

MODERNIZATION OF PUBLIC ADMINISTRATION IN THE REPUBLIC OF KOSOVO

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Abstract

The study is a result of the research-scientific work and observation of the modernization of public administration in the Republic of Kosovo, as a goal and purpose of the government in the function of public administration reforms to make it more efficient, more economical and more accountable according to EU standards. Public administration is one of the main segments through which relations among the state, civil society and the private sector are realized. In this regard, support for innovation in public administration enables the realization of development objectives, in particular in economic advantages, poverty reduction, institutional harmony and stability. Modernization of public administration in Kosovo can be defined as a challenge in making significant government changes, decentralization of public administration, simplification of procedures, informalization of services and e-government at all levels of administration and improvement in the field of human resource development. Through digitalisation and e-government, Kosovo public administration becomes compatible with those of the EU states. The principles and standards of good administration derive from EU legislation and jurisprudence, as well as the good administrative practice of EU member states.

Keywords: public administration, modernization, civil service, e-government.

JEL Classification: H83, K23

1. Introduction

Despite satisfactory achievements, the Republic of Kosovo should do more to build a functioning, sustainable and democratic state². Thus, public service, as an activity, the exercise of which should be ensured, regulated and controlled by those who govern, because the exercise of this activity is necessary for the realization and development of social reciprocity and at the same time of the kind that it could not be accomplished without the intervention of the ruling force³. The European model of public administration requires the use of innovations, digitalisation and e-governance, economization and efficiency of public administration⁴. Such objectives require the participation of society in the definition, guidance, monitoring and evaluation of intergovernmental management and the establishment of direct consultations, the strengthening of coordination mechanisms to assess the quality of public management, efficiency and results, and the establishment of close relations between civil servants in order to promote a professional civil service through various fields of specialization⁵.

The modernization of public administration constitutes a platform of success and the results of which depend on the development and implementation of government policies in a wider context, especially those for economic development and the provision of administrative public services to citizens and businesses.

2. Research material and methods

During the study, I used various scientific and professional sources, including university textbooks, papers and scientific articles, analyses, statistical data, domestic and EU legislative acts.

The study was carried out with various scientific methods, which are typical for scientific research of social and humanitarian sciences. In this case, empirical methods, analytical methods, qualitative methods and quantitative methods were used.

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² Robaj, A. (2008). *Përpyjekjet e Kosovës për ndërtimin e shtetit ligjor (Kosovo Efforts in Building the Rule of Law)*, Prishtina, p. 197.

³ Stavileci, E., Batalli, M., Sadushi, S. (2012). *E drejta administrative (Administrative Law)*, Prishtina, p. 27.

⁴ The European Agency for Reconstruction in Kosovo. (2002). *News Bulletin*. Prishtina. Official Document of the European Union for Kosovo.

⁵ Batalli, M. (2008). *Osnovne crte kompjuterizovane javne uprave (Basic Principles of Computerized Public Administration)*. Hrvatska Javna Uprava, no.2. Zagreb, p. 465.

3. Development of public administration in the Republic of Kosovo

The development of public administration and its administrative capacity are the main tools on which depends the ability of the state to deal with the reforms and criteria required by the European integration process of the country⁶.

The Government of the Republic of Kosovo after many years of running a complex process, a process that is combined between the establishment of the administration structures, capacity building and its reforms, is now focused on capacity development, defragmentation and rationalization of processes and the services that the administration offers to citizens and other beneficiaries, based on professionalism and non-politicization in the civil service.

Based on the practice and analyses of the new approach to Administration Reform, it was estimated that more efficient process management and the need for concentration on results has conditioned access to the division of scope and management structures into three pillars of more rational Public Administration Reform as:

1. Development and coordination of policies and legislation, management of reforms in this area falls directly under the responsibility of the Office of the Prime Minister;
2. Civil service, human resources management, provision of public administrative services and reorganization and accountability falls under the responsibility of the Ministry of Public Administration;
3. Public Finance Management falls under the responsibility of the Ministry of Finance⁷.

Contemporary administration is "rational" according to the importance of: the rules, the purpose, the means, "according to the actual content", the orientation determines its behaviour and its appearance. Thus presentation and expansion have acted in a "revolutionary" manner in a particular sense as it is done in all areas of advancement of rationality⁸. Each country (state) must make every effort to modernize, among other things, its public administration system, to economize, to make it more efficient, to increase regulatory capacity, to make the elastic the principle of global inevitability⁹. During the reform of the public administration in Croatia, four problems in basic groups such as orientation, organization, motivation and implementation have been identified as problematic¹⁰. While the Government of the Republic of Kosovo as proposals for modernization of public administration has listed: rationalization of public administration; strengthening of institutional capacity; strengthening of professionalism and ethical standards, and depoliticizing of the administrative service; de-bureaucratisation; Results, transparency and openness; decentralization; Privatization of parts of public administration¹¹.

In the framework of the Strategy for Modernization of Kosovo Public Administration 2015-2020, an adequate advanced system for the management, monitoring and enforcement of civil service legislation is also envisaged the creation of the possibility for a professional, efficient and effective civil service, whose development is based on the principles of good administration and oriented towards the implementation of legal obligations¹².

As specific objectives, within the action plan, are foreseen: implementation of the new payroll system for civil servants, which is based on the same salary principle for the same work; information system for human resource management, and implementation of legislation on civil service; organization and functioning of professional and non-political civil service; training of civil servants at all levels of public administration; quality public services, using e-government methods oriented towards needs of citizens and businesses; building and integrating electronic systems progressively;

⁶ State Act of the Ministry of Public Administration of Kosovo (2015). *Strategjia për Modernizimin e Administratës Publike (Strategy for Modernization of Kosovo Public Administration) 2015-2020*. Prishtina, p. 4.

⁷ *Idem*, p. 4-5.

⁸ Pusić, E. (1964). *Racionalnost upravljanja (Rationality of Management)*. Politički Misao. Zagreb, p. 7.

⁹ Pusić, E. (2002). *Modernizacija velikih europskih upravnih sustava (Modernization of Large European Administrative Systems)*. Hrvatska Javna Uprava, br.2. Zagreb, p. 260.

¹⁰ Koprić, I. (2016). *Reforma javne uprave u Hrvatskoj (Public Administration Reform in Croatia)*. Javna Uprava, br.26. Zagreb, p. 6.

¹¹ State Act of the Ministry of Public Administration of Kosovo. (2015). *Plani i veprimiri për zbatimin e Strategjisë (Strategy Implementation Action Plan) 2015-2020*. Prishtina.

¹² Strategy Implementation Action Plan 2015-2020, p. 1.

provision of services to citizens at one point of contact (one stop shop); continuous information of citizens about the development and delivery of public services, their rights and ways of realization; definition of mechanisms and instruments for measuring public opinion on the quality of public services; completing the legal framework for the organization of Public Administration for all typologies of public administration; strengthening the monitoring system in the implementation of ethical principles; advancing the mechanisms for access to public documents and information etc.¹³

As a rule, monitoring and evaluating of public policies are the weakest stages of the policy cycle in practice in many countries. However, having a monitoring and evaluation system that will be practically used in the technical and policy decision-making system requires devoted efforts, expertise, skills, evaluation and mature management, as well as leadership¹⁴.

Nevertheless, public policy monitoring and assessment systems are not built within a year or even within a few years. Very often this starts with administrative procedures to provide reports on the implementation of various plans or programs; then gradually the quality of information created during the process is improved and eventually this information is used in the decision-making system¹⁵.

Monitoring the implementation of the strategies in Kosovo is the weakest segment of the strategic planning system in the government. The number of strategies is extremely high (over 50), while their monitoring systems are fragmented. The government is in the process of creating an integrated planning system, which, if successful, aims to create a single monitoring and reporting system by defining the hierarchy of planning documents and reporting frameworks. However, this system is not yet functional, so it is important to have a robust monitoring system for Public Administration Reform as a horizontal policy.

The Indicator Passport intends to provide a detailed methodological measurement description for all indicators that are included in the approved Kosovo Public Administration Modernization Strategy 2015-2020. The document covers all the indicators included in the Public Administration Modernization Strategy at the level of specific objectives. The framework includes both qualitative and quantitative indicators covering each specific target with at least one indicator. Detailed methodological description of the measurements follows the same structure as the strategy which is divided into three chapters: the civil service in the public administration, the provision of public administrative services and the organization of public administration and accountability¹⁶. At the same time, a comparative perspective helps to identify concrete opportunities to improve the leadership capacity of public administration. It also helps to identify present abnormalities (Rhetoric of Reform "Studija slučaja Formiranja Institucija u Crnoj Gori")¹⁷.

Electronic administration represents one of the main objectives of the Kosovo Public Administration Modernization Strategy 2015-2020. The electronic administration represents the social, legal and administrative information system, which is used by applying on the web-based website and other information technology related to procedures that allow the application of these technologies, which facilitate access and dissemination of information and administrative services for citizens, agencies and various governmental bodies¹⁸. The task of public administration is not to create a new image for itself or for its users, but to benefit everyone¹⁹. Electronic administration, in fact, represents the exploitation of the benefits of information and communication technology, above

¹³ Idem, p. 1.

¹⁴ State Act of the Ministry of Public Administration of Kosovo. (2015). *Koncept dokumenti për sistemin e monitorimit dhe vlerësimit për Reformën e Administratës Publike (Public Administration Reform Monitoring and Evaluation System Concept Paper) 2015-2020*. Prishtina.

¹⁵ Idem, p. 5.

¹⁶ State Act of the Ministry of Public Administration of Kosovo. (2015). *Pasaporta e Treguesve për Strategjinë e Modernizimit të Administratës Publike të Kosovës (Public Administration Modernization Strategy Indicator Passport) 2015-2020*. Prishtina.

¹⁷ Case Study: Forming Institutions in Montenegro, 2001.

¹⁸ Dimitrijević, P. (2009). *Elektronska Uprava i informaciono društvo (Electronic Administration and Information Society)*. Moderna Uprava. Banja Luka, p. 121.

¹⁹ Lilić, S., Marković, M., Dimitrijević, P. (2001). *Nauka o upravljanju sa elementima pravne informatike (Management Science with Elements of Legal Informatics)*, Beograd, p. 12.

all the Internet, the purpose of integrated access to information and services for citizens and businesses, as well as for other users of the administration²⁰.

Thus, today electronic administration exists in all developed countries in the world, such as the USA, Canada, Japan, Australia, New Zealand, Finland, Germany, the UK, Austria etc.²¹

Kosovo Government Public Administration Modernization Strategy 2015-2020 focuses on achieving targeted outcomes in the second pillar related to civil service, human resources management, access to public administration services and accountability in public administration²². The current circumstances require intensification of the reform dynamics in Kosovo public administration, but also specific and feasible reform policies.

In fact, the modernization of public administration in Kosovo, according to the aforementioned Strategy, is at the initial stage and is initially invested in e-governance and progressively building and integrating electronic systems and providing services to citizens at a single contact points (one stop shop). However, this has so far been realized in some of the most developed municipalities in Kosovo.

Harmonization of public administration and alignment with the so-called “quality management” standards and principles of the European Union is an important task. Of particular importance in the field of public administration are the Copenhagen and Madrid European Conferences, which set out the criteria for EU accession, which above all foresee in particular the requirements for public administration reform of candidate countries. Thus, the adaptation of the public administration of the candidate countries to the European system space is required, namely the harmonization of administrative values based on the principle of “qualitative administration”²³.

The European system space²⁴ means the administrative space which represents the relative compliance of certain principles and minimum standards in which the organizations, the activity and functioning of the public administration bodies are led on the basis of “*acquis communautaire*”.

Expression “Qualitative Administration” means the public administration which respects the established standards and principles of the administrative activity. These principles were proclaimed at the Nice Summit in 2000 by the EU's top leadership, who in particular stressed that EU citizens have the right to a qualitative administration. By agreement, this right is also formalized²⁵.

In order to have accountable and professional public administration politics shall be separated from administration²⁶.

EU Member States have defined concisely and precisely the status of civil servants within the legal system. Thus, the system of civil servants in these countries relies on several common principles which apply to all persons who have the status of civil servant²⁷.

4. Conclusions

The Government of Kosovo, with the adopted Kosovo Public Administration Modernization Strategy 2015-2020, defines the goals and strategic policies it intends to achieve within the short-term period in order to improve the functioning and modernization of public administration, fulfilment of its legal obligations and improving the provision of public administrative services.

The implementation of this strategy aims to create conditions for the administration to be oriented to meeting the specific needs of citizens and businesses working for their interest. It is

²⁰ Dimitrijević, P. (2001). *Elektronska vlada (Electronic Government)*. Pravni život, Tom 1, br.9. Beograd, p. 120.

²¹ *Idem*, p. 121.

²² Kosovo Public Administration Modernization Strategy 2015-2020.

²³ Kunić, P. (2009). *Savremene Tendencije u Reformi javne uprave (Modern Tendencies in Public Administration Reform)*. Moderna Uprave, br.2. Banja Luka, p. 11.

²⁴ Kavran, D. (2004). *Evropski upravni prostor, reforma i obrazovanje državne uprave (European Administrative Space, Reform and Education of the State Administration)*. Pravni život, br.9. Beograd, p. 1064.

²⁵ Šimac, N. (2009). *Evropski principi javne uprave (European Principles of Public Administration)*. Zagreb, p. 23.

²⁶ Mark Robinson, *From Old Public Administration to the New Public Service, Implications for Public Sector Reform in Developing Countries*, UNDP, Global Centre for Public Service Excellence, 2015, Singapore, 2015, p. 5

²⁷ Dujčić, S. (2009). *Pravni položaj javnih službenika u Republici Sloveniji (Legal Status of Civil Servants in the Republic of Slovenia)*. Moderna Uprava br.2. Banja Luka, p. 21.

expected to work on reducing procedural and administrative barriers, reducing costs and reducing the time spent on receiving public-administrative services, taking into account the appropriate approach for people with disabilities. Citizens will be able to use the information technology opportunities for people with disabilities during public-administrative services. On the other hand, the Strategy, as part of the overall public administration reform and its management and monitoring system, will be part of the overall integrated planning system in government. It will be one of the implementing instruments of the reforms set out in the National Development Strategy.

The main challenge of the Government of Kosovo in the framework of the modernization of public administration is the building of powerful and functional structures for the management, monitoring and reporting of reform as a precondition for achieving targeted results through the 2015-2020 defined Strategy. The composition of the structures for managing the reform both at institutional and personnel level, is of fundamental importance in their efficient functioning. To ensure this, the government needs to establish structures that have the right government position, proper institutional representation and the necessary composition from the aspect of human resources.

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