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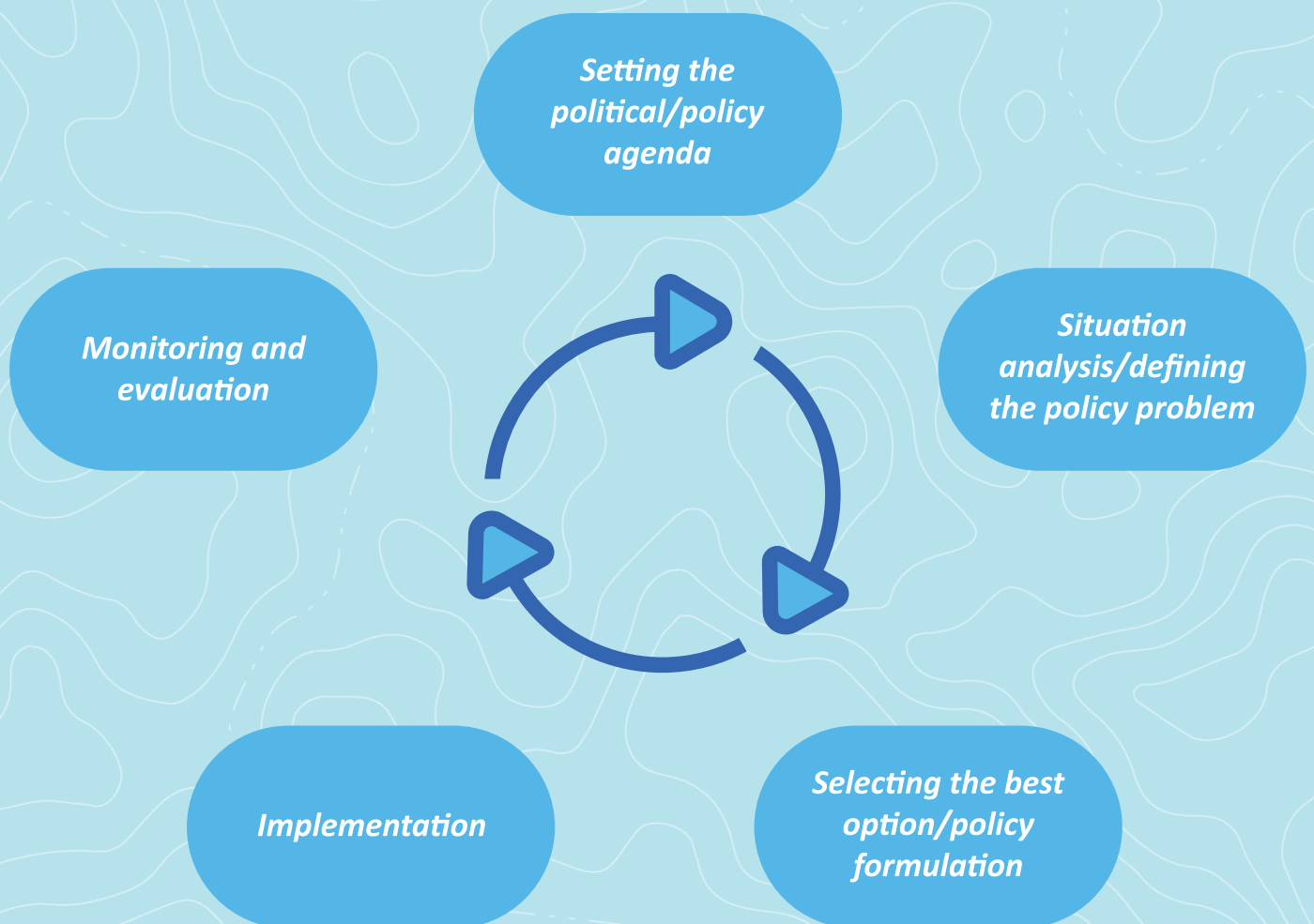
## ***Inclusive and Transparent Policy-Making Process as a Precondition for Sustainable Reforms in the EU Accession***

**Public policy creation – not an outcome of “winners” and “losers”**



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The **creation of public policies** is aimed towards generating public value by prescribing the use of public resources, delivering high-quality public services, setting up rules and regulations and organizing public life, with the ultimate goal of improving citizens' lives and fostering an enabling environment where they can exercise their rights and freedoms. In that process, public and state institutions, through their elected/appointed officials and civil servants as policy makers, have the role to channel ideas into outcomes by considering different policy options and translating the optimal solutions into practice, using a number of instruments and mechanisms at their disposal. This exercise, organized in the form of a **policy cycle**, starts by setting the political and policy agenda, usually upon democratic elections by the political parties that win the citizens' trust; continues by defining the policy problem through a meticulous analysis of the current situation; is followed by the selection and formulation of the preferred policy which is to be implemented; and finishes through monitoring and evaluation with the objective of continuous improvement as necessary through the next policy cycle.<sup>1</sup>



<sup>1</sup> The exact definition and break down of the stages in the policy cycle differs in the writings of different authors who develop their own theoretical models. They have also been evolving over time and could be different in different countries. The scheme represented here is a simplified model for illustration purposes.





Policy making always affects (at least) some area of the society, a particular sector of economic activity and a group of stakeholders that are likely to be left better or worse off as a result of the newly created policies. With that in mind, it is crucial to adopt a wide lens when assessing and evaluating the impact of the adopted policies. Policy solutions are meant to contribute to resolving real-life problems of citizens and businesses and, in cases when negative externalities for some of them cannot be avoided, they should envisage ways for offsetting the losses and adverse implications. To that effect, the policy cycle should be designed in a way to ensure transparency and inclusiveness, to collect and process all the available data and enable the understanding of its effects on different societal stakeholders.

This is all the more important in the EU accession process which is based on the harmonization and alignment of the national legislations with the EU acquis, implying a broad and deep reform and transformation process affecting all sectors of societies and economies at large. Hence, policy making in relation to the reforms needed for EU membership should pay particular attention to sound principles and rigorous implementation of the policy cycle, leading to informed, high-quality and sustainable public policies.

## Building capacities for evidence-based policy making

Understanding the policy cycle is a pre-condition, but not sufficient to deliver evidence-based policies and ensure a process of continuous monitoring and evaluation that will generate and use data as basis for constant policy improvement. An extra step is needed for the public administrations in the Western Balkans to develop specific competences and skills to recognize essential data sources in their respective areas, to commission or use existing analyses as input, to process and analyze the collected data and to engage in data collection when data is not readily available.

For that purpose, civil servants need to develop a specific skill set that will include the understanding and use of various **quantitative and qualitative methods for data collection** and analysis, as well as personal skills such as analytical and critical thinking. They also need to demonstrate openness and readiness to identify and engage with the relevant stakeholders interested *in* or concerned *by* their policies, those who hold data and relevant information and/or those who can collect it and share it with the public administration. Having collected all the data needed to make informed decisions, policy makers need to be able to assess the relevance, quality and backdrop of the received input in order to integrate it in their work. At the same time, they should be capable of understanding the tools and tactics of influence strategies in order to avoid the trap of **policy capture** by certain interest groups.



An important aspect in the work of policy-makers is the understanding of the different impact that their work could have on men and women, boys and girls. **Mainstreaming a gender lens** in policies and budgets, alongside the collection and use of gender disaggregated data whenever possible could lead to policies which are better tailored to suit the needs of all citizens and prevent gender stereotypes, discrimination and exclusion. **Sensitization to diversity** more broadly, by taking into account the needs of different categories, such as people with disability or socially vulnerable groups, could bring an added value to public policies and integrate in the process the voice of those citizens who have more limited capacities to engage, thus tend to be marginalized in public life. Hence, it is crucial for policy makers to go an extra mile to reach out to (representatives of) those potentially affected citizens who are unlikely to use the regular communication and feedback channels, such as online mechanisms in the drafting of legislation or public consultation meetings in capital cities.

Moreover, what is often overlooked in policy making in the Western Balkans is the understanding of the costs, material or immaterial, that a policy can entail, not only during the implementation phase but throughout its entire “life cycle”. Those costs are oftentimes not limited to the public finances needed as an initial investment *in* and *by* the public sector to adjust and enable policy implementation, but may include one-off or continuous obligations for private stakeholders. Hence, it is necessary for the assessment of policy options to include an accurate estimate of the **policy costs** on the long term, beyond the mere implementation phase and encompassing the non-monetary implications both in the public and private sphere.



## Civil society as an ally of policy makers

The inclusion of civil society in the policy making process does not only reflect the maturity of democratic societies, but brings multiple benefits to the process itself. Civil society at large, including citizen associations, non-governmental organizations, think tanks, social partners, business chambers, professional associations, academia etc. represents a significant portion of a country's socio-economic tissue and enjoys the trust of its constituents. Civil society organizations (CSOs) can act as an **intermediary** in the communication between citizens, businesses and policy makers and **channel the needs and priorities** from the grass-root level to policy makers at the local and central government level. They also have a profound understanding of the policy issues they are usually engaged in and possess the **relevant information and expertise** essential for a sound decision-making process.

Civil society involvement in the EU accession process is also a formal and mandatory pre-requisite, assessed in the regular European Commission reports for the region. This is a purposeful and cross-cutting requirement aimed to ensure the **openness, transparency and inclusiveness of policy-making processes** in all the chapters in the negotiation process. It is based on the proved assumption that such a process leads to better, **evidence-based and more sustainable policy outcomes** and aims to anchor it as a principle in the work of public administrations across the Western Balkan region.

In that context, CSOs have a specific and important role to play in the formulation of action plans and negotiating positions, transposition of the EU acquis, monitoring and evaluation of the implementation of policies and use of public budgets, raising awareness and ensuring public support by explaining these processes to the citizens. Their work and the cooperation with policy makers should be based on **mutual trust** as a precondition and anchored in the understanding that both sides share a common person – advancing the well-being of citizens and facilitating the EU accession as an over-arching priority of all the countries in the Western Balkans.

The creation of public policies includes voicing different, sometimes divergent positions and conflicting interests. In that struggle, the responsibility of policy makers is to ensure that it does not become a zero-sum game or a race to the bottom, but a constructive, credible and informed exercise which, ultimately although at different terms, will lead to better outcomes for all the concerned stakeholders. The context of the EU accession is the “perfect storm” to master that exercise as it provides at the same time a pressing challenge, a much needed opportunity and a tested-and-proven framework.



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The Regional School for Public Administration (ReSPA) is an inter-governmental organisation for enhancing regional cooperation, promoting shared learning and supporting the development of public administration in the Western Balkans. As such, it helps governments in the region develop better public administration, public services and overall governance systems for their citizens and businesses and helps prepare them for membership and integration into the European Union (EU). The ReSPA members are Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia.

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