions (Ministry of Justice)[227] are also separately regulated, although containing a simple structure for all employees. Since there are other laws and bylaws which contribute to the fragmentation of the civil service and introduce special regimes, the overall remuneration system for civil servants is assessed as partially simply structured.

Salary supplements for civil servants are fully defined and clearly limited. Primary law regulating salaries[228] strictly defines possible supplements, with no space left for determining additional supplements through secondary legislation. The same law[229] regulates mutual relations between different salary supplements and clearly limits the possibility of combining two different supplements of the same/similar nature or purpose (for example, a civil servant who receives a supplement for overnight work cannot simultaneously receive a supplement for overtime work).

Regarding discretionary supplements, Serbia received one out of two points in the SIGMA's sub-indicator 3.5.1.6: *Managerial discretion in the allocation of bonuses*.[230] In practice, 28% of surveyed civil servants think that bonuses or increases in pay grades are used by managers only to stimulate or reward performance. Similarly, a significant part (around 38%) find that political and personal connections often or (almost) always help employees to receive bonuses or increases in pay grades. For the latter question in particular, the percentage of respondents who opted not to reply (26%) indicates the political sensitivity and unease to provide an opinion.

CHART 13 CIVIL SERVANTS' PERCEPTION OF BONUSES/INCREASES IN PAY GRADES IN THE CIVIL SERVICE (%).

In my institution, political and personal connections help employees to receive bonuses or increases in pay grades

| 26 | 16 | 10 | 10 | 19 | 19 |

● Don't know/No opinion/Don't want to answer ● Never or almost never
● Rarely ● Sometimes (about half of the time)
● Often ● Always or almost always

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=992

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[225] Ibid, Article 13.

[226] Rulebook on Salaries and Other Income of Employees in the Ministry of Finance - Tax Administration, based on Article 169p of the Law on Tax Procedure and Tax Administration, Official Gazette RS no. 88/2009-98, 47/2010-102, 21/2011-21, 43/2013-136, 104/2013-73, 67/2017-28, 101/2017-51, 23/2018-22, 72/2018-631.

[227] Regulation on Coefficients for Calculation and Payment of salaries in the Administration for Execution of Criminal Sanctions, Official Gazette RS no. 16/2007-4, 21/2009-17, 1/2011-21 (УС), 83/2011-5, 102/2011-82.

[228] Law on Salaries of Civil servants and General Employees, Articles 23-31.

[229] Article 30.

[230] SIGMA Monitoring Report 2017 for Serbia, p. 80. Available at: http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf.

Information about the salaries of civil servants is impossible to find online, besides browsing the legislation. The web pages of two responsible institutions – MPALSG and HRMS – do not provide any salary information, explanation or description for citizens. They contain relevant legislation, available for download, and administrative documents aimed at collecting and categorising data for the ongoing salary system reform in the wider public administration system. Public competition announcements for civil service jobs also lack salary information. Therefore, citizens who are interested in the salaries of civil servants, or seekers for jobs in the civil service, need to search the legislation and manually calculate salary for a desired civil service category.

Two new pieces of legislation, which are relevant to the remuneration system of civil servants, are expected to be in force as of 2019. By covering all coefficients for all categories of civil servants, the upcoming Law on Salaries of Civil Servants and State Employees will also reduce fragmentation of civil service legislation. Simultaneously, together with the new Law on the Wage System for Public Sector Employees, it will regulate supplements for all civil servants.

How does Serbia do in regional terms?

Indicator PSHRM_P5_I1: Transparency, clarity and public availability of information on the civil service remuneration system

ALB	BIH	KS	MKD	MNE	SER
3	1	0	3	1	2
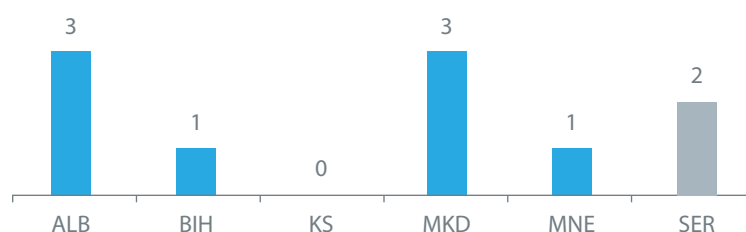
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

Principle 7: Measures for promoting integrity, preventing corruption and ensuring discipline in the public service are in place

WeBER Indicator PSHRM_P7_I1: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service

Indicator elements	Scores
Integrity and anti-corruption measures for the civil service are formally established in the central administration	4/4
Integrity and anti-corruption measures for the civil service are implemented in the central administration	2/4
Civil servants consider the integrity and anti-corruption measures as effective	1/2
CSOs consider the integrity and anti-corruption measures as effective	0/2
Civil servants consider that the integrity and anti-corruption measures are impartial	1/2
CSOs consider that the integrity and anti-corruption measures in state administration are impartial	0/2
Civil servants feel they would be protected as whistle blowers	0/2
Total Score	**8/18**
Indicator value (scale 0 – 5)[231]	**2**

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[231] Conversion of points: 0-3 points = 0; 4-6 points = 1; 7-9 points = 2; 10-12 points = 3; 13-15 points = 4; 16 -18 points = 5.

Formal integrity and anti-corruption measures are in place in the civil service, but their implementation remains deficient. As the SIGMA 2017 Monitoring Report shows, Serbia has a comprehensive legal framework regulating public sector integrity and anti-corruption,[232] and almost as comprehensive an integrity policy and action plan.[233] Integrity mechanisms, however, are not fully implemented in practice.

WeBER monitoring results reveal a vast discrepancy between attitudes of civil servants and civil society organisations, when asked to assess the effectiveness of integrity and anti-corruption measures in the civil service. Namely, while more civil servants agree than disagree (33% compared to 19%) that current measures effectively achieve their purpose, the figures are reverse in the civil society sector, where only 2% of CSOs agree with this statement. Similarly, more civil servants agree than disagree (35% opposed to 22%) that corruption and integrity measures are impartial (applied to all servants in the same way). On the other hand, 80% of CSOs think that this is not the case. The mismatch between beliefs of CSOs on the one hand, and civil servants on the other, is not a novelty but further attests to the low reputation of the Serbian administration in the eyes of the public.

Civil society's findings

"Public authorities have not taken almost any action to inform potential whistle blowers about whom they can contact and what they can expect. The information about whistleblowing generally cannot be found on the websites of ministries, while their Information Directories do not contain information about the number of received and resolved cases. The insufficient use of the potential benefits of this Law and other mechanisms for fighting corruption is reflected in the fact that even the calls to report corruption and other illegal action posted on the websites of individual ministries do not contain any information relevant to whistleblowing."

Transparency Serbia, "The Law on Protection of Whistleblowers – What Is the Meaning of Norms and Where Can They Be Improved"? Belgrade, 2017, page 107.

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[232] Serbia received five out of five points for the sub-indicator "Completeness of the legal framework for public sector integrity," and three out of four points for the sub-indicator "Existence of a comprehensive public sector integrity policy and action plan. SIGMA, "Monitoring Report: The Principles of Public Administration; Serbia", 2017, p. 78, available at: http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf.

[233] Serbia received two out of three points for the sub-indicator "Implementation of public sector integrity policy,". Ibid.

CSO	46	34	10	1 1 7
CS	8 11 18	25	8	29

- ●Strongly disagree
- ●Neither disagree nor agree
- ●Strongly agree
- ●Disagree
- ●Agree
- ●Don't know/No opinion/Don't want to answer
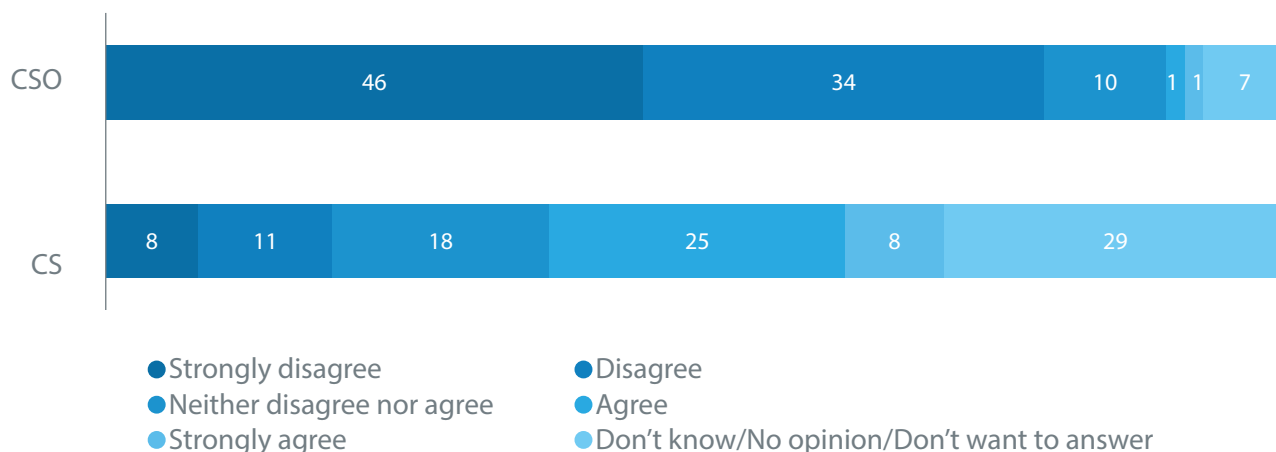
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base for civil servants' survey: *N=979.* ***Base for CSO survey:*** *N=154.*

Civil servants fear the consequences of disclosing information about unethical behaviour in their organisations. The Law on Whistle Blower Protection entered into force in 2014 and represented a crucial improvement of the anti-corruption framework. Four years after the implementation of the law, however, WeBER research found that a very small number of surveyed civil servants (11%) would feel protected as whistle blowers, despite the purported presence of a whistle blower protection system. It is interesting to note that slightly more than a quarter of civil servants did not know or had no opinion on this question, which indicates both the sensitivity and a still limited awareness about the integrity protection possibilities.

CHART 15 CIVIL SERVANTS' PERCEPTION OF THE PROTECTION OF WHISTLE BLOWERS.

If I were to become a whistle-blower, I would feel protected.	26	24	25	15	7	4

- ●Don't know/No opinion/Don't want to answer
- ●Disagree
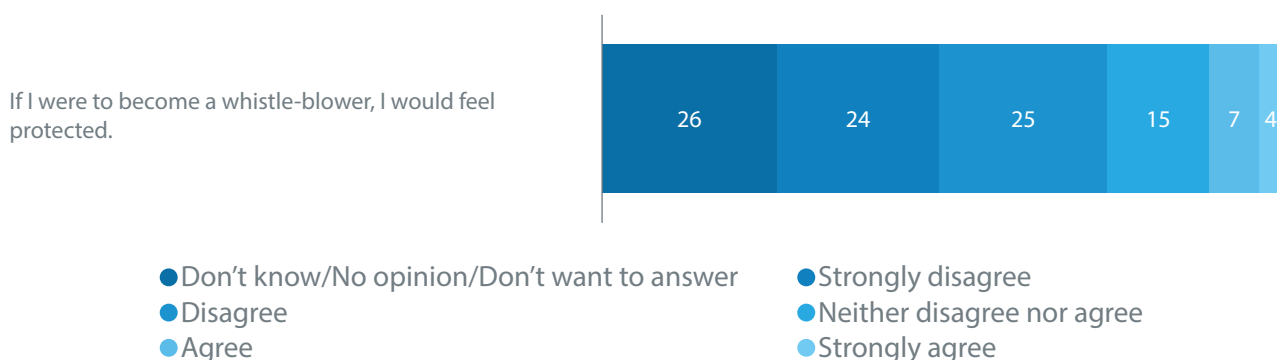- ●Agree
- ●Strongly disagree
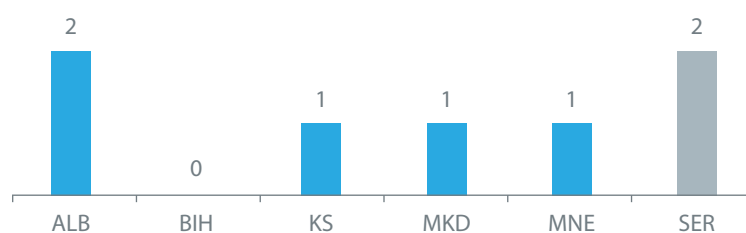- ●Neither disagree nor agree
- ●Strongly agree

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: *N=979.*

How does Serbia do in regional terms?

Indicator PSHRM_P7_I1: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service

Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

IV.4 Summary results: Public Service and Human Resource Management

Official statistics on central state administration employees is incomplete and publicly unavailable. The Central Personnel Registry lacks data on the number of temporarily engaged staff, and information from some institutions within the civil service system is missing. The HRMS and High Civil Service Council publish reports on a limited number of areas of public service policy, but quality and comprehensiveness are uneven. The Government shows no effort to promote these reports and proactively inform the public on the state of play in the PS&HRM area. All-encompassing reports on the implementation of public service policy, which would serve for better HRM policy planning, making and implementation, are lacking.

Temporary engagements in the civil service are legally limited to 10% of the number of permanently employed staff. Civil servants perceive that this form of engagement is usual in their institutions, and that temporary staff tend to perform tasks which should normally be performed by civil servants. While civil servants report that temporary engagement contracts often get extended for over a year, the legislative framework is insufficiently clear in terms of the duration of certain types of these contracts, which opens space for abuses. Criteria for the selection of temporary employees are not fully regulated, and the hiring procedure is non-transparent. Perception of civil servants is divided about the consequences that the lack of temporary employment criteria brings.

State administration bodies advertise vacancies through up to four easy-to-access, legally prescribed channels. Effort is lacking, however, to promote public competitions through modern tools such as social media, or to make vacancy announcements more comprehensible by simplifying the bureaucratic language or including visual explanations. Applications are being rejected due to misinterpretation of the requirements, since candidates are not allowed to supplement missing documentation. Candidates are usually ranked based on the interviews and not on the complete testing process, which cannot guarantee a fully impartial and unbiased selection. External candidates face certain unreasonable barriers and both civil servants and the public believe that political discretion undermines the merit recruitment in the civil service. The outcome of the competition process, including when the competition is annulled, is not made publicly available.

Recruitment of senior managerial levels is not fully competitive, nor merit based. The Government Personnel Commission decision-making role regarding the appointments of senior civil servants encourages politicisation and undermines professionalisation in the recruitment process. Inflation of the number of acting managers additionally hampers the merit principle, as individuals are being kept in the acting status for a period longer than legally prescribed and are sensitive to political influence due to a high level of job uncertainty. There is a widespread perception of politicisation in the senior civil service among both civil servants and civil society organisations. The electoral process often impacts the work of senior civil servants, and they can be dismissed for political reasons.

The overall remuneration system for civil servants is simply structured, but some parts of the administration are excluded from general civil service legislation and their salaries are defined in a special way. Salary supplements for civil servants are fully defined and clearly limited. Most of surveyed civil servants think that their managers use bonuses or increases in pay grades for reasons additional to stimulating and rewarding performance. Majority also believes that political and personal connections help employees to receive bonuses or increases in pay grades. Information about the salaries of civil servants is impossible to find online, apart from access to the legislation.

Formal integrity and anti-corruption measures are in place in the civil service, but their implementation remains deficient. While civil servants believe that current measures are impartial and effectively achieve their purpose, figures are reverse in the civil society sector. Civil servants fear the consequences of disclosing information about unethical behaviour in their organisations, as only a marginal number of them would feel protected as whistle blowers.

IV.5 Recommendations for Public Service and Human Resource Management

The Government keeps incomplete official data about the number and structure of employees in the civil service and the reports on HRM policy are incomplete and are not comprehensive, which impacts the HRM policy planning and policy making and monitoring.

1) Legislation should prescribe that the CPR includes data on all forms of temporary engagements in the civil service. The data should follow the current structure of the data on civil servants, with additional fields on the type and duration of the temporary contract. This will allow for more comprehensive monitoring of the overall HRM policy in the state administration.

2) CPR should be linked to the payroll system, thus ensuring full reliability of the data contained therein. Failure to input the data into the CPR would result in automatic failure to disburse the salary/remuneration to individuals, which would create internal pressure in the system to keep the data updated.

3) The Government should enact a special Regulation on the CPR. The Regulation should explicitly prescribe the frequency and methods of updating the Registry, its management and monitoring, as well as the sanctions for bodies that do not comply with the CSL and the Regulation.

4) Publishing statistical data on the civil service should be made legally binding, in open data formats and including gender segregation of the data. The data should be published

at MPALSG and HRMS web pages, in addition to the central Open Data Portal. Machine readable formats of the data should be available for download free of charge.

5) The HRMS should produce and publish comprehensive annual reports on the implementation of laws and policies pertaining to human resource management in the civil service. The reports should cover at least planning and recruitment, performance appraisal, career development, professional development, remuneration policy, disciplinary procedures and corruption/integrity issues. In addition to quantitative elements, the reports should contain outcome-oriented components that would address the quality of work of the civil service and assessments of whether it has become more or less professionalised, de-politicised, as well as whether capacities have improved or not.

6) The HRMS should be obliged to implement regular annual staff satisfaction surveys, serving for self-assessment purposes and feeding into the annual HRM policy reports.

7) The Government, the MPALSG and the HRMS should actively promote reports on the civil service through the most popular nation-wide means, such as webpages, social media, press releases and media statements.

The practice of engaging individuals on a temporary basis, without clear criteria, limited duration or transparency of the process, hampers the merit principle. Temporary employment in the civil service should be better regulated to limit the space for abuse.

8) The Government should explicitly limit the duration and prescribe unambiguous criteria for the selection of temporary staff in the state administration. Duration of all forms of temporary engagement contracts (a fixed-term contract under the CSL, temporary and service contracts under the Labour Law) should be legally limited to up to one year and there should be clear and transparent criteria for possible renewal of such contacts after the expiry of the one-year period. Criteria for temporary employment should contain requirements and/or competences which are equal or similar to those required for civil servants performing tasks (jobs) of similar complexity.

9) Institutions should be obliged to conduct public calls for temporary staff in the civil service and examine competencies of candidates based on clearly set criteria for temporary engagement. The calls should be advertised through channels used for public competitions for permanent employment in the civil service. The calls should contain clear elements such as the following: job description, requirements/competences, information on remuneration, testing procedure, necessary documents and deadlines for applying. Reports on the results of temporary engagement procedures should be made public as a rule.

The procedure of recruitment into the civil service does not ensure that the best candidates get the jobs. To improve the transparency, openness and farness of the recruitment, and thus comply with the merit-based principle, practices should be improved starting from advertising the vacancy to the decision on the outcome of the selection process.

10) State administration bodies should advertise public vacancies through all available means, including social media channels. The HRMS and the institutions advertising vacancies should introduce advanced search engines on their respective web pages for filtering vacancy announcements. Applying these methods would ensure a wider reach to potential candidates and increase the number of candidates per vacancy.

11) State administration bodies should invest effort in making public competition announcements more understandable to external candidates. They should translate the bureaucratic language into a simpler and clearer language, include visual elements such as infographics or videos explaining the steps in the recruitment process, as well as publish a FAQ sheet clarifying the most challenging questions based on the previous practice. This sheet should be updated regularly as candidates send new requests for clarification, so that all interested are informed in a timely manner. All this will incentivise external candidates to apply and ensure that they understand the job description and all requirements for applying. In the long run, this will ensure a more competitive recruitment process.

12) The government should remove elements that discourage external candidates from applying. For example, a passed professional state exam should not be a prerequisite but a long-term requirement for employment in the senior civil service. Alternatively, and as a minimum, taking the exam should be made free of charge, the timeframe for taking the exam should be prolonged and candidates should be offered free access to courses and tutorials to help them prepare for the exam. For junior adviser and junior associate positions, the law should clearly stipulate that any work experience in the same profession in the duration of one year or, alternatively, five years of any other work experience (before obtaining the required qualification level) counts as relevant proof of the required previous work experience, considering that this is an entry level position. This would create equal conditions for external candidates and candidates applying from within the administration.

13) The document submission stage should impose a minimum administrative and paperwork burden on candidates. It should be organised in at least two phases, with only an application form requested in the first instance. The form should contain relevant information about the candidate, as well as the candidate's statement, under a material liability, that they fulfil the requirements and that the information given is accurate. In the subsequent phases, when proof of education and professional experience is submitted, candidates should be allowed to supplement missing documentation within at least five working days.

14) The specific elements of the recruitment procedure should be professionalised and made fully transparent to guarantee a fully impartial and unbiased selection of the candidates. First, candidates should be ranked based on the complete testing process and not solely on interviews. Written tests should be made anonymised and mandatory, and there should be written evidence for each examination phase. Second, the selection committee members should be trained on how to conduct the recruitment procedure and interview candidates for jobs in the civil service. Reporting requirements from the recruitment procedure should be prescribed in detail for each requirement, so as to ensure a clearly visible rationale for the ranking and selection of candidates. The legislation should set more explicit grounds for the annulment of public competitions and remove the space for circumvention.

15) The Government should ensure maximum transparency of the outcomes of the recruitment procedures. The decisions and reasoning of the ranking and selection of all participating candidates in all recruitment phases, as well as on the annulment of public competitions, should be made publicly available, with due respect for the protection of personal information, thus allowing for increased external scrutiny and creating added pressure for merit-based selection.

Current formal and informal practices in the senior civil service fail to adequately protect the managerial levels from political influence. Several key changes are needed to decrease the

level of politicization and enable senior civil servants to exercise their duties in a politically impartial manner.

16) Explicitly define the term "serious disturbance" in Article 78 of CSL related to the criteria for termination of employment of senior civil servants. This will increase the objectivity and reduce possibilities for political influence.

17) The legislation should regulate the acting positions in a way which unequivocally shows the intention of regulating such a state as exceptional, temporary and serving the sole purpose of ensuring continuity in the work of a body or sector with a vacant SCS position. Acting senior managers should only be possible to appoint from within the civil service ranks, ideally from within the same sector/organisation which the acting manager will head. Additionally, the legislation should allow the acting managers to automatically be appointed as senior civil servants if the body fails to successfully conduct a competition process within the legally prescribed timeframe.

18) The Government should urgently cease the practice of appointing and reappointing acting managers and start making appointments of senior civil servants in accordance with the legal provisions.

19) Appointments of senior civil servants should be exempt from the competence of the Government Personnel Commission and the appointment proposals by heads of administrative bodies filling in the SCS vacancy should be sent directly to the government sessions for approval.

Efforts are lacking to make the information on the civil service remuneration system fully transparent, clear and publicly available. Future activities should go in the direction of increasing the public availability of information on the salaries of civil servants.

20) Information on the offered salary for jobs in the civil service should be part of public competition announcements that are advertised through nation-wide channels.

21) The web pages of the MPALSG and HRMS should contain information on average total salaries per different categories of civil servants. This information should be accessible in no more than three clicks from the homepage of the institution.

22) Both websites should provide citizen-friendly explanations or visual presentations of the remuneration information. These illustrations should be easy to understand and written in non-bureaucratic language, as well as contained within three clicks from the homepage of the institutions.

Implementation of formal integrity and anti-corruption measures in the civil service remains a challenge and civil servants fear the consequences of disclosing information about unethical behaviour in their organisations.

23) Central state administration bodies should continuously promote the whistle blower protection system to their employees. This can be done through in-house awareness raising workshops across the administration, reader-friendly brochures and counselling about the possibilities given to whistle blowers, including real-life cases and examples.

WeBER indicators used in Accountability and country values for Serbia

ACC_P2_I1: Civil society perception of the quality of legislation and
practice of access to public information

0	**1**	2	3	4	5

ACC_P2_I2: Proactive informing of the public by public authorities

0	1	2	**3**	4	5

V.1 State of play in Accountability

The Law on Free Access to Information of Public Importance in Serbia (hereinafter referred to as FOI law) was adopted in 2004 and amended on several occasions since.[234] Based on the Global Right to Information Rating, analysing the quality of FOI laws worldwide, Serbia holds the second ranking position with almost the maximum score for each section analysed.[235] However, despite receiving international acclaim in terms of solutions laid down by the legal framework, inefficiencies persist related to practical implementation. Based on SIGMA monitoring results, this includes inefficient "mechanisms for imposing sanctions for non-compliance" and limited "capacity of the Commissioner to monitor the state of affairs."[236] In addition, the EC Report on Serbia denotes that the FOI law is not fully aligned with EU standards, confirming a worrying trend of non-compliance among public authorities: "Administrative silence, whereby public authorities fail to properly act on the citizens' information requests, continues to be a major issue".[237] Consequently, the EC stresses the need to further amend the legal framework for the purpose of ensuring effective implementation, including enforcement of the Commissioners' decisions.[238]

MPALSG, in charge of proposing amendments to the FOI law, published the announcement for formal public consultations in March 2018.[239] The explanatory memorandum of the Law's amendments explains that the main reason behind proposed legal changes derives from issues identified through practical implementation, including the proactive informing of the public through websites and information booklets of public authorities, but also broadening the scope of authorities subject to the law, the selection procedure for the Commissioner, the execution of Commissioner's decisions, etc.[240] Public consultation was officially concluded in April 2018, and the MPALSG published the consultation report. This report categorised the

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[234] Law on Free Access to Information of Public Importance, Official Gazette no. 20/2004-5, 54/2007-3, 104/2009-25, 36/2010-10.

[235] Including, right of access, scope, requesting procedure, exceptions, appeals, sanctions, and promotional measures. Global Right Information Rating for Serbia available at: http://www.rti-rating.org/country-data/scoring/?country_name=Serbia.

[236] SIGMA Monitoring Report 2017 for Serbia, p. 89. Available at: http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf.

[237] European Commission, Serbia 2018 Report, p. 11, available at:

https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-serbia-report.pdf.

[238] European Commission, Serbia 2018 Report, p. 11 and 22.

[239] Available at: http://www.mduls.gov.rs/aktivnosti-obavestenja.php, announcement dated 22 March 2018.

[240] Explanatory Memorandum to the Draft law amendments, available from the link above.

received comments around the Draft law provisions or individual solutions the comments refer to. It is also stated that the received comments will be reviewed in detail. At the time of writing this report, there is neither information on the share of acceptance of comments received in the consultation process, nor has the Draft law been adopted by the Government or submitted to the legislature. Based on the Operation Conclusions from the PAR Special Group meeting held in May 2018 in Belgrade, the Draft law is to be submitted to the EC for comments before formal adoption.[241]

However, the proposed amendments have raised a number of serious concerns in civil society, questioning the new solutions and whether they reduce the already acquired level of FOI rights through the existing legal framework and practice. A group of nine civil society organisations launched the campaign *Defend Your Right to Info* and was joined by another 80 organisations, including media and their associations.[242] The initiative included preparation of joint comments to be submitted in the public debate, and it was ultimately supported by more than eleven hundred petitioners. In brief, two solutions from the Draft law raised the greatest concerns. The first one concerns possible exemptions from the FOI law of certain enterprises in which the state is a shareholder, and the second one concerns the administrative dispute clause allowing a public information holder to initiate administrative dispute proceedings before the Administrative court, thus having as the most apparent expected consequence the prolonging of the already lengthy process of acquiring the requested information in practice.[243] In addition, the Commissioner has issued the statement that the proposed changes of the legal framework do not correspond to the officially proclaimed goals of ensuring a greater exercise of FOI right, effectively supporting the concerns voiced by the civil society.[244]

When it comes to proactive information, one of the main mechanisms for ensuring proactivity in disclosing public information by the Serbian administration is the Information Booklet of public authorities. Stipulated by the FOI law, the mandatory publishing of this Booklet on at least an annual basis includes basic information on the authorities' work.[245] The Commissioner is in charge of issuing guidelines for producing and publishing the Booklet and provides the necessary advice to public authorities.[246] Beside publishing basic information about their work, the Draft law amendments foresee the obligation of the authorities to publish the Booklet in a machine-readable form through a single information system,[247] but also the additional obligation of regular verification of data accuracy in the Booklets by authorities, with a 15-day

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[241] Operational Conclusions available at: http://www.mduls.gov.rs/english/reforma-javne-uprave.php.

[242] List of supporting organisations and media available at: http://odbrani.pravona.info/podrska.php.

[243] See at: http://odbrani.pravona.info/.

[244] Available at: https://bit.ly/2P29fys.

[245] Article 39, Law on Free Access to Information of Public Importance. Mandatory information includes description of powers, duties, and organisational structure, budgetary data resources for work, data on services provision, process of submitting requests for information and filing complaints, review of requests, complaints and other measures and decisions that follow, the type of information in possession and available for public insight and their storage, names and description of the powers of duties of managers, the procedures and decisions concerning transparency of work, and the procedures and decisions on exclusion and limitations to the transparency of work and their justification.

[246] Article 40, Law on Free Access to Information of Public Importance.

[247] Opening of the Information Booklet represents the commitment of Serbia according to the 2016 -2017 Action Plan for the Implementation of Open Government Partnership. The commitment includes 1) development of a single IT system to access, process and present the Information Booklet, 2) designing a segment of an online platform that would serve as an Information Booklet, coupled with an obligation for public administration bodies to publish information booklets in PDF format, 3) training of employees in government bodies for the use of a single IT system, 4) piloting the use of the application, 5) promotion of the application (single IT system) for the public, civil sector, business sector and the media. Action Plan available at: http://www.mduls.gov.rs/partnerstvo-otv-upravu-2017.php.

deadline for data correction.[248] Nevertheless, SIGMA indicates that "proactive disclosure of information via the websites of public institutions poses a challenge", as the Commissioner cannot sanction public authorities for failing to disclose information proactively on their websites.[249]

The Independent Report on the implementation of the Open Government Partnership (OGP) Action Plan for Serbia indicates that the commitment for opening the Information Booklets, i.e. development of an information system, is still ongoing and facing practical difficulties, and the completion "has been limited because the timeline depends entirely on the completion of the first step, namely the amendments to the Law on Free Access to Information of Public Importance".[250] So far, early results include piloting the online application for the open data information booklets in ten local self-government units for the purposes of functionality improvements and raising capacities of local administrations.[251]

Finally, for the purpose of better proactive communication to the public, a guideline for designing web presentations is published at the webpage of the governmental Office for Information Technologies and E-government (IT Office).[252] The available version was developed in 2014 by the body responsible at that time – the Directorate for E-government, which ceased to exist as the subordinate administration body to the MPALSG with the establishment of the Government IT and e-Government Office in 2017. Although this guideline puts great focus on accessibility issues and graphical solutions, they do recommend creation of mandatory content sections including: about, documents, services, news, information of public importance, archive, contact, links, databases, Q&A and a section for persons with disabilities. However, it is non-binding and the last check of the alignment of web presentations of authorities at all administration levels with the guide was performed only in 2015 by the then existing Directorate.[253]

V.2 What does WeBER monitor and how?

The SIGMA Principle covering the right to access public information is the only Principle presently monitored in the Accountability area.

> **Principle 2:** The right to access public information is enacted in legislation and consistently applied in practice.

This Principle bears utmost significance from the perspective of increasing the transparency of the administration and holding it accountable by the civil society and citizens, but also from the viewpoint of safeguarding the right-to-know by the general public as the precondition for better administration. The WeBER approach to the Principle does not consider assessment of regulatory solutions embedded in free access to information acts, but it relies on the practice of reactive and proactive information provision by administration bodies. On one hand, the approach considers the experience of civil society with the enforcement of the legislation on access to public information, and on the other, it is based on direct analysis of the websites of administration bodies.

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[248] Draft law available at: http://www.mduls.gov.rs/aktivnosti-obavestenja.php, announcement dated 22 March 2018.

[249] SIGMA Monitoring Report 2017 for Serbia, p. 89, and p. 97.

[250] Independent Reporting Mechanism (IRM): Serbia Progress Report 2016-17, p. 46, available at:
http://cep.org.rs/en/publications/serbia-progress-report-2016-17/.

[251] Independent Reporting Mechanism (IRM): Serbia Progress Report 2016-17, p. 47.

[252] Available at: http://www.ite.gov.rs/doc/Smernice_5_0.pdf. Also, in 2015 the former Directorate produced guidelines for public administration bodies on how to use social media in their communication with the public, available at:
http://www.ite.gov.rs/smernice-drustvene-mreze.php.

[253] Available at: http://www.ite.gov.rs/latinica/projekti-smernice-za-izradu-web-prezentacija.php.

Monitoring is performed by using two WeBER indicators, the first one entirely focusing on civil society perception of the scope of right to access public information and whether enforcement is enabling civil society to exercise this right in a meaningful manner. To explore perceptions, a survey of civil society organisations in Western Balkan was implemented using an online surveying platform, in the period between the second half of April and beginning of June 2018.[254] The uniform questionnaire with 33 questions was used in all Western Balkans ensuring an even approach in survey implementation. It was disseminated in local languages through the existing networks and platforms of civil society organisations with large contact databases but also through centralised points of contact such as governmental offices in charge of cooperation with civil society. To ensure that the survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and hence contribute to is representativeness as much as possible, additional boosting was done where needed to increase the overall response. Finally, a focus group with CSOs was organised to complement survey findings with qualitative data. However, focus group results are not used for point allocation for the indicator.

The second indicator has proactive public informing by administration bodies as its focus, particularly by monitoring comprehensiveness, timeliness and clarity of the information disseminated through official websites. In total, 18 pieces of information are selected and assessed against two groups of criteria: 1) basic criteria, looking at completeness, and whether information is up to date, and 2) advanced criteria, looking at the accessibility and citizen friendliness of the information.[255] A search of information is conducted through the official websites of the sample of seven administration bodies consisting of three line ministries - a large, a medium, and a small ministry in terms of thematic scope, a ministry with a general planning and coordination function, a government office with centre-of-government function, a subordinate body to a minister/ministry and a government office in charge of delivering services.[256]

V.3 WeBER monitoring results

Principle 2: The right to access public information is enacted in legislation and consistently applied in practice

WeBER indicator ACC_P2_I1: Civil society perception of the quality of legislation and practice of access to public information

Indicator elements	Scores
CSOs consider that the information recorded and documented by public authorities is sufficient for the proper application of the right to access public information.	0/4
CSOs consider exceptions to the presumption of the public character of information to be adequately defined.	0/2
CSOs consider exceptions to the presumption of the public character of information to be adequately applied.	0/4
CSOs confirm that information is provided in the requested format.	1/2

[254] The survey of CSOs was administered through an anonymous, online questionnaire. In Serbia, the survey was conducted in the period from 23 April to 4 June 2018. The data collection method included CASI (computer-assisted self-interviewing).

[255] Exceptions being information on accountability lines within administration bodies, which is assessed only against the first group of criteria, and information available in open data format which is assessed separately.

[256] For Serbia, the sample included the Ministry of Trade, Tourism and Telecommunications, the Ministry of Mining and Energy, the Ministry of Youth and Sport, the Ministry of Finance, the Public Policy Secretariat, the Public Debt Administration, and the Republic Geodetic Authority.

Indicator elements	Scores
CSOs confirm that information is provided within prescribed deadlines.	1/2
CSOs confirm that information is provided free of charge.	2/2
CSOs confirm that the person requesting access is not obliged to provide reasons for requests for public information.	1/2
CSOs confirm that in practice the non-classified portions of otherwise classified materials are released.	0/4
CSOs consider that requested information is released without portions containing personal data.	1/2
CSOs consider that when only portions of classified materials are released, it is not done to mislead the requesting person with only bits of information.	0/2
CSOs consider that the designated supervisory body has, through its practice, set sufficiently high standards of the right to access public information.	4/4
CSOs consider the soft measures issued by the supervisory authority to public authorities to be effective.	1/2
CSOs consider that the supervisory authority's power to impose sanctions leads to sufficiently grave consequences for the responsible persons in the noncompliant authority.	0/2
Total Score	**11/34**
Indicator value (scale 0 – 5)[257]	**1**

Civil society's perception of the quality of FOI legislation and practice indicates significant discontent with the current state of affairs. To begin with, slightly less than quarter of surveyed CSOs either agree or strongly agree that public authorities record enough information to enable the public to fulfil the FOI right, a finding that questions the existence of adequate conditions for fully exercising this right. FOI requests can only be sent for information which already exists in some recorded format (written, audio, video, etc.), hence if certain information is not recorded, the FOI right cannot be fulfilled. This condition renders the scope of information that is documented by public authorities as an extremely important aspect of their work for meaningful exercise of this right. Moreover, the same percentage of total agreement (24%) is reported when asked if exceptions to the public character of information are adequately prescribed by legislation, with a similar percentage of those responding they do not know if the definition of exceptions is adequate - 21%. When it comes to the adequacy of application of these exceptions in practice, there is even less agreement (below 11%) with again a relatively high percentage of "don't knows" amounting to almost 23%.

CHART 16 CIVIL SOCIETY PERCEPTION ON QUALITY OF FOI LEGISLATION (%)

In exercising their activities, public authorities record sufficient information to enable the public to fulfil the right to free access of information of public importance: 8 | 31 | 25 | 22 | 2 | 13

The legislation prescribes adequate exceptions to the public character of information produced by public authorities: 5 | 25 | 26 | 21 | 3 | 21

Exceptions to the public character of information produced by public authorities are adequately applied in practice: 13 | 26 | 27 | 10 | 1 | 23

● Strongly Disagree ● Disagree ● Neutral ● Agree ● Strongly Agree ● Don't know
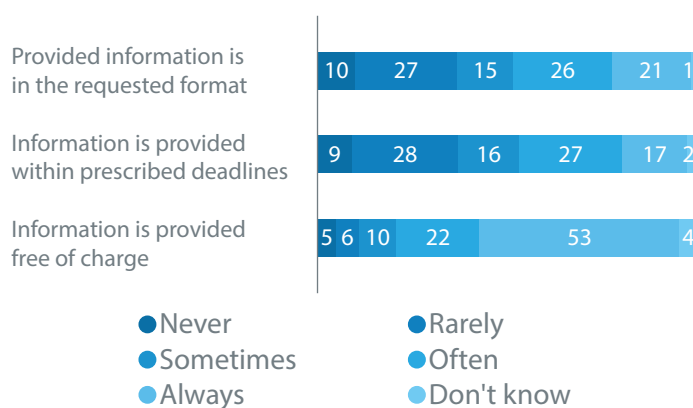
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. N=158

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[257] Conversion of points: 0-6 points = 0; 7-11 points = 1; 12-17 points = 2; 18-23 points =3; 24-28 points = 4; 29-34 points = 5.

Nevertheless, there is a tangible increase in agreement when it comes to a few practical aspects of information provision.[258] Namely, just below half of surveyed CSOs confirm that requested information is provided in requested format (47% of responses "always" and "often"), with slightly less confirmation that it is provided within prescribed deadlines (44%), despite the occurrence of outlier institutions which almost never reply in practice.[259] A significant leap forward is seen in the confirmation of exactly three quarters of responding CSOs that information is provided free of charge (75%).

WHEN MY ORGANIZATION REQUESTS FREE ACCESS TO INFORMATION… (%)

	Never	Rarely	Sometimes	Often	Always	Don't know
Provided information is in the requested format	10	27	15	26	21	1
Information is provided within prescribed deadlines	9	28	16	27	17	2
Information is provided free of charge	5	6	10	22	53	4

● Never ● Rarely
● Sometimes ● Often
● Always ● Don't know

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. **Base:** *N = 1086*

The practical experience of CSOs, nonetheless, testifies to certain difficulties that may occur. For example, the experience of frequent public information seekers is that the format as such is not as much of an issue as is the conscious or accidental submission of incomplete data.[260] CSOs also encounter the administrative silence of information holders as an issue, as it requires additional effort to communicate with the authority the necessity to complete the response.[261] For this reason, in many cases it is necessary to file an official complaint or send notices of urgency to fully exercise FOI rights.[262] Also, CSOs report that informal, personal contacts are sometimes directly related to the efficiency of information provision,[263] but despite all the formal and informal ways employed it may still be necessary to wait for

WeBER Platform members' findings

"Pursuant to the Article 35 of the FOI Law, the Commissioner decides on complaints against public authorities for violation of rights enshrined by the FOI law, i.e. failure of an authority to act upon the request, and monitors adherence of public authorities to their legal obligations. However, according to the law, the Commissioner does not oversee its implementation, which is now under the purview of the Ministry of Public Administration and Local Self-Government, i.e. Administrative Inspection as a subordinate body to the ministry. Nevertheless, the proof that this mechanism does not guarantee the absence of law violation and the sanctioning of those responsible, is found in the small number of misdemeanour procedures initiated by the Administrative Inspection in relation to the actual FOI law violations in practice and in disregarding the Commissioner's decision.

Another problem is execution of the Commissioner's decisions. Although it is prescribed that the Government supports the Commissioner in the process of administrative execution of a decision, based on request and when the Commissioner is unable to enforce it - by applying the measurers within its powers, i.e. by direct coercion, the Government has not acted to date."

Belgrade Open School, 2016, p. 33-34.

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[258] From this paragraph, all survey data referenced in this section is based on the sub-sample of CSOs who previously answered with "yes" to the question "Have you sent an FOI request in the past two years"?.

[259] Interview with investigative journalist, held on 20 July 2018, in Belgrade.

[260] Interview with investigative journalist, held on 20 July 2018, in Belgrade.

[261] Focus group with CSOs, held on 13 July 2018 in Belgrade.

[262] Focus group with CSOs, held on 13 July 2018 in Belgrade.

[263] Focus group with CSOs, held on 13 July 2018 in Belgrade.

a few months before finally receiving the requested information.[264] What is more, different institutions behave differently when providing the same types of documents, resulting in highly uneven practices. One example the CSOs provided for this case are the public prosecutor's offices in Belgrade and outside of the capital.[265] But a single authority that once properly provided requested information from its purview can also unexpectedly change its practice and behaviour and start to systematically respond that it is unable to provide the requested information any longer.[266]

Furthermore, quite an appreciable number of surveyed CSOs state that the individuals requesting information are not asked to state their reasons (52% responded "rarely" or "never"). However, perceptions start to progressively go down when it comes to questions about provision of the classified/confidential or personal data parts of requested information. In that regard, fewer than one in five of surveyed CSOs (19%) confirmed that when requesting access to information that contains classified materials, the non-classified portions of these materials are always or often released. However, almost half of the surveyed CSOs replied that they do not know (47%), indicating that they have not had experience with requesting such information. On the other hand, around 35% consider that when information containing personal data is requested, only the portions without personal data are released, but this increase in positive perception is overshadowed once again with a high share of "don't know" answers (44%). Pursuant to the FOI law, public authorities need to grant free access even to information with personal data if it relates to a person or event of interest to the public, and especially if it concerns public office holders.[267] In practice, however, certain authorities have issued an official decision stating that requesting information with personal data violates the FOI law provisions,[268] and in other instances a lot more pieces of data than expected are concealed.[269]

Still, the practice differs from one authority to another and authorities receiving fewer requests can incline towards more data anonymisation.[270] Nevertheless, together with the response of almost 47% of surveyed CSO that they do not know if the release of portions of requested information is done in a way to mislead the requesting person with only partial information, it becomes evident that CSOs are either underinformed when it comes to these practical aspects of the FOI rights application, or the practice itself does not provide enough evidence. Along this line, around one in five (20%) of surveyed CSOs consider that the release of parts of requested information is not done in way to mislead the person requesting information (responses "never" and "rarely"). There are cases, however, when receiving data with a certain confidentiality label is possible only after the Commissioner's intervention.[271]

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[264] Focus group with CSOs, held on 13 July 2018 in Belgrade.

[265] Additional examples include cadastral information where the previously decentralised process of responding to FOI requests is now transferred to the Republic Geodetic Authority who collects information from local cadastral branch offices, making the procedure more complicated and less yielding. Interview with investigative journalist, held on 20 July 2018, in Belgrade.

[266] Interview with investigative journalist, held on 20 July 2018, in Belgrade.

[267] Article 14, Law on Free Access to Information of Public Importance. In addition, free access to information with personal data can be granted if a person approves it, or if a person with his or her behaviour gives reasons for requesting such information.

[268] Focus group with CSOs, held on 13 July 2018 in Belgrade.

[269] For example, a reasonable personal data exclusion can include personal names, personal identification numbers, personal addresses and similar details. Excluding other identifier information such as names of enterprises and business is more questionable. Interview with investigative journalist, held on 20 July 2018, in Belgrade.
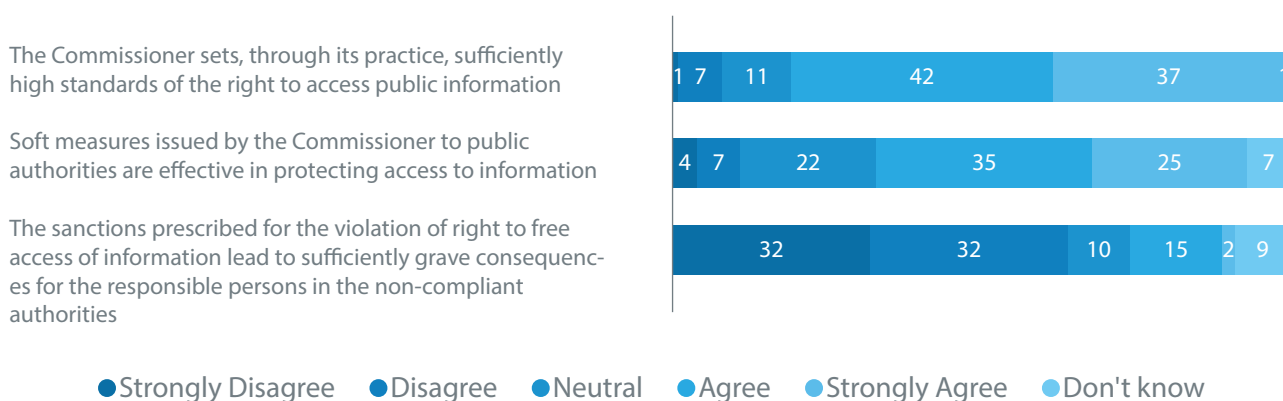
[270] Interview with investigative journalist, held on 20 July 2018, in Belgrade.

[271] A case in point is information requested from the Security Information Agency. After the Commissioner's response, the confidentiality label was removed and access granted. Interview with investigative journalist, held on 20 July 2018, in Belgrade.

Finally, CSOs positively perceive the Commissioner's efforts to set, through its practice, sufficiently high standards of the FOI right, with 79% of total agreement. A majority also perceives that its soft measures are effective in protecting this right (60%).[272] Still, the Commissioner's sanctions for violation of this right are largely perceived as ineffective, with only around 17% of surveyed CSOs agreeing they do lead to sufficiently grave consequences.

In that regard, although CSOs generally commend cooperation with the Commissioner and highlight the importance of this independent body, the Commissioner's procedure for deciding on complaints for non-compliance is assessed as quite long. One of the immediate reasons CSOs find for this problem is the general attitude of the Government towards the Commissioner, i.e. the failure to provide the budget to increase the resources for its work.[273]

CHART 18 CIVIL SOCIETY PERCEPTION ON THE WORK OF COMMISSIONER FOR INFORMATION OF PUBLIC IMPORTANCE (%)

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Don't know
The Commissioner sets, through its practice, sufficiently high standards of the right to access public information	1	7	11	42	37	1
Soft measures issued by the Commissioner to public authorities are effective in protecting access to information	4	7	22	35	25	7
The sanctions prescribed for the violation of right to free access of information lead to sufficiently grave consequences for the responsible persons in the non-compliant authorities	32	32	10	15	2	9

● Strongly Disagree ● Disagree ● Neutral ● Agree ● Strongly Agree ● Don't know

Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. N=81. Only CSOs who answered that they sent a request for free access of information in the past two years were asked these questions.*

WeBER indicator ACC_P2_I2: Proactive informing of the public by public authorities

Indicator elements	Scores
Websites of public authorities contain complete and up-to-date information on scope of work.	4/4
Websites of public authorities contain easily accessible and citizen-friendly information on scope of work.	1/2
Websites of public authorities contain complete and up-to-date information on accountability (who they are responsible to).	4/4
Websites of public authorities contain complete and up-to-date information on relevant policy documents and legal acts.	4/4
Websites of public authorities contain accessible and citizen-friendly information on relevant policy documents and legal acts.	1/2
Websites of public authorities contain complete and up-to-date information on policy papers, studies and analyses relevant to policies under competence.	2/4
Websites of public authorities contain accessible and citizen-friendly information on policy papers, studies and analyses relevant to policies under competence.	0/2
Websites of public authorities contain complete and up-to-date annual reports.	0/4

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[272] Soft measures include prescriptions, recommendations and other non-binding measures.
[273] Focus group with CSOs, held on 13 July 2018 in Belgrade.

Indicator elements	Scores
Websites of public authorities contain accessible and citizen-friendly annual reports.	0/2
Websites of public authorities contain complete and up-to-date information on the institution's budget.	4/4
Websites of public authorities contain accessible and citizen-friendly information on the institution's budget.	0/2
Websites of public authorities contain complete and up-to-date contact information (including e-mail addresses).	4/4
Websites of public authorities contain accessible and citizen-friendly contact information (including e-mail addresses).	2/2
Websites of public authorities contain complete and up-to-date organisational charts which include entire organisational structure.	4/4
Websites of public authorities contain accessible and citizen-friendly organisational charts which include entire organisational structure.	2/2
Websites of public authorities contain complete and up-to-date information on contact points for cooperation with civil society and other stakeholders, including public consultation processes.	0/4
Websites of public authorities contain accessible and citizen-friendly information on ways in which they cooperate with civil society and other external stakeholders, including public consultation processes.	0/2
Public authorities proactively pursue open data policy.	0/4
Total Score	**32/56**
Indicator value (scale 0 – 5)[274]	**3**

In proactive information provision in general, the main problems lie less in data completeness or their accessibility, but rather in the lack of visible efforts to adapt the published information so as to make it more citizen-friendly. However, some undoubtedly important pieces of information on the work of public authorities, such as annual work reports, are nowhere to be found at the official websites whereas citizen-friendly versions of institutions' budgets are missing too.

When proactively disclosing information on their websites, sample public authorities provide complete and up-to-date information on their scope of work, meaning that the descriptions are in line with the legal acts and their amendments, regulating the establishment and competences of these authorities. This includes information on services the sample authorities provide as part of their scope of work. Yet, despite being easily accessible, this information lacks citizen friendliness and the texts are mostly copy-pasted from the very same legal acts. Notable exceptions include the Public Policy Secretariat (PPS) and the Republic Geodetic Authority (RGA) where the descriptions are partly tailored for a non-expert audience.[275] Moreover, as a good practice example, PPS has published an *About Us* brochure with enhanced visual design and presentation of the PPS' role and work.[276]

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[274] Conversion of points: 0-10 points = 0; 11-19 points = 1; 20-28 points = 2; 29-37 points =3; 38-46 points = 4; 47-56 points = 5.

[275] For RGA see at: http://en.rgz.gov.rs/about-us/history. Important note: both RGA and PPS restructured and redesigned their web presentations after the monitoring, which was performed in September 2017. In that sense monitoring results may differ from the actual case during writing of this report.

[276] Available at: https://rsjp.gov.rs/EN/wp-content/uploads/2018/07/Brochure_en.pdf.

Accountability lines are also well-communicated, as websites of sample authorities contain complete and up-to-date information as to whom they are responsible in almost every case analysed. That authorities may provide this information directly on one of the website sections, or most commonly through the Information Booklet available online, is a good practice. Knowing that pursuant to the FOI Law these Booklets shall contain the names and description of powers and duties of managers,[277] it is not surprising that many sample authorities report that a minister or a director is directly responsible to the Government and to the National Assembly. The only exceptions from this pattern are the two special organisations,[278] PPS and RGA, indicating that institution as such supports the work of the Government in the case of the former,[279] or is accountable to the Government in the case of the latter.[280]

Furthermore, information on the legal acts and policy documents within the purview of sample authorities is complete, and these documents are listed under integral, or separate website sections of downloadable legal acts (laws, bylaws) and strategic documents. In some cases, the listing of documents is organised per policy sector, such as in the case of the Ministry of Youth and Sport (MYS), allowing visitors to search official documents thematically.[281] But it also happens that already expired documents are kept online rather than being kept separately in an archive section, as one potential solution.[282] Nevertheless, the legal and strategic documents are assessed as up to date by comparing them against the versions available at the Official Gazette.[283]

WeBER Platform members' findings

"Research of the Belgrade Open School, that covered 169 municipalities in Serbia, shows that 165 of them do publish Information Booklets. This leads to the conclusion that local self-governments greatly adhere to the FOI Law, consequently increasing the level of the proactive transparency principle. However, the fact that the state bodies have and publish this document does not necessarily mean the achievement of this principle since there are still those who did not publish an Information Booklet, and some of the published ones do not contain all the legally prescribed information and have not been updated in years."

Belgrade Open School, 2016, p. 58.

"The biggest problem is that no municipality has a complete Information Booklet entirely in line with the bylaw - Guidelines for producing and publishing the Information Booklet. Booklets are often missing crucial information, for example: budget information (in 52% of cases), procurement data (in 75% of cases) and information on state aid (available only in the booklets of 43 municipalities, i.e. 26%)."

Belgrade Open School, 2016, p. 6.

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[277] Article 39, par. 1, point 7, Law on Free Access to Information of Public Importance.

[278] State administration consists of three types of bodies: ministries, bodies subordinate to the ministries, and special organisations. Also, Article 35 stipulates that a special organisation is managed by the director, which is responsible to the Government for his or her work. Article 1, Law on State Administration, Official Gazette no. 79/2005-3, 101/2007-4, 95/2010-7, 99/2014-11, 30/2018-3 (др. закон), 47/2018-7.

[279] For PPS available at: http://rsjp.gov.rs/sekretarijat/.

[280] For RGA, information on accountability lines was available as part of the organisational chart of the RGA displayed in the Information Booklet. However, the version of the Booklet available online at the time of writing this report (dated 2 August 2018) contains another organigram which does not explicitly showcase the accountability line of RGA towards the Government and the Assembly. The Booklet versions (dated July 2017 and October 2017) which were used for making assessment are available to researchers in PDF.

[281] Available at the MYS webpage (see under sections Sport and Youth): http://www.mos.gov.rs/.

[282] As an example, under the list of strategies the Ministry of Trade, Tourism, and Telecommunications keeps uploaded the E-government Development Strategy for the period 2009-2013, see at: http://mtt.gov.rs/dokumenti/?script=lat.

[283] Sample institutions with a smaller number of documents listed on official websites were checked to see if they were all up to date. For those sample institutions with a large number of documents, a sample of documents was randomly checked against the Official Gazette versions (e.g. for the Ministry of Finance).

Still, similarly to the information on the scope of work, despite being easily accessible, there is no citizen-friendly approach in presenting them, either by announcing each document or group of documents with a sentence or a paragraph explaining what purpose they serve, or what they regulate. The only notable exceptions are the Public Debt Administration (PDA), which provides a short explanation of the purpose of a legal act,[284] and MoF, which simply publishes an introductory paragraph copied directly from the law or policy document.[285]

There is a general tendency among sample authorities to publish complete and updated information on other documents as well, such as policy papers, impact assessments or other analytical documents with only the exception of the Ministry of Mining and Energy (MME) as no similar documents are available on the webpage. Practices are, however, diverse in terms of the type of documents published. For instance, MoF regularly publishes an up-to-date monthly publication Public Finance Bulletin including macroeconomic and fiscal analyses and public debt projections,[286] while the MTTT makes available consumer price indices, the population's purchasing power trends, and master plans in the areas of tourism.[287] As one of the best practice examples, MYS publishes documents related to research-based analyses in both policy sectors they cover, including policy analyses, both those produced in previous years and in more recent ones.[288] In the case of PPS, in line with its statutory role, analytical opinions on the regulatory impact assessment of laws and strategies (RIA) are regularly made available, with RIA good practice examples highlighted.[289] PDA updates its webpage with monthly and quarterly analyses of public debt,[290] whereas RGA does not publish policy analyses as such but a technical journal Geodetic Service, which is issued at least annually.[291] Considering that the RGA is not a policy making authority, this practice is assessed as satisfactory for the monitoring purpose. However, the same problem of prevailing lack of citizen friendliness

> ## WeBER Platform members' findings
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> "The general conclusion after the analysis of the official websites, published brochures and the Information Booklet of the City of Kraljevo is that there is no full consistency, reliability and precision. More precisely, the presentation of the Official Gazette and the bulletin board of the City of Kraljevo are regularly updated. The electronic register of administrative procedures is accessible, provides more data filtering options and provides clear information about procedures, their duration and cost. Descriptions of individual administrative procedures also include the form of a beneficiary's statement of approval allowing the authority to obtain evidence ex officio, which is an indirect way of informing the beneficiary about the obligation of data exchange. However, these descriptions also inform that certain pieces of evidence will be obtained ex officio, but at the beneficiary's expense, which certainly calls into question the application of the provisions of the Law on General Administrative Procedure and creates confusion."
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> Praxis, 2018, p. 6.

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[284] Available at: http://www.javnidug.gov.rs/default.asp?P=42&MenuItem=3.

[285] See example for legal act here: http://www.mfin.gov.rs/pages/article.php?id=13695, and a policy document here: http://www.mfin.gov.rs/pages/article.php?id=13567.

[286] Available at: http://www.mfin.gov.rs/pages/issue.php?id=8528.

[287] For MTTT available at: http://mtt.gov.rs/informacije/potrosacka-korpa/?script=lat, and http://mtt.gov.rs/informacije/rast-potrosackih-cena/?script=lat, and http://mtt.gov.rs/sektori/sektor-za-turizam/master-planovi/?script=lat.

[288] For youth policy available at: http://www.mos.gov.rs/dokumenta/omladina/istrazivanja, for sport policy at: http://www.mos.gov.rs/dokumenta/sport/istrazivanja, and http://www.mos.gov.rs/dokumenta/sport/analize.

[289] Available at: http://rsjp.gov.rs/reforma/.

[290] Available at: http://javnidug.gov.rs/default.asp?P=128&MenuItem=4, and http://javnidug.gov.rs/default.asp?P=26.

[291] Available at: http://www.rgz.gov.rs/mediji/stru%C4%8Dni-%C4%8Dasopis-geodetska-slu%C5%BEba/arhiva.

persists for these documents - they are not briefly introduced with simple understandable explanations of their purpose to the public. Noteworthy is the example of RGA, which uses a dedicated website section for publishing the Geodetic Service Journal with an easily navigated online reader for the newest edition and an archive of previous ones.[292]

One of the most striking flaws in the proactive disclosing of information is the absence of annual reports for the last available reporting period in all sample authorities. In this regard, pursuant to the Government Rules of Procedure (RoP), administration bodies are obliged to submit their annual reports to the General Secretariat of the Government (GSG) by 1 March. These reports are used by the GSG for compilation of the annual report of the Government's Annual Work Plan (GAWP), with no provision, however, requiring them to publicly disclose individual reports.[293] Although publication is not legally required, the lack of publishing of annual reports constitutes a major deficiency within an otherwise positive overall practice of proactive informing of the public. This observation gains even more relevance, considering that the overall GAWP report (which is composed of institutions' individual reports) is also irregularly published (see under Policy Development and Coordination). MoF represents an interesting case by publishing the GAWP 2016 annual implementation report under a hyperlink titled "report on the MoF work for 2016" and within the website section "information booklet of the ministry" which indicates the absence of clear and predictable practice of publishing annual reports.

That Information Booklets can be a useful tool for proactive communication is proved once again in the case of disclosing the budgetary data of sample authorities. Hence, publishing financial plans for the year of monitoring and financial reports for the preceding year in the Booklets was sufficient to positively assess the completeness of budgetary information.[294] As has been said, FOI Law stipulates that data on budget and operating resources shall be contained in the Booklet.[295] Only in the case of PDA was there incomplete budgetary data as the Information Booklet contained a financial plan but no financial report was available at that time. It should be noted though that some sample authorities have implemented changes to their web presentations after the monitoring, affecting the way of publishing information. A typical example is the website of the PPS, recently redesigned with budgetary documents available directly from the website section Documents (including financial plans, in-year modifications, as well as a final account for the last fiscal year).[296] Whereas accessibility of budgetary information is not an issue, a chronic deficit of citizen friendliness is confirmed once again. In other words, sample authorities do not publish citizen-friendly information on their budgets, except MoF which publishes the *Citizens' Guide Through the Budget*, albeit for the state-level revenue and expenditure plan.[297]

Contact information and information on organisational structures mark the first occurrences of citizen-friendly information. Firstly, websites of all sample authorities contain separate

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[292] Available at: http://www.rgz.gov.rs/mediji/stru%C4%8Dni-%C4%8Dasopis-geodetska-slu%C5%BEba/aktuelno-izdanje.

[293] See Article 78 and 79 of the Government Rules of Procedure, Official Gazette no. 61/2006 - prečišćen tekst, 69/2008, 88/2009, 33/2010, 69/2010, 20/2011, 37/2011, 30/2013, 76/2014).

[294] Budget documents monitored included financial plans for 2017, and financial execution reports for 2016 (or the last available financial reports).

[295] Article 39, par. 1, point 2., Law on Free Access to Information of Public Importance.

[296] Available at: http://rsjp.gov.rs/dokumenta/.

[297] For 2018, available at: http://www.mfin.gov.rs/pages/article.php?id=12932. Additional note: during the monitoring, the Citizens' Guide through the budget for 2017 was the last available version. In addition, local self-governments in Serbia are increasingly producing citizen budgets in recent years. See good examples for 2018 of the City of Pirot - https://www.pirot.rs/index.php/sr/pb/2827-gradanski-vodic-kroz-budzet-za-2018-godinu, and the Ruma municipality - http://www.ruma.rs/portal2/jupgrade/dokumenta/Gradjanski%20vodic%20kroz%20budzet%20Rume%202018.pdf.

separate (sub)sections presenting this information without having to open and search through any document to obtain it. The same applies for other criteria - contact information can be easily accessed, it is complete (includes addresses, generic telephone numbers, and contact emails), and up to date.[298] Secondly, organisational charts are generally presentable and almost uniformly available for download in a familiar file format (PDF, JPEG or similar).[299] As in the case of contact information, the organisational charts meet other criteria as well. By comparing available organisational charts with the organisational structure described in the acts on job systematisation, it is assessed that the information is complete and up to date in all but one case.[300]

On the other hand, information on the ways in which sample authorities cooperate with civil society and other external stakeholders, including public consultation processes, is made partly publicly available. In around 50% of cases this information is either complete and up to date, or accessible and citizen friendly. Hence, the four sample authorities provide this information completely by disclosing information on contact unit or person, or contact information (telephone, email, social media etc.) that is not generic but specifically related to the matter of cooperation with external stakeholders. The MTTT keeps an updated section with announcements and reports of current and previous public consultations, with the majority of announcements containing specific contact information.[301] MYS runs an Open doors section for suggestions and opinions of citizens on issues within the competence of MYS, including contacts.[302] On a different note, PPS collects initiatives of citizens and businesses through a submission form,[303] while RGA, as the special organisation for geodetic and cadastral affairs provides multiple choices from an info centre with different contact choices and a complaint form.[304] Out of all these examples, only the testing of the PPS channel did not return a reply, raising the question of whether it was up to date at that time.[305] In the case of the four sample authorities mentioned, all channels are easily accessible from the homepage, and rendered citizen friendly, explaining briefly and in simple language with which external stakeholders and in which fields

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[298] For validating if contact information is up to date, sampled institutions were contacted by generic telephone. Only in the case of MYS was the call returned following no answer when testing took place in the last week of September 2017.

[299] During monitoring, the organisational chart of RGA was provided in the Information Booklet, and it was not downloadable. RGA launched a new website in October 2017 and new Booklet in 2018.

[300] For PDA, all units from the organisational chart match with the description of the act on internal organisation and systematisation of job positions (number, and description of work). However, in two cases, the type of unit differs (based on a consolidated version of this act received after submission of the FOI request). For MTTT, due to great number of competences and a large number of internal units, not each lower level unit is presented in the chart, examples being the central and decentralised units of the Sector for Market Inspection and for Tourist Inspection (based on a consolidated version of the act on internal organisation and systematisation of job positions received after submission of the FOI request). However, the information is assessed as complete. When it comes to RGA, the link provided as an answer to the FOI directed at that time to the last available act on the internal organisation and systematisation of job positions (updated in November 2014, based on the file title), and the organisational structure envisaged by the act matched with the chart. Since RGA underwent website reconstruction in October 2017, the referring link was no longer available, but a new one was with a more updated version of this act with a different organisational description (updated and consolidated in October 2017, based on the file title). Also, there is a newer version of the Information Booklet (updated in October 2017) that does not reflect the actual changes envisaged by the updated systematisation act. However, it is assessed as complete, reflecting the situation encountered within the dates of measuring this indicator (last week of September 2017).

[301] Available at: http://mtt.gov.rs/javne-rasprave/?script=lat.

[302] Available at: http://www.mos.gov.rs/vest/otvorena-vrata-ministarstva-omladine-i-sporta.

[303] Available at: http://rsjp.gov.rs/podnesi-formu/. At the time of monitoring, initiatives were to be submitted by email, however PPS has subsequently redesigned its webpage.

[304] Available at: http://www.rgz.gov.rs/kontakt/info-centar/kontakt-telefoni-info-centra and http://primedbe.rgz.gov.rs/.

[305] Test email sent on 31 October 2017.

they cooperate. In addition, it is determined that MoF keeps an archive of public consultations, yet no clearly dedicated section for the active ones.[306]

Finally, from the analysis of the sample authorities' websites it is revealed that only MME proactively pursues an open data policy, as it had published five datasets in open format pertaining to the competence of the institution.[307] The same datasets can be found at the official open data portal of the Government.[308] Also, three RGA open datasets are published on the open data portal, nevertheless at the time of monitoring these could not be located at the RGA website. At the time of writing this report, 26 public administration bodies published at least one dataset on the open data portal, including the ministries, special organisations, subordinate bodies, government offices, public agencies, city and municipality administrations.

How does Serbia do in regional terms?

Indicator ACC_P2_I1: Civil society perception of the quality of legislation and practice of access to public information

Indicator ACC_P2_I2: Proactive informing of the public by public authorities
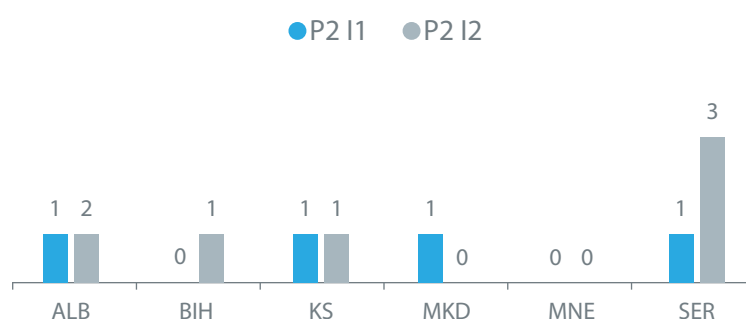
●P2 I1　●P2 I2

Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

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[306] Available at: http://www.mfin.gov.rs/pages/article.php?&id=13198&change_lang=ls.

[307] Available at: http://www.mre.gov.rs/otvoreni-podaci.php.

[308] Available at: https://data.gov.rs/sr/organizations/ministarstvo-rudarstva-i-energetike/#datasets.

V.4 Summary results: Accountability

Perception results of the implementation and enforcement of the right to free access to information shows that civil society's most positive views relate to the work of the Commissioner for Information of Public Importance and Personal Data Protection. Differently, sanctions for the violation of FOI rights are perceived as greatly ineffective, and some practical aspects of FOI exercise are perceived as problematic. Hence, around a quarter of surveyed CSOs in Serbia either agree or strongly agree that public authorities record sufficient information which enables the exercise of the right to free access of information (FOI) of public importance. The same share of CSOs agree that the legislation prescribes adequate exceptions to the public character of information, although with a considerable number of "do not knows". A notably lower level of agreement of around 10% is reported when CSOs are asked whether these exceptions are adequately applied in practice.

Out of the surveyed CSOs who have sent a FOI request in the past year, almost half replied that the provided information is in the requested format always or often, and 44% responded that information is provided within the prescribed deadlines. A huge increase in responses of "often" or "always" confirms that information is provided free of charge (75%), with over a half of surveyed CSOs stating that a person requesting information rarely or never gets asked to provide reasons for requests. Furthermore, only 18.5% of surveyed CSOs state that non-classified portions of information with classified parts are often or always released, with almost half of CSOs who do not know. However, slightly over a third of CSOs (44%) state that portions not containing personal data are released, with once again a high percentage of "do not knows". The surveyed CSOs positively perceive the role of the Commissioner, with 79% agreeing or strongly agreeing that the Commissioner sets through its practice sufficiently high standards of FOI rights. Also, a high percentage of agreement confirms that the soft measures of the Commissioner are effective in protecting FOI rights (59%). The extent of agreement is markedly lower when asked if sanctions for the violation of FOI rights lead to sufficiently grave consequences. Thus, perception results send a strong message in a minimum of two directions: for improving the legal framework for greater protection of the FOI right and for better enforcement.

In the proactive information provision by public authorities, the main deficiencies relate to lack of citizen friendliness of information, and to the lack of two certain types of documents - annual work reports and citizen-friendly budgets. Sample public authorities disclose information on their scope of work and despite being easily accessible, this information is often not citizen friendly. Also, authorities provide complete and updated information on accountability lines, usually, though not exclusively, within the Information Booklets. Information on policy documents and legal acts from this purview is also published completely, is up to date and accessible, but with the evident lack of citizen friendliness. Similarly, publishing policy papers, studies, and other analyses does not meet the citizen-friendliness criterion. It is noteworthy that sample authorities do not publish annual reports on their work. In contrast, some budgetary information is regularly and accessibly provided within the Information Booklets, but without the existence of citizen-friendly budgets. Contact information is fully available and easily accessible, as are organisational charts with hierarchies of internal units that are generally presentable and easily downloadable. However, informing on channels for cooperation with civil society and other external stakeholders is uneven among the sample authorities, and only one of them publishes datasets related to their work in an open format at the time of monitoring.

V.5 Recommendations for Accountability

Proactive publishing of information on the websites of public authorities differs from one case to another. The same piece information can be available in one case but absent in another, and when published, information can differ in quality or usability when assessed for completeness, updates, accessibility, and citizen friendliness. Whilst all four criteria should be fully observed when proactively informing, lack of a citizen-friendly information provision, however, is the overall characteristic of the administration.

1) Public authorities should inform by using simple, citizen-oriented language on their websites, focusing on ease of access and better user experience. In particular:

    a. When publishing documents (policy and legal documents, reports, etc.), their content and purpose need to be briefly introduced/explained without bureaucratic terminology, focusing on the most important aspects and how they affect the everyday life of citizens, associations, businesses, minority groups, or other groups in society.

    b. When providing information on organisational purpose and purview, describing policy areas and offered services, or similar administrative information (either in the Information Booklets or otherwise online), the copy-paste of text from statutory acts should be strictly avoided, but tailored to an average citizen.

Moreover, there is an obvious absence or deficit in publishing certain types of information. In this regard:

2) Public authorities at the state administration level should proactively publish their annual work reports online. The basic option would be to publish the corresponding excerpt from the GAWP Report, and for those more complex, to complement them with the qualitative and quantitative information and the performance indicators on the concrete results achieved by the organisation in the one-year period.

3) Public authorities should start producing and publishing citizen-friendly versions of their annual budgets (financial plans). Existing practices in the country for the annual state budget and for a few local self-governments, can be used as the starting point for their development. Once they are developed and published, citizen budgets should be clearly marked and visible from the website homepage.

4) Public authorities should start publishing at least one dataset pertaining to their scope of work in line with the open data standards, preferably both on their websites and national open data portal. Alternatively, they can provide a clearly visible link to the open data portal, informing website visitors that they can access their datasets in open data formats there.

5) Information on cooperation with civil society, and external stakeholders in general, should be clearly displayed, preferably through an easily accessible website section at the landing page, detailing what cooperation with CSOs entails, channels of communication, contact/responsible persons and other relevant information.

6) Similarly, for public consultations and public debates on policy documents and legislation, a separate website section should be available as well. It can either be combined with the one from recommendation no. 5 or designed separately. However, finalised and ongoing consultation processes should be easily identified and searchable, including responsible contact persons, calls to participate, programmes, necessary documents and information on the outcome. Alternatively, the authorities can provide a clearly

visible link to the E-Government portal where all public debates and consultations are supposed to be published.

Despite the highly positive assessment of FOI legislation in Serbia based on the Global Right to Information Rating, the perception of CSOs turned largely negative, indicating discrepancies between the norm and reality. In addition to more systemic issues, like absence of effective sanctions for non-responding authorities, smaller-scale issues with respect to the law compliance prevent smoother application of FOI rights and greater satisfaction of information seekers. In this regard, when answering FOI requests:

7) Public authorities should always provide information in the requested format(s). If there is a reasonable barrier or justification for not doing so, information seekers should be informed in advance.

8) Public authorities should completely avoid providing information in scanned documents. This limits the further use of data and search in the case of larger documents.

9) Public authorities should contact information seekers when they are unsure whether they have prepared the right information, to ascertain that the request for information is properly addressed.

10) Finally, the pending changes to the FOI legislation in Serbia should ensure effective sanctions for all non-compliant authorities to fully protect the FOI right.

WeBER indicators used in the Service Delivery and country values for Serbia

SD_P1_I1: Public perception of state administration's citizen orientation

0	1	2	3	**4**	5

SD_P3_I1: Public perception and availability of information on citizens' feedback regarding the quality of administrative services

0	1	**2**	3	4	5

SD_P4_I1: CSOs' perception of accessibility of administrative services

0	1	2	3	4	5

SD_P4_I2: Availability of information regarding the provision of administrative services on the websites of service providers

0	1	2	**3**	4	5

VI.1 State of play in Service Delivery

There is no single strategic or programme document that would comprehensively address service delivery policy in Serbia as a whole. However, the strategic framework for certain aspects of service delivery is largely in place, i.e. through the PAR Strategy and Strategy for E-government Development. Increasing legal certainty, improving the business environment and the quality of service delivery are defined as one of the objectives of the PAR Strategy (specific objective 4).[309] The recently adopted Action Plan for the implementation of this Strategy by 2020 prioritises measures and activities aiming to improve access and the quality of services through the adoption of the legal basis for a "one-stop-shop" system, the implementation of user satisfaction research and expectation analysis of key stakeholders on the quality of public services and feedback mechanisms and the introduction of a service quality management system, to name a few.[310]

The Strategy for E-government Development adopted in late 2015 provides a detailed breakdown of activities to be implemented under the already expired AP for 2015-2016. The Strategy has also introduced six specific objectives focusing on the completion of the institutional and legal framework, the interoperability between public administration bodies, the establishment of basic e-registers, the provision of new e-services, the training of public administration employees on ICT and the creation of open government (open data included).[311] Yet the implementation of this AP was low, as only 34% of the activities planned for 2016 were achieved.[312] What is more, a draft of the AP for the period 2017-2018 was developed, but with significant delays and eventually faced a stalemate in 2018, thus leaving the reform intentions, based on the monitoring of the official AP, largely unachieved.

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[309] PAR Strategy, available at:
http://www.mduls.gov.rs/doc/Strategija%20reforme%20javne%20uprave%20u%20Republici%20Srbiji.pdf.

[310] Draft Action plan, available at: http://www.mduls.gov.rs/aktivnosti-obavestenja.php.

[311] Strategy for eGovernment Development, available at:
http://www.ite.gov.rs/doc/zakoni/StrategijarazvojaeUpravesaAP2015-2018-1.pdf.

[312] SIGMA Monitoring report for Serbia, 2017, available at: http://www.sigmaweb.org/publications/monitoring-reports.htm

Yet, the activities to develop e-government in Serbia have been ongoing, regardless of the delays with the strategic framework. The Law on E-government was adopted in April 2018,[313] with the intention to facilitate easier, more transparent and more efficient functionalities of the electronic services, leading ultimately to easier communication between public administration bodies and end users. Electronic communication is becoming an obligation of administration bodies, together with the electronic conduct of administrative procedure. The Law also stipulates the possibility to pay service fees for e-services electronically through the E-government portal.

Accordingly, one of the recent developments available from the E-government portal is the "e-payment of administrative fees" for services containing a mandatory fee. Through several steps, portal users are offered the option to pay the fee with payment cards (although limited to some banks operating in Serbia).[314] In March 2018, the E-government portal announced that payment of all administrative fees was becoming possible through "e-money," by purchasing iPay vouchers or using the iWallet mobile application.[315]

Furthermore, pursuant to the newly adopted Law on E-government, publishing data in open format also becomes an obligation of the administration, whereas additional provisions regulate requirements on open data reuse and licensing. Publishing and making use of open data can have a positive impact on steering service delivery in different policy areas and on better targeting of users and their different needs. However, open data policy is in an early development stage and benefits for service users in this regard remain to be addressed. The Open Data Portal has been launched: it is user-friendly and contains 106 datasets uploaded by 28 public authorities. The most proactive has been the local administration of the city of Šabac (14 datasets), followed by the Commissioner for Information of Public Importance (13) and the Medicines and Medicine Devices Agency of Serbia (11). Most datasets relate to the areas of governance (12), health (9) and environment (8), while the most popular open data formats are CLS and XLS. Datasets about traffic accidents in Belgrade and public transport routs have had the most downloads—114 and 113 respectively.

Some recent improvements of service delivery practice received praise in terms of the effort of the Serbian government towards easier access to services, such as facilitated company registration, obtaining construction permits, and above all, a much simpler procedure for registering a new-born child as the procedure can be fully finalised on the spot in a majority of hospitals across Serbia.[316] In addition, SIGMA acknowledges the increase in usage of digital services (notably among businesses),[317] and the European Commissions' country report for Serbia also acknowledges progress, highlighting "an increase in the provision of integrated e-services to citizens and businesses through one-stop-shops."[318] Still, "mechanisms and resources to measure citizen satisfaction with the delivery of public services are not in place."[319] In other words, despite the existence of positive cases, there is no centrally placed institution or mechanism that would serve as the driver for service delivery improvement in general, to perform quality management and track performance.[320]

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[313] Law on E-government, available at: http://www.parlament.gov.rs/upload/archive/files/cir/pdf/zakoni/2018/164-18.pdf.

[314] See at: http://www.euprava.gov.rs/vesti/256/ePlacanje.html.

[315] See at: http://www.euprava.gov.rs/vesti/260/iPay.html.

[316] Registering for a birth certificate, for the address of residence and health insurance.

[317] SIGMA Monitoring report for Serbia, 2017, p. 109, available at:
http://www.sigmaweb.org/publications/monitoring-reports.htm.

[318] European Commission, Serbia 2018 Report, p. 12, available at:
https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-serbia-report.pdf.

[319] European Commission, Serbia 2018 Report, p. 12.

[320] SIGMA Monitoring report for Serbia, 2017, p. 108, available at: http://www.sigmaweb.org/publications/monitoring-reports.htm.

Finally, the adoption of the new Law on General Administrative Procedure (LGAP) in March 2016, marks a significant step forward as the administration bodies are required to exchange data from civil registers *ex officio*. Through the corresponding LGAP provisions, it should no longer be required from citizens to submit personal data kept in the civil registries, but the public authorities are obliged to obtain such data directly from the relevant data holders. The latest edition of the Balkan Barometer public opinion survey results shows that majority of Serbian citizens incline towards disagreement that administrative procedures are efficient, although this perception has changed positively over the years.[321] Nevertheless, oversight over LGAP implementation and harmonisation of sectorial legislation with the LGAP remains as a future challenge.

VI.2 What does WeBER monitor and how?

Under the Service Delivery area of PAR, three SIGMA Principles are monitored.

Principle 1: Policy for citizen-oriented state administration is in place and applied;

Principle 3: Mechanisms for ensuring the quality of public services are in place;

Principle 4: The accessibility of public services is ensured.

From the perspective of the civil society and the wider public, these Principles bear the most relevance in terms of addressing the outward-facing aspects of the administration that are crucial for daily provision of administrative services and contact with the administration. In this sense, these are the principles most relevant to the quality of everyday life of citizens.

The approach to monitoring these principles relies, firstly, on public perception of service delivery policy, including how receptive the administration is for redesigning administrative services based on citizen feedback. This is complemented with the perception of civil society about distinct aspects of service delivery. Moreover, the approach to the selected Principles goes beyond perceptions, exploring aspects of existence, online availability and accessibility of information on services.

Four indicators were used, two fully measured by perception data (public perception and civil society) and two by using a combination of perception and publicly available data.[322] The public perception survey employed three-stage probability sampling targeting the public. It focused on citizen-oriented service delivery in practice, covering the various aspects of awareness, efficiency, digitalization and feedback mechanisms.

In the measurement of accessibility of administrative services for vulnerable groups, and in remote areas, a survey of civil society and a focus group with selected CSOs were used,[323] the

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[321] Balkan Public Barometer, indicator Administrative Procedures for 2018. In comparison to the same opinion survey from 2017, perception in 2018 is more positive - 51% of the public disagrees, and 43% agrees that administrative procedures are efficient, whereas in 2017, 55% disagreed and 38% agreed (the percentage of "don't knows" or not answered was the same for both years). See results for 2015-2018 at: https://www.rcc.int/seeds/results/2/balkan-opinion-barometer.

[322] Perceptions are explored using a survey targeting the general public (aged 18 and older) of six Western Balkan countries. The survey was conducted through computer-assisted personal interviewing (CAPI), using a three-stage random stratified sampling. It was implemented as part of the regional omnibus surveys conducted in Albania, Bosnia and Herzegovina, Montenegro and Serbia (ad hoc surveys were conducted for Kosovo and Macedonia) during 15 October - 30 November 2017. For Serbia, the margin of error for the total sample of 1029 citizens is ± 3.06%, at the 95% confidence level.

[323] The survey of civil society organisations was administered through an anonymous, online questionnaire. The data collection method included CASI (computer-assisted self-interviewing). In Serbia, the survey was conducted in the period

latter for complementing the survey data with qualitative findings. The existence of feedback mechanisms was explored by combining public perception data and the online data on the sample of five services.[324] Finally, the websites of providers of the same sample of services were analysed to collect information on accessibility and their prices.

VI.3 WeBER monitoring results

■ **Principle 1:** Policy for citizen-oriented state administration is in place and applied

WeBER indicator SD_P1_I1: Public perception of state administration's citizen orientation

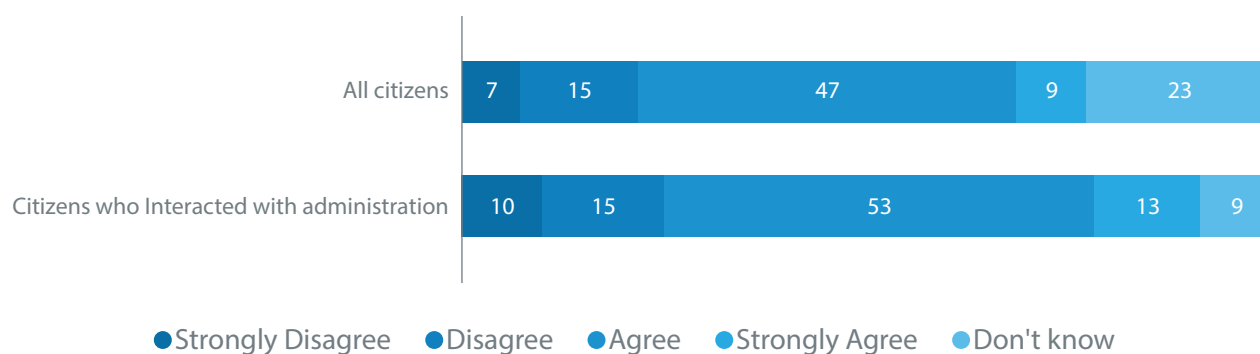| Indicator elements	Scores
Citizens are aware of government administrative simplification initiatives or projects	1/2
Citizens confirm that administrative simplification initiatives or projects of the government have improved service delivery	4/4
Citizens confirm that dealing with the administration has become easier	2/4
Citizens confirm that time needed to obtain administrative services has decreased	2/4
Citizens consider that administration is moving towards digital government	2/2
Citizens are aware of the availability of e-services	1/2
Citizens are knowledgeable about ways on how to use e-services	2/2
Citizens use e-services	2/4
Citizens consider e-services to be user-friendly	2/2
Citizens confirm that the administration seeks feedback from them on how administrative services can be improved	1/2
Citizens confirm that the administration uses their feedback on how administrative services can be improved	4/4
Total Score	**23/32**
Indicator value (scale 0 – 5)[325]	**4**

The population of Serbia has a generally positive sentiment towards the service delivery policy of the Government. More specifically, when asked to reflect if they are aware of the Government's effort to simplify service delivery in the last two years, 56% of citizens agreed (agreeing, and strongly agreeing with the statement), and this perception is even higher among the citizens who have interacted with the administration in the last two years (66%). This result coincides with some of the recent developments in the field of service delivery, which have been widely communicated to the public and are recognised as good practice examples (for example, the one-stop-shop for registering new born babies at hospitals, mentioned in the State of Play section above). At the same time, three out of four citizens who are aware of such efforts agree that their outcome has been improved service provision.

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from 23 April to 4 June 2018. The survey sample was N=183.

[324] 1) Property registration, 2) company (business) registration 3) vehicle registration 4) issuing of personal documents: passports and ID cards 5) value added tax (VAT) for companies.

[325] Conversion of points: 0-5 points = 0; 6-11 points = 1; 12-17 points = 2; 18-22 points =3; 23-27 points = 4; 28-32 points = 5.

	Strongly Disagree	Disagree	Agree	Strongly Agree	Don't know
All citizens	7	15	47	9	23
Citizens who Interacted with administration	10	15	53	13	9

●Strongly Disagree ●Disagree ●Agree ●Strongly Agree ●Don't know

Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.*
Base: *N=1029, N=491*

For the same period of the last two years, dealing with the administration has become easier in the opinion of less than half of the population (42%), indicating the absence of a fully systematic approach to simplifying access to services and a still largely bureaucratic practice. In that regard, around the same percent of citizens agree that the time needed to obtain service has decreased - 45%, with once again higher agreement among those citizens who have interacted with the administration during this period – 56%.

CHART 20 IN THE PAST TWO YEARS, THE TIME NEEDED TO OBTAIN ADMINISTRATIVE SERVICES HAS DECREASED (%)

	Strongly Disagree	Disagree	Agree	Strongly Agree	Don't know
All citizens	12	20	37	8	24
Citiznes who interacted with administration	15	22	45	11	7

●Strongly Disagree ●Disagree ●Agree ●Strongly Agree ●Don't know
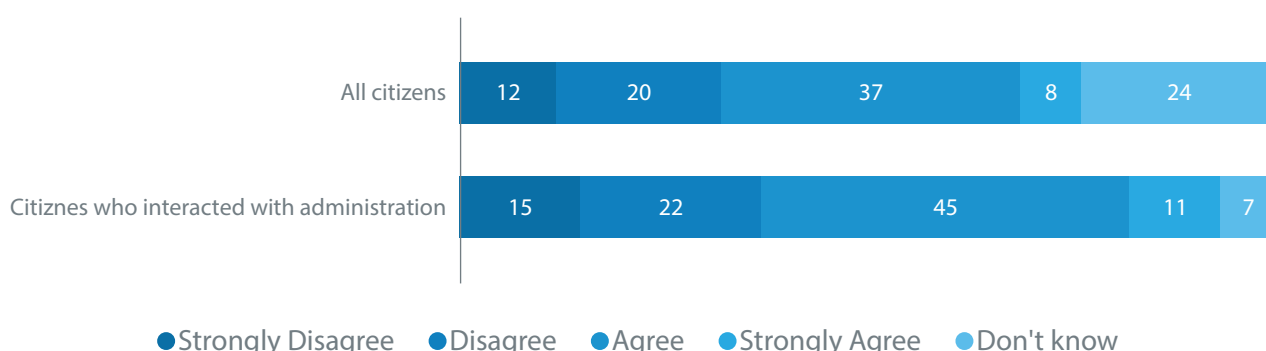
Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.*
Base: *N=1029, N=491*

Moreover, within the perception of the over two-thirds majority (roughly 70%), there is a high awareness among citizens that Serbia is increasingly moving towards digitalisation. Yet, the perception regarding the different aspects of providing e-services indicates that digitalisation has not yet tangibly impacted the citizens' every-day lives.

More specifically, fewer than a half of Serbian citizens are aware of e-services, and even fewer have used them. Out of those who are aware of the e-services' existence (41%) and know how to use them (which is over 80% of those that are aware that they exist), only 35% of citizens confirm they have used them either sometimes or often. It is noteworthy to mention that awareness of e-services is the highest in the 18-29 and 30-44 age-groups (61% and 63% respectively), with a pronounced generation gap - 61% of young people but only 15% of older people expressing awareness of e-services.
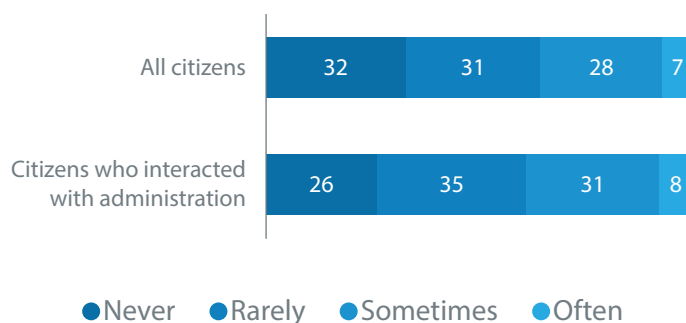
CHART 21 ARE YOU AWARE IF E-SERVICES (OR ADMINIS-TRATIVE SERVICES VIA THE INTERNET) ARE OFFERED IN YOUR COUNTRY? (WHOLE POPULATION)

Yes	41,2
No	58,8

*Note: Results are rounded to the nearest integer. **Base:** N=1029*

Also, in Serbia around one in three persons have never used e-services (32%) and a similar share of the population have done so (35%). In relation to other socio-economic characteristics, both awareness and usage of e-services are higher among younger age groups, university students, those in paid work and public-sector employees (although the majority of those working in the private sector are aware as well). Expectedly, the level of awareness, knowledge, and usage rates are higher among those citizens that have interacted with the administration in the past two years to obtain a service.

CHART 22 THINKING ABOUT THE PAST TWO YEARS, HOW OFTEN HAVE YOU USED E-SERVICES OF THE ADMINISTRATION? (%)

	Never	Rarely	Sometimes	Often
All citizens	32	31	28	7
Citizens who interacted with administration	26	35	31	8

● Never   ● Rarely   ● Sometimes   ● Often

*Note: The question was answered by citizens who are aware of e-services and knowledgeable about how to use them. Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. **Base:** N=409, N=285*

Still, as can be seen from the chart above, there is a high percentage – 61% - of citizens who have interacted with service providers to obtain a service in the past two years, but never or rarely used e-services. This indicates the underused opportunities for familiarising the general population with the availability of e-services.

WeBER Platform members' findings

"The survey of citizens' (dis)satisfaction with services delivered by the police administrative service was conducted between 9 February and 3 March 2017. According to the poll results, most citizens (73%) have visited the police administrative service within the past year and most of them used the services of issuing IDs (71%), then travel documents (12%), driving licences (11%) and vehicle registration (10%).

More than 70% of citizens who have visited the police administrative service came 2-3 times in order to get the same document issued, while more than 40% of citizens waited for more than one hour in queues. Yet, there are significant variations amongst the regions in Serbia. Thus, 30% of citizens from Vojvodina waited for less than 10 minutes in line at the police administrative service, whereas every third citizen of Eastern and South-Eastern Serbia waited for more than two hours.

Nevertheless, most citizens are happy with the service quality, despite the said problems. Namely, more than 60% of citizens assessed the services provided by the police administrative service as good quality."

European Movement in Serbia, 2017, p. 11-12.

Citizens who have some experience with e-services in Serbia tend to be positive about their ease of use. In particular, 86% of citizens who used e-services, consider them easy to use, and when asked how often they managed to finalise the service they requested online, 47% of Serbian citizens who have used them report they have always managed to obtain the requested service.

Nevertheless, citizens do not generally feel empowered by the administration to offer their proposals on how services can be improved. Firstly, the percentage of citizens who cannot declare their opinion on this question is as high as 41%. Out of those who have an opinion, around one third agrees they were asked for such proposals, with higher agreement among those who interacted with administration (see Chart below). Finally, out of all citizens who agree they were asked for proposals on improvement, 88% think that the Government has used these proposals to improve services. Still, the survey results clearly indicate a lack of inclusiveness within service delivery policy design, at the expense of quality and ultimately of customer satisfaction.

CHART 23 IN THE PAST TWO YEARS, THE ADMINISTRATION HAS ASKED FOR CITIZENS' PROPOSALS ON HOW TO IMPROVE ADMINISTRATIVE SERVICES (%)
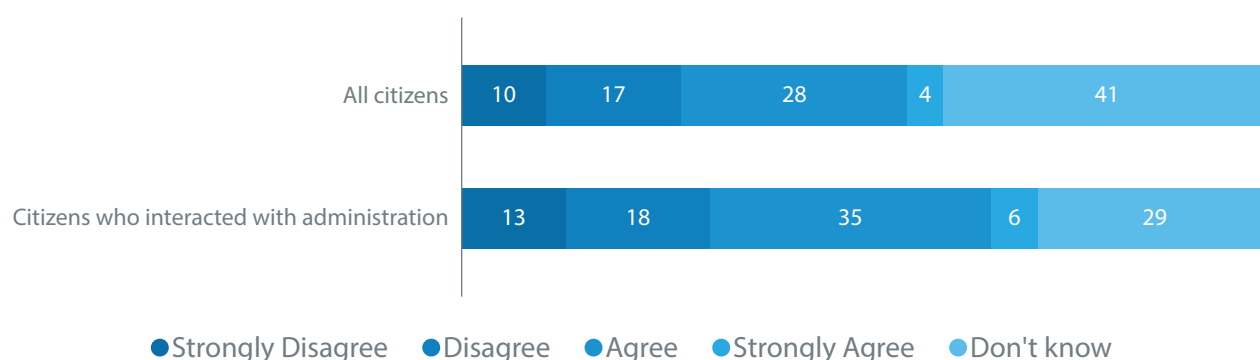
● Strongly Disagree ● Disagree ● Agree ● Strongly Agree ● Don't know

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=1029, N=491

How does Serbia do in regional terms?

Indicator SD_P1_I1: Public perception of state administration's citizen orientation
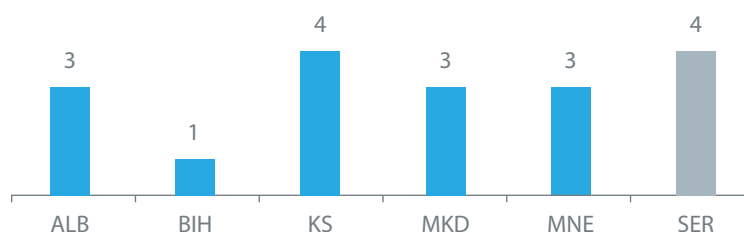
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

■ Principle 3: Mechanisms for ensuring the quality of public services are in place

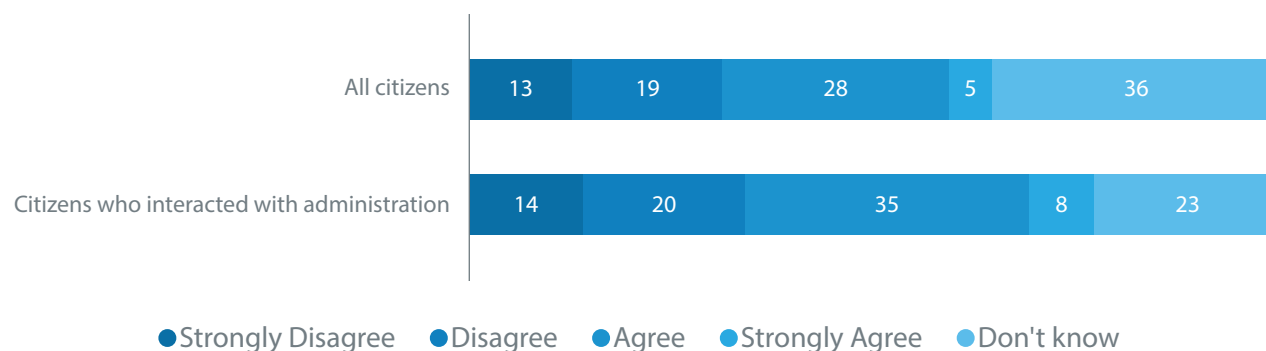WeBER indicator SD_P3_I1: Public perception and availability of information on citizens' feedback regarding the quality of administrative services

Indicator elements	Scores
Citizens consider they have the possibility to provide feedback on the quality of administrative services	1/2
Citizens perceive feedback mechanisms as easy to use	4/4
Citizens perceive themselves or civil society as involved in monitoring and assessment of administrative services	0/4
Citizens perceive that administrative services are improved as a result of monitoring and assessment by citizens	4/4
Basic information regarding citizens' feedback on administrative services is publicly available	2/4
Advanced information regarding citizens' feedback on administrative services is publicly available	0/2
Total Score	**11/20**
Indicator value (scale 0 – 5)[326]	**2**

Serbian citizens tend to agree that opportunities for providing feedback on delivery of administrative services are lacking. Namely, exactly one third of Serbian citizens indicated agreement that there are possibilities to give opinion on the quality of individual services received, with almost the same percentage disagreeing. A significant share of 36%, however, could not respond to this question, stating that they "don't know". The perception by those who interacted with the administration is somewhat more positive, with 43% in agreement with the statement and fewer respondents who do not know. When asked, however, if they have had a chance to give their opinion on the quality of a service they used, in the past two years, an overwhelming majority of 85% of citizens state that they have not.

CHART 24 AS A USER OF ADMINISTRATIVE SERVICES, I HAVE POSSIBILITIES TO GIVE MY OPINION ON THE QUALITY OF THE INDIVIDUAL SERVICES THAT I RECEIVE (OBTAIN)? (%)

	Strongly Disagree	Disagree	Agree	Strongly Agree	Don't know
All citizens	13	19	28	5	36
Citizens who interacted with administration	14	20	35	8	23

● Strongly Disagree ● Disagree ● Agree ● Strongly Agree ● Don't know

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
***Base:** N=1029, N=491*

Furthermore, the perception regarding ease of use of feedback mechanisms was examined for those citizens with previous experience in the last two years, i.e. those who responded that they had the chance in that period to voice their opinion on the quality of services through official feedback channels. This was the case, however, with only around 10% of respondents. Those citizens perceive such feedback mechanisms as easy to use, since almost three-quarter

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[326] Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-11 points = 2; 12-14 points = 3; 15-17 points = 4; 18-20 points = 5.

confirm this (58% find them easy to use, and another 16% very easy). Yet, the very small percentage of those who have in fact used such feedback mechanisms, obscures the relevance of this positive attitude.

The perception on the involvement of citizens and civil society in monitoring and assessment of administrative services shows that 29% of citizens agree there has been such involvement in the last two years (and 36% of those who actually interacted with administration); however, a large part of the population (42%) does not have an opinion on this topic. That said, 88% of all citizens who previously agreed there has been such involvement, believe that it has actually contributed to improved services by the Government.

CHART 25 IN THE PAST TWO YEARS, CITIZENS OR CIVIL SOCIETY HAVE BEEN INVOLVED IN THE MONITORING OF ADMINISTRATIVE SERVICES (%)

	Strongly Disagree	Disagree	Agree	Strongly Agree	Don't know
All citizens	10	20	26	3	42
Citizens who interacted with administration	11	22	32	4	32

● Strongly Disagree   ● Disagree   ● Agree   ● Strongly Agree   ● Don't know

*Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. **Base: N**=1029, N=491*
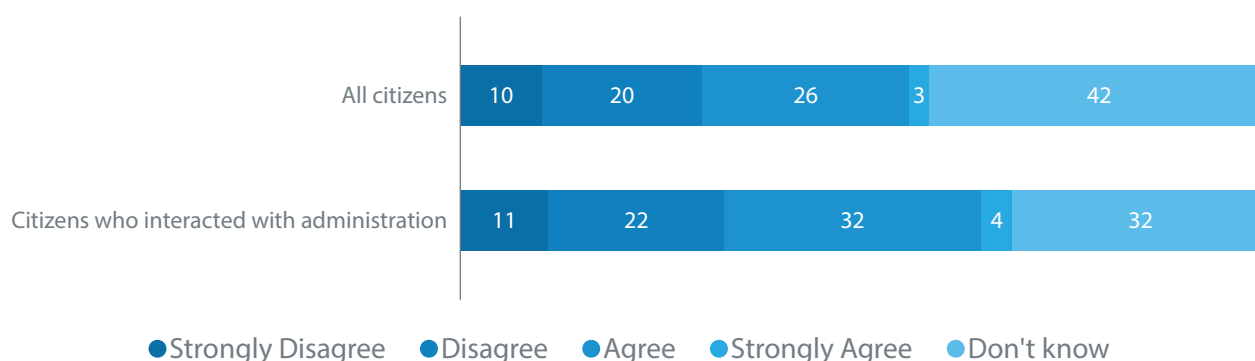
Citizens can hardly be expected to hold positive views regarding their opportunities to provide feedback on the quality of services, since such information cannot be found on the web pages of service providers. Out of five sample services analysed, only two of them provided some feedback information: for property registration (E-Cadastre) and for issuing a personal identification document (ID), at the government portal for e-services provision. The e-Government portal incorporates a basic feedback function which allows a registered user to assess a service through a five-star option, after which the webpage displays the average assessment.[327] However, individual service providers do not publish any information on the citizens' feedback (either basic or advanced).[328] Some possibilities for users to interact with the service providers do exist on their websites, such as complaint forms. Nevertheless, no reports or basic information is published even for these direct feedback channels.

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[327] Example of issuance of personal document – ID:

http://www.euprava.gov.rs/eusluge/opis_usluge?generatedServiceId=293&title=Izdavan%D1%98e-li%C4%8Dnih-karata. The monitoring methodology included issuance of personal documents (IDs and passports) under a single sample service, but the option to see the feedback is given only for the issuance of IDs and not passports, as the E-Government portal does not include the issuance of passports. However, scheduling submissions to request the issuance of IDs and passports is available as a separate service, and it includes feedback options.

[328] Basic information is defined as information from at least one source, be it administrative data, survey data, civil society monitoring data, or another credible source. Advanced information is defined as: information from at least two different credible sources; data is segregated based on gender, disability or other relevant issues (ethnicity, in countries where relevant, region, urban vs. rural, etc.); or additional analyses are conducted (e.g. studies, cross-analyses of data from various sources, etc.).

Indicator SD_P3_I1: Public perception and availability of information on citizens' feedback regarding the quality of administrative services
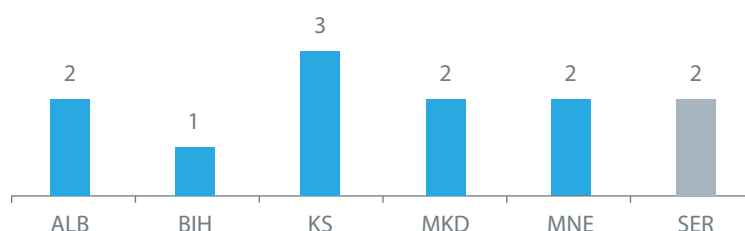
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

■ **Principle 4:** The accessibility of public services is ensured

WeBER indicator SD_P4_I1: CSOs' perception of accessibility of administrative services

Indicator elements	Scores
CSOs confirm the adequacy of the territorial network for access to administrative services	0/4
CSOs confirm that one-stop-shops are made accessible to all	0/4
CSOs consider administrative services to be provided in a manner that meets the individual needs of vulnerable groups	0/4
CSOs confirm that administrative service providers are trained on how to treat vulnerable groups	0/2
CSOs confirm that the administration provides different channels of choice for obtaining administrative services	0/2
CSOs confirm that e-channels are easily accessible for persons with disabilities	0/2
Total Score	**0/18**
Indicator value (scale 0 – 5)329	**0**

The perception of accessibility of services within civil society in Serbia shows a great extent of dissatisfaction with the current state of play. To begin with, there is a widespread perception among surveyed CSOs that the distribution of administrative service providers across the territory of the country is inadequate. That is, only about 14% of surveyed CSOs assess that all citizens have easy access to them (respondents either agree or strongly agree). Based on the focus group findings, issues with the accessibility of services are pervasive even in the capital city of Belgrade, in suburban areas and the city outskirts, due to inadequate traffic connections entailing additional costs.330 Problems with territorial distribution can be even more salient in towns and municipalities in the rest of the country as physical accessibility is often hampered through the absence of appropriate appliances, and generally there is a low awareness of the problem of access for disabled persons.331
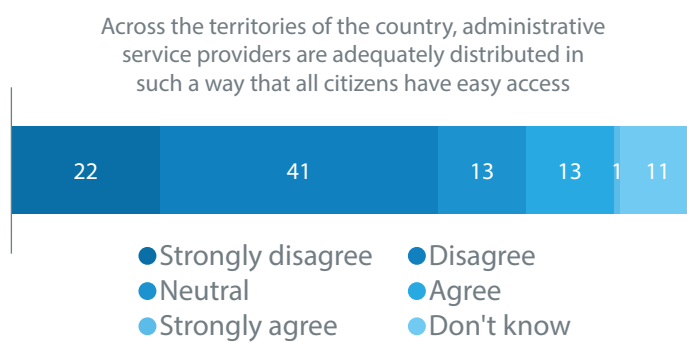
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329 Conversion of points: 0-3 points = 0; 4-6 points = 1; 7-9 points = 2; 10-12 points = 3; 13-15 points = 4; 16-18 points =5.

330 Interview with civil society representative, held on 3 July 2018, in Belgrade.

331 From the focus group civil society organisations dealing with accessibility issues and vulnerable groups, held on 5 July 2018, in Belgrade.

Furthermore, CSOs perceive that existing one-stop-shops are not easily accessible to all, with only around 9% of total agreement. Focus group participants indicated that some of the most vulnerable groups such as Roma women, cannot use the benefits of the one-stop-shop for registering a new-born child if they are not themselves in possession of personal documents.[332] In addition, whereas the majority of expert associations and individuals is concentrated in Belgrade, these capacities for advocating for better policy and legislative solutions for the benefit of vulnerable groups and people with disabilities, are much lower in smaller and more rural areas.[333]

CHART 26 CSO PERCEPTION ON ADEQUACY OF THE TERRITORIAL DISTRIBUTION OF ADMINISTRATIVE SERVICES (%)

Across the territories of the country, administrative service providers are adequately distributed in such a way that all citizens have easy access

22	41	13	13	1	11

● Strongly disagree ● Disagree
● Neutral ● Agree
● Strongly agree ● Don't know

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. N=152

Moreover, administrative service providers still need to adapt service provision to the to the needs of vulnerable groups (including people with disabilities). To that end, an even smaller percentage of surveyed CSOs agrees services are adapted to the needs of these groups in practice (slightly above 5%). The practical experience of CSOs working with vulnerable groups and people with disabilities indicates that service providers mostly address the aspect of physical accessibility, while other disability dimensions that should enable addressing the specifics of various disability groups, e.g. vertical, intellectual, or informational disability, to name a few, are not considered.[334] Moreover, when it comes to people living below the poverty line, they can be excluded from exercising
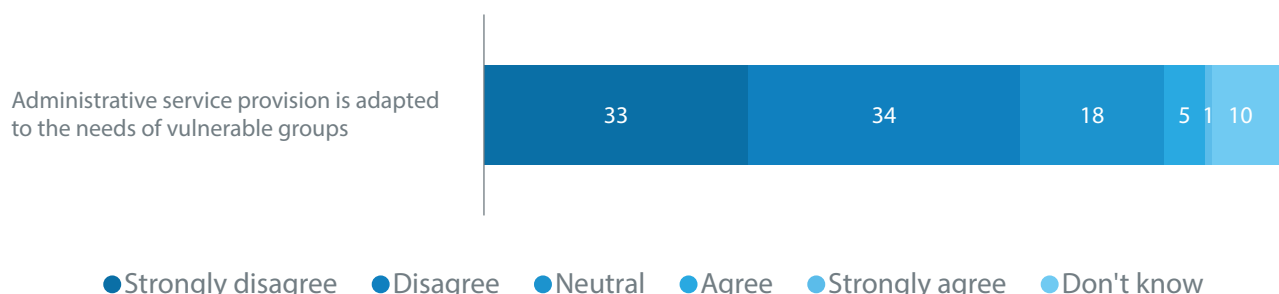
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[332] Interview with civil society representative, held on 3 July 2018, in Belgrade.

[333] From the focus group civil society organisations dealing with accessibility issues and vulnerable groups.

[334] Focus group civil society organisations dealing with accessibility issues and vulnerable groups.

their rights, and therefore from obtaining a service, due to systemic errors. For example, social security users who are required to schedule a visit to a centre for social work via telephone, might not be in position to do so due their socio-economic position.[335] In other words, service provision lacks policy measures that would comprehensively approach and target both accessibility and vulnerability issues.

CHART 27 CSO PERCEPTION ON ADMINISTRATIVE SERVICE PROVISION AND THE NEEDS OF VULNERABLE GROUPS (%)

Administrative service provision is adapted to the needs of vulnerable groups	33	34	18	5	1	10

● Strongly disagree ● Disagree ● Neutral ● Agree ● Strongly agree ● Don't know

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. N=152

Furthermore, there is a strikingly negative perception of CSOs in relation to staff working on service delivery when asked if service providers are well-trained for communication and treatment of various categories of people with disabilities. Only 4% of respondents agree with this statement, combining those who strongly agree, and just agree.[336] Based on focus group results, inadequate training is also evident for services not administrative in nature, such as medical services where lack of understanding and sensibility in treatment of people with disabilities prevails.[337] Interview findings show that sensibility is most lacking in the centres for social work, which may experience an increase in the number of recipients of social services coupled with a decrease in the centres' capacities.[338]

Despite a significant positive increase in the perception of CSOs about the existence of different channels for obtaining services (around a quarter of agreement), e-channels are perceived as predominantly inaccessible to people with disabilities, according to roughly 58% of respondent CSOs. Consequently, just above 5% of them agree that e-channels are accessible. In addition to this, the websites of service providers are partly adapted for vision impairment but access to and utilisation of personal computers varies among people with disabilities which renders digitalisation efforts partly ineffective, especially in relation to the socially excluded or those in poor living conditions.[339]

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[335] Interview with civil society representative, held on 3 July 2018, in Belgrade.

[336] When it comes to the Balkan Barometer 2018 population survey results for Serbia, treatment of citizens in general in the public sector (police, health system, judiciary, township, etc.) is perceived positively (good, very good, or excellent) by 63% of citizens. See Balkan Opinion Barometer, indicator Treatment of citizens at:
https://www.rcc.int/seeds/results/2/balkan-opinion-barometer.

[337] Focus group of civil society organisations dealing with accessibility issues and vulnerable groups. As an example, service providers often directly address a person in accompaniment to the person with a disability.

[338] Interview with civil society representative, held on 3 July 2018, in Belgrade.

[339] Focus group of civil society organisations dealing with accessibility issues and vulnerable groups.

The public administration provides different channels of choice (in-person, electronic) for obtaining administrative services

| 17 | 19 | 33 | 23 | 1 | 7 |

E-channels for accessing administrative services are easily accessible for vulnerable groups

| 22 | 36 | 22 | 5 | 1 | 15 |

● Strongly disagree ● Disagree ● Neutral ● Agree ● Strongly agree ● Don't know
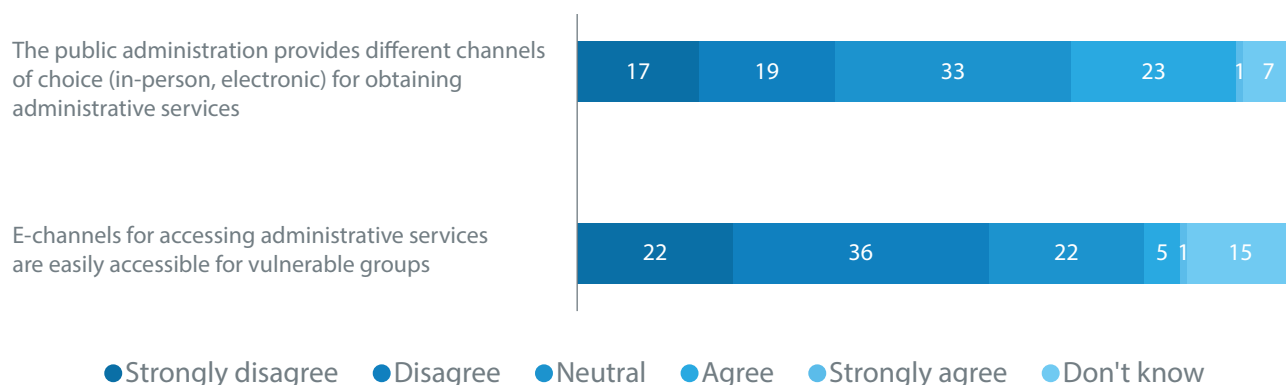
Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. N=152*

WeBER indicator SD_P4_I2: Availability of information regarding the provision of administrative services on the websites of service providers

Indicator elements	Scores
Websites of administrative service providers include contact information for provision of services	4/4
Websites of administrative service providers include basic procedural information on how to access administrative services	2/4
Websites of administrative service providers include citizen-friendly guidance on accessing administrative services	1/2
Websites of administrative service providers include information on the rights and obligations of users	2/2
Individual institutions providing administrative services at the central level publish information on the price of services offered	4/4
The information on the prices of administrative services differentiates between e-services and in-person services	0/2
Information on administrative services is available in open data formats	0/2
Total Score	**13/20**
Indicator value (scale 0 – 5)[340]	**3**

With regards to online availability of information on the five sample services analysed,[341] and their accessibility at official websites, the practice of service providers diverges depending on the type of information one is looking for.[342] All service providers' websites include basic contact information for services they provide - mainly telephone numbers and emails, and this information is mostly separated from the general contacts, such as office telephone numbers and email addresses. A good example is the SBRA and its contact information list,[343] but also RGA who provides a section with telephone numbers of all the individual real estate cadastre offices across Serbia, with an indication of which local office provides access for people with disabilities.[344]

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[340] Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-11 points = 2; 12-14 points = 3; 15-17 points = 4; 18-20 points =5.

[341] Sample services include: 1. Property registration, 2. Company (business) registration, 3. Vehicle registration, 4. Issuing of personal documents: passports and ID cards, 5. Value added tax (VAT) for companies.

[342] Accessibility of information available online is analysed through the number of clicks necessary to find the information starting from the homepage (not more than three), and if it is at a logical location (under a relevant page or heading). The E-government portal was also checked in addition to the individual service providers' websites.

[343] Available at: https://bit.ly/2kcoq8p.

[344] Available at: http://bit.ly/2s97ok.6.

Yet, when it comes to the availability of basic procedural information for obtaining services, not all service providers fully publish this information. The description of a service is available and accessible for all sample services analysed, as well as information on physical addresses/locations if the service is obtained in-person, or the necessary steps to obtain a service electronically, if applicable, in the case of each service. Although most of the information is available, weaknesses are identified in either omissions to disclose working hours of branch offices/units, or in generic descriptions of the jurisdiction. An example is the Ministry of Interior (MoI), specifying the "territorially competent organisational unit of the Ministry, based on residence of vehicle owner" as in charge of the vehicle registration service. Lastly, the necessary forms that need to be filled out and submitted by citizens are often not available for download from the service providers' websites. It should be noted that the websites of service providers provide links to the E-government portal where e-services are available, and this portal also contains some of the necessary information on procedural steps to be followed to complete the service request or obtain it. Nevertheless, the analysis uncovered certain weaknesses. For example, the E-government portal page dedicated to the RGA services provides the possibility to download forms for the submission of service requests, however with no functional hyperlinks. This problem is the consequence of the recent opening of a new RGA website, with improved user interface, but the example illustrates a lack of quality assurance in aligning individual service providers' websites and the E-Government portal.[348]

> ## WeBER Platform members' findings
>
> "Although the new Law on General Administrative Procedure improves the situation of citizens, it is often not visible in practice because they are not familiar with the new legal provisions. Instead of providing citizens with information on simplified procedures, certain authorities inform citizens on the evidence they must submit in order to exercise their rights, which is contrary to the law. In addition to the fact that often there is no proactive approach in informing citizens, their situation is worsened by the violation of the authorities' obligation to obtain evidence ex officio."
>
> Praxis, 2018, p. 17.

Furthermore, the information on how to request and obtain the services is often provided through a highly bureaucratic language, and with little to no visual or audio-visual guidance that would help citizens. The exceptions are the SBRA and the TA. The latter has offered its users/businesses a step-by-step brochure on how to prepare and fill in each field in a VAT report form supported by some concrete examples,[349] but also an instructional video on how to submit an electronic VAT report.[350] The SBRA has, however, made available a few instructional videos for its

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[345] The basic procedural information analysed includes: 1. description of the service, 2. information on physical location incl. address, working hours; if fully or partially provided online – information on the necessary steps to be taken, such as creation of a user account and if any software needs to be installed/used, 3. original forms (incl. downloadable files or online forms).

[346] Available at: https://bit.ly/2umnrZN. Although, it should be noted that the MoI separately publishes the location addresses of ALL regional administrative branches of police, but without specifying working hours: http://bit.ly/2DUMlqO.

[347] See at: http://bit.ly/2EjrxJ4.

[348] Generally, links provided at the E-government portal, that should lead to respective RGA pages, are invalid and cannot be accessed - www.rgz.gov.rs/zahtevi.

[349] Available at: http://www.poreskauprava.gov.rs/pravna-lica/pdv/kako-popuniti-pdv-prijavu.html.

[350] Available at: https://www.youtube.com/watch?v=lli_08Ka7ZQ&feature=youtu.be.

diverse services, including those assisting a user in company registration.[351] Analysis of the E-government portal did not reveal any citizen-friendly guidance for services in the sample.

As a rule, user rights and obligations are included at websites of service providers, that is, information on which data or documents the users are entitled to have procured by the administration and those they need to obtain and submit themselves. General practice is to provide information on user obligations, but for issuing personal documents (passports and IDs), the MoI has clearly made a distinction between forms to be submitted by the citizens, and the documents the administration obtains ex officio pertaining to the data from civil and citizenship registries.[352] When it comes to the practice of the TA, there are several sources providing information on VAT payers' obligations;[353] however, despite the plenitude of information the TA provides online, monitoring shows that an improved website structure would lead to greater information availability and accessibility.[354]

Information on the prices of services is easily accessible, however they cannot be fully obtained electronically (from request to payment) except in the case of services offered by the TA. The TA website section on e-taxes also states that all e-services are free of charge.[355]

Nevertheless, service providers are increasing their engagement in providing opportunities for at least partial use of e-services. The E-cadastre portal of the RGA is designed for electronic submission of requests for issuance of six different types of certificates,[356] and the SBRA dedicates a separate e-services section for registering an entrepreneurial establishment, e-submission of financial reports to the SBRA and e-construction permits[357] (although it is still not possible to submit business registration applications electronically), and the MoI offers the possibility through the E-government portal to schedule an appointment for submission of request for vehicle registration and for issuing IDs and passports.[358]

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[351] Available at: http://bit.ly/2nCh4P5.

[352] For IDs, available at: http://bit.ly/2FG5RnA, and for passports, available at: http://bit.ly/2DWseEu.

[353] Precise information is given in the instruction on Applying the Law on VAT, as well as a corresponding Rulebook available at: http://bit.ly/2nJKWbS, and at: http://bit.ly/2BWszpa.

[354] Other available information on user rights and obligations at the TA website include instructions on the manner and process of registering for VAT (http://bit.ly/2EGG8vP) and instructions on removing the VAT payer from the register (http://bit.ly/2nNwyzo). Moreover, links on how to apply for VAT register and VAT Guide are not accessible through the general page on VAT for companies - http://bit.ly/2EfAink.

[355] Available at: http://bit.ly/2sczgig.

[356] Copies of the plan, copies of waters, real estate lists, water lists, certificates of street name and house number, certificates of possession of real estate at the municipal level - http://bit.ly/2nP1sHl.

[357] Information System for submission of e-applications - https://ceop.apr.gov.rs/eregistrationportal/public/home, Single Sign-on System - https://reid.apr.gov.rs/SSO/Default.aspx.

[358] Available for selection of cities and municipalities. For vehicle registration - https://bit.ly/2DW9V6z, for personal documents - https://bit.ly/2KKjRna.

How does Serbia do in regional terms?

Indicator SD_P4_I1: CSOs' perception of accessibility of administrative services

Indicator SD_P4_I2: Availability of information regarding the provision of administrative services on the websites of service providers

● P2 I1   ● P2 I2

	ALB	BIH	KS	MKD	MNE	SER
P2 I1	0	0	0	0	0	0
P2 I2	4	1	1	4	2	3
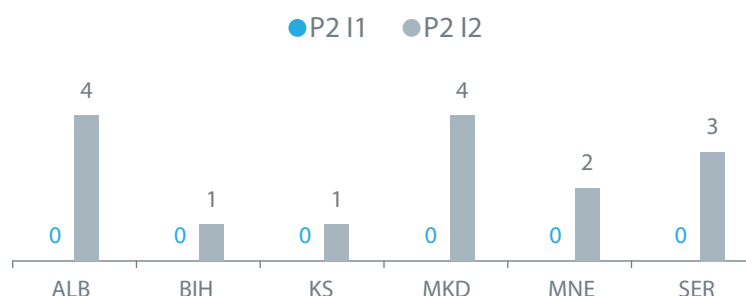
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

VI.4 Summary results: Service Delivery

In general, citizens of Serbia consider that the administration pursues user-oriented service delivery. Awareness of government efforts to simplify administrative procedure is high as is the perception that these efforts are fruitful in practice. Digitalisation is also highly recognised as the cornerstone of governmental endeavours. Although perception on other aspects varies in the population, a positive perception on service delivery policy prevails in general.

Citizens' perception is significantly lower, however, when it comes to ability to submit feedback on the service quality and the involvement of users (citizen and civil society) in monitoring the administrative services. Along the same line, administrative service providers rarely publish even basic information on citizen feedback on their webpages.

Likewise, civil society perception on several accessibility aspects of service delivery in Serbia is quite low. A somewhat more positive perception is seen in CSOs confirming that administration bodies provide different channels of choice for obtaining service, such as in-person and e-channels. On the opposite side, topics such as the accessibility of one-stop-shops, the adaptation of service provision for vulnerable groups, the way they are treated by administration and the accessibility of e-channels to these groups are perceived much less positively (measured by the extent of agreement with survey statements), ranging from only 4% to 13% of surveyed CSOs.

Finally, the practice of publishing all necessary information for obtaining a service is still average. Complete and basic procedural information on how to obtain the service can still be improved whereas citizen-friendly guidance on obtaining services is still an exception. Monitoring shows that services are fully obtained electronically only on rare occasions despite increasing digitalisation efforts and the number of services offered through the E-government portal.

VI.4 Recommendations for Service Delivery

In Serbia, several strategic documents and pieces of legislation address service delivery design and implementation, including e-services. However, the framework for service delivery transformation, connecting all relevant service delivery components, is missing.

1) The Government should adopt an overall, comprehensive policy framework proclaiming the vision of service delivery policy and its mid-term goals. By addressing all relevant dimensions, including but not limiting to territorial distribution of services, accessibility, institutional coverage, quality management and assurance, user education, awareness raising, and digitalisation, the policy framework would contribute to more focused service delivery policy (re)design. Long-term, it would serve the purpose of a higher and more uniform quality of services across the country territory and ensure better targeting of users' needs.

2) The Government should assign central authority for the entire service delivery policy to a single institution, ideally at the centre-of-government level. Such an institution would be in charge of designing and monitoring all aspects of service delivery policy, regardless of the channels of provision, and would engage the various relevant government institutions responsible for specific dimensions or sectors of service delivery.

3) The Government needs to further steer the service delivery towards a one-stop-shop system that includes as many obtainable services as possible in one place (online or physical). One-stop-shops, existing ones or new, should allow not only for obtaining information on different services, but also fully completing them, from initiating request to payment. They should also incorporate direct user feedback on the quality of the service.

E-government in Serbia has been developing in recent years with a growing number and variety of services - from information, to submission of requests and paying. Despite this, there is still low utilisation of e-services.

4) The Office for Information Technologies and E-Government needs to further promote the E-government portal, reaching out to as many users as possible, through traditional and digital media and any other available channels.

5) The Office should also set standards and advise individual service providers in the administration on how to promote and present the e-services offered on their webpages and how to establish clearly visible links to the E-government portal.

6) The Office should support enhanced user experience of the E-government portal. As the websites can leave a strong impression on visitors, i.e. potential service users, implementing more responsive web design with optimal navigation experience can largely affect the reduction of bounce rate, or simply relieve time and effort spent at the E-government portal, resulting in increased e-services usage rates. Focus should be on ease of use and a minimum burden on the user (in terms of software download, etc.).

Available official channels for two-way communication with service recipients still do not allow for collection of meaningful and systematic feedback. As a consequence, service delivery policy is not based on customer satisfaction.

7) Service providers' websites and the E-government portal should ensure feedback channels for users as a standard practice. Apart from the existing feedback options, such as rating a service at the E-government portal, users should have an opportunity to

elaborate on their experience, what aspects they were satisfied or dissatisfied with, through more developed yet citizen-friendly options.

8) Public administration service providers should proactively publish feedback results and data to the public, at least through their websites. Either raw or processed and analysed feedback data should be made available to the public. Public availability of feedback will in turn serve to increase the accountability for and transparency of service provision.

9) In addition to publishing feedback results, service providers should make it clear how this data was used for adjustments and for curbing or eliminating causes of dissatisfaction.

10) Finally, service providers should invite and encourage users to send improvement proposals themselves. Collected either online, or at the premises of service providers (or both), the results of these proposals need to be reported to the public to secure credibility of such initiatives and maintain public trust in the service-orientation of the government. The channels for submitting such proposals should be distinct from the general commenting/complaints sections of the websites.

Accessibility stands as a fervent issue with regards to service delivery. Whereas some accessibility measures are present, mostly devoted to eliminating physical barriers, the perception data analysed earlier highlights the great discrepancy between the needs and the reality. Without properly addressing the issue of accessibility of services to all, service delivery policy may unintentionally end up in discrimination and the deepening of social disparities.

11) Accessibility should be clearly addressed as one of the cornerstones in service delivery policy. Measures for comprehensively approaching accessibility and vulnerability issues should constitute a pillar of the overall service delivery policy orientation of the country (through a comprehensive policy framework proposed in recommendation 1 above).

12) Approach to accessibility and vulnerability issues should be strategic and holistic, addressing different dimensions and groups, including but not limited to sensory, intellectual and physical disabilities, but also to as many vulnerable groups as possible such as the elderly, illiterate, socio-economically deprived, minority groups, etc. Based on the identification of needs of people with disabilities and vulnerable groups in the country, a step-by-step and needs-based approach should be defined and implemented, clearing a path over time towards smooth service reception and elimination of discrimination.

13) As part of the accessibility measures, civil servants in charge for delivery of in-person administrative service should undergo mandatory training courses for communication with and assistance to people with disabilities and other vulnerable groups. Such training schemes should be considered a part of an obligatory professional development programme of the National Academy for Public Administration, covering all service delivery institutions in all municipalities and cities in Serbia.

Service providers in Serbia disclose online most information on the services they offer. Yet, there is room for improvement in the structure, quality and visibility of information.

14) Service providers should start using citizen-friendly ways of informing citizens online. Using multi-media contents, easy to understand tutorials and brochures, innovative mechanisms for communicating basic, but crucial information on services, citizens'

rights and obligations, and service fees, should fully replace dry, bureaucratic descriptions of basic information.

15) Service providers should ensure that information disclosed at their websites is as quickly as possible updated on the E-government portal once the changes occur, especially in cases of website reconstructions. The OITE should perform quality assurance for the websites of major service providers in the country. This way, conflicting information will be avoided in support of predictability and trust in online service delivery.

WeBER indicators used in Public Finance Management and country values for Serbia

PSM_P5_I1: Transparency and accessibility of budgetary documents

| 0 | 1 | **2** | 3 | 4 | 5 |

PSM_P6&8_I1: Public availability of information on public internal financial controls and parliamentary scrutiny

| 0 | **1** | 2 | 3 | 4 | 5 |

PSM_P16_I1: Supreme Audit Institution's communication and cooperation with the public pertaining to its work

| 0 | 1 | **2** | 3 | 4 | 5 |
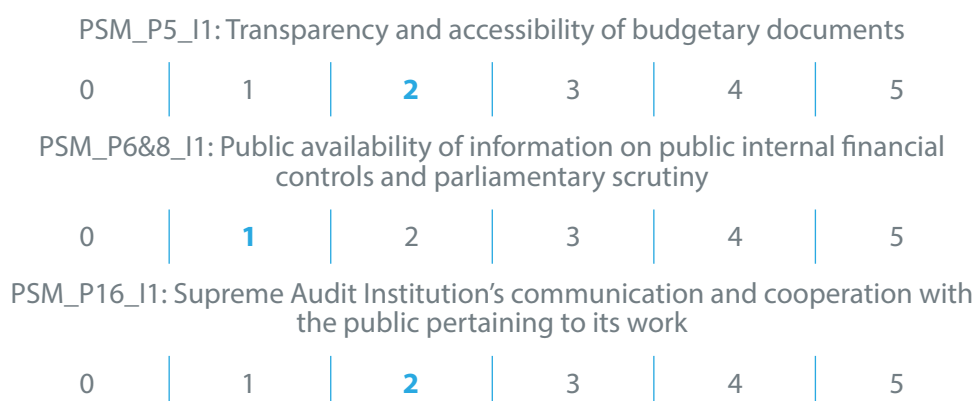
VII.1 State of play in Public Finance Management

As the main policy holder, MoF is in charge of the overall coordination of the PFM Reform Programme (PFM RP) for 2016-2020, adopted by the Government in late 2015.[359] Comprehensively targeting reform of all relevant PFM sub-systems,[360] one of the key objectives of the PFM RP is "to increase transparency of public funds and accountability."[361] Based on the latest updates on implementation of PFM RP, budget transparency "is increased through the introduction of a legal obligation to publish program information and a performance report by budget beneficiaries. The Ministry of Finance issued the Citizens' Budget of the Republic of Serbia which provides sufficient information to the public on the structure of the budget and how funds are collected and spent."[362]

However, PFM RP did not specifically target transparency, the availability of budgetary documents or the communication of budgetary data to the public, except for the coverage and quality of the budget execution reporting.[363] In fact, more recent developments, such as the recently adopted Strategy of Public Internal Financial Control Development, tackle this subject more concretely, as elaborated below in the text. After a two-year implementation period of PFM RP, MoF is preparing changes to the Action Plan initially developed to cover all five years of implementation.[364] Based on SIGMA monitoring, the success rate of PFM RP implementation

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[359] Available at: http://www.mfin.gov.rs/pages/article.php?id=10756.

[360] Medium term macro-fiscal and budgetary framework, budget planning and execution, financial control, accounting and financial reporting, external oversight of public finances.

[361] PFM Reform Programme, p. 7.

[362] Draft Report on Implementation of the Public Financial Management Reform Programme covering the period December 2015-December 2017, available at: http://www.mfin.gov.rs/pages/article.php?id=10756.

[363] PFM Reform Programme, Measure 16, p. 79. Based on the Draft Implementation report, activities planned for the last quarter of 2017 have been implemented including analysis and alignment of in-year reporting requirements and practice with best practices for budget transparency, and review and modification of the reporting details used for in-year and year-end budget execution reports (including reporting on program budget execution), p. 72.

[364] The Draft Report states that "In 2018 the Ministry of Finance and partner institutions will conduct revision of the Public Financial Management Reform Programme. The new Action Plan will cover the timeframe 2019-2021. The revision process will start in May 2018 and will be supported by SIGMA. The new Action Plan will be adopted by the end of 2018. The next

in 2016 was below 40%,[365] and according to the draft two-year implementation report published by MoF, the total share of implemented activities as of December 2017 is 49%.[366]

The official start of performance-based reporting in 2017 represents a significant step in increasing budget transparency and quality of information on budget spending at all levels.[367] The MoF has used performance-based reports of the budget beneficiaries for preparing the draft 2018 Law on Budget.[368] This ministry produced and published Guidelines for Monitoring and Reporting on Programme Performance in May 2017.[369] Furthermore, a plan for introducing gender-based budgeting in the preparation of the 2019 annual budget was recently announced with a group of 40 budget beneficiaries selected to apply a gender analysis of expenditures.[370] Still, no performance reports are available from the MoF website to date.

The Open Budget Survey results for 2017 show that Serbia provides insufficient budget information to the public, and priority recommendations concern publishing some of the crucial budget documents online, such as the year-end report, pre-budget statement and mid-year reviews.[371] Based on the same survey, Serbia provides negligible opportunities for the public to engage in the budget process.[372] In addition, the Global Open Data Index and the Open Data Barometer for 2016 provide mid to low assessments for Serbia in relation to the transparency and openness of the governmental budget.[373]

When it comes to PIFC, SIGMA monitoring reveals that neither FMC nor IA are fully implemented in line with legal obligations and information on implementation is hard to find.[374] The CHU has improved its annual consolidated reporting in terms of structure and readability, which SIGMA also acknowledges.[375] Resembling the division of content from the previous rounds of annual reporting based on PIFC elements - FMC, IA, CHU, the latest available report editions published in 2016 and 2017 are a significant leap forward in terms of better structuring, level of detail and data presentation with a breakdown per different type of budget beneficiary.[376]

Public Financial Management Implementation Report will be prepared in the first quarter of 2019", p. 2.

[365] SIGMA Monitoring Report for Serbia, p. 15, available at:

http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf.

[366] Draft Report on Implementation of the Public Financial Management Reform Programme covering the period December 2015-December 2017, p. 72.

[367] Reporting based on performance of budget programmes starts as of 1 January 2017. Article 44, Budget System Law, Official Gazette no. 54/2009-3, 73/2010-3, 101/2010-239, 101/2011-260, 93/2012-175, 62/2013-3, 63/2013-3 (corr.), 108/2013-3, 142/2014-190, 68/2015-22 (др. закон), 103/2015-151, 99/2016-160, 113/2017-3.

[368] Draft Report on Implementation of the Public Financial Management Reform Programme covering the period December 2015-December 2017, p. 28.

[369] Available at: http://www.mfin.gov.rs/pages/article.php?id=13254.

[370] Available at: http://www.mfin.gov.rs/pages/article.php?id=13643.

[371] Serbia scores 43 out of 100 on the Open Budget Index, whereas a score above 60 is interpreted as sufficient budget information to enable the public to engage in budget discussions in an informed manner, available at:

https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=rs.

[372] Serbia scores 2 out of 100 on public participation, see at:

https://www.internationalbudget.org/wp-content/uploads/serbia-open-budget-survey-2017-summary.pdf.

[373] Available at: https://index.okfn.org/place/rs/, and https://opendatabarometer.org/4thedition/detail-country/?_year=2016&indicator=ODB&detail=SRB.

[374] SIGMA Monitoring Report for Serbia, p. 127.

[375] SIGMA Monitoring Report for Serbia, p. 132.

[376] Consolidated Report on PIFC for 2016, published in 2017, available at:

http://ifkj.mfin.gov.rs/WP/wp-content/uploads/2018/01/KGI-1.pdf.

After multiple delays, the Government adopted the policy framework for the development of PIFC in May 2017. PIFC Development Strategy for the period 2017-2020, as part of the PAR agenda, has "the goal to implement the financial management and control and internal audit in the overall management system in the public sector, for the purpose of providing value for money to the citizens of the Republic of Serbia[...]."[377] When it comes to outreach and communication to the public, the CHU aims to promote the significance of PIFC through a one-off activity such as high-level events focused on the PIFC Strategy, or through relevant media channels.[378] However, after slightly over a year of the Strategy implementation, there is no public information on the progress.

In relation to the effectiveness of the external audit system, SIGMA commends SAI's efforts in applying international audit standards and seeking to implement high-quality audits in concordance with these standards for the benefit of society.[379] Moreover, increasing the number of recommendations issued as well as increasing their implementation by auditees has also received positive assessment.[380] However, what is lacking in terms of greater impact of SAI, and increased government accountability and budget transparency for that matter, is a regular discussion of SAI's individual audit reports in the National Assembly. In this regard, according to the 2017 Open Budget Survey, Serbia's parliament provides limited budget oversight, including in budget planning and budget implementation phases,[381] while SAI, on the other hand, provides adequate budget oversight.[382]

VII.2 What does WeBER monitor and how?

Monitoring of the Public Finance Management area is performed against four SIGMA Principles.

Principle 5: Transparent budget reporting and scrutiny are ensured.

Principle 6: The operational framework for internal control defines responsibilities and powers, and its application by the budget organisations is consistent with the legislation governing public financial management and the public administration in general.

Principle 8: The operational framework for internal audit reflects international standards, and its application by the budget organisations is consistent with the legislation governing public administration and public financial management in general.

Principle 16: The supreme audit institution applies standards in a neutral and objective manner to ensure high-quality audits, which positively impact on the functioning of the public sector.

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[377] Available at: http://ifkj.mfin.gov.rs/WP/wp-content/uploads/2018/02/strategy_eng.pdf.

[378] Activities 7.1 and 7.2, Public Internal Financial Control Development Strategy 2017-2020, Official Gazette no. 51/2017-6. Adopted Action Plan covers 2017 and 2018, and it will be updated for the rest of the implementation period.

[379] SIGMA Monitoring Report for Serbia, p. 189-190.

[380] SIGMA Monitoring Report for Serbia, p. 190.

[381] See at: https://www.internationalbudget.org/wp-content/uploads/serbia-open-budget-survey-2017-summary.pdf.

[382] It is said that Serbia could make budget oversight more effective by inter alia ensuring that the legislative committee examines and publishes reports on in-year budget implementation online and that audit processes are reviewed by an independent agency. Available at:
https://www.internationalbudget.org/wp-content/uploads/serbia-open-budget-survey-2017-summary.pdf.

As these Principles are thoroughly assessed by SIGMA, the WeBER approach considers and the elements of transparency and accessibility of information, external communication, but also a proactive and citizen-friendly approach to informing the citizens.

WeBER monitoring is based on three indicators, one per each PFM sub-area covered: annual budget policy, PIFC, and the external audit. The first indicator assesses transparency and accessibility of budgetary documents, measuring how accessible key budget documents are to the citizens (annual state-level budget and budget execution reports), but also to what extent budgetary information is presented and adapted to citizens and civil society. To this end, the primary online sources are the web presentations of ministries in charge of finance and the data available thereon, but also official portals of governments and open data portals.

The second indicator measures the public availability and communication of essential information on PIFC to the public and other stakeholders (consolidated reporting, IA quality reviews, FMC procedural information). The analysis considers official websites and the available documents of government institutions in charge of PIFC policy. However, the websites of all ministries are analysed for availability of specific FMC-related information, while official parliamentary documentation serves for the measurement of the regularity of parliamentary scrutiny of PIFC.

Lastly, in the external audit area, the indicator approach considers the supreme audit institutions' external communication and cooperation practices with the public. It covers the existence of a strategic approach, the means of communication used, citizen-friendly audit reporting, the existence of channels for reporting on issues identified by external stakeholders and consultations with civil society. For this purpose, a combination of expert analysis of SAI documents and analysis of SAI websites is used, complemented with semi-structured interviews with SAI staff to collect additional or missing information.

VII.3 WeBER monitoring results

Principle 5: Transparent budget reporting and scrutiny are ensured

WeBER indicator PFM_P5_I1: Transparency and accessibility of budgetary documents

Indicator elements	Scores
Enacted annual budget is easily accessible online	4/4
In-year budget execution reports are easily accessible online	2/4
Mid-year budget execution reports are easily accessible online	0/4
Budget execution reports (in-year, mid-year, year-end) contain data on budget spending in terms of functional, organisational and economic classification	0/4
Annual year-end report contains non-financial information about the performance of the Government	0/2
Official reader-friendly presentation of the annual budget (Citizen Budget) is regularly published online	4/4
Budgetary data is published in open data format	2/2
Total Score	**12/24**
Indicator value (scale 0 – 5)[383]	**2**

The budget of Serbia is prepared by the Government and enacted annually by the National Assembly at the end of each fiscal year. Pursuant to the budget calendar, the Assembly enacts the Law on the Budget of the Republic of Serbia by 15 December.[384] The MoF makes laws on

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[383] Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-12 points = 2; 13-16 points =3; 17-20 points = 4; 21-24 points = 5.

[384] Article 31, Budget System Law. However, the budget calendar is not being fully adhered to; see SIGMA Monitoring Report

annual state budgets for the current and previous fiscal years easily accessible at its webpage,[385] whereas the 2018 Law on the Budget of the Republic of Serbia is available already on the homepage, allowing visitors to access and download both the Law and the budget programme information as separate documents. Previously adopted annual budget laws are easily accessible through the archive section, which stores all laws on annual budgets dating back to 2002.[386]

Furthermore, in relation to budget execution reports, MoF publishes easily accessible Public Finance Bulletins with monthly budget execution data. These contain inter alia macroeconomic and fiscal trends, state budget execution, a monthly budget balance with realisation of planned revenues and expenditures, and public debt data.[387] These documents also break down between different state levels – the central, local, and provincial levels. The Bulletins, however, do not provide a breakdown per individual budget users, except for the cases of the state-owned enterprises (SOE), Roads of Serbia and Corridors of Serbia, and the mandatory social security organisations.[388] Although the Public Finance Bulletins are published for each month, it is hard to predict their publication time. For example, monitoring in the first half of June 2018 revealed that the last available Bulletin was published for March 2018, while at the time of writing this report, the issue for May 2018 was published.[389]

On the other hand, the Budget System Law (BSL) obliges the Minister of Finance to regularly monitor budget execution and to inform the Government at least twice annually - within 15 days after the six-month and nine-month budget execution periods. In this regard, the Government is expected to adopt and submit these mid-year

WeBER Platform members' findings

Analysis of budget process of the City of Niš in Serbia, covering period of ten years (2008-2017), denotes that management of public finances is mostly inefficient. That is, financial obligations and liabilities are often assumed above budget appropriations.

National Coalition for Decentralisation, 2017, p. 74.

In addition, in the same period several direct budget beneficiaries did not produce proposals of their financial plans, while some of the existing proposals do not contain costs and expenditures for the three-year period. Moreover, for certain fiscal years Decisions on budget did not include revenues from all sources but only budgetary sources whereas subventions for public enterprises were planned to breach the legal provisions. Finally, the city's budget was not prepared fully in accordance with the integral budget classification system as economic and organisational classifications were not observed.

National Coalition for Decentralisation, 2017, p. 34.

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for Serbia, p. 127. For the annual budget documents relevant for this report the budget calendar schedule has been respected (Law on Budget for 2018 adopted on 14 December 2017, and Law on Budget for 2017 adopted on 10 December 2016. See at: http://www.parlament.gov.rs/akti/doneti-zakoni/doneti-zakoni.1033.html).

[385] Standard for easy accessibility is not more than three-clicks away from the website homepage.

[386] Available at the link above.

[387] Available at: http://www.mfin.gov.rs/pages/article.php?&id=13830&change_lang=ls. The consolidated state sector includes the central level (budget of Republic of Serbia and social security organisations), the local level (budget of autonomous province of Vojvodina and cities and municipalities), and the state-owned enterprises Roads of Serbia and Corridors of Serbia.

[388] Pension and Disability Insurance Fund, National Health Insurance Fund, National Employment Service, and Fund for Social Insurance of Military Insurers.

[389] State of play on 20 August 2018, see at: http://www.mfin.gov.rs/pages/article.php?id=13890.

reports to the Parliament within 15 days after receiving them, and they need to include deviations from the planned budget including justification for significant differences.[390] In practice, the MoF does not publish mid-year budget execution reports on its website. Two six-month budget execution reports for the period January-June 2016 and 2017, as well as a nine-month report for the period January - September 2016, are published at the website of the National Assembly, all of them being easily accessible.[391]

Budget execution reports available online provide mostly uniform data. Pursuant to the BSL, budget planning and execution is conducted according to the integrated budget classification, which consists of economic, organisational, functional and programme classification, including classification as per sources of financing.[392] Yet the public gets insufficiently detailed information on budget spending, as the examined reports (most recent in-year, mid-year and year-end reports available online) contain budgetary data according to less than two budget classifications. As an example, the Public Finance Bulletin from March 2018 reports only on expenditures according to the economic classification, although expenditure trends of mandatory social security organisations are reported as well. Moreover, a six-month budget report submitted by the Government to the Parliament in July 2017 also reports on the budget spending using only the economic classification. Finally, the same can be said for the budget execution data available for the 2016 year-end report (i.e. the final account of the Budget for 2016). It should be noted that, according to the BSL, the National Assembly each year adopts a Law on the Final Budget Account enacting total revenues and expenditures for the fiscal year in question.[393] This

WeBER Platform members' findings

Analysis of results of public competition announced by the City of Belgrade for (co)financing projects in culture, as well as artistic and scientific projects, reveals examples of insufficiently transparent budget management of public funds dedicated to civil society.

In particular, among the CSOs whose projects were accepted, two of them have ceased to exist and three have been removed from the Serbian Business Register Agency's register. A number of CSOs do not list culture as the primary area of activity although this was required in the call for projects; and, although forbidden by the propositions, proposals of organisations established by the City were accepted, etc.

However, out of the five areas of culture covered in the competition, an evaluation commission for only one area documented comments for accepting or rejecting proposed projects.

Civic Initiatives, 2017.

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[390] Article 76, Budget System Law.

[391] Available at: http://www.parlament.gov.rs/akti/izvestaji-.1785.html.

[392] Article 29, Budget System Law. Budget classifications are defined as follow: 1) Economic classification of revenues and proceeds identifies revenues and proceeds according to regulations or contracts that determine the sources of revenues and proceeds; 2) Economic classification of expenditures and outflows identifies individual goods and services and executed transfer payments; 3) Organisational classification identifies expenditures and outflows according to budget beneficiaries, accompanied by allocation of appropriation among the beneficiaries; 4) Functional classification identifies expenditures and outflows according to their functional purpose for a certain area, and is independent from the organisation which performs such functions; 5) Program classification identifies classification of programs of budget beneficiaries; 6) Classification of expenditures and outflows according to sources of financing identifies revenues and proceeds, expenditures and outflows according to the generation of those funds.

[393] Article 2, Budget System Law.

Law has not been adopted in Parliament for over a decade, the last one being adopted in December 2002.[394] For these reasons, the year-end report considered was the one contained in the SAI Audit report of the Final Account of the 2016 Budget.[395] The SAI report contains expenditure data based on three classifications - economic, organisational (for a sample of budget users), and programme classifications, whereas the governmental budget execution report annexed to the SAI report only economic classification of budget data.

That said, there is no evidence that year-end budget reports contain any non-financial information on the performance of the Government, i.e. policy outcomes and results of budget execution.[396] As stated before, year-end reports are not adopted in the Parliament while the budget execution report annexed to the SAI Audit Report of the Final Account of the 2016 Budget contains no performance information for that matter. Coupled with a clear trend of publishing an almost uniformly single type of budgetary data (based on economic classification), there is certainly a lack of citizen orientation in budgetary reporting.

Nevertheless, the MoF started to publish an official citizen-friendly version of the annual budget. Titled as the Citizen Guide Through the Budget of the Republic of Serbia, it has been regularly published since 2015. The guide presents the annual budget, communicating its purpose and main elements to the wider public in a simplified manner. The current version is normally uploaded and accessed already from the homepage of the MoF website, whereas versions for previous fiscal years are to be found on different website locations, i.e. without a structured way of online storing and presenting all published citizen-friendly budgets to date that would relieve the search for these documents and allow for comparison of their quality over the years.[397]

The contents of the Citizen Guides show that these documents do simplify crucial information on the budget.[398] The 2018 Citizen Guide explains the purpose of the budget, the budget preparation process and who is financed from the public funds, and it delineates between the different public sector levels (general government, central state level) and the structure of their expenditures. In addition to briefly explaining the purpose of the programme budget and the state of public debt, a glossary of the most technical terms used in public finances is provided, as is a two-page summary with a description of the major budgetary measures planned in large policy areas, together with the annual budget fact-sheet. Nevertheless, despite the improvements over the years and noticeable efforts to present data in citizen-friendly way, there is still room for improvement in terms of both data presentation and visualisation.

Finally, MoF publishes datasets in open format (.xlsx).[399] The datasets regularly published include: 1) basic macroeconomic indicators, 2) the annual budget execution of revenues and

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[394] Available at the MoF webpage: http://www.mfin.gov.rs/pages/article.php?id=13170.

[395] Available at: http://dri.rs/audit/latest-report/archive-2017.373.html.

[396] For the purpose of WeBER monitoring, either policy outputs or outcomes are considered as non-financial data and performance targets associated with the budget proposal which are used to assess policy achievements and to analyse expenditures.

[397] 2018 version available from the homepage at the MoF website: http://www.mfin.gov.rs/pages/article.php?id=12932. Link to the 2017 Citizen Guide is easily found only after online browsing which redirects to the MoF website, available at: http://www.mfin.gov.rs/UserFiles/File/dokumenti/2017/Gradjanski%20vodic%20kroz%20budzet(1).pdf. The 2015 Citizen Guide is found in the news archive, in the article announcing the official start of publishing citizen friendly budgets, available at: http://www.mfin.gov.rs/newsitem.php?id=11446.

[398] As an example, the 2018 Citizen Guide explains that the economic budget classification "provides an answer to what in the budget is being spent for salaries, materials, services, machines, equipment, debt servicing, social giving, or standing costs such as electricity, water and telephone". Available at: http://www.mfin.gov.rs/UserFiles/File/dokumenti/2018/Gradjanski%20vodic%20kroz%20budzet%202018.pdf, p. 14.

[399] Available under the section Macroeconomic and Fiscal Data and updated monthly: http://www.mfin.gov.rs/pages/issue.php?id=3.

expenditures from 2008 to date, 3) the consolidated state budget balance for the same period, 4) the consolidated state budget balance for different state levels for the same period, 5) the public debt for the period 2013-2018, and 6) a comparative overview of the public debt. It is noteworthy, however, that these datasets are neither presented as open data at the website of the Ministry (through a clearly visible open data label or a separate section dedicated to open data), nor are they published at the official open data portal of the Government.[400] However, the regularity of publishing macroeconomic and fiscal datasets in compliance with at least some basic criteria of open format makes this practice worthy of mention.[401]

How does Serbia do in regional terms?

Indicator PFM_P5_I1: Transparency and accessibility of budgetary documents
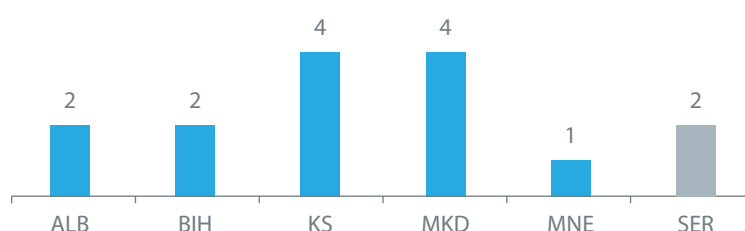
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

Principle 6: The operational framework for internal control defines responsibilities and powers, and its application by the budget organisations is consistent with the legislation governing public financial management and the public administration in general

Principle 8: The operational framework for internal audit reflects international standards, and its application by the budget organisations is consistent with the legislation governing public administration and public financial management in general

WeBER indicator PFM_P6&8_I1: Public availability of information on public internal financial controls and the parliamentary scrutiny

Indicator elements	Scores
Consolidated annual report on PIFC is regularly produced and published online	2/4
Quality reviews of internal audit reports are regularly produced and published online	2/2
Ministries publish information related to financial management and control	0/2
CHU proactively engages with the public	0/2
The Parliament regularly deliberates on/reviews the consolidated report on PIFC	0/2
Total Score	**4/12**
Indicator value (scale 0 – 5)[402]	**1**

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[400] State of play on 1 August 2018, Open Data Portal: https://data.gov.rs/sr/.

[401] For the purpose of WeBER monitoring, publishing budgetary data in an open format considers the availability of dataset(s) that are: machine readable (CSV, XLS, XML, JSON, RDF, TXT, etc.), downloadable by different users multiple times and free of charge.

[402] Conversion of points: 0-2 points = 0; 3-4 points = 1; 5-6 points = 2; 7-8 points =3; 9-10 points = 4; 11-12 points = 5.

The CHU reporting coverage has increased in recent years - besides regular reporting on the state of PIFC in the public sector, it has started to produce and publish IA quality review reports. Pursuant to the BSL, top managers of budget beneficiaries report to the Minister of Finance on the state of FMC and IA in their respective organisations by 31 March for the previous calendar year.[403] The CHU consolidates the annual reports submitted by the budget beneficiaries, while the Minister forwards the consolidated report to the Government, although the BSL does not envisage a submission deadline for this activity.[404] Consolidated annual reports on PIFC are regularly produced and available at the CHU website for reporting periods between 2009 and 2016.

However, there has been a trend of publishing some of the reports near the end of the fiscal year, resulting in almost a whole year of reporting gap. For example, at the time of WeBER monitoring in June 2018, the consolidated PIFC report for 2016 was the most recent one published, and both annual reports for 2015 and 2016 were produced in the last quarter of subsequent years (in December for the former, and in September for the latter).

Furthermore, the CHU has started in 2016 to publish quality reviews of work of a sample of IA units.[405] To date, two IA quality review reports have been published.[406] These reports follow a uniform structure, elaborating on the state of play in several key aspects of IA implementation, including: a review of establishment of IA units, audit scope, competence and skills of internal auditors, functional and organisational independence, IA charters and ethical codes, conformity to international internal IA standards, strategic and annual IA plans, application of IA methodology, IA risk management, internal quality of reviews of IA, training needs assessment and membership in professional associations. Moderate in terms of length, even without a noticeable approach for making them citizen-friendly, these reports present in a short but comprehensive manner IA developments in a sample of budget beneficiaries.

In contrast to the central level, information on PIFC is much less presented by individual budget beneficiaries. Given that PIFC policy has been recently introduced and that it is being negotiated within Chapter 32 of the EU accession negotiations, some level of information provision is both desirable and necessary, especially from the perspective of governmental accountability and transparency of the EU accession. And while the MoF is practicing information provision mostly through the described CHU reporting and by running a separate CHU web domain,[407] ministries in Serbia rarely communicate any information on FMC to the public. Namely, less than a quarter of all ministries proactively keep and update their websites with FMC-related information.[408] More specifically, out of three pieces of information monitored, none of the ministries fully publishes risk registers or a book/map of business procedures,[409]

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[403] Articles 81 and 82, Budget System Law.

[404] Article 83, Budget System Law.

[405] In the 2017 monitoring report for Serbia, SIGMA specifies that the start of performing quality reviews by the CHU is one of the progress components in implementing IA. Available at:

http://www.sigmaweb.org/publications/Monitoring-Report-2017-Serbia.pdf, p. 133.

[406] The first report was published in December 2016, for the period 1 January 2015 – 30 September 2016, on a sample of ten ministries, and the second report in December 2017, for the period 1 January 2016 – 30 September 2017, on a sample of eight ministries and three mandatory social security organisations. Available at:

http://ifkj.mfin.gov.rs/WP/index.php/izvestaji/?lang=en.

[407] CHU website: http://ifkj.mfin.gov.rs/.

[408] Monitoring covered only the ministries out of all budget beneficiaries. The number of ministries in June 2018 was 18, excluding the offices of ministers without portfolio (three in total). Four out of 18 ministries disclosed at least one of the three required FMC information, i.e. 22%.

[409] As a good case example, MCTI provides an inventory of possible risk cases, with response activities and expected

and when it comes to information on FMC managers, three ministries clearly provide this information in the Information Booklets.[410]

Furthermore, the CHU shows some proactivity in engaging and communicating its activities towards the interested public and citizens in the monitoring period.[411] Although not extensively, press releases and media appearances were mostly used in this regard.[412] Still, according to the website analysis, the CHU did not apply any other mean of proactive communication - booklets, leaflets, and other promotional and informative material targeting the public (either at its own initiative or with external support). Similarly, there are no citizen-friendly digests or summaries of reports produced by the CHU (consolidated reports on PIFC, internal audit quality review reports), the CHU is not active on social media and no public events were organised with participation of non-state stakeholders in the monitoring period.

Finally, as a way of additional external scrutiny of the PIFC policy, these reports are not receiving parliamentary attention. That is, no evidence was found that the National Assembly has regularly deliberated on the consolidated reports on PIFC in the last two years, either in plenary or committee session.

How does Serbia do in regional terms?

Indicator PFM_P6&P8_I1: Public availability of information on public internal financial controls and parliamentary scrutiny

3	2	0	2	1	1
ALB	BIH	KS	MKD	MNE	SER
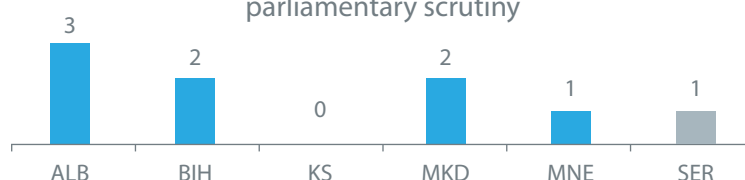
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

Principle 16: The supreme audit institution applies standards in a neutral and objective manner to ensure high-quality audits, which positively impact on the functioning of the public sector

WeBER indicator PFM_P16_I1: Supreme Audit Institution's communication and cooperation with the public pertaining to its work

Indicator elements	Scores
SAI develops a communication strategy for reaching out to the public	2/4
SAI has dedicated at least one job position for proactive communication and provision of feedback to the public	2/4
SAI utilises various means of communication with the public	1/2
SAI produces citizen-friendly summaries of audit reports	0/4
Official channels for submitting complaints or initiatives to SAI by external stakeholders are developed (wider public, CSOs)	0/2
SAI consults CSOs and their work for the purpose of identifying risks in the public sector	0/2
Total Score	**7/18**
Indicator value (scale 0 – 5)[413]	**2**

consequences in its risk management strategy.

[410] Ministry of Labour, Employment, Veteran and Social Affairs - https://www.minrzs.gov.rs/files/novo-_informator_o_radu_ministarstva.pdf; Ministry of Culture and Media - http://www.kultura.gov.rs/cyr/dokumenti/informator-o-radu; Ministry of Youth and Sport - http://www.mos.gov.rs/public/ck/uploads/images/2018_03_31_-Informator%20o%20radu%20pdf-31_03_2018-za%20objavljivanje(4).pdf.

[411] Reference timeframe was first half of 2018.

[412] Press release announcing the start of the EU twinning project supporting the PIFC in Serbia, available at: http://www.mfin.gov-.rs/newsitem.php?id=13603 and http://ifkj.mfin.gov.rs/WP/index.php/2018/03/14/eu/. Media appearance on the topic of the same EU twinning project. See: http://www.rtv.rs/sr_lat/ekonomija/finansije/unapredjenje-in-terne-finansijske-kontrole-u-javnom-sektoru_901015.html, http://tanjug.rs/multimedia.aspx?izb=v&&GalID=343117, https://www.ekapi-ja.com/news/2060770/za-razvoj-finansijske-kontrole-u-srbiji-2-mil-eur.

[413] Conversion of points: 0-3 points = 0; 4-5 points = 1; 6-7 points = 2; 8-11 points =3; 12-15 points = 4; 16-18 points = 5.

Despite not having a separate communication strategy, the SAI of Serbia has focused on better communication towards the external audience through its strategic planning. This institution developed and adopted the Strategic Plan for 2016-2020, aiming to enhance the SAI's independence and operation, including communication and outreach activities.[414]

With the specific objective of increasing the visibility of the SAI and its products, the focus is on improved readability and quality of reporting: "The institution will strive to report objective information in a simple and clear manner, using the language that all stakeholders understand. Reporting represents a key part of an audit. Regardless of how professional an audit may be, its results must be communicated clearly and effectively. Good communication is essential for exercising the competences of the Institution. The Institution will continue to present audit reports and other audit products to the public in a timely fashion".[415] Although the publicised version of the Strategic Plan lacks an accompanying document that would explain the implementation path, concrete activities or performance indicators for progress measurement, an AP was developed and is reported against, detailing six activities and corresponding indicators for improving visibility of SAI's products.[416]

Moreover, the SAI dedicates a job position for the purpose of proactive communication and provision of feedback to the public within the Office of the SAI President.[417] The Office is inter alia tasked with public relations (PR) and handling citizens' submissions, while the job position in question includes coordinating citizens' complaints and other submissions under the SAI's competence and keeping a register of such submissions.[418] After collecting complaints, in coordination with relevant audit sectors, answers are provided and credible complaints further considered in the audit work.[419]

Still, despite a strategic aim to increase public engagement and visibility, the SAI uses a limited scope of communication tools.[420] During the twelve months preceding the monitoring, the SAI held a single press conference (to present the 2017 Annual Activity Report to the public)[421] and the SAI President participated in one public conference.[422] Furthermore, the SAI has

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[414] The first SAI Strategic Plan covered the period from 2011 to 2015. Both documents, the expired and existing one, are available at: http://dri.rs/documents/strategic-plan.180.html.

[415] SAI Strategic Plan 2016-2020, p. 11.

[416] Confirmed during the interview with SAI representative, held on 2 August 2018, in Belgrade. The researchers are in possession of a copy of the Action Plan.

[417] The job position for proactive information and provision of feedback refers to a position specifically designed for these matters, or to a more general position, such as public relations or affairs, provided that this position includes one or more of the following tasks: 1) preparation of information, documents and other materials designed for proactive communication towards the public; 2) answering citizens' questions and queries related to the SAI scope of work; 3) handling and forwarding citizens' complaints, tips and inputs regarding the utilisation of public funds. Positions tasked only with handling requests for free access of information are not considered.

[418] The internal organisation act of the SAI is not available online. Insight into SAI systematisation of job positions granted during the interview. Interview with SAI representative held on 2 August 2018, in Belgrade.

[419] Additionally, SAI dedicates two separate job positions tasked with PR and media cooperation, respectively.

[420] In line with the International Standards of Supreme Audit Institutions (ISSAI), SAIs should widely communicate their activities. See: ISSAI 20, Principle 8 - SAIs communicate timely and widely on their activities and audit results through the media, websites and by other means. Available at: http://www.intosai.org/issai-executive-summaries/detail/detail/News/issai-20-principles-of-transparency-and-accountability.html.

[421] Period between July 2017 and July 2018. Press conference held on 5 April 2018 at the premises of the Journalists' Association of Serbia, available at: http://dri.rs/mediji/Drzavna-revizorska-institucija-predstavi-la--godisnji-Izvestaj-o-radu-za-2017.-godinu.n-289.107.html.

[422] Conference "Towards the European Union and Healthy Environment", held on 23 October in Belgrade, available at:

not used any social media to date for communication with the public, since there are no envisaged job positions for running and maintaining social networks.[423] Along the same line, there were no public campaigns or events during the monitoring period, aimed at promoting the SAI's work and the government's accountability culture - either organised by the SAI or in which the SAI representatives took part. The SAI has, though, produced and disseminated a specifically tailored brochure for its 10th anniversary, presenting the institution and its work to the public, but this publication was not available on the SAI webpage at the time of monitoring.[424] Combined with the lack of interactive data presentations and visualisations at the SAI website, it can be concluded there are plenty of opportunities available in terms of external communication efforts.[425]

When it comes to audit reporting, even though all finalised audit reports are available online, a still insignificant number of reports are considered fully citizen friendly. Based on the practice of summarizing the performance audit reports, there is a potential for making all audit reports closer to the external, non-expert public, in line with international standards.[426] Monitoring shows that out of all audit reports published in the period July 2017 - July 2018,[427] only two performance audit reports contain citizen-friendly summaries.[428] All financial and compliance audit reports contain summary sections, however, none of these summaries is written in a citizen-friendly way – they contain mostly complex, expert terminology inherent to the audit matter, and no other means which would render reading by a non-expert audience easier are used. Nevertheless, the SAI has recently uniformed the structure and content of these reports, and summary sections are as a rule designed in a way to put emphasis on the main findings, recommendations and the SAI measures. Recommendations are being prioritised based on three levels - high, medium and low priority,[429] and together with the relatively moderate length of summary sections (10-15 pages on average) they contribute to easier reading and better

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http://dri.rs/mediji/Odrzana--finalna-konferencija:-Na-putu-ka-Evropskoj-uniji-i-zdravoj-zivotnoj-sredini.n-273.107.html. The SAI generally practices holding at least one annual press conference for presenting the annual activity reports and occasional conferences for specific performance audit reports. In addition, the SAI organises and participates in many different events (seminars, round tables, trainings, forums, workshops, and other domestic and international expert conferences) as part of its regular work, though not all events are public or have as their purpose outreach to the public. See SAI archive of press releases, available at: https://www.dri.rs/media/press-releases/latest-press-releases.214.html.

[423] Interview with SAI representative held on 2 August 2018, in Belgrade.

[424] Interview with SAI representative held on 2 August 2018, in Belgrade.

[425] A section dedicated to brochures at the SAI webpage is currently under development.
See at: http://dri.rs/publications/brochures.174.html.

[426] ISSAI 12, Principle 4 - Reporting on audit results and thereby enabling the public to hold government and public sector entities accountable, enlist that 1) SAIs should report objective information in a simple and clear manner, using language that is understood by all their stakeholders, 2) SAIs should make their reports publicly available in a timely manner, but also 3) SAIs should facilitate access to their reports by all their stakeholders using appropriate communication tools. Available at: http://www.intosai.org/issai-executive-summaries/detail/detail/News/issai-12-the-value-and-benefits-of-supreme-audit-institutions-making-a-difference-to-the-lives-o.html. See also ISSAI 20, Principle 8 - SAI reports are available and understandable to the wide public through various means (e.g. summaries, graphics, video presentations, press releases).

[427] A total of 137 reports of all types of audits - financial, compliance, and performance audits, including audit of response reports submitted by auditees. In cases of consolidated audit reports of final accounts (statements), components of financial statements uploaded as separate files at the SAI website were not analysed separately.

[428] Citizen-friendly summaries of audit reports are considered shortened and concise explanations of the main findings, results and conclusions of conducted audits, free of highly technical language, produced either separately or as part of actual audit reports.

[429] All audit reports available at the SAI website: https://www.dri.rs/audit/latest-report/archive-2017.373.html.

understanding by key stakeholders - members or parliament and auditees, which was the goalof redesigning the content of these reports.[430]

That said, two performance audit reports containing citizen-friendly summaries communicate the audit results free of highly technical language, in line with the SAI strategic objective to improve the communication to the public.[431] Moreover, it is determined that each performance audit report published by SAI to date (six reports in total since 2015) follows the same approach. The one-page summaries consist of the main findings and key recommendations to the relevant authorities (auditees and other decision-making bodies).

The SAI regularly receives citizens' complaints and other inputs on the utilisation of public funds; however, this function is not officially introduced and explained to the external stakeholders at the SAI website. In other words, the Annual Activity Report of SAI elaborates that "The institution almost daily receives information/notifications from citizens who warn on the ways of spending tax payers' money by budget users. Depending on the budget user in question, information is forwarded to competent supreme state auditors. Information is further reviewed when planning and adopting an annual audit programme".[432] In practice, it is possible to submit questions or comments by using the official email address under the contact form available at the SAI webpage, and if the subject matter falls outside of the SAI competence, it is forwarded to the relevant authority.[433] Moreover, the SAI keeps a registry of received and processed submissions by external stakeholders.[434] Yet, even though functional in practice, the fact that office email under the Contact section is used as an official channel for complaint submission, without being clearly labelled as such, or otherwise delimited from a general contact information, makes this practice less visible and useful.

Finally, the SAI did not consult CSOs and their work in the identification of risks in the public sector, in the monitoring period of two calendar years.[435] It should be noted, however, that the SAI practices consultative meetings aimed to collect specific inputs from different stakeholders. For example, in November 2015, consultations with civil society took place as part of the development process of the current Strategic Plan.[436] The SAI held additional consultations with media representatives and auditees separately. Although not strictly related to the specific purpose of risk identification in the public sector, these examples indicate the awareness and readiness of the SAI to include external stakeholders in its work. As another good practice, SAI devoted a website section to publishing evidence-based findings and reports of civil society organisations and other stakeholders.[437]

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[430] Interview with SAI representative held on 2 August 2018, in Belgrade. Also, although audit reports of response reports are much shorter in length and contain summaries of findings, they were still not assessed as citizen-friendly for the same reasons stated above.

[431] Performance audit report on justification of applying insurance years with increased duration for specific job positions published on 28 December 2017, and the Performance audit report on efficiency and effectiveness of negotiated procedure without publishing tender notices, published on 9 October 2017. Both reports available at: https://www.dri.rs/audit/latest-report/archive-2017.373.html.

[432] 2017 Annual Activity Report, Chapter 8 - Cooperation with external stakeholders, section 8.4 - Cooperation with citizens, p. 95, available at: https://www.dri.rs/documents/annual-activity-reports.181.html.

[433] Interview with SAI representative held on 2 August 2018, in Belgrade.

[434] Interview with SAI representative held on 2 August 2018, in Belgrade. This registry is not available to researchers.

[435] Consultation of CSOs and their work in identification of risks is defined to mean either holding consultation meetings with CSOs or consulting analyses and publications of CSOs for this purpose.

[436] Interview with SAI representative held on 2 August 2018, in Belgrade. In addition, written evidence available to researchers.

[437] Available at: http://dri.rs/publikacije/publikacije--.96.html.

Indicator PFM_P16_I1: Supreme Audit Institution's communication and cooperation with the public pertaining to its work
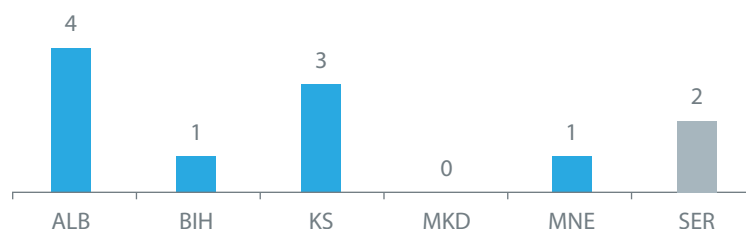
Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org

VII.4 Summary results: Public Finance Management

The Ministry of Finance (MoF) makes enacted annual budgets easily accessible at its official website, the same as in-year monthly budget execution reports (Public Finance Bulletins). Nevertheless, mid-year budget execution reports for 2017 and 2016 are accessible only from the website of the National Assembly. Moreover, none of the available budget reports presents expenditure data per organisations or functions of the Government, but only based on economic classification. In addition, non-financial performance information on the Government's results is not being reported. MoF has published citizen-friendly budgets regularly since 2015, and some annual data on the executed budget covering several fiscal years can be found and freely downloaded in an open format.

The Central Harmonisation Unit (CHU) produces and publishes consolidated reports on public internal financial control (PIFC). CHU has recently started to produce and publish online quality review reports of internal audit (IA) on a sample of budget beneficiaries and two such reports have been published to date. Still, basic information on financial management and control (risk registers, book of procedures, or information on the appointed FMC managers) is hardly available online on the ministries' websites. There is, however, some proactive engagement with the public through press releases and media appearances on PIFC developments, with a lack of more advanced engagement. Finally, there is no evidence that the Parliament has reviewed the annual PIFC reports for the last two reporting cycles.

The Strategic Plan of the State Audit Institution of Serbia (SAI) focuses on communication of SAI towards the public and increasing visibility of its products. The SAI has dedicated a job position for receiving citizen complaints, while separate job positions exist for public relations, and media cooperation. SAI uses additional means of communication such as press conferences and releases, but the scope of external communication remains limited as other tools, such as social media or interactive data visualisations, are still not being used. Furthermore, out of all audit reports published by the SAI in the timeframe of twelve months preceding the monitoring, only performance audit reports contain fully citizen-friendly summaries. In practice, citizens can freely submit a complaint on how public funds are being spent through the SAI's office email, with due consideration given by the SAI. However, without a clear designation it is hardly considered as the official channel for complaints' submission. Finally, available data sources did not return enough evidence that SAI consults CSOs' work for risk identification in the public sector.

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VII.5 Recommendations for Public Finance Management

MoF publishes a certain amount of information on budget spending on its website in a regular manner. For the public to have the full benefit of the disclosed information, more comprehensive and enhanced presentation is essential. In that sense, the online transparency of budget spending can be increased in several ways.

1) MoF should dedicate a single place on its website for ALL information on the executed budget (in-year, mid-year, annual), listing separately different budget execution reports. Preferably in the form of being website banner accessible right on the homepage, and similarly to publishing the Citizen budget or PFM reform documents, this can be done by either rearranging sections that are regularly updated with current data (e.g. Macroeconomic and Fiscal Data) or by making a new section. Special attention should be given to the year-end budget reporting, which the public does not have access to in a clear and easily accessible way.

2) Publishing of budget execution data should be as comprehensive as possible, for better understanding of external stakeholders and greater transparency. This means that besides the "business as usual" publishing of information by economic categories, each report should allow for accessing execution data by functions of the Government and individual budget users' execution for the whole public sector (state budget, local self-governments, social security organisations, state-owned enterprises).

3) In addition, the year-end budget report should provide performance information of the Government. Firstly, this information should be disclosed in a concise and citizen-friendly way explaining achievements by the Government in terms of budget execution, and secondly, more detailed information can be provided by disclosing information on programme-budget indicators at the level of the programmes of all budget users.

MoF continues to proactively publish a citizen-friendly version of the annual budget, and certain datasets are published in open (excel) format mostly through the Macroeconomic and Fiscal Data website section. Although commendable, enhancing these practices will increase their practical value for external stakeholders.

4) Expired editions of the Citizen budget should be stored at a single location, together with the current one. This will ensure the ability to easily compare between years and track progress in producing Citizen budgets. To that end, MoF should consider increasing the quality of its contents and making data more telling, by e.g. highlighting the functions/purpose of budget spending, on key budget projects and measures planned for the year, on the possibilities for citizen participation in budget formulation at different levels, but also on advanced data visualisation - to keep data simple and understandable while still increasing their visual appeal.

5) MoF should pursue open data policy to the fullest, by publishing ALL budgetary data in preferably more than one open format, in line with the open data standards. This should also entail making datasets available through the national open data portal, but also easily accessible on the website banner/section at the MoF website.

Information on PIFC in state administration is hardly published, and proactiveness in disclosing information is lacking overall. Whereas CHU runs a website where all basic information is stored and updated, but also publishes annual reports on that state of play in the public sector, the ministries are greatly lagging in terms of information provision.

6) Ministries in Serbia, but also other direct budget beneficiaries, should dedicate an easily accessible, single website section for updates on PIFC within the organisation. Without the need to explain in minute detail all aspects on FMC and the internal audit, it should at least include: mission and goals of the organisation, responsible persons for implementing the PIFC, business procedures, information on risk management and reported irregularities. Beyond descriptions and static information, this section should be regularly updated with results of PIFC implementation in the daily functioning of the organisation.

CHU insufficiently communicates PIFC to the public in a citizen-friendly manner. Despite having plenty of information on its website, the structure and "packaging" of information leans towards budget users and the intranet-like platform, and less to the external audience.

7) CHU should improve external communication by publishing dynamic materials for explaining PIFC and highlighting important developments in the public sector to the citizens, using simple language and examples from practice. This can be done through various means such as infographics, videos or brochures, but also separate readers' digests or summaries of reports that CHU already produces. Existing social media channels (e.g. MoF Facebook) or new ones can serve as an additional platform beside the CHU website.

Finally, SAI of Serbia has invested noteworthy efforts in terms of better communication of its work to the public. However, SAI can consider multiple options for enhancing further dissemination of its work results to external stakeholders, but also for strengthening two-way communication with citizens.

8) SAI should aim to produce a citizen-friendly summary for each audit report published, regardless of the audit type. As a good starting point, short and concise summaries produced for performance audit reports can be replicated.

9) On a specifically dedicated website location, SAI should clearly promote information and its procedure on receiving and handling citizens' inputs, tips, and complaints. Since SAI has already established an internal system for receiving and handling these, increased visibility and promotion of this practice can positively affect citizens' engagement in reporting irregularities as well as government accountability.

10) For the next cycle of strategic development planning, SAI should consider adopting a stand-alone communication plan, as one of the pillars of the strategic development document. By adopting such a plan and making it public, SAI's approach to external communication and the planned involvement of civil society in its work becomes more transparent and predictable and SAI credibility strengthened.

11) Finally, SAI should consider using as many citizen-friendly tools as possible for the communication of its work. Possible options include but are not limited to infographics, videos, brochures and social media, but also data visualisation which can be very suitable for SAI as it is in possession of a large amount of data on the utilisation of public funds in Serbia. Such tasks can be attached to the existing job positions within the Office of SAI President in charge of external communication and processing of citizens' inputs.

PAR Monitor Methodology was developed by the research and expert team of WeBER and widely consulted among all relevant WeBER associates. Overall, the methodology is based on the selection of 21 SIGMA Principles within six key areas of PAR, and selected Principles are monitored through 23 compound indicators that focus on different aspects of PAR.

PAR Monitor methodology (master) document provides details on the overall approach of WeBER PAR monitoring, the process of developing the methodology, the selection of the Principles which the WeBER project monitors and the formulations of indicators with the basic methodological approaches. Detailed information needed for the measurement of each indicator is provided in separate detailed indicator tables. Each detailed indicator table contains the formulation and focus of a specific indicator, as well as the following information for each of the indicator elements: formulation, weigh, data Sources, detailed methodology, and point allocation rules.

PAR Monitor methodology, and detailed indicator tables are available at the following link: http://www.par-monitor.org/pages/par-monitor-methodology

For producing this National PAR Monitor report, following research methods and tools were used for data collection and calculation of indicators:

- Analysis of official documentation, data and official websites
- Requests for free access to information
- Focus groups
- Interviews with stakeholders
- Public perception survey
- Survey of civil servants
- Survey of civil society organisations.

Analysis of official documentation, data and official Websites

Monitoring heavily relied on the analysis of official documents publicly available on the websites of administration bodies and on the data and information contained therein. Documents which were analysed to this end include:

- legislation (laws and bylaws);
- policy documents (strategies, programmes, plans, action plans, etc.)
- official reports (implementation reports, public consultation reports etc.);
- analytical documents (impact assessments, explanatory memorandums to legislation, policy concepts, policy evaluations etc.);
- individual legal acts (decisions, conclusions etc.);
- Other documents (agendas, meeting minutes and reports, announcements, guidelines, directives, memorandums etc.);

In some instances, responsible authorities were directly contacted by researchers for missing documents and data. In Serbia, the documentation needs for calculating indicators for the Strategic Framework of PAR were directly communicated with the Ministry of Public Administration and Local Self-Government, the Public Policy Secretariat, and the Ministry of Finance.

Additionally, official websites of public authorities were used as sources of data and documents for all indicators, except for the ones completely based on survey data. In certain cases, the websites of public authorities were closely scrutinised as they were the key sources of

information and units of analysis. In the area Policy Development and Coordination, for monitoring transparency of governmental decision-making (indicator PDC_P6_I1), and public availability of information on Government's performance reporting (PDC_P5_I1), the following website was analysed:

1. The Government of the Republic of Serbia - http://www.srbija.gov.rs/

In the Public Service and Human Resource Management Area, for the monitoring of openness, transparency and fairness of recruitment into the civil service (PSHRM_P3_I1), and for public availability of official data and reports about the civil service and employees in central state administration (PSHRM_P2_I1), the following websites were analysed:

1. Human Resource Management Service - http://www.suk.gov.rs/
2. Public Procurement Office - http://www.ujn.gov.rs/
3. Ministry of Agriculture, Forestry, and Water Management - http://www.minpolj.gov.rs/
4. Ministry of Finance - http://mfin.gov.rs/
5. Ministry of Culture and Information - http://www.kultura.gov.rs/
6. Ministry of Economy - http://privreda.gov.rs/
7. National Employment Agency - http://www.nsz.gov.rs/
8. E-Government Portal - https://www.euprava.gov.rs/

In the Accountability area, for monitoring proactive informing of the public by public authorities (ACC_P2_I2), the following websites were analysed:

1. Ministry of Finance - http://www.mfin.gov.rs/
2. Ministry if Trade, Tourism, and Telecommunications - http://mtt.gov.rs/
3. Ministry of Youth and Sport - https://www.mos.gov.rs/
4. Ministry of Mining and Energy - http://mre.gov.rs/
5. Public Policy Secretariat - http://rsjp.gov.rs/
6. Public Debt administration - http://www.javnidug.gov.rs/
7. Republic Geodetic Authority - http://www.rgz.gov.rs/

In the Service Delivery Area, for monitoring availability of information regarding the provision of administrative services on the websites of service providers (SD_P5_I2), the following websites were analysed:

1. Republic Geodetic Authority - http://www.rgz.gov.rs/
2. Serbian Business Registers Agency - http://apr.gov.rs/
3. Ministry of Interior - http://mup.gov.rs/
4. Tax Administration - http://www.poreskauprava.gov.rs/
5. E-Government Portal - https://www.euprava.gov.rs/

In the Public Finance Management area, for monitoring transparency and accessibility of budgetary documents (PFM_P5_I1), public availability of information on public internal financial controls and the parliamentary scrutiny (PFM_P6&8_I1), and supreme Audit institution's communication and cooperation with the public (PFM_P16_I1), the following websites were analysed:

1. Ministry of Finance - http://www.mfin.gov.rs/, http://ifkj.mfin.gov.rs/
2. State Audit Institution of Serbia - http://www.dri.rs/

Requests for free access to information (FOI)

As the PAR Monitor methodology strongly relies on the analysis of public availability of information and data, usually based on the websites of public authorities, FOI requests were not comprehensively sent out for each area of the Principles of Public Administration or every indicator. Requests were sent in cases where monitoring focus was on the proper identification of certain practice within administration, rather than public availability of information. Hence, where specific indicator requires online availability of information on specific websites, FOI request were not sent.

That said, the researchers used FOI requests as a data collection tool in three areas: Policy Development and Coordination (indicators PDC_P6_I1, PDC_P10_I1), Public Service and Human Resource Management (PSHRM_P3_I1, PSHRM_P2_I1), and Accountability (ACC_P2_I2). In Serbia, a total of 33 FOI requests were sent in the monitoring period from September 2017 to September 2018.

Table 5 FOI requests sent in Serbia

Institution	Date of request	Date of reply/information receipt
Commissioner for Protection of Equality	10 May 2018	22 May 2018
Forestry Administration	2 April 2018	22 May 2018
General Secretariat of the Government	6 December 2017 15 January 2018	No reply; No information received No reply; No information received
Human Resource Management Service of the Government	24 October 2017 12 June 2018	31 October 2017 28 June 2018
Ministry of Agriculture, Forestry, and Water Management	30 March 2018 12 June 2018	Redirected to a responsible authority 28 June 2018
Ministry of Culture and Information	30 March 2018 14 June 2018	18 April 2018 28 June 2018
Ministry of Economy	12 June 2018	17 July 2018
Ministry of Education, Science and Technological Development	30 March 2018 15 June 2018	12 April 2018 17 July 2018
Ministry of Environmental Protection	30 March 2018 2 April 2018	16 April 2018 16 April 2018
Ministry of Finance	16 October 2017 14 June 2018	6 November 2017 5 July 2018
Ministry of Interior	3 April 2018	30 April 2018
Ministry of Justice	30 March 2018	5 April 2018
Ministry of Labour, Veteran and Social Affairs	30 March 2018	30 April 2018
Ministry of Mining and Energy	16 October 2017 7 May 2018	16 October 2017 21 May 2018
Ministry of Public Administration and Local Self - Government	30 March 2018 12 June 2018	12 April 2018 21 June 2018
Ministry of Trade, Tourism and Telecommunications	16 October 2017 19 April 2018	1 November 2017 7 May 2018
Ministry of Youth and Sport	16 October 2017 2 April 2018	18 October 2017 16 April 2018
Office for Information Technologies and E - Government	12 June 2018	No reply; No information received
Public Debt Administration	16 October 2017	30 October 2017
Public Policy Secretariat	16 October 2017	16 October 2017
Public Procurement Office	12 June 2018	10 July 2018
Republic Geodetic Authority	16 October 2017	18 October 2017

Focus groups

Focus groups were conducted for collecting qualitative, in-depth inputs from stakeholders for a selection of indicators - for the ones either fully based on survey data to complement them, or for those that relied on otherwise collected information that needed to be corroborated by focus group participants. The PAR Monitor methodology envisaged focus groups for:

- Strategic Framework of PAR, with civil society organisations (for indicators SFPAR_P1_I1, SFPAR_P2&4_I1);

- Policy Development and Coordination, with civil society organisations (covering PDC_P5_I2, PDC_P6_I1, PDC_P10_I1, PDC_P11_I1, PDC_P12_I1)

- Public Service and Human Resource Management, with former candidates who previously applied for a job in central state administration bodies (for indicator PSHRM_P3_I1);

- Accountability, with civil society organisations (for indicator ACC_P2_I1), and

- Service Delivery, with civil society organisations specifically dealing with accessibility issues, vulnerable groups and persons with disabilities (for indicator SD_P4_I1).

For selection of participants, purposive non-probability sampling was used, targeting CSOs with expert knowledge in the topics concerned. In Serbia, 3 focus groups with civil society organisations were conducted. Instead of a focus group with candidates who previously applied for job positions in central state administration, stakeholder interviews were organised as an alternative, due to the low response rate of focus group invitees.

Table 6 Focus groups conducted in Serbia

Date/Place	Group	#	PAR Area
13 June 2018, Belgrade	Civil society	8 participants	Strategic Framework of PAR
5 June 2018, Belgrade	Civil society	5 participants	Service Delivery
13 July 2018, Belgrade	Civil society	7 participants	Policy Development and Coordination, Accountability

Interviews with stakeholders

Interviews were conducted to collect qualitative, focused and in-depth inputs from stakeholders on monitored phenomena. For a number of indicators, interviews are envisaged as data sources according to the indicator tables. Nonetheless, they were additionally used in the research to complement and verify otherwise collected data and findings.

Interviews were semi-structured, composed of set of open-ended questions, allowing for a discussion with interviewees and on-the-spot sub-questions rather than strictly following a predetermined format. Selection of interviewees was based on purposive, non-probability sampling, targeting interlocutors based on their expertise and relevance for the topic.

In Serbia, a total of 13 interviews was held within the monitoring period. Interviewees were given full anonymity in terms of personal information and institutional/organisational affiliation, in order to ensure higher response rate and facilitate open exchange.

Table 7 Interviews conducted in Serbia

Date/Place	Interviewees	PAR Area
18 May 2018, Belgrade	Executorial level civil servant	SFPAR
24 May 2018, Belgrade	Executorial level civil servant	SFPAR
26 June 2018, Belgrade	Former candidate for job position in central administration body	PSHRM
2 July 2018, Belgrade	Former candidate for job position in central administration body	PSHRM
3 July 2018, Belgrade	Representative of CSO working with vulnerable groups	SD
6 July 2018, Belgrade	Senior civil servant	PSHRM
11 July 2018, Belgrade	Representative of CSO dealing with accessibility issues	SD
20 July 2018, Belgrade	Investigative journalist	ACC
23 July 2018, Belgrade	Expert in civil service area	PSHRM
23 July 2018, Belgrade	Former senior civil servant	PSHRM
25 July 2018, Belgrade	Senior civil servant	PSHRM
25 July 2018, Belgrade	Senior civil servant	PSHRM
2 August 2018, Belgrade	Executorial level civil servant/employee in an independent body	PFM

Public perception survey

The public perception survey is based on a questionnaire targeting the general public (aged 18 and older) of 6 Western Balkan countries. The survey was conducted through computer-assisted personal interviewing (CAPI), using a three-stage random representative stratified sampling (primary sampling unit: polling station territories, secondary sampling: households, tertiary sampling unit: household member). It was implemented as part of the regional omnibus surveys conducted in Albania, Bosnia and Herzegovina, Montenegro and Serbia, with ad hoc surveys conducted for Kosovo and Macedonia, from 15 October to 30 November 2017.

For Serbia, the margin of error for the total sample of 1029 citizens is ± 3.06%, at the 95% confidence level.

Table 8 Survey sample breakdown

	Frequency	% (cases)
TOTAL	1029	100%
Key groups		
Gender		
Male	495	48.1
Female	534	51.9
Age		
18-29	185	18
30-44	257	24.9
45-59	268	26.1
60+	319	31
Educational attainment		
Primary school	295	28.7
High school	533	51.8
University degree or higher	201	19.5
Employment status		
In paid work	495	48.1
Unemployed	208	20.2
In education	18	5.8
Permanently sick or disabled	3	0.8

	Frequency	% (cases)
Retired	79	25.1
Employment sector		
Public	117	23.6
Private	378	76.4
Area		
Rural	418	40.6
Urban	611	59.4

Survey of civil servants

Civil servants survey was implemented based on a unified questionnaire targeting civil servants working in the central state administrations of Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia. The questionnaire was translated and adapted to local languages with a total of 21 question within five sections covering: recruitment of civil servants, temporary engagements in the administration, status of senior civil servants, salary/remuneration, and integrity and anti-corruption. Data collection was conducted using a self-administered questionnaire on SurveyMonkey platform (web SAQ).

For Serbia, a total of 1193 civil servants participated in the survey from 26 March to 30 April 2018. The Ministry of Public Administration and Local Self-Government (MPALSG) facilitated the dissemination of the survey by sending the questionnaire to the mailing lists of civil servants working in central state administration bodies in two rounds, on 26 March and 10 April.

Civil service population in Serbia is 22862 (including permanently employed, employed based on a fixed-term contract and on a temporary contract), based on the data of the central registry of mandatory social insurance (CROSO) from September 2018.

Table 9 Breakdown of the sample for survey of civil servants

	Frequency	% (of cases)
TOTAL	1193	100%
Key groups		
Civil service position		
Senior civil service manager – head of authority	24	2.71
Senior civil service manager – not a head of authority	34	3.85
Non-senior civil service manager (executorial)	171	19.34
Civil servant in non-managerial expert position	500	56.56
Administrative support civil servant position	27	3.05
Civil servant on fixed-term contract or otherwise temporarily engaged	122	13.80
Political appointment (minister's cabinet or otherwise)	6	0.07
Other	0	0
State administration institution		
Ministry	576	61.28
Subordinate agency	180	19.15

	Frequency	% (of cases)
Centre - of - government institution (PM office, government office, government service)	80	8.51
Autonomous agency within the central state administration	104	11.06
Other	0	0
Gender		
Male	318	33.76
Female	532	56.48
Don't wish to answer	88	9.34
Years working in the administration		
Mean= 12.41 years; Range =0-50 years		
Sector worked before joining the administration		
Local or regional administration	74	8.83
Other branch of power	68	8.11
Public services	139	16.59
International organisation	10	1.19
Non -governmental organisation	23	2.74
Media	17	2.03
Private sector	367	43.79
This was my first job	140	16.71
Other	0	0

Table 10 Margin of error (MoE) per question at the 95% confidence level

Question	MoE	Question	MoE	Question	MoE
Q1_1	1.64 - 2.65	**Q4_1**	1.54 - 2.97	**Q6**	1.62 - 2.97
Q1_2	1.57 - 2.76	**Q4_2**	1.60 - 2.88	**Q7**	1.82 - 2.95
Q1_3	1.50 - 2.75	**Q4_3**	1.66 - 2.82	**Q8_1**	1.65 - 2.89
q2	1.18 - 2.90	**Q4_4**	1.31 - 3.03	**Q8_2**	1.69 - 2.92
Q3_1	1.62 - 2.90	**Q5_1**	1.28 - 3.02	**Q8_3**	1.20 - 3.06
Q3_2	1.26 - 2.89	**Q5_2**	1.69 - 2.96	**Q9**	1.53 - 3.05
Q3_3	1.82 - 2.74	**Q5_3**	N/A	**Q10**	0.68 - 2.57
Q3_4	1.38 - 2.69	**Q5_4**	1.70 - 2.99		
Q3_5	1.43 - 2.81	**Q5_5**	1.56 - 3.02		

Survey of civil society organisations

CSO survey results are based on a unified questionnaire targeting representatives of CSOs working in Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia. The questionnaire included nine sections covering:

- CSOs involvement in evidence-based policy-making,
- participation in policy- and decision-making,
- exercising the right to free access of information,
- transparency of decision-making processes,
- accessibility and availability of legislation and explanatory materials,
- CSO's perceptions on government's planning, monitoring and reporting on its work,
- effectiveness of mechanisms for protecting the right to good administration,

• integrity of public administration, and
• the accessibility of administrative services.

Data collection was conducted using a self-administered questionnaire on SurveyMonkey platform (web SAQ).

For Serbia, a total of 183 CSOs participated in the survey from 23 April to 4 June 2018. The Office for Cooperation with Civil Society supported survey dissemination using its own channels of communication - mailing list of CSOs (approximately 2000 contacts), website, and social media, in two rounds on 24 April and 9 May 2018. Moreover, Civic Initiatives, as the TACSO Resource Centre in Serbia, supported dissemination by sending the survey link to its mailing list of CSOs (approximately 5000 contacts). They also published the invitation to CSOs to fill out the survey in the newsletter of the Resource Centre.

To get as wider reach as possible, survey was additionally disseminated through the National Convention on the EU (NCEU) and the NCEU secretariat disseminated the survey to coordinators of its working group who forwarded it to membership. Finally, the questionnaire was also sent to the e-mail addresses in the CSO database maintained by the Ecological Movement Odzaci

Table 11 Breakdown of the CSO survey sample in Serbia

	Frequency	% (of cases)
TOTAL	183	100
Key groups		
Type of organisation*		
Policy research/Think-tank	33	18.03
Watchdog	17	9.29
Advocacy	73	39.89
Service provider	63	34.43
Grassroot	59	32.24
Other	63	34.43
Field of operation*		
Governance and democracy	40	21.86
Rule of law	44	24.04
Human rights	92	50.27
Public administration reform	40	21.86
European integration	58	31.69
Gender issues	54	29.51
Children and youth	83	45.36
Environment and sustainable development	80	43.72
Education	70	38.25
Culture	56	30.60
Health	33	18.03
Media	36	19.67
Economic development	36	19.67
Civil society development	76	41.53
Social services	63	34.43
Other	33	18.03
Year of registration of the CSO		
Mean=9.37 years; Range=0-40 years		

	Frequency	% (of cases)
Position of the respondent in the organisation*		
Senior-level management	121	66.12
Mid-level management	15	8.20
Senior non-management	10	5.46
Mid-level non-management	6	3.28
Other	33	18.03
Years working with the organisation		
Mean=9.37 years; Range=0-40 years		

*Multiple response questions. Calculating frequency totals may add up beyond the sample size (183), or total percentage of cases may add up beyond 100%.

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Public administration reforms (PAR) have been implemented in the Western Balkans for over a decade now, with varying degrees of success. Since 2014, PAR is acknowledged as one of the fundamental areas of reform on any country's path to EU membership and a set of principles was prepared for the accession countries to follow and comply with in this area in order to become successful EU member states.

This PAR Monitor report, produced by the WeBER project, provides detailed monitoring results and recommendations for Serbia, based on a comprehensive, year-long research focused on PAR. The PAR Monitor adopts the EU principles of public administration as the main building block of the entire endeavour, to allow for regional comparability, peer learning and peer pressure. This also allows WeBER to guide the administrative reforms in the direction of compliance with EU standards and requirements. The WeBER monitoring focus also rests strongly on the citizen-facing aspects of public administration, particularly examining issues of transparency, information provision to the public, citizen participation, accountability, equal opportunity and integrity.

The Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform – WeBER – is a three-year project aiming to increase the relevance, participation and capacity of civil society organisations and media in the Western Balkans to advocate for and influence the design and implementation of public administration reform. WeBER is implemented by the Think for Europe Network (TEN), composed of six EU policy-oriented think tanks in the Western Balkans, and in partnership with the European Policy Centre (EPC) from Brussels.