

Seizing the Renewed Momentum to spearhead Public Administration Reform





Public administrations – drivers of the EU accession process in the Western Balkans

A well-functioning public administration is a prerequisite for transparent and effective democratic governance. It is the foundation for the functioning of the state, determining a government's ability to provide public services and foster competitiveness and growth. It also plays a fundamental role in the European integration (EI) process by enabling the implementation of crucial reforms and active accession dialogue with the European Union (EU). Hence, the EU enlargement criteria recognize and emphasize the need for countries to build a strong national public administration with the capacity to pursue the Principles of good public administration, and effectively transpose and implement the EU acquis.¹

However, the lack of comprehensive EC legislation applicable in the domains of public administration and governance, along with the different administrative arrangements of member states, poses a challenge for candidate countries, as there is no simple or unique model to follow.² Yet, over time, a wide consensus on a European level was reached about the key criteria which now can be considered a part of the acquis, comprising of the rule of law, openness and transparency, accountability and efficiency. As far as these principles are shared among the EU Member States, one can speak of a common "European Administrative Space" (EAS). These principles form the basis on which the administrative systems of the countries aspiring towards EU membership are assessed by SIGMA. These assessments are incorporated in the EC Country Progress Reports, which determine the country's progress in implementing reforms, by pre-defined criteria.

Theoretically, since gaining their national independence, all the Governments in the Western Balkan region have recognized the reforming of the public administration as one of their key priorities, since a professional, efficient and modern administration is a necessary predisposition to support the strategic objectives of each of the Western Balkan countries for full membership in the EU. Nevertheless, in practice, despite the declarations for the establishment of a merit system of employment, the reality is slightly different, where the administration is still very often staffed based on current state politics rather than professional criteria. This has influenced the poor professionalization of the whole administration, which is becoming even more obvious as the countries continuously further in the process of accession to the EU.

In line with the above mentioned, it is necessary to emphasize that the "civil service reform and the general reform of the Public administration cannot be dissociated from one another.³ As stipulated by the SIGMA program "it is necessary to address these reforms in parallel, set the right priorities and follow a logical sequencing. However, reforms have to take into account the capacity to implement them. The capacities determine the pace of the reforms. Adopting new legislation without enforcement capacity is a phony reform and an incentive to disregard the law and is therefore counterproductive,⁴ as it is shown on the ground in all of the Western Balkans.

¹ SIGMA, the Principles of Public Administration, 2017 Edition, p. 6. Available at http://www.sigmaweb.org/byexpertise/strategicframe-workofpublicadministrationreform/Principles-of-Public-Administration-2017-edition-ENG.pdf

² Francisco Cardona, "Integrating National Administrations into the European Administrative Space", SIGMA, 2009, p.3 Available at: http://www.sigmaweb.org/publicationsdocuments/42747690.pdf

³ Ibid, p.4

⁴ Ibid, p.4

The administrative capacities of the Western Balkans, namely Albania, Bosnia and Herzegovina, Kosovo*, the Republic of North Macedonia, Montenegro and Serbia play a fundamental role in integrating the region into the European Union. With the introduction of the new Enlargement Methodology, a clear link was established between the progress in public administration reform and the candidates' countries advancement in EU accession process, as PAR is now stipulated as a horizontal area in the Fundamentals cluster, according to the new approach in the accession negotiations process. Horizontal governance systems of a candidate country are expected to meet certain requirements that are crucial for the reliable functioning of the entire administration, including in areas of the acquis.



The pivotal role of the fundamental reforms

On 8th November 2023, the European Commission adopted the Growth Plan for the Western Balkans, with the aim of bringing some of the benefits of membership to the region in advance of accession, boost economic growth and accelerate the socio-economic convergence. In addition, a Regulation on establishing the Reform and Growth Facility for the Western Balkans, which is part of the respective Growth Plan, was adopted, providing EUR 6 billion financial assistance. The objective is to support the candidate countries or potential candidates to step up reforms and boost their economic potential to accelerate the speed of the enlargement process. The Acceleration of fundamental reforms, including on the fundamentals cluster (which encompasses the Public administration reform as a horizontal area) constitutes the third among the four pillars on which the Growth Plan is based. This pillar recognizes that the sustainable success of the EU enlargement requires **comprehensive reforms**, including in the fundamentals cluster. They are essential for candidate countries to move ahead towards EU membership, for their economies to cope with the competitive pressure of the single market, and to build competitive and sustainable businesses to attract private investment. Thus, accelerating fundamental reforms will also have a positive impact on the pace at which countries move along their EU accession path.

^{*} This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and ICJ opinion on the Kosovo Declaration of independence.

⁵ Dragan Tilev, The new EU Enlargement Methodology: Enhancing The Accession Process, March 2020. Available at: https://idscs.org.mk/wp-content/uploads/2020/03/Final-Commentary-Dragan-Tilev.pdf

⁶ Growth Plan for The Western Balkans and accelerated EU Integration, November 18, 2024 https://finance.gov.mk/2023/11/24/growth-plan-for-the-western-balkans-and-accelerated-eu-integration/?lang=en

⁷ New growth plan for the Western Balkans, COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS. Available at: https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/COM_2023_691_New%20Growth%20Plan%20Western%20Balkans.pdf



"The Growth Plan is without prejudice to the ongoing accession processes, and the specific conditions set out there in this context, in particular as regards the fundamentals. However, it will feed into this process by incentivizing countries to accelerate the adoption and implementation of the acquis." This new growth plan builds on the existing enlargement methodology and creates a package of mutually reinforcing measures that will multiply the potential benefit of each measure. It also provides for more incentives and for the benefits of integration ahead of EU accession, thereby aiming to speed up accession negotiations. Moreover, in view of ensuring a level playing field amongst enlargement countries, it progressively adds further opportunities for the Western Balkans to those available under the existing Stabilisation and Association Agreements (SAAs). As in this new reality, **the speed has become the essence** and the objective is for the growth plan to start making a real difference already next year. Hence, the Governments of the Western Balkans should place a strong emphasis on the professionalization of the civil service in terms of strengthening the human resources in the public administration, i.e. their efficiency and ability to act in the context of the accelerated EU accession and in light of the Reform agenda under the new Growth plan.

To strengthen its focus on public administration reform (PAR), the European Commission (EC) has outlined six key reform areas, which form the basis of the SIGMA Principles of Public Administration. One of the areas is Public service and Human Resource Management within which EC / SIGMA assess country's performance under the Key Requirement for Professionalization of the civil service, measuring several indicators. As part of the HRM component, a principle for professional development of public servants is entailed to measure to which extent regular training, fair performance appraisal, and mobility and promotion based on objective and transparent criteria and merit are ensured in each of the Western Balkan countries monitored.⁹ Despite the recent progress made during the past several years in reforming the Public Administration in all of the countries of the Western Balkans and thus by becoming more and more 'European' and modernized in the context of the EU rules, values and ideas, there are still many shortcomings in the area of national PAR processes in the region.

According to the European Commission country Progress Reports and the EU/OECD SIGMA assessment reports, "Public Administration Reform challenges in the Western Balkans include but are not limited to: enhancement of policy and legislative development and coordination capacities and processes including European Integration planning and implementation, streamlining public administration organization and accountability lines, professionalization and de-politicization of the civil service, human resource development and management, improving the quality, accessibility and delivery of public services to citizens and businesses etc." 10

^{8 |} Ibid, p. 3

⁹ Principles of Public Administration, SIGMA 2023 Edition. Available at: https://www.sigmaweb.org/publications/principles-public-administration.html

¹⁰ EU Scheme for Young Professionals in the Western Balkans, https://eu4wb6.com/about/

Embracing PAR through regional cooperation and concerted national efforts

Summarizing the EC's remarks and recommendations, we can further conclude that the lack of administrative capacities for quality and systematic coordination and monitoring of the reforms in area of PA is visible, and the differences in the processes of PAR in each of the six states are only marginal, which means that all of them face similar challenges on the reform agenda to meeting the EU membership criteria in the area of administrative reforms. Therefore, **regional cooperation** remains a catalyst for the enlargement process and a key enabling factor for comprehensive reforms and the return to sustainable economic growth in the Western Balkans. The common PAR problems faced by the Western Balkans could also be more efficiently addressed through peer review and sharing of good practices.

While fully-fledged EU Membership remains the **common denominator** of the Western Balkans' strategic orientations, also being the driving force to reforming and modernizing the civil service systems as one element of the institutional set-up, the new Growth plan with a strong focus on integration and enforced cooperation within the Western Balkan region serves as the unifying mechanism between the states of the region and places itself as the **key accelerator** of the successful implementation of the reform agenda in the area of Public administration in the context of the EU accession process across the region.

To conclude, successful implementation of all reforms requires the necessary structures and capacity. Within that framework, devoting efforts, investing in upgrading the administrative capacity and enhancing the professionalism of the civil servants, and specifically upskilling the public servants dealing with EU integration process in each of the candidate countries, especially those directly engaged in the accession negotiations and the IPA structures is crucial. Moreover, the Reform and Growth Facility under the Growth Plan should be perceived as "business as usual" within the governments of the region in order to avoid following the pattern of past initiatives, starting with promises but ultimately stagnating. In these times when there is a notable shift in dynamics, with widespread acceptance from all sides, including the European Commission and all Western Balkan countries, rather than viewing the plan as a mere conditionality-driven process, the Governments must embrace it as an opportunity and a bridge towards achieving tangible and visible results in the area of fundamental reforms and especially in the field of PAR as the public sector and public administration should be drivers, not the barriers to societal modernization.



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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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