

(NON)TRANSPARENCY AS A MIRROR OF (IR)RESPONSIBILITY HOW DO THE GOVERNMENT AND STATE ADMINISTRATION BODIES REPORT ON THEIR PERFORMANCE?

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Good governance implies governance that focuses on citizens, their well-being and satisfaction.¹ One of the main attributes of good governance is transparency in the work of institutions and the decision-making process, in order to provide the public with timely information about activities and decisions that may have an impact on everyday life. With transparent insight into decisions of public interest, citizens in democratic societies have the opportunity not only to be informed but also to point out shortcomings and demand accountability, thus creating an unbreakable link between transparency and public accountability for the results achieved. Public reporting about work and performance is one of the ways to ensure government transparency in practice. In Serbia, the long-standing problem of non-transparent annual reporting on the work of the Government and the administration results in a lack of accountability towards citizens.

It should be said that public administration reform (PAR) has been a strategic commitment of the Serbian Government. Similar to the previous one, the new PAR Strategy 2021-2030 aims to improve transparency and accountability at all levels. At the same time, tangible progress in this reform is one of the prerequisites for the successful European integration of Serbia. The issues of transparency of work and results are elaborated in detail in the *Principles of Public Administration* of the SIGMA programme, which serve as a guide for this reform in the EU accession process.²

However, despite the dual importance of government transparency, the findings of the WeBER PAR Monitor show, for the second time, that there is still much room for improvement in this field, as public reporting practices are irregular, unpredictable, and almost completely unsuitable for meaningful public oversight of the results of both the Government and the state administration bodies.

REPORTING OF THE GOVERNMENT IRREGULAR, WITHOUT KEY INFORMATION ON THE RESULTS

In Serbia, the Law on the Planning System (LPS) and the Rules of Procedure of the Government unequivocally establish the Government's obligation to submit an annual report on its work for the previous year to the National Assembly. The draft annual report, which is a report on the implementation of the Government Annual Work Plan (GAWP), is prepared by the General Secretariat (GS) based on the reports of state administration bodies. They are required to submit their reports for the past year by March 1 of the current year. The Government adopts an annual work report by May 1 and submits it to the National Assembly.³ Moreover, the LPS requires that this report be published on the Government's website within 15 days of its adoption.⁴

During the preparation of this brief, in October 2021, the report on the work of Government for 2020 was still not published, whereas the most recent publicly available is the one for 2019.

However, despite clear legal provisions, in practice the public's insight into the annual work of the Government is significantly limited, primarily due to irregular publication. Namely, during the preparation of this brief, in October 2021, the report on the work of Government for 2020 was still not published, whereas the most recent publicly available is the one for 2019⁵. The findings of PAR Monitor 2019/2020 indicate the same pattern - at the time of monitoring work, reports on the implementation of the GAWP were not publicly available for the two consecutive reporting cycles, i.e., the 2017 report was missing.⁶

Looking back at the results of the baseline PAR Monitor 2017/2018, it shows this is a continuous practice, which undeniably extends back several years. Even then, reports on the implementation of the GAWP were not publicly available on the Government website, with the report for 2016 published by the Ministry of Finance, while older editions, for 2013 and 2014, were posted on the website of the National assembly.⁷ In other words, the publication of these reports is at best sporadic and random, and even unpredictable as they are not always published on the Government website where it would be reasonable and expected. For these reasons, in practical terms, their availability is often meaningless.

It is also important to highlight that, in the case of published reports, both PAR Monitors point to the problem of their inadequacy to citizens in terms of scope, structure and language used, which has significant consequences for genuine public insight into the Government's work. As a rule, reports exceed a thousand pages in length and compare implemented activities in relation to the GAWP, which is why they completely take over its structure, focusing primarily on legislative activities by individual state administration bodies.⁸ Though they begin with a narrative overview of individual activities and results by central administration bodies, they are centred around a tabular presentation of regulations and acts adopted by these bodies, and the Government, and the data on the program budget execution. It should be noted that the reports inform whether the activities were envisaged in the GAWP, with explanations if the planned activity was not implemented, and vice versa. Still, in their current form and length, and in substance, they do not provide a clear insight into the results achieved by the Government as the highest executive authority, and there is still plenty of room for transparent and citizen-friendly reporting by modifying the structure of this report.

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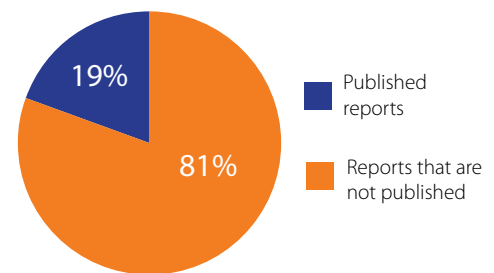
ABSENCE OF PROACTIVE REPORTING BY STATE ADMINISTRATION BODIES

Similar to the case of the Government's reporting, state administration bodies alone do not provide enough opportunities for the public to gain insight into their work and results on an annual basis. According to PAR Monitor 2019/2020, the practice of publicly revealing annual work reports on their websites is non-existent. In other words, of the seven analysed bodies⁹, only the GS made the most recent annual report publicly available, but only on the implementation of the GAWP, for which it is responsible.¹⁰ Also, in the baseline PAR Monitor 2017/2018, the absence of annual reports was one of the most striking omissions in the proactive provision of information by state administration bodies too.¹¹ Although these are not required to particularly publish their annual reports online, such findings point to a substantial shortcoming in the overall practice of informing the public. The problem is only further emphasised by the fact that reports on the implementation of the GAWP are also published irregularly, which are, as mentioned before, compiled from individual reports of state administration bodies.

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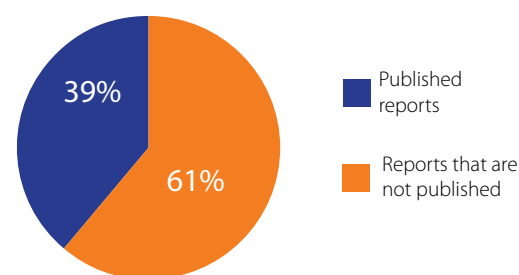
In addition, a review of the websites of all ministries, their subordinated bodies, and special organizations, at the time of writing this brief, only underpinned the PAR Monitor's findings that work reports are not widely available. Namely, no reports for 2020 were found on the ministries' websites, and reports from previous years either do not exist or appear sporadically¹². A notable exception is the Ministry of Construction, Transport and Infrastructure (MCTI), which published work reports from 2018 to June 2020, and that include information on the work of subordinated bodies within this Ministry.¹³

As a rule, reports on the work of the subordinated bodies are also not available online, though they may be included in the ministries' work reports, as in the case of MCTI. However, even when subordinated bodies are concerned, the exceptions confirm the rule – for only six of the 31¹⁴, work reports were found online, and the publication is characterized by unsystematic and inconsistent formats.¹⁵ For example, the Tax Administration published a single report for the 2015-2020¹⁶ period, while the annual reports of the Tobacco Administration covered the period from 2018 to 2020, presenting on one page the main activities and results for each calendar year¹⁷. On the other hand, the Administration for the Prevention of Money Laundering has a slightly longer continuity in publishing reports¹⁸, as does the Administrative Inspectorate.¹⁹



Graph 1: Share of bodies subordinated to the ministries that publish annual work reports on their websites

Similarly, the annual reporting of special organisations is usually unavailable. More than half of them do not have published work reports on their websites (11 out of 18²⁰), not even those that are part of the report on the GAWP implementation for 2019.²¹ The Public Policy Secretariat has published a single report covering the period from its establishment in 2014 to May 2020.²² Nonetheless, the most encouraging examples are the Intellectual Property Office²³, Statistical Office²⁴, and the Commissariat for Refugees and Migration²⁵, all of which have available reports for the last ten years. Despite such exceptions, the major absence of annual reporting only supports the argument of insufficient transparency, and consequently, the lack of accountability.



Graph 2: Share of special organisations that publish annual work reports on their websites

Even when they are published, reports from both the subordinated bodies and special organisations stand out primarily for their volume and bureaucratic format, which makes them highly inaccessible to the public.

Finally, even when they are published, reports from both the subordinated bodies and special organisations stand out primarily for their volume and bureaucratic format, which makes them highly inaccessible to the public. The available annual reports of the Directorate for Measures and Precious Metals²⁶ that cover period from 2010 to 2014, have a total number of pages over 200, and the reports of the Administration for the Prevention of Money Laundering²⁷ are similar, while one report of the Commissariat for Refugees and Migration²⁸ is on one hundred and twenty-one pages. In this regard, examples can be found of an effort to make the results of annual work more accessible to stakeholders, for example, the annual reports of the Occupational Safety and Health Directorate. They are characterized by relatively simple tabular and graphical representations, with data organised by gender, age, work environment, and other parameters.²⁹ Exceptions aside,

the fact that the reporting is mostly unadjusted for the general, non-expert public only reduces the usefulness of the already limited number of available reports.

SMALL STEPS TOWARDS A SIGNIFICANT SHIFT IN THE TRANSPARENCY AND ACCOUNTABILITY OF GOVERNMENT

Government transparency is one of the key values of good governance, because it unlocks accountability for both successes and failures. Citizens who are well-informed about the activities and performance of the Government and the administration have the ability to monitor administration's work, point out omissions and call for accountability, which benefits the entire community in the long run.

On the other hand, the European Commission has made PAR one of the fundamental reforms in the enlargement process. Given Serbia's aspirations towards EU membership, domestic practices in this area must be harmonized and maintained in accordance with EU standards, i.e., the Principles of Public Administration. In other words, the current inconsistency in annual reporting should be replaced by proactive, regular, and citizen-friendly work reports of both the Government and administrative bodies.

According to the findings of the National PAR Monitor for Serbia 2019/2020, the pattern of publishing annual work reports has remained in line with the results of the baseline PAR Monitor. It is characterized by irregularity and inconsistency, i.e., the absence of basic transparency. Therefore, the recommendations from the baseline monitoring cycle for concrete improvements in this domain were reiterated in PAR Monitor 2019/2020.³⁰

- **Annual reports on the implementation of the GAWP should be published on the official website of the Government on a regular basis**, and they should be easily visible and accessible from the home page.
- **Annual reporting should include descriptions of the Government's overall accomplishments, tailored to citizens**, in addition to or instead of reporting to the existing structure of the GAWP.
- **Reporting should also be improved to include an assessment of the results achieved in various policy areas**, including relevant information on horizontal policies such as gender mainstreaming, the environment, and sustainable development.
- **State administration bodies should proactively publish their annual work reports online.**
- **In addition, they should provide information in simple, citizen-friendly language**, with an emphasis on easier access and a better user experience.

The implementation of these recommendations, in terms of their scope and character, would not require significant effort. It is primarily a matter of readiness to establish public reporting as a regular, unquestionable practice, as well as to make it more understandable and accessible to anyone who wishes to be informed about the work and results of administration bodies, and the Government as a whole.

With a certain amount of proactivity, a tangible result in this domain is possible in the short term. More importantly, a significant benefit can appear in the long run as improved reporting practices would strengthen transparency and accountability in public governance, and raise public trust in institutions.

1. See: Charter of Fundamental Rights of the European Union, article 41. Right to good administration, available at: <https://bit.ly/3mQXn42> (05.10.2021.).
2. The SIGMA program is a joint initiative of the Organization for European Cooperation and Development (OECD) and the European Union, available at: www.sigmaweb.org.
3. Article 78–79, Rules of Procedure of the Government, Official Gazette of RS, 61/2006 - consolidated text, 69/2008, 88/2009, 33/2010, 69/2010, 20/2011, 37/2011, 30/2013, 76 / 2014 and 8/2019 - other regulation
4. Article 45, Law on the Planning System of the Republic of Serbia, Official Gazette of RS, 30/2018.
5. See: Report on the work of the Government for 2019, available at: <https://tinyurl.com/xxrrsj9> (05.10.2021).
6. Miloš Đinđić, Milena Lazarević, Dragana Bajić, Stefan Stojković, National PAR Monitor Serbia 2019/2020, European Policy Centre, 2021, p. 44, available at: <https://bit.ly/3DVyOtL>
7. Miloš Đinđić, Dragana Bajić, National PAR Monitor Serbia 2017/2018, European Policy Centre, 2018, p. 40, available at: <https://bit.ly/3DVyOtL>.
8. Miloš Đinđić, Milena Lazarević, Dragana Bajić, Stefan Stojković, National PAR Monitor Serbia 2019/2020, p. 44
9. Sample of state administration bodies in PAR Monitor 2019/2020 for Serbia: Ministry of Labour, Employment, Veterans and Social Affairs, Ministry of
10. Public Administration and Local Self-Government, Ministry of Culture and Information, Ministry of European Integration, Serbian government general secretariat, Environmental protection agency, Tax administration.
Ibid, p.110.
11. Miloš Đinđić, Dragana Bajić, National PAR Monitor Serbia 2017/2018, p. 93-94. Sample of state administration bodies in PAR Monitor 2017/2018: Ministry of Trade, Tourism and Telecommunications, Ministry of Mining and Energy, Ministry of Youth and Sports, Ministry of Finance, Public Policy Secretariat of the Republic of Serbia, Public Debt Administration and Republic geodetic authority.
12. For example, the Ministry of Justice published on its website the Work Report for 2013, 2014 and 2017, See: Ministry of Justice, available at: <https://www.mpravde.gov.rs/sr/dokumenta/60/izvestaji.php> (24.09.2021.).
13. See: Ministry of Construction, Transport, and Infrastructure, available at: <https://tinyurl.com/muw3v6s6> (24.09.2021.).
14. See: RIK, available at: <https://tinyurl.com/m8u592fj> (24.09.2021.).
15. Tax administration, Tobacco Administration, Administration for the Prevention of Money Laundering, Directorate for Measures and Precious Metals, Administrative Inspectorate, Occupational Safety and Health Directorate.
16. See: Tax Administration, available at: <https://www.purs.gov.rs/sr/o-nama/izvestaj.html> (24.09.2021.).
17. See: Tobacco Administration, available at: <https://www.duvan.gov.rs/godish-i-izveshta-i-o-radu> (24.09.2021.).
18. See: Administration for the Prevention of Money Laundering, available at: <https://tinyurl.com/2hyz66yz> (29.09.2021.).
19. See: MPALSG, available at: <https://tinyurl.com/er25xah7> (24.09.2021.).
20. See: RIK, available at: <https://tinyurl.com/m8u592fj> (24.08.2021.).
21. Work reports are published by: Serbia Geological Institute, Intellectual Property Office, Institute for social insurance, Commissariat for Refugees and Migration, Republic Directorate for Commodity Reserves, Statistical office, Public Policy Secretariat.
22. See: PPS, available at: <https://rsjp.gov.rs/sr/vesti/izvestaj-o-radu-rsjp-april-2014-maj-2020/> (24.09.2021.).
23. See: Intellectual Property Office, available at: <https://www.zis.gov.rs/o-zavodu/godisnji-izvestaji.50.html> (05.10.2021.).
24. See: Statistical office, available at: <https://www.stat.gov.rs/sr-Latn/o-nama/dokumenti> (05.10.2021.).
25. See: Commissariat for Refugees and Migration, available at: <https://kirs.gov.rs/lat/izvestaji/izvestaji> (05.10.2021.).
26. See: Directorate for Measures and Precious Metals, available at: <https://tinyurl.com/yckucz7d> (13.12.2021.).
27. See: Administration for the Prevention of Money Laundering, available at: <https://tinyurl.com/2hyz66yz> (13.12.2021.).
28. See: Commissariat for Refugees and Migration, available at: <https://kirs.gov.rs/lat/izvestaji/izvestaji> (13.12.2021.).
29. See: Ministry of Labour, Employment, Veterans and Social Affairs, available at: <https://tinyurl.com/2j9ehxpf> (05.10.2021).
30. National PAR Monitor Serbia 2019/2020, pp. 65 and 116.

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