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Monitoring Report:

The
Principles
of Public
Administration

KOSOVO*

May
2019

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LIST OF ABBREVIATIONS AND ACRONYMS

AIS	Agency for Information Society
BRS	Better Regulation Strategy
EC	European Commission
eIDAS	EU Regulation on electronic Identification and Trust Services for Electronic Transactions in the Internal Market
EU	European Union
GG	Government Gateway
KBRA	Kosovo Business Registration Agency
KCA	Kosovo Cadastral Agency
LGAP	Law on General Administrative Procedures
MED	Ministry of Economic Development
MoI	Ministry of Interior
MPA	Ministry of Public Administration
OECD	Organisation for Economic Co-operation and Development
OPM	Office of the Prime Minister
PAMS	Strategy for Modernisation of Public Administration
RIA	Regulatory Impact Assessment
TAK	Tax Administration of Kosovo

INTRODUCTION

This 2019 SIGMA Monitoring Report focuses on the service delivery area. Comprehensive assessment of all areas of public administration reform (PAR) in 2017 showed that Kosovo had made gradual progress in this area, but that provision of services to citizens and business could be substantially improved if central government initiatives were adequately implemented and better co-ordinated. This report, which follows up on the 2017 analysis and recommendations, first provides an overview of the state of play and main developments. It then presents a detailed analysis of each of the four *Principles of Public Administration[1]* in the service delivery area, measured against the indicators of the *Methodological Framework for the Principles of Public Administration[2]*, and closes with key recommendations.

Indicator values are compared with the 2017 Monitoring Report[3]. Although this report is part of a regional series, no regional averages are presented for the 2019 indicator values because this round of assessments was designed to perform detailed evaluations on a limited number of areas only, rather than to carry out full comparative overviews[4].

The service delivery area improved significantly in the 2015-2017 period with formulation of the strategic and legislative frameworks, whereas improvements during this assessment period have been more incremental. As shown in Section 2, two indicator values rose during 2017-2019 because the interoperability infrastructure improved, data availability and quality increased, and the public was more satisfied with the efficiency of administrative procedures. The values for the indicators on citizen-oriented service delivery and accessibility of public services did not change, however, as progress was marginal.

Many recommendations from 2017 are still relevant for 2019. Above all, clear policy directions and co-ordination of government initiatives are needed for transformative improvements, particularly in digitisation of administrative services. Central guidance and common tools such as digital signatures and online payments are needed to substantially simplify procedures.

SIGMA draws on multiple sources of evidence for its assessments and wishes to thank the Government for its collaboration in providing the necessary administrative data and documentation. The Regional Cooperation Council is also recognised for providing survey data of the general population and businesses through the *Balkan Barometer*[5].

Focus areas for the 2019 Monitoring Report were selected jointly by the Organisation for Economic Co-operation and Development (OECD) and the European Commission (EC). The service delivery area is considered particularly relevant to Kosovo's European Integration pathway, and it is also an important aspect of policy dialogue relating to the European Reform Agenda and the Stabilisation and Association Agreement, as well as the EC's overall Enlargement perspective[6]. Although analytical findings and recommendations are addressed to the Government, they are also designed to contribute to this policy dialogue.

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[1]   OECD (2017), *The Principles of Public Administration*, OECD, Paris, http://www.sigmaweb.org/publications/Principles-of-Public-Administration-2017-edition-ENG.pdf.

[2]   OECD (2019), *Methodological Framework for the Principles of Public Administration,* OECD, Paris, http://www.sigmaweb.org/publications/Methodological-Framework-for-the-Principles-of-Public-Administration-May-2019.pdf.

[3]   OECD (2017), *Monitoring Report: Kosovo*, OECD, Paris, http://www.sigmaweb.org/publications/Monitoring-Report-2017-Kosovo.pdf.

[4]   Recent Monitoring Reports are available at http://www.sigmaweb.org/publications/monitoring-reports.htm.

[5]   *Balkan Barometer*, annual survey conducted by the Regional Cooperation Council (RCC), http://www.rcc.int/seeds/results/2/balkan-opinion-barometer, http://www.rcc.int/seeds/results/3/balkan-business-barometer.

[6]   https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf.

SERVICE DELIVERY

1. STATE OF PLAY AND MAIN DEVELOPMENTS: JULY 2017 – MARCH 2019

1.1. State of play

There are incremental gains in service delivery in Kosovo, particularly for businesses, but the lack of clear policy directions and co-ordination of government initiatives prevent transformative improvements. The lack of central guidance and common tools that can lead to substantially simplified procedures, such as the provision of digital signatures and online payments, are key barriers. Because there is no clear policy on the digitisation of administrative services, only a few of the most resourceful agencies have succeeded in making their services function well digitally.

The interoperability platform functions at a technical level, but in practice only a few public registries are connected. The lack of a digital signature solution is a key barrier. Legislation still needs to be harmonised with the European Union (EU) eIDAS Regulation[7], and the specific model for certification authorities has not been decided. Meanwhile, due to technical deficiencies, the 1.9 million ID cards issued have no digital functionality, and have therefore not yet brought tangible improvements to the lives of citizens.

The Law on General Administrative Procedures (LGAP) came into force June 2017 but citizens still do not experience the benefits in their daily lives, as special laws are not harmonised and front-desk service delivery procedures have not changed.

The introduction of physical one-stop shops is an explicit policy objective. However, there are many conceptual and practical questions regarding the one-stop-shop model that are still unanswered, such as who sets the standards of service, what services should be provided, and how and by whom the service desks will be staffed and the work with individual service providers in the back offices organised. The Government has not promoted the use of quality-management tools and frameworks. No central standards for service delivery have been set. The main tool to collect user feedback on public services is the e-Box system, but its usefulness remains questionable.

Nevertheless, surveys of the general population and businesses in Kosovo show that they are highly satisfied with the provision of public services compared with the rest of the Western Balkans.

1.2. Main developments

One positive development is that the interoperability platform, Government Gateway, is now functional. Twelve public bodies and their information systems have been connected. However, the poor quality of data in registries is hampering its potential usefulness. In addition, without an accompanying strong drive to re-engineer and re-design cumbersome administrative processes, the platform will have limited impact from the perspective of service users.

Another noticeable advancement is in the area of better regulation. The target of reducing permits and licenses related to businesses and citizens by 10% by 2020 is within reach. So far, 22 out of 480 permits and licenses have been abolished[8]. *Ex ante* regulatory impact assessment (RIA) processes have been

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[7]   eIDAS (Electronic Identification and Trust Services for Electronic Transactions in the Internal Market), https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2014.257.01.0073.01.ENG.

[8]   Interview with the Office of the Prime Minister (OPM), 15 January 2019, and subsequent written communication.

strengthened since 2017 with the revision of the standard guidelines, such that consideration of administrative burdens is now required for primary legislation[9].

Harmonisation of special laws with the LGAP has been slower than expected. The Ministry of Public Administration (MPA) has identified 231 laws and approximately 1 000 by-laws with special administrative procedures that may need to be harmonised with the LGAP.

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[9] OPM (2018), *Guidelines and Manual for Developing Concept Documents*, Pristina, http://kryeministri-ks.net/wp-content/uploads/2018/06/Udhezuesi-dhe-Doracaku-per-Hartimin-e-Koncept-Dokumenteve-ENG-24-05-18_Publish.pdf.

2. ANALYSIS

This analysis covers four Principles for the service delivery area. It includes an analysis of the indicator(s) and sub-indicators used to assess the Principle, and an overall summary of the state of play. Short- and medium-term recommendations are presented at the end of the section.

Two indicator values have improved during the 2017–2019 period. The value of the indicator measuring the existence of enablers for public service delivery increased from 1 to 2 because the interoperability infrastructure has improved. The indicator value for fairness and efficiency of administrative procedures has risen from 2 to 4, due to the adoption of the LGAP, an increase in the availability of data on repeals of decisions by administrative bodies, as well as higher public satisfaction with the efficiency of administrative procedures. There was no change in the values for the indicators on citizen-oriented service delivery and accessibility of public services, as progress was marginal.

Indicators	0	1	2	3	4	5
Citizen-oriented service delivery				◆		
Fairness and efficiency of administrative procedures			□		◆	
Existence of enablers for public service delivery		□	◆			
Accessibility of public services				◆		

Legend: □ 2017 indicator value   ◆ 2019 indicator value

Analysis of Principles

Principle 1: Policy for citizen-oriented state administration is in place and applied.

The National Development Strategy 2016–2021[10] provides the general policy direction for service delivery. The section on good governance and the rule of law sets out two measures relevant for better service delivery: further enhancement of user-centric service delivery for businesses and the public, and a reduction in the number of administrative barriers to obtaining licenses and permits. Two Government strategies underpin these national development objectives. The Strategy for Modernisation of Public Administration 2015–2020 (PAMS) continues to be the main document in the area, and it is complemented by the Better Regulation Strategy 2.0 for Kosovo 2017–2021 (BRS) aimed at reducing administrative burdens for businesses.

The PAMS has improvement of service delivery as one of its three general objectives: "Good quality and accessible public administrative services, based on reasonable administrative procedures and applying e-government methods oriented towards citizen and business needs". It establishes seven specific objectives relating to implementation of the LGAP: interoperability of public registers and databases; provision of services through one-stop shops; and the central management, planning, monitoring, assessment and implementation of public services[11].

The BRS is relevant for service delivery reforms as it also tackles unnecessary administrative burdens, mainly for businesses, in order to enhance economic competitiveness. Related initiatives are the

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[10]   Adopted by the Government of Kosovo, 22 January 2016.

[11]   Strategy for Modernisation of Public Administration (PAMS), approved 25 September 2015, https://map.rks-gov.net/institucion/Reformimi-i-administrates.aspx?lang=en-US.

improvement of guidelines for *ex ante* RIA in the form of concept documents for legislative initiatives, and work to establish a register of existing permits and licenses with a view to reducing the number of these.

Another relevant strategy is the Electronic Communications Sector Policy: A Digital Agenda for Kosovo 2013–2020 of the Ministry of Economic Development (MED). However, this ministry does not report on the implementation of its strategy to the Council of Ministers on public administration reform. This indicates that policies are not well co-ordinated. An illustration of the fragmented and incomplete strategic framework is the fact that the draft Strategy on Electronic Government 2016–2020, an initiative of the Agency for Information Society (AIS), was never approved by the OPM's Strategic Planning Office, reportedly because the draft strategy was focused on technical solutions and did not provide a coherent strategic orientation for the sector[12]. This leaves a policy vacuum in the area of digital service delivery.

In short, the strategic framework fails to provide answers to some fundamental questions for effective service delivery:

- How are the needs and preferences of citizens and businesses best taken into account when administrative services are simplified and re-engineered?

- How is the transformation from analogue to digital service delivery expected to happen? How many and which services will be made available to citizens and businesses in digital format and what exactly needs to be done for that?

- What is the strategy in terms of promoting and supporting the development of digital vs. analogue channels (such as one-stop shops) for service provision?

The service delivery area suffers from a lack of leadership, an inadequate institutional set-up and poor interinstitutional co-ordination. The MPA holds the overall responsibility for service delivery policy, but has not yet established a dedicated unit to promote better service delivery across the state administration. The core mandate of the AIS, subordinate to the MPA, is to provide technical support to the state administration bodies and it only peripherally provides support to re-engineering of services. Consequently, there is nobody to champion a coherent vision of service delivery transformation and take the necessary key decisions to ensure that individual initiatives are synchronised and co-ordinated.

Digital signature is an area that illustrates well the consequences of the current situation: the citizen ID card issued by the Ministry of Interior (MoI) is equipped with the technology to support authentication and digital signature, but this has no value to citizens for two reasons: there are no digital services for citizens and it is too complicated (if not technologically impossible) to use the ID card to provide a digital signature. To make the digital signature work in practice, the MPA, the MoI, the AIS, and the MED need to analyse and agree on the right path for Kosovo, but without a strong political steer the institutions may continue to drag their feet.

A further example is found in the area of registration certificates. Each year the 38 municipal centres of civil registration issue millions of certificates for various purposes (Table 1), but mostly because they are required by another state administration body. This figure could be substantially reduced if public databases interoperated better and regulations were revised so as not to include a requirement to submit such documents.

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[12]   Interview with the MPA and OPM, 15 January 2019.

Table 1. **Number and type of certificates issued by civil registration offices in 2018**

Type of certificate	Number issued
Extract from central registry	1 059 270
Birth certificate	500 008
Marriage certificate	226 287
Death certificate	71 223
Residence certificate	51 904
Citizenship certificate	21 232
Marital status certificate	50 630
Family household certificate	204 055
Certificate from archive	38 507
Total	**2 223 116**

Source: Civil Registration Agency.

Prizren Municipality alone issued 23 000 birth certificates in the month of May 2018 to prove that students live in their municipality[13]. Quite often, recruitments for positions in the education sector also require the submission of a birth certificate[14]. There may be tens of laws requiring the physical presentation of a copy of the birth certificate, and these all need to be reviewed and harmonised with Article 8 of the LGAP, which requires that officials first seek information from other parts of the administration before asking a citizen to provide it (*ex officio* principle).

This represents a fundamental change in approach, which requires a lot of awareness raising among public officials and the general public, as well as better interoperability between registries and government institutions needing access to data. Administrative simplification and service re-engineering and re-design, supported by technology, should be managed in unison. In practice, however, they still tend to be separate streams of work in Kosovo.

As observed by SIGMA in its 2017 Monitoring Report, progress in individual agencies tends to be piecemeal rather than part of a comprehensive transformation of service delivery[15]. For example, in order to change the ownership of a private vehicle, the buyer has to bring seven documents to the police station. Even a copy of the driving license has to be provided, despite the fact that the MoI holds information about driving licenses in its own registry. Amendments to the Law on Vehicles[16] is reportedly underway to reduce these requirements.

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[13] Administrative Instruction No. 16/2004 on Registration of Students to the First Class.

[14] One issue is that no difference is made between the original birth certificate issued upon birth as an administrative act (registering a birth) and the document which contains the same information but is not an administrative act (this can be witnessed by looking at the number of birth certificates the civil registration agency issued, which exceeds the number of births by roughly 20 times.

[15] OECD (2017) *The Principles of Public Administration: Monitoring Report Kosovo*, OECD, Paris, pp. 102–114, http://sigmaweb.org/publications/Monitoring-Report-2017-Kosovo.pdf.

[16] Law on Vehicles, 05/L-132, of 18 April 2017.

Similarly, when a citizen wants to change their ID card, a paper copy of the old ID card is taken for the record by the Civil Registration Agency[17]. The process for renewing ID cards has been simplified slightly, but the applicant still has to come to the office twice: once to place the application and once to receive the document. In order for citizens to be able to send applications to renew their ID document electronically, they would need to sign the application digitally before sending it off. Although the Law on Information Society Services[18] stipulates that a digital signature is equivalent to a handwritten one, it is not yet technically feasible in practice.

Some progress has been made in reducing the number of permits and licenses under the Better Regulation initiative. The OPM has updated the list of permits and licenses to establish a baseline. A total of 480 were identified. The target of reducing permits and licenses related to business by 10% by 2020 is on track to be reached, with 22 permits and licenses already abolished[19]. Kosovo has also strengthened its *ex ante* processes for RIA through improved guidance and training on the development of concept documents for legislative initiatives, including standards for the consideration of administrative burdens and a standard cost model. Going forward, it will be important to document the outcomes of these new tools[20].

The Tax Administration of Kosovo (TAK) continues to improve its service provision to both citizens and businesses. More services have been made digital (e.g. tax certificates, tax refunds, sending purchases and sales books to the TAK, tax declarations, tax filing and the payment of pension contributions), and others are being improved, resulting in a good rate of increase in uptake (Figure 1). Taxpayer surveys commissioned by the TAK show that users find it less time-consuming to file a complaint, obtain a tax certificate and get reimbursement in 2017 compared to 2015[21].

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[17]   Interview with the Civil Registration Office, 16 January 2019.

[18]   Law No. 04/L+094 on Information Society Services, Article 6.
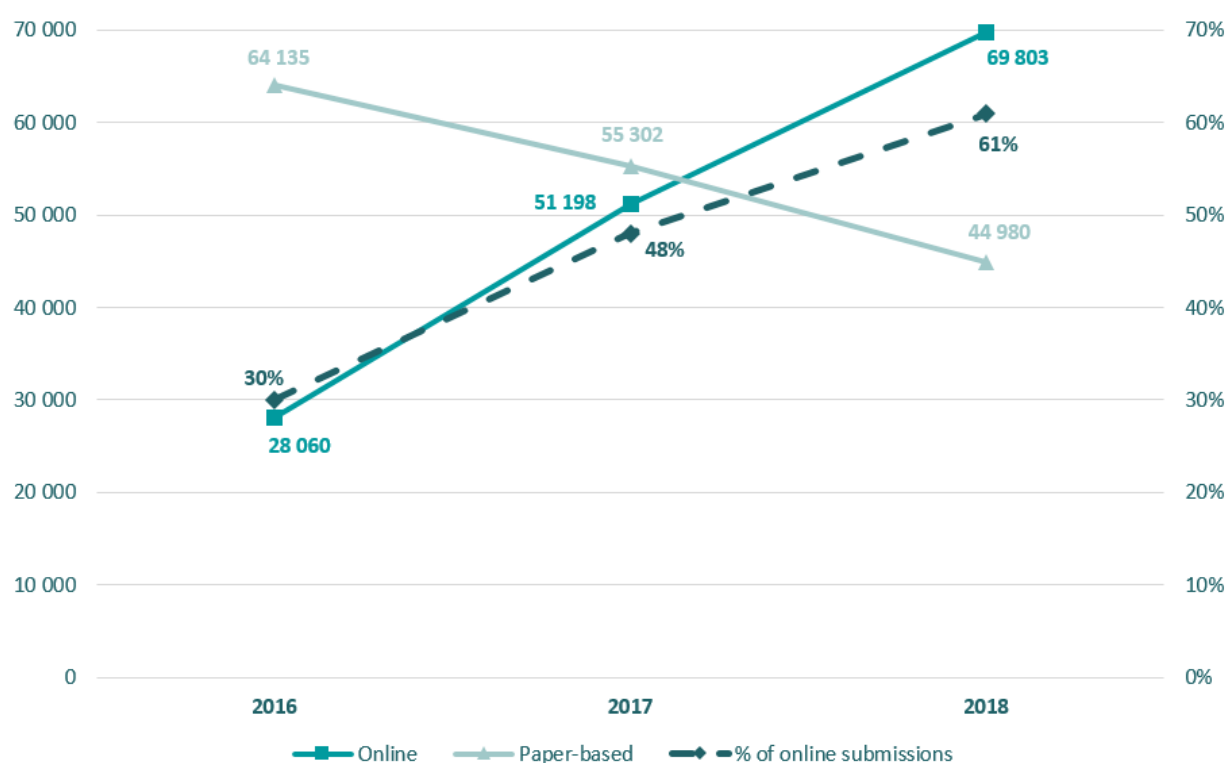
[19]   Interview with the OPM, 16 January 2019.

[20]   Guidelines and Manual for Developing Concept Documents, March 2018.

[21]   Taxpayer Survey 2017 Kosovo, UBO Consulting.

Figure 1.   Tax certificates submitted to companies – online and paper-based

Source: Tax Administration of Kosovo

The Kosovo Business Registration Agency (KBRA) is taking steps to fully digitise the business registration process, which is already relatively simple and quick. Up to now, it has been possible to apply online, but paper copies of application-related documents have to be delivered to the office upon receiving the registration certificate. In co-operation with the banks, the KBRA is exploring an e-banking solution to facilitate electronic payments on its website[22]. Starting a business is the highest-rated service in Kosovo (with score 95.7 out of 100 possible points) in the Doing Business Report[23].

Kosovo Cadastral Agency (KCA) is another good example of a service-oriented government institution. The state geoportal – a one-stop shop for geoinformation – provides about 50 datasets over the Internet[24]. However, currently there are few data providers using the geoportal apart from the KCA. The KCA is actively encouraging data owners to build more web services within the geoportal by creating a unified cadastral services system. The KCA also keeps the dashboard on its website about the status of all the transactions by type of transaction and location. Currently, the KCA does not provide data to other government agencies except for the TAK because of possible legal restrictions, but the technical capability on the part of the KCA (a unified cadastral services web system) is almost in place[25].

Applying for a construction permit is still a relatively burdensome service, however the number of procedures has been further reduced from 15 to 12[26].

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[22]   Interview with the KBRA, 16 January 2019.

[23]   World   Bank   Group   (2019),   *Doing   Business   2019:   Kosovo*, http://documents.worldbank.org/curated/en/769581541144292772/pdf/WP-DB2019-PUBLIC-Kosovo.pdf.

[24]   http://geoportal.rks-gov.net/.

[25]   Interview with the KCA, 16 January 2019.

[26]   World   Bank   Group,   *Doing   Business   2016:   Kosovo*, https://openknowledge.worldbank.org/bitstream/handle/10986/23290/Doing0business00efficiency000Kosovo.pdf?sequence=1&isAllowed=y   and   *Doing   Business   2019:   Kosovo*, http://documents.worldbank.org/curated/en/769581541144292772/pdf/WP-DB2019-PUBLIC-Kosovo.pdf.

Figure 2 shows that businesses in Kosovo have become much more satisfied with the quality of public services during the period 2017–2019, also compared to the regional average for the Western Balkans.

Figure 2. Satisfaction of businesses with public services and digital services
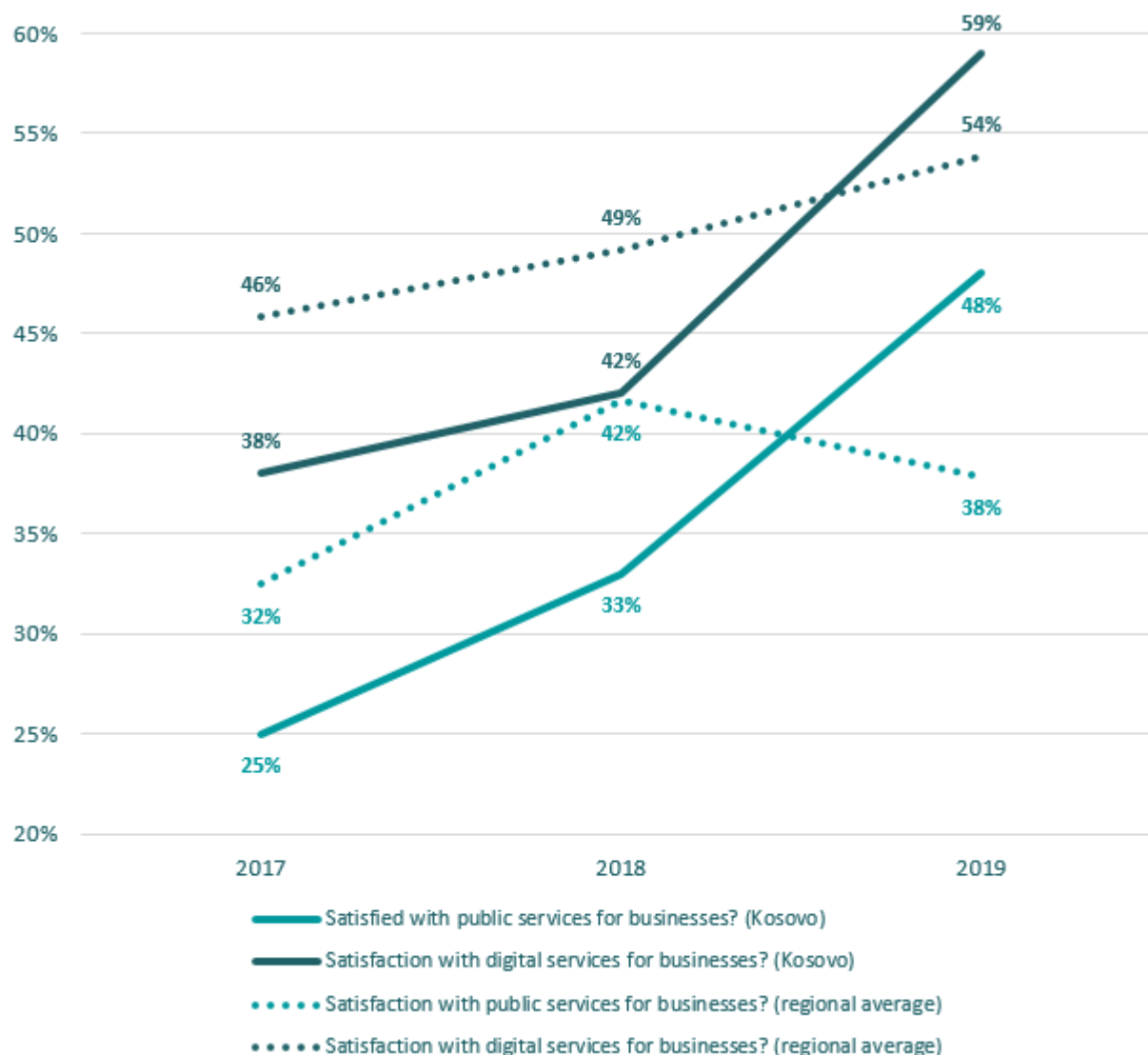
Source: 2017, 2018 and 2019 Balkan Business Barometer survey, the Regional Cooperation Council

Overall, the value for the indicator on citizen-oriented service delivery is 3.

Citizen-oriented service delivery
This indicator measures the extent to which citizen-oriented service delivery is defined as a policy objective in legislation or official government plans and strategies. It furthermore measures the progress of implementation and evaluates the results achieved, focusing on citizens and businesses in the design and delivery of public services. Implementation and results are evaluated using a combination of quantitative and perception-based metrics.

Overall indicator value	0 1 2 **3** 4 5

Sub-indicators	Points
Policy framework for citizen-oriented service delivery	
1. Existence and extent of application of policy on service delivery	8/8
2. Existence and extent of application of policy on digital service delivery	0/8[27]
3. Central co-ordination for digital government projects	4/4
4. Established policy on administrative simplification	8/12
Performance of citizen-oriented service delivery	
5. Perceived quality of public service delivery by citizens (%)	2/6
6. Renewing a personal identification document	1.5/6
7. Registering a personal vehicle	0/6
8. Declaring and paying personal income taxes	4/6
9. Perceived quality of public service delivery and administrative burdens by businesses (%)	4/6
10. Starting a business	4.5/6
11. Obtaining a commercial construction permit	3/6
12. Declaring and paying corporate income taxes	4/6
13. Declaring and paying value-added taxes	5/6
Total[28]	**48/86**

The policy framework for service delivery is established, except in the area of digital services. Some examples of good improvements to service delivery have been achieved on the initiative of individual agencies, but their impact is limited due to a lack of key enablers, such as the availability of digital signature and online payment technologies. Some progress has been made in eliminating unnecessary licenses and permits for businesses, but there is no progress in basic central government services provision for citizens, such as personal ID renewal or vehicle registration.

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[27]   The SIGMA Monitoring Report for 2017 allocated full points for this sub-indicator, based on the assumption that the draft Strategy for Electronic Government would be adopted. The Strategy was, however, not adopted and therefore no points can be allocated for this sub-indicator. The PAMS has one objective relating to interoperability, but this does not live up to the requirement in the Methodological Framework that "clear government-wide objectives are formulated, setting out what is expected to be achieved by digitisation in the public administration".

[28]   Point conversion ranges: 0-14=0, 15-28=1, 29-42=2, 43-56=3, 57-70=4, 71-86=5.

Principle 2: Good administration is a key policy objective underpinning the delivery of public service, enacted in legislation and applied consistently in practice.

The adoption of the LGAP[29], which came into force in June 2017, was an important milestone. The new Law stipulated all the key principles of good administrative behaviour: proportionality; equality and non-discrimination; objectivity and impartiality; open administration; de-bureaucratisation and efficiency of administrative proceedings; provision of information and active assistance; minimising procedural costs; and the right to legal remedies.

Since its adoption, the MPA has led the process to harmonise special laws with the LGAP. This was always expected to be a complex and challenging task, but necessary to provide benefits to citizens and businesses. Existing administrative procedures have to be aligned with the new principles and standards set out in the LGAP, unless exceptions can be justified. This does not just entail revising primary and secondary legislation, but also a vast number of forms, guidelines and other practical materials that citizens use on a daily basis. The PAMS Action Plan 2018–2020[30] sets out the following target: "At least 15%, 30% and 60% (by the end of 2018, 2019, 2020 respectively) of special administrative procedures that were in conflict with the Law on General Administrative Procedure, are aligned with it." The EU-IPA2 technical assistance project supports the process. The milestone for 2018 of a 15% harmonisation rate was not reached, as no laws were harmonised, and it is unlikely that the cumulative 30% of procedures will be aligned by the end of 2019.

Some 400 laws were identified as containing administrative procedures, of which 231 contain special procedures which need to be harmonised with the LGAP[31], and simple guidelines on harmonisation were prepared. Next, a group of experts analysed these 231 laws and prepared recommendations for 133 laws. Then the laws were handed over to line ministries to review the recommendations and incorporate the proposals into their own legislative process. A total of 35 laws were included in the legislative programme of the Government for 2019[32]. So far, no draft law has been approved by the Assembly[33].

In addition, there are approximately 1 000 by-laws that also need to be reviewed in order to harmonise the procedures. This is intended to be taken up after the laws have been sent off to the parliamentary procedure. The MPA estimates that quite a few of these by-laws will eventually not have a proper legal basis and will need to be abolished entirely[34].

In parallel, the OPM under the BRS is reviewing the requirements set out in legislation in relation to the issuing of permits and licenses for businesses. By June 2018, 66 laws had been analysed and recommendations for their amendment formulated[35]. The OPM is putting together a draft concept document on the reduction of the administrative burden, which relates to 40 laws. The MPA is represented in the working group developing this document. However, these two processes – the harmonisation of laws with the LGAP and the reduction of the administrative burden – are not closely co-ordinated. The consequence is that ministries may have to revise the same laws twice for the same purpose of administrative simplification.

Around 1 100 civil servants have been trained in LGAP, from both central government and local government. Another round of on-the-job training in seven institutions that have the biggest workload in connection with the harmonisation of special acts with the LGAP has started. More detailed training

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29   Law No. 05&L-031, Official Gazette, June 2016.

30   PAMS Action Plan 2018–2020, https://map.rks-gov.net/getattachment/5752731e-377b-4ce4-8ba4-d4e25142e76b/Action-Plan-for-Implementation-of-Strategy-for-Mod.aspx.

31   Interview with the MPA, 15 January 2019.

32   Communication with the MPA, 8 February 2019.

33   Communication with the MPA, 26 February 2018

34   Communication with the MPA, 8 February 2019.

35   As of June 2018 according to the First Report on the Implementation and Results of the National Development Strategy 2016–2021, http://kryeministri-ks.net/wp-content/uploads/2019/02/First-Report-on-the-implementation-and-results-of-the-National-Development-Strategy-2016–2021.pdf.

will follow (e.g. on how to provide proper justification for a decision, prepare an administrative act or conduct an *ex officio* investigation).

Besides the *ex officio* investigation requirement (unless specified otherwise in a special law), the LGAP also allows for less formal procedures (e.g. requests for information may be submitted verbally), though many laws persist in demanding that applications be in writing. The principle that services should be provided free of charge envisaged by the LGAP is also difficult to apply due to fees for services that have been introduced by both the Government and municipalities, often without legal justification[36].

Citizens' perception of the efficiency of administrative procedures has improved slightly. When asked "Do you agree that the administrative procedures in public institutions are efficient?" 62% of people that had been in contact with central government services during the past year agreed in 2017 compared to 65% in 2019. The regional average in 2019 is 55%[37].

Statistics on the repeals of, or changes to, decisions of administrative bodies made by the administrative courts have been made available for the first time to SIGMA, which is a positive development in terms of data availability. The rate is 35.7%, which means that two thirds of the decisions are not amended. Nevertheless, the fact that more than a third of decisions by administrative bodies are repealed or changed by the administrative courts is a crude indication that the quality of decisions and the system of administrative justice in general need to improve.

Overall, the value for the indicator on the fairness and efficiency of administrative procedures is 3.

Fairness and efficiency of administrative procedures						
The indicator measures the extent to which the regulation of administrative procedure is compatible with international standards of good administration and good administrative behaviour. This includes both the legal framework for administrative procedure and its practical applications.						
Overall indicator value	0	1	2	3	**4**	5

Sub-indicators	Points
Legal framework for administrative procedure	
1. Existence of legislation on administrative procedures of general application	3/3
2. Adequacy of law(s) on administrative procedures to ensure good administration	7/7
Fairness and efficiency of administrative procedures	
3. Perceived efficiency of administrative procedures in public institutions by citizens (%)	4/4
4. Repeals of, or changes to, decisions of administrative bodies made by the administrative courts (%)	1/4
Total[38]	**15/18**

While the harmonisation of special laws with the LGAP is ongoing, progress has been slow. Training and awareness-raising activities on the LGAP have been provided, but not at the level that such a fundamental change in administrative principles would merit. Separate reform initiatives with the common purpose of administrative simplification and administrative burden reduction are not well co-ordinated. Nevertheless, citizens continue to have a positive opinion about the efficiency of administrative procedures and important gains have been made in the legislative framework.

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[36]   Interview with the MPA, 15 January 2019.

[37]   Balkan Public Barometer, https://www.rcc.int/seeds/results/2/balkan-public-barometer.

[38]   Point conversion ranges: 0-3=0, 4-6=1, 7-9=2, 10-12=3, 13-15=4, 16-18=5.

Principle 3: Mechanisms for ensuring the quality of public service are in place.

There is no overview of the status and progress of digitisation, because no government body monitors service delivery performance. The AIS has set up an inventory of public services, containing information on more than 600 services. However, the inventory does not contain information on volume of transactions, costs per transaction, digital uptake or user feedback, such as complaints. Also, there has been no methodological support to service 'owners' on how to conceptualise and describe a service. A key question is how to distinguish between a service ending with an administrative act (such as issuing a birth certificate) and the provision of information (such as a statement of birth)[39]. Currently there is no such distinction in legislation, although some statements are called 'extracts' (as seen in Table 1). There would be a huge reduction in the administrative burden if public databases simply allowed the exchange of data (interoperability), making such statements redundant. However, this would also mean the loss of a significant source of revenue for central and local government bodies, which could prove a disincentive.

The biggest advance in the service delivery area since SIGMA's last report in 2017 is that the interoperability platform, called the Government Gateway (GG), is now operational in technical terms. In February 2019, twelve registries were able to exchange information: the citizens register; the business register; the NGO register; the address register; the property tax register; the food and veterinary register; the customs register; the veterans and disabled register; the citizens request register (local government); the government human resource management information system; the social welfare status registry and the university students' status registry[40].

Currently the biggest problem is that not all the connected registries are exhaustive (e.g. the address registry) and of good quality data. Before connecting a registry to the GG, the AIS does not check the quality of data; this is the responsibility of the agency hosting the registry. However, not all state administration bodies even have an ICT manager and do not have the capacity to deal with software maintenance, therefore making it difficult to bring the quality of registries speedily up to date[41]. There is neither a clear understanding as to which registries should serve as base registries where the basic data is held and to which enquiries should be addressed, nor a legal mandate or mechanism for cleaning up duplicate data from different registries and preventing data duplication in the future.

A review by the National Audit Office documents the lack of an adequate institutional set-up and clarity of roles and responsibilities for governance of information technology and the need to improve human resources, and concludes that budget organisations have developed different systems for the same purpose due to a lack of co-ordination and co-operation. The report states: "Due to lack of a strategy and analysis on development of systems, BOs [budget organisations] have developed systems that are inoperable even though they were paid with high costs[42]."

While the interoperability platform is in place, the use of digital signature has not been solved. Legislation still needs to be harmonised with the EU eIDAS Regulation. This is the responsibility of the MED[43]. Also, the model of certification authorities is still not decided. The current provider of such certification services is the MoI (the certificates are embedded in the chip of the issued ID card), but the MED points out that this arrangement is cumbersome to use as the user needs to obtain an ID-card reader and download specific software, which is outdated, before it can be used. More importantly, the ID-based digital signature is technologically already outdated and the use of mobile phones, a newer technology, might be a better choice as the standard authentication and digital signature tool. This essential strategic choice between two possible options needs to be prepared for and made at the level

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[39]   Interview with the MPA, 16 January 2019.

[40]   As of 24 January 2019, the AIS.

[41]   Interview with the AIS, 15 January 2019.

[42]   Evaluation of Information Technology Systems, p. 37, http://www.zka-rks.org/wp-content/uploads/2018/11/Vleresimi-i-sistemeve-te-TI_Eng.pdf.

[43]   The MED in the Concept Document for Electronic Identification and Services in Relation to Electronic Transactions has envisaged the drafting of the Law on Electronic Identification and Reliable Services for Electronic Transactions.

of the Government. Without this decision, the planned awareness-raising events among the population about digital services and e-government tools should not be launched.

One of the rare examples of functioning e-government solutions is e-signatures for notaries. Certificates have been issued by the AIS so that notaries can access public information systems through specifically designated computers configured by the AIS[44].

Another obstacle to delivering better digital services across Government is the lack of an online payment option. The TAK has solved this issue on its own initiative. The KBRA is also developing an online payment functionality on its website, again on its own initiative.

While the contacts between the AIS and ministry chief information officers (CIOs) are good according to the AIS, there is no formal structure of co-operation (such as a council of CIOs) in place[45]. A survey conducted by the National Audit Office also shows that not all budget organisations receive services from the AIS, despite the regulatory requirement that all organisations should be connected to the national network[46]. This is one reason why best practice is not shared within the Government. However, since there is no assigned responsibility for service management in the government institutions, no network of service 'owners' could be set up to harmonise and share service delivery practices. Also, there are still no standards to improve service delivery quality, except requirements relating to the content of government websites[47].

The Government has not undertaken any significant initiatives to introduce quality-management tools and frameworks. Only initial steps have been taken by the MPA in co-operation with the Kosovo Institute of Public Administration to train selected government institutions in the use of quality-management tools (the Common Assessment Framework).

The main tool for user feedback is the e-Box system, which is an electronic, touch-screen enabled feedback device physically installed in government buildings for over-the-counter services, typically in the reception area. The e-Box has been installed in 35 public institutions (no increase from 2017) and over 4 500 transactions of citizen feedback have been given. Recently the AIS launched a pilot survey to collect user feedback on services right in the service centres. That would allow comparing the results from the e-Box with the results from a more carefully designed study. So far, the e-Box results have not actively been used to inform decisions to improve service delivery[48]. There are several government institutions who have conducted user feedback studies of their own (such as the Tax Administration and the Kosovo Statistics Agency)

Overall, the value for the indicator on the existence of enablers for public service delivery is 2.

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[44]   Interview with the AIS, 15 January 2019.

[45]   *Idem*.

[46]   Evaluation of Information Technology Systems, http://www.zka-rks.org/wp-content/uploads/2018/11/Vleresimi-i-sistemeve-te-TI_Eng.pdf.

[47]   Administrative Instruction No. 03/2011 on the Websites of Public Institutions, p. 37.

[48]   Interview with the AIS, 15 January 2019.

Existence of enablers for public service delivery
This indicator measures the extent to which citizen-oriented service delivery is facilitated by enabling tools and technologies, such as public service inventories, interoperability frameworks, digital signatures and user feedback mechanisms. It evaluates how effective the central government is in establishing and using these tools and technologies to improve the design and delivery of public services.

Overall indicator value	0	1	**2**	3	4	5

Sub-indicators	**Points**
Central and shared mechanisms to better enable public service provision are in place	
1. Central monitoring of service delivery performance	0/3
2. Adequacy of interoperability infrastructure	3/3
3. Existence of common standards for public service delivery	0/3
4. Legal recognition and affordability of electronic signatures	2/3
Performance of central and shared mechanisms for public service delivery	
5. Use of quality-management tools and techniques	0/4
6. Adoption of user engagement tools and techniques	3/4
7. Interoperability of basic registers	2/4
Total[49]	**10/24**

Important steps have been taken to improve the technical functionality of enabling tools such as the interoperability framework and the public service inventory. The interoperability platform has become operational and twelve registries exchange data with each other. However, the quality of registries is insufficient to take full advantage of the GG, and without an accompanying focus on the simplification of services the benefits for citizens are marginal. The digital signature infrastructure is being established, pending key strategic choices. Quality-management tools are still not used in the public administration and there is no central monitoring of service delivery against established metrics. User feedback tools, such as the e-Box and user feedback surveys, have been deployed in an increasing number of public institutions, but there is no evidence that the feedback from e-Box has led to service re-design and improvements.

Principle 4: The accessibility of public services is ensured.

The Government has not articulated any policy objective to promote accessibility to public services for all citizens. The only objective mentioned in strategic documents relates to the creation of (physical) one-stop shops[50]. A concept paper has been prepared by the MPA to present basic options for the one-stop-shop model, but no decisions have yet been taken. Nevertheless, preparations are underway in Prizren Municipality to set up the first such one-stop shop despite the lack of clarity regarding key questions, such as who sets the standards of service, what services should be provided as a minimum, and how and by whom the service desks will be staffed and the work with individual service providers in the back office organised. The KBRA has been successful in operating as a one-stop shop for businesses, with 30 offices across the country. The experience of such public bodies with well-regarded services could be a valuable source of information when deciding about the one-stop-shop model for other services.

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49 Point conversion ranges: 0-4=0, 5-8=1, 9-12=2, 13-16=3, 17-20=4, 21-24=5.

50 PAMS 2015–2020.

In general, the digitisation of processes and services is not accompanied by assessments of the future need for a physical government presence. For example, the TAK has observed a decline in the need for users to visit its service counters, but the number of offices around the country (7) has remained the same since 2017. A survey conducted by the TAK[51] shows that 90% of respondents are satisfied with the location – and with every other aspect of service asked about – of the TAK premises (up from 50% in 2015).

The inventory of public services contains information on more than 600 services, but this has not been made available to citizens via the service portal of the Government[52]. Moreover, the service descriptions are not self-explanatory, which reflects a lack of promotion of simple language in government communications. The information that is currently available via the portal is not organised around life-events (such as the birth of a child or a business start-up), but around general topics (such as family –> child care, education –> child at school etc.), so it is not very user-friendly. The e-government portal contains information only and does not provide access to digital services.

The National Strategy for People with Disabilities 2013–2023 addresses the needs of disabled persons through targeted co-operation between the Government and their specific communities (e.g. people with visual impairment, hearing impairment, movement impairment etc.) The OPM co-ordinates the implementation of the strategy. A high-level co-operation forum, the National Council on Disabled Persons led by a Deputy Prime Minister, has been set up. Ministries report to the OPM on the implementation of the strategy. However, the latest Progress Report available is from 2015.[53] The Ministries of Health and Education have been selected as priority ministries and the two have reported that in 2017 24% and 75% of health and education institutions respectively met the accessibility requirement[54].

However, independent observers note that accessibility for people with special needs remains a problem. Although the accessibility standards and specifications are in place[55], according to civil society organisations the physical infrastructure remains inadequate[56]. The OPM recognises that it is difficult to convince public institutions, such as municipalities, to spend money on the renovation of buildings. A regulation on sign language services was enacted in 2014[57] and sign language servicing has been provided since 2016, but the lack of sign language interpreters remains an issue[58]. The Law on Blind Persons has been in place since 2013, and there is now a list of documents that must be made available in Braille[59].

The compliance of government websites with the international Web Content Accessibility Guidelines (WCAG) 2.0 is still not a requirement, and SIGMA's test of the websites of state administration bodies demonstrates that the situation compared to 2017 has not improved, as websites still contain many

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[51]   Taxpayer Survey 2017 Kosovo, UBO Consulting.

[52]   Kosovo state portal, https://www.rks-gov.net/EN/.

[53]   Communication with the Office for Good Governance, Office of Prime Minister, 22 February 2019.

[54]   Interview with the OPM, 16 January 2019.

[55]   Under the Law on Construction Administrative Instruction No.33/2007 for Construction of Buildings Technical Terms of Accessibility to Disabled Persons, Official Gazette of 18 June 2007.

[56]   Adaptation of Public Buildings for People with Disabilities, HandiKos: http://www.handi-kos.org/repository/docs/Pershtatja_e_Objekteve_993104.pdf.

[57]   Regulation of the Government of the Republic of Kosovo No. 15/2014 on Provision of Services in Sign Language in the Republic of Kosovo.

[58]   Interview with the OPM, 16 January 2019.

[59]   The Law requests three ministries (the Ministry of Education, Science and Technology, the Ministry of Culture and the Ministry of Infrastructure) to make materials, such as text books and other literature, publically available in Braille. However, as there is no central overview of which materials actually have been made available there is now a list of documents that must be made available in Braille. Communication with the Office for Good Governance, Office of Prime Minister, 22 February 2019.

errors which limit accessibility for citizens. Some government agencies, such as the Civil Registration Agency and the Probation Service, do not have websites, contrary to the requirement[60].

The open data movement in Kosovo has grown stronger. There are currently 60 datasets available to the public on the opendata.rks-gov.net website, built in co-operation with Open Data Kosovo, a non-governmental organisation promoting open data in Kosovo. The website serves as a catalogue of government metadata relating to data released in an open data format by Kosovo administration bodies. The portal is managed by the AIS[61]. On 15 January 2019, the Minister of Public Administration established an open data unit within the AIS[62].

Citizens are very satisfied with the time and cost of access to public services. The Balkan Public Barometer[63] shows that when asked "How would you grade the time required to obtain public services (police, health system, judiciary, township, etc.)?" 75% of Kosovars answered "good", "very good" or "excellent" compared to a regional average of 64%. The satisfaction with the price of public services has increased from 64% in 2017 to 77% in 2019, well above the regional average of 59%. However, general satisfaction with public services stands at 43% in 2018 (the average for the region is 40%). Public satisfaction with the accessibility of public services via digital channels also remains low, as only 41% of citizens were satisfied in 2018. This is close to the regional average of 42%.

Figure 3. Perceived time and cost of accessing public services by citizens
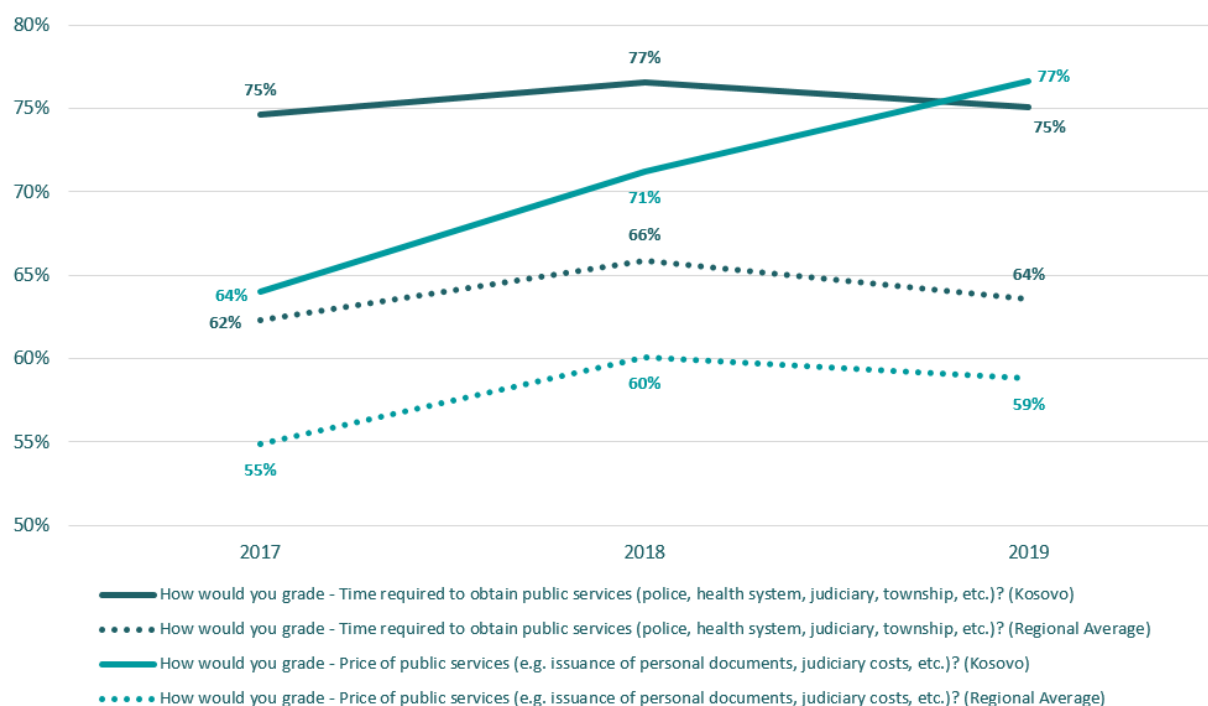
Source: 2017, 2018 and 2019 Balkan Public Barometer survey, the Regional Cooperation Council

Overall, the value for the indicator on the accessibility of public services is 3.

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[60]   Administrative Instruction of the MPA No. 01&2015 on the Websites of Public Institutions.

[61]   Open Data Portal of Kosovo Government, https://opendata.rks-gov.net/en/.

[62]   Decision No. 05/84 of the Minister of Public Administration from 15 January 2019.

[63]   Balkan Public Barometer, https://www.rcc.int/seeds/results/2/balkan-public-barometer.

Accessibility of public services

This indicator measures the extent to which the access to public services is promoted in policy formulation and implementation. It evaluates whether this policy framework leads to measurably easier access for citizens, measures citizens' perceptions of accessibility to public services and tests the actual accessibility of government websites. Dimensions covered are territorial access, access for people with disabilities and access to digital services.

Overall indicator value	0	1	2	**3**	4	5

Sub-indicators	Points
Policy framework for accessibility	
1. Existence of policy for the accessibility of public services	2/3
2. Availability of statistical data on accessibility to public services	2/3
3. Adequacy of policy framework for public service users with special needs	2/4
4. Existence of common guidelines for government websites	1/2
Government performance on accessibility	
5. Compliance of government websites with Web Content Accessibility Guidelines (WCAG)	1/3
6. Perceived satisfaction with public services across the territory by population (%)	1/3
7. Perceived accessibility of digital public services by population (%)	1/3
8. Perceived time and cost of accessing public services by citizens (%)	3/3
Total[64]	**13/24**

Government policy addresses accessibility to public services through having one-stop shops as a strategic aim and a separate Strategy for People with Disabilities, but there is no objective to achieve equal territorial access. The preparations for creating one-stop shops are underway but are proceeding more slowly than planned. Accessibility to public buildings for people with disabilities is poor, despite the proper regulatory framework. Statistical data to facilitate better accessibility and guide policy makers remains incomplete. Government websites contain a high number of errors. Public satisfaction with public services and accessibility of digital services is low but in line with the regional average. However, citizens grade the time and cost of accessing public services very well.

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[64]   Point conversion ranges: 0-4=0, 5-8=1, 9-12=2, 13-16=3, 17-20=4, 21-24=5. SIGMA uses a rounding up convention when the total number of points for an indicator includes 0.5 points.

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Key recommendations

Short-term (1-2 years)

1) The Government should clearly signal to public bodies that digitisation of services, interoperability among registries, and infrastructure for authentication and digital signatures are the key short-term priorities, and it should provide the necessary support.

2) The Government should develop a whole-of-government strategy with specific objectives and tools for comprehensive service delivery transformation through both the physical and digital channels. The MPA should clearly assign responsibility for monitoring implementation, organising exchanges of best practices and further developing policies and standards in the service delivery area.

3) The public services inventory should be transformed into a tool that provides access to standardised information on public services – such as transaction volumes, digital uptake, cost per service and customer feedback – so that real service delivery improvements may be measured. This data should inform decisions about further digitisation and the revision of service delivery networks.

4) To transform the Government portal into a central one-stop-shop for digital service delivery, information about services should be presented in a user-friendly format and individual digital services should be added to the portal after re-engineering and redesign by service 'owners' and the AIS.

5) The MPA should clarify its one-stop-shop concept and generally review the physical service delivery infrastructure of government agencies. Its one-stop-shop concept should define who sets the standards of service, what the minimum services should be, who will provide the service desk workforce and how it will be arranged, and how work with individual service providers in the back office will be organised.

6) The MPA and the OPM should strengthen co-ordination between harmonisation of special laws with the LGAP and administrative simplification efforts. The AIS should also be involved in simplification and service delivery re-engineering efforts to provide expertise on eliminating procedures by having public bodies exchange data instead of obligating users to submit documents.

Medium-term (3-5 years)

7) Customer feedback mechanisms should be improved. The Government should promote a customer-centred approach in public institutions and should give the MPA an active support role.

8) The Government should reinforce central co-ordination, monitoring and reviewing of government ICT investments by introducing central business case reviews. Establishing a CIO would institutionalise the focal point of digital government transformation and create a hub to guide and steer other agencies in choosing and applying suitable and compatible technologies and associated work processes.

9) The Government should take measures to improve public service accessibility for people with disabilities (including through e-services). The OPM should set up a comprehensive system to monitor and evaluate implementation of regulations concerning service accessibility for people with disabilities, and it should report the efforts of government bodies and municipalities to the public.

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