

NATIONAL PAR MONITOR BOSNIA AND HERZEGOVINA

2021/2022



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Author:

Haris Ćutahija, MA

Graphic design:

Dino Dizdarević

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ACKNOWLEDGEMENTS

The third National PAR Monitor of Bosnia and Herzegovina's public administration reform for 2019/2020 is a product of almost a year-long monitoring process, which relied on different data collection techniques and thus resulted in an abundance of findings. The author of this report is from the Foreign Policy Initiative BH: Haris Ćutahija.

Conclusions and assessments presented in this report would not have had the same quality without valuable expert advice, information provision and guidance of our colleagues and associates. Therefore, the author and researchers would like to specially thank to the civil servants, civil society representatives and other stakeholders that shared their experiences through focus groups, surveys and interviews, who will not be identified due to the respect of the principle of anonymity.

We also wish to thank the Public Administration Reform in BiH Coordinator's Office for the provision of information and data in the research process, and especially for assistance with the central dissemination of the civil servants' survey within the administration. Lastly, our thanks goes to those state administration bodies that provided information in response to the numerous freedom of information requests filed by the research team.

ABOUT WEBER 2.0

The Western Balkan Civil Society Empowerment for a Reformed Public Administration (WeBER 2.0) is a three-and-a-half-year project primarily funded by the European Union implemented from December 2019 to June 2023.

Activities related to the development, preparation, printing, and publishing of the Western Balkan PAR Monitor 2021/2022 were implemented with the support of the “SMART Balkans – Civil Society for Shared Society in the Western Balkans” regional project implemented by Centar za promociju civilnog društva (CPCD), Center for Research and Policy Making (CRPM) and Institute for Democracy and Mediation (IDM) and financially supported by the Norwegian Ministry of Foreign Affairs (NMFA). Other activities of the WeBER 2.0 project were co-funded by the “Protecting Civic Space – Regional Civil Society Development Hub” project financed by the Swedish International Development Agency (SIDA) and implemented by the Balkan Civil Society Development Network (BCSDN); Royal Norwegian Embassy in Belgrade and German Marshall Fund of the U.S. through Balkan Trust for Democracy; Open Society Foundation in Serbia; Swedish International Development Agency in Albania; Ministry of Public Administration of Montenegro; Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) in Bosnia and Herzegovina.

WeBER 2.0 project is a direct continuation of the Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform (WeBER), a project implemented from 2015 to 2018 and funded by the European Union and co-funded by the Kingdom of Netherlands. Moreover, the third cycle of funding for the WeBER continuation has been approved by the European Commission in December 2022, and the Western Balkan Enablers for Reforming Public Administrations WeBER 3.0 project has begun in February 2023.

The initial WeBER project played a significant role in increasing the relevance, participation, and capacities of CSOs and the media in the Western Balkans to advocate for and influence design and implementation of public administration reform (PAR). WeBER 2.0 builds upon the previous WeBER’s accomplishments and further enhances the engagement of CSOs in PAR by conducting evidence-based monitoring of PAR in line with EU requirements. It also aims to promote dialogue between CSOs and government at the regional, national, and local levels, strengthening participatory democracy and exerting pressure on governments to continue to implement administrative reforms and bring administrations closer to citizens. Through the Regional WeBER Platform and its National PAR Working Groups, which gather more than 130 CSOs, WeBER2.0 is facilitating dialogue on PAR for creating and implementing inclusive and transparent policy, as well as contributing to the sustainability of administrative reforms to the benefit of the citizens.

WeBER 2.0 encompasses a diverse range of activities that have collectively contributed to the fulfilment of the project’s objective:

- Through the Regional WeBER Platform and its National PAR Working Groups, which gather more than 170 CSOs, WeBER facilitates dialogue on PAR for creating and implementing inclusive

and transparent policy and contributes to the sustainability of administrative reforms to the benefit of the citizens.

- Through its research and monitoring work and production of PAR Monitor reports, WeBER 2.0 has created and gathered evidence for a meaningful dialogue.
- Through the “Mind (y)our reform!” online regional citizens’ campaign and platform for collecting and sharing citizens’ views on PAR and their experience with administrations (<https://citizens.par-monitor.org/>), WeBER 2.0 has collected citizens’ input to influence authorities, thus contributing to the creation of more citizen-oriented public administrations.
- By piloting the monitoring approach to the mainstreaming of PAR in sectoral policies and equipping CSOs with the capacities to do it, WeBER 2.0 helped improve the embeddedness of PAR across the region’s administrative systems, thus increasing the sustainability of these reforms.
- Through a small grants scheme, WeBER 2.0 increased the capacity of 31 CSOs in the Western Balkans to participate in PAR.
- Through the CSO PAR Knowledge Centre, WeBER 2.0 provides a searchable database of analyses and reports on PAR produced by the region’s civil society.

WeBER2.0 products and further information about them are available on the project’s website, at www.parmonitor.org.



institut alternativa



By partnering with the European Policy Centre (EPC) from Brussels, WeBER2.0 has ensured EU-level visibility.



WHO DO WE COOPERATE WITH?

Under the previous WeBER project, cooperation with a multitude of stakeholders in the region and beyond has been established in the effort to ensure a sustainable course of administrative reforms in the WB. This cooperation has continued under WeBER2.0. At the national level, in each of the WB countries, we have coordinated our work with PAR ministries and/or offices which have had an associate role on the project. At the regional level, WeBER2.0 is cooperating with the Regional School of Public Administration (ReSPA), Southeast Europe Leadership for Development and Integrity (SELDI) coalition, and the Support for Improvement in Governance and Management initiative (SIGMA, a joint initiative of the EU and the OECD), which performs regular assessments of the WB countries' progress in the implementation of the Principles of Public Administration in the period leading up to the EU accession. Furthermore, within the regional WeBER Platform and National PAR Working Groups (NWGs), we have continued to cooperate with over 130 CSOs operating at the local and regional level.

EXECUTIVE SUMMARY

WHY IS PAR MONITORING BY THE CIVIL SOCIETY STILL RELEVANT?

The PAR Monitor 2021/2022 is the result of monitoring work performed in 2021/2022 by the members of the Think for Europe Network, and it represents a compilation report of key findings from across the Western Balkans in the six areas of PAR defined by the Principles of Public Administration (SIGMA principles). As the third systematic PAR monitoring done in the region by civil society, this report offers not only comparisons between Western Balkan (WB) administrations, but also comparison with the baseline PAR Monitor findings of the the 2017/2018 and 2019/2020 monitoring cycle.

PAR Monitor reports are based on a comprehensive methodological framework designed by the WeBER research team that combines quantitative and qualitative sources of evidence. With the SIGMA principles as the building blocks of monitoring work, PAR Monitor reports are complementary to similar work by SIGMA/OECD and the European Commission, differing in that they offer citizen and civil society perspectives on these principles. Together with this comparative regional report, the PAR Monitor package consists of six national reports, each including findings on a total of 23 compound indicators to monitor a selection of SIGMA Principles.

In line with the mission of the WeBER initiative, these monitoring exercises are driven by the necessity to strengthen domestic, bottom-up pressure for PAR from civil society in the region, especially from the view of keeping demand for this reform ongoing in the event of the loosening of the EU's conditionality which may come with membership in the Union. All findings from this report and from the baseline PAR Monitor 2017/2018 can be accessed and compared on the Regional PAR Scoreboard at www.par-monitor.org.

STRATEGIC FRAMEWORK FOR PUBLIC ADMINISTRATION REFORM

Public administration reform is one of the preconditions for the successful integration of Bosnia and Herzegovina into the European Union (EU) and an obligation under the Stabilization and Association Agreement. The role of public administration in the European integration process is crucial, as it facilitates the implementation of the necessary reforms for EU membership, while providing an effective debate on the process. One of the primary preconditions for EU membership is the competence of administrative capacities for the adoption and implementation of basic EU legislation (*acquis communautaire*).

For Bosnia and Herzegovina, the analysis under this indicator included:

1. Public Administration Reform Action Plan
2. Public Financial Management Improvement Strategy in the Institutions of BiH 2021-2025

During the adoption of the first document, CSOs have been consulted through two channels: 1) eKonsultacije portal (BiH MoJ) and 2) Public consultations (Zoom platform) and as for the second document, the consultations were announced at the eConsultation portal and held but there were no

comments or proposals. Also, there was no face-to-face or virtual (online) meeting with external stakeholders.

PARCO is in charge of coordinating and monitoring reforms in public administration. CSOs were invited to internal PARCO BiH consultations and meetings but were not included in administrative structures for coordination and supervision. The framework only specifies a measure to ensure inclusive access and public participation during the development, implementation, and monitoring of strategic plans, public policies, and laws. The Office intends to involve CSO processes, but only through public consultations.

POLICY DEVELOPMENT AND COORDINATION

Because decision-making powers in Bosnia and Herzegovina are divided among the state, the entities, the cantons, and the Brcko District, it is difficult to have a single central government institution in charge of policy development and coordination. This means that each of these levels of government has its own legal system in place to regulate this area. Only the state level is being examined for the purpose of this research.

In normal circumstances, BiH Council of Ministers (BiH CoM) publishes comprehensive and easily understandable press releases on a weekly or even more frequent basis. Press releases, conclusions as well as session announcements are available on a separate page booklet but also on the homepage. Annual reports on the performance of the BiH CoM are regularly produced and published on its website. However, in 2021, the political crisis in BiH affected the work of institutions in the country, including CoM. For this reason, more recent reports are missing from the website.

Civil society in Bosnia and Herzegovina continues to have a negative perception of the transparency of government decision-making. Evidence-based results of CSOs are sometimes stated in strategic and planning documents in the three policy areas in which the greatest number of CSOs are involved: anti-corruption, anti-discrimination, and environmental policy.

Public consultations were held for the only planning document adopted in Bosnia and Herzegovina in the measurement period, as well as three laws in the same time frame of measurement. Because there had been no previous consultations in the early phase, all consultations took place at the later stage.

In terms of functionality, the state e-consultation platform (ekonsultacije.gov.ba) was generally satisfactory. The website includes several basic search functions as well as a database of consultations dating back to 2017. Third parties, on the other hand, are rarely invited to participate in the consultations. CSOs have negative impressions and opinions about how public consultations are conducted in practice.

PUBLIC SERVICE AND HUMAN RESOURCE MANAGEMENT

Human resource management is still a fragmented field. Civil service agencies and training departments do not collaborate as effectively as they should. The inability to compare human resource management outcomes at all levels of government has been exacerbated by a general lack of data and inconsistent

methodology. At all levels of government, human resource management is not systematically monitored, and civil service bodies do not make public data available. At all levels of government, no progress has been made in establishing functional human resource management information systems.

The Civil Service Law does not mandate the establishment and upkeep of a central human resource database. The Government regularly publishes basic statistical data pertaining to the public service - The data includes the number of civil servants, their division per ranks, their age, gender and ethnic structure and per institutions at the state level (which is a new function at the website). Reports on the public service policy are available, but only through the Report on the Work of CSA. The reports, including the most recent one, are primarily focused on the work and activities of the CSA BiH and are presented from the standpoint of the CSA BiH responsibilities and activities as stated in their curriculum, rather than reporting on civil service policy and the state of civil service in BiH.

The regulations governing civil service activities in Bosnia and Herzegovina, including employment in the civil service, do not set a limit on the number of temporary engagements. The law also lacks defined prerequisites or competencies for the temporary employment of individuals in state administration for jobs equivalent to or similar to those performed by civil servants. The engagement process lacks transparency because the Law on Labor in BiH Institutions does not provide for a public competition for vacancies that must be filled urgently within a maximum of three months. The temporary engagement contract has a limited duration, but it may last longer than a year. Fixed-term contracts under the Civil Service Act may last no more than nine months, unless the vacancy is filled due to a civil servant's sick leave or maternity leave, in which case they may last up to two years.

A fixed-term contract may be signed for a maximum of two years, as long as such work is required or until the absent employee returns from absence. If an employee explicitly or implicitly renews fixed-term employment contracts with the same employer or concludes two consecutive fixed-term contracts with the same employer for a period of more than two years without interruption, the contracts are deemed indefinite. According to labor law, volunteer contracts cannot be longer than one year.

All competition announcements include pertinent information. CSA BiH has created useful tools for candidates on his website, such as instructions on how to fill out forms, which documents to submit, how to send them, and what not to send, as well as information on materials and legal sources, literature for the public exam, and a test simulator that helps candidates prepare for a real public exam.

The selection process is divided into three stages: document submission, written test, and interview; however, all documents must be submitted in the first stage. When it comes to applying for a job in the civil service, the legal framework ensures that everyone has an equal opportunity. However, some barriers may exist as a result of the fact that some candidates applying for a specific job may have an advantage if they have previously worked in that sector. The websites of CSA BiH and the sample institutions do not include the published decisions and explanations of the Selection Committee for each competition. The results of the competition were communicated to all candidates, and the name of the selected candidate is publicly available on the website of the Official Gazette of Bosnia and Herzegovina, but without explanation.

The senior civil servant criteria have been developed in a clear and non-discriminatory manner. The manager's legal authority to choose any candidate from the list of successful candidates who have passed the competition, on the other hand, undermines the principle of merit. Acting senior civil

servants are appointed without competition, but the law requires them to be appointed for a period of 3+3 months, which has been violated in some cases. The law establishes objective criteria for determining when senior civil servants' employment is terminated.

CSA BiH selects registered candidates through a formal verification of the application and interviews with a five-person committee (three from the list of CSA BiH experts and two from the institution where the candidate should be employed). For senior civil servants, the institution's preferred candidate is chosen with only one condition: that he or she be on the list of successful candidates. Each advertised vacancy for a civil service position includes a clear statement of the starting basic salary.

The legal maximum bonus percentage is 20% of total salary, but there was no data to back this up in practice. Conflicts of interest for all civil servants, restrictions on civil servants' secondary employment, restrictions on the "revolving door," data on senior civil servants' assets, whistle-blower protection for all civil servants, and a code of conduct are all included in the legislation. At the state level, there is no integrity policy. There are no monitoring reports on policy documents relating to the integrity of the public sector.

ACCOUNTABILITY

Bosnia and Herzegovina, as a democratic country seeking accession to EU membership and under the pressure coming from the international community, is the first country in region which in 2000 has adopted Freedom of Access to Information Act, at first on the State level and then in 2001 in both of its entities (FBiH and the RS). According to the law, every natural and legal person has the right to access information pertaining to public authority, and each public authority is required to disclose such information. The implementation, on the other hand, has yet to meet international transparency requirements. The key challenges include public institutions' still-inadequate implementation capacities, a failure to provide information in a timely manner, and a lack of public awareness of the rights provided.

The data on the scope of work on the websites of all institutions in the sample correspond to the descriptions in the legal acts. This information is easily accessible on the website, but it is not presented in a user-friendly manner. Data on relevant policy documents and legal acts are generally accurate, up to date, and accessible for the sampled institutions. These materials are not tailored to citizens because this information is rarely accompanied by written descriptions.

Fewer institutions in the sample published policy information, surveys, or policy reviews. Even though each document includes a summary and that these publications are easily accessible, they are not adjusted to citizens.

Furthermore, the sample organizations engage intensively with civil society and external stakeholders through individual calls for public consultations or the eConsultation platform, demonstrating citizen-friendly approaches by encouraging interested or relevant stakeholders to participate.

SERVICE DELIVERY

Even though the PAR strategy provides a strategic framework for certain aspects of service delivery, there is no document that deals with service delivery in Bosnia and Herzegovina. Bosnia and Herzegovina's public administration is customer-oriented, monitoring and understanding their needs

and expectations, which are then used to improve procedures and administrative procedures, reduce administrative burdens, and make services available through various communication channels, ensuring high quality and lower prices. The legal basis for user-centered administration varies greatly by from area to area. The only significant improvement was the renewal of ID cards, which was made possible by the infrastructure for the distribution of personal documents and the central register of citizens across the country.

According to the survey results, the public has a negative attitude toward administrative services.

Findings show that websites of 5 out of 5 administrative service providers include contact information (phone number and email) for the provision of specific sample services, what is an improvement in comparison to the previous cycles of the PAR Monitor. Furthermore, out of all five sample services, basic procedural information on how to access administrative services is provided in its entirety by the Cadastre and Property Administration. Moreover, the web pages for Revenue and Customs Administration for two entities and a district, entail information on where and how to obtain services, as well as downloadable forms, but no description of services. The service of VAT declaration and payment is the only service for which there are user-friendly guidance with audio-visual elements. Other administrative service providers mostly provide guidance on how to obtain the service, but not in a user-friendly way.

When it comes to rights and obligations of users, with regards to documents and information that needs to be submitted, information is outlined on the website of the administrative service providers for property registration, company (business) registration, and VAT for companies.

Prices and fees are publicly available for all services, which is a significant improvement in comparison to the previous cycles of PAR Monitor. Only one sample service is available in a fully digital form - VAT declaration and payment, and the responsible tax authority BiH ITA makes it explicit that fees for amending/supplementing VAT declarations remain the same, even for the users of e-services. The services are not fully digitalised and most e-portals are mainly used for informative purposes, still requiring physical actions, such as submitting a proof of fee payment in person etc.

PUBLIC FINANCE MANAGEMENT

Bosnia and Herzegovina's public finance structure is complex. It is made up of the state (institutions at the central level of government are managed by the CoM of BiH), two entities - FBiH and RS (each with its own government and extra-budgetary funds), and BD. With their executive, legislative, and judicial branches, the FBiH cantons have significant fiscal control. The provisions of the Constitution serve as the framework for Bosnia and Herzegovina's public financial management.

Law on Budget of the institutions of BiH is available for 2022 and Decisions on interim funding for 2021 since the budget for 2021 has not been adopted. Budget Documents that on annual basis provide information for 2021-2022 are available with just one click, easily accessible and available for download. As for In-year budget execution reports, one report is available for 2022 (for the period I - III) and Instruction for making quarterly and semi-year report about budget execution for 2022 is available. Budget execution reports (in-year, mid-year, year-end) contain data on budget spending in terms of functional, organization and economic classification. Year-end budget for 2021 does include

summarized overall performance data. Citizen Budget is available online for 2020. However, the practice was not continued and the document for the current and previous year was not published.

Consolidated annual reports on PIFC are produced and published online, at the website of the Central Harmonisation Unit of the Ministry of Finance. No quality review reports on IA published on the website. None of 9 state level ministries listed at least one of the three FMC information described in the methodology. CHU does not proactively engage with the public.

After reviewing the website of the Central procurement authority, reports on implementation of overall public procurement policy are available since 2006. However, all the reports for the last three calendar years are not available.

Central review body published reports for 2019, 2020 and 2021 which include elements from the methodology. Reports on implementation of overall public procurement policy are available since 2006, but they do not include citizen-friendly summary. Furthermore, public procurement portal is not user-friendly. All 9 out 9 state level ministries published procurement plans for the current and previous year, but only one of them published procurement reports for last two calendar years.

Audit Office of the Institutions of Bosnia and Herzegovina adopted the Communication Strategy 2022-2025 with all the required elements. Systematization act, actually the graph of job positions of the AOI is available at the website.

LIST OF ABBREVIATIONS

AOI	Audit Office of the Institutions
AP	Action Plan
BD	Brčko District
BHAS	Agency for Statistics of BiH
BiH	Bosnia and Herzegovina
CHU	Central Harmonisation Unit
CSA	Civil Service Agency
CSO	Civil Society Organisation
CSR	Civil servants registers
DEI	Directorate for European Integration
EC	European Commission
EI	European Integration
ESL	Electronic Signature Law
EU	European Union
FBiH	The Federation of Bosnia and Herzegovina
FMIS	Financial Management Information System
FOI	Freedom of Information
GAWP	Government Annual Work Plan
HRM	Human Resource Management
HRMIS	Human Resource Management Information System
IA	Internal Audit
IDDEEA	Agency for Identification Documents, Registers and Data Exchange
IPA	Pre-accession Assistance
ISSAI	International Standards of Supreme Audit Institutions
LCS	Law on Civil Service
LGAP	Law on General Administrative Procedures
MoFT	Ministry of Finance and Treasury
MOFTER	Ministry of Foreign Trade and Economic Relations
MoI	Ministry of Interior
MoJ	Ministry of Justice
NGOs	Non - Governmental Organizations
PAR	Public Administration Reform

PARCO	Public Administration Reform Coordinator's Office of BiH
PDC	Policy Development and Coordination
PFM	Public Financial Management
PIFC	Public Financial Internal Control
RIA	Regulatory Impact Assessment
RS	The Republika Srpska
SAI	Supreme Audit Institution
SFPAR	Strategic Framework for Public Administration Reform
SIGMA	Support for Improvement in Governance and Management
TA	Tax Administration
VAT	Value Added Tax
WB	Western Balkans
WeBER	Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform
WeBER 2.0	Western Balkan Civil Society Empowerment for a Reformed Public Administration 2.0

I. INTRODUCTION



I.1 PAR Monitor three cycles in – continuing relevance of public administration reform monitoring for the Western Balkans’ EU integration

The WeBER initiative embarked on monitoring of public administration reforms (PAR) in the Western Balkans (WB) in 2016, publishing the first, baseline PAR Monitor in 2018. Since then, the PAR Monitor has become an increasingly important source of credible and evidence-based findings on the region’s administrations’ successes and challenges, particularly concerning their openness, transparency, and accountability to the citizens. The PAR Monitor has thus helped strengthen the role of civil society in monitoring and informing PAR policies in the region, as well as the Commission’s annual reports on each candidate and potential candidate country in the WB. This new edition – PAR Monitor 2021/2022 – is the result of the third consecutive biennial monitoring cycle implemented by the WeBER research team, using the state-of-the-art methodology developed by the civil society for the civil society, relying on the EU principles of good administration.

With each new step in the enlargement policy, the Commission has reaffirmed PAR as an essential area for achieving EU membership. In its communication *Enhancing the accession process - A credible EU perspective for the Western Balkan* from February 2020, which calls for more credibility, political steering, and predictability of the enlargement process, it has proposed clustering of negotiating chapters and reform areas, placing PAR in Cluster 1 – *Fundamentals*, together with rule of law, economic governance, and the functioning of democratic institutions.¹ Thus, PAR found its place within the key group of reform areas whose assessment determines the overall progress in the EU integration process.

The EU’s framework for defining, guiding, and assessing administrative reforms in the context of enlargement remains embedded in the *Principles of Public Administration*, first published in 2014. Also known as the “SIGMA principles” (since they are assessed regularly by the OECD’s SIGMA programme),² they offer a roadmap for EU candidates and potential candidates to follow and comply with in PAR while working to become successful EU member states. The European Commission (EC) and SIGMA worked together to define the scope of these principles of public administration,³ structured around six key areas:

¹ “Fundamentals” cluster includes Chapter 23 - Judiciary and fundamental rights, 24 - Justice, Freedom and Security, economic criteria, functioning of democratic institutions, public administration reform, as well as chapters 5 - Public procurement, 18 – Statistics, and 32 - Financial control. In: European Commission, *Enhancing the accession process - A credible EU perspective for the Western Balkans*, February 2020, available at: https://ec.europa.eu/commission/presscorner/detail/en/IP_20_181.

² SIGMA (Support for Improvement in Governance and Management) is a joint initiative of the OECD and the EU, principally funded by the EU. Its key objective is to strengthen the foundations for improved public governance, hence supporting socioeconomic development in the regions close to the EU by building capacities in the public sector, enhancing horizontal governance, and improving the design and implementation of public administration reforms, including proper prioritisation, sequencing, and budgeting. More information is available at: <http://www.sigmaweb.org/>.

³ Principles of Public Administration for EU candidates and potential candidates: <https://bit.ly/395diWq>. A separate document entitled *The Principles of Public Administration: A Framework for ENP Countries* has been developed for the countries falling under the European Neighbourhood Policy (ENP): <http://bit.ly/2fsCaZM>.

1. strategic framework for public administration reform
2. policy development and coordination
3. public service and human resource management
4. accountability
5. service delivery
6. public financial management

Nine years since the publication of the Principles, SIGMA and DG NEAR initiated their review, reflecting on the implementation feedback and introducing significant novelties. For example, principles addressing elements of multi-level governance have been introduced, whereas in the past the framework mainly concerned central governance level. At the time of the finalisation of this report, the revised Principles were still being finalised, following an online consultation process with external stakeholders that closed in February 2023. PAR Monitor 2021/2022 entirely relies on the 2014 framework of Principles, also valid during the past cycles of WeBER monitoring.⁴

Since its inception, WeBER⁵ adopted the Principles of Public Administration as the main building block of its PAR Monitor. The main reasons for such a decision remain the same to date. First, the Principles are a common denominator for PAR in the region, allowing for regional comparisons, peer learning and peer pressure among the WB administrations. Second, they guide the reforms in the region towards the fulfilment of EU membership conditionalities, thus helping their transformation into capable future EU member states.

That said, WeBER's monitoring approach lies from the onset in the understanding that until the EU accessions of the WB, SIGMA/OECD will be engaged in the region, relying also on the hard EU conditionalities as an external driving force of reforms. Until that time, local civil society can deliver complementary findings in their focus areas, but also gradually expand the scope of its monitoring and seek ways to continue with this process in a more holistic way in the post-accession period, when SIGMA will no longer have the mandate to perform external assessments of PAR. By that time, local civil society actors should have a developed approach in identifying critical areas of intervention on which to focus their monitoring efforts. As previous enlargement rounds have demonstrated, without the EU conditionality, and regular external monitoring and assessment of reforms, countries can easily backslide in their reforms post-accession, effectively moving away from good governance standards.

To that end, WeBER's rationale remains as relevant as when WeBER was initiated - that only by empowering local non-governmental actors and strengthening participatory democracy at the national and local levels can put pressure on governments to implement often painful and inconvenient administrative reforms in the post-accession period. WeBER team has continually worked over the years on preparations for such a scenario, in which local civil societies, as domestic accountability seekers, lead and initiate PAR demand, and closely and credibly observe PAR in WB. Range of WeBER support to regional civil society in the previous period is broad and it included multiple awareness raising and capacity building initiatives. Additionally, this support meant the involvement of CSOs in the PAR monitoring process and the creation of the PAR monitor reports, mentoring of local CSOs who monitor

⁴ For more information on the process of revision of SIGMA Principles of Public Administration please visit <https://www.sigmaxweb.org/publications/principles-public-administration-consultation.htm>.

⁵ Starting from December 2019, WeBER is being implemented under the title "WeBER2.0 - Western Balkan Civil Society Empowerment for a Reformed Public Administration".

local governments and regular consultations with CSOs on the implementation of the PAR Monitor and national and regional PAR developments. Also, we have introduced novel civil society approaches to PAR such as piloting monitoring of mainstreaming PAR in different policy sectors,⁶ and the creation of online portals through which citizens are invited to share their experiences in interacting with public administrations.⁷

The outbreak of the COVID-19 pandemic in 2020, still ongoing during the third monitoring cycle, was again an additional reminder of the importance of well-functioning public administrations able to exercise primary functions of serving the needs of citizens. This global, outstanding circumstance has brought to the fore the issue of public administrations' ability to adapt and go the extra mile in delivering services digitally, enabling contactless, yet unhampered communication with citizens, and providing teleworking options for civil service employees.

However, unlike the previous round for 2019/2020, PAR monitoring work for 2021/2022 was less affected by the measures for mitigating coronavirus spread in the region, meaning that communication and coordination within the WeBER research team as well as research work (team meetings, focus groups, interviews) were conducted both in virtual space and in person. Effects that the COVID-19 pandemic had on the operations of public administrations, for the better or worse, are highlighted in the research findings, where applicable.

The methodological approach of the PAR Monitor is given in the methodology appendix of this report, that provides details on the OECD/SIGMA principles of PA as regional framework for monitoring, rationale behind selecting principles, WeBER indicator design, the PAR Monitor package, quality assurance procedures applied, monitoring timeframe and limitations of WeBER's scope and approach. The WeBER team did not make methodological changes in the 2021/2022 monitoring cycle, the last, notable methodology revisions being from the PAR Monitor 2019/2020 (see *Methodology Appendix* for details). The 2021/2022 monitoring was conducted between January and November 2022 and, for the most part, focused on practices of administrations in the region implemented in 2021 and the first half of 2022.

Finally, this report follows a standard outline established for the two previous PAR Monitors and is divided into six chapters: 1) strategic framework for public administration reform, 2) policy development and coordination, 3) public service and human resource management, 4) accountability, 5) service delivery, and 6) public finance management. Each chapter follows an identical structure. In a brief chapter introduction, the scope and relevance of a given area for PAR overall is provided. The following section contextualises this analysis by providing a brief overview of the regional state of play in the observed area. The state of play sections in this PAR Monitor edition largely rely on the latest European Commission progress reports for the Western Balkans, but also on the latest SIGMA Monitoring reports published in 2021.

Following the state of play section, the report clarifies WeBER's monitoring focus, describing the project's methodological steps in greater detail and illustrates the structure of each principle and indicator, including methods of data collection and analysis. A crucial section of each chapter is the presentation of comparative PAR Monitor findings, the result of thorough and methodologically robust

⁶ Regional and national reports on mainstreaming the Principles of Public Administration into policy sectors available at: <https://www.par-monitor.org/mainstreaming-principles-of-public-administration-into-policy-sectors/>.

⁷ The citizens portals for the six administrations are available at: <https://citizens.par-monitor.org/>.

regional research processes. Finally, each chapter finishes with a succinct summary of the key findings for the PAR area in question.

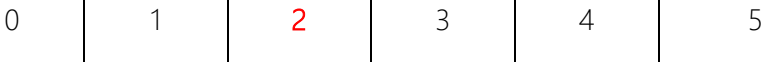
The report ends with a conclusion chapter which provides the “big picture” of the findings and trends observed across the region and between the three monitoring cycles. As per usual approach to compiling regional, comparative PAR Monitor, this report offers no specific recommendations and does not seek to explore practices of individual administrations in depth. Rather, the six national PAR Monitor reports, which elaborate the findings for each administration in detail, extract actionable recommendations for responsible government authorities and provide an overview of track record in fulfilment of past PAR Monitor recommendations. Finally, in addition to noting the main commonalities and trends which emerge across the WB, the conclusion of the regional report also discusses how this information could be interpreted regarding the EU accession progress of these administrations. It is the authors’ hope that such conclusions will continue to inspire relevant regional and EU-level actors to plan their policies, messages, and actions and encourage effective reform in the coming years.

II. STRATEGIC FRAMEWORK FOR PUBLIC ADMINISTRATION REFORM

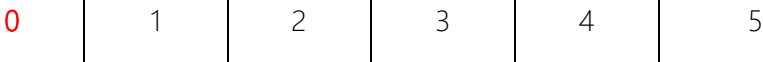


II.1 WeBER indicators used in PAR Strategic Framework and country values for Bosnia and Herzegovina

SFPAR P1 I1: Use of participatory approaches in the development of key strategic PAR documents



SFPAR P2_P4 I1: Civil society involvement in the PAR monitoring and coordination structures



State of Play in the PAR Strategic Framework and main developments

Public administration reform is one of the preconditions for the successful integration of Bosnia and Herzegovina into the European Union (EU) and an obligation under the Stabilization and Association Agreement. The role of public administration in the European integration process is critical, as it facilitates the execution of necessary reforms for EU membership while also providing an effective discussion on the process. One of the primary prerequisites for EU membership is the competence of administrative capacities to adopt and implement basic EU legislation (*acquis communautaire*).

Following the proposal of the Feasibility Study for BiH, the Council of Ministers established the Public Administration Reform Coordinator's Office in BiH in October 2004. The Office was set up in response to citizens' demands for more efficient and responsible public administration at all levels of government, capable of handling obligations in BiH's European integration process. The Office's most important role is to coordinate reform operations between the Council of Ministers, the Entities, and the Brcko District Government, working closely with the European Commission's BiH Delegation. In 2006, the Office drafted and adopted the State Strategy for Public Administration Reform and Action Plan 1 at all levels, along with implementation measures. One of the Office's responsibilities is to oversee the Public Administration Reform Fund. The Rulebook on Internal Organization and Systematization of Posts in the Office of the Public Administration Reform Coordinator in BiH defines the Office's organizational structure⁸.

The Joint Platform on the Principles and Manner of Implementation of the Action Plan 1 of the Public Administration Reform Strategy in BiH established a mechanism for the implementation of the reform. The Memorandum of Understanding on the Establishment of the Public Administration Reform Fund between the BiH authorities and donors established the Public Administration Reform Fund, within which local authorities and donors jointly invest funds for reform and decide on the implementation of reforms. After the expiration of Action Plan 1 in 2010, a revised plan was prepared in 2011 and its implementation continued. The time frame of this strategy expired in 2014, but its implementation continued after that deadline. Failure to adopt a new strategic framework over a longer period of time when the 2014 Public Administration Reform Strategy expired had a negative impact on the overall

⁸ See: <https://parco.gov.ba/rju/o-rju-2/>

dynamics of reforms, as well as donor support for the reform process. As a result, SIGMA gave the lowest rating to the indicators in this area in its 2017 monitoring report, which correspond to the quality of the strategic framework, the efficacy of implementation, and financial sustainability. The only relatively good grade (3) was awarded for the reform's coordination and monitoring, because the prior strategic framework's monitoring establishment structures continued to function after the previous strategic framework's progress was completed. However, a lack of political will, as seen by the failure to embrace a new strategic framework over a longer period of time, had a significant impact on the (non-) implementation of public administration reform.⁹

As stated in Bosnia and Herzegovina 2020 Report by the European Commission¹⁰, Bosnia and Herzegovina is still in the early stages of reforming its public administration. During the reporting period, there was very little progress on completing crucial steps in public administration reform toward strengthening the general functioning of the public administration by guaranteeing a professional and depoliticized civil service and a coordinated nationwide approach to policymaking, as stated in the Opinion key priority 14. The government of the Republika Srpska entity approved the strategic framework on public administration reform two years after other governments did.

The Council of Ministers of Bosnia and Herzegovina has adopted a Decision on the Adoption of the Action Plan for Public Administration Reform, which will implement the goals and measures established by the Strategic Framework for Public Administration Reform until 2022, following PARCO's drafting and public consultation process. Both entities and the Brcko District adopted the action plan.

When it comes to separate strategies outlining in more detail the plans for reforming public financial management (PFM), the Public Financial Management Improvement 2021-2025¹¹ has been adopted and the goal of this Strategy is to improve the public finance system in order to secure better functionality, transparency, responsibility and efficiency in managing public funds and thus contribute to the increase of macroeconomic stability in BiH. However, stronger political commitment, sufficient financial resources and more efficient coordination structures are needed to ensure a comprehensive and harmonised approach to public administration reforms¹².

What does WeBER monitor and how?

Monitoring the Strategic Framework of Public Administration Reform is based on three SIGMA Principles in this area, focusing on the existence of effective PAR agendas, the implementation and monitoring of PAR, as well as on the existence of PAR management and coordination structures at the political and administrative levels.

Principle 1: The government has developed and enacted an effective public administration reform agenda that addresses key challenges;

Principle 2: Public administration reform is purposefully implemented; reform outcome targets are set and regularly monitored;

⁹ See: <https://zastone.ba/app/uploads/2019/04/Javna-uprava--Zasto-ne.pdf>

¹⁰ See: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/bosnia_and_herzegovina_report_2020.pdf

¹¹ See: https://www.vijeceministara.gov.ba/akti/prijedlozi_zakona/default.aspx?id=35040&langTag=hr-en

¹² See: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/bosnia_and_herzegovina_report_2020.pdf

Principle 4: Public administration reform has robust and functioning management coordination structures at both the political and administrative levels to steer the reform design and implementation process.

The selected principles are assessed entirely from the view of the quality of involvement of civil society and the public in the processes of developing PAR strategic documents, and in participation in the monitoring and coordination structures that should ensure their purposeful implementation. A focus on inclusiveness and participation aims to determine the extent to which relevant stakeholders' needs and views are consulted and taken into consideration when developing and implementing reform agendas.

For this purpose, two WeBER indicators were developed. The first one focuses on the existence and quality of consultation processes in the development of key PAR strategic documents. A sample of up to six key PAR strategic documents was assessed in each Western Balkan administration. The most comprehensive PAR documents (PAR strategies or similar) and PFM reform documents were selected as mandatory sample units, while the selection of other strategic documents covering the remaining PAR areas was dependent on PAR agendas currently in place. Monitoring was performed by combining data sources to ensure the reliability of results, including the qualitative analysis of strategic documents, and official data that is publicly available or obtained from institutions responsible for PAR. Moreover, analysis of documents was corroborated with the results of semi-structured interviews with representatives of institutions responsible for PAR and focus groups with civil society representatives who participated in consultation processes (where it was impossible to organise focus groups they were replaced with interviews with civil society representatives). Since strategic documents usually cover multiple years, and their adoption or revision does not necessarily coincide with WeBER monitoring cycles, findings were carried over for strategic documents that did not undergo revision or were not updated at the time of WeBER monitoring.

For Bosnia and Herzegovina, therefore, the analysis under this indicator included:

- Public Administration Reform Action Plan
- Public Financial Management Improvement Strategy in the Institutions of BiH 2021-2025

The monitoring of the participation of civil society in PAR implementation (in PAR coordination and monitoring structures) considered only the most comprehensive PAR strategic documents being implemented as units of analysis. The intention of this approach was to determine whether efforts exist to better facilitate monitoring and coordination structures in PAR agenda generally. As for the first indicator, review and qualitative assessment of official documents pertaining to the organisation and functioning of these structures was performed, and other data sources were used to corroborate the findings.

II.2 WeBER monitoring results

Principle 1: The government has developed and enacted an effective public administration reform agenda that addresses key challenges

WeBER indicator SFPAR P1 I1: Use of participatory approaches in the development of key strategic PAR documents

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
Consultations with civil society are conducted when the document(s) are developed	2/4	2/4	2/4
Consultations with civil society are conducted in an early phase of the development of the document(s)	0/4	0/4	0/4
Invitations to the civil society to participate in the consultations are open	2/4	2/4	2/4
Responsible government bodies are proactive in ensuring that a wide range of external stakeholders become involved in the process	0/2	0/2	1/2
Civil society is provided complete information for preparation for consultations	2/4	2/4	2/4
Comments and inputs received in the consultation process are considered by the responsible government bodies in charge of developing key PAR strategic documents	2/4	2/4	0/4
Responsible government bodies publicly provide feedback on the treatment of received comments	1/2	1/2	0/2
Responsible government bodies engage in open dialogue with civil society on contested questions	1/2	1/2	1/2
Consultations in the development of strategic PAR documents are open to the public	4/4	2/4	2/4
Total score	14/30	12/30	10/30
Indicator value 2020/2021 (scale 0 – 5) ¹³	2		
Indicator value 2019/2020 (scale 0 – 5) ¹⁴		2	
Indicator value 2017/2018 (scale 0 – 5) ¹⁵			2

This analysis took into account the consultative process of the Action Plan for implementation of PAR Strategy of BiH and the Public Financial Management Improvement Strategy in the Institutions of BiH 2021-2025. During the adoption of the first document, CSOs have been consulted through two channels: 1) eKonsultacije portal (BiH MoJ) and 2) Public consultations (Zoom platform) and as for the second document, the consultations were announced at the eConsultation portal and held but there were no comments or proposals. Also, there was no face-to-face or virtual (online) meeting with external stakeholders. Reports included the number of the comments and proposals and in the case of

¹³ Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5

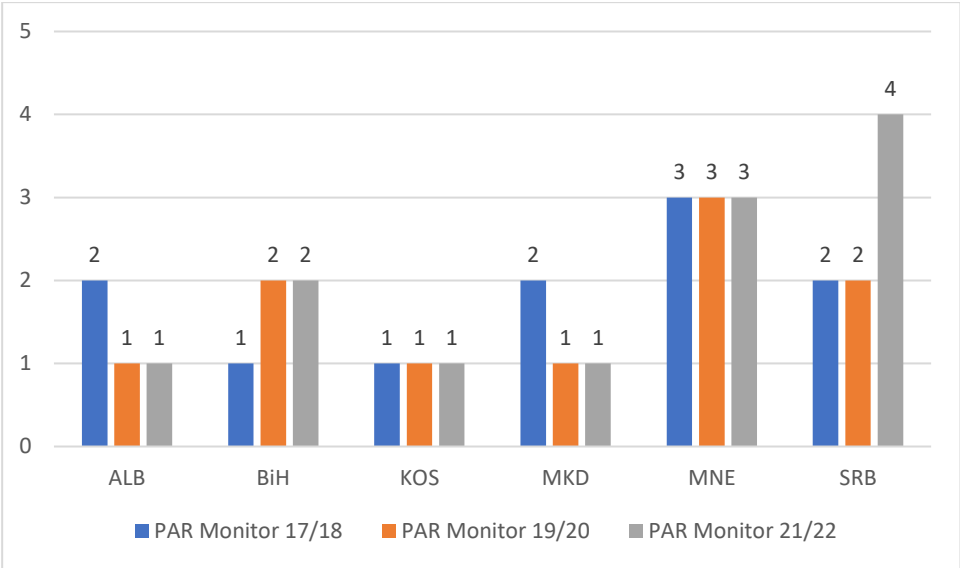
¹⁴ ibid

¹⁵ ibid

the first document, comments and proposals were considered by the working group which consists of representatives of government from all the levels (7 out of 8 comments and proposals were fully or partially accepted) and the second document had no comments and proposals. Consultations with civil society conducted in an early phase of the development of the documents were not done. Consultations in the development of the documents are open to the public.

How does Bosnia and Herzegovina do in regional terms?

Indicator SFPAR P1 I1: Use of participatory approaches in the development of key strategic PAR documents



Regional PAR Monitor reports with results for all WB administrations are available at: www.par-monitor.org

Principle 2: Public administration reform is purposefully implemented; reform outcome targets are set and regularly monitored;

Principle 4: PAR has robust and functioning management co-ordination structures, at both the political and administrative levels to steer the reform design and implementation process

WeBER indicator SFPAR P2_4 I1: Civil society involvement in the PAR monitoring and coordination structures

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
Administrative structures for PAR coordination and monitoring foresee an involvement of CSOs	0/2	0/2	0/2
Political level structures for PAR coordination foresee an involvement of CSOs	0/2	0/2	0/2
Format of CSO involvement in administrative structures for PAR coordination and monitoring	0/4	0/4	0/4
Format of CSO involvement in political structures for PAR coordination and monitoring	0/4	0/4	0/4
Involvement of CSOs is achieved based on an open competitive process	0/4	0/4	0/4
Meetings of the PAR coordination and monitoring structures are held regularly with CSO involvement	0/4	0/4	0/4
The format of meetings allows for discussion, contribution and feedback from CSOs	0/4	0/4	0/4
CSOs get consulted on the specific measures of PAR financing	0/4	0/4	0/2
Total score	0/28	0/28	0/26
Indicator value 2020/2021 (scale 0 – 5) ¹⁶	0		
Indicator value 2019/2020 (scale 0 – 5) ¹⁷		0	
Indicator value 2017/2018 (scale 0 – 5) ¹⁸			0

Coordination and monitoring is done by PARCO BiH. No reference to CSO involvement in the document. PARCO BIH representatives invite CSOs for their internal consultations and meetings, but there is no involvement of CSOs as part of administrative structures for coordination and monitoring. The Framework only defines a measure of ensuring inclusive access and public involvement in the phase of creating, implementing and monitoring strategic plans, public policies and regulations which mainly consists of activities related to raising transparency through the application of public consultation mechanisms, regular informing of the public about planned measures and their results, and a harmonized methodology developed which will create conditions for independent research on satisfaction with the quality of public participation in policy making and implementation and ensuring the development of implementing documents on communication on the process of public administration reform which defines the rules and procedures of communication with various groups

¹⁶ Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points =3; 21-25 points = 4; 26-30 points = 5

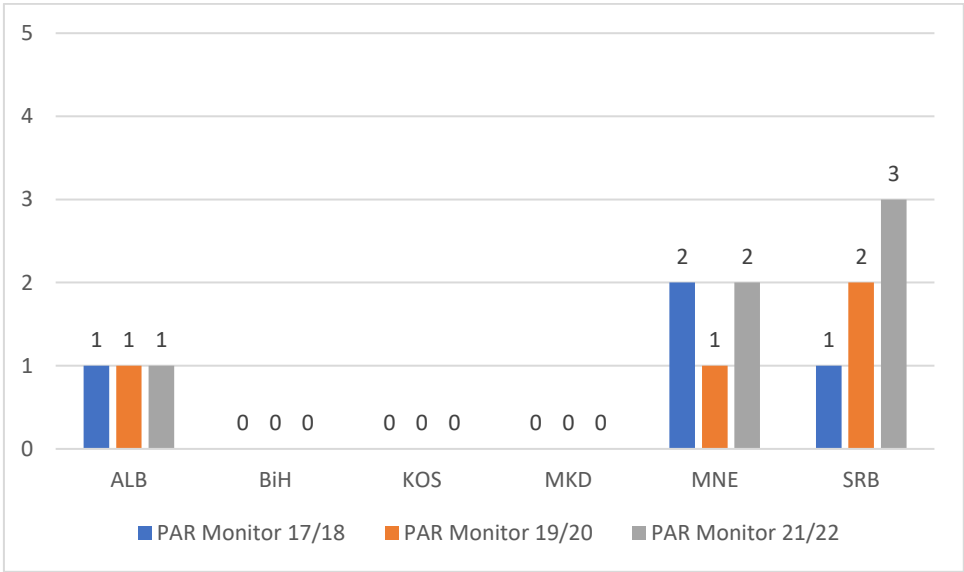
¹⁷ *ibid*

¹⁸ *ibid*

of the public, including the general public, communication with the media, communication with the civil sector and communication with the internal, ie. institutional public, which will contribute to a better understanding of the public administration reform process.

How does Bosnia and Herzegovina do in regional terms?

Indicator SFPAR P2_P4 I1: Civil society involvement in the PAR monitoring and coordination structures



Regional PAR Monitor reports with results for all WB administrations are available at: www.par-monitor.org

II.3 Summary results: PAR Strategic Framework

CSOs were only consulted during the development of the Action Plan for Implementation of BiH's PAR Strategy 2021-2023, out of the two documents analyzed. There was no information online for and the Public Financial Management Improvement Strategy in the Institutions of BiH 2021-2025. On the Zoom platform, public consultations involving CSO representatives, business organisations, and academia were held. The public was given timely information about the consultation process, and everyone was asked to contribute views via the eKonsultacije platform. PARCO BiH used the eKonsultacije platform to issue a report on the consultation process, which contained information on the number of participants, comments, proposals, and accepted proposals, as well as comments and proposals. The working group, which includes representatives from all levels of government, considers all of the comments and recommendations. Following the public consultations, a report was published that included all of the comments and proposals, along with explanations as to why they were approved or rejected. Despite the fact that CSO representatives were not included in the working group for the development of the PAR Strategy, they were able to communicate with representatives of PARCO BiH and were able to give comments and push for better public administration reform results in BiH.

PARCO BiH is in charge of PAR coordination and monitoring. CSOs are invited to PARCO BiH representatives' internal consultations and meetings, but they are not included in administrative structures for coordination and monitoring. The Framework only specifies a measure for guaranteeing inclusive access and public participation during the development, implementation, and monitoring of strategic plans, public policies, and laws. CSOs are foreseen to be involved by PARCO, but only during public consultations (for the development of a strategy and action plan), where they will be capable of offering suggestions, comments, and feedback on the final draft of the documents. CSOs are also not consulted on PAR financing measures. Finally, and most importantly, CSO participation is not contemplated in the applicable laws and documents because institutions are not legally obligated to include CSOs in advisory or other bodies' activity.

Recommendations for Strategic Framework for PAR

Tracking recommendations from PAR Monitor 2019/2020

Recommendation	Status	Comment
Institutions should organise consultations with CSOs as early as possible in the development process of documents – early consultations should serve to gather substantive inputs before the final drafts. In BiH, CSOs are not part of PAR working group and this should be one of the modalities of their early involvement, as well as consultation meeting or similar events.	No action taken	Institutions have the obligation to hold consultations in the final phase of adopting legislation of policy documents and very small percentage include CSOs and the public in the early phases.
A strong advocacy campaign is needed in order to make the platform E-Konsultacije (E-Consultations) be used in its full capacity and as an integral part of the mechanism in regulatory and policy development and adoption.	No action taken	Nothing changed from the previous monitor cycle. eConsultation portal is still not used by many CSOs and citizens, as most of the consultations go without a single comment or proposal.
Broadly advertised consultations, as well as proactively addressing diverse group of stakeholders to partake in the consultations should become a regular practice in institutions	No action taken	Most of the institutions do not advertise the ongoing consultations through channels other than the eConsultation portal.
Adopt the new PAR Strategy on all levels along with the The Operational Plan for PAR which provide for quality, effectiveness, financial sustainability, accountability and coordination of PAR.	No action taken	The old PAR strategy is still in place.
Increase the effectiveness of PAR implementation and comprehensiveness of monitoring and reporting. There is a necessity to update the methodology for annual reporting on the implementation of PAR in order for it to be able to provide more objective, and accurate data and make	No action taken	Nothing changed from the previous monitor cycle.

<p>the monitoring of PAR through measures implemented and objectives reached easier and more visible nationwide.</p>		
<p>Provide for financial sustainability and effectiveness of the reforms. PAR Fund can not be the only source of financing for the reforms. A more substantial estimate needs to be made regarding costs of each reform measure.</p>	<p>No action taken</p>	<p>Nothing changed from the previous monitor cycle.</p>
<p>Improve the effectiveness of the coordination mechanisms in order to provide for better implementation of activities and objectives of the new PAR strategy. Increase Institutional responsibility for PAR implementation on all levels of Government.</p>	<p>No action taken</p>	<p>Nothing changed from the previous monitor cycle.</p>
<p>Institutional, individual and managerial responsibility for PAR needs to be clearly established. There is a need for futher involvement of all relevant stakeholders in this as well, particularly the CSO sector, as an additional verification factor.</p>	<p>No action taken</p>	<p>Nothing changed from the previous monitor cycle.</p>

PAR Monitor 2021/2022 recommendations

1. **Institutions should organise consultations with CSOs as early as possible in the development process of documents** – early consultations should serve to gather substantive inputs before the final drafts. In BiH, CSOs are not part of PAR working group and this should be one of the modalities of their early involvement, as well as consultation meeting or similar events.*
2. **A strong advocacy campaign is needed in order to make the platform E-Konsultacije (E-Consultations) be used in its full capacity** and as an integral part of the mechanism in regulatory and policy development and adoption.*
3. **Broadly advertised consultations, as well as proactively addressing diverse group of stakeholders to partake in the consultations should become a regular practice in institutions.***
4. **Adopt the new PAR Strategy on all levels along with the The Operational Plan for PAR which provide for quality, effectiveness, financial sustainability, accountability and coordination of PAR.***
5. **Increase the effectiveness of PAR implementation and comprehensiveness of monitoring and reporting.** There is a necessity to update the methodology for annual reporting on the implementation of PAR in order for it to be able to provide more objective, and accurate data and make the monitoring of PAR through measures implemented and objectives reached easier and more visible nationwide.*
6. **Provide for financial sustainability and effectiveness of the reforms.** PAR Fund cannot be the only source of financing for the reforms. A more substantial estimate needs to be made regarding costs of each reform measure.*
7. **Improve the effectiveness of the coordination mechanisms in order to provide for better implementation of activities and objectives of the new PAR strategy. Increase Institutional responsibility for PAR implementation on all levels of Government.***
8. **Institutional, individual and managerial responsibility for PAR needs to be clearly established.** There is a need for further involvement of all relevant stakeholders in this as well, particularly the CSO sector, as an additional verification factor.*

*Recommendations from the previous cycle (repeated and modified)

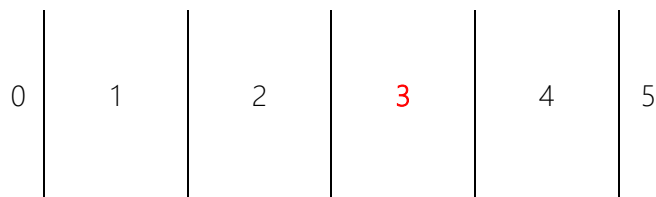
III.

POLICY DEVELOPMENT AND COORDINATION

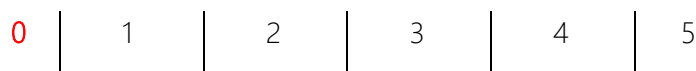


III.1 WeBER indicators used in Policy Development and Co-ordination and country values for Bosnia and Herzegovina

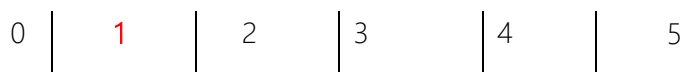
2PDC P5 I1: Public availability of information on the Government performance



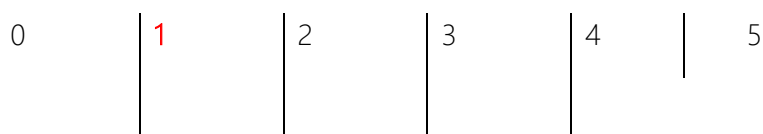
2PDC P5 I2: Civil society perception of the Government's pursuit and achievement of its planned objectives



2PDC P6 I1: Transparency of the Government's decision-making



2PDC P10 I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development



2PDC P11 I1: Civil society perception and scope of involvement in policymaking



State of Play in the Policy Development and Co-ordination and main developments

As it was stated in the last two WeBER national reports for Bosnia and Herzegovina, since the decision-making powers are split between the Entities and the Brcko District, it is difficult to have only one central government institution in charge of policy development and coordination in Bosnia and Herzegovina. This means that each of these levels of government has its own legal system in place to regulate this area. Only the state level is examined for the purpose of this research. The Council of Ministers is a body of executive authority in Bosnia and Herzegovina that exercises its rights and performs its legislative functions in accordance with the BiH Constitution, laws, and other regulations. At the state level, the key legal acts defining the legislative framework and governing the decision-making processes are the Law

on Council of Ministers of Bosnia and Herzegovina¹⁹, The Rules of Procedure of the Council of Ministers of Bosnia and Herzegovina,²⁰ the Unified Rules for Legislative Drafting in the Institutions of BiH²¹, and the Regulations on Consultations in Legislative Drafting in BiH²². These regulations govern decision-making processes such as the planning and organization of Government meetings, the evaluation and inspection of items submitted to the Government, and the legal scrutiny of proposals, among other things. The monitoring and reporting of the Government Annual Work Programmes (GAWPs) is done on a regular basis.

Bosnia and Herzegovina's policy-making structure is also divided. The legal framework for medium-term policy preparation is insufficient and inconsistent. Bylaws regulating annual, three-year, and strategic planning is adopted by the Federation entity. Otherwise, there has been no progress in developing harmonised legal provisions or methodological guidance for countrywide strategic planning. There is still no harmonisation between central planning documents like the medium-term and annual government programs, the framework budget document, and the action plan for implementing goals, as well as between such documents and sector strategies. The quality of the analysis is still inadequate. The legal framework for implementing inclusive and evidence-based policies is insufficient and inconsistently applied. The entity Republika Srpska streamlined regulatory impact evaluation procedures for lawmaking. At all levels, the impact and quality of the analysis supporting policy proposals must be strengthened. The financial implications aren't measured in a systematic way, and the collection and use of administrative data for policymaking isn't guaranteed. The legislative structure for public consultations must be strengthened and regularly enforced. Since the legislative framework does not completely define guidelines for monitoring and reporting on key government planning documents at each level of government, public oversight of government work is hampered. Beyond legislative measures, further efforts are required to raise awareness on different ways of consultation with the public. Strengthening technical capacities at all levels of government on how to use public consultations as a policymaking instrument on a regular basis remains critical.²³

According to the evidence, the fundamental characteristic of policymaking is a persistent lack of analytical capacity within public institutions and other policy actors, which severely limits their ability to carry out sound policymaking procedures. To put it another way, while rigid regulatory mechanisms exist to ensure proper policymaking processes, a lack of analytical capacity makes those formal preconditions largely ineffective, as it undermines evidence-based policymaking.²⁴

Even though the Institutions of BiH have Unified Rules for Legislative Drafting that define the RIA criteria, this is frequently not followed in practice, leaving the overall quality of the policies and regulatory acts adopted in doubt, and the financial implications of particular regulatory or policy drafts are frequently overlooked. Many policy or legislative proposals are formulated in response to a requirement imposed by the EU or the international community, rather than on the basis of sound study and evidence-based analysis²⁵.

¹⁹ Law on the CoM of BiH, Official Gazette of BiH Nos. 30/03, 42/03, 81/06, 76/07, 81/07, 94/07 and 24/08

²⁰ The RoP of the CoM of July 2003, Official Gazette of BiH No. 22/03

²¹ "Unified Rules for Legislative Drafting in the Institutions of BiH", Official Gazette of BiH, Nos. 11/05, 58/14 and 60/14

²² "Regulations on Consultations in Legislative Drafting in BiH", Official Gazette of BiH No. 05/17

²³ For more details see: https://europa.ba/wp-content/uploads/2020/10/2020_bosnia_and_herzegovina_report.pdf

²⁴ See <https://www.analitika.ba/sites/default/files/publikacije/Obstacles%20to%20evidence%20-%20policy%20memo%20ENG.pdf>

²⁵ See https://weber-cep.s3.amazonaws.com/data/attachment_799/weber_par_monitor_2017-2018.pdf

What does WeBER monitor and how?

In the Policy Development and Coordination area, WeBER monitoring is performed against four SIGMA Principles:

Principle 5: Regular monitoring of the government's performance enables public scrutiny and supports the government in achieving its objectives;

Principle 6: Government decisions are prepared in a transparent manner and based on the administration's professional judgement; legal conformity of the decisions is ensured;

Principle 10: The policy-making and legal-drafting process is evidence-based, and impact assessment is consistently used across ministries;

Principle 11: Policies and legislation are designed in an inclusive manner that enables the active participation of society and allows for co-ordination of different perspectives within the government;

In the third edition of the PAR Monitor, five WeBER indicators are used for the analysis in the Policy Development and Coordination. The first indicator measures the extent of openness and availability of information about the Government's performance to the public, through analysis of the most comprehensive websites through which the Government communicates its activities and publishes reports. Written information published by the Government relates to press releases, and online publishing of annual (or semi-annual) reports. The measurement covers a period of two annual reporting cycles, except for the press releases which are assessed for a period of one year (due to the frequency of their publishing). Other aspects of the Government's performance information analysed include its understandability, usage of quantitative and qualitative information, presence of assessments/descriptions of concrete results, availability of data in open format and gender segregated data, and the online availability of reports on key whole-of-government planning documents.

The second indicator measures how civil society perceives Government's planning, monitoring and reporting on its work and objectives that it has promised to the public. To explore perceptions, a survey of civil society organisations in the Western Balkans was implemented using an online surveying platform, in the period April - June 2022.²⁶ The uniform questionnaire with 28 questions was used in all Western Balkans, ensuring an even approach in survey implementation. It was disseminated in local languages through the existing networks and platforms of civil society organisations with large contact databases but also through centralised points of contact such as governmental offices in charge for cooperation with civil society. To ensure that the survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and hence contribute to its representativeness as much as possible, additional boosting was done where needed to increase the overall response. A focus group with CSOs served the purpose of complementing the survey findings with qualitative information.

The third indicator measures the transparency of decision-making by the Government, combining the survey data on the perceptions of civil society with the analysis of relevant governmental websites. Besides publishing information on the decisions of the Government, the website analysis considers information completeness, citizen-friendliness, timeliness, and consistency. Monitoring was done for each government session in the period of the six months - last three months in the calendar year preceding

²⁶ The survey of CSOs was administered through an anonymous, online questionnaire. In Bosnia and Herzegovina, the survey was conducted in the period from 07.04. – 11.07. 2022. The data collection method included CASI (computer-assisted self-interviewing). The survey sample was N=104.

the monitoring (2021), and first three months in the monitoring year (2022), except for timeliness which is measured against all government sessions in the period of three months from the start of monitoring (roughly from beginning of February until beginning of May 2022).

The fourth indicator measures whether government institutions invite civil society to prepare evidence-based policy documents and whether evidence produced by the CSOs is considered and used in the process of policy development. Again, the measurement combines expert analysis of official documents and a survey of civil society perception data. In relation to the former, the frequency of referencing CSOs' evidence-based findings are analysed for official policy and strategic documents, policy papers, and ex-ante and ex-post policy analyses and impact assessments for a sample of three policy areas.

Finally, the fifth indicator, focusing on the quality of involvement of the public in the policy making through public consultations, was modified in this monitoring cycle to include not only perceptions of CSOs collected by implementing online survey, but also additional qualitative data through the analysis of a sample of public consultations as well as assessment of online governmental portals used for public consultations. More precisely, in this PAR Monitor addition the indicator was enhanced with the addition of qualitative analysis of scope and impact of public consultations on policy documents and legislation in the period of six months (second half of 2022), availability and quality of reporting on public consultations, functionalities of the public consultation portals, and proactiveness of informing by the responsible institutions.

III.2 WeBER monitoring results

Principle 5: Regular monitoring of the Government's performance enables public scrutiny and supports the government in achieving its objectives.

WeBER indicator 2PDC P5 I1: Public availability of information on the Government performance

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
The Government regularly publishes written information about its activities	4/4	4/4	4/4
The information issued by the Government about its activities is in an understandable way	2/2	2/2	2/2
The information issued by the Government is sufficiently detailed including both quantitative data and qualitative information and assessments	4/4	4/4	4/4
The information issued by the Government includes assessments of the achievement of concrete results	2/4	2/4	2/4
The information issued by the Government about its activities and results is available in open data format(s)	0/2	0/2	0/2
The information issued by the Government about its activities and results contain gender segregated data	1/2	2/2	0/2
Share of reports on Government strategies and plans, which are available online	0/2	1/2	2/2
Total score	13/18	15/20	14/20
Indicator value 2021/2022 (scale 0 – 5) ²⁷	3		
Indicator value 2019/2020 (scale 0 – 5)		4	
Indicator value 2017/2018 (scale 0 – 5)			3

In normal circumstances, BiH Council of Ministers (BiH CoM) publishes comprehensive and easily understandable press releases on a weekly or even more frequent basis. Press releases, conclusions as well as session announcements are available on a separate page booklet but also on the homepage. Annual reports on the performance of the BiH CoM are regularly produced and published on its website. However, in 2021, the political crisis in BiH affected the work of institutions in the country, including CoM. For this reason, more recent reports are missing from the website.

The available reports are easily accessible and include quantitative and qualitative data and assessments. The reports are presented in narrative, and in tabular form, and they provide annual results of the BiH CoM. In the introductory part of the report, information is available on the number of sessions held, the number of points discussed and the number of conclusions. Exact information on laws, decisions, strategies, proposals, agreements, and protocols as well as the number of proposals for concluding international agreements, are available. The reports are based on programs, projects as well as their activities and indicators. There are special reports on planned laws, by-laws, international contracts, and public investments. It should also be stated that there is no information on the budget in each case. Annual report on the performance of the Government for 2019 contain gender segregated data in terms of number of employees on project and activities and this is the practice that should be continued and

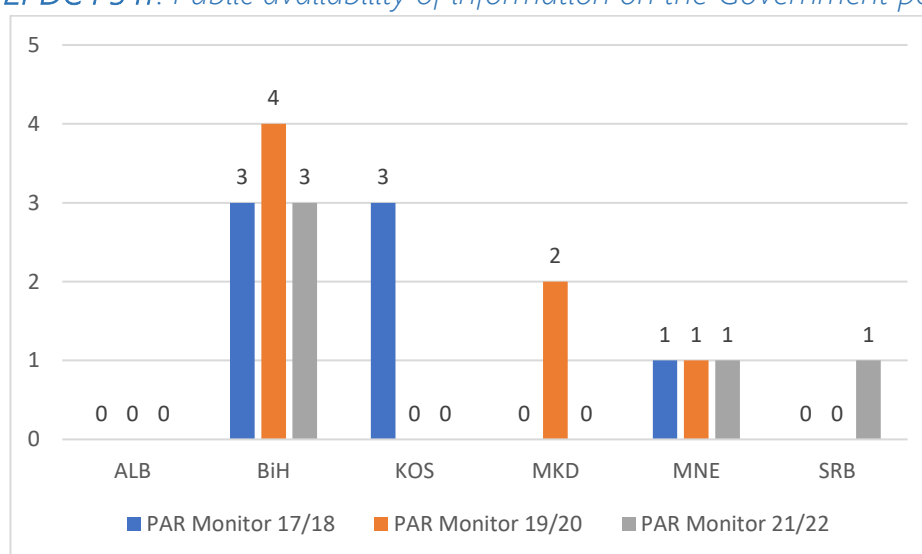
²⁷ Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-11 points = 2; 12-14 points = 3; 15-17 points = 4; 18-20 points = 5.

applied for all reports. However, the report for 2020 is unavailable, thus some points were deducted. Also, the BiH CoM does not publish information related to its work in open formats.

The share of reports on central planning documents for the last reporting period which are available online is 40%, what is a 10% decrease in comparison to the previous monitoring cycle. The Annual work plan of the CoM report for 2020 is available on the website, but the one for 2021 is missing. The reporting on the Medium-Term Government Programme of the CoM for the period 2020 – 2022 is available and easily accessed on the website. The same applies to the Economic Reform Programme for 2021-2023, which is available on the website of BiH Directorate for Economic Planning. However, the Global Framework of Fiscal Balance and Policies in BiH for the period 2021-2022 has been adopted, but it is not available online and as for the previous year, the report cannot be found on the official website. Lastly, the National Programme for the Adoption of Acquis of the EU (NPAA) is still not adopted by BiH.

How does Bosnia and Herzegovina do in regional terms?

Indicator 2PDC P5 I1: Public availability of information on the Government performance



Regional PAR Monitor reports with results for all WB administrations are available at: www.par-monitor.org/

WeBER indicator 2PDC P5 I2: Civil society perception of the Government's pursuance and achievement of its planned objectives

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
CSOs consider the Government's formal planning documents as relevant for the actual developments in individual policy areas	0/2	0/2	0/2
CSOs consider that the Government regularly reports to the public about progress against set objectives	0/4	0/4	0/4
CSOs consider that official strategies determine government's or ministries' actions in specific policy areas	0/2	0/2	0/2
CSOs consider that ministries regularly publish monitoring reports about their sectoral strategies	0/4	0/4	0/4
CSOs consider that EU accession priorities are adequately integrated in the Government's planning documents	0/2	0/2	0/2
CSOs consider that Government's reports incorporate adequate updates on the progress against the set EU accession priorities	0/2	0/2	0/2
Total score	0/16	0/16	0/16
Indicator value 2021/2022 (scale 0 – 5) ²⁸	0		
Indicator value 2019/2020 (scale 0 – 5) ²⁹		0	
Indicator value 2017/2018 (scale 0 – 5) ³⁰			0

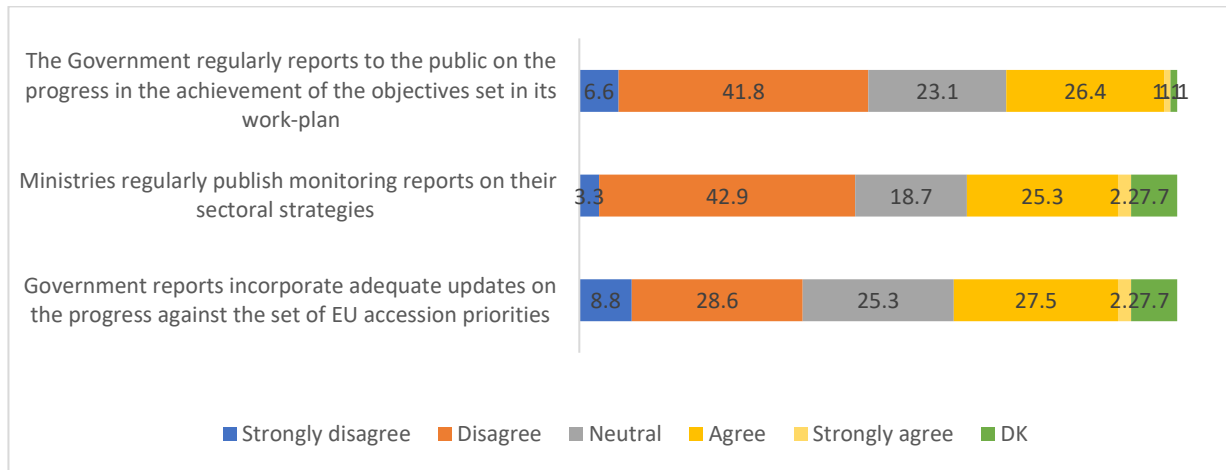
Not much has changed since the last monitoring cycle: 27.48% of surveyed CSOs either "agree" (24.18%) or "strongly agree" (3.30%) with statement that "There is a direct connection between the workplan of the government and actual developments in specific policy areas.". 27.47% of surveyed CSOs either "agree" (26.37%) or "strongly agree" (1.10%) with the statement that "The Government regularly reports to the public on the progress in the achievement of the objectives set in its work-plan." 24.18% of surveyed CSOs either "agree" (23.08%) or "strongly agree" (1.10%) with the statement that "Official strategies determine the governments' or ministries' action in certain areas". By contrast, 42.85% either disagree (36.26%) or fully disagree (6.59%) with the statement. 28.57% were neutral.

²⁸ Conversion of points: 0-3 points = 0; 4-5 points = 1; 6-7 points = 2; 8-10 points = 3; 11-13 points = 4; 14-16 points = 5

²⁹ *ibid*

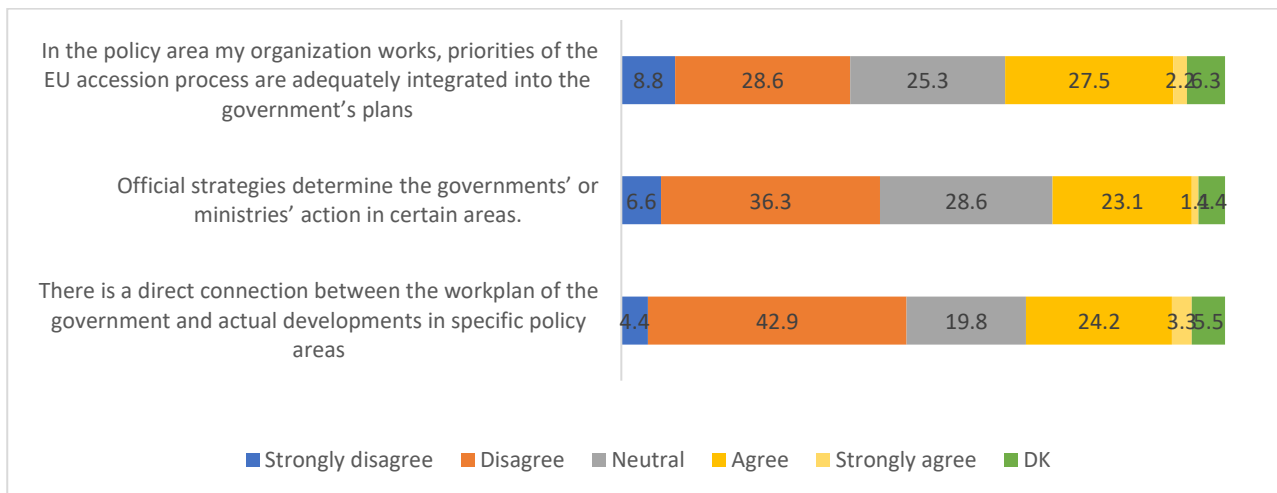
³⁰ Conversion of points: 0-3 points = 0; 4-5 points = 1; 6-7 points = 2; 8-10 points = 3; 11-13 points = 4; 14-16 points = 5

Fig. 1: CSO perceptions on reporting of the implementation of government work plan



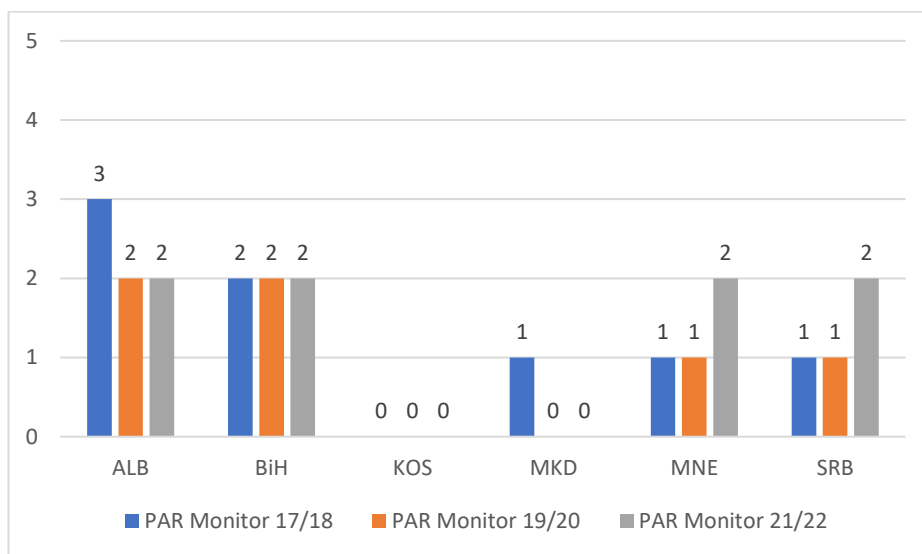
27.47% of surveyed CSOs either "agree" (25.27%) or "strongly agree" (2.20%) with the statement that "Ministries regularly publish monitoring reports on their sectoral strategies." 29.67% of surveyed CSOs either "agree" (27.47%) or "strongly agree" (2.20%) with the statement that "In the policy area my organisation works, priorities of the EU accession process are adequately integrated into the government's plans". 26.38% of surveyed CSOs either "agree" (24.18%) or "strongly agree" (2.20%) with the statement that "In the policy area my organisation works, government's reports incorporate adequate updates on the progress against the set of EU accession priorities." By contrast, 40.66% either disagree (30.77%) or fully disagree (9.89%) with the statement. Lastly, 25.27% were neutral.

Fig. 2: CSO perceptions on the incorporation of EU accession priorities in work plans and relationship between government work plans and actual policy implementation



How does Bosnia and Herzegovina do in regional terms?

Indicator 2PDC P5 I2: Civil society perception of the Government's pursuance and achievement of its planned objectives



Regional PAR Monitor reports with results for all WB administrations are available at: www.par-monitor.org/.

Principle 6: Government decisions are prepared in a transparent manner and based on the administrations' professional judgement; legal conformity of decisions is ensured

WeBER indicator PDC P6 I1: Transparency of the Government's decision-making

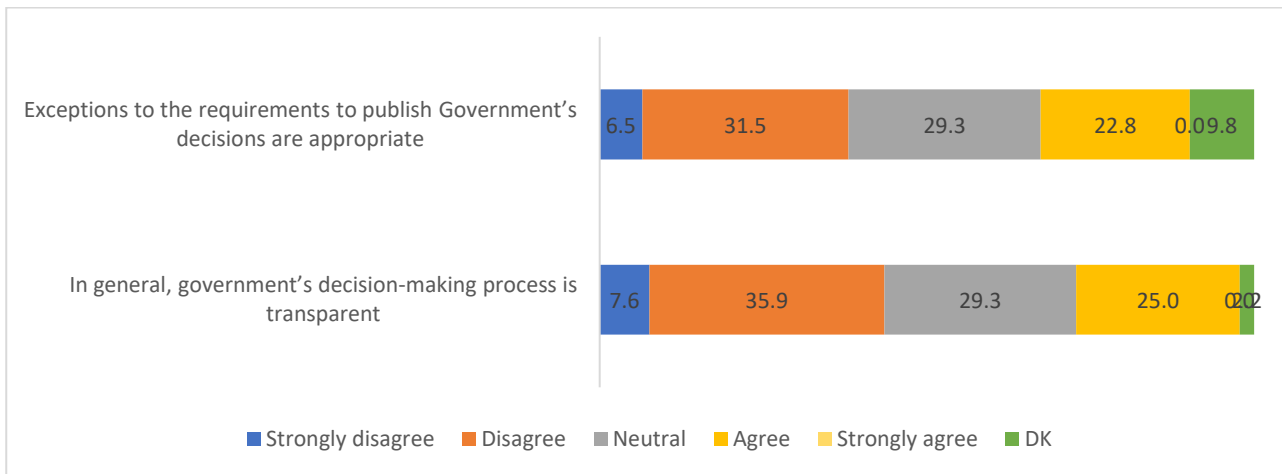
Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
CSOs consider the Government decision-making to be generally transparent	0/2	0/2	0/2
CSOs consider the exceptions to the rules of publishing Government decisions to be appropriate	0/2	0/2	0/2
The Government makes publicly available the documents from its sessions	0/4	2/4	2/4
The Government communicates its decisions in a citizen-friendly manner	4/4	4/4	4/4
The Government publishes adopted documents in a timely manner	0/4	0/4	0/4
Total score	4/16	6/16	6/16
Indicator value 2021/2022 (scale 0 – 5) ³¹	1		
Indicator value 2019/2020 (scale 0 – 5)		2	
Indicator value 2017/2018 (scale 0 – 5)			2

25.00% of surveyed CSOs "agree" and none "strongly agree" with statement "In general, government's decision-making process is transparent". By contrast, 43.48% either disagree (35.85%) or fully disagree (7.61%) with the statement. Finally, 29.35 of respondents are neutral with regard to the statement. 22.83% of surveyed CSOs "agree" and none "strongly agree" with statement "Exceptions to the requirements to publish Government's decisions are appropriate". By contrast, 38.04% either disagree (31.52%) or strongly disagree (6.52%) with the statement. Finally, 29.35 of respondents are neutral with regard to the statement.

The decisions, statements, regulations and strategies are published in official gazette and on the website of CoM BIH. The official website of the Council of Ministers entails regularly updated posts about sessions. When extraordinary sessions have taken place, sometimes agendas and press releases would be published afterwards. But all the other documents that have been adopted (adopted information, proposed laws, programs, reports...) are not published on the website of the Council of Ministers.

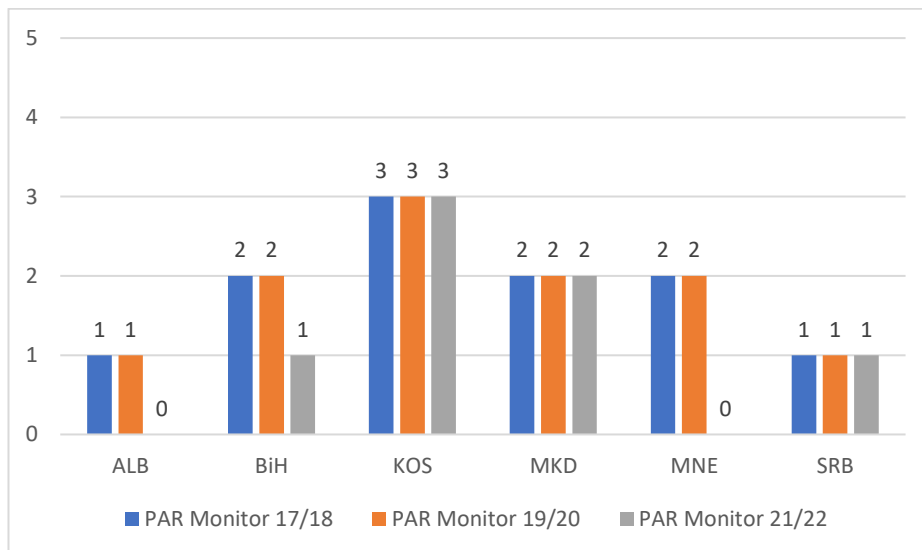
³¹ Conversion of points: 0-2 points = 0; 3-5 points = 1; 6-8 points = 2; 9-11 points = 3; 12-14 points = 4; 15-16 points = 5.

Fig. 3: CSO perceptions on the government's decision-making process transparency



How does Bosnia and Herzegovina do in regional terms?

Transparency of the Government's decision-making



Regional PAR Monitor reports with results for all WB administrations are available at: www.par-monitor.org/.

Principle 10: The policy-making and legal-drafting process is evidence-based, and impact assessment is consistently used across ministries

WeBER indicator PDC P10 I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development

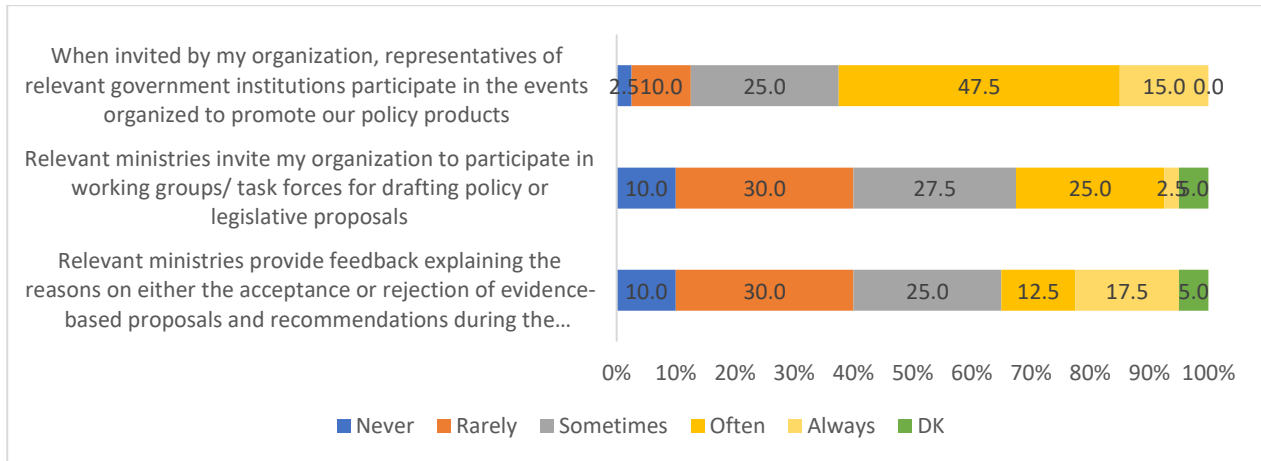
Indicator elements	Scores	Scores	Scores
	2021/2022	2019/2020	2017/2018
Frequency of referencing of evidence-based findings produced by CSOs in the adopted government policy documents	2/4	2/4	2/4
Frequency of referencing of evidence-based findings produced by CSOs in policy papers and ex ante impact assessments	0/4	0/4	0/4
Share of evidence-based findings produced by wide range of CSOs, such as think tanks, independent institutes, locally-based organisations, referenced in ex post policy analyses and assessments of government institutions	0/2	0/2	0/2
Relevant ministries or other government institutions invite or commission wide range of CSOs, such as think tanks, independent institutes, locally-based organisations, to prepare policy studies, papers or impact assessments for specific policy problems or proposals	1/2	1/2	0/2
Representatives of relevant ministries participate in policy dialogue (discussions, round tables, closed door meetings, etc.) pertaining to specific policy research products	2/2	1/2	1/2
Representatives of wide range of CSOs, such as think tanks, independent institutes, locally-based organisations are invited to participate in working groups/ task forces for drafting policy or legislative proposals, when they have specific proposals and recommendations based on evidence	0/4	0/4	0/4
Relevant ministries in general, provide feedback on the evidence-based proposals and recommendations of the wide range of CSOs, such as think tanks, independent institutes, locally-based organisations, which have been accepted or rejected, justifying either action	1/2	0/2	0/2
Ministries accept CSOs' policy proposals in the work of working groups for developing policies and legislation	0/4	0/4	0/4
Total score	6/24	4/24	3/24
Indicator value 2021/2022 (scale 0 – 5)³²	1		

³² Conversion of points: 0-5 points = 0; 6-8 points = 1; 9-12 points = 2; 13-16 points = 3; 17-19 points = 4; 20-24 points = 5

Indicator value 2019/2020 (scale 0 – 5)		0	
Indicator value 2017/2018 (scale 0 – 5)			0

Evidence-based findings produced by CSOs are occasionally referenced in strategic and policy documents within the three policy areas in which the largest number of CSOs identified in BiH is actively working: anti-corruption, antidiscrimination, and environment policy. Only 1 out of the 6 of examined strategies contain reference to CSO's findings. However, within all three examined policy areas, no ex-ante regulatory impact assessments or other policy or concept documents were found or obtained through FOI, and measuring of frequency of referencing of evidence-based findings produced by CSOs was not possible. The same applies for as ex-post policy document and analysis.

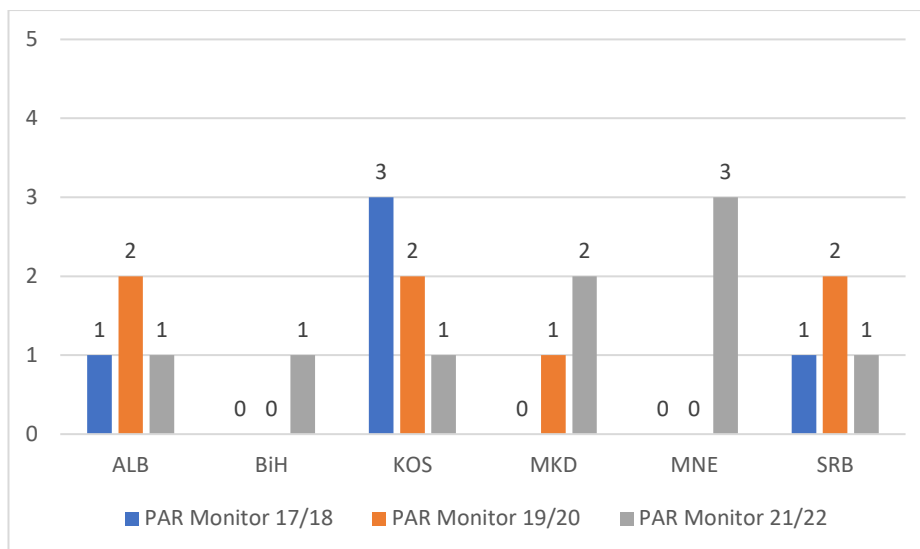
Fig. 4: CSO perception of the government-CSO policy cooperation



When it comes to CSO perception, 37.50% of surveyed CSOs either "agree" (27.50%) or "strongly agree" (10.00%) with statement "When addressing policy problems or developing policy proposals, government institutions invite my organization to prepare or submit policy papers, studies or impact assessments." 62.50% of surveyed CSOs that produce inputs for the decision-making processes at the central level state that either "often" (47.50%) or "always" (15.00%) representatives of relevant government institutions participate in the events organised by respondents' organisations, upon invitation. 27.25% of surveyed CSOs that produce inputs for the decision-making processes at the central level state that either "often" (25.00%) or "always" (2.50%) relevant ministries invite the organisation to participate in working groups/task forces for drafting policy or legislative proposals, when they have specific evidence-based proposals and recommendations. 30.00% of surveyed CSOs that produce inputs for the decision-making processes at the central level state that either "often" (12.50%) or "always" (17.50%) give feedback on the reasons for acceptance/rejection of evidence-based inputs coming from the organization during the working group work. 27.50% of respondents from CSOs that produce inputs for the decision-making processes at the central level state that relevant ministries either "often" (20.00%) or "always" (7.50%) consider policy proposals made by the respondents' organisations, and more than third said "sometimes" - 35%. On the other hand, 32.50% respondents believe that this happens either rarely or never.

How does Bosnia and Herzegovina do in regional terms?

Use of evidence created by think tanks, independent institutes and other CSOs in policy development



Regional PAR Monitor reports with results for all WB administrations are available at: www.par-monitor.org/.

Principle 11: Policies and legislation are designed in an inclusive manner that enables the active participation of society

WeBER indicator PDC P11 I1: Civil society perception and scope of involvement in policymaking

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018 ³³
Scope of public consultations on policy documents in central administration	4/4	4/4	n/a
Scope of public consultations on legislation in central administration	4/4	4/4	n/a
Availability of reporting on public consultations on policy documents by the central administration	4/4	2/4	n/a
Availability of reporting on public consultations on legislation by the central administration	0/4	4/4	n/a
Basic functionality of a national public consultation portal	2/4	2/4	n/a
Advanced functionality of a national public consultation portal	1/2	1/2	n/a
Proactiveness of informing on public consultations	0/2	0/2	n/a
Embeddedness of early public consultations in practice	0/2	0/2	n/a
Quality of reporting on public consultations	0/2	0/2	n/a
Impact of public consultation results on policy making	0/2	0/2	n/a
CSOs consider formal consultation procedures create preconditions for inclusion of the public in the policy-making process	1/2	1/2	0/4
CSOs consider formal consultation procedures are applied consistently	1/2	0/2	0/4
CSOs consider that they are consulted at the early phases of the policy-making process	0/2	0/2	0/4
CSOs consider consultees are timely provided with information on the content of legislative or policy proposals	0/2	0/2	0/2
CSOs consider consultees are provided with adequate information on the content of legislative or policy proposals	0/2	0/2	0/2
CSOs consider sponsoring ministries take actions to ensure that diverse groups are represented in the consultation processes (women's groups, minority groups, trade unions, employers' associations, etc.)	0/2	0/2	0/2
CSOs consider ministries (sponsors of policy and legislative proposals) provide feedback on consultees' inputs/comments	0/2	0/2	0/4
CSOs consider ministries (sponsors of policy and legislative proposals) take into account consultees' inputs/comments	0/2	0/2	0/4
CSOs consider ministries (sponsors of policy and legislative proposals) discuss on how the consultees' views have shaped and influenced the final decision of the Government	0/2	0/2	0/2
Total score	17/50	18/50	0/30

³³ As this indicator has been changed since the 2017/2018 monitoring cycle, the results from these three cycles are not entirely comparable. In other words, in the monitoring cycle 2017/2018, point allocation was entirely based on the CSO perception survey, while in the last two monitoring cycles it is based on a combination of survey-based data on the one hand, and available data on implemented consultations, communication with external stakeholders, and the functioning of the e-consultation portal, on the other.

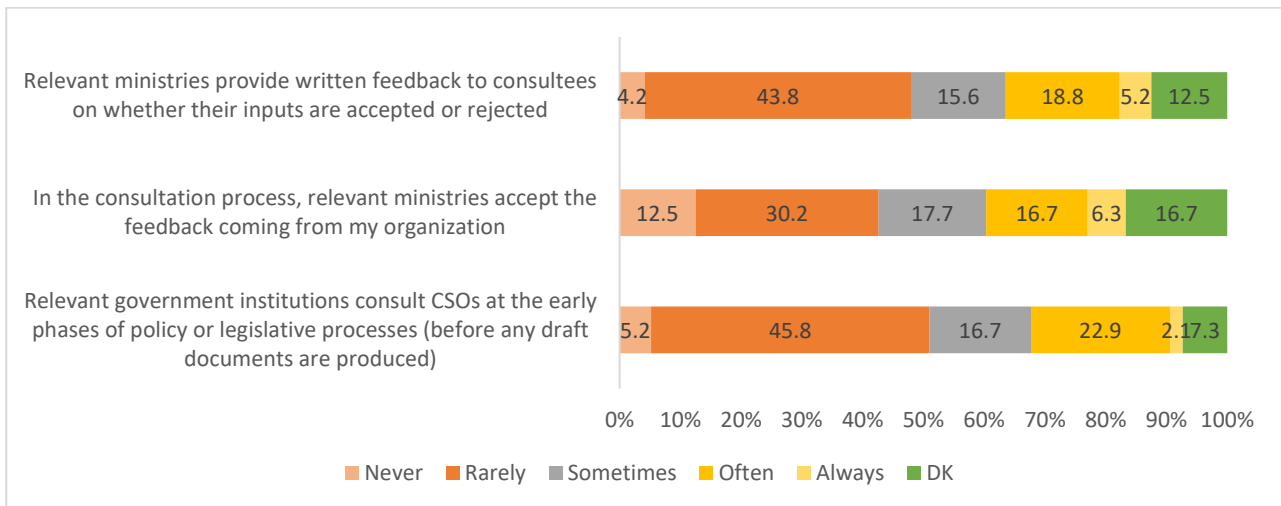
Indicator value 2021/2022(scale 0 – 5) ³⁴	1		
Indicator value 2019/2020 (scale 0 – 5)		2	
Indicator value 2017/2018 (scale 0 – 5)			0

100% (1 out of 1) policy documents were subjected to public consultations during the monitoring period: Migration and Asylum Strategy and Action Plan (2021-2025) by the Ministry of Security of BiH - Online consultations took part in the following period: 3.8.-2.9.2021 (report has been published) and 100% (1 out of 1) legislation acts were subjected to public consultations: Value Added Tax Act by Indirect Taxation Authority BiH (report has not been published).

Searchable database of consultations for at least 2 years back, with all the information (such as announcements, dates, responsible authorities etc.) relevant for fully identifying each consultation process, past and present is available. The portal includes searchable database of consultations starting from August 2017 with all the required information relevant for fully identifying each consultation process, past and present. Searchability allows using following categories: name or type (of document or institution), time period, and not by the type of a document. Each public consultation entry contains a public consultation report, except for the recent ones where the report is still pending.

All the public consultation were held after production of a first draft of documents, as required by law. Option of holding early consultation is left to the institutions, but none of the included ones used it.

Fig. 5: CSO perception of the government’s handling of CSO feedback through the public consultation process



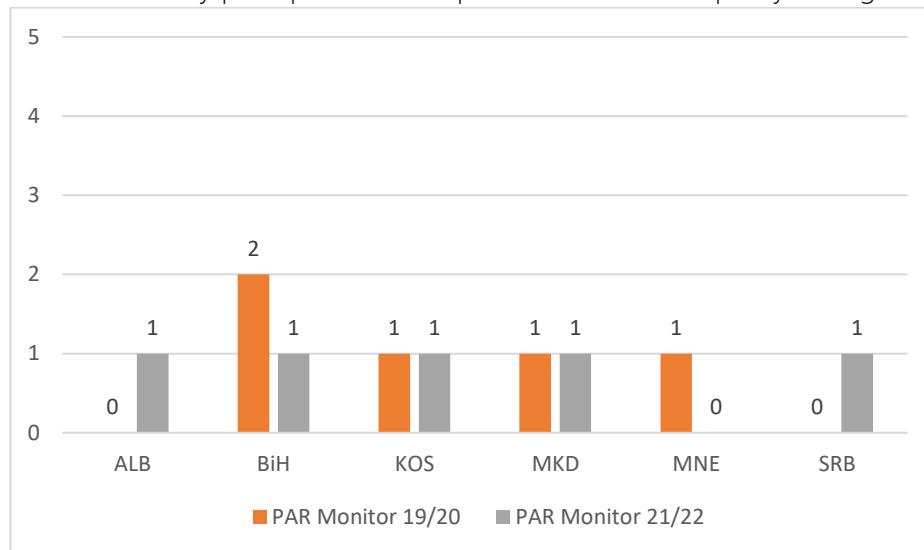
³⁴ Conversion of points: 0-9 points = 0; 10-17 points = 1; 18-25 points = 2; 26-33 points = 3; 34-41 points = 4; 42-50 points = 5.

Negative impressions and opinions prevail in CSO's perceptions of how public consultations are conducted in practice, similar to the results of the previous PAR Monitors - 33.33% of surveyed CSOs either "agree" (29.17%) or "strongly agree" (4.17%) with the statement "Formal consultation procedures provide conditions for an effective involvement of the public in policy-making processes". 30.21% of surveyed CSOs either "agree" (28.13%) or "strongly agree" (2.08%) with the statement "Government institutions consistently apply formal consultation procedures when developing policies within their purview". 25% of surveyed CSOs that produce inputs for the decision-making processes at the central level state that either "often" (22.92%) or "always" (2.08%) relevant government institutions consult CSOs at the early phases of policy and legislative processes.

The government has not been at its full capacity for a half-year period in 2021 (8 months in total), thus only this legislation has been placed for consultations. Other than that, jurisdiction of the state-level institutions is narrow, and many aspects of legislation and policies fall to the lower levels (entities and cantons) what influences the overall number of policy documents on the state level.

How does Bosnia and Herzegovina do in regional terms?

Civil society perception and scope of involvement in policymaking



Regional PAR Monitor reports with results for all WB administrations are available at: www.par-monitor.org/.

III.3 Summary results: Policy Development and Co-ordination

In normal circumstances, BiH Council of Ministers (BiH CoM) publishes comprehensive and easily understandable press releases on a weekly or even more frequent basis. Press releases, conclusions as well as session announcements are available on a separate page booklet but also on the homepage. Annual reports on the performance of the BiH CoM are regularly produced and published on its website. However, in 2021, the political crisis in BiH affected the work of institutions in the country, including CoM. For this reason, more recent reports are missing from the website.

The available reports are easily accessible and include quantitative and qualitative data and assessments. The reports are presented in narrative, and in tabular form, and they provide annual results of the BiH CoM. In the introductory part of the report, information is available on the number of sessions held, the number of points discussed and the number of conclusions. Exact information on laws, decisions, strategies, proposals, agreements, and protocols as well as the number of proposals for concluding international agreements, are available. The reports are based on programs, projects as well as their activities and indicators.

The share of reports on central planning documents for the last reporting period which are available online is 40%, what is a 10% decrease in comparison to the previous monitoring cycle.

The Annual work plan of the CoM report for 2020 is available on the website, but the one for 2021 is missing. The reporting on the Medium-Term Government Programme of the CoM for the period 2020 – 2022 is available and easily accessed on the website. The same applies to the Economic Reform Programme for 2021-2023, which is available on the website of BiH Directorate for Economic Planning. However, the Global Framework of Fiscal Balance and Policies in BiH for the period 2021-2022 has been adopted, but it is not available online and as for the previous year, the report cannot be found on the official website. Lastly, the National Programme for the Adoption of Acquis of the EU (NPAA) is still not adopted by BiH.

Evidence-based findings produced by CSOs are occasionally referenced in strategic and policy documents within the three policy areas in which the largest number of CSOs identified in BiH is actively working: anti-corruption, antidiscrimination, and environment policy. Only 1 out of the 6 of examined strategies contain reference to CSO's findings. However, within all three examined policy areas, no ex-ante regulatory impact assessments or other policy or concept documents were found or obtained through FOI, and measuring of frequency of referencing of evidence-based findings produced by CSOs was not possible. The same applies for as ex-post policy document and analysis.

100% (1 out of 1) policy documents were subjected to public consultations during the monitoring period: Migration and Asylum Strategy and Action Plan (2021-2025) by the Ministry of Security of BiH - Online consultations took part in the following period: 3.8.-2.9.2021 (report has been published) and 100% (1 out of 1) legislation acts were subjected to public consultations: Value Added Tax Act by Indirect Taxation Authority BiH (report has not been published).

All the public consultation were held after production of a first draft of documents, as required by law. Option of holding early consultation is left to the institutions, but none of the included ones used it.

CSOs' perception of the Government reporting is similar with the previous monitoring cycle.

Recommendations for Policy Development and Coordination

Tracking recommendations from PAR Monitor 2019/2020

Recommendation	Status	Comment
GAWP annual reporting should be improved to include visible results achieved in different policy areas in the reporting period including relevant information on horizontal policy dimensions such as but not limited to gender mainstreaming, environment, sustainable development.	No action taken	Nothing changed from the last monitor cycle.
The BiH CoM should publish reports in open data format to allow further use by all interested parties and ensure that ministries develop and enforce clear internal rules for policy development.	No action taken	CoM does not pursue open data policy.
The BiH CoM should start regularly publishing all of the adopted documents from each session.	No action taken	Nothing changed from the last monitor cycle.
RIA methodology should be implemented and evidence based policy making should be ensured.	No action taken	Nothing changed from the last monitor cycle.
Institutions should use all the available channels to announce consultations - including websites of responsible body, E-government portal, Office for Cooperation with Civil Society, social media of all the involved institutions etc.).	No action taken	All the consultations are announced in a timely manner at the eConsultations portal (ekonsultacije.gov.ba). However, most of the institutions do not publish the announcements through other available channels which results in a poor participation by CSOs and citizens.
Ministry of Justice of BiH should adopt a strategy of promoting the eConsultation portal in order to reach a larger number of participants in the consultation processes and find a way of making the process easier and citizen-friendly.	No action taken	Ministry of Justice have not engaged is adopting the strategy.
When organising consultations, inputs and comments from the civil society and the	No action taken	Institutions have the obligation to hold consultations in the final phase

<p>public should be sought as early as possible in the process, and preferably in the policy formulation phase</p>		<p>of adopting legislation of policy documents and very small percentage include CSOs and the public in the early phases.</p>
<p>Single portal should be created for the publication of all legislation adopted by all levels of government and online database of legislation should be promoted through this portal, as well as through the governmental and individual administration bodies' websites, preferably through banners easily redirecting visitors. Although accessible and free of charge on the Official Gazette website, awareness of this database should be improved to reach as many of those interested.</p>	<p>No action taken</p>	<p>E-consultation portal includes only state level legislation that is being adopted or has been adopted.</p>

1. **GAWP annual reporting should be improved to include visible results achieved in different policy areas in the reporting period** including relevant information on horizontal policy dimensions such as but not limited to gender mainstreaming, environment, sustainable development.*
2. **The BiH CoM should publish reports in open data format** to allow further use by all interested parties and ensure that ministries develop and enforce clear internal rules for policy development.*
3. **The BiH CoM should start regularly publishing all of the adopted documents from each session.***
4. **RIA methodology should be implemented and evidence based policy making should be ensured.***
5. **Institutions should use all the available channels to announce consultations** - including websites of responsible body, E-government portal, Office for Cooperation with Civil Society, social media of all the involved institutions etc.).
6. **Ministry of Justice of BiH should adopt a strategy of promoting the eConsultation portal in order to reach a larger number of participants in the consultation processes and find a way of making the process easier and citizen-friendly.***
7. **When organising consultations, inputs and comments from the civil society and the public should be sought as early as possible in the process, and preferably in the policy formulation phase.***
8. **Single portal should be created for the publication of all legislation adopted by all levels of government and online database of legislation should be promoted through this portal, as well as through the governmental and individual administration bodies' websites, preferably through banners easily redirecting visitors. Although accessible and free of charge on the Official Gazette website, awareness of this database should be improved to reach as many of those interested.***

*Recommendations from the previous cycle (repeated and modified)

IV.

PUBLIC SERVICE AND HUMAN RESOURCE MANAGEMENT



IV.1 WeBER indicators used in Public Service and the Human Resources Management and country values for Bosnia and Herzegovina

3PSHRM P2 I1: Public availability of statistics and reports about the civil service and employees in central state administration



3PSHRM P2 I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime



3PSHRM P3 I1: Openness, transparency and fairness of recruitment into the civil service



3PSHRM P4 I1: Effective protection of senior civil servants' position from unwanted political interference



3PSHRM P5 I1: Transparency, clarity and public availability of information on the civil service remuneration system



3PSHRM P7 I1: Transparency, clarity and public availability of information on the civil service remuneration system



State of Play in the Public Service and the Human Resources Management

As stated in the last European Commission Bosnia and Herzegovina Report 2022³⁵, Keeping the civil service non-politicized, merit-based, and professional remains a key problem. The entity of the Republika Srpska and the Brcko District have made little progress in adopting an uniform public service policy framework. Different working circumstances enshrined in law, as well as differing practices at different levels of government (particularly in terms of selection and recruiting, the scope of the civil service, transfers and promotions criteria, appraisals, and disciplinary procedures), could stifle public servant mobility. Human resource management and civil service law are not well-coordinated at all levels of government. The Federation entity and cantons, in particular, must closely coordinate the civil service's institutional setup. The appointment of PAR coordinators in the cantons at the end of 2019 was a positive step toward better Federation coordination. Political influence in recruiting and promotion procedures is pervasive at all levels, with lack of transparency in selection committee appointments. Candidates are still being selected without regard for merit, and heads of institutions are still making final decisions with enormous discretion. All civil service legislation and recruitment methods must ensure that ethnic considerations do not take precedence over merit. The criteria for dismissals and disciplinary procedures, including the right to appeal, are still underutilized.

Human resource management (HRM) is still a disjointed field. Civil service agencies and training divisions do not work together as well as they should. The inability to compare performance on HRM practices across government levels is hampered by a general lack of data and uneven methodology. Human resource management is not systematically monitored at all levels of government, and civil service bodies do not make public data available. There has been no progress in putting in place functional HRM information systems (HRMIS) at all levels of government. The State level must create a legal foundation to make HRMIS effective for civil service; the Federation entity did so in July 2020; the Republika Srpska entity must clarify HRMIS obligations between institutions in charge of public administration and the civil service agency for the same purpose. Civil service agencies' administrative capacities and coordination, as well as integrated training units', must be strengthened. Because of disparities in remuneration legislation, job classification, and pay grades across the country, the remuneration system for civil officials is inconsistent across public institutions and lacks transparency.

Civil service agencies are given insufficient resources for training and professional growth. The performance appraisal system is formally in place, but it is not being used to justify promotions in a systematic way. The use of behavioural competencies and stated objectives as independent criteria for assessing performance has been integrated into a new rulebook on performance appraisal of civil servants in the Federation entity. There was little progress in developing a unified system for fair performance evaluation, advancement, and training as a civil servant's right. The mobility of civil servants is hampered by different recruitment and promotion standards and practices. There are no systemic, integrated data on civil servant integrity. The public's perception of public officials' corruption remains high. Civil service agencies temporarily paused and postponed all recruitment operations in the civil service due to the COVID-19 epidemic, while training activities were conducted online when possible.

³⁵ See: https://neighbourhood-enlargement.ec.europa.eu/bosnia-and-herzegovina-report-2022_en

However, this research only took into account the state level civil service. The Civil Service Agency is a state institution of Bosnia and Herzegovina in charge of ensuring the implementation of the process of hiring civil servants at the request of institutions; to assist institutions in the implementation of their personnel policy, organizational development as well as in establishing a unified information system for human resources management in BiH institutions; provides training and development of the civil service; and performs other tasks and duties determined by the Law on Civil Service in the Institutions of Bosnia and Herzegovina.

The Civil Service Agency is a Bosnia and Herzegovina state institution in charge of ensuring the implementation of the process of hiring civil servants at the request of institutions; assisting institutions in the implementation of their personnel policy, organizational development, and the establishment of a unified information system for human resources management in BiH institutions; and providing assistance to institutions in the implementation of their personnel policy, organizational development, and the establishment of a unified information system for human resources management in BiH institutions³⁶.

What does WeBER monitor and how?

WeBER monitoring within the PSHRM area covers five SIGMA Principles and relates exclusively to central administration (centre of Government institutions, ministries, subordinated bodies and special organisations). In other words, monitoring encompasses central government civil service, as defined by the relevant legislation (primarily the Civil Service Law). The selected principles are those that focus on the quality and practical implementation of the civil service legal and policy frameworks, on measures related to merit-based recruitment, use of temporary engagements, transparency of the remuneration system, integrity and anti-corruption in the civil service. The WeBER approach was based on elements which SIGMA does not strongly focus on in its monitoring, but which are significant to the civil society from the perspective of transparency of the civil service system and government openness, or the public availability of data on the implementation of civil service policy.

The following SIGMA principles were selected for monitoring, in line with the WeBER selection criteria:

Principle 2: The policy and legal frameworks for a professional and coherent public service are established and applied in practice; the institutional set-up enables consistent and effective human resource management practices across the public service.

Principle 3: The recruitment of public servants is based on merit and equal treatment in all its phases; the criteria for demotion and termination of public servants are explicit.

Principle 4: Direct or indirect political influence on senior managerial positions in the public service is prevented.

Principle 5: The remuneration system of public servants is based on the job classification; it is fair and transparent.

Principle 7: Measures for promoting integrity, preventing corruption and ensuring discipline in the public service are in place.

Monitoring of these principles combines the findings of SIGMA's assessment within specific sub-indicators. In addition, monitoring is based on WeBER's expert review of legislation, documents and websites,

³⁶ See: <https://www.ads.gov.ba/bs-Latn-BA/about-us>

including collection and analysis of government administrative data, reports and other documents searched for online or requested through freedom of information (FoI) requests. To create a more balanced qualitative and quantitative approach, research included the measuring of perceptions of civil servants, CSOs and the wider public by employing perception surveys. Finally, data collection included semi-structured face-to-face interviews and focus groups with relevant stakeholders such as senior civil servants, former senior civil servants and former candidates for jobs in civil service, as well as representatives of governmental institutions in charge of the human resource management policy.

Surveys of civil servants and CSOs in the six Western Balkan administrations were implemented using an online survey tool, between April and July 2022.³⁷ The civil servants' survey was in most administrations disseminated through a single contact point originating from national institutions responsible for the overall civil service system.³⁸ The CSO survey, was distributed through existing networks and platforms of civil society organisations with large contact databases, but also through centralised points of contact such as governmental offices in charge of cooperation with civil society.³⁹ To ensure that the CSO survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and hence contributed to its representativeness as much as possible, additional boosting was done where needed. Finally, the public perception survey included computer-assisted personal interviewing of the general public (aged 18 and older) of the Western Balkans region, during the period of 4 May - 23 May 2022.⁴⁰ In all three surveys, WeBER applied uniform questionnaires throughout the region and disseminated them in local languages, ensuring an even approach in survey implementation.

WeBER uses six indicators to measure the five principles mentioned above. In the first indicator, WeBER monitors the public availability of official data and reports about the civil service and employees in the central state administration. In the second indicator, monitoring includes the extent to which widely applied temporary engagement procedures undermine the merit-based regime. Openness, transparency and fairness of recruitment into the civil service, as a particularly critical aspect of HRM in the public administration due to its public facing character, is examined within the third indicator. The fourth indicator places focus on the prevention of direct and indirect political influence on senior managerial positions in the public service, while the fifth indicator analyses whether information on the civil service remuneration is transparent, clear and publicly available. Finally, in the sixth indicator, WeBER examines the promotion of integrity and prevention of corruption in the civil service.

³⁷ Surveys were administered through an anonymous, online questionnaire. The data collection method included CASI (computer-assisted self-interviewing). In Bosnia and Herzegovina, the civil servants' survey was conducted from 18 April to 4 July 2022, and the CSO survey in the period from 7 April to 11 July 2022.

³⁸ Bosnia and Herzegovina, the survey sample was N=120. The base for questions within Principle 2 was n=95 respondents, Principle 3 had n=102 respondents, Principle 5 had n=90 respondents and Principle 7 had n=90 respondents.

³⁹ For Bosnia and Herzegovina, the survey sample was N=104. The base for questions within PS&HRM area was n= 90 respondents.

⁴⁰ Perceptions are explored using a survey targeting the public (aged 18 and older) of six Western Balkan countries. The public perception survey employed a multi-stage probability sampling and was administered combining computer-assisted web and telephone interviewing (CAWI, and CATI), using a standardized questionnaire through omnibus surveys in Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, and Serbia during 4 May - 23 May 2022. For Bosnia and Herzegovina, the margin of error for the total sample of 1037 citizens is $\pm 3.15\%$, at the 95% confidence level.

IV.2 WeBER monitoring results

Principle 2: The policy and legal frameworks for a professional and coherent public service are established and applied in practice; the institutional set-up enables consistent and effective human resource management practices across the public service

WeBER indicator 3PSHRM P2 I1: Public availability of statistics and reports about the civil service and employees in central state administration

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
E1 The Government keeps reliable data pertaining to the public service	2/4	0/4	0/4
E2 The Government regularly publishes basic statistical data pertaining to public service	4/4	2/4	2/4
E3 Published statistical data includes data on employees other than full-time servants in the central state administration	0/4	0/4	0/4
E4 Published statistical data on public service is segregated based on gender and ethnic structure	2/2	1/2	1/2
E5 Published official data is available in open data format(s)	1/1	0/1	0/1
E6 The government comprehensively reports on the public service policy	2/4	2/4	0/4
E7 The government regularly reports on the public service policy	0/2	0/2	0/2
E8 Reports on the public service include substantiated information concerning quality and/or outcomes of the public service work	0/2	0/2	0/2
E9 Data and information about the public service are actively promoted to the public	0/2	0/2	0/2
Total score	11/25	5/25	3/21
Indicator value (scale 0 – 5)⁴¹	2	0	0

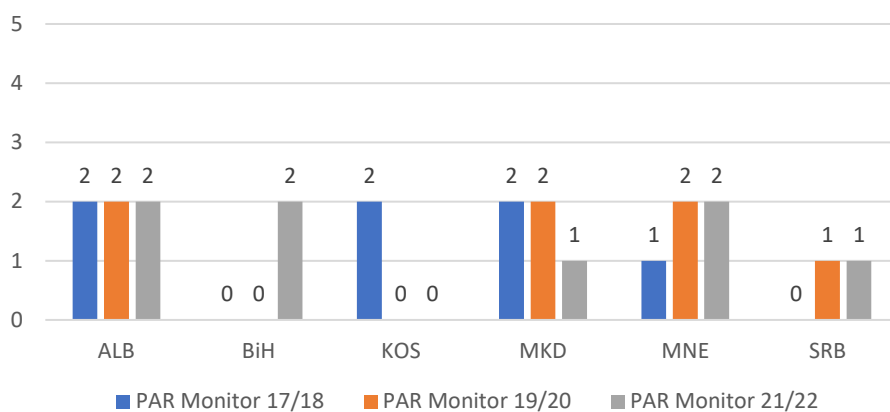
From SIGMA Monitoring Report for Bosnia and Herzegovina, Area Public Service and Human Resource Management, Indicator, 3.2.1, Sub-indicator 3.2.1.7. Existence of a functional HR database with data on civil service: "Significant progress has been made in developing HRMIS at all levels. The databases were created and are operational except at the State level. While admitting there has been considerable advancement in this regard, the main shortcoming – common to all levels – is the lack of integration of HRMIS with other relevant information systems, in particular with the payroll system." The Government regularly publishes basic statistical data pertaining to the public service - The data includes the number of civil servants, their division per ranks, their age, gender and ethnic structure and per institutions at the state level (which is a new function at the website). If there has been a change in data compared to previously filled data, authorized persons of BiH institutions, personnel service, enter it into the system. The quantity of data that can be entered into the system is not limited, so data can be entered on a daily basis. Every three months, the Agency automatically sends a notification to institutions that have not updated their data in the

⁴¹ Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5.

previous three months via the system. Data available on website of BiH CSA does not include employees other than full-time civil servants. All statistics data are segregated and available for download in open data format (XLS). Reports on the public service policy are available, but only through the Report on the Work of CSA.

How does Bosnia and Herzegovina do in regional terms?

Public availability of statistics and reports about the civil service and employees in central state administration



Regional PAR Monitor Reports with results for all WB administrations is available at: www.par-monitor.org.

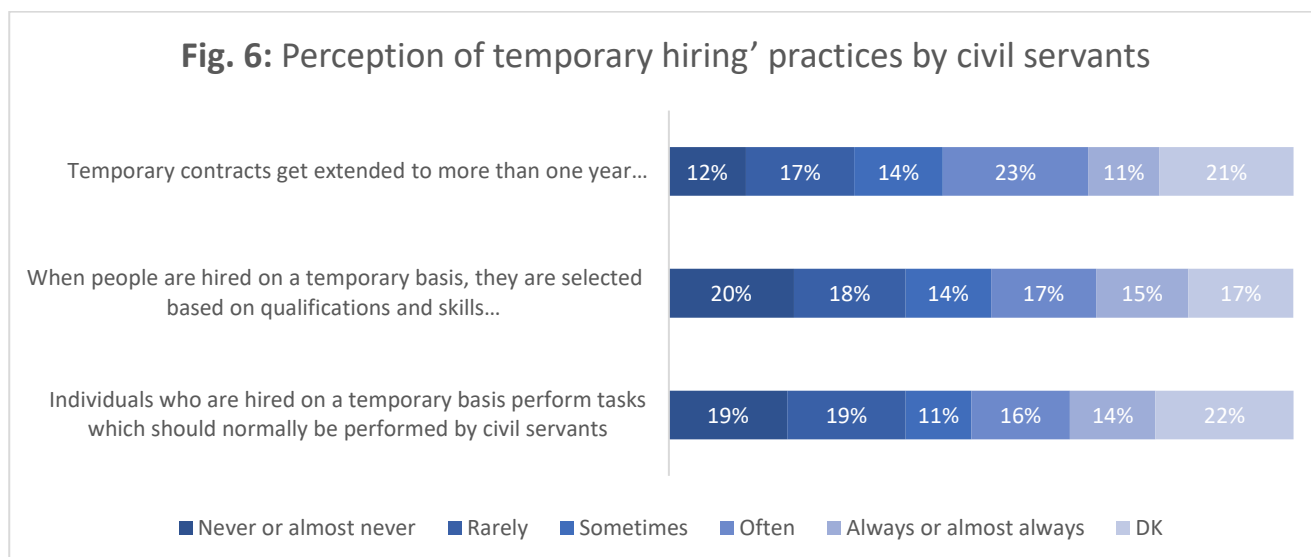
WeBER indicator 2PSHRM P2 I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
E1 The number of temporary engagements for performance of tasks characteristic of civil service in the central state administration is limited by law	0/4	0/4	0/4
E2 There are specific criteria determined for the selection of individuals temporary engagements in the state administration.	0/4	0/4	0/4
E3 The hiring procedure for individuals engaged on temporary contracts is open and transparent	0/4	0/4	0/4
E4 Duration of temporary engagement contracts is limited	2/4	2/4	2/4
E5 Civil servants perceive that temporary engagements in the administration are an exception	1/2	0/2	0/2
E6 Civil servants perceive that performance of tasks characteristic of civil service by individuals hired on a temporary basis is an exception	1/2	1/2	0/2
E7 Civil servants perceive that appointments on a temporary basis in the administration are merit-based	1/2	1/2	0/2
E8 Civil servants perceive that the formal rules for appointments on a temporary basis are applied in practice	1/2	1/2	1/2
E9 Civil servants perceive that individuals hired on a temporary basis go on to become civil servants after their contracts end	0/2	0/2	1/2
E10 Civil servants perceive that contracts for temporary engagements are not extended to more than one year	1/2	0/2	1/2
Total score	7/28	5/28	5/28
Indicator value (scale 0 – 5)⁴²	1	1	1

The laws regulating civil service affairs in BiH (Law on Civil Service in the Institutions of Bosnia and Herzegovina and Labor Law in the Institutions of Bosnia and Herzegovina) do not specify limitations in the number of temporary engagements. The Law on Labour however stipulates that fixed term contract for the same position may not exceed the duration of over two years and if renewed, they become labor contracts of indefinite duration. State legislation in BiH regulating temporary engagements in state administration does not specify the specific criteria for selection of individuals for temporary engagements, as well as it does not specify specific standards for ensuring transparency of the process. 40% of surveyed civil servants answered that they "agree" (27.37%) or "strongly agree" (12.63%) with the statement "Hiring of individuals on a temporary basis (on fixed-term, service and other temporary contracts) is an exception in my institution". 33.68% of surveyed civil servants answered "rarely" (17.89%) or "never" (15.79%) to the statement: "Individuals who are hired on a temporary basis perform tasks which should normally be performed by civil servants." However, the percentage of respondents answering with "often" (14.74%) or "always" (16.84%) is almost as high - 31.58%. 26.31% of surveyed civil servants answered "rarely" (13.68%)

⁴² Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5.

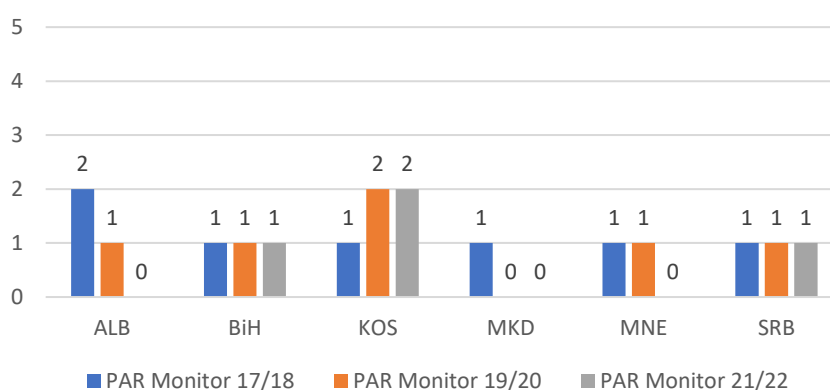
or "never" (12.63%) to the statement "Individuals hired on a temporary basis go on to become civil servants after their temporary engagements."



Note: Sample basis for each of these questions is n=95

How does Bosnia and Herzegovina do in regional terms?

Performance of tasks characteristic for civil service outside of the civil service merit-based regime



Regional PAR Monitor Reports with results for all WB administrations is available at: www.par-monitor.org.

Principle 3 The recruitment of public servants is based on merit and equal treatment in all its phases for demotion and termination of public servants are explicit

WeBER indicator PSHRM P3 I1: Openness, transparency and fairness of recruitment into the civil service

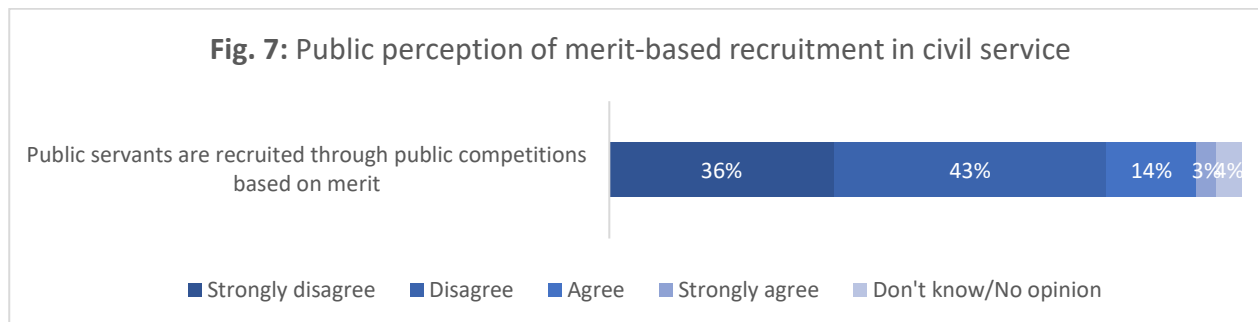
Indicator elements	Scores 2019/2020	Scores 2019/2020	Scores 2017/2018
E1 Information about public competitions is made broadly publicly available	4/4	4/4	4/4
E2 Public competition announcements are written in a simple, clear and concise language	4/4	4/4	4/4
E3 During the public competition procedure, interested candidates can request clarifications, which are made publicly available	0/4	0/4	0/4
E4 There are no unreasonable barriers for external candidates which make it more easily accessible to internal candidates	0/2	0/2	0/2
E5 The application procedure imposes minimum administrative and financial burdens on candidates	0/4	0/4	0/4
E6 Candidates are allowed and invited to supplement missing documents within a reasonable timeframe	0/4	0/4	0/4
E7 Decisions and reasoning of the selection panels are made publicly available, with protection of personal information	2/4	2/4	2/4
E8 Information about annulled announcements is made publicly available and reasons provided	0/4	4/4	4/4
E9 Civil servants perceive the recruitments into the civil service as based on merit	0/2	0/2	0/2
E10 Civil servants perceive the recruitment procedure to ensure equal opportunities	1/2	1/2	0/2
E11 The public perceives the recruitments done through the public competition as based on merit	0/2	0/2	0/2
Total score	11/36	15/36	14/36
Indicator value (scale 0 – 5)⁴³	1	2	2

Article 21 of the Law on Civil Servants in the Institutions of BiH prescribes that "the public announcement shall be published in three domestic media which are available on the entire territory of Bosnia and Herzegovina and on the official website of the Agency... The institution is obliged to publish the advertisement in daily newspapers within a period not longer than seven days from the day of receipt of the text of the advertisement from the Agency". All the institutions follow the Law regarding using the prescribed channels. CSA also operates MojKonkurs internet portal where all the announcements are published: <https://konkursi.ads.gov.ba/> The online search has shown there is a unified list of public competitions (past and present) on the website of the Civil Service Agency of BiH. Every of the five public competitions analysed were found in this source. When it comes to the websites of institutions, information on the past public competition announcements is scarce. Rules on character and content of open competition, the manner of conducting interviews and forms to conduct interviews do not contain information whether candidates can request additional information and clarifications from the hiring authority. There are no specifications regarding provision of clarifications in the text of the announcements,

⁴³ Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5

too. The main barrier is the requirement to pass the Public Exam which is a part of the application procedure for all positions and is a prerequisite for entering the second phase - Expert Exam. The Public exam, or the General Knowledge Exam, is a prerequisite for taking the Expert Exam which covers only the areas that are directly related to the specific job for which the competition has been announced. Recruitment and selection procedure for the civil service in general is coherent, fair and merit-based.

Fig. 7: Public perception of merit-based recruitment in civil service

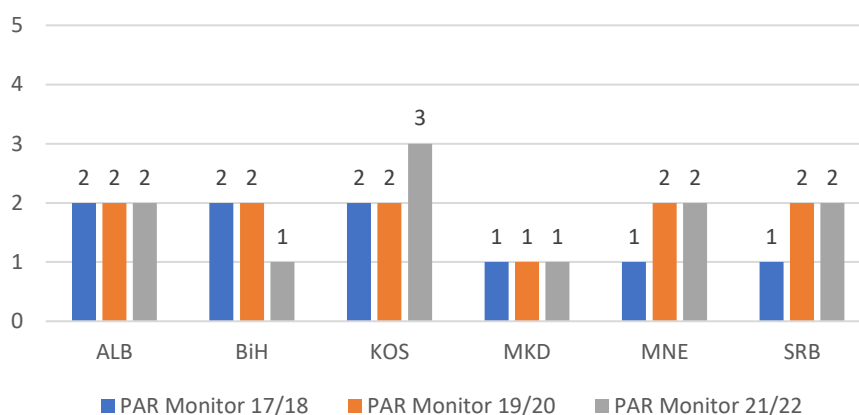


Note: based on a total public perception survey sample, N=1037

But good computer and language skills mean supplying the proof of foreign-language and computer skills, by presenting language and computer certificates, rather than by demonstrating the practical ability to speak and write the foreign language as part of the testing/or computer testing. The Selection Committee is comprised of five members (three from the CSA's list of independent experts and two from the recruiting institution). The testing procedure includes both written and oral (interview) elements. Only 24.51% of surveyed civil servants either agreed (19.61%) or strongly agreed (4.90%) with the statement "civil servants in my country's administration are recruited on the basis of qualifications and skills" and 37.25% of surveyed civil servants either agreed (25.49%) or strongly agreed (11.76%) with the statement "Recruitment procedure for civil servants in my country's administration ensures equal opportunity for all candidates." 17.36% of surveyed citizens either agreed (14.3%) or strongly agreed (3.1) with the statement "public servants are recruited through public competitions based on merit".

How does Bosnia and Herzegovina do in regional terms?

Openness, transparency and fairness of recruitment into the civil service



Regional PAR Monitor Reports with results for all WB administrations is available at: www.par-monitor.org.

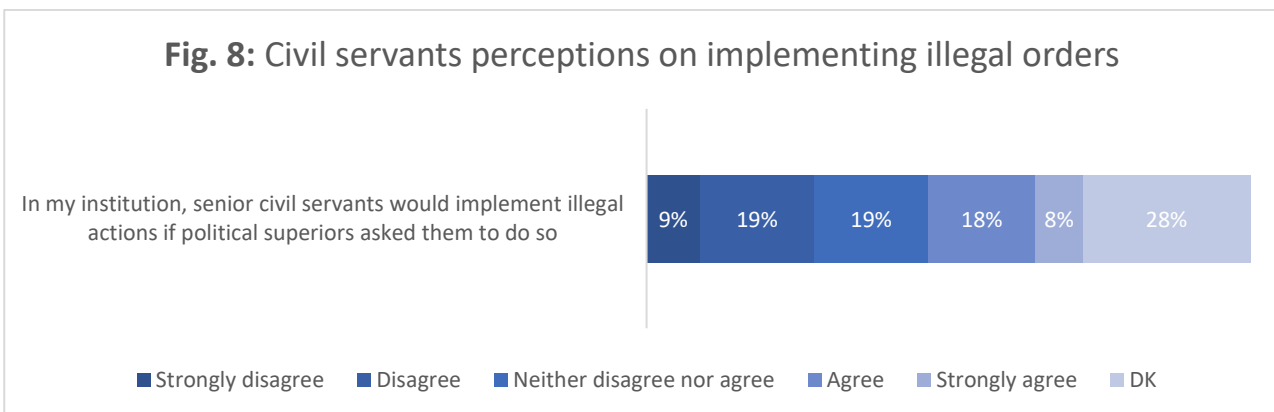
Principle 4: Direct or indirect political influence on senior managerial positions in the public service is prevented.

WeBER indicator PSHRM P4 I1: Effective protection of senior civil servants' position from unwanted political interference

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
E1 The Law prescribes competitive, merit-based procedures for the selection of senior managers in the civil service	2/2	1/2	1/2
E2 The law prescribes objective criteria for the termination of employment of senior civil servants	0/2	2/2	2/2
E3 The merit-based recruitment of senior civil servants is efficiently applied in practice.	2/4	0/4	0/4
E4 Acting senior managers can by law, and are, only appointed from within the civil service ranks for a maximum period limited by the Law	0/4	0/4	0/4
E5 Ratio of eligible candidates per senior-level vacancy	0/4	0/4	0/4
E6 Civil servants consider that the procedures for appointing senior civil servants ensure that the best candidates get the jobs	0/2	0/2	0/2
E7 CSOs perceive that the procedures for appointing senior civil servants ensure the best candidates get the jobs	0/2	0/2	0/2
E8 Civil servants perceive that senior civil servants are appointed based on political support	0/2	0/2	0/2
E9 Existence of vetting or deliberation procedures on appointments of senior civil servants outside of the scope of the civil service legislation	2/2	2/2	2/2
E10 Civil servants consider that senior civil servants would not implement and can effectively reject illegal orders of political superiors	1/2	0/2	0/2
E11 Civil servants consider that senior civil service positions are not subject of political agreements and "divisions of the cake" among the ruling political parties	0/2	0/2	0/2
E12 Civil servants perceive that senior civil servants are not dismissed for political motives	1/2	1/2	1/2
E13 Civil servants consider the criteria for dismissal of senior public servants to be properly applied in practice	0/2	0/2	0/2
E14 CSOs consider senior managerial civil servants to be professionalised in practice	0/2	0/2	0/2
E15 Civil servants perceive that senior civil servants do not Participate in electoral campaigns of political parties	0/2	0/2	0/2

E16 Share of appointments without a competitive procedure (including acting positions outside of public service scope) out of the total number of appointments to senior managerial civil service positions	2/4	4/4	2/4
Total score	10/40	10/40	8/40
Indicator value (scale 0 – 5)⁴⁴	1	1	1

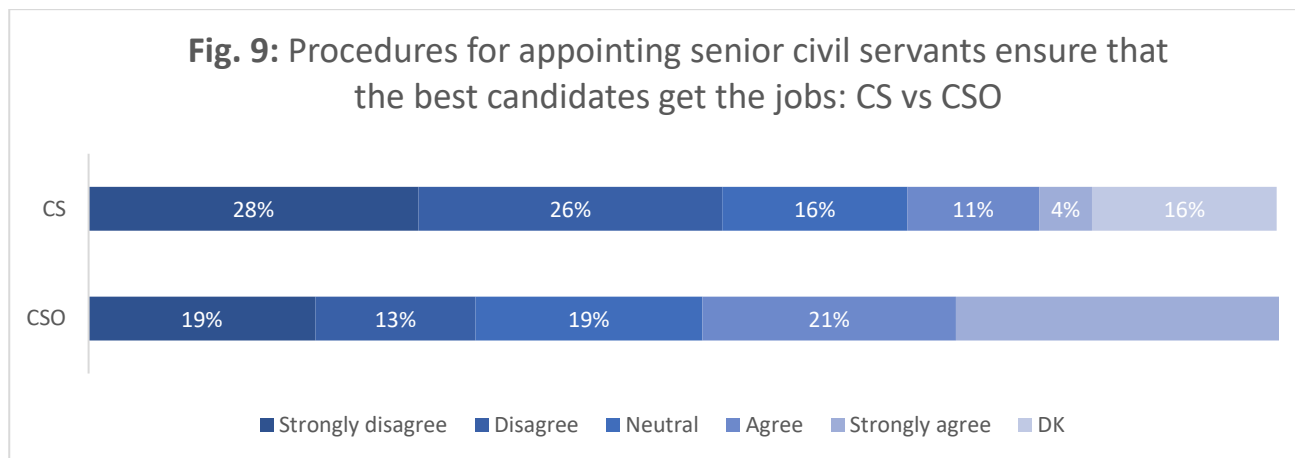
From SIGMA report: "The essential features of merit-based recruitments are ensured at all levels in legislation, which means a competitive, merit-based selection process exists to access senior positions with adequate appeals rights. The provisions relating to the termination of employment in senior positions are similar to those for nonsenior jobs, with the difference that in some cases, the appointments of senior civil servants are made for a fixed term, which allows for termination after the fixed period is over. The legislation ensures the protection of the rights of senior civil servants during demotions. The staff employed in senior positions for a fixed term who were civil servants before their appointment have a right to return to their previous or similar positions." When it comes to appointing of acting senior managers - the Law on Administration, Official Gazette of BiH, 32/02, 102/09, and 72/17 (Article 55a) specifies that a person can be appointed to a position of an "acting head" of an administrative organisation (both an independent one and organization within a ministry or other institution) and have full rights and responsibilities until a new person is appointed to that position. Pursuant to this Article, an acting head can only be appointed to a period not exceeding 3 months, and only in specific circumstance and with proper justification, can that period be prolonged to additional three months. 15.55% of surveyed civil servants answered "agree" (11.11%) or "strongly agree" (4.44%) to the statement "procedures for appointing senior civil servants ensure that the best candidates get the jobs in my institution" and 20% of surveyed civil servants answered "agree" (18.89%) or "strongly agree" (1.11%) to the statement "procedures for appointing senior civil servants to ensure that the best candidates get the jobs in my institution." Only 12.22% of surveyed civil servants answered "rarely" (8.89%) or "never or almost never" (3.33%) to the statement "senior civil servants are at least in part appointed thanks to political support." By contrast, 63.33% answered "often" or "always/almost always". 6.66% of surveyed civil servants answered "disagree" (4.44%) or "strongly disagree" (2.22%) to the statement "senior civil service positions are subject to political agreements and "divisions of the cake" among the ruling political parties."



Note: the base for this question n=90

⁴⁴ Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5

At the state level, the criteria for recruitment to senior managerial positions are clearly established, and candidates are required to undertake a public competition procedure similar to that for expert-level staff. A competition committee is formed by the BiH CSA, and candidates are required to undergo the testing process, which is even more demanding than for expert-level civil servants (there are twice as many questions in the written test than for lower-ranking civil servants).

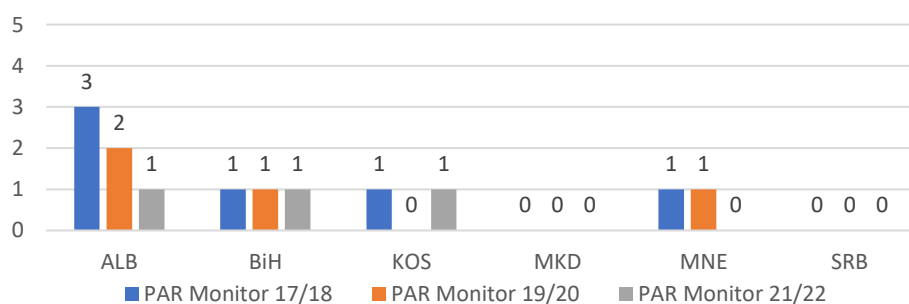


Note: base for this question in CSO survey n=90; in CS survey n=89

In the measurement period, there were 42 decisions appointing senior managers. Out of the total number of confirmed appointments (42) during the examined period, 40 were conducted either with a public competition procedure or an internal competition procedure and 2 (both acting positions) were appointed without public or internal competition since, according to the laws, they are done without the competition procedures, but are limited to 3+3 months.

How does Bosnia and Herzegovina do in regional terms?

Fig. X: Effective protection of senior civil servants' position from unwanted political interference



Regional PAR Monitor Reports with results for all WB administrations is available at: www.par-monitor.org.

Principle 5: The remuneration system of public servants is based on the job classification; it is fair and transparent.

WeBER indicator PSHRM P5 I1: Transparency, clarity and public availability of information on the civil service remuneration system

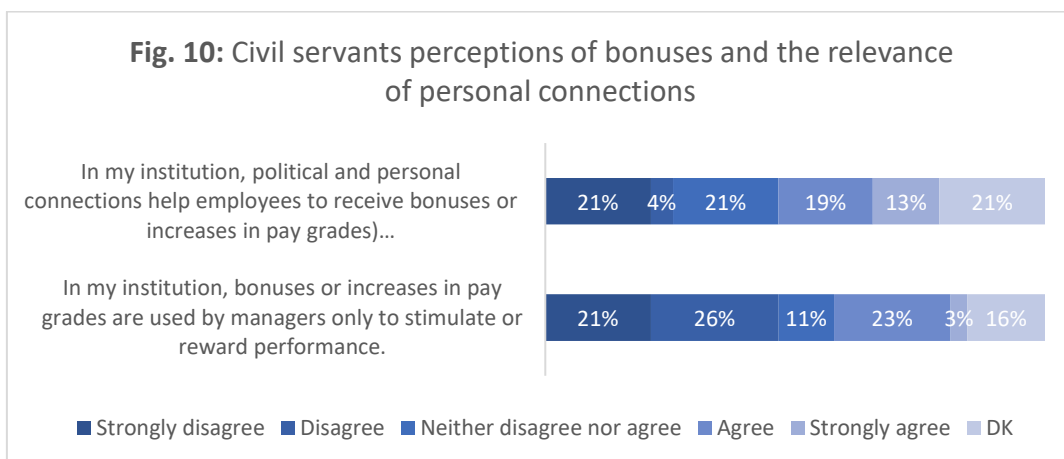
Indicator elements	Scores	Scores	Scores
	2019/2020	2019/2020	2017/2018
The civil service remuneration system is simply structured	4/4	4/4	4/4
The civil service salary/remuneration system foresees limited and clearly salary supplements additional to the basic salary	0/4	0/4	0/4
Information on civil service remuneration system is available online	2/6	4/6	0/6
Citizen friendly explanations or presentations of the remuneration information online	1/2	1/2	1/2
Discretionary supplements are limited by legislation and cannot comprise civil servant's salary/remuneration	2/4	2/4	2/4
Civil servants consider the discretionary supplements to be used for the of stimulating and awarding performance, rather than for political or pe	0/2	0/2	0/2
Total score	9/22	11/22	7/22
Indicator value (scale 0 – 5)⁴⁵	2	2	1

⁴⁵ Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5

Law on Civil Service in the Institutions of Bosnia and Herzegovina in Article 35 says that "a civil servant is entitled to a salary that corresponds to the position of that civil servant". Article 6 of the Law on Salaries and Remuneration in the Institutions of Bosnia and Herzegovina regulates that the basic salary is determined by multiplying the base for salary calculation with the corresponding coefficient. The calculation of the base for salary calculation is precisely determined in Article 7 of the same law (it cannot be less than 50% of the average monthly salary in BiH, based on the Statistics Office data). Article 11 contains the table with the exact coefficients for the civil servants. Article 30 of the Law on Salaries and Remuneration in the Institutions of BiH enumerates compensations, which include also what is referred to as compensation (rather than supplement) for overtime work, nightshifts, work on holidays and weekends, and the subsequent articles detail all of the compensations. The same law defines the supplements for basic salary in Articles 31 to 49 (retribution for a temporary performance of overwork, paid absence, compensation of costs of transportation to and from work compensation; for food rations; holiday grant; death of the civil servant or one of his family members; compensation of the costs of moving from the place of permanent residence to the place where the official apartment is located and back; compensation for education expenses; anniversary rewards; family separation allowances and fees for accommodation at the place of work; reimbursement for official trips and other). Each job announcement contains a clearly stated starting basic salary in BAM (national currency). This information is easily accessible and clearly visible within each vacancy announcements. However, no other citizen friendly information about salaries of civil servants is available on the CSA website.

For statement 1 (In my institution, bonuses or increases in pay grades are used by managers only to stimulate or reward performance): 26.66% - 3.33% of the respondents strongly agreed and 23.33% agreed (15.56% opted for "don't know/ don't want to respond").

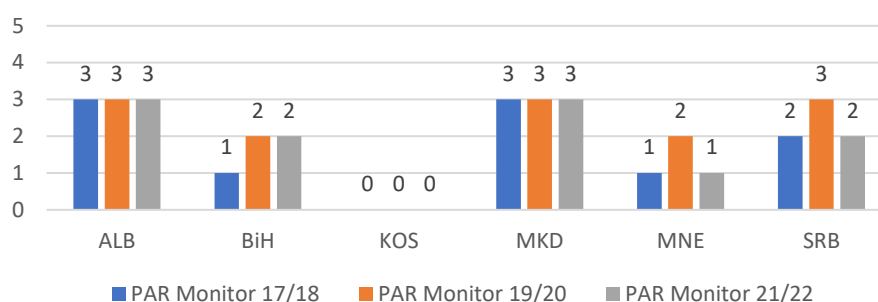
For statement 2 (In my institution, political and personal connections help employees to receive bonuses or increases in pay grades): 25.55% - 21.11% of the respondents opted for "never or almost never", whereas 4.44% responded with "rarely" (21.11% opted for "don't know/ don't want to respond").



Note: n=90 for both questions

How does Bosnia and Herzegovina do in regional terms?

Transparency, clarity and public availability of information on the civil service remuneration system



Regional PAR Monitor Reports with results for all WB administrations is available at: www.par-monitor.org.

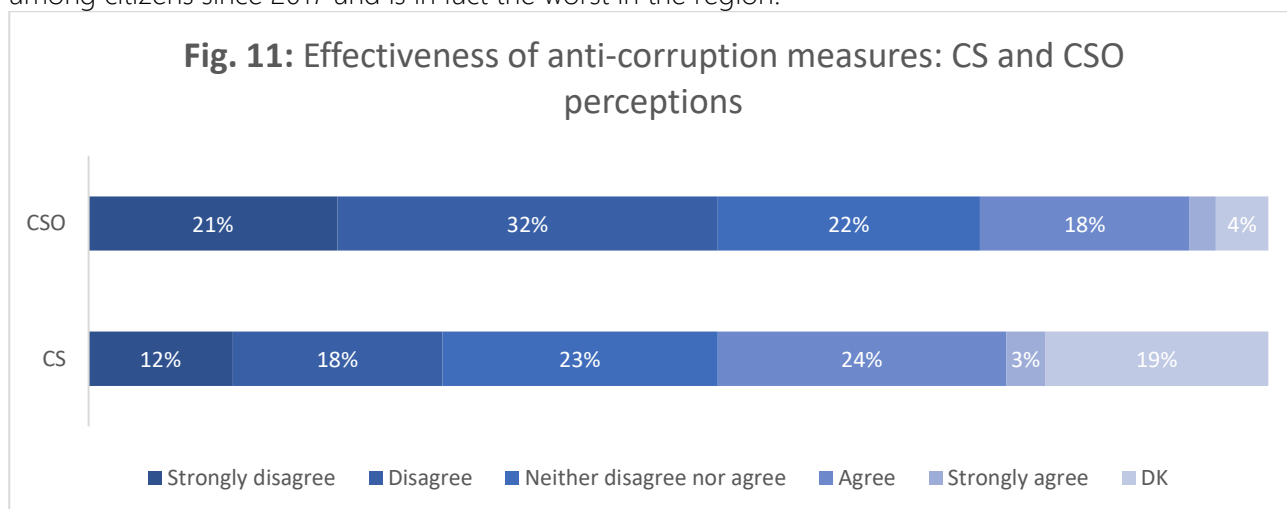
Principle 7: Policies and legislation are designed in an inclusive manner that enables the active participation of society

WeBER indicator PSHRM P7 I1: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service

Indicator elements	Scores	Scores	Scores
	2019/2020	2019/2020	2017/2018
E1 Integrity and anti-corruption measures for the civil service are formal central administration	0/4	0/4	0/4
E2 Integrity and anti-corruption measures for the civil service are implemented in administration	0/4	0/4	2/4
E3 Civil servants consider the integrity and anti-corruption measures as effective	0/2	0/2	0/2
E4 CSOs consider the integrity and anti-corruption measures as effective	0/2	0/2	0/2
E5 Civil servants consider that the integrity and anti-corruption measures are effective	0/2	0/2	0/2
E6 CSOs consider that the integrity and anti-corruption measures in state administration are impartial	0/2	0/2	0/2
E7 Civil servants feel they would be protected as whistle blowers	0/2	0/2	0/2
Total score	0/18	0/18	2/18
Indicator value (scale 0 – 5)⁴⁶	0	0	0

⁴⁶ Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5

Legislation upholds basic principles related to disciplinary procedures, but it presents important shortcomings such as insufficient regulation of the statute of limitations in serious offences (at the State level, FBiH and RS) or the non-inclusion of the right to be heard in appeal procedures at all levels. An integrity policy framework for the public sector was adopted only in the RS. The legislation on public sector integrity is incomplete, and there are no cases of the use of integrity mechanisms in practice except at the municipal or cantonal level. The perception of integrity in the public sector has worsened considerably among citizens since 2017 and is in fact the worst in the region.



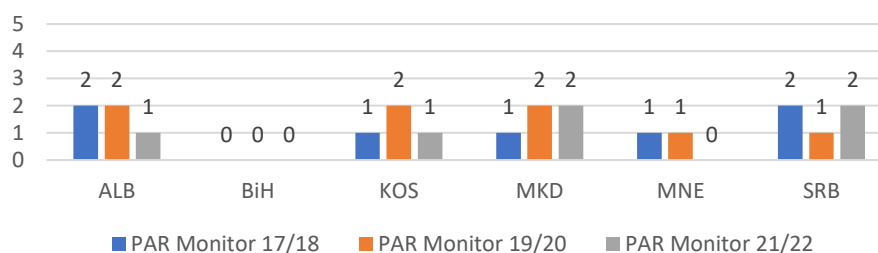
Note: n=90 for CS question and n=90 for CSO question

Survey data shows that 27.77% of surveyed civil servants answered "agree" (24.44%) or "strongly agree" (3.33%) to the statement "integrity and anti-corruption measures in place in my institution are effective in achieving their purpose." 20% of surveyed CSOs answered either with "agree" (17.78%) or "strongly agree" (2.22%) with the statement "integrity and anti-corruption measures in place in the state administration are effective in achieving their purpose."

When it comes to becoming a whistle-blower 12.22% of surveyed civil servants think they would be protected if they were to become a whistle-blower.

How does Bosnia and Herzegovina do in regional terms?

Fig. X: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service



Regional PAR Monitor Reports with results for all WB administrations is available at: www.par-monitor.org.

IV.3 Summary results: Public Service and the Human Resources Management

From SIGMA Monitoring Report for Bosnia and Herzegovina, Area Public Service and Human Resource Management, Indicator, 3.2.1, Sub-indicator 3.2.1.7. Existence of a functional HR database with data on civil service: "Significant progress has been made in developing HRMIS at all levels. The databases were created and are operational except at the State level. While admitting there has been considerable advancement in this regard, the main shortcoming – common to all levels – is the lack of integration of HRMIS with other relevant information systems, in particular with the payroll system." The Government regularly publishes basic statistical data pertaining to the public service - The data includes the number of civil servants, their division per ranks, their age, gender and ethnic structure and per institutions at the state level (which is a new function at the website. Data available on website of BiH CSA does not include employees other than full-time civil servants. All statistics data are segregated and available for download in open data format (XLS). Reports on the public service policy are available, but only through the Report on the Work of CSA. The laws regulating civil service affairs in BiH (Law on Civil Service in the Institutions of Bosnia and Herzegovina and Labor Law in the Institutions of Bosnia and Herzegovina) do not specify limitations in the number of temporary engagements. The Law on Labour however stipulates that fixed term contract for the same position may not exceed the duration of over two years and if renewed, they become labor contracts of indefinite duration. State legislation in BiH regulating temporary engagements in state administration does not specify the specific criteria for selection of individuals for temporary engagements, as well as it does not specify specific standards for ensuring transparency of the process.

Article 21 of the Law on Civil Servants in the Institutions of BiH prescribes that "the public announcement shall be published in three domestic media which are available on the entire territory of Bosnia and Herzegovina and on the official website of the Agency". The institution is obliged to publish the advertisement in daily newspapers within a period not longer than seven days from the day of receipt of the text of the advertisement from the Agency". All the institutions follow the Law regarding using the prescribed channels. CSA also operates MojKonkurs internet portal where all the announcements are published: <https://konkursi.ads.gov.ba/> The online search has shown there is a unified list of public competitions (past and present) on the website of the Civil Service Agency of BiH. The main barrier is the requirement to pass the Public Exam which is a part of the application procedure for all positions and is a prerequisite for entering the second phase - Expert Exam. Recruitment and selection procedure for the civil service in general is coherent, fair and merit-based. But good computer and language skills mean supplying the proof of foreign-language and computer skills, by presenting language and computer certificates, rather than by demonstrating the practical ability to speak and write the foreign language as part of the testing/or computer testing. The testing procedure includes both written and oral (interview) elements. Only 24.51% of surveyed civil servants either agreed (19.61%) or strongly agreed (4.90%) with the statement "civil servants in my country's administration are recruited on the basis of qualifications and skills" and 37.25% of surveyed civil servants either agreed (25.49%) or strongly agreed (11.76%) with the statement "Recruitment procedure for civil servants in my country's administration ensures equal opportunity for all candidates." 17.36% of surveyed citizens either agreed (14.3%) or strongly agreed (3.1) with the statement "public servants are recruited through public competitions based on merit".

From SIGMA report: "The essential features of merit-based recruitments are ensured at all levels in legislation, which means a competitive, merit-based selection process exists to access senior positions with adequate appeals rights. The provisions relating to the termination of employment in senior positions are similar to those for non-senior jobs, with the difference that in some cases, the appointments of senior civil servants are made for a fixed term, which allows for termination after the fixed period is over. The legislation ensures the protection of the rights of senior civil servants during demotions. The staff employed in senior positions for a fixed term who were civil servants before their appointment have a right to return to their previous or similar positions." When it comes to appointing of acting senior managers - the Law on Administration, Official Gazette of BiH, 32/02, 102/09, and 72/17 (Article 55a) specifies that a person can be appointed to a position of an "acting head" of an administrative organisation (both an independent one and organization within a ministry or other institution) and have full rights and responsibilities until a new person is appointed to that position. Pursuant to this Article, an acting head can only be appointed to a period not exceeding 3 months, and only in specific circumstance and with proper justification, can that period be prolonged to additional three months.

At the state level, the criteria for recruitment to senior managerial positions are clearly established, and candidates are required to undertake a public competition procedure similar to that for expert-level staff. A competition committee is formed by the BiH CSA, and candidates are required to undergo the testing process, which is even more demanding than for expert-level civil servants (there are twice as many questions in the written test than for lower-ranking civil servants).

In the measurement period, there were 42 decisions appointing senior managers. Out of the total number of confirmed appointments (42) during the examined period, 40 were conducted either with a public competition procedure or an internal competition procedure and 2 (both acting positions) were appointed without public or internal competition since, according to the laws, they are done without the competition procedures, but are limited to 3+3 months.

Law on Civil Service in the Institutions of Bosnia and Herzegovina in Article 35 says that "a civil servant is entitled to a salary that corresponds to the position of that civil servant". Article 6 of the Law on Salaries and Remuneration in the Institutions of Bosnia and Herzegovina regulates that the basic salary is determined by multiplying the base for salary calculation with the corresponding coefficient. The calculation of the base for salary calculation is precisely determined in Article 7 of the same law (it can not be less than 50% of the average monthly salary in BiH, based on the Statistics Office data). Article 11 contains the table with the exact coefficients for the civil servants. Article 30 of the Law on Salaries and Remuneration in the Institutions of BiH enumerates compensations, which include also what is referred to as compensation (rather than supplement) for overtime work, nightshifts, work on holidays and weekends, and the subsequent articles detail all of the compensations. The same law defines the supplements for basic salary in Articles 31 to 49 (retribution for a temporary performance of overwork, paid absence, compensation of costs of transportation to and from work compensation; for food rations; holiday grant; death of the civil servant or one of his family members; compensation of the costs of moving from the place of permanent residence to the place where the official apartment is located and back; compensation for education expenses; anniversary rewards; family separation allowances and fees for accommodation at the place of work; reimbursement for official trips and other). Each job announcement contains a clearly stated starting basic salary in BAM (national currency). This information is easily accessible and clearly visible within each vacancy announcements. However, no other citizen friendly information about salaries of civil servants are available on the CSA website.

Legislation upholds basic principles related to disciplinary procedures, but it presents important shortcomings such as insufficient regulation of the statute of limitations in serious offences (at the State level, FBiH and RS) or the non-inclusion of the right to be heard in appeal procedures at all levels. An integrity policy framework for the public sector was adopted only in the RS. The legislation on public sector integrity is incomplete, and there are no cases of the use of integrity mechanisms in practice except at the municipal or cantonal level. The perception of integrity in the public sector has worsened considerably among citizens since 2017 and is in fact the worst in the region.

Recommendations for Public Service and the Human Resources Management

Tracking recommendations from PAR Monitor 2019/2020

Recommendation	Status	Comment
A new, all-encompassing PAR strategic framework needs to be adopted thus regulating the area of civil service and human resource management	No action taken	The old PAR strategic framework is still in place.
Civil servants registers (CSR) need to be established properly and available online. The registers also should include short term employment and expert contracts. It is necessary to find a workable solution for removing the barriers in making the HRMIS at all levels operational as tools for civil service strategic planning and decision making.	No action taken	A central database on human resources does not exist and is not provided for in the Civil Service Law. Only over all number of civil servants is available online.
When established, all institutions within the civil service system should regularly update CSR in line with the CSL. The CoM and State Ministries need to ensure mechanisms for obliging the institutions actively contribute to the data collection on the civil service system.	No action taken	A central database on human resources does not exist and is not provided for in the Civil Service Law.
The Annual Report on CS should include data on all forms of temporary engagements in the civil service. The data should follow the current structure of the data on civil servants, with additional fields on the type and duration of the temporary contract. This will allow for better understanding of the state of play in the civil service.	No action taken	Nothing changed from the last monitor cycle.
The Government should enact a special Regulation on the CSR. This means - frequency and methods of updating the Registry, its management, monitoring as well as the sanctions and responsible authority (e.g. Administrative Inspection) in charge of ensuring	No action taken	Nothing changed from the last monitor cycle - the old Law on Civil Service is in place.

accuracy and regular update of the CPR.		
Statistical data on the civil service should be publicly available, including in open data formats. This can be done either via functionalization of HRMIS or through web page of the BiH CSA as well as the Open Data Portal. Data should be machine readable and available for download free of charge.	Partially implemented	A central database on human resources does not exist and is not provided for in the Civil Service Law. Only overall number of civil servants is available online, including their division per ranks, their age, gender and ethnic structure and per institutions at the state level (which is a new function at the website).
The HRMS should produce and publish comprehensive annual reports on the implementation of laws and policies pertaining to the human resource management in the civil service. The reports should cover planning and recruitments, appraisals, career development, professional development, salaries, disciplinary procedures and corruption/integrity issues. In addition to quantitative elements, the reports should contain outcome-oriented components that would address the quality of work of the civil service and assessment of whether it has become more or less professionalised, depoliticised, as well as whether capacities have improved or not.	Partially implemented	The report for 2022 has not yet been adopted by the time of measurement. Report for 2021 covers 4 out of 7 issues - 1. planning and recruitments, 3. career development, 4. trainings, 6. disciplinary procedures and decisions. The reports are focused primarily on the work of the CSA BiH and their activities and mainly presented from the angle of the responsibilities and activities of the CSA BIH from their respective Plan and Program, rather than with the purpose of reporting on the civil service policy and the state of civil service in BIH.
The CoM, State Ministries and the BiH CSA should actively promote reports on the civil service through most popular nation-wide means, such as webpages, social media, press releases or media statements.	No action taken	Nothing changed from the last monitor cycle.
The Government should amend the CSL and the Labour Law to explicitly limit the duration and prescribe unambiguous criteria for the selection of temporary staff in the state administration. Duration of all forms of temporary engagement contracts (fixed-term contract under the CSL, temporary and service contracts under the Labour Law)	No action taken	Nothing changed from the last monitor cycle - the old Law on Civil Service is in place.

<p>should be legally limited to up to one year. Criteria for temporary employment should contain requirements and/or competences which are equal or similar to those required for civil servants performing tasks (jobs) of similar complexity.</p>		
<p>Public competitions for temporary staff in the civil service should be obligatory and BiH CSA or related institutions should examine competencies of candidates based on clearly set criteria for temporary engagement. The calls should be advertised through channels used for public competitions for permanent employment in the civil service. The procedure should be similar to that for a permanent employment, but with much less formality. The calls should contain clear elements such as the following: job description, requirements/competences, information on remuneration, testing procedure, necessary documents and deadlines for applying. The institutions should form ad hoc in-house committees (composed of the direct supervisor of the potential employee and an HR professional) to test the knowledge of candidates. The committees should publish reports on the results of temporary engagement procedures.</p>	<p>Partially implem</p>	<p>Temporary staff in the civil service are hired through public calls with clear requirements and the procedure is the same as for permanent employments, but that does not include acting senior civil servants.</p>
<p>The practice of advertising public vacancies through all available means, including social media channels should be ongoing but improved as well. The CSA BiH and the institutions advertising vacancies should introduce subscription options and advanced search engines on their respective web pages, for filtering vacancy announcements. Applying these methods would ensure a wider reach to potential candidates</p>	<p>Partially implem</p>	<p>All the vacancies are published at the CSA website, konkursi.ads.gov.ba portal and three daily newspapers and CSA's pages on Facebook and Twitter. However, many institutions fail to publish the calls on their websites and their social networks profiles.</p>

and increase the number of candidates per vacancy.		
Employment procedures need to be more simplified. State administration bodies should invest effort in making public competition announcements more understandable to external candidates. Enable creation of electronic profiles and submission of documents. CSA BiH is making an effort to ensure that the external candidates understand the job description and all requirements for applying. but maybe to include visual elements such as infographics or videos explaining the steps in the recruitment process, as well as publish a FAQ sheet clarifying most challenging questions based on the previous practice. This sheet should be updated regularly as candidates send new requests for clarification, so that all interested are timely informed.	No action taken	Nothing changed from the last monitor cycle - the old Law on Civil Service is in place, as well as all the procedures.
Adopt the new Rulebooks within CoM and State Ministries with clear definition of job positions and tasks related to those positions.	No action taken	Nothing changed from the last monitor cycle - no new rulebooks.
The document submission stage should impose minimum administrative and paperwork burden on candidates. It should be organised in at least two phases, with only basic documents (such as the cover letter, CV, ID and birth certificate), requested in the first instance. Candidates should be allowed to supplement missing documentation within at least 5 working days.	No action taken	Nothing changed from the last monitor cycle - the old Law on Civil Service is in place, as well as all the procedures.
Provide proper mechanisms for selection of most qualified professionals to partake in Selection Committees in open job competitions and ensure transparency of the outcomes of the recruitment procedures. Decisions and reasoning of the selection of candidates, as well as on the annulment	No action taken	Nothing changed from the last monitor cycle - the old Law on Civil Service is in place, as well as all the procedures.

of public competitions, should be made publicly available, with due respect to the protection of personal information.		
Provide proper mechanism for effective assessment of job efficiency for senior civil servants without political or personal influence.	No action taken	Nothing changed from the last monitor cycle - the old Law on Civil Service is in place, as well as all the procedures.
The Government should amend the CSL to prescribe that acting senior managers are appointed from within the civil service ranks. Additionally, the CSL should allow the acting managers to automatically be appointed as senior civil servants if the body fails to successfully conduct a competition process within the legally prescribed timeframe.	No action taken	Nothing changed from the last monitor cycle - the old Law on Civil Service is in place, as well as all the procedures.
The web pages of the CoM, BiH CSA and respective institutions should contain information on average total salaries per different categories of civil servants. This information should be accessible in no more than three clicks from the homepage of the institution.	No action taken	Information on salary is available for every position in the vacancy announcement and salaries for all the positions of the same rank are the same. However, this information is not available on websites of the institutions as such, it is only included in the vacancy announcements.
Citizen-friendly explanations or visual presentations of the remuneration information should be provided on the website of respective institutions. These illustrations should be easy to understand and written in a non-bureaucratic language, as well as contained within three clicks from the homepage of the institutions.	No action taken	Not available.
Central State administration bodies should continuously promote the whistle blower protection system to their employees. This can be done through in-house awareness raising workshops across the administration, reader-friendly brochures and counselling about the possibilities given to whistle blowers, including real-life cases and examples.	No action taken	Nothing changed from the last monitor cycle.

Enable proactive transparency of institutions with regard to civil service and human resource management. Promoting transparency, fight against corruption and integrity for the improvement of civil service.	No action taken	Nothing changed from the last monitor cycle.
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PAR Monitor 2021/2022 recommendations

1. **A new, all-encompassing PAR strategic framework needs to be adopted thus regulating the area of civil service and human resource management.***
2. **Civil servants registers (CSR) need to be established properly and available online.** The registers also should include short term employment and expert contracts. It is necessary to find a workable solution for removing the barriers in making the HRMIS at all levels operational as tools for civil service strategic planning and decision making.*
3. **When established, all institutions within the civil service system should regularly update CSR in line with the CSL.** The CoM and State Ministries need to ensure mechanisms for obliging the institutions actively contribute to the data collection on the civil service system.*
4. **The Annual Report on CS should include data on all forms of temporary engagements in the civil service.** The data should follow the current structure of the data on civil servants, with additional fields on the type and duration of the temporary contract. This will allow for better understanding of the state of play in the civil service.*
5. **The Government should enact a special Regulation on the CSR.** This means - frequency and methods of updating the Registry, its management, monitoring as well as the sanctions and responsible authority (e.g. Administrative Inspection) in charge of ensuring accuracy and regular update of the CPR.*
6. **The CoM, State Ministries and the BiH CSA should actively promote reports on the civil service through most popular nation-wide means,** such as webpages, social media, press releases or media statements.*
7. **Employment procedures need to be more simplified.** Enable creation of electronic profiles and submission of documents. CSA BiH is making an effort to ensure that the external candidates understand the job description and all requirements for applying. but maybe to include visual elements such as infographics or videos explaining the steps in the recruitment process.*
8. **The document submission stage should impose minimum administrative and paperwork burden on candidates.** It should be organised in at least two phases with only basic documents requested in the first instance. Candidates should be allowed to supplement missing documentation within at least 5 working days.*
9. **Provide proper mechanisms for selection of most qualified professionals to partake in Selection Committees in open job competitions and ensure transparency of the outcomes of the recruitment procedures.** Decisions and reasoning of the selection of candidates should be made publicly available, with due respect to the protection of personal information.*
10. **Provide proper mechanism for effective assessment of job efficiency for senior civil servants without political or personal influence.***
11. **The Government should amend the CSL to prescribe that acting senior managers are appointed from within the civil service ranks.***
12. **Central State administration bodies should continuously promote the whistle blower protection system to their employees.** This can be done through in-house awareness

raising workshops across the administration, reader-friendly brochures and counselling about the possibilities given to whistle blowers, including real-life cases and examples.*

13. **Enable proactive transparency of institutions with regard to civil service and human resource management.** Promoting transparency, fight against corruption and integrity for the improvement of civil service.*

*Recommendations from the previous cycle (repeated and modified)

V. ACCOUNTABILITY



V.1 WeBER indicators used in Accountability and country values for Bosnia and Herzegovina

ACC P2 I1: Civil society perception of the quality of legislation and practice of access to public information



ACC P2 I2: Proactive informing of the public by public authorities



State of Play in Accountability

As stated in the previous WeBER national report⁴⁷, Bosnia and Herzegovina, as a democratic country seeking accession to EU membership and under the pressure coming from the international community, is the first country in region which in 2000 has adopted Freedom of Access to Information Act⁴⁸, at first on the State level and then in 2001 in both of its entities (FBiH and the RS). Laws were adopted to improve transparency and accountability by making information open to the public because this right is basic democratic citizens' right and is a very important tool in ensuring of the rule of law and good governance.

According to the law, every natural and legal person has the right to access information pertaining to public authority, and each public authority is required to disclose such information. The implementation, on the other hand, has yet to meet international transparency requirements. The key challenges include public institutions' still-inadequate implementation capacities, a failure to provide information in a timely manner, and a lack of public awareness of the rights provided.

In BiH, there are no provisions for proactive disclosure in the laws on freedom of access to information. The only exceptions are laws requiring the publishing of guides and an index of information registers held by public bodies, so that the public is aware of the types of information available. Other related laws, on the other hand, require the proactive disclosure of such material (eg. information contained in official gazettes or official websites of public bodies). For example, budget laws at different levels of government require public agencies to report various budget records. Supreme audit agencies are required by law to post audit reports on their official websites.

⁴⁷ See: https://weber-new.s3.us-west-2.amazonaws.com/wp-content/uploads/2021/08/16154153/BIH_PAR-Monitor-2020.pdf

⁴⁸ See: http://www.mpr.gov.ba/web_dokumenti/ZOSPI_-_B.pdf; Freedom of Access to Information Act of BiH, Official Gazette of BiH Nos. 28/2000, 45/06, 102/09, 62/11 and 100/13)

Provisions for the maintenance of official websites have been introduced at various levels of government. They outline some of the types of details that should be made public.⁴⁹

In their 2019 Special Report on Experience in the Application of the Law on Freedom of Access to Information in Bosnia and Herzegovina⁵⁰, in addressing complaints about breaches of the right to free access to information and conducting ex officio inquiries, ombudspersons indicated that they have noted the shortcomings of positive legislation governing this subject, as well as the difficulties and contradictions in its implementation, both on the part of public authorities and natural and legal persons requesting information. SIGMA published a paper titled "Improving the Legislative Framework for Access to Public Information in Bosnia and Herzegovina" in January 2019 that included a detailed review of the legislation on access to public information in Bosnia and Herzegovina at the national level, including the Federation of Bosnia and Herzegovina, the Republika Srpska, and the Brko District of BiH. The analysis focuses on whether applicable laws comply with international standards and best practices in this field, followed by recommendations on potential reforms to improve public authority accountability and harmonize access to information standards across the region. The lack of provisions regulating proactive publication of information, the inadequate institutional mechanism for controlling the implementation of legislation on access to public information, and flaws in the method of obtaining information on request are all addressed in the recommendations.

Pursuant to the Law on Ombudsman⁵¹ and in accordance with the provisions of the and applicable legislation governing the free access to information the Ombudsperson is responsible for investigating allegations of violations of the right to free access to information, as well as preparing and disseminating guides and general recommendations on the enforcement and application of laws in this area. Ombudspersons regularly, on an annual basis, report to the Presidency of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, the Parliament of the Federation of Bosnia and Herzegovina and the National Assembly of Republika Srpska describing the Ombudsman Institution's activities, including details on the application of legislation regulating freedom of access to information, as well as suggestions for improving the situation in this area. Based on data from the central database and other records maintained by the Ombudsman, it can be concluded that there has been a significant rise in the number of complaints in this field since 2015, which may be due to a number of factors: More frequent abuses of the right to information by public authorities in Bosnia and Herzegovina, better citizen information on procedures for protecting the right to information, but also as a result of the Ombudsman's activities as a body that oversees the enforcement of Bosnia and Herzegovina's legislation on free access to information.⁵²

⁴⁹ Analitika - Center for Social Research, "Towards Proactive Transparency in Bosnia and Herzegovina", Policy Memo, 2013.

⁵⁰ See: https://www.ombudsmen.gov.ba/documents/obnudsmen_doc2020020515415139eng.pdf ; Special Report on Experience in the Application of the Law on Freedom of Access to Information in Bosnia and Herzegovina; The Institution of Human Rights Ombudsman of Bosnia and Herzegovina, 2019

⁵¹ The Law on Human Rights Ombudsman of Bosnia and Herzegovina („Official Gazette of Bosnia and Herzegovina", no. 32/00, 19/02, 34/05 and 32/06).

⁵² See: https://www.ombudsmen.gov.ba/documents/obnudsmen_doc2020020515415139eng.pdf ; Special Report on Experience in the Application of the Law on Freedom of Access to Information in Bosnia and Herzegovina; The Institution of Human Rights Ombudsman of Bosnia and Herzegovina, 2019.

The Ministry of Justice has been working on a pre-draft of a new Law on Freedom of Access to Information at the Institutional Level in Bosnia and Herzegovina, and has held consultations on it. According to a coalition of civil society organizations, including the Foreign Policy Initiative BH, it jeopardizes the current law's acquired rights and accomplishments in some areas. The lengthy list of exceptions or potential limitations on access to information kept by public bodies, as well as the prospect of extending the deadline (15 days) for responding to requests for access to information for another 15 days, are of particular concern. The pre-draft envisages that the second-instance body in the procedures for exercising the right to access information is the Appeals Council at the Council of Ministers, which cannot be considered an independent institution with a human rights mandate. The organizations were also concerned that the Institution of the Human Rights Ombudsman has been almost completely left out of the Preliminary Draft, although it is the only independent institution that has so far monitored the implementation of the Freedom of Access to Information Law. The pre-draft also does not provide for the education of officials and institutions in any place⁵³.

As stated in a policy brief by Foreign Policy Initiative BH⁵⁴, when it comes to these two facets of democracy, Bosnia and Herzegovina (BiH), a country that is, at least declaratively, a democratic state, is still far from the ideal. Its lack of transparency stems in part from its communist past, when it was not customary to ask the government to explain its decisions or methods of operation. However, in order for this country to achieve EU and Euro-Atlantic integration and membership, it is now important to change the contact paradigm between the government and its people. To create citizen confidence in the government, the administration must be open, and its function must be visible and understandable to the people, since this reduces the risk of corruption and misuse of power, and citizens are able to participate actively in decision-making processes. However, it is still too early to talk of a clear proactive transparency in Bosnia and Herzegovina.

What does WeBER monitor and how?

The SIGMA principle covering the right to access public information is the only principle presently monitored in the area of accountability, yet this principle looks at both the proactive and reactive sides of the issue.

Principle 2: The right to access public information is enacted in legislation and consistently applied in practice.

This principle bears utmost significance in increasing the transparency of administrations and holding them accountable by civil society and citizens, as well as in safeguarding the right-to-know by the general public as the precondition for better administration. The WeBER approach to the principle does not assess regulatory solutions embedded in free access to information acts but is based on the practice of reactive and proactive provision of information by administration bodies. On one hand, the approach considers the experience of members of civil society with enforcement

⁵³ <https://vpi.ba/bs/2021/03/17/organizacije-civilnog-drustva-ministarstvu-pravde-bih-povuci-prednact-zakona-o-slobodi-pristupa-informacijama-na-doradu/>

⁵⁴ See: <http://vpi.ba/wp-content/uploads/2019/01/Brief-ENG-2.pdf> ; Proactive Transparency and the Right of Access to the Information; Ana Bukovac – Vuletić, Anida Šabanović; Foreign Policy Initiative BH; 2019.

of the legislation on access to public information, and on the other, it is based on direct analysis of the websites of administration bodies.

WeBER's monitoring is performed using two indicators. The first one focuses entirely on civil society's perception of the scope of the right to access public information and whether enforcement mechanisms enable civil society to exercise this right in a meaningful manner. To explore perceptions, a survey of civil society organisations in Western Balkan was implemented using an online surveying platform from the second half of between April and July 2022.⁵⁵

The uniform questionnaire with 28 questions was used to assess all Western Balkans administrations, ensuring an even approach in survey implementation. It was disseminated in local languages through the existing networks and platforms of civil society organisations with large contact databases and through centralised points of contact such as governmental offices in charge of cooperation with civil society. To ensure that the survey targeted as many organisations as possible in terms of types, geographical distributions, and activity areas, and hence contributed a representative sample, additional boosting was done where increases to overall responses were needed. Finally, a focus group with CSOs was organised to complement survey findings with qualitative data. Focus group results were not, however, used for point allocation for the indicator.

The second indicator focuses on proactive informing of the public by administration bodies, particularly by monitoring the comprehensiveness, timeliness, and clarity of the information disseminated through official websites. In total, 18 pieces of information were selected and assessed against two groups of criteria: 1) basic criteria, looking at the information's completeness, and whether it was up to date, and 2) advanced criteria, looking at the accessibility and citizen-friendliness of the information.⁵⁶ Information was gathered from the official websites of a sample of seven administration bodies consisting of three line ministries (a large, a medium, and a small ministry in terms of thematic scopes), a ministry with general planning and coordination functions, a government office with centre-of-government functions, a subordinate body to a minister/ministry, and a government office in charge of delivering services.⁵⁷

⁵⁵ Surveys were administered through an anonymous, online questionnaire. The data collection method included CASI (computer-assisted self-interviewing). In Bosnia and Herzegovina, the CSO survey in the period from 7 April to 11 July 2022.

⁵⁶ Exceptions being information on accountability lines within administration bodies, which was assessed only against the first group of criteria, and information available in open data format, which was assessed separately.

⁵⁷ For Bosnia and Herzegovina, the sample included the Ministry of Foreign Affairs, Ministry of Civil Affairs, Ministry of Communication and Transport, Ministry of Finance and Treasury, Directorate for European Integration, Service for Foreigner's Affairs and Agency for identification documents, registers, and data exchange.

V.2 WeBER monitoring results

Principle 2: The right to access public information is enacted in legislation and consistently applied in practice

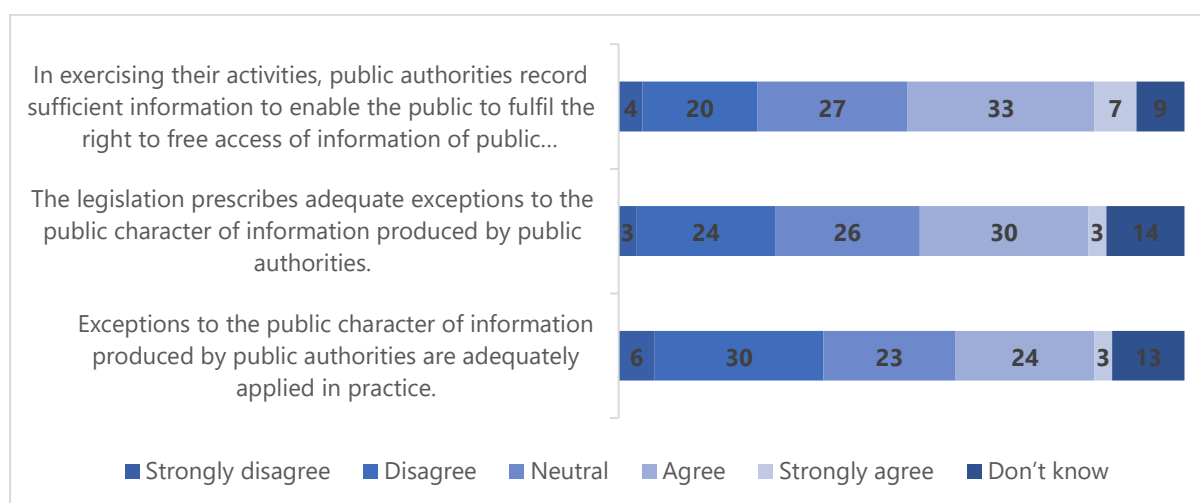
WeBER indicator ACC P2 I1: Civil society perception of the quality of legislation and practice of access to public information

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
E1 CSOs consider that the information recorded and documented by public authorities is sufficient for the proper application of the right to access public information	2/4	0/4	0/4
E2 CSOs consider exceptions to the presumption of public character of information to be adequately defined	1/2	0/2	0/2
E3 CSOs consider exceptions to the presumption of public character of information to be adequately applied	0/4	0/4	0/4
E4 CSOs confirm that information is provided in the requested format	1/2	1/2	1/2
E5 CSOs confirm that information is provided within prescribed deadlines	1/2	1/2	1/2
E6 CSOs confirm that information is provided free of charge	2/2	2/2	2/2
E7 CSOs confirm that the person requesting access is not obliged to provide reasons for requests for public information	0/2	0/2	0/2
E8 CSOs confirm that in practice the non-classified portions of otherwise classified materials are released	0/4	0/4	0/4
E9 CSOs consider that requested information is released without portions containing personal data	0/2	0/2	0/2
E10 CSOs consider that when only portions of classified materials are released, it is not done to mislead the requesting person with only bits of information	0/2	0/2	0/2
E11 CSOs consider that the designated supervisory body has through its practice, set sufficiently high standards of the right to access public information	2/4	2/4	0/4
E12 CSOs consider the soft measures issued by the supervisory authority to public authorities to be effective	0/2	0/2	0/2
E13 CSOs consider that the supervisory authority's power to impose sanctions leads to sufficiently grave consequences for the responsible persons in the noncompliant authority	1/2	0/2	0/2
Total score	10/34	6/34	4/34
Indicator value (scale 0 – 5)⁵⁸	1	0	0

⁵⁸ Conversion of points: 0-6 points = 0; 7-11 points = 1; 12-17 points = 2; 18-23 points = 3; 24-28 points = 4; 29-34 points = 5.

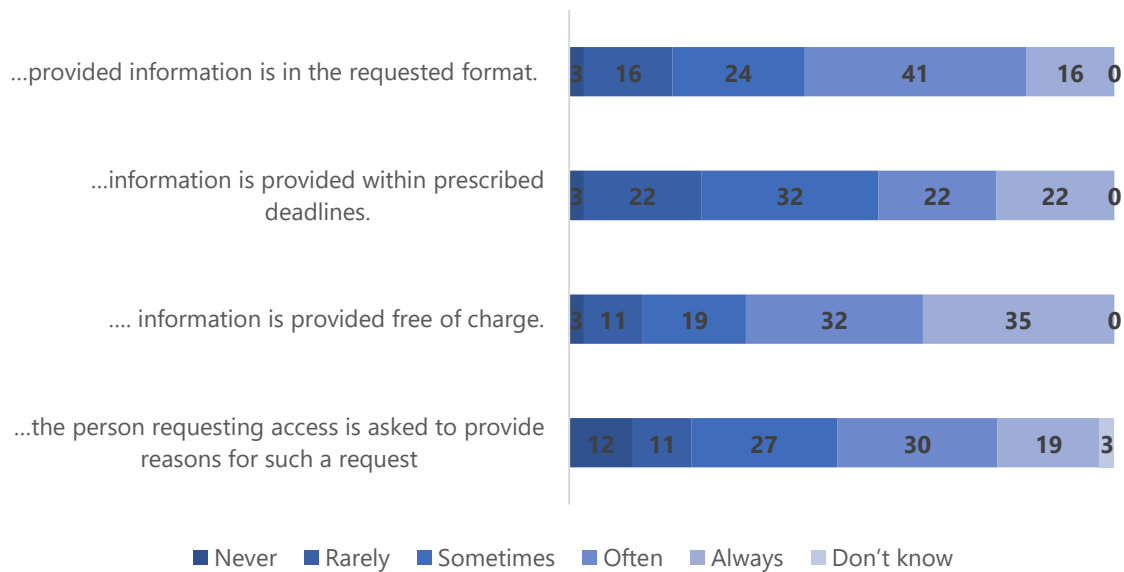
40.43% of surveyed CSOs either agree (32.98%) or strongly agree (7.45%) with the statement "In exercising their activities, public authorities record sufficient information to enable the public to fulfil the right to free access of information of public importance". 32.98% of surveyed CSOs either agree (29.79%) or strongly agree (3.19%) with the statement "The legislation prescribes adequate exceptions to the public character of information produced by public authorities". 27.66% of surveyed CSOs agree (24.47%) or strongly agree (3.19%) with the statement "Exceptions to the public character of information produced by public authorities are adequately applied in practice". 56.76% of surveyed CSOs that had exercised their right to information* answered "often" (40.54%) or "always" (16.22%) to the statement "When my organisation requests free access to information, provided information is in the requested format" and 43.24% of surveyed CSOs that had exercised their right to information* answered "often" (21.62%) or "always" (21.62%) to the statement "When my organisation requests free access to information, information is provided within prescribed deadlines". 67.57% of surveyed CSOs that had exercised their right to information* answered "often" (32.43%) or "always" (35.14%) to the statement "When my organisation requests free access to information, information is provided free of charge."

Fig. 12: Based on the experience of your organization with exercising the right to free access of information, please indicate your level of agreement (%)



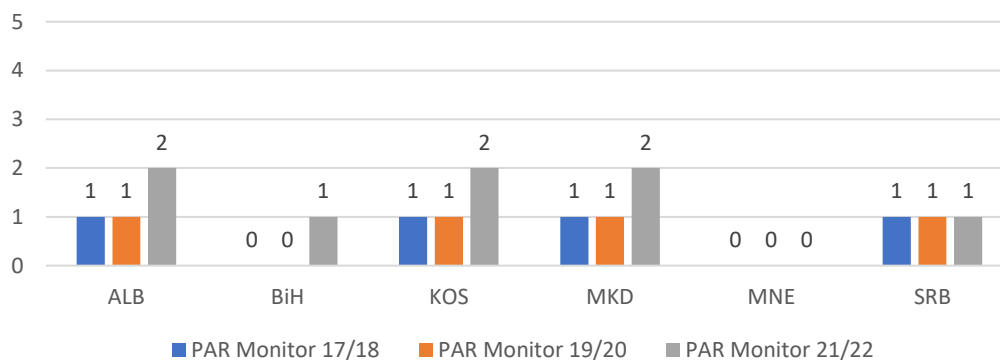
37.84% of surveyed CSOs either agree (35.14%) agree or strongly agree (2.70%) with the statement "The designated supervisory body (the Ministry of Justice BIH) sets, through its practice, sufficiently high standards of the right to access public information". 29.73% of surveyed CSOs either agree (24.32%) agree or strongly agree (5.41%) with the statement "Soft measures issued by the supervisory authority (the Ministry if Justice BIH) to public authorities are effective in protecting access to information." 32.43% of surveyed CSOs either "agree" (29.73%) or "strongly agree" (2.70%) with the statement "The sanctions prescribed for the violation of the right to free access of information lead to sufficiently grave consequences for the responsible persons in the non-compliant authorities".

Figure 13: When my organization requests free access to information... (%)



How does Bosnia and Herzegovina do in regional terms?

Civil society perception of the quality of legislation and practice of access to public information



Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org.

Principle 2: The right to access public information is enacted in legislation and consistently applied in practice

WeBER indicator ACC P2 I2: Proactive informing of the public, by public authorities

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
E1 Websites of public authorities contain complete and up to date information on scope of work	4/4	4/4	2/4
E2 Websites of public authorities contain easily accessible and citizen-friendly information on scope of work	1/2	0/2	1/2
E3 Websites of public authorities contain complete and up to date information on accountability (who they are responsible to)	0/4	0/4	2/4
E4 Websites of public authorities contain complete and up to date information on relevant policy documents and legal acts	2/4	2/4	4/4
E5 Websites of public authorities contain accessible and citizen friendly information on relevant policy documents and legal acts	0/2	0/2	1/2
E6 Websites of public authorities contain complete and up to date information on policy papers, studies and analyses relevant to policies under competence	0/4	0/4	2/4
E7 Websites of public authorities contain accessible and citizen-friendly information on policy papers, studies and analyses relevant to policies under competence	0/2	0/2	1/2
E8 Websites of public authorities contain complete and up to date annual reports	2/4	2/4	0/4
E9 Websites of public authorities contain accessible and citizen friendly annual reports	0/2	0/2	0/2
E10 Websites of public authorities contain complete and up to date information on the institution's budget	0/4	0/4	0/4
E11 Websites of public authorities contain accessible and citizen-friendly information on the institution's budget	0/2	0/2	0/2
E12 Websites of public authorities contain complete and up to date contact information	4/4	4/4	4/4
E13 Websites of public authorities contain accessible and citizen friendly contact information	2/2	2/2	2/2
E14 Websites of public authorities contain complete and up to date organisational charts which include entire organisational structure	2/4	2/4	0/4
E15 Websites of public authorities contain accessible and citizen friendly organisational charts which include entire organisational structure	1/2	1/2	1/2
E16 Websites of public authorities contain complete and up to date information on contact points for cooperation with civil society and other stakeholders, including public consultation processes	2/4	4/4	2/4

E17 Websites of public authorities contain accessible and citizen friendly information on ways in which they cooperate with civil society and other external stakeholders, including public consultation processes	0/2	1/2	1/2
E18 Public authorities proactively pursue open data policy	0/4	0/4	0/4
Total score	20/56	22/56	23/56
Indicator value (scale 0 – 5)⁵⁹	2	2	2

Information on the scope of work on the website of the institutions is in line with the description in legal acts for all sampled institutions. This information is easily accessible on the websites, but it is not presented in a citizen-friendly format and the text is copied from the legislation, entailing bureaucratic language. When it comes to accountability, not all sampled institutions provide complete and updated information on who they are responsible to, with exception for three ministries.

Overall, information on relevant policy documents and legal acts is complete, up to date and accessible for most sampled institutions. The lack of textual explanations and citizen-friendliness is evident for all institutions. Furthermore, there is no information on accountability among sampled institutions, with the exception of three institutions.

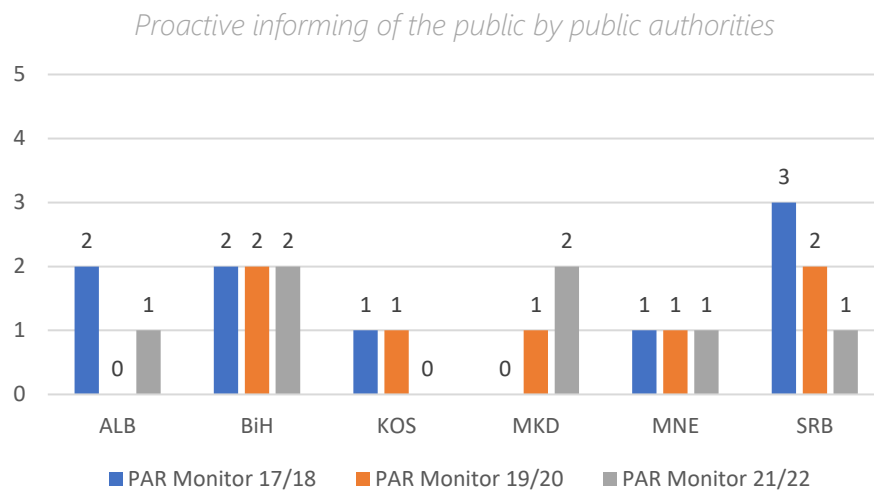
Very few sample institutions published information on publications, such as policy papers, studies, and policy analyses. When assessing the availability of annual reports of sampled institutions, it can be concluded that not all reports were prepared and published for the preceding year. Moreover, the majority of sampled institutions has no budget information available on their websites. This lack of reports can explain a relatively stagnant score in comparison to the previous PAR Monitoring reports - PAR Monitor 2017/2018 and PAR Monitor 2019/2020.

Contact information is always published, with different channels stated in separate website sections, easily accessible online. For most of the sampled institutions, organisational charts are generally presentable and in downloadable format and in line with acts on internal structure and job positions, with only two exceptions in the sample. Further, sample institutions communicate with civil society and external stakeholders via individual public consultation invitations or via eKonsultacije portal where they demonstrate citizen-friendly approaches by inviting all those who are interested, or targeting specific stakeholders, to take part in the consultation process. Information regarding the type of documents, procedures, type, location, and time of consultations, as well as an online application for interested stakeholders is available online. Additionally, details about the contact person are available alongside information about the specific documents and general rules for the consultations. Positive example of separate information booklet for public consultations remains to be found on the website of BiH Agency for Identification Documents, Registers, and Data Exchange (IDDEEA). However, three of the sampled institutions entailed no information or instructions on their official websites.

⁵⁹ Conversion of points: 0-10 points = 0; 11-19 points = 1; 20-28 points = 2; 29-37 points = 3; 38-46 points = 4; 47-56 points = 5.

Lastly, public authorities do not pursue an open data policy and the published documents are not available in any of the open data formats (CSV, XLS, XML, TXT etc.). Bosnia and Herzegovina, however, has launched a National Summary Data Page (NSDP) to implement the recommendations of the enhanced General Data Dissemination System (e-GDDS) and publish essential macroeconomic data in both human and machine-readable formats. Making this information available to all users will bring greater data transparency.

How does Bosnia and Herzegovina do in regional terms?



Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org.

V.3 Summary results: Accountability

40.43% of surveyed CSOs either agree (32.98%) or strongly agree (7.45%) with the statement "In exercising their activities, public authorities record sufficient information to enable the public to fulfil the right to free access of information of public importance". 32.98% of surveyed CSOs either agree (29.79%) or strongly agree (3.19%) with the statement "The legislation prescribes adequate exceptions to the public character of information produced by public authorities". 27.66% of surveyed CSOs agree (24.47%) or strongly agree (3.19%) with the statement "Exceptions to the public character of information produced by public authorities are adequately applied in practice". 56.76% of surveyed CSOs that had exercised their right to information* answered "often" (40.54%) or "always" (16.22%) to the statement "When my organisation requests free access to information, provided information is in the requested format" and 43.24% of surveyed CSOs that had exercised their right to information* answered "often" (21.62%) or "always" (21.62%) to the statement "When my organisation requests free access to information, information is provided within prescribed deadlines". 67.57% of surveyed CSOs that had exercised their right to information* answered "often" (32.43%) or "always" (35.14%) to the statement "When my organisation requests free access to information, information is provided free of charge." 37.84% of surveyed CSOs either agree (35.14%) agree or strongly agree (2.70%) with the statement "The designated supervisory body (the Ministry of Justice BIH) sets, through its practice, sufficiently high standards of the right to access public information". 29.73% of surveyed CSOs either agree (24.32%) agree or strongly agree (5.41%) with the statement "Soft measures issued by the supervisory authority (the Ministry of Justice BIH) to public authorities are effective in protecting access to information." 32.43% of surveyed CSOs either "agree" (29.73%) or "strongly agree" (2.70%) with the statement "The sanctions prescribed for the violation of the right to free access of information lead to sufficiently grave consequences for the responsible persons in the non-compliant authorities."

Information on the scope of work on the website of the institutions is in line with the description in legal acts for all sampled institutions. This information is easily accessible on the websites, but it is not presented in a citizen-friendly format and the text is copied from the legislation, entailing bureaucratic language. When it comes to accountability, not all sampled institutions provide complete and updated information on who they are responsible to, with exception for three ministries.

Overall, information on relevant policy documents and legal acts is complete, up to date and accessible for most sampled institutions. The lack of textual explanations and citizen-friendliness is evident for all institutions. Furthermore, there is no information on accountability among sampled institutions, with the exception of three institutions.

Very few sample institutions published information on publications, such as policy papers, studies, and policy analyses. When assessing the availability of annual reports of sampled institutions, it can be concluded that not all reports were prepared and published for the preceding year. Moreover, the majority of sampled institutions has no budget information available on their websites. This lack

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Recommendations for Accountability

Tracking recommendations from PAR Monitor 2019/2020

Recommendation	Status	Comment
<p>Simple, citizen-oriented language on the websites of the institutions should be used, focusing on ease of access and better user experience. In particular:</p> <ul style="list-style-type: none"> • When publishing documents (policy and legal documents, reports, etc.), their content and purpose need to be briefly introduced/explained without bureaucratic terminology, focusing on the most important aspects and how do they affect everyday life of citizens, associations, businesses, minority groups, or other groups in society; • When providing information on organisational purpose and purview, describing policy areas and offered services, or similar administrative information (either in the Information Booklets or otherwise online), copy-paste of text from statutory acts should be strictly avoided, but tailored to an average citizen. 	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle.</p>
<p>Institutions should publish more and more information on their official web sites, and by using modern technologies to establish new information exchange practices.</p>	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle.</p>
<p>Public authorities at the state administration level should proactively publish their annual work reports online, which should be explicitly prescribed in appropriate law or by-law, and to complement it with the qualitative and quantitative information, and performance indicators on concrete</p>	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle.</p>

results achieved by the organisation in the one-year period.		
Proactive transparency of the overall budget cycle should be ensured , and the obligation of the institutions to communicate their budget cycle in a form accessible and understandable should be explicitly stipulated.	No action taken	Nothing changed from the last monitor cycle.
Public authorities should start producing and publishing citizen-friendly version of their annual budgets (financial plans). Existing practices in few local self-governments and few state institutions can be used as the starting point for their development. Once they are developed and published, citizen budgets should be clearly marked and visible from the website homepage.	Partially implemented	Citizen-friendly budget that includes all the institutions of Bosnia and Herzegovina is published only on MFT BiH's website.
Open data portal is needed because public authorities should start publishing at least one dataset pertaining to their scope of work in line with the open data standards , which would be published on their websites as well.	No action taken	Nothing changed from the last monitor cycle. BiH institutions still do not pursue open data policy.
Information on cooperation with civil society, and external stakeholders in general, should be clearly displayed , preferably through an easily accessible website section at the landing page, detailing on what cooperation with CSOs entails, channels of communication, contact/responsible persons, and other relevant info.	No action taken	Nothing changed from the last monitor cycle.
It should be made mandatory for the institutions to regularly send or upload information on the eKonsultacije portal , but also to promote it on homepages of their websites so as to easily redirect visitors.	No action taken	eConsultation portal is only used as a channel for the consultation process and it does not include any other information.

<p>Public authorities should always provide information in the requested format(s). If there is reasonable barrier or justification for it, information seekers should be informed in advance.</p>	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle.</p>
<p>Public authorities should completely avoid providing information in the scanned documents. It limits the further use of data, and search in case of larger documents.</p>	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle. BiH institutions still mostly send scanned documents.</p>
<p>The Commissioner for Information of Public Importance and Personal Data Protection should keep a register of public authorities that are frequently irresponsive to requests, based on complaints received, and make it public. Exhibition of bad-case examples will promote accountability in the long run</p>	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle.</p>
<p>Pending changes to the FOI legislation in BiH should ensure effective sanctions for all non-compliant authorities.</p>	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle.</p>

PAR Monitor 2021/2022 recommendations

1. **Simple, citizen-oriented language on the websites of the institutions should be used, focusing on ease of access and better user experience.** In particular:
 - When publishing documents (policy and legal documents, reports, etc.), their content and purpose need to be briefly introduced/explained without bureaucratic terminology, focusing on the most important aspects and how do they affect everyday life of citizens, associations, businesses, minority groups, or other groups in society.*
 - When providing information on organisational purpose and purview, describing policy areas and offered services, or similar administrative information (either in the Information Booklets or otherwise online), copy-paste of text from statutory acts should be strictly avoided, but tailored to an average citizen.*
2. **Institutions should publish more and more information on their official web sites,** and by using modern technologies to establish new information exchange practices.*
3. **Public authorities at the state administration level should proactively publish their annual work reports online,** which should be explicitly prescribed in appropriate law or by-law, and to complement it with the qualitative and quantitative information, and performance indicators on concrete results achieved by the organisation in the one-year period.*
4. **Public authorities should always provide information in the requested format(s).** If there is reasonable barrier or justification for it, information seekers should be informed in advance.*
5. **Public authorities should start producing and publishing citizen-friendly version of their annual budgets (financial plans).** Citizen-friendly budget that includes all the institutions of Bosnia and Herzegovina is published only on MFT BiH's website and that should be a start. All institutions should have a citizen-friendly budget which cover their spending individually and regularly publish it.
6. **Open data portal is needed because public authorities should start publishing at least one dataset pertaining to their scope of work in line with the open data standards,** which would be published on their websites as well.*
7. **Pending changes to the FOI legislation in BiH should ensure effective sanctions for all non-compliant authorities,** as well as making sure that all the process is monitored by an independent institution which is not a case in the latest FOI Law proposal

*Recommendations from the previous cycle (repeated and modified)

VI.

SERVICE DELIVERY



VI.1 WeBER indicators used in Service Delivery and country values for Bosnia and Herzegovina

SD P1 I1: Public perception of state administration's citizen orientation

0 | 1 | 2 | **3** | 4 | 5

SD P3 I1: Public perception and availability of information on citizen feedback regarding the quality of administrative services

0 | **1** | 2 | 3 | 4 | 5

SD P4 I1: CSOs' perception of accessibility of administrative services

0 | 1 | 2 | 3 | 4 | 5

SD P4 I2: Availability of information regarding the provision of administrative services on the websites of service providers

0 | 1 | **2** | 3 | 4 | 5

State of Play in Service Delivery

Although the PAR Strategy provides a strategic framework for specific aspects of service delivery, there is no single document that addresses service delivery in Bosnia and Herzegovina. The public administration in Bosnia and Herzegovina is oriented toward users by professionally monitoring and understanding their needs and expectations, which is then used to improve business processes and administrative procedures, reduce administrative burdens, and enable the availability of services through various channels of communication by ensuring high quality and lowering prices⁶⁰.

The legislative basis for a user—oriented administration differs significantly from area to area. A new law on electronic identification and trust services for electronic transactions that complies with the EU *acquis* is currently pending. In October 2019, the Ministry of Communication and Transport's Office for the Supervision and Accreditation of Certifiers registered the country's first trust service provider, clearing the way for the adoption of qualified electronic signatures. To promote a user-oriented administration, the country must adopt a consistent strategy to service modernization, simplification, and digitization. Special administrative procedures must still be examined and, if necessary, terminated or brought into compliance with general administrative procedure regulations. For the length of the disaster or emergency, several levels of authority opted to suspend time restrictions in administrative procedures and disputes, except in urgent cases. The delivery of public services was adapted to the unique COVID-19 prevention measures. Bosnia and Herzegovina should simplify and harmonize business registration procedures, as well as ensuring full mutual recognition between businesses, notably in the areas of concessions and licensing. No one-stop-shop exists for either citizens or businesses, except in the Republika Srpska entity. Systematic monitoring of user satisfaction with service delivery does not occur at any level⁶¹.

⁶⁰ See: https://weber-new.s3.us-west-2.amazonaws.com/wp-content/uploads/2021/08/16154153/BIH_PAR-Monitor-2020.pdf

⁶¹ See: https://neighbourhood-enlargement.ec.europa.eu/document/download/a113b381-3389-4be7-95b2-a4fb91c8c243_en?filename=Bosnia%20and%20Herzegovina%20Report%202022.pdf

The only noteworthy improvement has been the renewal of ID cards, which is the consequence of a countrywide infrastructure for the distribution of personal documents and a central citizenship register (both maintained by the State-level IDDEEA – and efforts at the Entity level to merge municipal birth records into single, digital registers - operated by the Entities). Individuals do not need to present birth or citizenship certificates when renewing their ID cards provided specific conditions are met. Apart from this service, the infrastructure has not been widely used, which means that citizens are still need to obtain and submit birth, marriage, residence, and other certificates in practically all circumstances. For those living or working across the territory, the administrative setup is complex. These issues occur because the Entities are responsible for the vast bulk of administrative services provided to citizens and companies. Despite the fact that the State-level agency IDDEEA provides ID cards and passports, the Entities and the BD have sole authority to issue ID cards. Personal documents are issued under the authority of the competent Ministries of Interior (Mols): the RS Mol, the cantonal Mols in the FBiH (inside the FBiH, the competence is with the individual cantons), and the Public Register in the BD, according to BiH laws and regulations. As a result, there are disparities in the quality of service and delivery performance among the Entities (and even within the Entities). Citizens and businesses do not have access to digital signatures. The Electronic Signature Law (ESL), enacted at the state level in 2006, established the digital signature's equivalency with the handwritten signature; new national ID cards, which have been available since 2013, are fitted with an electronic chip; and the IDDEEA maintains an electronic register of national ID cards. However, due to political differences, the Entities have jurisdiction over the issuance of personal documents. Personal documents are issued by competent Mols at the state and local levels, cantonal Mols in the FBiH, and the BD Public Register, according to BiH laws and regulations — no national authority has yet been established to issue qualified digital-signature certificates.⁶² The Chairman of the Council of Ministers of BiH stated that digital transformation and global technological progress are affecting all spheres of the society, especially in the era of the Covid-19 pandemic and he believes that technology can provide significant savings in the budgets of institutions in BiH and increase their efficiency. Given the limited budget funds that can be provided for the digitalization of public administration, he believes that the support of international organizations through projects is crucial for the digital transformation process to run smoothly and for projects to be implemented within the set deadlines⁶³. Regarding that, to support transparency and reduce corruption in targeted processes before the authorities, the United States Agency for International Development (USAID) launched a five-year \$10.9 million e-government project in Bosnia and Herzegovina. USAID's eGovernment project will provide software, hardware, and technical assistance for e-signatures, e-building permits, inspection services, social registries, and public procurement processes throughout BiH. Improved and efficient administration will have a direct, positive impact on citizens and businesses in BiH. E-government interventions make economic and practical sense: they will reduce corruption, promote and enable the redirection of resources that have so far been wasted on business growth and development. Most of the IT systems used by institutions in Bosnia and Herzegovina are outdated, so new software solutions are needed. It is also necessary to improve interoperability within and between institutions at the state and other levels of government. E-government will support BiH in harmonizing the legislative and regulatory framework relevant to e-government with EU directives and best

⁶² See: https://weber-new.s3.us-west-2.amazonaws.com/wp-content/uploads/2021/08/16154153/BIH_PAR-Monitor-2020.pdf

international practices⁶⁴. However, E-service websites are functional on lower levels: FBiH (euprava.fbih.gov.ba), RS (esrpska.com) and BD (euprava.bdcentral.net).

What does WeBER monitor and how?

Under the Service Delivery area of PAR, three SIGMA Principles are monitored.

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

Principle 3: Mechanisms for ensuring the quality of public services are in place;

Principle 4: The accessibility of public services is ensured.

From the perspective of civil society and the wider public, these principles bear the most relevance in their addressing the outward-facing aspects of administration that are crucial for the daily provision of administrative services and contact with the administration. In this sense, these are the principles most relevant to the quality of everyday life of citizens.

The approach to monitoring these principles relies, firstly, on public perception of service delivery policy, including how receptive administrations are for redesigning administrative services based on citizen feedback. This is complemented with civil society's perception about distinct aspects of service delivery. Moreover, approached to the selected principles go beyond mere perceptions, exploring aspects of existence, online availability, and the accessibility of information administrations provide on services.

Four indicators were used, two fully measured with perception data (perceptions from civil society and the public) and two by using a combination of perception and publicly available data. The public perception survey employed three-stage probability sampling targeting the public. It focused on citizen-oriented service delivery in practice, covering various aspects of awareness, efficiency, digitalisation, and feedback mechanisms.⁶⁵ Since public perception survey was implemented during the COVID19 pandemic, citizens were also asked additional questions on how interested they were to explore more about electronic services since the outbreak and how frequently they have used them during the pandemic. Perception data from these questions were not used for measuring indicator values.

In the measurement of the accessibility of administrative services for vulnerable groups and in remote areas, data from a survey of civil society and a focus group with selected CSOs were used,⁶⁶ the latter for complementing the survey data with qualitative findings. The existence of feedback mechanisms was explored by combining public perception data and online data for a sample of five services.⁶⁷

⁶³ See: <https://www.profitiraj.ba/tegeltija-bih-je-na-pocetku-razvoja-e-uprave-mora-se-ubrzati-proces-digitalizacije/>

⁶⁴ See: <https://www.akta.ba/vijesti/pokrenut-projekat-e-uprave-u-bih-fokus-na-digitalizaciji-e-potpisa-e-dozvola-i-javnih-nabavki/130182>

⁶⁵ Perceptions are explored using a survey targeting the public (aged 18 and older) of six Western Balkan countries. The public perception survey employed a multi-stage probability sampling and was administered combining computer-assisted web and telephone interviewing (CAWI, and CATI), using a standardized questionnaire through omnibus surveys in Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, and Serbia during 4 May - 23 May 2022. For Bosnia and Herzegovina, the margin of error for the total sample of 1037 citizens is $\pm 3.14\%$.

⁶⁶ The survey of CSOs was administered through an anonymous, online questionnaire. In Bosnia and Herzegovina, the survey was conducted in the period from 7 April - 11 July 2022. The data collection method included CASI (computer-assisted self-interviewing). The survey sample was N=104.

⁶⁷ The five services included were: 1) Property registration, 2) company (business) registration 3) vehicle registration 4) the issuing of personal documents: passports and ID cards and 5) value added tax (VAT) declaration and payment for companies.

Finally, the websites of providers of the same sampled services were analysed to collect information on their accessibility and prices.

VI.2 WeBER monitoring results

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

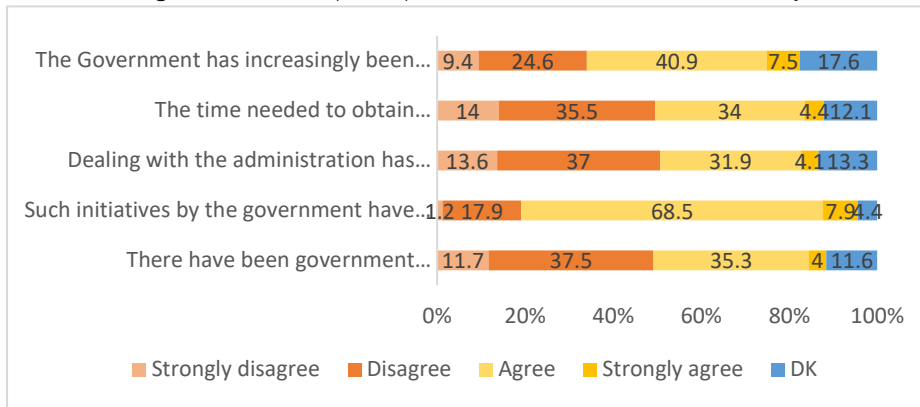
WeBER indicator SD P1 I1: Use of participatory approaches in the development of key strategic PAR documents

Indicator elements	Scores	Scores	Scores
	2021/2020	2019/2022	2017/2018
E1 Citizens are aware of government administrative simplification initiatives	1/2	1/2	0/2
E2 Citizens confirm that administrative simplification initiatives or projects by the government have improved service delivery	4/4	4/4	4/4
E3 Citizens confirm that dealing with the administration has become easier	2/4	2/4	0/4
E4 Citizens confirm that time needed to obtain administrative services has decreased	2/4	2/4	0/4
E5 Citizens consider that administration is moving towards digital government	1/2	1/2	0/2
E6 Citizens are aware about the availability of e-services	1/2	1/2	0/2
E7 Citizens are knowledgeable about ways on how to use e-services	1/2	1/2	1/2
E8 Citizens use e-services	0/4	0/4	0/2
E9 Citizens consider e-services to be user-friendly	2/2	2/2	2/4
E 10 Citizens confirm that the administration seeks feedback from them on how administrative services can be improved	0/2	0/2	0/2
E11 Citizens confirm that the administration uses their feedback on how administrative services can be improved	4/4	4/4	4/4
Total score	18/32	18/32	11/32
Indicator value (scale 0 – 5)⁶⁸	3	3	1

39,25% of BiH citizens agreed or strongly agreed with the statement, "In the past two years, there have been efforts or initiatives by the government to make administrative procedures simpler for citizens and businesses" and 76,41% of BiH agreed or strongly agreed with the statement, "In the past two years, such initiatives by the government have led to improved service delivery".

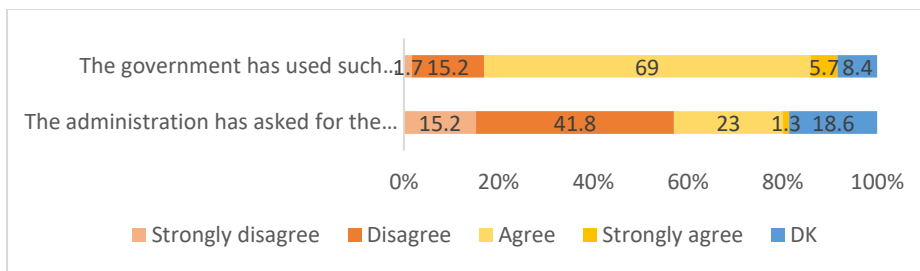
⁶⁸ Conversion of points: 0-5 points = 0; 6-11 points = 1; 12-17 points = 2; 18-22 points = 3; 23-27 points = 4; 28-32 points = 5

Fig. 14: Citizens' perceptions on ease of service delivery



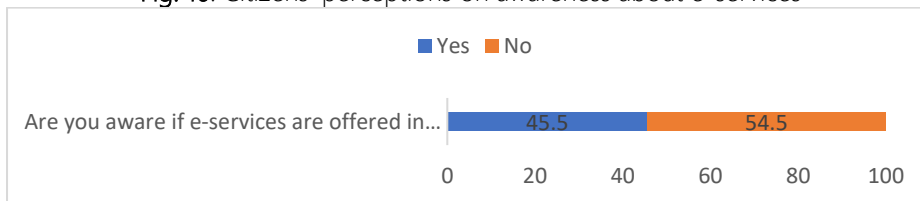
"In my own experience, dealing with the administration has become easier in the past two years," was agreed with or strongly agreed with by 36,10% of BiH citizens and 38,34% of BiH citizens agreed or strongly agreed with the statement, "In the past two years, the time needed to obtain administrative services has decreased". 48,41% of BiH citizens agreed or strongly agreed with the statement, "In the past two years, the Government has increasingly been moving towards digitalisation in the work of administration?".

Fig. 15: Citizens' perceptions on their impact on service delivery.



Less than a half, 45,42% of BiH citizens answered, "Yes," when asked, "Are you aware if e-services (or administrative services via the internet) are offered in your country?" and 58,17% of BiH citizens, when asked "How informed or uninformed are you on the ways to use e-services of the administration?" responded "Completely/Mainly informed".

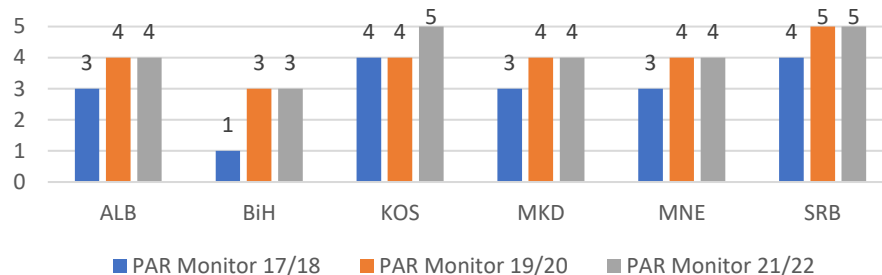
Fig. 16: Citizens' perceptions on awareness about e-services



28,28% of BiH citizens answered, "Sometimes" or "Often," when asked, "Thinking about the past two years, how often have you used e-services of the administration?" and 76,83% of BiH citizens replied "Easy" or "Very easy to use," to the question, "In your experience, how easy or difficult to use are e-services in general?".

How does Bosnia and Herzegovina do in regional terms?

Public perception of state administration's citizen orientation



Regional PAR Monitor Reports with results for all WB administrations is available at: www.par-monitor.org.

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

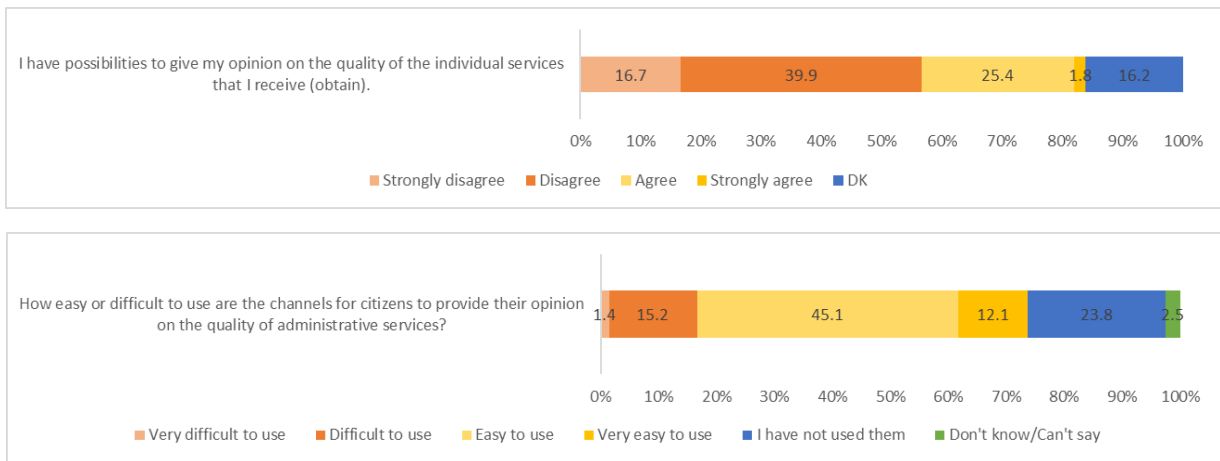
WeBER indicator SD P3 I1: Public perception and availability of information on citizen feedback regarding the quality of services

Indicator elements	Scores	Scores	Scores
	2019/2020	2019/2020	017/2018
E1 Citizens consider they have the possibility to provide feedback on the services	0/2	1/2	0/2
E2 Citizens perceive feedback mechanisms as easy to use	2/4	2/4	2/4
E3 Citizens perceive themselves or civil society as involved in monitoring administrative services	0/4	0/4	0/4
E4 Citizens perceive that administrative services are improved as a result of assessment by citizens	4/4	4/4	4/4
E5 Basic information regarding citizens' feedback on administrative services	0/4	0/4	0/4
E6 Advanced information regarding citizens' feedback on administrative services available	0/2	0/2	0/2
Total score	6/20	7/20	6/20
Indicator value (scale 0 – 5)⁶⁹	1	1	1

Only 27,26% of BiH citizens agreed or strongly agreed with the question, "As a user of administrative services, I have possibilities to give my opinion on the quality of the individual services that I receive (obtain)".

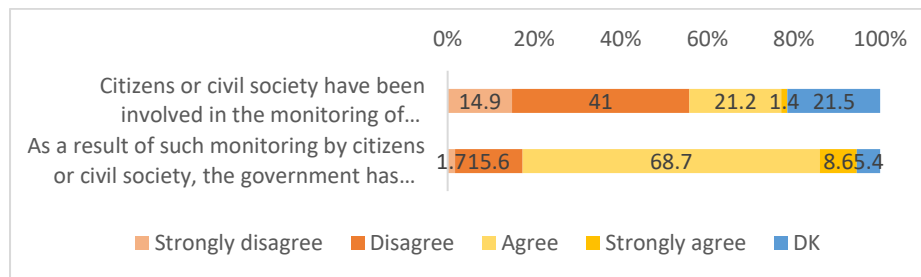
⁶⁹ Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-11 points = 2; 12-14 points = 3; 15-17 points = 4; 18-20 points = 5

Fig. 17: Public perception of giving their feedback



The regional average was 45,21%. 57,09% of BiH citizens answered the question, "In your experience, how easy or difficult to use are the channels for citizens to provide their opinion on the quality of administrative services?" with "Easy or "Very easy to use". 22,57% of BiH citizens said they agreed or strongly agreed with the statement, "In the past two years, citizens or civil society have been involved in the monitoring of administrative services" and 77,35% of BiH citizens agreed or strongly agreed that "In the past two years, as a result of such monitoring by citizens or civil society, the government has improved administrative services".

Fig. 18: Public perception of providing feedback

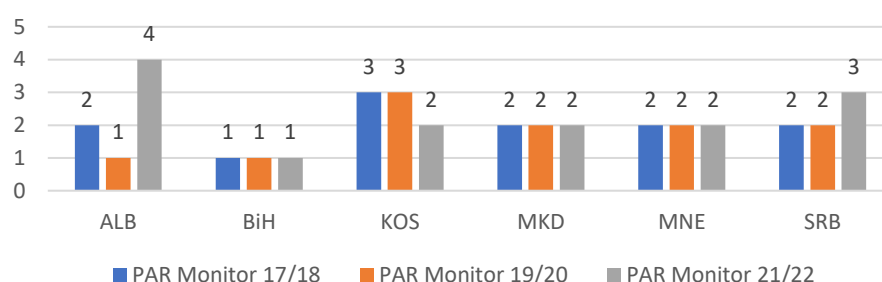


Because of the constitutional division of competencies among levels of government in BiH (State, Entities - RS and FBiH - 10 cantons and Brcko District), the research team has chosen a different path to measuring this element by observing different levels of government and calculating the results of the measuring. This element was measured using both entities, BD, and the state level (where applicable). Given that IDs/passports and vehicle registration in FBiH are handled at the cantonal level (with the relevant MOI), we examined the websites of cantonal MOIs to calculate the grade for FBiH.

Due to the fact that only a few institutions meet the requirements, the point allocation for this element was 0.

How does Bosnia and Herzegovina do in regional terms?

Public perception and availability of information on citizen feedback regarding the quality of administrative services



Regional PAR Monitor Reports with results for all WB administrations is available at: www.par-monitor.org.

Principle 4: Mechanisms for ensuring the quality of public services are in place

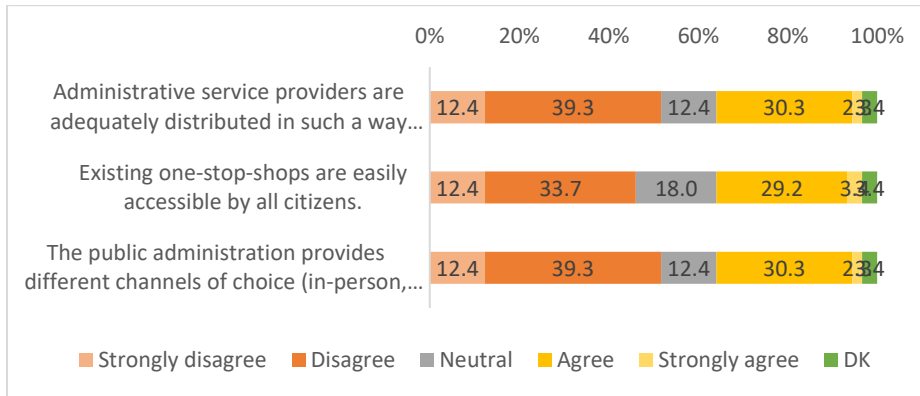
WeBER indicator SD P4 I1: CSOs' perception of accessibility of administrative services

Indicator elements	Scores	Scores	Scores
	2021/2022	2019/2020	017/2018
E1 CSOs confirm the adequacy of territorial network for access to administrative services	0/4	0/4	0/4
E2 CSOs confirm that one-stop-shops are made accessible to all	2/4	0/4	0/4
E3 CSOs consider administrative services to be provided in a manner that meets the needs of vulnerable groups	0/4	0/4	0/4
E4 CSOs confirm that administrative service providers are trained on how to serve vulnerable groups	0/2	0/2	0/2
E5 CSOs confirm that the administration provides different channels of administrative services	1/2	0/2	0/2
E6 CSOs confirm that e-channels are easily accessible for persons with disabilities	0/2	0/2	0/2
Total score	3/18	0/18	0/20
Indicator value (scale 0 – 5)⁷⁰	0	0	0

29.21% of surveyed CSOs "agree" (25.84%) or "strongly agree" (3.37%) with statement "Across the territories of the country, administrative service providers are adequately distributed in such a way that all citizens have easy access.". 47.19% disagree (33.71%) or strongly disagree (13.48%) with the statement, while 21.35% are neutral. 32.58% of surveyed CSOs "agree" (29.21%) or "strongly agree" (3.37%) with the statement "Existing one-stop-shops are easily accessible by all citizens (through their geographic distribution)".

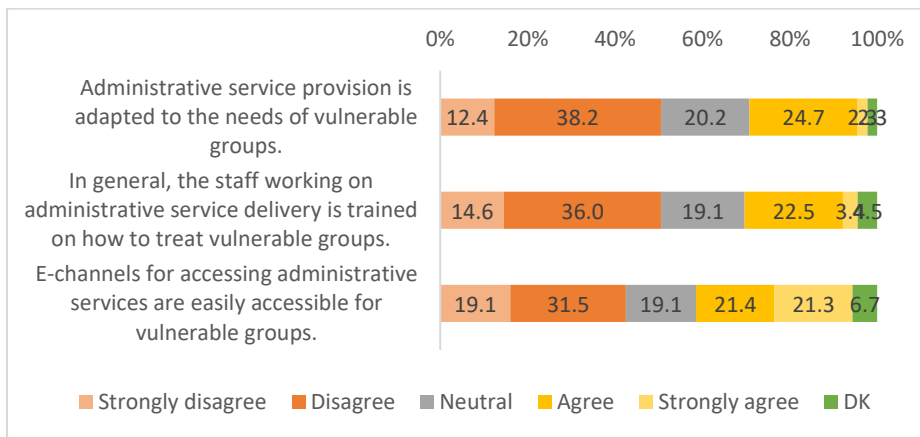
⁷⁰ Conversion of points: 0-3 points = 0; 4-6 points = 1; 7-9 points = 2; 10-12 points = 3; 13-15 points = 4; 16-18 points = 5

Figure 19: CSO perception of providing services



By contrast, 46.07% disagree (33.71%) or strongly disagree (12.36%) with the statement, while 17.98% of respondents are neutral. 26.97% of surveyed CSOs "agree" (24.72%) or "strongly agree" (2.25%) with the statement "Administrative service provision is adapted to the needs of vulnerable groups".

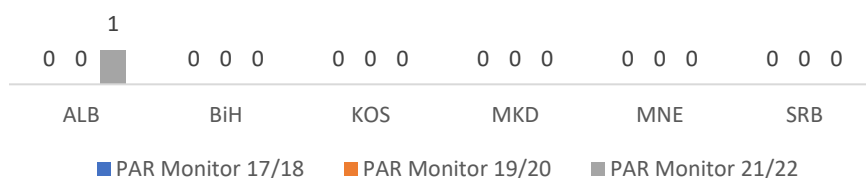
Figure 20: CSO perception of providing services



By contrast, 50.56% answered disagree (38.20%) or strongly disagree (12.36%). A fifth of respondents (20.22%) were neutral. 25.84% of surveyed CSOs "agree" (22.47%) or "strongly agree" (3.37%) with the statement "In general, the staff working on administrative service delivery is trained on how to treat vulnerable groups". 50.57% disagree (35.96%) or strongly disagree (14.61%) with the statement, while 19.10% were neutral. 32.59% of surveyed CSOs "agree" (30.34%) or "strongly agree" (2.25%) with the statement "The public administration provides different channels of choice (in-person, electronic) for obtaining administrative services". 23.6% of surveyed CSOs "agree" (21.35%) or "strongly agree" (2.25%) with the statement "E-channels for accessing administrative services are easily accessible for vulnerable groups".

How does Bosnia and Herzegovina do in regional terms?

CSOs' perception of accessibility of administrative services



WeBER indicator SD P4 I2: Availability of information regarding the provision of administrative services on the websites of providers

Indicator elements	Scores 2019/2020	Scores 2019/2020	Scores 2017/2018
E1 Websites of administrative service providers include contact services	4/4	2/4	4/4
E2 Websites of administrative service providers include basic procedural information on how to access administrative services	0/4	0/4	0/4
E3 Websites of administrative service providers include citizen-friendly information on accessing administrative services	0/2	0/2	0/2
E4 Websites of administrative service providers include information on the obligations of users	1/2	1/2	1/2
E5 Individual institutions providing administrative services at the local level include information on the price of services offered	4/4	2/4	2/4
E6 The information on the prices of administrative services differs between online services and in-person services	0/2	0/2	0/2
E7 Information on administrative services is available in open data format	0/2	0/2	0/2
Total score	9/18	5/18	7/20
Indicator value (scale 0 – 5)⁷¹	2	1	1

Findings show that websites of 5 out of 5 administrative service providers include contact information (phone number and email) for the provision of specific sample services, what is an improvement in comparison to the previous cycles of the PAR Monitor. Furthermore, out of all five sample services, basic procedural information on how to access administrative services is provided in its entirety by the Cadastre and Property Administration. Moreover, the web pages for Revenue and Customs Administration for two entities and a district, entail information on where and how to obtain services,

⁷¹ Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-11 points = 2; 12-14 points = 3; 15-17 points = 4; 18-20 points = 5

as well as downloadable forms, but no description of services. The service of VAT declaration and payment is the only service for which there are user-friendly guidance with audio-visual elements. Other administrative service providers mostly provide guidance on how to obtain the service, but not in a user-friendly way.

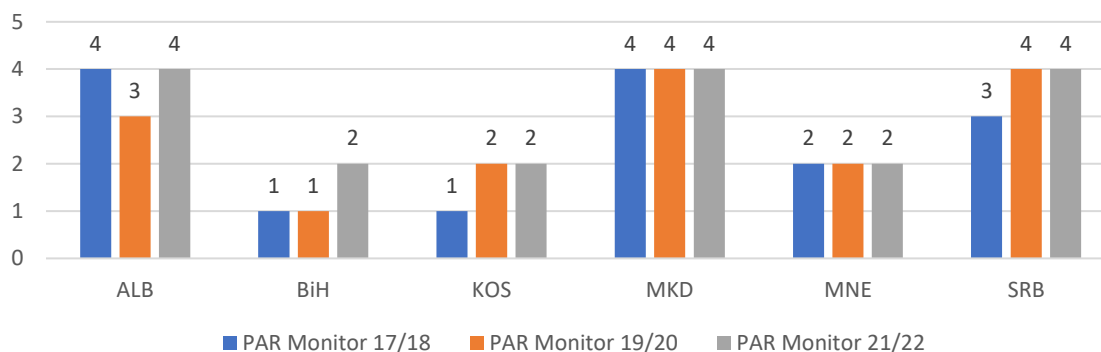
When it comes to rights and obligations of users, with regards to documents and information that needs to be submitted, information is outlined on the website of the administrative service providers for property registration, company (business) registration, and VAT for companies. This means that users of property and business registration services do not have an easy access to information on what kind of documents need to be submitted while requesting these services. IDDEEA site contains descriptions on what documents are mandatory to register a vehicle or issue a passport or ID card, while from individual MOIs, only the one of Canton Sarajevo contains relevant downloadable files.

Prices and fees are publicly available for all services, which is a significant improvement in comparison to the previous cycles of PAR Monitor. Only one sample service is available in a fully digital form - VAT declaration and payment, and the responsible tax authority BiH ITA makes it explicit that fees for amending/supplementing VAT declarations remain the same, even for the users of e-services. The services are not fully digitalised and most e-portals are mainly used for informative purposes, still requiring physical actions, such as submitting a proof of fee payment in person etc. On the e-service portal of Brcko District, for example, one can download and submit electronic forms for some services.

Lastly, no information on sample services is available in open data format.

How does Bosnia and Herzegovina do in regional terms?

Availability of information regarding the provision of administrative services on the websites of service providers



Regional PAR Monitor Reports with results for all WB administrations is available at: www.par-monitor.org.

VI.3 Summary results: Service Delivery

The results of the survey suggest that the public has an unfavourable attitude about administrative services. Only 39,25% of BiH citizens agreed or strongly agreed with the statement, "In the past two years, there have been efforts or initiatives by the government to make administrative procedures simpler for citizens and businesses" and 76,41% of BiH agreed or strongly agreed with the statement "In the past two years, such initiatives by the government have led to improved service delivery". "In my own experience, dealing with the administration has become easier in the past two years," was agreed with or strongly agreed with by 36,10% of BiH citizens and 38,34% of BiH citizens agreed or strongly agreed with the statement, "In the past two years, the time needed to obtain administrative services has decreased". 48,41% of BiH citizens agreed or strongly agreed with the statement, "In the past two years, the Government has increasingly been moving towards digitalisation in the work of administration?". Less than a half, 45,42% of BiH citizens answered, "Yes," when asked, "Are you aware if e-services (or administrative services via the internet) are offered in your country?" and 58,17% of BiH citizens, when asked "How informed or uninformed are you on the ways to use e-services of the administration?" responded "Completely/Mainly informed.". 28,28% of BiH citizens answered, "Sometimes" or "Often," when asked, "Thinking about the past two years, how often have you used e-services of the administration?" and 76,83% of BiH citizens replied "Easy" or "Very easy to use," to the question, "In your experience, how easy or difficult to use are e-services in general?".

Because of the constitutional division of competencies among levels of government in BiH (State, Entities - RS and FBiH - 10 cantons and Brcko District), the research team has chosen a different path to measuring this element by observing different levels of government and calculating the results of the measuring. This element was measured using both entities, BD, and the state level (where applicable). Given that IDs/passports and vehicle registration in FBiH are handled at the cantonal level (with the relevant MOI), we examined the websites of cantonal MOIs to calculate the grade for FBiH.

Due to the fact that only a few institutions meet the requirements, the point allocation for this element was 0.

29.21% of surveyed CSOs "agree" (25.84%) or "strongly agree" (3.37%) with statement "Across the territories of the country, administrative service providers are adequately distributed in such a way that all citizens have easy access.". 47.19% disagree (33.71%) or strongly disagree (13.48%) with the statement, while 21.35% are neutral. 32.58% of surveyed CSOs "agree" (29.21%) or "strongly agree" (3.37%) with the statement "Existing one-stop-shops are easily accessible by all citizens (through their geographic distribution)". A fifth of respondents (20.22%) were neutral. 25.84% of surveyed CSOs "agree" (22.47%) or "strongly agree" (3.37%) with the statement "In general, the staff working on administrative service delivery is trained on how to treat vulnerable groups". 50.57% disagree (35.96%) or strongly disagree (14.61%) with the statement, while 19.10% were neutral. 32.59% of surveyed CSOs "agree" (30.34%) or "strongly agree" (2.25%) with the statement "The public administration provides different channels of choice (in-person, electronic) for obtaining administrative services". 23.6% of surveyed CSOs "agree" (21.35%) or "strongly agree" (2.25%) with the statement "E-channels for accessing administrative services are easily accessible for vulnerable groups".

Findings show that websites of 5 out of 5 administrative service providers include contact information (phone number and email) for the provision of specific sample services, what is an improvement in comparison to the previous cycles of the PAR Monitor. Furthermore, out of all five sample services, basic procedural information on how to access administrative services is provided in its entirety by the Cadastre and Property Administration. Moreover, the web pages for Revenue and Customs Administration for two entities and a district, entail information on where and how to obtain services, as well as downloadable forms, but no description of services. The service of VAT declaration and payment is the only service for which there are user-friendly guidance with audio-visual elements. Other administrative service providers mostly provide guidance on how to obtain the service, but not in a user-friendly way.

When it comes to rights and obligations of users, with regards to documents and information that needs to be submitted, information is outlined on the website of the administrative service providers for property registration, company (business) registration, and VAT for companies.

Prices and fees are publicly available for all services, which is a significant improvement in comparison to the previous cycles of PAR Monitor. Only one sample service is available in a fully digital form - VAT declaration and payment, and the responsible tax authority BiH ITA makes it explicit that fees for amending/supplementing VAT declarations remain the same, even for the users of e-services. The services are not fully digitalised and most e-portals are mainly used for informative purposes, still requiring physical actions, such as submitting a proof of fee payment in person etc. Lastly, no information on sample services is available in open data format.

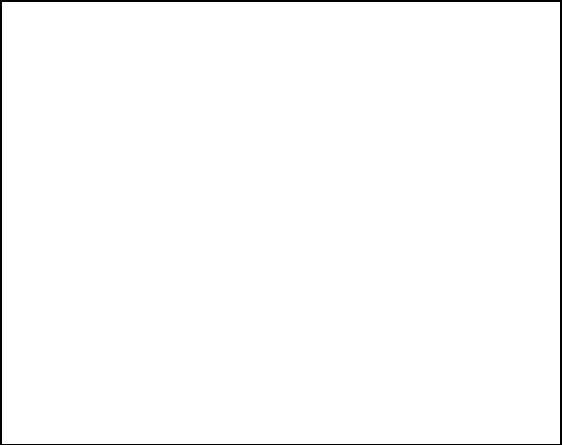
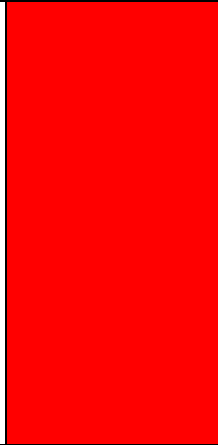
Recommendations for Service Delivery

Tracking recommendations from PAR Monitor 2019/2020

Recommendation	Status	Comment
It is necessary to adopt a new Law on Administrative Procedures and Trust Services. Harmonisation between administrative procedures and their legal needs to be ensured on all levels of government.	No action taken	Nothing changed from the last monitor cycle.
Further efforts need to be made in order for a countrywide infrastructure for the delivery of personal documents and a central citizenship register (on all levels) to be consolidated into single, digital register (easily accessible to all).	No action taken	Nothing changed from the last monitor cycle.
Business registration procedures need to be simplified and harmonized at all levels of government in order to create a core business friendly environment nationwide.	No action taken	Nothing changed from the last monitor cycle.
More effort needs to be placed towards the creation and enabling of one-stop-shop systems in order to cut the administrative backlog and assist the citizens and entrepreneurs.	No action taken	Nothing changed from the last monitor cycle.
E-government portals, although existing formally, need to be made fully functional and used as envisaged.	Partially implemented	In BiH, the portals exist on the entity level and Brčko District, but they still provide mostly information, while digital services are offered through pages of individual service providers.
Monitoring of the service delivery performance needs to be more widespread, allowing for a more concrete citizen, CSO, Business and other inputs. This would enable the creation of a better quality services and a more responsible and accountable administration. A systematic monitoring of service	No action taken	Nothing changed from the last monitor cycle.

delivery performance or user satisfaction needs to be carried out at all levels of Government.		
Information regarding service delivery needs to be displayed and available in a citizen-friendly format. Data displayed on government websites need to be up to date and provide all the necessary information, thus enabling avoidance of administrative mistakes and backlogs.	No action taken	Nothing changed from the last monitor cycle
Quality management needs to be fully implemented on all levels.	No action taken	Nothing changed from the last monitor cycle
There is no digital signature available to citizens or businesses. Although some progress has been made in this field, this matter remains to be highly politicized, and there needs to be a unified and strong political will in order to conclude this matter. A countrywide authority is yet to be established to issue qualified digital signature certificates.	No action taken	Nothing changed from the last monitor cycle
Accessibility of services needs to be improved. Although accessibility to services varies in different parts of the territory of BiH, there is a lack of consistency countrywide. Particularity with regard to vulnerable groups. Improvement of such conditions will require changes in service delivery system as well as education and training of service providers in order for them to cater to the needs of the citizens, particularly the vulnerable groups.	No action taken	Nothing changed from the last monitor cycle
As part of the accessibility measures, civil servants in charge for delivery of in-person administrative service should undergo mandatory training	No action taken	Nothing changed from the last monitor cycle

courses for communication with and assistance to people with disabilities and other vulnerable groups. Such training schemes should be considered a part of the obligatory professional development programme and it should cover all service delivery institutions in all municipalities and cities in BiH.



PAR Monitor 2021/2022 recommendations

1. **It is necessary to adopt a new Law on Electronic Identification and Trust Services.** Harmonisation between laws on administrative procedures and their legislative amendments needs to be ensured on all levels of government.*
2. **Further efforts need to be made in order for a countrywide infrastructure for the delivery of personal documents and a central citizenship register (on all levels) to be consolidated into single, digital register (easily accessible to all).***
3. **Business registration procedures need to be simplified and harmonized at all levels of government in order to create a core business friendly environment nationwide.***
4. **More effort needs to be placed towards the creation and enabling of one-stop-shop systems in order to cut the administrative backlog and assist the citizens and entrepreneurs.***
5. **Monitoring of the service delivery performance needs to be more widespread, allowing for a more concrete citizen, CSO, business and other inputs.** This would enable the creation of a better quality services and a more responsible and accountable administration. A systematic monitoring of service delivery performance or user satisfaction needs to be carried out at all levels of Government.*
6. **Information regarding service delivery needs to be displayed and available in a citizen-friendly format.** Data displayed on government websites need to be up to date and provide all the necessary information, thus enabling avoidance of administrative mistakes and backlogs.*
7. **Quality management needs to be fully implemented on all levels.***
8. **There is no digital signature available to citizens or businesses.** Although some progress has been made in this field, this matter remains to be highly politicized, and there needs to be a unified and strong political will in order to conclude this matter. A countrywide authority is yet to be established to issue qualified digital signature certificates.*
9. **Accessibility of services needs to be improved.** Although accessibility to services varies in different parts of the territory of BiH, there is a lack of consistency countrywide. Particular with regard to vulnerable groups. Improvement of such conditions will require changes in service delivery system as well as education and training of service providers in order for them to cater to the needs of the citizens, particularly the vulnerable groups.*
10. As part of the accessibility measures, **civil servants in charge for delivery of in-person administrative service should undergo mandatory training courses for communication with and assistance to people with disabilities and other vulnerable groups.** Such training schemes should be considered a part of the obligatory professional development programme and it should cover all service delivery institutions in all municipalities and cities in BiH.*

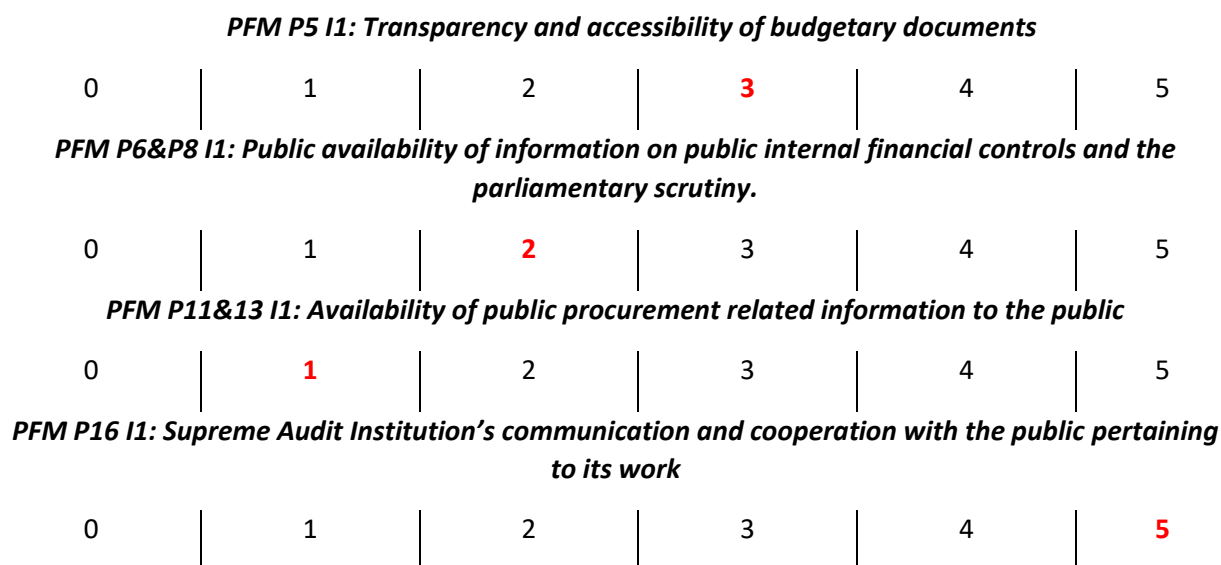
*Recommendations from the previous cycle (repeated and modified)

VII.

PUBLIC FINANCE MANAGEMENT



VII.1 WeBER indicators used in Public Finance Management and country values for Bosnia and Herzegovina



State of Play in Public Finance Management

As stated in National PAR Monitor Report 2019/2020⁷², Bosnia and Herzegovina's public finance structure is complicated. It comprises of the State (the institutions at the central government level are governed by the BiH CoM), the two Entities - the FBiH and the RS (each of the two Entities has its own government and extra-budgetary funds), and the BD. The FBiH cantons also have significant fiscal control, with their own executive, legislative, and judicial branches. Bosnia and Herzegovina's (BiH) public financial management (PFM) framework represents the provisions of the country's Constitution, which was drafted as part of the internationally negotiated Dayton Peace Agreement in 1995. Decision-making is affected by BiH's decentralized and highly complex political and institutional framework. The BiH CoM introduced a new PFM Reform Strategy for BiH in December 2016. The Public Finance Management Reform Strategy in Bosnia and Herzegovina's institutions aims to improve the country's macroeconomic stability by ensuring greater functionality, openness, accountability, and efficiency in the management of public funds. This strategy, along with the public finance management reform strategies in Entities and BD, should help Bosnia and Herzegovina achieve long-term fiscal stability and boost the efficiency of its public finances. This will be reflected mainly in the stabilization of government expenditures, the reduction of the deficit, and the development of fiscal space to increase capital spending.

On a quarterly basis, the budget execution is monitored. Only a portion of the material that should be included in an annual report is included in the annual reports. The SAIs conduct audits on the reports. There is no annual report to the Parliamentary Assembly that covers the State, Entities, and BD, and none that follows the ESA pattern. The MoFT publishes an annual financial report at the state level, which is

⁷² <https://www.par-monitor.org/weber-publications/>

audited by the Office for Auditing of the Financial Operations of Bosnia and Herzegovina's Institutions (SAI BiH).

The budget of Bosnia and Herzegovina's Institutions and International Obligations is adopted and published according to economic, functional, and organizational categories, as well as the evaluation of multi-annual projects. The Budget Department of MFT has been involved in the introduction of program-based budgeting using its own capacities, and a framework of mid-term and annual planning has been developed. The Guidelines on the Methodology in the Process of Mid-term Planning, Monitoring, and Reporting in BiH Institutions, which were prepared based on the Decision on the Procedure for Mid-term Planning, Monitoring, and Reporting in BiH Institutions ("Official Gazette of BiH", No. 62), have significantly improved the process of program-based budgeting in BiH institutions. Furthermore, the Financial Management Information System (FMIS) has been revamped, laying the groundwork for individual program execution control. The framework will be implemented once the necessary normative and legal criteria, such as amendments to the Law on Institutional Financing in BiH, are met. The Budget Law only requires the use of adjusted accrual accounting, but no requirement that it be compliant with international standards.

The quality of public finance and budgeting continues to be poor. The program emphasizes the importance of enhancing public finance management efficiency, but it fails to address specific reform programs or their anticipated fiscal effect. Budget planning for the medium term is still a work in progress, hampered by fragmented responsibilities across the country's agencies.

Bosnia and Herzegovina's budget transparency is also insufficient. Annual budgets are made public, but no consolidated monthly reports are available at any level of government. Entry to centralized data is hampered by a lack of harmonisation on the charts of accounts at the state and agency levels. The follow-up on the results of external audits may be better. There have been some efforts to prepare and plan a citizens' budget, especially at the level of the Council of Ministers, but their implementation still needs to be completed.

The Central Harmonisation Unit (CHU) is in charge of developing the PIFC system at the national level, in compliance with the Law on Internal Audit of the Institutions of BiH and the Law on Financing the Institutions of BiH. The CHU was established within MFT BiH, and it published the annual consolidated internal audit reports on the MFT BiH website.

CHU MFT BiH prepared the first Annual Consolidated Report on the Financial Management and Control System in BiH Institutions in 2017 in accordance with the Law on Financing of Institutions of BiH and the Rules on Annual Reporting on the FMC System in the institutions of BiH and continued the activity until 2022.

The Audit Office of the Institutions of BiH is an external, independent auditor that examines the activities of Bosnia and Herzegovina's institutions. The Office was created in 2000 as Bosnia and Herzegovina's supreme auditing institution. The Office's mandate is established by the Law on Auditing the Institutions of BiH, generally accepting auditing standards and the ISSAI system.

The internal organization of the Office is established by the Rulebook on internal organization and job classification. Tasks of the Audit Office are carried out within the following organizational units: Office of the Auditor General and Deputy Auditors General, Financial Audit Department, Performance Audit Department, Financial Audit Development, Methodology and Quality Control Department, Performance

Audit Quality Control, Methodology and Planning Department and Legal, Financial and General Affairs Department. International Cooperation and Public Relations Department operates within the Office of the Auditor General and Deputy Auditors General. The Office is responsible for: financial audits and compliance audits, performance audit and other specific audits. The competences of the Office include all public institutions of BiH, including: the Parliament, the Presidency, the Council of Ministers and budgetary institutions, extra-budgetary funds provided by law, funds in the form of a loan or a grant to Bosnia and Herzegovina ensured by international agencies and organizations for a certain institution or project in Bosnia and Herzegovina and Funds ensured from the budget for any other institution, organization or body. The main outputs of the Office are its reports, opinions and, in particular, recommendations aimed at improving the management of public funds.⁷³ The Office has developed Strategic Development Plan 2014 - 2020, and it serves to continue the development of the Office in accordance with the Strategic Development Framework of Supreme Audit Institutions of Bosnia and 2013-2020 adopted by the Coordination Board.

The Public Procurement Law of Bosnia and Herzegovina is still far from the EU standards and directives regulating this area and best practices of the EU member states. It is stated in Analytical Report which is accompanying the document Communication from the Commission to the European Parliament and the Council Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union⁷⁴, according to the constitutional and legal framework the competences for public procurement are predominantly exercised by the state level. Contracting authorities at all levels of authority apply the state level law on public procurement. As far as concessions are concerned, these are regulated at state, entity, cantonal and Brčko District level, resulting in 14 separate laws on concessions at all levels, while public-private partnerships are regulated by separate laws in the Republika Srpska entity, in the Brčko District, and in nine cantons. The 2016-2020 strategy for development of public procurement provides an outline for the development, implementation and monitoring of public procurement policy in Bosnia and Herzegovina. Its strategic objectives include better coordination with the public procurement systems, further aligning the legislative framework with the *acquis*, enhancing transparency, strengthening institutional capacity and competition, and putting a stronger focus on a "value for money" approach.

In the area of public procurement, the competent institutions at state level are the Public Procurement Agency and the Procurement Review Body which act as the second instance authority in procurement cases. For concessions and private public partnerships various bodies are competent at the state, entity, cantonal and Brčko District levels. These include commissions for concessions, commissions for public-private partnerships, the Council of Ministers at the state, and governments at entity, cantonal and Brčko District level, as well as the respective ministries competent in this area.

The Public Procurement Law is partially in line with the *acquis*. The Law aims at ensuring respect for the principles of non-discrimination, open competition, transparency and equal treatment. However, the principle of non-discrimination is not fully applied as the country maintains a system of domestic preferences, which, should be gradually phased out, in line with the SAA rules referred to above. Furthermore, the Law covers exemptions, which are not covered by the *acquis*. Bosnia and Herzegovina needs to align with the 2014 public procurement directives, including on classic procurement, utilities and defense procurement. Concessions and public-private partnerships have a fractured policy structure that

⁷³ <http://revizija.gov.ba/Content/Read/o-uredu>

⁷⁴ <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-bosnia-and-herzegovina-analytical-report.pdf>

needs to be aligned with EU acquis. To overcome the current legal ambiguity and avoid high administrative costs, the administrative bodies that apply this structure need formal channels of communication. All legal and financial instruments used in public procurement and concessions, including intergovernmental agreements with third countries, should adhere to the principles of openness, competition, fair treatment, and non-discrimination.

In terms of implementation and regulation, Bosnia and Herzegovina's Public Procurement Agency is the body tasked with initiating, implementing, and monitoring public procurement reform in all sectors. Its administrative capabilities, on the other hand, are inadequate to complete its tasks. Each contracting authority should develop specialized procurement functions and staff them with officials who have the necessary skills and experience. The Public Procurement Agency is in charge of the national procurement portal, which publishes tender and contract notices, as well as other essential information and guidelines, and collects data from more than 95 percent of the country's contracting authorities. Tender documents can be downloaded using electronic procurement. In 2017, the e-auction module, which was first implemented in 2016, was used in 2 713 procedures.

What does WeBER monitor and how?

The monitoring of the PFM area is performed against six SIGMA Principles.

Principle 5: Transparent budget reporting and scrutiny are ensured.

Principle 6: The operational framework for internal control defines responsibilities and powers, and its application by the budget organisations is consistent with the legislation governing public financial management and the public administration in general.

Principle 8: The operational framework for internal audit reflects international standards, and its application by the budget organisations is consistent with the legislation governing public administration and public financial management in general.

Principle 11: There is central institutional and administrative capacity to develop, implement and monitor procurement policy effectively and efficiently.

Principle 13: Public procurement operations comply with basic principles of equal treatment, non-discrimination, proportionality and transparency, while ensuring the most efficient use of public funds and making best use of modern procurement techniques and methods.

Principle 16: The supreme audit institution applies standards in a neutral and objective manner to ensure high-quality audits, which positively impact on the functioning of the public sector.

As these principles are thoroughly assessed by SIGMA, WeBER's focuses and enhances elements of the transparency and accessibility of information, external communication, as well as proactive and citizen-friendly approaches to informing citizens.

As an additional development since the baseline monitoring, a new indicator was developed to cover the public procurement sub-area of PFM (SIGMA Principles 11 and 13), which was not monitored in the first cycle, and as a result four indicators were measured in this PAR Monitor edition. With this addition, WeBER researchers monitored public procurement policy for the first time, along with annual budget policy, PIFC, and external audits. As it was measured for the first time, the indicator on public procurement in this PAR monitor edition sets baseline values in this area.

The first indicator assesses the transparency and accessibility of budgetary documents, measuring how accessible key budget documents (such as annual state-level budget and budget execution reports) are to citizens, as well as to what extent budgetary information is presented and adapted to the needs of citizens and civil society. To this end, the primary online sources are the data available on the websites of ministries in charge of finance and the data available thereon, as well as official government portals and open data portals.

The second indicator measures the availability and communication of essential information on PIFC to the public and other stakeholders (including consolidated reporting, IA quality reviews, and FMC procedural information). The analysis considers official websites and available documents from government institutions in charge of PIFC policy. The websites of all ministries are analysed for the availability of specific FMC-related information, while official parliamentary documentation serves for the measurement of the regularity of parliamentary scrutiny of PIFC.

In the external audit area, the indicator approach considers SAI's external communication and cooperation practices with the public. This area covers the existence of strategic approaches, means of communication used, citizen-friendliness of audit reporting, the existence of channels for reporting on issues identified by external stakeholders, and consultations with civil society. For this purpose, a combination of expert analysis of SAI documents and analysis of SAI websites was used, complemented with semi-structured interviews with SAI staff to collect additional or missing information.

Finally, in the public procurement area, the indicator measures the availability of public procurement-related information to the public. It focuses on whether central procurement authorities and key contracting authorities publish annual plans and reports, as well as how informative and citizen friendly central public procurement portals are for the interested public. Additionally, this indicator looks into the availability of open procurement data as well as the percentage of public procurement processes done in open procedures. This indicator is entirely based on review of official documentation on public procurement policy.

VII.2 WeBER monitoring results

Principle 5: Transparency and accessibility of budgetary documents

WeBER indicator PFM P5 I1: Transparency and accessibility of budgetary documents

Indicator elements	Scores	Scores	Scores
	2021/2022	2019/2020	2017/2018
E1. Enacted annual budget is easily accessible online	4/4	4/4	4/4
E2. In-year budget execution reports are easily accessible online	2/4	0/4	2/4
E3. Mid-year budget execution reports are easily accessible online	2/4	4/4	0/4
E4. Budget execution reports (in-year, mid-year, year-end) contain on budget spending in terms of functional, organization and economic classification	4/4	4/4	4/4
E5. Annual year-end report contains non-financial information about the performance of the Government	1/2	1/2	0/2
E6. Official reader-friendly presentation of the annual budget (Citizen Budget) is regularly published online	0/4	2/4	0/4
E7. Budgetary data is published in open data format	0/2	0/2	1/2
Total score	13/24	15/24	12/24
Indicator value (scale 0 – 5)⁷⁵	3	3	2

Law on Budget of the institutions of BiH is available for 2022 and Decisions on interim funding for 2021 since the budget for 2021 has not been adopted. Budget Documents that on annual basis provide information for 2021-2022 are available with just one click, easily accessible and available for download.

TABLE 1 ONLINE ACCESSIBILITY OF IN-YEAR BUDGET REPORTS

	In-year reporting	Mid-year reporting
Type	Monthly, quarterly	6 months
Easily accessible	✓	X

As for In-year budget execution reports, one report is available for 2022 (for the period I - III) and Instruction for making quarterly and semi-year report about budget execution for 2022 is available. Budget execution reports (in-year, mid-year, year-end) contain data on budget spending in terms of functional, organization and economic classification. Year-end budget for 2021 does include summarized overall performance data. Citizen Budget is available online for 2020 and it was the first Budget for Citizens of the institutions BiH and international obligations BiH published. In the introduction it was stated that Ministry plans to introduce a practice of regular publication of this document. However, the practice was not continued and the document for the current and previous year was not published. No data in open format can be found at the official website of the Ministry.

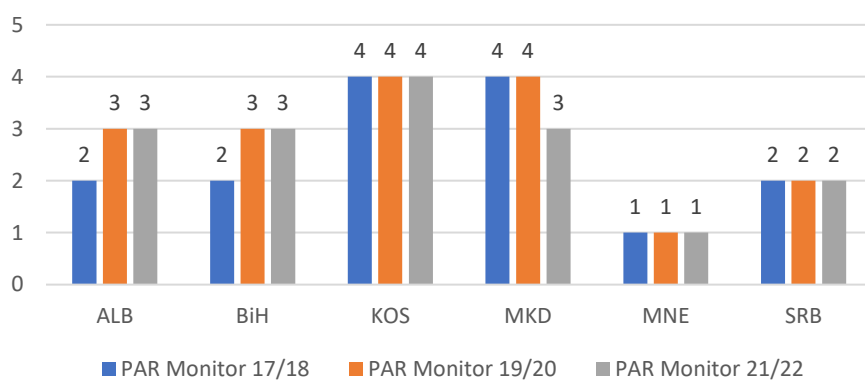
⁷⁵ Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-12 points = 2; 13-16 points = 3; 17-20 points = 4; 21-24 points = 5.

TABLE 2 DATA COMPREHENSIVENESS IN BUDGET REPORTING

Data type	In-year reporting	Mid-year reporting	Year-end reporting
Economic	✓	✓	✓
Functional	✓	✓	✓
Organisational	✓	✓	✓
Performance			✓

How does Bosnia and Herzegovina do in regional terms?

Transparency and accessibility of budgetary documents



Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org.

Principle 6: The operational framework for internal control defines responsibilities and powers, and its application by the budget organisations is consistent with the legislation governing public financial management and the public administration in general.

Principle 8: The operational framework for internal audit reflects international standards, and its application by the budget organisations is consistent with the legislation governing public administration and public financial management in general.

WeBER indicator PFM P6&P8 I1: Public availability of information on public internal financial controls and the parliamentary scrutiny.

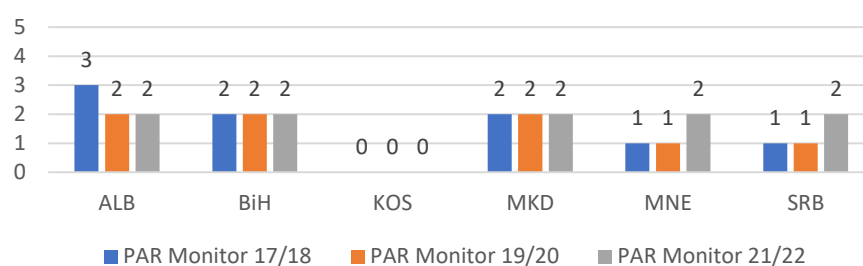
Indicator elements	Scores 2019/2020	Scores 2019/2020	Scores 2017/2018
E1. Consolidated annual report on PIFC is regularly produced and published online.	4/4	4/4	4/4
E2. Quality reviews of internal audit reports are regularly produced and published online	0/2	0/2	0/2
E3. Ministries publish information related to financial management and control	0/4	0/4	0/2
E4. CHU proactively engages with the public	0/2	0/2	1/2
E5. The Parliament regularly deliberates on/reviews the consolidated report on PIFC.	1/2	2/2	1/2
Total score	5/14	6/14	6/12
Indicator value (scale 0 – 5)⁷⁶	2	2	2

Consolidated annual reports on PIFC are produced and published online, at the website of the Central Harmonisation Unit of the Ministry of Finance. No quality review reports on IA published on the website. None of 9 state level ministries listed at least one of the three FMC information described in the methodology. CHU does not proactively engage with the public – only one mean of engagement with the public is used (press releases). The Parliamentary Assembly of Bosnia and Herzegovina has deliberates on/reviewed the consolidated report on PIFC, but not regularly.

⁷⁶ Conversion of points: 0-2 points = 0; 3-4 points = 1; 5-6 points = 2; 7-8 points = 3; 9-10 points = 4; 11-12 points = 5.

How does Bosnia and Herzegovina do in regional terms?

Public availability of information on public internal financial controls and the parliamentary scrutiny



Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org.

Principle 11: There is central institutional and administrative capacity to develop, implement and monitor procurement policy effectively and efficiently.

Principle 13: Public procurement operations comply with basic principles of equal treatment, non-discrimination, proportionality and transparency, while ensuring the most efficient use of public funds and making best use of modern procurement techniques and methods.

WeBER indicator PFM P11&P13 I1: Availability of public procurement related information to the public

Indicator elements	Scores 2021/2022	Scores 2019/2020
E1. Central procurement authority regularly reports to the public on implementation of overall public procurement policy	0/4	0/4
E2. Central review body regularly reports to the public on procedures for protection of rights of bidders in public procurement	4/4	0/4
E3. Reporting on public procurement is by the central procurement is citizen-friendly and accessible	1/2	1/2
E4. Public procurement portal is user-friendly	0/2	0/2
E5. Central-level contracting authorities regularly publish annual procurement plans	4/4	0/4
E6. Central-level contracting authorities regularly publish annual procurement reports	0/4	0/4
E7. Central procurement authority publishes open procurement data	0/2	0/2
E8. Open and competitive procedures are the main method of public procurement	0/4	0/4
Total score	9/26	1/26
Indicator value (scale 0 – 5)⁷⁷	1	0

⁷⁷ Conversion of points: 0-3 points = 0; 4-6 points = 1; 7-9 points = 2; 10-12 points = 3; 13-15 points = 4; 16-18 points = 5

After reviewing the website of the Central procurement authority, reports on implementation of overall public procurement policy are available since 2006. Reports include:

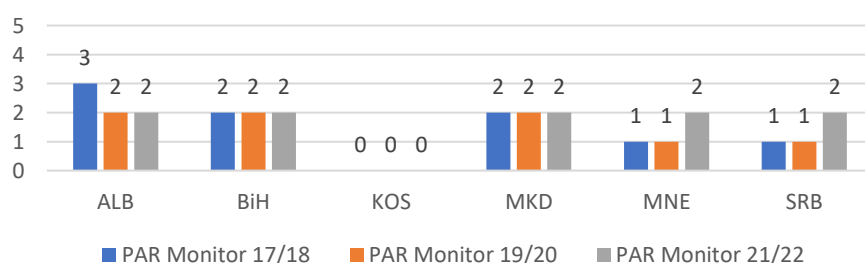
- Report on the work of the Public Procurement Agency of Bosnia and Herzegovina - covering activities of the Agency compared to the adopted Agency's Work Program for each year (available for 2020 and 2021);
- Annual financial reports of the Public Procurement Agency of BiH (available for 2019, 2020, 2021);
- Annual reports on awarded contracts in public procurement procedures - covering analysis of data on public procurements in BiH and data analysis regarding all the awarded contracts (available for 2019);
- Semi-annual reports on awarded contracts in public procurement procedures (available for 2020);
- Annual reports on monitoring of public procurement procedures - covering the monitoring reports of the procurement procedures by the Agency, since one of the competences of the Public Procurement Agency of Bosnia and Herzegovina is to establish a system for monitoring the procedures carried out by contracting authorities for the procurement of goods, services and works, with the aim of educating and eliminating observed irregularities in individual public procurement procedures. The system of monitoring the application of the Law and by-laws in Bosnia and Herzegovina is an examination of the compliance of individual public procurement procedures carried out by contracting authorities (available for 2019);
- Annual auditing reports on the Agency - produced by the Audit Office of the Institutions in BiH (available for 2020 and 2021).

However, all the reports for the last three calendar years are not available.

Central review body published reports for 2019, 2020 and 2021 which include elements from the methodology. Reports on implementation of overall public procurement policy are available since 2006, but they do not include citizen-friendly summary. Furthermore, public procurement portal is not user-friendly. All 9 out of 9 state level ministries published procurement plans for the current and previous year, but only one of them published procurement reports for last two calendar years. Central procurement authority does not publish open procurement data.

How does Bosnia and Herzegovina do in regional terms?

Fig. X: Availability of public procurement related information to the public



Principle 16: The supreme audit institution applies standards in a neutral and objective manner to ensure high-quality audits, which positively impact on the functioning of the public sector.

WeBER indicator PFM P16 I1: Supreme Audit Institution's communication and cooperation with the public pertaining to its work

Regional PAR Monitor Report with results for all WB administrations is available at: www.par-monitor.org.

Indicator elements	Scores 2021/2022	Scores 2019/2020	Scores 2017/2018
E1. SAI develops a communication strategy for reaching out to the public	4/4	0/4	0/4
E2. SAI has dedicated at least one job position for proactive communication and provision of feedback towards the public	4/4	4/4	4/4
E3. SAI utilises various means of communication with the public	1/2	2/2	0/2
E4. SAI produces citizen-friendly summaries of audit reports	4/4	4/4	0/4
E5. Official channels for submitting complaints or initiatives to SAI by external stakeholders are developed (wider public, CSOs)	2/2	2/2	0/2
E6. SAI consults CSOs and their work for the purpose of identifying risks in the public sector	2/2	2/2	1/2
Total score	17/18	14/18	5/18
Indicator value (scale 0 – 5)⁷⁸	5	4	1

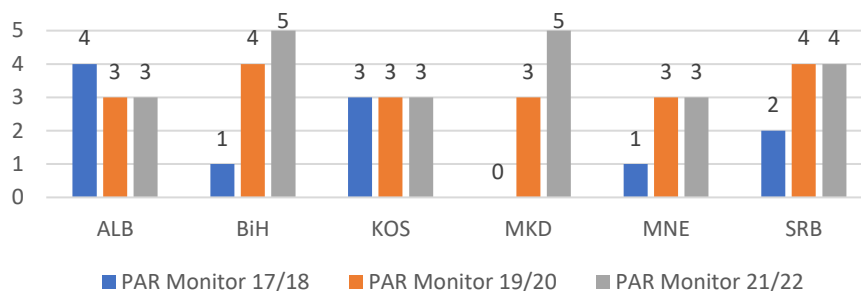
Audit Office of the Institutions of Bosnia and Herzegovina adopted the Communication Strategy 2022-2025 with all the required elements. Systematization act, actually the graph of job positions of the AOI is available at the website and, as confirmed during the interview with the representative of the institution on question, there is one person working in the International Cooperation and Public Relations Unit. This position includes two tasks listed in the methodology: 1. Preparation of information, documents and other materials designed for proactive communication towards the public; 2. Answering citizens' questions and queries related to the SAI scope of work. SAI also utilizes various means of communication with the public listed in the methodology. All the reports are summarized in annual Summary of Audit Reports for 2021 which was published in October 2022 and is written in clear and citizen-friendly fashion and contains visuals and key findings. SAI also publishes the Annual Report on the main findings and recommendations; however, it has not yet been published for 2021. A slider on the front-page displays reports of all revisions by type (a separate tab for each). The search function is very user-friendly. A functional contact form is available at the SAI website where it is stated that "feedback, enquiries and suggestions" are welcome. Even though the form is a bit general, it is possible to submit complaints or initiatives on issues identified by external stakeholders through this channel. Researchers tried using the

⁷⁸ Conversion of points: 0-3 points = 0; 4-5 points = 1; 6-7 points = 2; 8-11 points = 3; 12-15 points = 4; 16-18 points = 5.

form and the response came within an hour. The interviewed representative of AOI confirmed that at the end of each year, consultative meetings are organized with CSOs aimed at familiarizing CSOs with how to create an annual performance audit plan, as well as identifying socially significant issues that CSOs consider could be subject to performance audits, while respecting the mandate and the competencies of the Office itself. CSO reports and analyzes are regularly used both for risk assessment when planning audits and as references when preparing reports.

How does Bosnia and Herzegovina do in regional terms?

Fig. X: Supreme Audit Institution's communication and cooperation with the public pertaining to its work



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VII.3 Summary results: Public Finance management

Law on Budget of the institutions of BiH is available for 2022 and Decisions on interim funding for 2021 since the budget for 2021 has not been adopted. Budget Documents that on annual basis provide information for 2021-2022 are available with just one click, easily accessible and available for download.

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Consolidated annual reports on PIFC are produced and published online, at the website of the Central Harmonisation Unit of the Ministry of Finance. No quality review reports on IA published on the website. None of 9 state level ministries listed at least one of the three FMC information described in the methodology. CHU does not proactively engage with the public.

After reviewing the website of the Central procurement authority, reports on implementation of overall public procurement policy are available since 2006. However, all the reports for the last three calendar years are not available.

Central review body published reports for 2019, 2020 and 2021 which include elements from the methodology. Reports on implementation of overall public procurement policy are available since 2006, but they do not include citizen-friendly summary. Furthermore, public procurement portal is not user-friendly. All 9 out of 9 state level ministries published procurement plans for the current and previous year,

but only one of them published procurement reports for last two calendar years. Central procurement authority does not publish open procurement data.

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Recommendations for Public Finance Management

Tracking recommendations from PAR Monitor 2019/2020

<p>BiH MoF has a a single place on its website for ALL information on executed budget (quaterly, mid-year, annual), listing separately different budget execution reports, but it should be better organized and easily accessible.</p>	<p>No action taken</p>	<p>Website of the Ministry is the same, nothing changed from the last monitor cycle.</p>
<p>Publishing of budget execution data should be as comprehensive as possible, for better understanding of external stakeholders and greater transparency. Meaning, besides "business as usual" publishing information by economic categories, each report should allow for accessing execution data by functions of the Government, and individual budget users' execution for the whole public sector (state budget, local self-governments, social security organisations, state-owned enterprises)</p>	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle.</p>
<p>Year-end budget report should provide performance information of the Government. Firstly, this information should be disclosed in concise and citizen-friendly way explaining achievements by the Government in terms of budget execution, and secondly, more detailed information can be provided by disclosing information on programme-budget indicators at the level of programmes of all budget users, at least.</p>	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle.</p>

<p>MoF should pursue open data policy to the fullest, by publishing ALL budgetary data in preferably more than one open format, in line with the open data standards. This should also entail making datasets easily accessible and clearly visible website banner/section.</p>	<p>No action taken</p>	<p>MoFT does not pursue open data policy.</p>
<p>MoF CHU should regularly produce and publish online quality reviews of internal audit reports.</p>	<p>No action taken</p>	<p>Available reports cover time period between 2011 and 2019. However, quality reviews of internal audit reports are not regularly published online. As for the publishing of the information related to financial management and control, there is a lack of proactive approach of the ministries. Such information is not available online.</p>
<p>MoF CHU should improve external communication, by publishing materials for explaining PIFC and highlighting important developments in the public sector to the citizens, using simple language and examples from practice. This can be done through various means such as infographics, videos, or brochures, or via social media channels.</p>	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle.</p>
<p>Ministries on the State level, but also other levels of government should dedicate an easily accessible, single website section for updates on FMC within the organisation. It should at least include mission and goals of the organisation, responsible persons for implementing the PIFC, business procedures, information on risk management, reported irregularities. Beyond descriptions and static information, this section should be regularly updated</p>	<p>No action taken</p>	<p>Nothing changed from the last monitor cycle.</p>

with results of PIFC implementation in daily functioning of the organisation.		
SAI should definitely adopt communication plan or strategy. By adopting it and making it public (together with the action plan for implementation), SAI approach to external communication, and planned involvement of civil society in its work, becomes more transparent and predictable, and SAI credibility strengthened.	Fully implemented	Audit Office of the Institutions of Bosnia and Herzegovina currently does not have an adopted communication strategy, even though the representative of SAI has confirmed that the strategy is in the process of adopting.

PAR Monitor 2021/2022 recommendations

1. **BiH MoF has a a single place on its website for ALL information on executed budget** (quarterly, mid-year, annual), listing separately different budget execution reports, but it should be better organized and easily accessible.*
2. **Publishing of budget execution data should be as comprehensive as possible, for better understanding of external stakeholders and greater transparency.** Meaning, besides “business as usual” publishing information by economic categories, each report should allow for accessing execution data by functions of the Government, and individual budget users’ execution for the whole public sector (state budget, local self-governments, social security organisations, state-owned enterprises).*
3. **Year-end budget report should provide performance information of the Government.** Firstly, this information should be disclosed in concise and citizen-friendly way explaining achievements by the Government in terms of budget execution, and secondly, more detailed information can be provided by disclosing information on programme-budget indicators at the level of programmes of all budget users, at least.*
4. **MoF should pursue open data policy to the fullest,** by publishing ALL budgetary data in preferably more than one open format, in line with the open data standards. This should also entail making datasets easily accessible and clearly visible website banner/section.*
5. **MoF CHU should regularly produce and publish online quality reviews of internal audit reports.***
6. **MoF CHU should improve external communication,** by publishing materials for explaining PIFC and highlighting important developments in the public sector to the citizens, using simple language and examples from practice. This can be done through various means such as infographics, videos, or brochures, or via social media channels.*
7. **Ministries on the State level, but also other levels of government should dedicate an easily accessible, single website section for updates on FMC within the organisation.** It should at least include mission and goals of the organisation, responsible persons for implementing the PIFC, business procedures, information on risk management, reported irregularities. Beyond descriptions and static information, this section should be regularly updated with results of PIFC implementation in daily functioning of the organisation. *
8. **New public procurement law should be adopted** and it should include:
 - Liability in contracting authorities regarding violations of the provisions of the Public Procurement Law;
 - Introduction of provisions on the fight against corruption and conflict of interest
 - Ensure prevention of preferential treatment of domestic bidders.

*Recommendations from the previous cycle (repeated and modified)

METHODOLOGY APPENDIX



The PAR Monitor methodological approach

■ EU principles as a starting point and common framework of reference

WeBER approaches the monitoring of PAR in the Western Balkans from the perspective of uniform requirements posed by the EU accession process for the entire region. As the EU and SIGMA/OECD have developed a comprehensive set of principles for all countries to transform their administrations into modern, EU member states, WeBER has used these principles as the golden standard and a starting point for, firstly, developing and then implementing its own monitoring methodology. Moreover, in line with its overall rationale, WeBER has emulated SIGMA's methods to create its own indicators, using a similar compound-indicator structure and the same scoring approach, with the quantification of elements (sub-indicators) and total scores assigned to indicator values on a scale from 0 to 5.

This approach acknowledges that SIGMA's comprehensive approach cannot and should not be replicated by local actors, as it already represents a monitoring source independent from national governments in the WB. In this sense, WeBER does not seek to present a contesting (competitive) assessment of how these principles are fulfilled in the WB administrations, but rather offer a complementary view, based in local knowledge and complementary research approaches.

The PAR monitor methodology was developed by the WeBER research team and was thoroughly consulted among the WeBER expert associates. Overall, the methodology is based on 21 SIGMA principles within six key areas of PAR. These principles are monitored through 23 indicators that analyse different aspects of PAR key areas.

■ The regional approach

Since the baseline WeBER monitoring of PAR, an important facet is its regional character. The regional approach implies that all indicators are framed and phrased in a manner which enables application to six different systems that are assessed. Second, the regional approach means that findings are regionally comparable.

Such a regional approach admittedly results in some degree of loss of detail and national specificity in the monitoring work. However, it presents many benefits compared to nationally specific approaches. First and foremost is the potential to compare different national results, which allows the benchmarking of countries and their systems, the recognition of good, as well as the rise of positive competition between governments. Last, but not least, it allows for the creation and increase of regional knowledge and peer learning regarding PAR among CSOs, particularly useful for inspiring new initiatives and advocacy efforts at the national level.

■ Selection of principles "for and by civil society"

The PAR Monitor maintains a basic structure which follows the six chapters of the Principles of Public Administration. It does not attempt to monitor all the principles under each chapter, nor does it seek to monitor them in a holistic manner, but it rather adopts a more focused and selective

approach. The criteria for selecting the principles to be monitored (and their sub-principles) were developed with three main ideas in mind:

- There are certain principles in which civil society is more active and consequently has more knowledge and experience.
- To gain momentum, the PAR Monitor will need to be relevant to the interests of the wider public in the region.
- The approach should ensure an added value to SIGMA's work and not duplicate it.

The WeBER monitoring approach utilises the experience and expertise accumulated within the civil sector in the region to the maximum extent possible. Therefore, a number of indicators rely on civil society as a core source of knowledge.

■ Focus on the citizen-facing aspects of administration

■ Another key criterion which has guided the WeBER's selection of principles (and sub-principles) is **their relevance to the work and interests of the wider public**. This means that both the selection of the principles and the design of the indicators included questions such as: "Does the public care about this?" or "Is this aspect of public administration visible to ordinary citizens?" In keeping with this approach, the WeBER methodology retains a focus on the points of interaction between the administration and its users (citizens and businesses), while leaving out issues that constitute the internal operating procedures of the administration invisible to the public.

■ WeBER indicator design

The WeBER research team designed a set of compound indicators in 2016, that was modified in 2019, with each indicator comprising several elements (essentially sub-indicators), elaborating various aspects of the issue addressed by the entire indicator. The entire design of indicators is quantitative, in the sense that all findings – based on both quantitative and qualitative research – are assigned numerical values. Findings are used to assess the values of individual elements, assigning them total element scores of either 0 or 1 (for less complex assessments, such as those where a simple yes or no answer is possible) or 0 or 2 (for more complex assessments). Only integer values are assigned to elements.

Furthermore, for each element a weight of either 1 or 2 is applied. In principle, a weight of 2 is assigned to those evaluated as basic, key requirements in relation to a certain practice. A weight of 1 is applied to more advanced requirements, i.e., higher and more complex standards. For example, a weight of 2 would be applied for an element assessing a basic government reporting practice, whereas a weight of 1 would be applied to an element assessing whether the data in a report is gender sensitive or whether it is available in an open data format. Moreover, as most indicators combine different research approaches and data sources, in cases where perception survey findings are combined with hard data analysis, a weight of 1 is assigned to the former and a weight of 2 to the latter.

For each indicator there is a conversion table for transforming total scores from analyses of individual elements into values on a common scale from 0 to 5. The final indicator values are assigned only as integers, meaning, for instance, there are no half points assigned. Scoring and

methodology details for each indicator are available on the PAR Monitor section of the WeBER website - <https://www.par-monitor.org/par-monitor-methodology/>.

Finally, there were no methodological changes in the 2021/2022 monitoring cycle. WeBER research team has made noteworthy revisions ahead of the second PAR Monitor 2019/2020, pertaining to:

- Policy Development and Coordination, i.e., introduction of additional elements to the indicator on public participation in policymaking (extension from analysing solely CSOs perceptions, to assessing the quality of public consultations in practice), and exclusion from the monitoring framework an indicator on the accessibility of legislation and explanatory materials to the public
- Public Finance Management, i.e., introduction of a new indicator covering transparency of public procurement policy at the central level, which was measured for the first time in 2019/2020 cycle.

With the expected adoption of a new SIGMA Principles framework in 2023, the first step for the WeBER research team will be to revise the PAR Monitor methodology accordingly. It also means that starting from the next cycle, implementation of the PAR Monitor will depart from the methodological approach applied in this, and previous two PAR Monitor reports (the extent of such departure will be determined by WeBER research team subsequently). Due to expected revisions, familiarisation process, and testing of the new framework by the WeBER researchers, the next monitoring cycle is planned for 2024/2025 period.

■ The PAR Monitor package

The PAR Monitor is composed of one regional, comparative report of monitoring results for the entire region and six national reports that elaborate the monitoring findings for each administration in greater detail. In line with this approach, the regional report focuses on comparative findings, regional trends, and examples of good or bad practices, but does not provide recommendations. The national reports, on the other hand, provide in-depth, country-specific findings and identify a set of recommendations for national policy makers for each PAR area.

The added value of the entire monitoring exercise is that it allows monitoring changes vis-à-vis indicator values from the baseline monitoring conducted in 2017/2018 as well as comparing progress between the three completed cycles to date. It also allows stakeholders to reflect on the most important developments and trends in the implementation of policy and in the perceptions of key targeted groups. In certain cases, this reflection allows for some comparisons of results over time, as in the case of public perception surveys on administrative service delivery practices conducted on a representative sample of citizens. In cases of surveys of civil servants and CSOs, the 2021/2022 PAR Monitor allows us to monitor prevailing trends in the opinions of these stakeholder groups as compared to the 2019/2020, and the baseline surveys.⁷⁹

⁷⁹ In each monitoring cycle, it was not possible to create representative, random samples for the populations of CSOs and civil servants, and these two surveys were distributed throughout these two populations, and analysis was done on the received complete responses. Since the samples in the baseline, second, and third monitoring cycle are, thus, not identical, the results are not fully comparable.

The “Master Methodology” document and the detailed indicator tables, all available on the WeBER website,⁸⁰ should also be considered as part of the entire PAR Monitor package and can be used to fully understand the details of all monitoring exercises implemented to date.

The entire package of reports is also accompanied by an online tool for viewing and comparing the findings from different WeBER monitoring cycles, the Regional PAR Scoreboard. This database of all indicator values and the tables and graphs presenting those values can be found on the project website, under the heading “PAR Monitor”.⁸¹ The scoreboard also includes a section for viewing and comparing SIGMA’s latest monitoring results for the whole region.

■ **Quality assurance procedures within the monitoring exercise**

The quality assurance approach, established at the start of the baseline monitoring, is still applied. WeBER team relies on a multi-layered quality assurance procedure to guarantee that the PAR monitoring findings are based on reliable and regionally comparable evidence. That process included both internal and external expert checks and reviews of data. The internal process of quality control comprised two main elements:

- 1) a peer-review process, which involved different collaborative formats, such as written feedback, online team meetings and workshops.
- 2) once the scoring for each administration was finalised, the WeBER lead researcher and team leader performed a horizontal cross-check of the findings to ensure their regional comparability and an alignment of assessment approaches, thus preparing the analysis for the external review.

The two phases of the external quality control process include:

- fact-checking by government institutions in charge of the given assessed area;
- Following the drafting of the regional report, members of the WeBER Advisory Council and recognised international experts performed an expert review of the regional PAR Monitor chapters in line with their areas of expertise.

The national reports also underwent standard internal review procedures by each WeBER partner organisation.

■ **PAR Monitor 2021/2022 timeframe**

The monitoring exercise was conducted between January and November 2022. For the most part, monitoring focuses on practices implemented in 2021 and the first half of 2022. The exception are those indicator elements looking at regularity of governmental reporting practices, where 2020 or 2019 were included as the base years due to the governments’ reporting cycles or the requirements of specific indicators.

⁸⁰ PAR Monitor methodology, available at: <https://www.par-monitor.org/par-monitor-methodology/>.

⁸¹ Regional PAR scoreboards, available at: <https://www.par-monitor.org/regional-par-scoreboards/>.

The individual indicator scorings indicate the exact periods of measurement, kept comparable across the region as much as possible, which allow for the clear identification of timeframes of reference for all findings in the reports.

■ **Limitations in scope and approach**

As explained in the previous editions, the main limitation facing this project stems from the fact that the PAR Monitor does not cover the entire framework of SIGMA principles, but only those in which the interest of, and added value from, civil society is strongest in the pre-accession period. Moreover, selected principles are not always covered in every angle, but rather in those specific aspects which have been determined by the authors as the most relevant to approach them from the perspective of civil society monitoring. The specific WeBER approach used in all such cases is described in the project's methodology and individual indicator tables.

Lastly, some of the principles are still approached from a rather perception-based point of view. This is mainly the case for those principles thoroughly monitored by SIGMA, as the most useful way to complement its approach was deemed to be by monitoring perceptions of certain key stakeholder groups (such as public servants and CSOs). This is a deliberate component of the WeBER approach from the start, and those indicators should be looked at as complementary to the assessments conducted by SIGMA for the same principles. Nevertheless, as experience from the baseline monitoring cycle exposed limitations in certain cases when relying solely on perception data, the indicator on the inclusiveness and openness of policy making was complemented during the 2019/2020 cycle with hard evidence so as to have a more balanced assessment. WeBER team collects lessons learned from each monitoring cycle and deliberates internally on the necessity for potential changes or adjustments, with the view of improving the overall quality of its monitoring albeit keeping in mind the need to maintain a level of comparability between WeBER findings from different monitoring cycles.

In terms of geographical scope, the monitoring exercise and report cover the six administrations of the WB region, in accordance with the EU definition of the region.⁸² For BIH, WeBER deliberately focuses on state level institutions wherever the structures and practices of institutions are analysed. The only exceptions to this are the service delivery indicators, where sampled administrative services include those provided by lower levels of governance (such as entities).

Data collection methods

The data from all six individual countries are used and compared. These data were collected through the following methods:

- Focus groups
- Interviews with stakeholders
- Public perception survey

⁸² European Commission's Enlargement package, and progress reports, are available at: https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/strategy-and-reports_en.

- Survey of civil servants
- Survey of civil society organisations
- Analysis of official documentation, data, and government websites
- Requests for free access to information.

■ Focus groups

Focus groups were conducted for collecting qualitative inputs from stakeholders for certain indicators. Focus group data are most often use to complement or corroborate data collected by other research tools. When it was not possible to conduct focus groups, researchers held interviews with relevant target groups instead. More specifically, the PAR monitor methodology anticipated focus groups for:

- Strategic Framework of PAR, with civil society organisations (for indicators SFPAR_P1_I1, SFPAR_P2&4_I1);
- Policy Development and Coordination, with civil society organisations (covering PDC_P5_I2, PDC_P6_I1, PDC_P10_I1, PDC_P11_I1)
- Public Service and Human Resource Management, with former candidates who previously applied for a job in central state administration bodies (for indicator PSHRM_P3_I1; however, in this monitoring cycle, interviews were held with former candidates, instead of the focus groups);
- Accountability, with civil society organisations (for indicator ACC_P2_I1), and
- Service Delivery, with civil society organisations specifically dealing with accessibility issues, vulnerable groups and persons with disabilities (for indicator SD_P4_I1).

The selection of participants was based on purposive non-probability sampling which targeted CSOs with expert knowledge on the issue in question. These focus groups were held in all six countries:

Table: Focus groups conducted at the WB level

Country	Group	No. of FGs	PAR Area
ALB	Civil society	2	Service Delivery; Policy Development and Coordination
BIH	Civil society	2	Strategic Framework of PAR; Policy Development and Coordination; Service Delivery,
KS	Civil society	1	Policy Development and Coordination; Service Delivery
MKD	Civil society	1	Policy Development and Coordination; Service Delivery; Accountability

MNE	Civil society	1	Policy Development and Coordination; Accountability
SRB	Civil society	2	Strategic Framework of PAR; Policy Development and Coordination; Accountability

■ Interviews with Stakeholders

Interviews were conducted to collect qualitative inputs from stakeholders on monitored areas. Similar to focus groups, interviews were largely used to complement and verify data collected by other methods.

Interviews were semi-structured, composed of a set of open-ended questions which allowed for a discussion with interviewees and on-the-spot sub-questions. Selection of interviewees was based on purposive, non-probability sampling and targeted experts relevant for a given thematic area.

Overall, a total of 64 interviews were held during the monitoring period. Interviewees were given a full anonymity in terms of any personal information, in order to ensure higher response rate and facilitate open exchange.

Table: Interviews conducted at WB level

Country	Interviewee (number of interviews)	PAR Area
ALB	Representative of the DoPA (3)	Public Service and Human Resource Management
	Former civil service candidate (4)	Public Service and Human Resource Management
	Former senior civil servant (1)	Public Service and Human Resource Management
	PAR expert (1)	Policy Development and Coordination
	Representative of SAI (1)	Public Finance Management
BIH	Ministry of Finance and Treasury representative (1)	Public Finance Management
	PARCO representative (1)	Strategic Framework of PAR

	CSA representative (1)	Public Service and Human Resource Management
	Experts (2)	PSHRM
	Senior civil servants (4)	Public Service and Human Resource Management
	Candidates for civil service (9)	Public Service and Human Resource Management
	AOI representative (1)	Public Finance Management
KS	NAO representative (1)	Public Finance Management
	Senior civil servant, former and current (3)	Public Service and Human Resource Management
MKD	Civil servants (3)	Public Service and Human Resource Management
	Experts (2)	Public Service and Human Resource Management
	Civil service candidates (4)	Public Service and Human Resource Management
	Agency for Administration representative (1)	Public Service and Human Resource Management
	SAO representative (1)	Public Finance Management
MNE	Representatives of CSO (1)	Strategic Framework of PAR
	Senior civil servants (4)	Public Service and Human Resource Management; Service Delivery; Public Finance Management
	Former civil service candidates (2)	Public Service and Human Resource Management
SRB	Civil servants (3)	Public Service and Human Resource Management;

		Public Finance Management
	Senior civil servants (2)	Public Service and Human Resource Management; Public Finance Management
	Former civil service candidate (1)	Public Service and Human Resource Management
	Experts (2)	Public Service and Human Resource Management
	CSO representatives (4)	Service Delivery
	SAI representative (1)	Public finance management

■ Public Perception Survey

The public perception survey is based on a questionnaire targeting the general public (18+ permanent residents) of 6 Western Balkan countries. The survey was conducted through computer-assisted telephone interviewing (CATI) in combination with computer assisted web interviewing (CAWI), using a two-stage random representative stratified sampling (primary sampling unit: households, secondary sampling unit: household member).

The survey was conducted between 4th and 31st May 2022. At WB level, the margin of error for the total sample of 6093 citizens is $\pm 3.15\%$, at the 95% confidence level.

Table: Public perception survey methodology framework

Location	Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, and Serbia
Time	4 – 31 May, 2022
Data Collection Method	CATI in combination with CAWI
Sampling Frame	Entire 18+ population of permanent residents of target countries
Sampling	Two stage random representative stratified sample (PSU: Households, SSU: Household member)
Margin of error	Average margin of error per country is $\pm 3.15\%$ at the 95% confidence level

■ Survey of Civil Servants

Civil servants survey was implemented based on a unified questionnaire targeting civil servants working in the central state administrations of Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro and Serbia. In Albania, the 2022 survey of civil servants was not implemented since the Department for Public Administration (DoPA), a WeBER project associate, could not assist in dissemination due to technical issues involving their internal email communication system. The questionnaire was translated and adapted to local languages. It generally covered 5 main sections: recruitment of civil servants, temporary engagements in the administration, status of senior civil servants, salary/remuneration and integrity and anti-corruption. Data collection was conducted using a self-administered questionnaire on SurveyMonkey platform. At WB level, a total of 2682 civil servants participated in the survey.

Table: Breakdown of the sample for survey of civil servants

	N	% (of observations)
TOTAL	2682	100%
Key groups		
Civil service position		
Senior civil service manager – head of authority	60	2.24
Senior civil service manager – not a head of authority	455	16.96
Non-senior civil service manager (executorial)	538	20.06
Civil servant in non-managerial expert position	1079	40.23
Administrative support civil servant position	205	7.64
Civil servant on fixed-term contract or otherwise temporarily engaged	233	8.69

Political appointment (minister's cabinet or otherwise)	9	0.34
Other	103	3.84
State administration institution		
Ministry	1287	50.18
Subordinate agency	460	17.93
Centre-of-government institution (PM office, government office, government service)	286	11.15
Autonomous agency within the central state administration	415	16.18
Other	117	4.56
Gender		
Male	1000	37.29
Female	1603	59.77
Other	25	0.93
Do not want to respond	54	2.01
Years working in the administration		
Mean= 13 years; Range= 0-50 years		
Sector worked before joining the administration		
Local or regional administration	220	8.85

Other branch of power	148	5.96
Public services	359	14.45
International organisation	69	2.78
Non-governmental organisation	72	2.90
Media	78	3.14
Private sector	972	39.11
This was my first job	480	19.32
Other	87	3.50

Table. Margin of error (MoE) per question at the 95% confidence level

Question	MoE range (BIH)	MoE range (KOS)	MoE range (MKD)	MoE range (MNE)	MoE range (SRB)
Civil servants in my institution are recruited on the basis of qualifications and skills	2.42-2.86	2.9-3.25	2.92-3.16	2.58-2.81	3.14-3.27
In the recruitment procedure for civil servants in my institution all candidates are treated equally (regardless of gender, ethnicity, or another personal trait which could be basis for unfair discrimination)	2.51-3.07	3.11-3.46	3.08-3.32	2.95-3.22	3.59-3.72
To get a civil service job in my institution, one needs to have connections	3.51-4.0	3.43-3.75	3.52-3.78	3.25-3.48	3.06-3.21
Hiring of individuals on a temporary basis (on fixed-term, service and other temporary contracts) is an exception in my institution	2.89-3.41	3.17-3.58	2.81-3.09	2.67-2.91	2.44-2.57
Individuals who are hired on a temporary basis perform tasks which should normally be performed by civil servants	2.68-3.29	3.70-4.05	3.85-4.10	3.37-3.65	3.28-3.44
Such contracts get extended to more than one year	2.49-3.16	3.88-4.22	4.12-4.35	3.87-3.38	3.75-3.9
When people are hired on a temporary basis, they are selected based on qualifications and skills	2.54-3.18	2.98-3.38	3.23-3.54	2.62-2.92	3.12-3.28
Individuals hired on a temporary basis go on to become civil servants after their temporary engagements	2.83-3.43	3.24-3.63	3.55-3.81	3.17-3.41	3.29-3.42

The formal rules for hiring people on a temporary basis are applied in practice	3.36-3.95	3.34-3.72	3.89-4.16	3.19-3.52	3.52-3.69
Procedures for appointing senior civil servants ensure that the best candidates get the jobs in my institution	2.01-2.55	2.67-3.07	2.76-3.02	2.22-2.47	2.83-3.0
In my institution, senior civil servants would implement illegal actions if political superiors asked them to do so	2.66-3.25	3.42-3.79	3.45-3.75	2.73-3.0	2.69-2.87
Senior civil servants can reject an illegal order from a minister or another political superior, without endangering their position	2.87-3.39	3.28-3.67	3.54-3.80	3.01-3.31	3.03-3.20
Senior civil service positions are subject of political agreements and "divisions of the cake" among the ruling political parties	3.77-4.20	3.54-3.91	3.79-4.06	3.91-4.12	3.34-3.51
Senior civil servants are at least in part appointed thanks to political support	3.69-4.20	3.80-4.11	4.03-4.27	4.07-4.29	3.49-3.66
In my institution, senior civil servants participate in electoral campaigns of political parties during elections	1.86-2.57	3.68-4.07	4.10-4.39	3.12-3.48	2.51-2.73
In my institution senior civil servants get dismissed for political motives	1.5-2.06	3.51-3.91	3.32-3.67	3.45-3.76	2.45-2.67
Formal rules and criteria for dismissing senior civil servants are properly applied in practice	3.07-3.97	3.29-3.72	4.29-4.54	2.87-3.22	3.15-3.37
In my institution, bonuses or increases in pay grades are used by managers only to stimulate or reward performance	2.27-2.83	2.76-3.22	3.20-3.50	2.55-2.82	3.02-3.17
In my institution, political and personal connections help employees to receive bonuses or increases in pay grades	2.65-3.32	3.30-3.80	3.62-3.91	3.46-3.76	2.72-2.92
Integrity and anti-corruption measures in place in my institution are effective in achieving their purpose	2.60-3.12	3.27-3.69	3.68-3.96	2.65-2.91	3.29-3.44
Integrity and anti-corruption measures in place in my institution are impartial (meaning, applied to all civil servants in the same way)	2.62-3.18	3.17-3.58	3.51-3.80	2.76-3.04	3.26-3.42
If I were to become a whistle-blower, I would feel protected	1.74-2.28	2.89-3.34	3.44-3.79	1.86-2.11	2.31-2.48

How important do you think it is that the civil society organisations (NGOs) monitor public administration reform	1.9-2.47	1.81-2.12	2.41-2.66	1.90-2.14	2.54-2.70
How important do you think it is that the public (citizens) perceive the administration as depoliticised	1.22-1.54	1.27-1.48	1.24-1-38	1.2-1.34	1.37-1.47

■ Survey of Civil Society Organisations

CSO survey results are based on a standardized questionnaire targeting representatives of CSOs working in Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro and Serbia. The questionnaire included nine sections covering:

1. CSOs' involvement in evidence-based policy-making,
2. Participation in policy- and decision-making,
3. Exercising the right to free access of information,
4. Transparency of decision-making processes,
5. Accessibility and availability of legislation and explanatory materials,
6. CSO's perceptions on government's planning, monitoring and reporting on its work,
7. Effectiveness of mechanisms for protecting the right to good administration,
8. Integrity of public administration, and
9. The accessibility of administrative services.

Data collection was conducted using a self-administered questionnaire on SurveyMonkey platform.

At the WB level, a total of 515 CSOs participated in the surveys conducted between 23rd March and 14th July 2022.

ALB	BIH	KS	MKD	MNE	SRB
23/03 – 21/06	07/04 – 11/07	13/04 – 14/07	04/04 – 01/06	11/04 – 13/06	23/03 – 28/06

Table: Breakdown of the CSO survey sample in at WB level

	N	% (of observations)
TOTAL	515	100
Key groups		
Type of organisation⁸³		
Policy research/Think-tank	125	13.87
Watchdog	97	10.77

⁸³ Multiple choice possible.

Advocacy	230	25.53
Service provider	160	17.76
Grassroot	152	16.87
Other	137	15.21
Field of operation		
Governance and democracy	143	6.01
Rule of law	143	6.01
Human rights	257	10.81
Public administration reform	107	4.50
European integration	123	5.17
Gender issues	153	6.43
Children and youth	213	8.96
Environment and sustainable development	215	9.04
Education	206	8.66
Culture	137	5.76
Health	96	4.04
Media	86	3.62
Economic development	118	4.96
Civil society development	177	7.44
Social services	133	5.59
Other	71	2.99
Year of registration of the CSO		
Mean= 2007; Range=1869-2022		
Position of the respondent in the organisation		

Senior-level management	314	59.81
Mid-level management	71	13.52
Senior non-management	35	6.67
Mid-level non-management	34	6.48
Other	71	13.52
Years working with the organisation		
Mean=9.64 years; Range=0-40 years		

■ Analysis of official documentation, data and official websites

Monitoring heavily relied on the analysis of official documents publicly available on the websites of the administration bodies. The analysed documents include:

- legislation (laws and bylaws);
- policy documents (strategies, programmes, plans, action plans, etc.)
- official reports (implementation reports, public consultation reports etc.);
- analytical documents (impact assessments, explanatory memorandums to legislation, policy concepts, policy evaluations etc.);
- individual legal acts (decisions, conclusions etc.);
- other documents (agendas, meeting minutes and reports, announcements, guidelines, directives, memorandums etc.);

Additionally, official websites of public authorities were used as sources of data and documents for all indicators, except for the ones completely based on survey data. In certain cases, the websites of public authorities were closely scrutinised as they were the key sources of information and units of analysis.

■ Requests for free access to information (FOI)

The PAR monitor methodology relies on publicly available data. Researchers sent FOI requests in cases where methodology asks for certain institutional practices that could not easily be covered by online available data, but, in certain cases, it was necessary to send additional FOI request to obtain clarification, even though not foreseen by the methodology. Therefore, when an indicator did require information available online, FOI requests were not sent.

That said, the researchers widely used FOI requests as a data collection tool primarily in three areas:

1. Policy Development and Coordination (indicators PDC_P6_I1, PDC_P10_I1).
2. Public Service and Human Resource Management (PSHRM_P3_I1, PSHRM_P2_I1).
3. Accountability (ACC_P2_I2).

Table: FOI requests per country (110 total)

Albania	14
Bosnia and Herzegovina	17
Kosovo	27
Montenegro	16
North Macedonia	15
Serbia	21