

## KEY FINDINGS FROM THE SHADOW REPORT ON SECTOR WORKING GROUP ON PUBLIC ADMINISTRATION REFORM

### RELEVANT SECTOR POLICIES

The key reform document governing work in this sector is the [Strategy on Public Administration Reform 2018-2022](#) and [Action Plan](#). In 2020 and 2021, strategy implementation continued on the basis of the [revised](#) Action Plan from December 2019.

In September 2021, MISA published the fourth [Semi-Annual Report on Implementation of SPAR's Action Plan in the First Half in 2021](#). Draft versions of both documents were shared for contributions from civil society organizations that work on these topics.

The annual report for the period January - December 2020 enlists that only 5 from total of 51 activities anticipated in this document have been implemented, implementation of 22 activities is underway, and 24 activities are late or their implementation has not started.

In November 2020, the Ministry of Information Society and Administration opened the process for drafting new laws on **public sector employees** and **administrative officers**, aimed at addressing problems that have emerged during enforcement of existing legislation that was adopted five years ago. Both draft bills ([public sector employees](#) and [administrative officers](#)) were published for comments on ENER, on 17.09.2021.

Debate around the [Law on Senior Management Service](#) remained active throughout 2020. This law should reduce political interferences and should enhance capacity of persons holding managerial positions. The Government approved the [Law on Senior Management Service](#) in December 2019, but this piece of legislation did not pass the parliamentary procedure in 2020. At the same time, in November 2020 MISA [withdrew the proposed law](#) from parliamentary procedure due to the need for further precision of certain provisions therein, which should be aligned with amendments to the Law on Public Sector Employees and the Law on Administrative Officers. On 17.09.2021 the new [draft law](#) was published for comments on ENER.

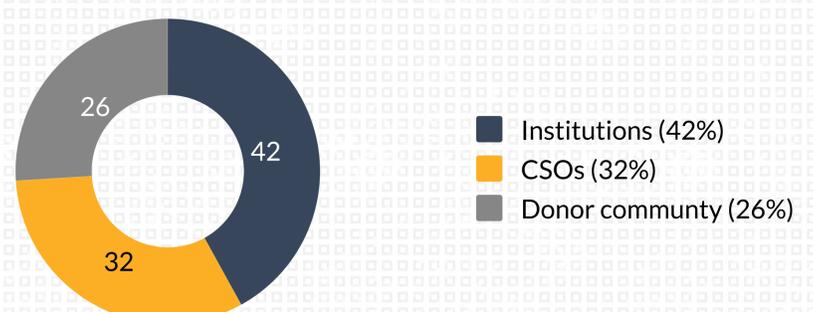
Another piece of legislation whose procedure remained opened throughout 2020 and 2021 is the **Law on Amending the Law on General Administrative Procedure**. Start of the process for drafting this law was announced on [ENER](#) as early as July 2019, but no additional information has been made available since then.

In 2020, MISA formed a working group tasked with drafting amendments to the **Law on Organization of State Administration Bodies**, which is expected to unblock the process that was initiated back in 2018. Members of this working group include civil society representatives.



### SWG PUBLIC ADMINISTRATION REFORM

- ◆ **FORMED:** 2015
- ◆ **NUMBER OF SWG MEMBERS:** 38, institutions x 16 members, civil society organizations x 12 members, and donor community x 10 members
- ◆ **NUMBER OF MEETINGS HELD IN 2020:** two plenary sessions, 30.06.2020 and 27.11.2020
- ◆ **SWG CHAIR:** Ministry of Information Society and Administration
- ◆ **SWG CO-CHAIR:** EU Delegation to the Republic of North Macedonia



## SWG FUNCTIONALITY

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- ◇ SWG **membership** is precisely defined in the **rules of procedure** and adequately appointed.
- ◇ The rules of procedure propose a **minimum 4 meetings per year**. Only two meetings were held in 2020.
- ◇ SWG members are **regularly** invited to meetings.
- ◇ **Minutes from SWG meetings** are compiled in predetermined form and content and are sent to participants. However, the minutes are sent with a few months delay.
- ◇ Information on SWG work is not available on **MISA's website**.

## CIVIL SOCIETY PARTICIPATION

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- ◇ **12 civil society organizations** participate in SWG, with membership status.
- ◇ **Sufficient time** is allowed for civil society representatives to get involved by presenting opinions and recommendations at SWG meetings.
- ◇ Civil society representatives are **not encouraged** to suggest agenda items, i.e. there is no two-way communication on topics to be discussed at SWG meetings.

## CSO CAPACITY

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- ◇ Role of civil society representatives in SWG is more **formal**, instead of providing essential contribution to its work.
- ◇ Given the poor dynamics of SWG meetings, as well as minimum communication among SWG members beyond such meetings, one cannot talk about **effective civil society participation**.
- ◇ Civil society representatives **do not receive feedback** whether their suggestions and comments are taken into account.

## EFFECTS FROM SWG WORK

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- ◇ Topics discussed at SWG meetings in 2020 concerned **action fiches and strategic responses for IPA 3**, which did not leave enough space to review other strategic documents that are important for PAR, thus incompletely exploiting the potential of this SWG.
- ◇ **8 operational meetings** were organized to which civil society representatives who are SWG members were not invited.

## WHAT NEEDS TO CHANGE:

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- ◇ **Amend the rules of procedure** in order to define the model for selection of civil society representatives, their role and mandate.
- ◇ **Increase the dynamics of SWG meetings** in order to be able to develop strategic and planning documents, and to monitor results achieved under existing strategies and plans.
- ◇ Involve civil society representatives in **all phases of creating documents** that fall within SWG's scope of work.
- ◇ Create an **annual plan** for SWG work in the first quarter of the year.
- ◇ Publish all necessary documents related to SWG work on **MISA's website**.