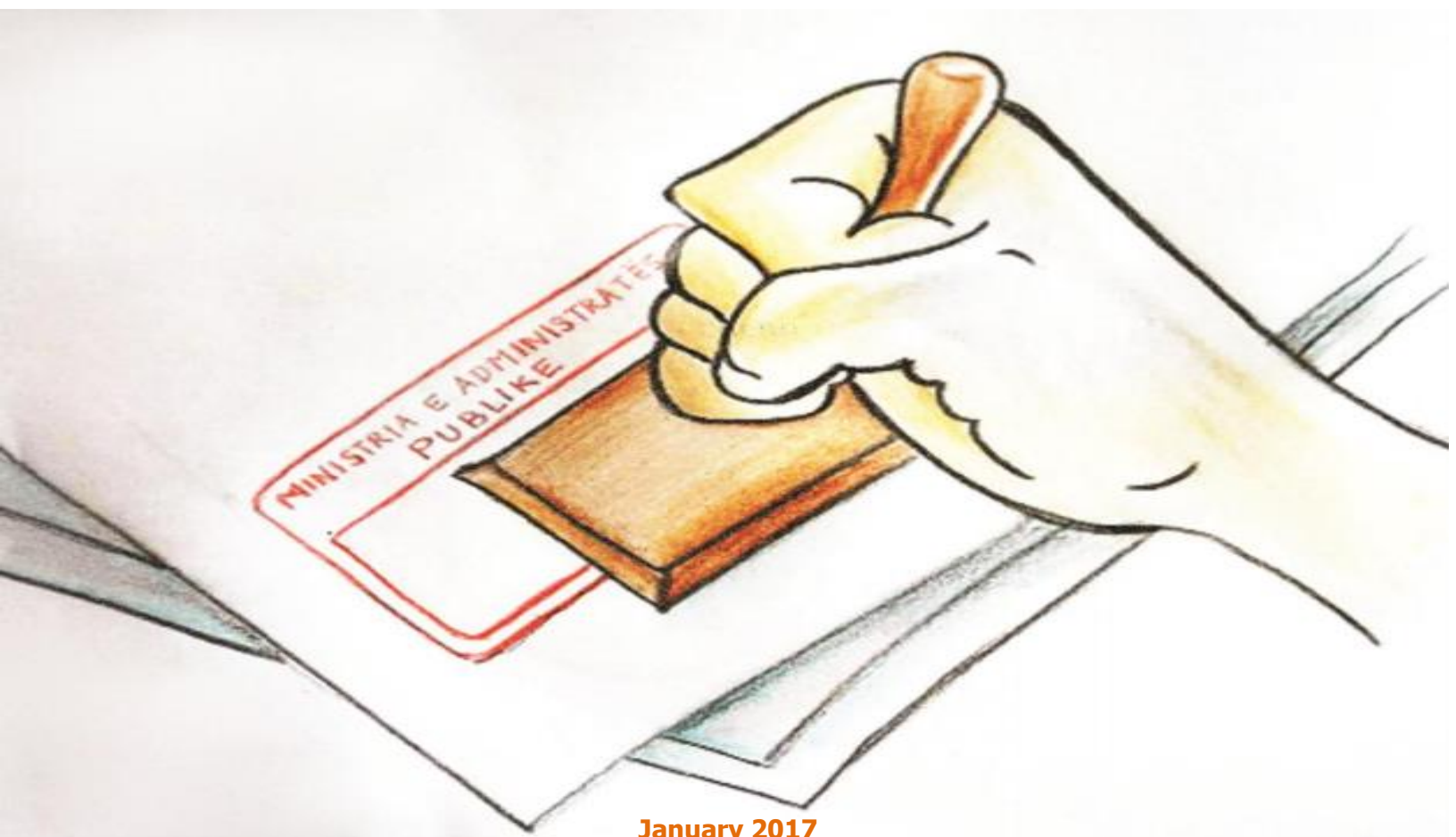


IMPLEMENTATION OF THE STRATEGY ON MODERNISATION OF PUBLIC ADMINISTRATION

MONITORING PERIOD: OCTOBER 2015 – OCTOBER 2016



January 2017

1. INTRODUCTION

The strategic framework on Public Administration Reform (PAR) consists of four strategies and mainly three implementing institutions: 1) Strategy on Planning and Coordination Improvement 2017-2021, 2) Strategy for Better Regulation 2017-2021, 3) Strategy on Modernization of Public Administration 2015-2020 and 4) Strategy for Public Finance Management 2016-2020. Strategies under 1 and 2 are in the consultation stage, and are expected to be adopted by the government at the beginning of the year. The responsible institution for these two strategies is the Office of the Prime Minister. The MPA covers Strategy 3 whereas the Ministry of Finance covers Strategy 4. Strategies 1 and 2 are amendments and supplements made to existing strategies: 1) Strategy on Improvement of Policy Planning and Coordination in Kosovo (Integration System Plan) 2016-2018¹ and 2) Strategy for Better Regulation 2014-2020². Both strategies have been adopted by the Government but have not produced any results due to problems associated with implementation due to poor drafting quality and lack of cost of implementation of activities according to their objectives.

Strategy on Modernization of Public Administration covers a period of six years (2015-2020)³ whereas the Action Plan covers the first three years 2015-2017⁴. The Strategy and Action Plan were adopted by the Government in September 2015⁵ and as a result a few activities have been projected for the last quarter (Q4) of 2015.

The Strategy and its implementation Action Plan consists of three strategic objectives: 1) the civil service, 2) administrative procedures and providing public administrative services and 3) organization of public administration and accountability. Each strategic objective contains a number of specific objectives and each specific objective consists of a number of activities, responsible institution/s responsible, budget and implementation deadlines.

Based on the concept paper on the Monitoring and Evaluation System of Public Administration Reform, monitoring and reporting on monitoring is performed on quarterly, semi-annual and annual basis. Bearing this in mind, this monitoring covers a three-month period in 2015 and the first nine months of 2016. This period was monitored and reported on to the Ministry of Public Administration (MPA), i.e. to the Department of Public Administration Reform Management in Kosovo. This monitoring as well is based on MPA reports. In June 2016,⁶ the Government of Kosovo adopted the comprehensive reports on implementation of the strategic framework of the public administration reform for 2015. The quarterly and semi-annual reports for 2016 were

¹ Strategy on Improvement of Policy Planning and Coordination in Kosovo (Integration System Plan) 2016-2018 was adopted by the Government of Kosovo Decision No. 05/32 dated 03.06.2015: <http://bit.ly/1mJE8YU>

² Strategy for Better Regulation 2014-2020 was adopted by the Government of Kosovo Decision No. 03/189 dated 23.05.2014: <http://bit.ly/1V65Eic>

³ Strategy for Modernization of Public Administration 2015-2020: <http://bit.ly/2g9yuëb>

⁴ Action Plan on implementation of the Strategy for Modernization of the Public Administration: <http://bit.ly/2h1MUAE>

⁵ Decision No. 04/51 of the Government of Kosovo, dated 25.09.2015: <http://bit.ly/1ËA5Rse>

⁶ Decision No. 07/90 of the Government of Kosovo, dated 01.06.2016: <http://bit.ly/2hfËb17>

adopted in the form of conclusions during Ministerial Council on the Public Administration Reform in Kosovo.

Table 1 below provides a comprehensive overview of strategic objectives of the Strategy and Action Plan, the specific number of objectives, the overall number of activities as per specific objectives and ultimately the number of activities that are subject of assessment, which falls within the assessment period October 2015 - October 2016.

Table 1: Overview of Action Plan on Strategy for Modernization of Public Administration and activities during the assessment period

Strategic Objective 1:	Civil Service
Specific Objectives:	Four
Activities as part of specific objectives	18 activities
Activities during the period between Q4 2015 - Q3 2016 (October 2015 - October 2016):	11 activities
Strategic Objective 2:	Administrative procedures and provision of public administrative services
Specific Objectives:	Seven
Activities as part of specific objectives:	25 activities
Activities during the period between Q4 2015 - Q3 2016 (October 2015 - October 2016):	12 activities
Strategic Objective 3:	Organization of public administration and accountability
Specific Objectives:	Four
Activities as part of specific objectives:	11 activities
Activities during the period between Q4 2015 - Q3 2016 (October 2015 - October 2016):	8 activities

2. IMPLEMENTATION OF STRATEGIC OBJECTIVE 1: CIVIL SERVICE

Regarding activities related to the job catalogue, it is noticed in the reports that the activity is not performed and the process is ongoing because the catalogue is still being completed with new positions. Regarding the job classification in the civil service and the implementation of the new payroll system, the part of the classification has been completed after its adoption by the Government⁷, but the implementation of the new payroll system in conformity with the positions has not started. As per the action plan, the job classification was foreseen to take place during Q1 2016, but there were delays in its adoption by the Government, namely it was adopted in May 2016. Regarding the integration of personal data in the civil service from the physical files to the Human Resource Management Information System (HRMIS), according to MPA reports, this activity is in process and so far 40% of the institutions have entered the data in the system. Regarding two other activities, the development of new modules and linking the HRMIS with the payroll system of the Ministry of Finance and the Pension Trust, the two activities are completed. The activity related to the training of the personnel officers in regards to the use of HRMIS is in the process. The UNDP supported the Train the Trainer which was held in October of this year.

Regarding the legislation in the field of civil service, namely the amendment of the Law on Civil Service, there are delays both in regards to the action plan for implementing the strategy (foreseen for the period Q4 2015) and the legislative program of the Government 2016⁸, based on which it was foreseen to have the draft law approved by the Government until 30 November 2016. According to the MPA, the activity was postponed due to the recommendation of the European Commission to have the Law on Salaries, Law on the Civil Service and the Law on Organization of Public Administration in one package and have them processed as such in the Assembly. As a result, in the meeting held on 23 November 2016⁹, a decision was made to withdraw the Draft Law on amending and supplementing the Law on Civil Service and the Draft Law on amending and supplementing the Law on State Administration from the legislative program 2016. On the other hand, the MPA is planning to submit for approval to the Government the concept documents for the three above mentioned laws during December 2016.

Regarding the strategy for training civil servants and the action plan for implementing the strategy¹⁰, both activities have been completed, but with delays. According to the action plan, two documents should have been adopted by the Government during Q4 2015, but they were adopted in June 2016. The activity related to the establishment of mechanisms for assessing the impact of trainings, which was planned to be completed during the period Q2 2016, has not yet been completed.

⁷ Decision No. 04/89 of the Government of Kosovo , dated 25.05.2016: <http://bit.ly/2hg33E3>

⁸ Legislative Program for 2016: <http://bit.ly/2h5K6IĚ>

⁹ Decision No. 01/117 of the Government of Kosovo, dated 23.11.2016: <http://bit.ly/2gTaRMm>

¹⁰ Decision No. 03/94 of the Government of Kosovo, dated 15.06.2016: <http://bit.ly/2gBGiYk>

Strategic objective 1: Civil Service

Table 2: Activities planned to be undertaken and the progress achieved

Activity	Deadline for implementation	Product (final result)	Progress (status)
Harmonization of positions according to the catalogue of jobs in the civil service	Q4 2015	List of positions harmonized with the catalogue of jobs	Not completed. Activity started and the catalogue is in the process of being harmonized.
Completing the catalogue with new positions and standardized descriptions of duties for specific positions which are not Included in the catalogue	In process	Catalog completed.	In process. 108 additional positions are added and 60 additional standardized descriptions are made.
Finalization of the job classification of civil service and implementation of the new payroll system	Q1 2016	Classification of jobs approved by Government	Classification was approved in May 2016 by the Government but the implementation of the new payroll system has not started yet.
Integration of personal data and the employment data of civil servants in electronic form from physical files in HRMIS in all institutions	Q2 2016	Data integrated in all institutions	Not completed. So far 40% of institutions have entered the data in electronic form (HRMIS).
Development of new modules (Personnel Planning, Online Application, including recruitment procedures for senior management)	Q4 - 2015 Q2 - 2016	New modules developed and operational	Done.
Linking HRMIS with the payroll system and the Pension Trust	Q1-Q3 2016	HRMIS linked to the payroll system and the Pension Trust	Done.
Training of staff managers and officials responsible	In process	Number of staff trained	In process. So far there have been trainings organized

for the use of HRMIS as necessary			
Amending and supplementing the Law on Civil Service aiming on the civil service organization and functioning, making it more functional and apolitical	Q4 2015	Law adopted	Not completed
Drafting and approving the Civil Servants Training Strategy 2015-2019	Q4 2015	Strategy adopted	Adopted in June 2016 by the Government
Drafting and approving the Action Plan for the implementation of the Training Strategy	Q4 2015	Action plan adopted	Adopted in June 2016 by the Government along with the strategy
Establishing mechanisms (the system) for monitoring and assessing the impact of trainings	Q2 2016	Mechanisms structured and established	Not completed

3. IMPLEMENTATION OF STRATEGIC OBJECTIVE 2: ADMINISTRATIVE PROCEDURES AND PROVISION OF PUBLIC ADMINISTRATIVE SERVICES

Regarding the Law on general administrative procedure, the Law has been approved but there have been delays, both in regards to the action plan (period Q4 2015) and legislative program planning based on which this Law was planned to be approved until March 2016¹¹. The Law was adopted in May 2016 by the Assembly and was published in the Official Gazette in June 2016¹². Since the law was approved with a few months delay, the manual drafting foreseen for the first quarter 2016 according to the Action Plan for the implementation of the strategy has not been done yet. The other activities related to the revision of the MPA positions and revision of the regulation on MPA internal organization, planned to be completed at the latest during the period Q2 2016, have not been completed.

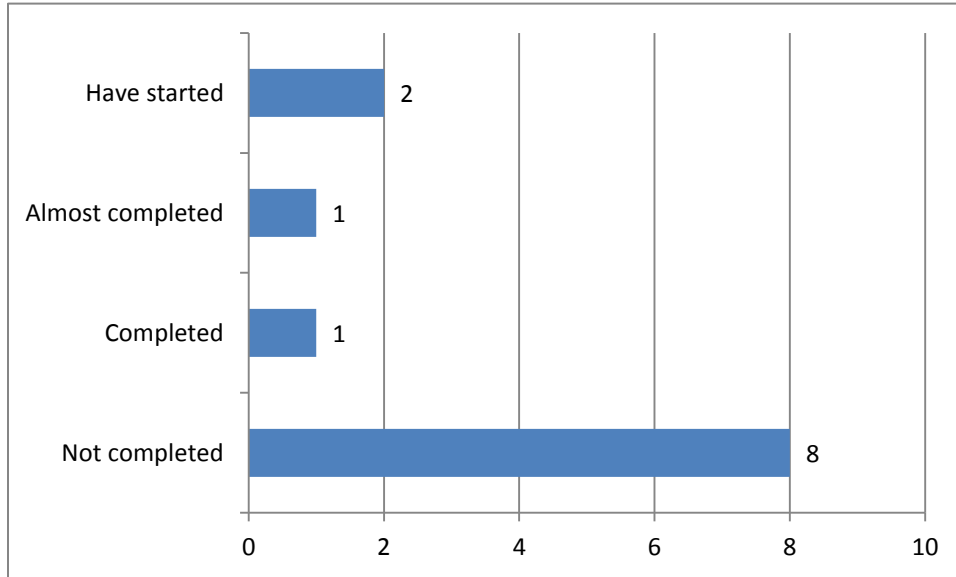
In addition to that, according to reports, it is noted that neither the activity foreseen for the integration of seven systems and development of major platform interoperability has not started yet; Regarding activities related to the identification of administrative services, publication of the list of administrative services and contact information of persons responsible for these services, the first activity (identification of services) started and is in the final stage and its completion will enable the publication of the list of services and contact information of persons responsible for those services. According to the Action Plan for implementing the strategy, these three activities are foreseen to take place during the first six months of 2016, but these activities have not been performed and therefore there is a significant delay. The identification activity is supported by GIZ.

The last two activities related to the placement of opinion boxes for citizens in all institutions and drafting regulations for the regulation of the forms and standards of obtaining the opinion are being developed with the support of UNDP. The implementation of the project for placing opinion boxes is expected to begin next year. If we summarize the total number of activities that have been completed, not completed, started and the ongoing ones, it is noticed that most of the activities have not been completed; some have been completed but with delays while some others are in the process.

¹¹ Legislative Program for 2015: <http://bit.ly/1gy8BM1>

¹² Law No. 05/L-031 on General Administrative Procedure: <http://bit.ly/2h2zaVR>

Figure 1: Division of 12 activities in terms of their implementation



Strategic objective 2: Administrative procedures and provision of public administrative services

Table 3: Activities planned to be undertaken and the progress achieved

Activity	Deadline for implementation	Product (final result)	Progress (status)
Adoption of the Law on General Administrative Procedures (LGAP)	Q4 2015	Law approved by the Assembly	Approved by the Assembly in May 2016
Drafting the manual for the implementation of the LPPA	Q1 2016	Manual approved	Not completed
Analysis of the review of MPA positions related to public-administrative services	Q1 2016	The document of analysis produced and consulted	Not completed
Review of the Regulation on MPA internal organization	Q4 2015	Regulation revised	Not completed
Establishment of the unit (structure) responsible for the management, planning, monitoring, evaluation and implementation of public-administrative services	Q2 2016	Unit (structure) established	Not completed
Development of the main interoperability platform (of systems' interaction) and initially integration of the seven (7) systems	Q2 2016	Platform designed and operational	Not completed
Development and functioning of the platform and the Public Key Infrastructure for officials (PKI)	Q3 2016	Platform development and functioning	Not completed
Identification of administrative services provided by public administration institutions	Q1 2016	Administrative services database	Almost completed

The publication of the list of administrative services, duration of implementation, criteria and the cost of their completion	Q1 2016	List published	Not completed
Publication of contact information for each institution and the person responsible for providing the respective public administrative service	Q2 2016	Contact information published	Not completed
Placement of opinion boxes in all IRKs to obtain opinions on services provided	Q2 2016	Boxes placed in all IRKs	The project is expected to be implemented next year since all procedures have been completed.
Drafting legal regulations to regulate the forms and standards of obtaining opinions	Q1 2016	Legal regulations and standard forms approved	The activity started and is in the process (the procurement procedures for supply with opinion boxes has been completed).

4. IMPLEMENTATION OF STRATEGIC OBJECTIVE 3: ORGANISATION OF PUBLIC ADMINISTRATION AND ACCOUNTABILITY

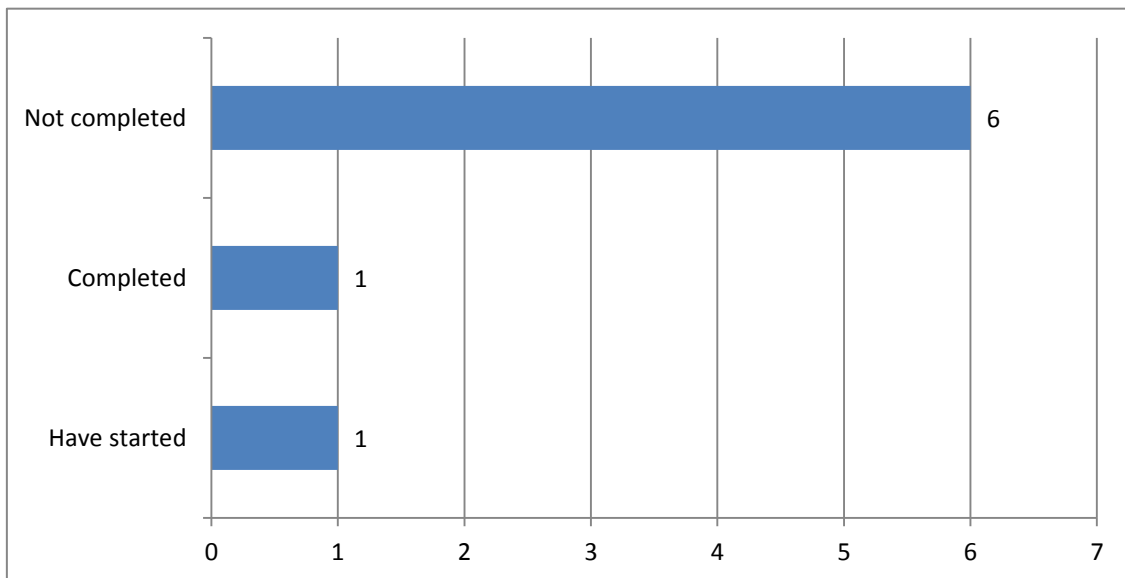
If we group the activities within the scope of organization of public administration and accountability we have the following three specific objectives: 1) comprehensive legal basis for the organization of public administration, 2) principles of ethics and transparency of public administration and 3) access to public documents.

The comprehensive legal basis for the organization of public administration is not completed. Currently MPA is working on drafting a concept document for this Law and the concept document is foreseen to be adopted by Government in February 2017 while the Law (with two other laws) will be draft and approved later.

The issue of the principles of ethics, integrity and transparency started with the support of UNDP but activities have not been completed.

The concept document for the draft law on access to public documents has been prepared but the Law on access to public documents has not been completed. Due to the fact that the Law was not adopted by the Assembly, the other activities related to the completion of the legal framework for access to public documents have not started.

Figure 2: Division of eight activities in terms of their implementation



Strategic objective 3: Organisation of public administration and accountability

Table 4: Activities planned to be undertaken and the progress achieved

Activity	Deadline for implementation	Product (final result)	Progress (status)
Creation of a comprehensive legal framework for internal organization of public administration	Q2 2016	Legal basis adopted	Not completed
Monitoring system implementation	Q1 2016	Methodology developed	Not completed
Training and capacity building for persons responsible for monitoring the principles of ethics and transparency in public administration	Q1 2016	Number of staff trained	Not completed
Creation of a database for access to public documents	Q2 2016	Database creation	Not completed
Preparing the list of information that shall be published by institutions in their web pages	Q2 2016	Lists published	Not completed
Development of a concept document for policies on access to public documents	Q4 2015	Concept document adopted	Completed.
Completion of legal framework for access to public documents	Q3 2016	The law on access to public documents reviewed and adopted	Not completed
Monitoring the implementation of granting access to public documents	In process	Monitoring mechanisms defined	Not started

5. CONCLUSIONS

Based on reports on the implementation of the Strategy for Modernization of Public Administration, there is a number of challenges contributing to the delays in the implementation of the strategy. At the same time, these challenges should be objectives to be resolved by the relevant institutions in order to have a better implementation of the strategy objectives:

- Lack of budget in completing certain activities as per the Action Plan, mainly in two areas: 1) lack of budget for the implementation of the new payroll system under the new job classification; 2) lack of budget in the area of interoperability platform, linking systems stage by stage in accordance with the Action Plan;
- Delays in approving the legislative package on the Public Administration reform, namely the three main laws: amending and supplementing the Law on Civil Service, Law on State Administration and the Law on Salaries;
- Delays in making operational the modules of the Human Resources Management Information System (HRMIS);
- Significant delays in amending and supplementing the Law on access to public documents;
- Incomplete and very slow reporting by institutions responsible for implementing the strategy in the Department for Public Administration reform in the MPA;

GAP Institute is supported by:

