

ANALYSIS OF OPEN GOVERNANCE OF THE THE
OFFICE OF THE MINISTRY OF EDUCATION,
SCIENCE, TECHNOLOGY AND INNOVATION
PROPOSALS FOR IMPROVING THE CURRENT SITUATION

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INTRODUCTION

The Ministry of Education, Science, Technology, and Innovation (MESTI) plays a pivotal role in shaping the educational, scientific, technological, and innovative landscape of Kosovo. As a central institution responsible for these critical sectors, MESTI's policies, decisions, and actions have a direct impact on the country's development, the quality of education, the advancement of scientific research, and the innovation ecosystem. In a democratic society, transparency and openness in the functioning of government institutions are essential for accountability, trust-building, and effective governance. Monitoring the work of MESTI is crucial to ensure that it operates with integrity, follows legal and ethical standards, and serves the best interests of the citizens and the nation as a whole.

By assessing the level of openness and transparency within MESTI, stakeholders can gain insights into its decision-making processes, resource allocation, policy formulation, and implementation strategies. This information is invaluable for policymakers, educators, researchers, innovators, and the public to understand how MESTI functions, how it impacts their lives, and how it can be improved to better serve the needs of Kosovo's society and economy.

The purpose of this paper is to showcase the findings of the Openness Index conducted for the Ministry of Education, Science, Technology, and Innovation in Kosovo for 2022, assessing the institution's level of transparency. The Regional Openness Index conducted for MESTI provides a comprehensive framework for evaluating its openness and transparency. The results of this assessment can serve as a basis for informed discussions, evidence-based advocacy, and targeted interventions aimed at enhancing MESTI's performance, fostering a culture of transparency, and promoting good governance practices in Kosovo's education, science, technology, and innovation sectors.

In summary, monitoring the work of MESTI is essential for promoting accountability, ensuring good governance, and advancing the development goals of Kosovo. Transparency in MESTI's operations is not only a democratic principle but also a practical necessity for building a prosperous and inclusive society based on knowledge, innovation, and continuous improvement.

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

RESEARCH METHODOLOGY

The analysis was grounded in four guiding principles, forming the basis for evaluating the availability of data from the Regional Openness Index concerning MESTI. This tool gauges the accessibility of government institutions in the Western Balkans to the public and society. Specifically, for MESTI, the assessment encompassed four key principles: **transparency, accessibility, integrity, and awareness.**

These were assessed based on criteria such as the ease of access to information on the institution's official websites, the quality of the legislative framework for relevant topics, additional public information sources, and institution-submitted questionnaires. A data verification model was used after data collection, leading to a standard error of +/- 3%. The evaluation took place from June 2023 to the end of November 2023, resulting in a set of recommendations for institutions based on the research findings.

Transparency mandates public access to organisational data, budgets, and public procurement processes. Accessibility involves establishing and upholding policies for unrestricted access to information, enhancing accessibility through public discussions, and fostering citizen engagement. Integrity encompasses aspects such as lobbying, upholding the code of ethics, and combating corruption. Lastly, Awareness focuses on observing and assessing institutionally implemented policies.

All four principles, integral to the Regional Openness Index, contribute to defining, presenting, and evaluating work and demonstrating political will towards transparency.

The following section provides an in-depth explanation of the four concepts of government openness: transparency, accessibility, integrity, and awareness.

ACCESSIBILITY

In the context of the MESTI, the principle of Accessibility is crucial for ensuring that the ministry actively engages with the public and stakeholders in an open and inclusive manner. This involves making information easily accessible to the public, seeking feedback through public consultation on educational programs and initiatives, and fostering meaningful dialogues with citizens to ensure that MESTI's activities align with the needs of the community. For this assessment year, MESTI has scored 68% in this principle.

In contrast to the assessment for 2021, the 2022 survey of officials from MESTI revealed the existence of a training or guidance mechanism. This mechanism, provided by the Information and Privacy Agency, enables public servants to assess materials, data, and other information for public disclosure and to fulfill their obligations under the FOI Act (Right to Information Act). This development marks a positive change from the absence of such a mechanism in 2021, showing progress in enhancing transparency and compliance within MESTI. Access to information, also referred to as the right to information or freedom of information, is a foundational element of open government. According to the Law on Access to Public Documents, each public institution must assign a responsible individual to regularly process received requests and set up an official email address exclusively for public communications.

This law is put into practice by ensuring that a designated person handles freedom of information requests promptly and within a reasonable timeframe. The findings from the survey conducted with officials from MESTI in 2022 indicate progress in the institution's efforts to facilitate communication with the public regarding access to information. With 47 out of 48 requests for free access to information accepted and answered, there is a positive trend toward responsiveness and transparency within MESTI.

However, the rejection of one request due to a lack of response from the addressed office highlights the need for continued vigilance in ensuring that all requests are processed effectively. MESTI should maintain this momentum and further enhance its mechanisms for handling requests, thereby reinforcing its commitment to open government principles and improving public trust and engagement.

In the survey conducted with officials from the MESTI, it was revealed that public consultations have been organised for three draft laws: the Early Childhood Education Draft, the Draft Law on School Texts, and the Draft Law on Higher Education in the Republic of Kosovo. Furthermore, the data and documents collected from these public consultations have been made available to the public, demonstrating a commitment to transparency in the legislative process.

Moreover, the reports and evaluations stemming from these public consultations have also been published, indicating an effort to provide comprehensive information about the outcomes and feedback received during the consultation processes. This transparency in sharing the results of the consultations underscores MESTI's commitment to engaging with stakeholders and incorporating their input into the legislative framework.

However, no response was provided for this assessment year as well, regarding whether there are mechanisms in place for raising concerns and complaints regarding the decisions and actions of the Ministry. As a result, it remains unclear whether such mechanisms exist within MESTI to address stakeholder concerns and complaints effectively. This lack of information underscores the importance of establishing clear channels for feedback and grievance redressal to ensure transparency, accountability, and responsiveness in the Ministry's operations.

When assessing the accessibility of MESTI on social media, updates on its official social media accounts are taken into consideration. MESTI actively updates its Facebook page with the latest information, thereby keeping interested parties and the general public informed of recent developments. However, MESTI's Twitter page is currently inactive. Strengthening the institution's efforts to provide continuous updates and information to the public through an active social media presence would enhance accessibility and improve public awareness of the institution's operations.

AWARENESS

The awareness component of the assessment focuses on the internal mechanisms employed by MESTI to monitor and evaluate its policies and performance. It is essential for the Ministry to have robust mechanisms in place to assess its institutional performance, as this is crucial for effective monitoring and accountability. In the most recent assessment, MESTI achieved a commendable score of 81% in this component, indicating a strong foundation for internal evaluation and improvement.

As part of its regular procedures, MESTI submits its annual work report to the Government of Kosovo. According to survey responses from MESTI representatives, the report for 2022 was submitted to the Government in December of that year. This practice of submitting comprehensive annual reports is crucial for transparency and accountability, allowing for effective oversight and evaluation of MESTI's activities. It demonstrates the Ministry's commitment to open governance and its willingness to be transparent about its performance and achievements.

MESTI's reporting practices, in conjunction with those of other line ministries in Kosovo, adhere to the Rules and Procedures of the Government of Kosovo, which outline the required format and content of ministry reports. These reports are submitted to the Office of the Prime Minister for approval, ensuring alignment with government standards and policies. Additionally, MESTI, like other ministries, follows the guidelines set by the Office for Good Governance/Office of the Prime Minister for public consultations. This includes the appointment of coordinators within line ministries to facilitate public consultations in the development of legislation and policies.

INTEGRITY

Regarding the principle of integrity, which encompasses the declaration of wealth, code of conduct, and conflict of interest, several insights can be drawn concerning MESTI. For this principle, the institution in question scored 65%.

MESTI currently lacks the publication of its officials' code of conduct on its website or a link to the regulation on the civil servant code of conduct of the Republic of Kosovo, which is available in the official gazette of the country.

This absence underscores the necessity for MESTI to adopt proactive ethical reporting measures, including the establishment of protocols defining appropriate behavior for various groups such as elected leaders (the Minister and its Cabinet), political staff, and public servants. In Kosovo, state officials are mandated to declare their property, assets, income, and debts, with detailed information available for Assembly members.

However, accessing property declaration details requires a formal request in compliance with the Law on Access to Public Documents and the Law on Personal Data Protection. The Anti-Corruption Agency oversees the management of this data, ensuring its accessibility to stakeholders and the general public. Additionally, the agency is responsible for monitoring the assets of public officials and taking necessary actions in the event of legal violations.

To further fortify integrity measures, MESTI should consider providing training for its officials on subjects related to lobbying activities, conflicts of interest, anti-corruption efforts, and whistle-blowing. Such training would equip officials with the necessary knowledge and skills to effectively respond to irregularities and uphold high ethical standards in their roles, thus contributing to the overall integrity and transparency of MESTI's operations. Moreover, Kosovo currently lacks laws regulating lobbyists and their activities, which could strengthen the protection of public interest.

Legislation governing lobbying enhances transparency in the public sector and governs interactions between interest groups, lobbyists, public officials, and politicians. Establishing clear regulations for lobbying is pivotal in bolstering accountability, fortifying the legal framework to combat corruption, and enhancing the efficacy of state administration.

TRANSPARENCY

MESTI holds the responsibility for advancing higher education, and scientific research, and fostering innovation and technical development. To fulfill these responsibilities, MESTI should strive to maintain a high level of transparency by publishing key documents and information, facilitating public consultation processes, and supporting the monitoring and implementation of transparency measures. In the assessment of this principle, MESTI achieved a score of 60%.

Transparency, as a principle, requires that the budget, organisational information, and procurement methods be accessible to the public and published on the official website. MESTI's website demonstrates some efforts towards organisational transparency by regularly updating its content with press releases from various meetings, official papers, reports, and strategies. Additionally, the website provides content in both of the nation's official languages, reflecting a commitment to accessibility. Contact information for officials responsible for public communication is also available, promoting engagement with stakeholders. However, the website lacks detailed information about the official duties and responsibilities of these officials, which could potentially hinder effective communication with the public.

Furthermore, the official website of MESTI does not disclose data on contracts, budgeting reports, or budget transparency. Information regarding the scope of public service and management expenses is also not accessible. The website does not offer details on public procurement procedures, such as open requests for bids, decisions and contracts on bids, and related data, which are important aspects of transparency in government operations. This lack of disclosure in these areas may limit the public's ability to fully understand and assess MESTI's activities and use of resources.

ENGAGING CITIZENS IN THE WORK MESTI ACTIVITIES

ODK has expanded its collaboration with UBO Consulting to conduct an extensive study on citizens' perceptions and engagement with MESTI. This research involved interviewing 1306 citizens from diverse backgrounds, ensuring representation across various demographics such as age, gender, ethnicity, residence, and family income. The survey aimed to assess citizens' perspectives on MESTI's responsiveness to their concerns and their perceived ability to contribute to its activities.

The findings revealed that a significant portion of respondents have doubts about their capacity to contribute to MESTI's initiatives, with over half expressing this sentiment. Only 33.9% of respondents believe they can make a positive contribution. The survey also evaluated general satisfaction with MESTI's performance. It revealed that a majority of respondents are moderately satisfied, with 29.2% expressing this view, while a smaller percentage, 5.7%, indicated being highly satisfied.

These findings underscore the importance of considering citizens' viewpoints in shaping MESTI's operations. Increasing citizen engagement is crucial for MESTI as it fosters a sense of ownership and accountability among the public. By involving citizens in decision-making processes, MESTI can benefit from diverse perspectives and insights, leading to more informed and inclusive policies. Furthermore, actively engaging citizens can help build trust in the institution and enhance its legitimacy, ultimately contributing to more effective governance and improved outcomes for the community.

Therefore, establishing effective communication channels and meaningful opportunities for citizen participation should be a priority for MESTI to ensure that its policies and initiatives reflect the needs and aspirations of the people it serves.

RECOMMENDATIONS

STEPS OF ACTION

An open governance approach can pave the way for innovative methods of governance, benefiting both governments and citizens, and promoting good governance practices that enhance decision-making processes. Based on the assessment findings, the Ministry of Education, Science, Technology, and Innovation is advised to consider the following actions:

- Actively encourage public participation in MESTI's policy and decision-making processes, recognizing the valuable contributions that civil society, including NGOs and whistleblowers, can make to informed decision-making.
- Publish comprehensive information on the MESTI website, including the annual work program, personnel details (names, positions, salaries), contacts, organogram, staff resumes, work reports, and registers of documents in its possession. This will enhance transparency and facilitate public understanding of MESTI's operations.
- Develop and implement a mechanism through which citizens can challenge decisions made by MESTI, ensuring transparency and fairness in the process.
- Organise educational activities, such as seminars, workshops, and in-service training events, within public institutions to raise awareness about open government principles and the importance of transparency in governance.
- Publish the salaries of public officials on the MESTI website, ensuring transparency in the use of public funds and promoting accountability.
- Create an online complaint form on the official MESTI website, allowing citizens to submit complaints or requests with relevant details, streamlining the process for addressing public concerns.

RECOMMENDATIONS

- Ensure that plans, calls, decisions, contracts, and annexes related to public procurement are published on the MESTI website, promoting transparency and accountability in procurement activities.
- Enhance MESTI's social media presence to effectively communicate with a wider audience, engage citizens in discussions about its activities, and provide timely updates on its initiatives.
- Publish all information and documents on the official MESTI website in open formats (such as Microsoft Excel or Word), ensuring accessibility and usability for the public and stakeholders.
- Develop and publish an integrity plan or internal anti-corruption policy outlining measures to prevent corruption and unethical behavior within MESTI, reinforcing the institution's commitment to integrity and ethical conduct.

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