



CIVIL SOCIETY MONITORING OF PUBLIC ADMINISTRATION REFORM: IS ALBANIA WALKING THE TALK?

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EXECUTIVE SUMMARY

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This policy brief presents the findings from the PAR monitoring performed in Albania within WeBER using a common regional methodology. The monitoring found that Albania has accomplished the most in the administrative reform areas of service delivery, public service and human resource management and public finance management. On the other hand, the reform area of policy development and coordination has emerged as the most challenging area, followed by accountability and strategic framework of PAR.

1. BACKGROUND

During the period September 2017-September 2018, Institute for Democracy and Mediation in cooperation with other five policy-oriented think tanks under the Think for Europe Network (TEN)¹ monitored Public Administration Reforms (PAR) in each Western Balkan country in the frame of the regional project WeBER.²

WeBER's monitoring approach – based on a common regional methodology – offers an independent, outside view of Public Administration Reform, measured against the EU set of principles in this area. Overall, the methodology is based on the selection of 21 EU-SIGMA Principles³ within six key areas, monitored and reported through 23 compound indicators that focus on different aspects of PAR.⁴ The approach is built with an emphasis on the public-facing aspects of an administrations' work, such as their transparency, openness, inclusiveness, equal opportunity and accountability to the public.⁵

In this context, this policy brief provides an overview of the key monitoring findings for Albania and draws suggestions on priorities for improvement directed at the creation of a more citizen-oriented, open, transparent and accountable administration. The key findings are divided into six sections, pertaining to the core areas of PAR, namely: 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.

2. KEY FINDINGS

Strategic framework for PAR

In the area of Strategic Framework for PAR, WeBER monitored the quality of civil society involvement in PAR agenda setting and in its monitoring and coordination structures. Results from indicators used in assessing this area⁶ show uneven practices in quality and consistency of consultation processes and the lack of adequate and consistent civil society involvement in PAR monitoring and coordination structures.

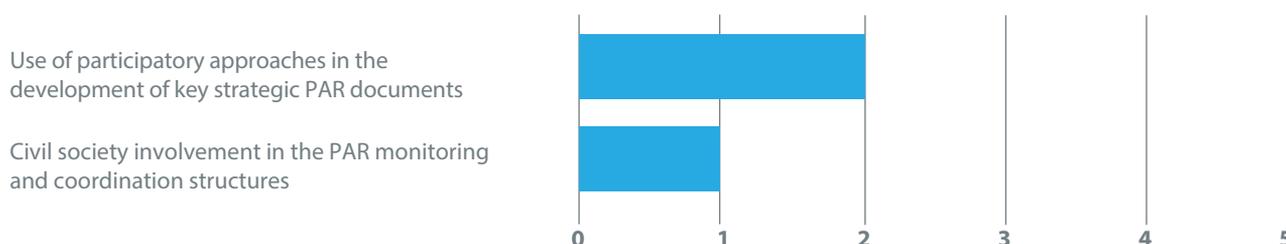


Figure 1. WeBER indicators and country values for Albania

While civil society was consulted when key strategic documents of the government PAR agenda⁷ were developed, consultations lacked in depth especially with regard to the provision of transparent feedback to consultees. Invitations to participate in consultations were open, except for the PFM Strategy. On the other hand, no consultations with civil society were conducted in the early phase of the development of documents when there is scope to influence strategic directions and policy outcomes. Besides, availability and consistency of information on various aspects of consultation was missing – pointing to issues of institutional memory that might hamper the transparency of the process.

Although civil society involvement in PAR monitoring is envisaged at both the administrative and political level structures (through the Integrated Policy Management Group IPMG-PAR and its six thematic groups), no meaningful involvement was achieved in practice. As per the regulatory framework, participation in IPMG-PAR is foreseen in the form of membership of one representative of the National Council for Civil Society (NCCS), but no civil society organization is an official member of the IPMG-PAR. CSOs have been involved as observers on a case-by-case basis and upon invitation. On the other hand, involvement in the thematic groups is envisaged as observers on an as needed basis. Moreover, both these structures have met occasionally and not as regularly as formally required.⁵

At the regional level, monitoring in the area of strategic framework of PAR revealed that Montenegro leads the area, whilst Kosovo comes last.

Policy development and coordination

In the area of Policy development and coordination, WeBER monitored government actions towards informing the public on its performance, transparency of its decision-making, use of external evidence when adopting and revising policies, and participation of the public and other stakeholders in consultation processes. Albania performs the poorest in Policy development and coordination as compared to the other five areas assessed. Prominent issues that require improvement include missing government performance information, lack of transparency in decision-making and negative perceptions on the participation of the public and civil society in the policy-making processes.

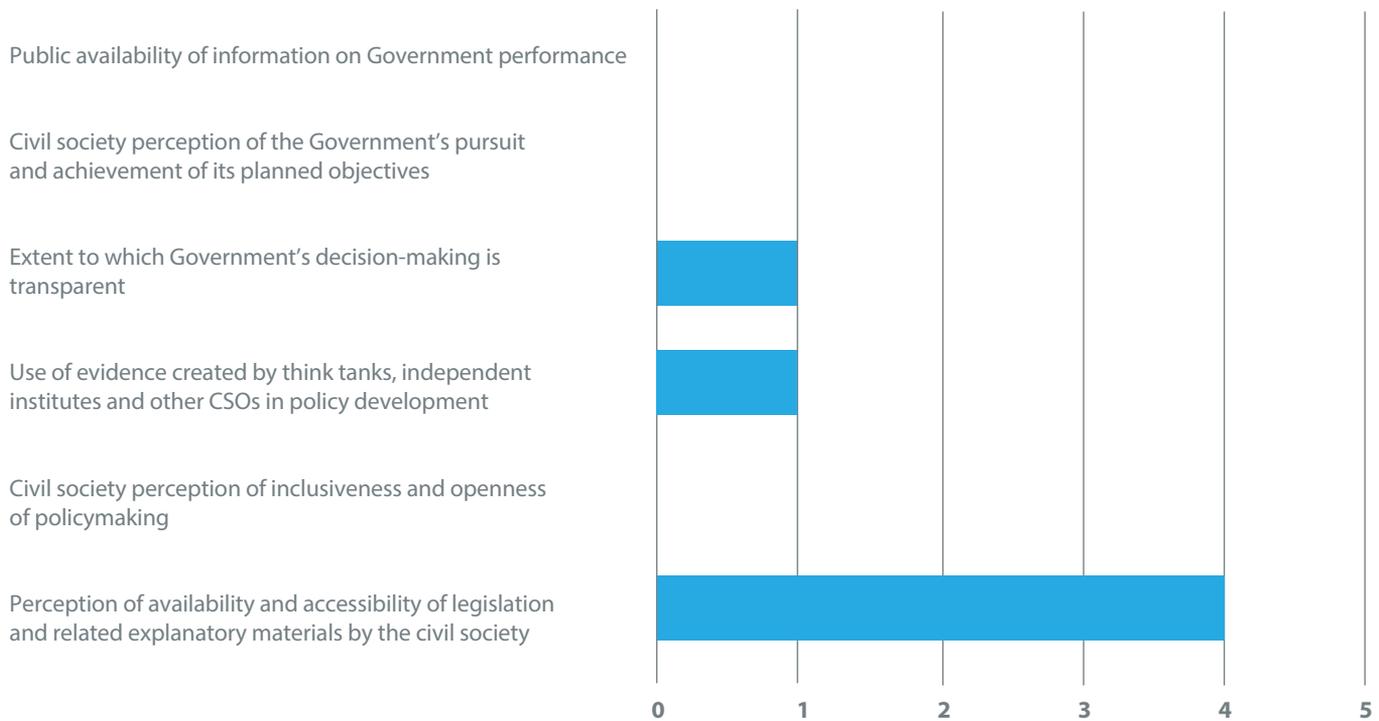


Figure 2. WeBER indicators and country values for Albania

The government has not yet established the practice of publishing annual reports on its performance, thus hampering public scrutiny. Moreover, the public availability of monitoring reports on central planning documents is also scarce.⁸ The government only partially makes available documents from its sessions; agendas, minutes/reports with issues discussed are not available online, whilst press releases (media-briefings) are on available *ad hoc*. However, as a positive practice, adopted documents at the session are available in a timely manner. To this regard, only 15% of surveyed CSOs agreed that government's decision-making process is transparent.

Turning to evidence-based policy making, CSOs survey results outlined a weak demand from public authorities and a general weak link between research products of CSOs and policy. 39% of surveyed CSOs that produce inputs for the decision-making processes at the central level agreed that government institutions invite them to provide or prepare evidence-based policy documents when addressing policy problems or developing policy proposals. But, this is contrasted with inadequate consideration and feedback from government authorities; only 13% of surveyed CSOs stated that it happened often that relevant ministries provided feedback explaining the reasons on either the acceptance or rejection of evidence-based proposals.

Regarding inclusive policy-making, survey results outlined critical shortcomings in achieving qualitative consultation processes that enable a meaningful participation of the public and civil society to the policy making process and point towards problems in the implementation of the law on consultations. Even though 45% of surveyed CSOs agreed that formal consultation procedures provided the preconditions for an effective involvement in policy-making, only 19% reported that government institutions consistently applied consultation procedures when developing policies within their purview.

At the regional level, monitoring in the area of policy development and coordination revealed that Kosovo leads the area, whilst Serbia comes last.

Public service and human resource management

Under public service and human resource management, WeBER monitored public availability of information, transparency of procedures as well as civil servants' and CSOs' perceptions of the public service professionalism and integrity and the merit character of recruitment. Results from indicators used in assessing this area indicate the contrast of favourable perceptions of civil servants on with less positive results from civil society and the general public.

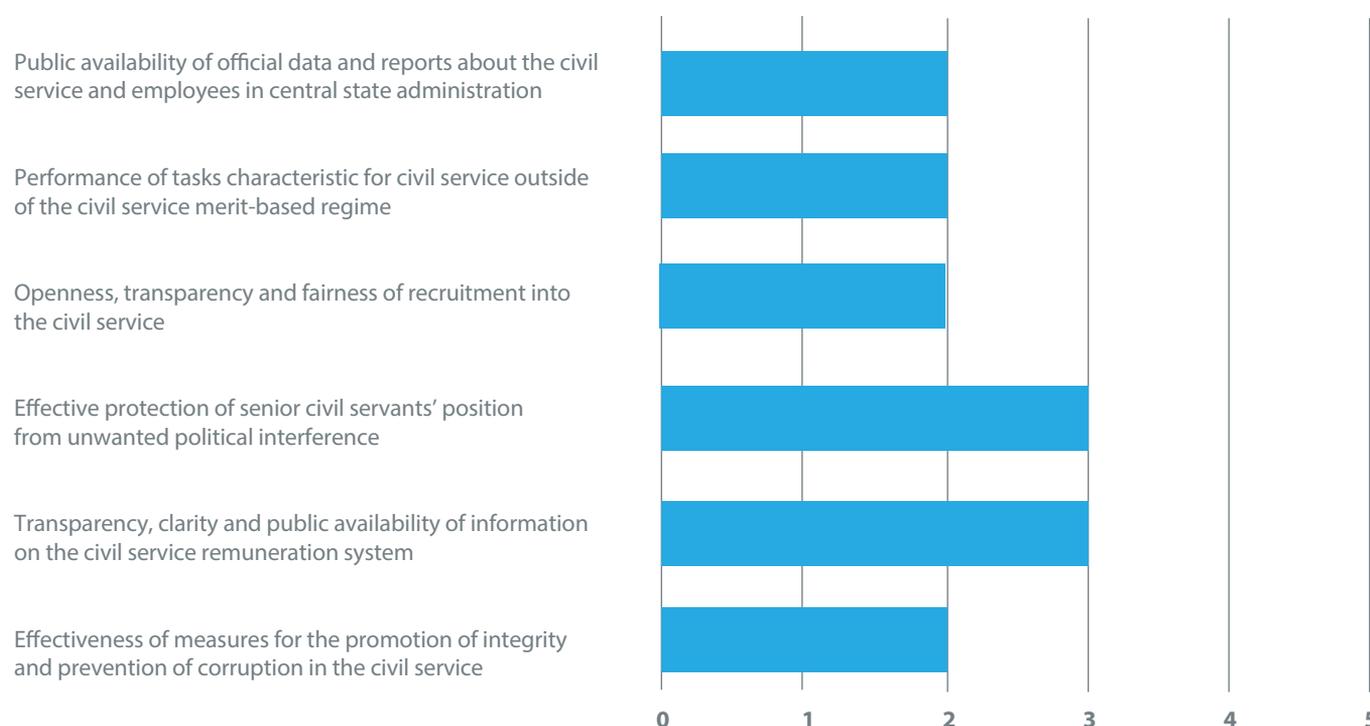


Figure 3. WeBER indicators and country values for Albania

Albania still does not have a fully established system for collecting and monitoring data about the public service, even though it has been an important priority for a long time. This, in turn, affects public reporting on the number of civil servants and wider public service policy. As a result, the government does not have an established practice of publishing basic official data on the number and other characteristics of civil servants, even though the Department of Public Administration (DoPA) regularly reports on civil service policy.

Concerning admissions to civil service, civil servants have a predominantly positive perception on the meritocratic character of the recruitment process. But there appears to exist a perception gap between civil servants and the average Albanian citizens. Whilst 64% of surveyed civil servants stated that civil servants are recruited on the basis of qualifications and skills, only 35% of the Albanian citizens held the same opinion. 51% or more than half of the public disagreed on the meritocracy in the recruitment in the civil service.

The regulatory framework in place satisfies the criteria of adequate protection of senior civil servants or the Top-level Management Corp (TMC) from undue political influence. The law does not allow appointment of acting managers into vacant positions and there are no additional political vetting procedures outside of the formal civil service system. However, despite efforts towards depoliticizing senior civil service with the practice of pooled recruitment, perceptions of civil servants on the issue exhibited a bimodal behavior. 32% of surveyed civil servants claimed that senior civil servants are appointed thanks to political support either often or always, whilst in the same proportion 33% reported that this happened rarely or never. Regarding political vulnerability of senior civil servants, 37% of surveyed civil servants stated that senior civil servants could reject an illegal order from a minister without endangering their position, while 15% claimed that senior civil servants would implement illegal actions if political superiors asked them to do so.

Regarding integrity and prevention of corruption in civil service, even though Albania has a comprehensive policy and legal framework in place, implementation in practice is lagging behind. At 61%, the majority of surveyed civil servants stated that integrity and anti-corruption measures in place were effective in achieving their purpose in their institution. However, civil servants appeared insecure about the whistle-blower protection mechanisms; only 18% of surveyed civil servants would feel protected if they were to become whistle-blowers.

At the regional level, monitoring in the area of public service and human resource management revealed that Albania leads the area, whilst Montenegro comes last.

Accountability

In the Accountability area, WeBER monitored the external accountability of the government and administration towards the public, particularly on the practice of information provision by administration bodies. Results from indicators used in assessing this area reveal shortcomings in the implementation of the Right-to-information law with regard to both reactive and proactive information provision.

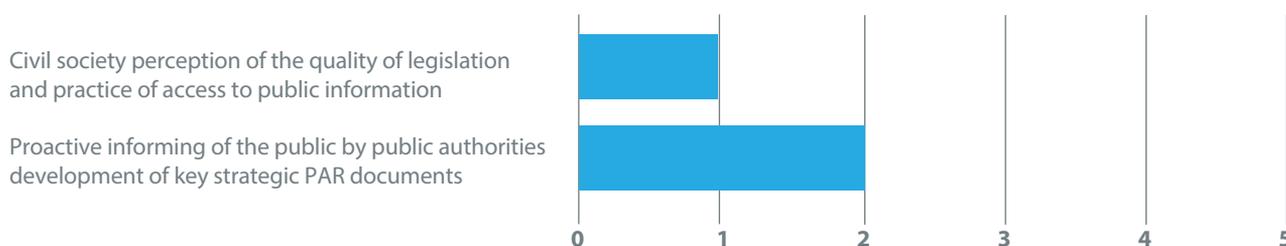


Figure 4. WeBER indicators and country values for Albania

Civil society perceptions on the practice of access to public information, as the most frequent users, were not very positive. Just 28% of surveyed CSOs perceived that the information recorded and documented by public authorities is sufficient for the proper application of the right to access public information. In addition, only 18% stated that legally prescribed exceptions to the public character of information are adequately applied in practice. With regard to their experiences with requests to information, CSOs mostly have problems with information that is not in the requested format (39%), followed by information not provided within the prescribed deadlines (31%). Additionally, 39% reported that either often or always they are also asked to provide reasons behind requests. 48% of surveyed CSOs stated that the Commissioner for Freedom of Information and Protection of Personal Data sets through its practice high standards of the right to access.

Although efforts were undertaken regarding proactive disclosure of information, transparency of government institutions remains a challenge both with regard to the opacity of information and to the bureaucratic approach in managing institutional transparency programmes.⁹ The lack of basic annual reporting by public authorities on their work and that of financial transparency and accountability remains a critical issue. Moreover, the citizen-friendliness aspect is also problematic given the uneven practices in the accessibility of institutional transparency programmes.

At the regional level, monitoring in the area of accountability revealed that Serbia leads the area, whilst Macedonia comes last.

Service delivery

WeBER monitored service delivery from the perspective of its citizen orientation, focusing on public and civil society perceptions regarding the availability and accessibility of services. It also explored aspects of availability and accessibility of information on services. While results from the indicators used in assessing this area show favourable perceptions on the administration's citizen orientation and positive outcomes with regard to availability of information regarding the provision of administrative services, accessibility of services, on the other hand, is perceived as particularly worrisome.

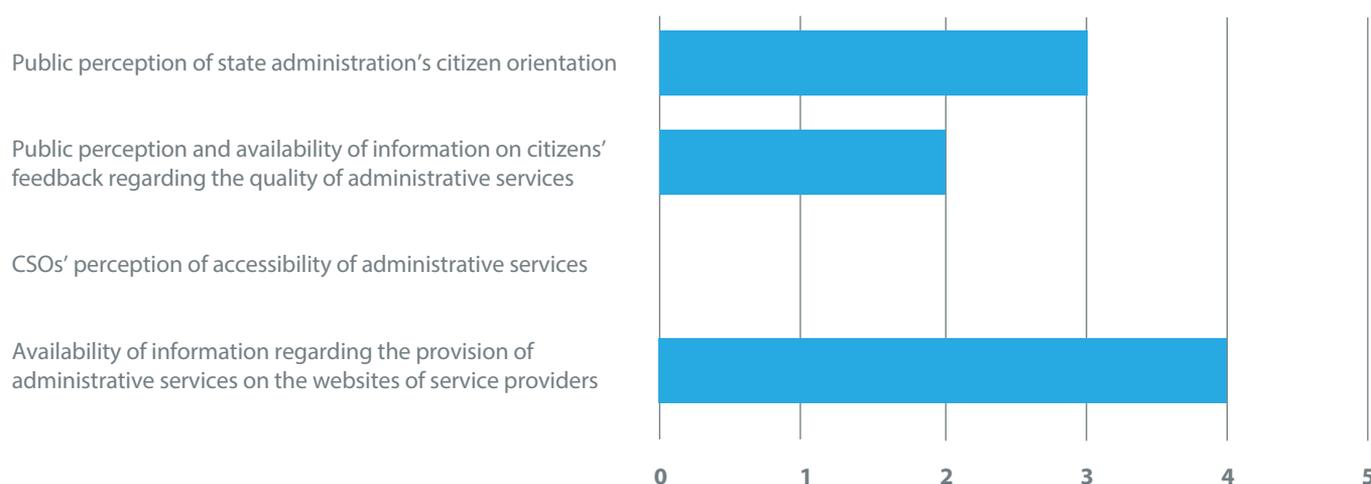
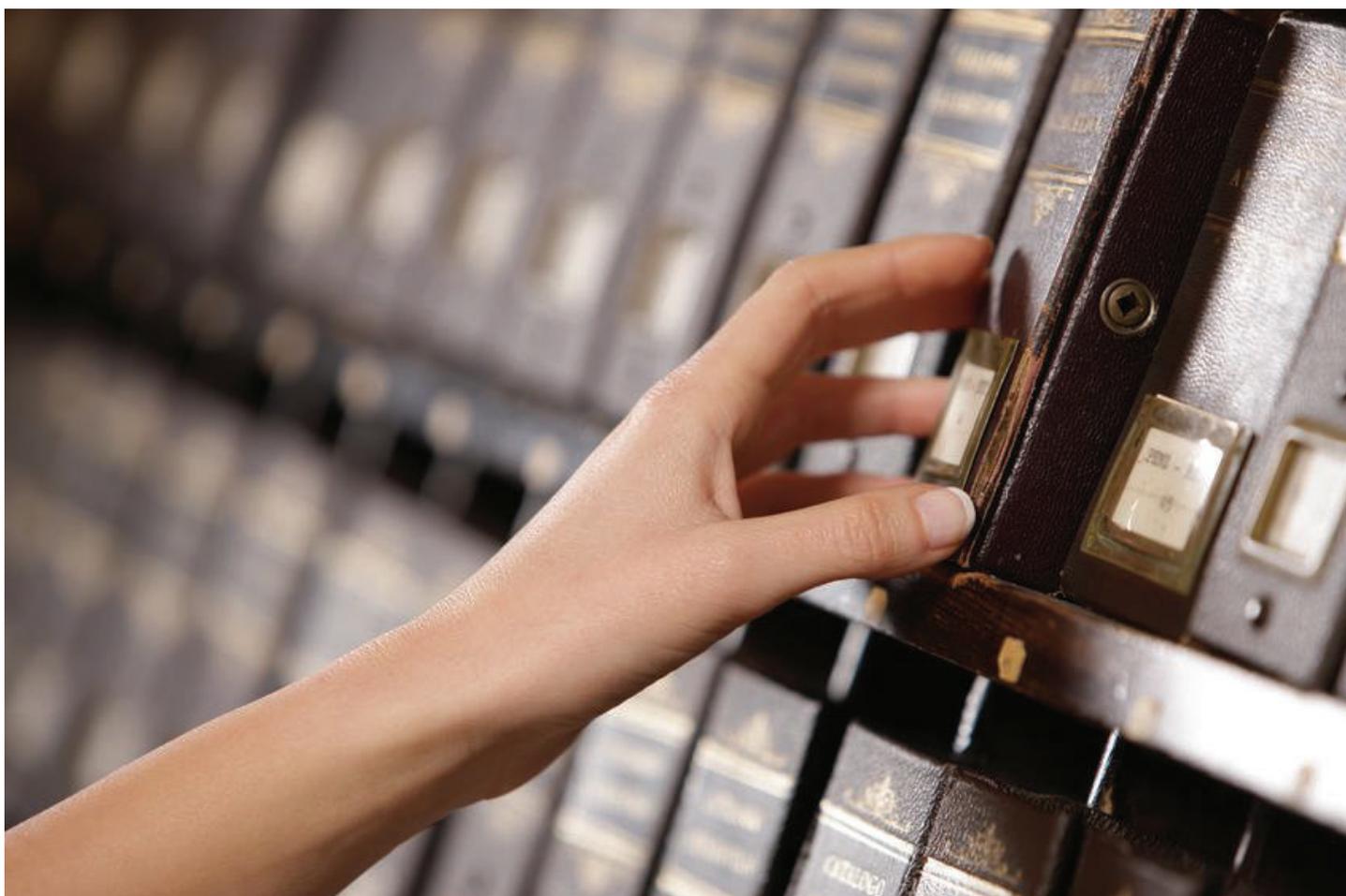


Figure 5. WeBER indicators and country values for Albania

Regarding red tape in public administration, half of Albanian citizens stated that there had been efforts by the government to make administrative procedures simpler for citizens and businesses in the past two years. Along the same line, 45% of Albanian citizens perceived that dealing with the administration had become easier in the past two years. Those who have had contacts with the administration were more likely to report that dealing with the administration had become easier (51%) than those who did not have any contacts (34%). Moving on to digitalization, 55% of the Albanian citizens agreed that the government has been moving towards digitalization, but awareness of e-services did not surpass half of the Albanian population (49%).



44% of citizens confirmed that the administration had asked for citizens’ proposals on how to improve administrative services in the past two years. But user feedback as one of the mechanisms for ensuring the quality of administrative services was perceived as not in place; only 35% of citizens claimed that they have possibilities as users to give their feedback on the quality of services received. Service providers in Albania do not even offer any basic information about user satisfaction on their websites.¹⁰ Regarding the availability of information on the provision of administrative services, the Agency for the Delivery of Integrated Services Albania (ADISA) has established a good practice of providing standardized, advanced and user-friendly guidance on how to obtain services through the compilation of Information Cards.

However, accessibility of public services, which was based on the perceptions of civil society organisations, appears particularly problematic. Just 23% of surveyed CSOs confirmed that service providers are adequately distributed in such a way that all citizens have easy access across the territories of the country. Furthermore, just 7% agreed that administrative service provision is adapted to the needs of vulnerable groups. Also, regarding the staff working on administrative service delivery, only 10% of surveyed CSOs reported that in general they are trained on how to treat vulnerable groups.

At the regional level, monitoring in the area of service delivery revealed that Albania leads the area, whilst Bosnia and Herzegovina comes last.

Public finance management

In the Public finance management area, WeBER monitored the transparency and accessibility of budgetary data, how the government communicates with citizens about public internal financial control (PIFC), and the degree of the supreme audit institutions’ (SAI) external communication. Results from the indicators used in assessing this area show especially positive outcomes with regard to SAI’s communication efforts with the public but indicate as priorities for improvements comprehensives of budget reporting and public availability of information on financial management and control.

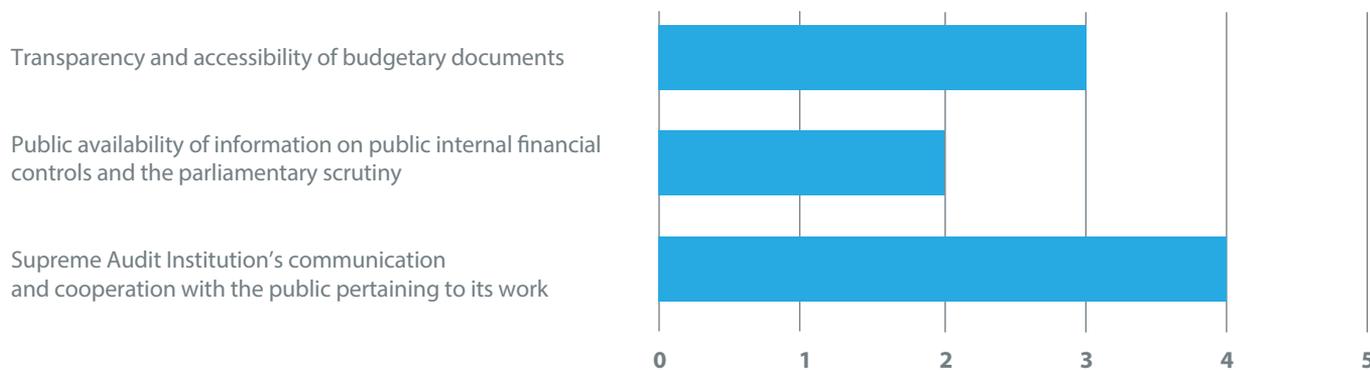


Figure 6. WeBER indicators and country values for Albania

Regarding budget accessibility, even though in-year, mid-year (starting from 2017) and year-end budget execution reports are available online by the Ministry of Finance and Economy they have varying degrees of accessibility. Moreover, the quality of budget execution reporting needs improvement, especially towards the format and comprehensiveness of budget classification information. Budget reporting contains data on budget spending only in terms of economic classification, and just quarterly reports on fiscal statistics also include expenditures by functional and administrative classification. Concerning non-financial information on the performance of the government, the mid-year and year-end report contain some elements of nonfinancial performance information, but not compared against the realization of targets and performance indicators.

Regarding PIFC, the Ministry of Finance and Economy regularly makes available essential information on PIFC in the form of consolidated annual reports since 2009. However, quality reviews of internal audit reports are not publicly available, even though a new methodology was piloted during 2017. The PIFC annual report is submitted to the Government at the same time as the annual budget statement, and both documents are also tabled in the Parliament. Ministries, in general, are scarce in providing information related to financial management and control online.

Focusing on SAI’s external communication efforts, SAI apart from its organizational development strategy has also adopted a communication strategy for specifically communicating its work towards the public and external stakeholders. Moreover, in the past two years, various means of communication with the public were utilized. But, in spite of these efforts, SAI doesn’t have the practice of producing citizen-friendly summaries of its audit reports.

At the regional level, monitoring in the area of public finance management revealed that both Albania and Kosovo lead the area with equal results, whilst Montenegro comes last.

3. INSTEAD OF A CONCLUSION

WeBER monitoring found that Albania has accomplished the most in the administrative reform areas of service delivery, public service and human resource management and public finance management. In service delivery, findings showed favourable public perceptions on the administration's citizen orientation and accessible and structured information on the provision of administrative services, but for civil society accessibility of services was particularly worrisome. In public service and human resource management, civil servants favourable perceptions on the meritocracy of recruitment and their professionalisation and integrity feel short on perceptions from civil society and the general public. In public finance management, monitoring showed increased communication efforts from the SAI to the public, but issues with comprehensive budget reporting and public availability of information on financial management and control.

On the other end of the spectrum, the area of policy development and coordination emerged as the most critical reform area. In this area, particularly problematic remained the issues of missing information on government's performance and its transparency of decision-making, along with a dissatisfied civil society from consultation processes. In accountability, monitoring showed that public authorities fell short on both reactive and proactive disclosure of information pointing to shortcomings in the implementation of the Law On the Right to Information. Last, in Strategic framework of PAR, monitoring revealed uneven practices in quality and consistency of consultation processes for key strategic documents of the PAR agenda and the lack of adequate and consistent civil society involvement in PAR monitoring and coordination structures.



¹To get acquainted with the TEN network visit: <https://ten.europeanpolicy.org/>

²For the overall comparative regional report and six individual country reports visit: <http://www.par-monitor.org/pages/weber-publications>

³SIGMA (Support for Improvement in Governance and Management) is a joint initiative of the OECD and the European Union. Based on the Principles, SIGMA conducts regular assessments of the progress made by the WB countries' governments in fulfilling them.

⁴The Master Methodology document and its detailed indicator tables are available on the WeBER website.

⁵Findings rely upon the following research methods and tools, employed for data collection and calculation of indicators: 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, and requests for free access to information.

⁶WeBER 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 (minimum) to 5 (maximum).

⁷The analysis under this indicator included: The Cross-cutting Public Administration Reform Strategy 2015-2020, Albania Public Finance Management Strategy 2014-2020, Cross-cutting Strategy Digital Agenda of Albania 2015-2020 and Long-term Policy Document on the Delivery of Citizen Centric Services by Central Government Institutions in Albania.

⁸Reports on sectoral strategic documents and plans were not subject of analysis under this indicator. Only the strategic and planning documents for the whole of Government were taken into account.

⁹The indicator analysis was performed on a sample of seven state administration authorities, therefore it may not reflect the situation in every institution of central government in the countries, but rather a prevailing practice. The period of observation for Albania was October-November 2017.

¹⁰The assessment is based on a review of websites of the providers of a sample of five administrative services along with the portal E-Albania.

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