

## **REFORM AND IMPLEMENTATION OF EUROPEAN UNION PRINCIPLES ON PUBLIC ADMINISTRATION**

**Selviye Halimi**

**Assembly of Republic of Kosovo, Kosova**

### **Abstract**

Reform of public administration is everyday process. It should be reformed according to developments and general social requests. Substantial transformations of the new countries derived from post-communist regime continue to get challenged with reforms. Institutions have the main responsibility to lead general transformation of the society based to rules and democratic standards.

European Union continues to monitor and has launched the project Principles of European Union for Public Administration. These principles are not part of *acquis Communautaire* but are requested implementation with aim of functionality and preparation of public administration to work based to *acquis* in every field.

Familiarization with principles of European Union for public administration, informing and inter-institutional cooperation with citizens is main focus of Kosovo institutions in this process. Such orientation of Kosovo ensures good governing in public interest. Reforms should guarantee sustainability of membership.

**Key Words:** Public administration, reforms, principles, European Union, implementation.

### **Summary**

In this study are treated public administration reforms and its functionality based to principles of European Union. Implementation of Principles of European Union for public administration helps in establishing administrative order in its organizational sense, approach to presenting problems and solving them in substantive sense, creating work culture and development coherence. These principles do not request strict configuration of administrative organisation in all countries of EU but help in its ability to work and direct development areas according to the rules of *acquis Communautaire*. Rules of *acquis* are obligatory for all fields and should be implemented accurately within the domestic legislation as well as in their good practicing.

Recognizing and familiarization with EU principles for public administration and reforms according to them requires time and professionalism of staff and should be a constant priority of governments. In addition to organizing sustainable functionality of administration, its modernization should be done with tools of advanced technology. At the same time, cooperation by ensuring a sincere administration-citizen relationship helps the reform process. Institutions and public administration must also take into account the fact of citizen preparation that, only with a functional, professional and moderate administration Kosovo accelerates the steps in process of European integration. Maintaining and enhancing integrity of public officials is the key factor in achieving and bringing the state around public interests.

Kosovo is one of the youngest countries in Europe and has gone through a sensitive and challenging period in terms of public administration reforms. Public administration reform is in the process and efforts to implement EU principles. According to researches the reform has not yet achieved desired results. A more specific analysis of this process set out in this study presents tremendous importance to young scholars and is a valuable contribution to administration sciences. Development of reform process, implementation of principles as well as research of the public official's opinion and citizens will be the substance of this study content.

## **Theoretical view for public administration**

In addition to social development, research is being conducted in administration as well. All authors with their studies have a conclusion that public administration has an irreplaceable role in functioning of the state and social, integrative and global development. Public administration refers to state bureaucracy institutions: administrative structures that form the basis for decision-making and implementation, as well as the rules according to which public services are performed, (Stavileci, 2007, pg. 57). To ensure a more functional public administration in public services is a necessity on one hand and it's respecting on the other hand, is a job that requires serious engagement and the widest possible citizen participation in decision-making within a society.

Dynamics of development in contemporary world influences updating of citizen demands. Reform must provide real opportunities for development and citizen demands in time and space to travel together on the one hand and on the other hand public administration to be legally and professionally able to serve them. Public administration is the tool by which government achieves its goals; public administration as an area mainly deals with policy implementation tools and their evaluation or public administration can best be identified as a branch of government for policy implementation (David H. Resenbloom & Robert S. Kravchuk, 2002, pg. 4). The right understanding of public administration importance by the government and all heads of institutions creates facilities in access of experts and professionals to orient reforms according to circumstances and citizen demands in conditions of dynamics and global integration requirements. Public administration refers to public institutions, organizational structures that constitute basis for decision-making and implementation as well as the rules by which public services are performed (Stavileci, Sokoli & Batalli, 2010, pg. 16). Decision-making within the government as the main institution called to prioritize policies and actions should work closely with all mechanisms and ensure good leadership of public administration reforms focused on quality public services that respond to the time. Objective of perfect public administration should be a democratic and gradual modernization, which will be able to be owned by citizens, strengthening the rule of law and state discipline in the market economy, (Stavileci, Sokoli & Batalli, 2010, pg. 215). Future of public administration at the epicentre of its activities should be redesign of measures aimed at not only reconfirming the developmental role of public administration and protecting its core values but also reconfiguring public service institutions so that they are more open, more efficient, more transparent and more innovative (Shabani, 2015, pg. 23). Conceived according to researchers, public administration should be functionalized in order to concretize state in everyday life and interest of citizens with a common development path. Good functionality of public administration together with citizens that serves must ensure development sustainability and readiness to face integration and global challenges.

## **European Union Principles for Public Administration**

EU principles for public administration came as result of consensus of member states to help states that aim membership in European Union. Reform should be leaded by ideas for good functionality of public administration with aim of ensuring institutional sustainability in interest of the citizens as well as sustainability after membership to give contribution within European mechanisms. Reform of public administration should lead in improving transparency, accountability and effectiveness and to ensure a major focus in citizen and business needs (Johannes Hahn, Commissioner for European Neighbourhood Policy and Enlargement Negotiations, European Union Principles for Public Administration, pg. 4). Rules relating to the work of public administration should contain principles in form of clear and precise provisions in order to implement them as easily and precisely as possible in practice. As such principles assist reform process and create basis for public administration functionalities by facilitating European integration process. In order to implement public administration reforms, states must first understand the fact that it has a key role in all processes and in particular in the European integration process. (Halimi, 2018, pg.191). Common principles are conceived on the basis of what a functioning administration should include its practical operation as well as the readiness to meet and respect conditions during the process by countries aiming membership. Consensus of western countries in the field of law as well as European Court of Justice has defined a large number of principles for administrative law (SIGMA – 27, 1999) However, they can be grouped as: principle of reliability and predictability, (which includes a number of principles) principle of transparency, principle of responsibility and principle of efficiency and effectiveness. These principles cover entire state organization in vertical and horizontal line. Principles also cover independent constitutional bodies

(defined as such by constitutions of the countries) as well as parliament and judiciary in the field of treatment and competencies for legal oversight of administration functioning and competencies. Implementation of these principles is monitored by European mechanisms through the Commission and findings are addressed in Progress Report. Principles cover all key levels of governance system, as determinants of overall performance of the public administration. Principles are elaborated in six pillars and contain indicators that help measure performance levels. Principle pillars are: 1. Strategic Framework for public administration reform; 2. Policy development and coordination; 3. Public service and human resource management; 4. Accountability; 5. Offering services; and 6. Public finance management (SIGMA web, Principles Public Administration, 2017, pg. 8). The EU's commitment to public administration is an indication that states need to make reforms according to these principles.

### **Methodology of the study and verification of hypotheses**

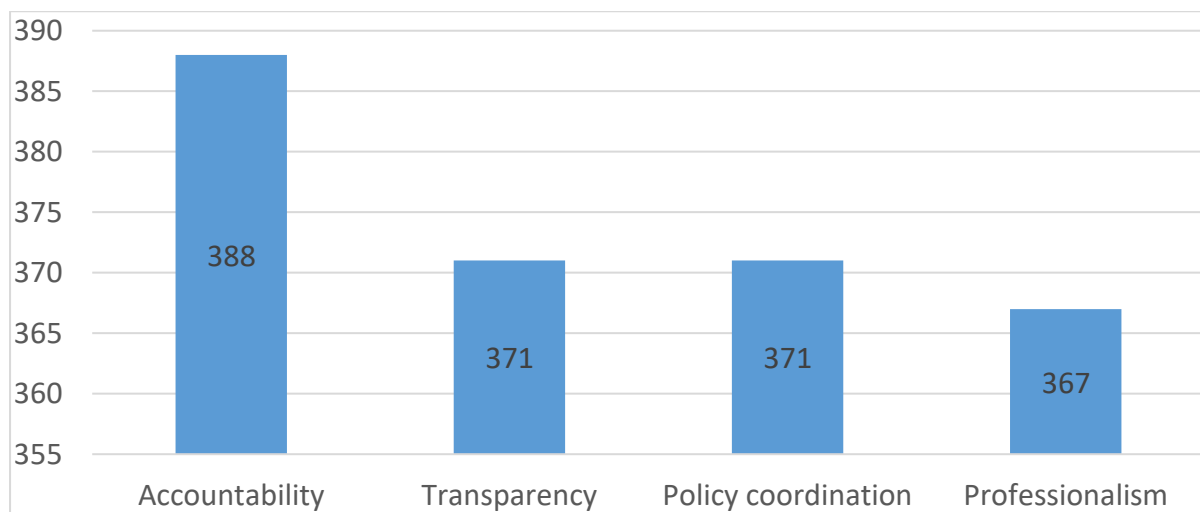
Study focuses on the analysis and importance of public administration reform. Treating of the study takes in consideration: States aspiring to membership. To elaborate the study, a combination of empirical and qualitative research methods was used according to the mixed methodological style such as: research, descriptive, normative legal, analytical and predictive methods. Such a methodological approach is used in order to achieve the most accurate hypothesis validation:

H1. Implementation of EU principles on public administration is a condition for reform and integration process;

H2. Public officials should have knowledge of the principles;

H3. Principles should be applied as a set of actions to ensure functional administrations and good services. In technical aspect of writing, format and instructions given on the magazine's website were used.

Graff 1. Evaluation of priority principles according to public officials



The results of the research show the consistency of their concerns about the principles of the European Union with the addresses of the progress report by the European Commission.

### **EU principles within reforms of Kosovo public administration**

Kosovo is the youngest country in Europe and period of public administration development has gone through two main phases: 1. First phase, establishment of administration under international UNMIK administration (June 1999 – February 2008) and 2. Second phase from declaration of Kosovo independence on 17<sup>th</sup> of February 2008 and continues. First phase is characterized by establishment of international administration in Kosovo and we cannot say that during this time we cannot talk about substantial reforms of the administration despite commitments. EU principles on public administration are included in legislation in the field of administration (<https://gzk.rks-gov.net/ActDetail.aspx?ActID=12559>), of civil service (<https://gzk.rks-gov.net/ActDetail.aspx?ActID=2679>), organization of public administration and independent agencies

(<https://gzk.rks-gov.net/ActDetail.aspx?ActID=2706>), in the strategy for modernization of public administration the strategy of financial management (<https://mpb.rks-gov.net/ap/page.aspx?id=1,127>), and to be applied to Integrated Planning System, which means policy planning and coordination. In legal field and other accompanying documents in field of public administration, Kosovo has included principles and continues the process by addressing findings according to the progress report. Public administration reform is considered one of the EU conditions to be met in the membership process. Professionalism, transparency, policy coordination according to the integrated system and accountability, are considered the most important actions for a functional administration and ready to deal with integration processes. Therefore based to these actions, transparency and accountability are considered key principles in the ranking of principles, while policy coordination guarantees consistency in governance as one of the key elements for good public services. The more professional administration the higher functionality and implementation of the principles will be. Progress report addresses consistently focus on professionalism, transparency and accountability on which depends governance under the integrated system. Opinion of the officials given through the survey is similar to addresses of inter-year progress report. When asked which principle should be given priority between accountability, transparency, professionalism and policy coordination, the results are as follows: out of 400 local and central level officials surveyed, 388 officials rate accountability as a priority; transparency 371, Policy Coordination 371 officials; while professionalism 367 officials. The results show that principles are known to officials and they all evaluate with priority with a higher rating than  $\frac{3}{4}$  of the surveyed officials. In the end, completing these guarantees efficiency and effectiveness.

### Conclusions

Reforms in public administration are continuous processes. States that aim European integration should apply strictly ashes of European Union in public administration. Principles should apply as an indivisible whole to ensure a functional administration that will result with good services for citizens. For a sustainable process, administrative officials should be informed and integrated in frame of reforms. Functional administration based to EU principles guarantees safe process of integrations.

### References

- Stavileci, 2007, Notions and principles of public administration, - Methodological Aspects and Comparative Reviews, Prishtina.
- Resenbloom & Kravchuk, 2002, Public Administration (Understanding Management, Politics, and Law in the Public Sector, New York.
- Stavileci, Sokoli & Batalli, 2010, Administrative law – Administration - Control of the Work of the Administration and its Political Responsibility - Computerization of the Administration, Prishtina.
- Shabani, 2015, E-government-Challenges and developments in the Republic of Kosovo, Tirana.  
[https://uet.edu.al/images/doktoratura/lulzim\\_shabani.pdf](https://uet.edu.al/images/doktoratura/lulzim_shabani.pdf)
- Halimi, Juridica, 2018, Role of Public Administration in the European Integration Process  
Vol 14, No 3 (2018) pg. 191  
<http://journals.univ-danubius.ro/index.php/juridica/article/view/5284/47037>.
- Sigma no 27, 1999, Part: Principles of Administrative Law and European Administrative Space,  
<http://www.sigmaweb.org/>
- European Union Principles for Public Administration, 2017.  
<http://www.sigmaweb.org/publications/principles-public-administration-overview-alb.pdf>
- Law on General Administrative Procedures  
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=12559>), of
- Law on Civil Service of Kosovo  
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=2679>), of

Law on Organization of Public Administration and Independent Agencies

<https://gzk.rks-gov.net/ActDetail.aspx?ActID=2706>

Strategy for modernization of public administration

Financial management strategy

<https://mpb.rks-gov.net/ap/page.aspx?id=1,127>

Integrated Planning System, which means planning and coordinating policies <http://www.primeminister-ks.net/repository/docs/>

Strategy\_for\_improvement\_planning\_and\_policy\_coordination.pdf