

# ANALYSIS ON OPEN GOVERNANCE OF THE **OFFICE OF THE PRIME MINISTER** IN THE REPUBLIC OF KOSOVO

PROPOSALS FOR IMPROVING THE  
CURRENT SITUATION

## **ABOUT THE PUBLICATION**

*This document was developed within the project 'Boost Good Governance 2.0', supported by the National Endowment for Democracy (NED), and implemented by Open Data Kosovo (ODK).*

### **AUTHORS**

Dafina Olluri and Delvina Haxhijaha

### **LANGUAGE VERSIONS**

ALB, ENG, SRB

*Completed on February, 2022 © ODK*

*The views expressed in this document are the sole responsibility of the authors and do not necessarily represent the official position of the NED. Reproduction and translation for non-commercial purposes are authorized, provided the source is known and the publisher is notified in advance and a copy is sent to.*

## **INTRODUCTION**

The analysis conducted by ODK over the years, which have monitored and evaluated the openness and transparency of the work of the Assembly in Kosovo, clearly reveals that legislative transparency in a democracy can improve the performance of parliamentarians. In a democracy, the impetus for performance improvement is created by continuous communication and cooperation with citizens. This document is addressed to all levels of decision makers in the main institution of executive power: in the Government and in the ministries, however, it reflects only the findings from the main executive power, namely the Office of the Prime Minister. Such decision makers can benefit from this document if its results and recommendations are carefully considered. The paper can be in the benefit of representatives of international organizations, as well as colleagues from the NGO sector dealing with these issues.

By using the Analysis practices developed for the Office of the Prime Minister during the previous measurement in 2019, the analysis of the practical policy proposal is again the result of an extensive research based on the scientific methodology conducted by Open Data Kosovo in recent months. The purpose of this comprehensive research is to provide a detailed overview of the situation in Kosovo, and to contribute to the implementation of the public administration reform. This document also aims to strengthen the principles of good governance and help institutions implement them more effectively in their work.

Following an assessment of the goal proposed last year, respectively in 2019, this paper presents the analysis of the level of openness and recommendations for improvement for 2020. The methodology and its indicators have been continuously improved and adapted to the requirements of the respective year. This policy document also produces a comparative element where ODK has drafted an analysis, including the progress shown over the last two years.

Institutional openness should be the policy of all governments in the region and must be formulated and treated equally as other important policies. Such a policy should maintain its objectivity in this matter, and should not be influenced in any case by current political decisions or other political elements.

ODK has observed the principles of research transparency and presented all its details and results to the institutions. ODK remains open to any suggestions, constructive criticism, and discussion regarding this policy document.

## RESEARCH METHODOLOGY

This analysis tracked the level of obtaining information from the Regional Openness Index, which measures the extent to which institutions of the Western Balkan countries are open to citizens and society, and is based on the following four principles:

🔍 **transparency,**

🕒 **accessibility,**

🤝 **integrity and**

🧠 **awareness.**

By following international standards, recommendations, and examples of good practice, these principles are further developed through specific, quantitative and qualitative indicators. Such principles are assessed on the basis of: access to information on the official websites of institutions, the quality of the legal framework for specific questions, other sources of public information and questionnaires submitted to the institutions. Following the data collection, a data verification model was utilized, which resulted in a standard error of +/- 3%. The evaluation was performed from the period of May 2021 until the end of October 2021. A set of recommendations for institutions was developed based on the results of the research.

The principle of **transparency** requires that organizational information, budget, and public procurement procedures are made available to the public, as well as published and updated regularly. **Accessibility** relates to ensuring and adhering to procedures for free access to information, improving the availability of information through public debates, and strengthening interactions with citizens. **Integrity** incorporates the elements of preventing corruption, enforcing the code of ethics, and lobbying. The last principle, **Awareness**, refers to monitoring and evaluation of policies implemented by institutions.

The availability of information on government policies and actions, a clear feeling of organizational responsibility and an assurance that governments are administered efficiently and without systemic corruption, are important components of transparent governance. Therefore, all four of the above-mentioned principles, as part of the Regional Openness Index, assist in defining, presenting, and evaluating work and good political will towards transparency.

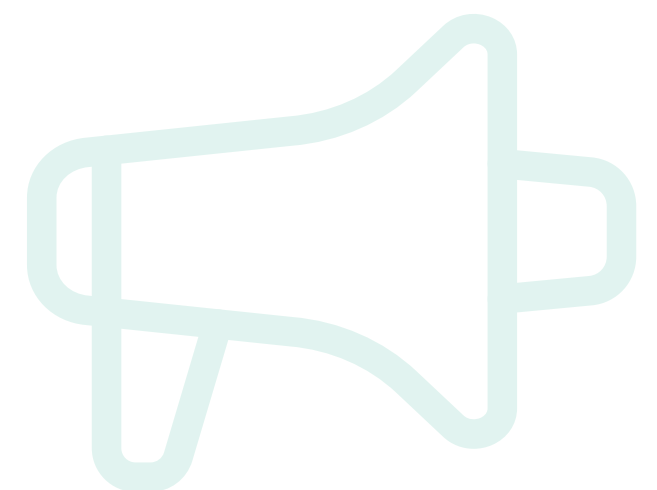
## **OPENNESS OF THE OFFICE OF THE PRIME MINISTER IN 2019**

The Office of the Prime Minister received an overall score of 63% in 2019. Such a result shows the progress that has been made compared to the results of the previous years, however there is still room for improvement compared to other countries in the region, specifically when we talk about the state-wide aspect. When we compare the result of 63% in 2019 with that of 53% in 2018, there is great progress shown within the year between the two results.

## **OPENNESS OF THE OFFICE OF THE PRIME MINISTER IN 2020**

The Office of the Prime Minister received an overall score of 62% for 2020. The institution in question needs to be consistently even more open and transparent with the public and third parties - thus setting an example for other institutions, such as the line ministries. The Office of the Prime Minister still requires a lot of room for improvement, especially in the principle of transparency, as it has been scored with a result 41% for 2020, compared to 51% for 2019.

In the following section, a detailed explanation of the key principles and outcomes of the Office of the Prime Minister in the four principles of government openness, which includes: transparency, accessibility, integrity and awareness.





## **TRANSPARENCY (41%)**

The principle of transparency in 2020 reached a result of 41%, which marked a decrease compared to the previous years. This principle, inter alia, requires that organizational information, budget and public procurement processes should be made available to the public and published on the official website.

The official website of the Office of the Prime Minister is continuously updated with a description of government competencies, the latest strategies and procedures, meeting minutes and documents discussed at Government sessions. Furthermore, the information presented on the website is available in both official languages of the country. However, assessing the improvements in the above mentioned points, it should be noted that there is a lack of data related to budget transparency - as no information and contractual, budgetary reports or financial plans are published. Additionally, there is no information regarding the level and composition of public, service, and management expenditures.

Even during this year's assessment, information on public procurement procedures, such as: open calls for procurement, decisions and contracts on procurement, and other information, are not provided by the Office of the Prime Minister. Furthermore, the Office of the Prime Minister does not provide a list of companies convicted of bribery in procurement processes that would be barred from participating in future procurement bids. However, the electronic platform e-procurement developed by the Public Procurement Regulatory Commission continues to provide such information. In this regard, the Office of the Prime Minister should provide an external link within its website that directs citizens to the relevant information, respectively to the E-procurement platform.



## **ACCESSIBILITY (69%)**

The Principle of Accessibility throughout this year's assessment has increased from 63%, as measured in the previous year, to 69%. This result, while showing progress, also indicates that there is room for improvement. Accessibility addresses the level of citizens, CSOs, and stakeholders interested in participating in the work of the Government, included but not limited to the Act on freedom of Information and other regulations.

Referring to the Law on Access to Public Documents, each public institution is obliged to have an official e-mail address, specifically for communication with the public and to assign a person to regularly check the received data. There is a practical application of this law as there is a certain person who deals with requests for freedom of information with a reasonable minimum time frame to handle such requests. However, when it comes to annual reports on access to public documents, there is still a lack of monitoring of requests that are rejected or left unanswered. Even during this year of measurement, it is recommended to functionalise a mechanism which would monitor the received requests and the status of those requests. Such a mechanism would assist the Office of the Prime Minister to be more open and accessible to the public, thus achieving a higher score in the Access component.

Additionally in this year's assessment, the Public Consultation platform developed by the Office for Good Governance/Office of the Prime Minister should be emphasized, which continues to be updated with all necessary documents for consultation and published by the relevant Ministries. Moreover, reports on consultations are also published on the platform.

As for the state entities such as enterprises, public companies, and others, they still have no application in terms of the right to access information. No institution in Kosovo, including the Office of the Prime Minister, has provided any public list or register of documents available in their possession to the general public, although this is required by the law.

When assessing the accessibility of the Office of the Prime Minister on social networks, it is worth noting that the official Facebook and Twitter pages which include news about the Office in question are published on the website of the Government of the Republic of Kosovo. Accounts on social networks such as Twitter and Instagram are linked to the account of the Prime Minister of the country, which are constantly updated with the latest news. This at the same time facilitates accessibility and informing the general public about the activities of the Office.

## **INTEGRITY (96%)**

During this year`s assessment, the Office of the Prime Minister of Kosovo has scored 96% in terms of the principle of Integrity, which addresses the prevention of corruption, implementation of the code of ethics, and lobbying of regulations.

This assessment has been achieved as the Institution in question continues to monitor the implementation of the Code of Ethics through the Agency for Civil Servants Administration. The continuity of the satisfactory assessment in this principle is mainly from the positive assessment of the implementation of the Code of Ethics by the assembly members. Assembly members continue to declare their wealth through the wealth cards, which are published on the website of the Anti-Corruption Agency.

One indicator that Kosovo continues to lag behind is the non-implementation of regulations on lobbyists and the activities they implement - which would increase the protection of the public interest. In addition, more special emphasis should be provided for organizing trainings and workshops or other educational activities for employees in the Office of the Prime Minister, who would be informed more about the topics of corruption prevention, conflict of interest, creation of whistleblowing tools on how to act in case of violations/irregularities, etc.





## **AWARENESS (71%)**

In the last component of the assessment, the Office of the Prime Minister of Kosovo has scored a result of 71%. The awareness component addresses the internal mechanisms used to monitor and assess the policies implemented by the Office of the Prime Minister. Given that there is a slight increase compared to last year's assessment, where it was scored 70%, it proves that the Office of the Prime Minister still has room for improvement.

When analysing the sub-domain of strategic planning within the awareness component, it is worth noting that the Office for Strategic Planning (OSP) is operating in the Office of the Prime Minister. This office advises the Prime Minister and the Government on the strategic policy priorities of the Government, coordinates the strategic planning process, and reviews the strategic documents to ensure compatibility between them and the strategic priorities of the Government.

Regarding the annual work plans and reports of the Government, this Institution puts in place performance indicators, but during this year's measurement, they were not available on the official website of the Office of the Prime Minister. Such indicators should be easily accessible to the public and stakeholders as they are important for measuring, monitoring, and assessing the performance of the relevant Ministries.

However, it is worth noting that the reporting of the Ministries continues to be consistent with the Rules and Procedure of the Government of Kosovo, which specify the method and type of information required in the ministry's reports - which are sent to the Office of the Prime Minister for approval.



## CITIZENS' ENGAGEMENT IN THE WORK OF THE EXECUTIVE POWER IN KOSOVO

---

ODK has continued its cooperation with UBO Consulting by researching the commitment and opinions of citizens for the work of the Government of Kosovo. A total of 1065 citizens of the Republic of Kosovo were interviewed through the comprehensive sampling method, grouped by age, gender, ethnicity, place of residence, and family income.

From the surveys conducted, the work of the Government of Kosovo is less followed than the work of the Assembly of Kosovo. Based on the survey findings, the percentage of respondents who indicated that they follow little of the work of the Government is 43.8% of women and 32.0% of men. On the other hand, the work of the Government of Kosovo is not followed at all by 22.3% of women and 16.1% of men surveyed, and is highly followed by only 3.6% of women and 7.9% of men. These findings may indicate that the work of the Government fails to be provided in an understandable and accessible format to citizens.

The next question that was addressed was how much the respondents think that the decisions of the Government reflect their views. Overall, the highest response was that participants do not think that government decisions reflect their views, with 57.1% of women and 62.7% of men indicating this. Whereas 23.6% of women and 27.2% of men said that they think that the decisions of the government reflect their views, while 19.3% of women and 10.2% of men said they did not have an opinion.

It is worth noting that in the last question addressed to the participants, more than half of the respondents do not think that they can contribute to the initiatives of the Government of Kosovo. Whereas only 36.3% of men, and 27.2% of women thought that they could contribute to the work of the Institution in question. On the other hand, 17.8% of men and 12.4% of women surveyed in regard to this issue did not have a definite opinion.

After receiving these results, it should be emphasized that it is important to take into consideration the beliefs of citizens in the work of the Assembly, and therefore, the activities should be focused on developing communication forms that reach the citizens - thus enabling their input on the work of the relevant Institution.

<https://www.facebook.com/opendatakosovo/posts/4314514231992938>  
<https://www.facebook.com/opendatakosovo/posts/4318201671624194>  
<https://www.facebook.com/opendatakosovo/posts/4321036158007412>

## **RECOMMENDATIONS**

### **STEPS OF ACTION**

During this evaluation year, we recommend that the Assembly of Kosovo take the following steps in order to continue having high results in working activities:

- **To regulate lobbying rules by the law;**
- **To create a complaint form on the official website of the Office of the Prime Minister by providing information on the chronology, relevant civil servants, and institutions that deal directly with specific complaints/requests;**
- **To publish performance indicators for the relevant Ministries as they are important for measuring, monitoring, and assessing the performance of the institutions in question;**
- **To publish the audio and/or video broadcasts of the Government sessions on the official website;**
- **To publish an integrity plan or internal anti-corruption policy, including measures to prevent various forms of corruption and unethical behaviour within the institution;**
- **To publish the salaries of public officials on the website;**
- **To publish expenditure reports on the website;**
- **To provide a list of companies convicted of bribery being barred from participating in future procurement bids.**

