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EFFORT FOR STANDARDIZATION OF PUBLIC ADMINISTRATION WITH EUROPEAN PRINCIPLES AND CRITERIA

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Abstract

Public administration is the main segment for the functioning of a state. Managment and transparent public administration is not only a prerequisite for the proper functioning of the country, but it is fundamental with which the government implements its plans and strategies. Due to this importance, efforts to standardize the public administration and its part that think problematic is important for a functional and efficient connection between the state administration, civil and the private sector, in other words, public administration will be the translation of policies in reality. Which are the ones they see every day. Public administration is the main segment for the functioning of a state.

Public Administration Policy is the internal and enforceable policies of the government by the government. Specifically, it is the planning, organization, direction, coordination and control of governmental government.

During the standardization, the Public Administration in Kosovo has faced a lot, one of the biggest challenges in the public administration is nepotism, politics and in supervisory management positions, there are no other people to post such.

The principles define what good governance in knowledge will be and define the main conditions that must be respected during the EU integration process.

Keywords: Kosovo, administration, reform, EU, criteria

1. Introduction

Less than two decades ago, Kosovo laid the foundations of its public administration, while its reform took place parallel to its feet.

Standardization of public administration is a possible process, to make changes in government that refer to the administrative structure of accountability and efficiency, effectiveness and transparency. Kosovo claims to be a member of the EU and knowing that membership requires European principles and criteria, the expectations for reforming the public administration have become great. As a result, a number of issues remain unresolved; Nepotistic political policies are still prevalent, along with inadequate recruitment and human resource policies. The calculation is still very lacking, as the officials only show it on paper.

1.1. Efforts for standardization of public Administration with European principles and criteria

Parimet përmbajnë një kornizë të monitorimit e cila mundëson analizën e rregullt të progresit të arritur në zbatimin e Parimeve dhe caktimin e standardeve që duhet të përmbush vendi.

Një administratë publike funksionale është parakusht për qeverisje demokratike transparente dhe efektive, ajo po ashtu luan rol thelbësor në procesin e integrimit evropian duke e bërë të mundur zbatimin e reformave thelbësore dhe duke organizuar dialogun efikas të anëtarësimit me Bashkimin Evropian (BE). Prandaj, kriteret e zgjerimit të BE-së e pranojnë dhe theksojnë nevojën që vendi të krijojë një administratë publike shtetërore që ka kapacitetin të ndjek parimet e qeverisjes së mirë dhe që e bën transpozimin dhe zbatimin efektiv të acquis.

Komisioni Evropian (KE) ka forcuar fokusimin e tij në reformën e administratës publike (RAP) duke theksuar gjashtë çështjet kryesore të reformës dhe duke integruar më mirë reformën në procesin e zgjerimit përmes Grupeve tëVeçanta për RAP dhe lidhjeve më të forta me negociatat për anëtarësim.Në fushat e tjera, Parimet rrjedhin nga standardet dhe kërkesat ndërkombëtare, si dhe nga praktikat e mira në shtetet anëtare të BE-së dhe në vendet e OECD-së. Si standard minimal për një administratë të mirë, vendet duhet të sigurojnë respektimin e këtyre Parimeve themelore (Public Administration in Kosovo Situational Analysis & Strategy). A functional public administration requires a professional civil service, efficient procedures for policy and legislative development, well-defined accountability arrangements between institutions and citizens as well as between institutions, the ability of the administration to provide efficient services to citizens and businesses, and a sound public system of financial management. Since 2014, the European Commission has defined the field of public administration reform covering six main areas:

- 1. The strategic framework for public administration reform
 - 2. Policy development and coordination
- 3. Public service and human resource management

- 4. Responsible
- 5. Service provision
- 6. Public financial management.

The Principles of Public Administration have been developed by SIGMA in close cooperation with the European Commission to define the detailed requirements for a genuine public administration in each of these key areas. (SIGMA Principles of Public Administration for EU candidate countries and potential candidate.). SIGMA developed the Principles of Public Administration in 2014 to support the European Commission's strengthened approach to public administration reform in the EU enlargement process. The principles define what good public governance entails in practice and describe the main requirements to be followed during the EU integration process. The Principles also provide a monitoring framework to enable a regular analysis of the progress made in implementing the Principles and establishing criteria. The requirements and guidelines of the EU acquis are the core of the Principles, where relevant. In other areas, the Principles derive from international standards and requirements, as well as good practices in EU and OECD member countries.. (Public Administration in Kosovo Situational Analysis & Strategy, Department of Economic and Social Affairs, Division for Public Administration and Development Management.).

Public Administration Strategy First Draft, July 2003

Perhaps most importantly, the absorptive capacity of the administration will remain quite weak for some time to come, leaving almost all dimensions of capacity within the administration in need of strengthening. An important objective of the public administration strategy is to re-articulate the general direction of the reform program. The current program consists of many initiatives led by UNMIK, development partners and PISG. It is time to bring these broad activities within a common priority and prioritized strategic framework that can create the foundations for the formulation of a comprehensive public administration reform program. A joint strategy would also greatly facilitate the work of the Board of Directors for Public Administration (SBPA) and the proposed Technical

Secretariat. The public adopted administration strategy can be further defined in a concrete implementation plan, specifying short, medium and long-term priorities, including responsibilities for delivering specific results such as program costs. It would then be the role of the SBPA to negotiate with the various development partners, the responsibility for the implementation of the various components and/or activities. (SIGMA Principles of Public Administration for EU candidate countries and potential candidate.)

The start of the Kosovo Standards Implementation Plan on March 31, 2004, which is considered the third major step in the process of building the public administration in Kosovo in the document "Standards for Kosovo" and determining the future status of Kosovo. "Standards for Kosovo" document defined in clear and detailed terms the standards that Kosovo must achieve in order to be taken seriously for future and status discussions. The Security Council decided on October 24, 2005 to start a political process designed to determine the future status of Kosovo as foreseen in the Security Council. (Mijalica L. K.).

Strategy for Public Administration Reform 2007

The development of public administration has started since the end of the war, while within a strategic and planned framework, it started with the Public Administration Reform Strategy of 2007. The strategy and action plan were only the beginning of a long-term and comprehensive process. of their implementation, the functional revisions of all ministries and most horizontal functions, until the drafting and approval of the revised strategy 2010-2013. From the analyzed data, it can be concluded that the progress in the implementation of the Strategy for the Reform of Public Administration (SRAP) has been clearly emphasized in the drafting and completion of the legal and institutional framework in all its fields... (Ministry of Public Administration, Comprehensive Report on the implementation of the Public Administration Reform Strategy 2010-2013).

On March 24, 2007, the Government of Kosovo approved the "Strategy for Public Administration Reform in Kosovo 2007–2012"

together with the "Action Plan for Public Administration Reform 2009-2012" for its implementation. Strategy for Public Administration Reform 2007-2012", approved in September 2007, was revised in 2009 and replaced with the "New Strategy 2010–2013", while the action plan for this strategy was drawn up two years late, in 2012. ((Telegraph, Failures in the reform process, in the public administration of Kosovo, June 6, 2019)). The main objectives of the Strategy were: professional and depoliticized public administration; structure and organization of effective horizontal and vertical institutions; quality, transparent and effective and responsible in setting and achieving goals; effective mutual communication with citizens; e-government; functional and effective system of planning, management and supervision of expenses in the Ministry of Interior; promoting development and harmonizing policies and legislation in harmony. (Kosovo's Public Administration Reform Process, pg: 46.)

Strategy for Public Administration Reform 2013

After the reforms proposed by the FRID-OM project "Strategy for Public Administration Reform (2007–2013)" went through the revision process. Revised review "11th International Public Conference on Education, Humanities, Social Sciences and Management Administration Reform Strategy (2010-2013) " twelve objectives such as policy management; the drafting of legislation; ethics and transparency; communication and participation of citizens; budget planning; budget execution; internal control and auditing; public procurement; reorganization of public administration; management and development of human resources; rationalization of administrative processes; and e-government.

The strategy was a guide for Kosovo, fulfilling the government's vision for a public administration:

- Effective in providing administrative services;
- Efficient from the point of view of costs; AND.

European in organization and work methods. (Majalica, L. Kosovo's Public Administration Reform Process, pg. 46).

The Government's Public Administration Reform Strategy 2010–2013 also emphasizes "Effectiveness in the provision of administrative services" as one of its main goals, and in this regard, the government adopted the RAP Strategy and Action Plan, which in particular ensures establishment of a system for strategic planning and policy coordination, including capacity building in policy development in line ministries. (Annual Programme, Support to Public Administration Reform).

The evaluation of the implementation of the activities as well as their coordination and monitoring is done through the mechanisms already clearly identified in the Public Administration Reform Strategy 2010–2013. The main mechanisms that are directly responsible for monitoring their implementation are the Interministerial Commission for Public Administration Reform (KNRAP) and the Department for Management of Public Administration Reform (DMRAP) at the Ministry of Public Administration. ((Ministry of Public Administration,, 2012-2014), Plan of Action for the implementation of the Reform Strategy for Public Administration 2012-2014,).

"Action Plan 2012–2014" was approved for the strategy implantation process. (Majalica, L. Kosovo's Public Administration Reform Process, pg. 46).

The Government of the Republic of Kosovo in September 2010 approved the revised Strategy for the Reform of Public Administration 2010-2013. In order to enable the revised Strategy to be effectively implemented by all the institutions of the Republic of Kosovo, the Government has drawn up the relevant Action Plan. The Action Plan for the implementation of the Public Administration Reform Strategy details all the actions that must be taken to achieve the objectives defined in the Strategy (Ministry of Public Administration (Ministry of Public Administration, Comprehensive Report on the implementation of the Public Administration Reform Strategy 2010-2013)). In addition, the Government Program and KASH, emphasizes the need to improve policy management through further capacity development in policy coordination and management, as well as the coordination of key planning processes, including priorities, budgeting, and increased drafting

capacities of policies and coordination at the level of line ministries. The first level to overcome the challenges is having a better public administration, that is why more than a decade. Kosovo is in the process of reforming and modernizing the public administration. Mainly, the political influence is considered as the main factor in the stagnation of the reform process of the public administration of Kosovo. In the MIPD 2011-2013 for Kosovo, the third priority sector for IPA support is Public Administration Reform with the objective "to support Kosovo in providing services to all people and creating a professional, responsible, accessible representative, public administration to be free from political interference, in particular by supporting Kosovo's updated Public Administration Reform Strategy and Action Plan. MIPD2011-2013 also emphasizes the need to further improve the quality of existing strategies and their connection with of KASH, establishing a functional system for monitoring the government's implementation, the improvement of priorities also for the purpose of the allocation of foreign aid. The government of Kosovo has put the reform of the public administration among its priorities of the government to create an effective administration and that the reform of the public administration is a continuous commitment of the government of Kosovo. "Providing the physical infrastructure necessary for the efficient operation of institutions, accommodation and permanent standard of government administration, building a complex of government buildings" is one of the priority objectives highlighted in the document (Annual Programme, Support to Public Administration Reform,). The Interministerial Commission for Public Administration Reform, re-appointed to the Council of Ministers for Public Administration Reform, which represents the high-level political forum that guides the decision-making process for public administration reform, and was created within the Ministry of Public Administration, Department for the Management of Public Administration Reforms, which coordinates the implementation of reforms at a technical level.

EU Enlargement Strategy 2014–2015

Now regarding the link between Public Administration Reforms and European In-

tegration together with the rule of law, Public Administration Reform is one of the main pillars of the Copenhagen criteria and the EU Enlargement Strategy 2014/2015. The strategy for the expansion of the European Union published in February last year states that "Reform of public administration is important for strengthening governance at all levels. This includes improving the quality and accountability of the administration, increasing professionalism, de-politicization and transparency". As you know, the European Union does not have an acquis on public administration, but instead OECD/SIGMA has developed some principles that apply to all Western Balkan countries and the European Commission insists on their implementation throughout the region. These principles include:

- 1. The Strategic Framework of Public Administration Reform.
 - 2. Policy Development and Coordination.
- 3. Public Service and Human Resources Management.
 - 4. Accountability.
- 5. Provision of Services (Ministry of Public Administration, Minister Yagcilar's speech at the UBT debate on Modernization of Public Administration, 1).

These principles define what good governance entails in practice and describe the main requirements to be followed by countries during the EU integration process. The principles also present a monitoring framework that enables the regular analysis of the progress made in the implementation of the principles and the setting of the country's standards (Ministry of Public Administration, Minister Yagcilar's speech at the UBT debate on the Modernization of Public Administration, February 1. 2019).

Strategy for the Modernization of Public Administration 2015–2020

In September 2015, the "Strategy for the Modernization of Public Administration 2015–2020" and the "Action Plan 2015–2017" were approved. Three main objectives highlighted are:

1. An advanced and adequate system for the management, monitoring and implementation of legislation on the civil service and creating the opportunity for a professional, effective and efficient civil service which will be developed based on the principles of good administration and oriented towards the implementation of legal requirements.

- 2. Qualitative and accessible administrative services, based on reasonable administrative procedures and the implementation of e-government methods oriented towards citizens and business are needed.
- 3. Transparent, accountable public administration, with a clear system of accountability, characterized by a professional civil service, with internal administration structures that operate on the basis of legislation for public administration and in accordance with the principles of good governance.

The main problems identified in the strategic development during the two early RAP policy cycles have been specified as a broad and diffuse area of the RAP Strategy; lack of clear priorities between objectives; action plans overloaded with certain time-irrelevant activities; performance monitoring is focused on process, not results; and failure to establish specific budget codes for activities based on their Action Plan. ((Mijalica, L.) Kosovo's Public Administration Reform in the Context of the European Union Membership Process, KOSOVO'S PUBLIC ADMINISTRATION REFORM PROCESS).

- 1) Strategy for Improving Planning and Policy Coordination in Kosovo (Integrated Planning System) 2016–2018 and;
- 2) Strategy for Better Regulation 2014–2020.

The Strategy and the Action Plan for its implementation have three strategic objectives:

- 1) civil service;
- 2) administrative procedures and the provision of public administrative services and;
- 3) the organization of public administration and accountability (Ministry of Public Administration, Strategy for the Modernization of Public Administration 2015–2020). The GAP Institute has drawn up a short report which shows how the Strategy for the Modernization of Public Administration in Kosovo has been implemented during the period one year, October 2015 October 2016. The report has analyzed three strategic areas: Civil service, administrative procedures and the provision of administrative services and the organization of public administration

and accountability. GAP emphasizes that the Ministry of Public Administration (MAP) coordinates the implementation of this strategy while a number of different institutions are responsible for its implementation. The three areas have a number of activities that had to be carried out during the period October 2015 - October 2016 and the following section provides a summary of how much progress has been made in the implementation of these activities. (Instituti GAP, Zbatimi i Strategjisë për Modernizimin e Administratës Publike 2015–2016.) GAP findings: 1. Civil service: compared to other areas of the strategy, the civil service area has had a higher progress in implementation during the evaluation period (October 2015-October 2016). The classification of jobs in the civil service has been carried out, but the connection with the implementation of the new salary system in the civil service has not been made as a result of the lack of budget for this activity.

As for the transition of personnel files in the civil service from physical files to an integrated and electronic system, this activity is in process and according to MAP data, around 40% of institutions have completed this activity to date. Successfully completed activities are those related to the connection of the electronic human resources management system with the salary system in the Ministry of Finance and the Pension Trust, the drafting of the strategy for the training of civil servants and the action plan according to the strategy. In the process of implementation are the training of personnel officials in the use of the electronic system, the drafting of legislation for the civil service, including the amendment of the Law on the civil service and the issuing of secondary legislation.

Administrative procedures and the provision of administrative services: out of 12 activities that fall in this field to be implemented during the period October 2015-October 2016, eight activities have not been carried out, two have started to be carried out, one activity is being completed and another has been carried out. The Law on the general administrative procedure has been approved, but the activities related to the review of the MAP functions and the review of the internal organization regulation in the MAP have not been carried out. Likewise, the integration

of the seven systems and the development of the main interoperability platform have not been carried out. The activities where progress has been noted and which are nearing completion are the identification of administrative services from the institutions and the publication of the list with all the data and the placement of boxes for measuring the opinion of citizens regarding the services provided. Both of these activities are in completion and are expected to begin implementation in early 2017. Organization of public administration and accountability: out of eight activities planned with strategy and action plan, six activities have not been carried out, one activity has been carried out and another activity has started. The draft document for the completion and amendment of the Civil Service Law has been completed, but the Law has not been completed nor has it been approved by the Assembly, the Law on State Administration has not been completed and amended as a framework law for the organization of public administration (GAP Institute, Implementation of Strategy for the Modernization of Public Administration 2015-2016. Based on practices and analysis of the new approach to Administration Reforms, it has been assessed that the most efficient management of the process and the effort to avoid barriers in the organization and implementation of the reform as and the need to focus on results has conditioned the approach to dividing its scope and management structures into three pillars of the more rational Public Administration Reform such as:

- 1. Development and coordination of policies and legislation the 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 re-organization and accountability falls under the responsibility of MAP.

 3. Public Finance Management falls under the responsibility of the Ministry of Finance.

The Strategy for the Modernization of Public Administration focuses on achieving the intended results under the second pillar which is related to the civil service, human resources management, the provision of public administrative services and accountability in public administration (GAP Institute, Implementation of the Strategy for Modernization of Administration Publke 2015-2016. Monitoring period 2015-2016) (GAP Institute, Implementation of the Strategy for the Modernization of Public Administration 2015–2016, Monitoring period 2015–2016). The Strategy for the Modernization of Public Administration will be a guide for the concentration of civil service training in the priority areas according to this strategy. Also, the full implementation of the new performance evaluation system will help in better management of civil servants, the success of which will also depend on the quality of clear individual objectives based on the institution's objectives, set according to the plan general government. This system will help to develop the career of civil servants through their movement and advancement, respecting the principle of transparency and merit. While with the new recruitment system, the criteria for admission to the civil service will be determined based on objective evaluations through tests, professional preparation, and competition. The implementation of this strategy aims to create conditions for the administration to be oriented towards meeting the specific demands and needs of citizens and businesses to work in their interest. It is expected to work on the reduction of procedural and administrative barriers, cost reduction and reduction of time spent when receiving public-administrative services, taking into account the appropriate approach for persons with disabilities.

In addition to the need for the Administration of the Republic of Kosovo to have a strategic platform for improving its work, this strategy is also developed on the basis of a new context of the situation in Kosovo and other countries in the region as a result of the EU enlargement process., and the European Integration process of Kosovo because:

- Along with the rule of law and economic governance, Public Administration Reform is one of the pillars of the 2014/2015 EU Enlargement Strategy;
- The finalization of the negotiations for the Stabilization and Association agreement between Kosovo and the EU and the placement of Kosovo in a new context in the European integration process requires the building of

new capacities that cope with the European integration process and the provision of new immediate services for all according to European and international best practices for citizens. (Ministry of Public Administration, Strategy for the Modernization of Public Administration 2015–2020).

The EU-funded project, "Support to the Sectoral Reform Contract for Public Administration Reform", with a budget of 2 million euros, was successfully finalized. Starting in March 2020 and led by a consortium led by EURECNA, the project played a key role in improving Kosovo's public administration, focusing on accountability, transparency and efficiency.

Key achievements include: Implementation and legislative reform

The main achievement of the project was its support in the implementation of the crucial legislation for Public Administration Reform (PAR). This included the adoption of the Law on Public Officials, the development of a new Law on Salaries in the Public Sector and the implementation of the Law on the Organization and Functioning of State Administration and Independent Agencies. These reforms have laid the foundations for a more responsible and efficient public administration both at the central and local level.

Human Resources Management and Capacity Building

The project contributed to strengthening human resources management by improving recruitment processes and implementing transparent personnel planning and performance evaluation in the civil service. Standardized testing and recruitment procedures were introduced to ensure fairness and transparency, and over 850 civil servants benefited from comprehensive training programs.

Improved Service Delivery and Digital Transformation

The project excelled in improving service delivery by harmonizing a total of 132 separate laws with the Law on General Administrative Procedures. It created a responsive help desk and piloted a single point of contact for efficient communication. A comprehensive catalog of administrative

services has been developed and specialized training programs have improved the quality of service. The Open Data portal has been improved, increasing data quality and governance transparency.

Development and Promotion of the Strategic Framework

The project significantly contributed to the development of the new RAP Strategy (2022–2027) and its Action Plan. He also designed a RAP Promotion Plan to raise public awareness of the importance of RAP, improve social inclusion and engage civil society, businesses and academia.

Sustainable impact and future prospects

The project has instilled professionalism, transparency and efficiency in the public administration of Kosovo. By equipping civil servants with vital skills, optimizing service delivery and promoting innovative governance practices, it has set Kosovo on a path to continued growth.

These achievements provide a solid foundation for ongoing administrative reform, embracing modernization, integrity and accountability in Kosovo's governance.. (European Union Office in Kosovo European Union Special Representative in Kosovo).

Conclusion

Politicization, nepotism, unprofessionalism, corruption are among the main points that have damaged, we say destroyed the Public Administration, party employment in the public sector in Kosovo, is undermining the public administration, which is essential for the advancement of Kosovo in the European integration process.

Kosovo has partially considered the recommendations of the EC report, since the progress made in the field of public administration, reforms, are evaluated by the annual European Commissions, the progress reports for Kosovo, the annual evaluation of SIGMA and the reports of priorities, and the Annual Work Plans of the Government. In all Progress Reports of the European Commission for Kosovo, it was specified that ensuring the delivery of public services to all people in Kosovo, as well as administration free from political interference, is the key priority of the European Partnership. Even in the Stabilization and Association Agreement, it is noted

that the goal of cooperation and dialogue between Kosovo and the EU is the professional, efficient and responsible development of the public administration.

It is recommended that Kosovo improve in professionalism, accountability, efficiency and effectiveness at all levels, which is essential for a successful implementation of the necessary reforms in the future. Merit based recruitment.

Kosovo has been severely criticized by the European Commission reports that it has a large public administration and an unprofessional one, unable to serve the citizens efficiently. The Public Administration in Kosovo has continuously grown despite the criticism and recommendations of EC reports and organizations international and national. The SIGMA project has assessed that the Public Administration has grown based on ad hoc criteria, resulting in a fragmented structure characterized by micro-institutions and without a clear line of accountability.

In addition, the GAP Institute proposed the reduction of the number of ministries, which means the reduction of Public Administration and State Administration.

The EU-funded project has played a very important role in improving Kosovo's public administration, focusing on accountability, transparency and efficiency. The main achievement was also achieved in the implementation of the decisive legislation for the Public Administration Reform (PAR). The project also contributed to the management of human resources for the improvement of recruitment processes by making the administration and performance evaluation in the civil service more transparent.

The project also offers administrative services by increasing the quality of data and governance transparency, as well as in the development of the new RAP Strategy (2022–2027) and its Action Plan.

These achievements provide a solid foundation for ongoing administrative reform, embracing modernization, integrity and accountability in Kosovo's governance.

So, the conclusion of this paper is that modern, professional and functional administration is important for the clarity and development of the country. Overcoming the challenges and ending by finding the best possible implementation would give us the right to an administration that meets all the conditions required by the EU, and this would create a positive step for Kosovo towards a professional administration., stable, efficient and effective, and as transparent as possible, but also fair to the big European family.

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