



National PAR Monitor BOSNIA AND HERZEGOVINA REPORT 2019 - 2020

Sarajevo, 2021

NATIONAL PAR MONITOR

BOSNIA AND HERZEGOVINA

2019/2020

Publication: National PAR Monitor Bosnia and Herzegovina 2019/2020

Publisher: Foreign Policy Initiative BH/Vanjskopolitička inicijativa BH

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Sarajevo, 2021

This report was produced with the financial support of the European Union and the Balkan Civil Society Development Network. Its contents are the sole responsibility of Group for Legal and Political Studies and do not necessarily reflect the views of the European Union and the Balkan Civil Society Development Network.

Acknowledgements

The second 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 authors of this report are from the Foreign Policy Initiative BH: Anida Šabanović, Senior Researcher, and Haris Čutahija, Researcher.

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 authors would like to specially thank to the members of the FPI BH Assembly for providing a robust quality assurance of the publication and for expert insight into specific matters of the administration's functioning.

Special acknowledgements also go to 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. Additionally, we are grateful to the Center for Civil Society Promotion (CPCD - Centar za promociju civilnog društva) and other colleagues from NGO sector for the help in disseminating the survey for civil society organisations. Lastly, our thanks go to those state administration bodies that provided information in response to the numerous freedoms of information requests filed by the research team.

About WeBER 2.0

The Western Balkan Civil Society Empowerment for a Reformed Public Administration (WeBER2.0) is a three-year project principally funded by the European Union (EU). For activities related to the preparation and printing of the PAR Monitor 2019/2020 and the organisation of the second regional “Citizens First” conference in February 2021, co-funding was provided by the “Protecting Civic Space – Regional Civil Society Development Hub” project, financed by the Swedish International Development Cooperation Agency (Sida) and implemented by the Balkan Civil Society Development Network (BCSDN). WeBER2.0 represents a 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.

The first WeBER project has contributed to increasing the relevance, participation, and capacities of civil society organisations (CSOs) and the media in the Western Balkans (WB) to advocate for and influence the design and implementation of public administration reform (PAR). WeBER2.0 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.

A combination of activities is conducted in WeBER2.0, contributing to the achievement of the project’s objective, namely:

- 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.
- Through its research and monitoring work and production of PAR Monitor reports, WeBER2.0 has created and gathered evidence for a meaningful dialogue.
- Through the CSO PAR Knowledge Centre, WeBER2.0 provides a searchable database of analyses and reports on PAR produced by the region’s civil society.
- 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/>), WeBER2.0 is collecting 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, WeBER2.0 aims to improve the embeddedness of PAR across the region’s administrative systems, thus increasing the sustainability of these reforms.
- Through a small grants scheme, WeBER2.0 works on improving the capacity of CSOs in the Western Balkans to participate in PAR.

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 a 130 CSOs operating at the local and regional level.

Executive Summary

Why is PAR Monitoring by the civil society still relevant?

Public administration reform (PAR) remains a key requirement for the EU aspirants on their accession path, and according to the revised enlargement methodology it is now part of the cluster on fundamentals (together with, for instance, rule of law, and economic criteria). As a complex and all-encompassing reform, PAR in the Western Balkan region has for years been thoroughly assessed through the lenses of the SIGMA Principles of Public Administration, developed by the OECD/SIGMA and endorsed by the EU. These Principles define what makes a well-functioning administration in terms of its ability to deliver transparent, efficient and effective services to citizens and to support socio-economic development.

In the context of high external pressure for tangible developments in PAR, homegrown demand for better administration becomes even more important to keep pressuring the government to pursue reforms once the external conditionality dissipates as a result of a completed EU accession process. Civil society actors, with local knowledge of the administration's functioning, can lead such domestic advocacy efforts aimed at better administration. Independent PAR monitoring and evidence-based dialogue with the government represent a good approach to achieve this goal.

WeBER monitoring approach – focus on the needs of civil society and the public

Based on such a rationale, the WeBER project has completed its second, 2019/2020 monitoring cycle.¹ Its structured and evidence-based approach to PAR monitoring, just like in the first monitoring cycle in 2017/18, particularly focuses on PAR aspects with the highest relevance to the civil society and to the public.

WeBER PAR monitoring strongly relies on the strengths, skills, and local knowledge of the civil society in the Western Balkans. It builds on SIGMA's Principles of Public Administration as a cornerstone of PAR, while assessing them from the standpoint of an independently produced PAR Monitor methodology. Overall, the methodology, slightly revised using the lessons learned in the first monitoring cycle, is based on the selection of 22 SIGMA principles within six key areas, monitored and reported through 23 compound indicators.

The PAR Monitor methodology is rooted in the regional approach. The design of all WeBER indicators enables comparisons between the administrations in the Western Balkans and allows for regional comparability of results. In addition to the methodology, the PAR Monitor package comprises a comparative monitoring report for the entire WB region as well as six reports which elaborate on detailed findings for each administration. The present report provides results of the second monitoring exercise for Bosnia and Herzegovina, including a set of actionable recommendations.

¹ Starting from December 2019, WeBER is being implemented under the title "WeBER2.0 - Western Balkan Civil Society Empowerment for a Reformed Public Administration".

Review of WeBER Monitoring results for Bosnia and Herzegovina 2019/2020

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. Action Plan for Implementation of the PAR Strategy for BiH 2021-2023
2. Public Financial Management Reform Strategy in the Institutions of Bosnia and Herzegovina 2017-2020

From the two analyzed documents, civil society organizations were only consulted during the development of the Action Plan for the Implementation of the PAR Strategy for BiH 2021-2023. On the Zoom platform, public consultations were held with representatives from civil society organizations, business organizations, and the academic community. The public was kept up to date on the consultation process, and everyone had the opportunity to voice their opinions via the eConsultation platform. There was no information available for the Public Financial Management Reform Strategy in Bosnia and Herzegovina Institutions 2017-2020.

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.

Good practice from the basic PAR Monitor for reporting on government performance in 2017/2018 was carried over to the PAR Monitor 2019/2020. Regular press releases and annual reports on the Government's annual work plan are issued. The BiH Council of Ministers issues detailed and easily understandable press releases on a weekly or even more regular basis. The BiH Council of Ministers prepares and publishes annual reports on its work on its website on a regular basis.

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 on the only three planning documents adopted in Bosnia and Herzegovina in the second half of 2019, 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. Furthermore, there was only one active public discussion on the e-consultation platform and on the website of the institution conducting the consultation at the time this indicator was measured. Similar to the findings of the basic PAR Monitor 2017/2018, 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 Civil Service Agency only keeps track of total number of the civil servants. The availability of the CSA BiH Work Report for each year until 2018, as well as the work program and financial reports for each year until 2020, was revealed after reviewing the CSA BiH website and FOI requests. 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.

In a survey of civil servants, 26 percent agreed that employment was a definite exception in their institution, and nearly a third (30 percent) said that such workers "never" (11.4 percent) or "rarely" (18.7 percent) performed tasks that civil servants should perform. Furthermore, while 32% of civil servants believe that temporary staff is "often" or "always" selected based on criteria and skills, the majority of respondents believe that this occurs only rarely or never (36 percent). Formal rules for temporary employment of people are frequently or always applied in practice, according to nearly 32% of civil servants.

At least 15 days before the application deadline, the BiH Civil Service Agency must post civil service vacancies on its official website and in at least three daily newspapers distributed throughout Bosnia and Herzegovina.

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.

According to the survey of civil servants, 19.7 percent agreed that civil servants in the BiH administration are hired based on criteria and skills, while only 13.9 percent disagreed that employment in the civil service does not necessitate personal or political connections. According to a citizen survey, 10.6 percent of BiH citizens believe that civil servants are hired on merit and that the best candidates are selected.

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 Agency may cancel the competition at the institution's justified request no later than the submission of the results of the selection procedure, resulting in the impossibility of publishing an identical competition within a year of the date of the annulled competition.

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. Only 3.1 percent of civil society organizations surveyed and 17.76 percent of civil servants believe that "procedures for appointing senior civil servants ensure that the best candidates get the job." According to a survey of civil servants, more than 70% believe that civil servants are appointed in part due to political support. In fact, they reveal that high-level government positions are the subject of political deals and "cake sharing" among the ruling political parties.

This is an exceptional case when it comes to firing civil servants for political reasons. According to the survey, 42.63 percent of civil servants believe that political pressure is rarely used to fire civil servants. According to the same survey, more than 60% of respondents do not believe that civil service appointments are made on merit. As a result, they disagree on whether the best candidates were hired. This is supported by a survey of civil society organizations, which found that 82.3 percent believe that the best candidates are not appointed to civil service.

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 WeBER team discovered (using the SIGMA methodology) that the legal maximum bonus percentage is 20% of total salary, but there was no data to back this up in practice. Although the law establishes explicit, non-discriminatory criteria for awarding bonuses, only 4.57 percent of civil servants believe that discretionary allowances are used to encourage and reward achievement rather than for political or personal favoritism. 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.

According to a WeBER survey, 21.32 percent of civil servants believe that existing integrity and anti-corruption mechanisms are effective in achieving goals. According to the CSO survey, only 5.2 percent of CSOs believe these policies are beneficial. Furthermore, 25.89 percent of civil servants polled agreed that integrity and anti-corruption policies are impartial. On the other hand, 39.09 percent of those polled disagreed with this statement. According to a CSO survey, only 2.1 percent of CSOs believe these measures are impartial, while the other 75 percent disagree.

Finally, only 8.13 percent of the civil servants surveyed said they would feel protected as whistle-blowers.

Accountability

Bosnia and Herzegovina was the first country in the region to adopt the Law on Freedom of Access to Information in 2000, first at the state level and then in both entities (FBiH and RS), as a democratic country aspiring to EU membership and under international pressure. Laws have been passed to improve transparency and accountability by making information available to the public, as this is a fundamental democratic right of citizens and a critical tool in ensuring the rule of law and good governance. The Ministry of Justice of Bosnia and Herzegovina is working on a preliminary draft of a new law on freedom of access to information at the institutional level in Bosnia and Herzegovina, and it has held public consultations on it. According to a coalition of civil society organizations, including the BH Foreign Policy Initiative, the new draft law jeopardizes the current law's acquired rights and achievements in some areas.

The survey results show that statistics are slightly better than in the previous PAR Monitor, with 27 percent of civil society organizations agreeing that public authorities collect enough data on their work to allow the public to exercise their right to free access to information. 42 percent of civil society organizations that have submitted a request for free information in the last two years say the information was provided in the required format, 38 percent say it was provided on time, and 66.7 percent say it was provided free of charge.

When it comes to the function of the appointed supervisory body for free access to information, the Ministry of Justice of BiH, 32 percent of surveyed CSOs agree that this body sets high enough expectations from the right to access public information through its practice. Nonetheless, only about 7% believe that the measures implemented by the BiH Ministry of Justice for public authorities are effective in protecting access to information. Finally, only 13% of respondents believe that the sanctions prescribed are severe enough for those responsible when the right to free access to information is violated.

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. Almost all the institutions in the sample have financial statements for 2018.

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. According to responses based on citizens' levels of agreement with various claims, only 37.4 percent of citizens are aware of government initiatives in the last two years to facilitate administrative procedures for citizens and businesses. However, there has been a 10% improvement since the previous monitoring cycle. Furthermore, 77.55 percent of citizens who are aware of government initiatives to simplify administration believe that service delivery has improved over time. However, 38.5 percent of citizens believe that interacting with the government has become easier in the last two years, and 36 percent believe that the time required to receive services has decreased. Furthermore, 49.9% of citizens believe the government is working on digitalization.

According to 55 percent of BiH citizens, e-services are available in the country. Nonetheless, only 57.7 percent of them know how to use them, and only 57.7 percent of them have used them occasionally or frequently in the last two years, indicating that they are underutilized. More than three-quarters of those who have used e-services (79.2 percent) believe they are simple or very simple to use. All these percentages have risen since the last follow-up cycle. Finally, when asked if they believe the administration has solicited suggestions from citizens on how to improve administrative services in the last two years, 27.9 percent of citizens agree. Almost a third of those surveyed (32%) believe they have the right to express their opinion on the quality of services they receive on an individual basis. Despite this, only 36.47 percent of respondents believe these mechanisms are simple to use. Furthermore, 26.3 percent of citizens believe that citizens or civil society were involved in monitoring and evaluating administrative services during the time period under consideration.

The analysis of web pages for information on citizen feedback on the quality of administrative services in Bosnia and Herzegovina included institutions from all levels of government. According to the findings, basic information on citizen feedback is publicly available only for services related to tax administration (on the Tax Administration of Republika Srpska's website) and the issuance of ID cards and passports (on the website of Canton 10 - Federation of BiH).

In terms of the territorial distribution of administrative service providers, only 13.5 percent of the surveyed CSOs believe they are distributed in such a way that all citizens have easy access to them. In terms of vulnerable groups' needs and treatment, 9 percent of CSOs surveyed agree that service delivery is tailored to their needs.

Only VAT registration and payment are provided with basic procedural information on access to administrative services among the five services in the sample.

Users' rights and obligations, as well as the documents and information that must be submitted, are listed on the websites of administrative service providers for vehicle registration, passports and ID cards, and VAT for businesses. Users of property and business registration services, for example, do not have easy access to information about the types of documents required when obtaining these services.

Prices and fees for three out of every five services are made public. These details are missing in the case of company registration and vehicle registration. There is only one example of a completely digital service: VAT registration and payment.

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.

The Law on the Budget of BiH Institutions for 2019 and 2020 can be found on the Ministry of Finance and Treasury of BiH's website. Budget documents with annual information are easily accessible and can be downloaded. Half-year budget execution reports (semi-annual budget) for 2019 and 2020 are now available online. The 2019 year-end study includes economic, organizational, and functional classifications. This study includes data on non-financial outcomes to some extent. Finally, the 2020 Citizens' Budget is now available online.

The Audit Office of the Institutions of Bosnia and Herzegovina does not yet have an established communication strategy; it is in the process; however, each annual work plan includes a section on communication in the chapter entitled Communication and Public Relations. The Audit Office of BiH Institutions has established a Strategic Development Plan for the period 2014-2020, which will assist the Office in continuing to grow in accordance with the Coordination Board for Supreme Audit Institutions of Bosnia and Herzegovina and 2013-2020. One person works in the International Cooperation and Public Relations Unit. The Office's website and direct contact with the media are the primary modes of communication with the public.

Any financial audit report does not include the summary. Despite their technicality, all financial audit reports follow the same format and are written in simple language. In performance audit reports, citizen-friendly summaries are used (very clear, concise, and give the reader a brief overview of the main findings). Many of the findings are outlined in the 2019 Annual Summary of Audit Reports, which includes visuals and key findings and is written in an easy-to-understand and citizen-friendly style.

On the website, there is a functional contact form that states that "feedback, inquiries, and suggestions" are welcome. Furthermore, in the chapter Communication with the public, the SAI activity reports for 2018 and 2019 include information on consultations with CSOs.

Reports on the implementation of the entire public procurement program have been available since 2006, according to the BiH Public Procurement Agency's website, but not all in the previous three calendar years. So far, no reports on the central audit body's work have been published. The public procurement portal (www.ejn.gov.ba) provides free access to the complete tender documentation, as well as a guide on how to use its functions. Tender documentation, on the other hand, is only available to certified registered users, excluding CSOs and the general public. All documentation is in a non-editable format.

Only six of the nine state ministries published procurement plans for the current and previous years, and only one procurement report for the previous two calendar years.

The obligation to publish quarterly, semi-annual, and annual reports on PIFC is stated in Law on Financing of Institutions of Bosnia and Herzegovina. The Law on Internal Audit of BiH does not specify a deadline for preparing the consolidated annual report for internal audit. Despite the fact that the laws do not impose specific deadlines, the Ministry has published them every year in March for the past three years. Ministries do not take a proactive approach to publishing information on financial management and control. Such information cannot be found on the Internet.

There is some evidence of proactive public participation - the CHU has issued a number of press releases - but no public appearances on PIFC issues have occurred. Leaflet distribution and social media activities are also lacking. CHU makes summaries of its findings available online, but the text is quite technical and bureaucratic.

An examination of Parliament's website and available documents reveals that the consolidated PIFC report is reviewed on a regular basis by Parliament.

This report recommends actions to address the identified weaknesses. Based on the findings of this monitoring cycle, a detailed list of recommendations can be found at the end of each chapter on individual PAR areas. Because the majority of the recommendations from PAR Monitor 2017/2018 are still very relevant, a large number of them are repeated, and some are slightly modified, to be more in line with changes in Bosnia and Herzegovina's legal or institutional framework, or to provide more clarity.

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	<i>European Union</i>
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
Mol	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

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I INTRODUCTION

I.1 Public administration reform and the Western Balkans' EU integration – Why is monitoring important?

Since the publication of the first edition of the Western Balkan PAR Monitor in 2018, the Western Balkan region (WB) has continued slowly their path towards further democratisation and modernisation of its societies, implementing the necessary structural, economic, and social reforms to improve the lives of citizens. These reform processes were, from their onset, stimulated by aspirations of becoming members of the EU, and they continue to be driven by the EU integration process and its inherent conditionalities. Good governance lies at the heart of the European integration project, requiring public administrations to be professional, reliable and predictable, open and transparent, efficient and effective, and accountable to their citizens.

With the new strategy of the European Commission issued in early 2020, public administration reform (PAR) was reaffirmed as an area of fundamental reform in the EU's enlargement policy. Accordingly, PAR joined the areas of rule of law, economic governance, and the functioning of democratic institutions as the basic pillars of reform which will constitute the foundation for the overall assessment of progress of aspiring EU members.

The EU's framework for defining, guiding, and assessing administrative reforms in the context of enlargement has remained embedded in the set of Principles of Public Administration. Established in 2014, these principles, known as the "SIGMA principles" (since they are assessed regularly by the OECD's SIGMA programme)² offer a roadmap for EU 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. 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

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>.

These principles, thus, constitute the common denominator of PAR for all EU aspirants, guiding the course of their reforms in the direction of EU membership.⁴

WeBER⁵ adopted the Principles of Public Administration as the main building block of its PAR Monitor for two main reasons. On the one hand, as a common denominator for PAR reforms in the region, the principles allow for comparisons across the region, and regional peer learning and peer pressure among the WB administrations. On the other hand, the principles guide reforms in these countries towards the fulfilment of EU membership conditionalities, thus helping their transformations into future EU member states.

An important consideration in designing WeBER's monitoring approach lies in the understanding that until the EU accessions of the WB region, 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. Simultaneously, civil society should 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.

Moreover, although EU conditionality is currently ensuring regular external monitoring and assessment of reforms progress, previous enlargements have demonstrated that some countries have backslid in their reforms post-accession, effectively moving away from good governance standards. In several countries, governments have decreased their standards of transparency, administrations have been re-politicised, and anti-corruption efforts have faded. WeBER's rationale is that only by empowering local non-governmental actors and strengthening participatory democracy at the national and local levels can pressure on governments be maintained to implement often painful and inconvenient administrative reforms in the post-accession period.

In order to contribute to the empowerment of local civil society actors, WeBER has initiated multiple awareness raising and capacity building initiatives since 2015. In addition to involving and gathering the knowledge of CSOs in the PAR monitoring process and the creation of the PAR monitor reports, a number of regional CSOs were trained for PAR monitoring and advocacy. Moreover, local CSOs who monitor specific PAR areas at the local level were provided with mentoring. In addition, multiple rounds of consultations on the implementation of the PAR Monitor were organised in the framework of the regional WeBER platform, and SIGMA's principles were introduced to a wider group of CSOs in the region. Today, WeBER continues to initiate novel, civil-society approaches to PAR such as piloting monitoring exercises of mainstreaming PAR in different policy sectors, and the creation of six parallel online portals through which citizens are invited to share their experiences in interacting with public administrations.⁶

⁴ SIGMA conducts regular assessments of the progress made by WB governments in their fulfilment of their principles. Across-the-board assessments (for all the six key areas) are conducted once every two-three years, and smaller-scale assessments are conducted in between for specific chapters that are evaluated as critical by SIGMA. For more information on SIGMA assessments, visit www.sigmaweb.org.

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

⁶ The citizens portals for the six administrations are available at: <https://citizens.par-monitor.org/>.

Finally, the outbreak of the COVID-19 pandemic is an additional reminder of the importance of well-functioning public administrations able to exercise primary functions of serving the needs of citizens. Moreover, these outstanding circumstances bring 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.

Due to the impact of the COVID-19 pandemic, WeBER researchers produced PAR monitoring cycle 2019/2020 almost entirely as a remote exercise. This meant virtual communication and coordination within the WeBER research team and shifts in its approach of conducting field work (such as interviews and focus groups) in certain cases. Pandemic-related circumstances have, generally, had a limited impact on the project's findings, as most of the analysed practices took place in the pre-pandemic period (2019). Nevertheless, to some extent the pandemic slowed down the monitoring process as for a while it was more difficult to access public information with FOI requests. Other major obstacles, however, were not encountered.

I.2 The PAR Monitor methodological approach

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

As mentioned above, 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 regional approach

An important facet of the WeBER monitoring of PAR 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 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;
- In order 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, with each 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.

Finally, 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. The scoring and methodology details for each indicator are available on the PAR Monitor section of the WeBER website.⁷

■ Main methodological changes between the two PAR Monitors

Experience from the design of the monitoring methodology and the implementation of the first PAR Monitor resulted in the three main changes in relation to indicators in this monitoring cycle.

Firstly, in the Policy Development and Coordination area, the WeBER team has enhanced the indicator focusing on the quality of public participation (through various forms of public consultations) in policymaking. At first focusing only on perceptions of CSOs collected through an online survey, additional elements were added to assess the quality of public involvement in practice, examining a sample of public consultations on policy documents and legal acts. The improvement of this indicator also includes an assessment of governmental public consultation/participation portals through two new elements (sub-indicators). With this change, WeBER assessments in this PAR area were made more balanced in general, combining CSOs perceptions with hard evidence in each topic covered (which include governmental performance reporting, the use of evidence by central state administration bodies in policy development, and the transparency of governmental decision making).

Secondly, a couple of indicators that were initially planned for the first PAR monitoring cycle were at that time left out due to a combination of limited staff capacities and challenging workload. It was then agreed that a public-procurement-related indicator would be introduced in the second monitoring cycle. As a result, a new indicator has now been added to the Public Financial Management area, covering public procurement policy. Measured for the first time, this indicator on public procurement sets baseline values in this PAR Monitor.

Finally, one indicator in the Policy Development and Coordination area (focusing on the accessibility of legislation and explanatory materials to the public) was not included in this monitoring edition. The WeBER team reached a decision on this reduction at the beginning of this monitoring cycle. This decision came after internal deliberations on feedback received from CSOs in the region based on the survey conducted within the first monitoring cycle, and on the internal capacities of the research team to deal with an increased number of indicators. Consequently, in terms of the priority and urgency of addressing different PAR issues, it was decided that the indicator on legislation availability would give way to the indicator on public procurement.

⁷ WeBER project website: <http://www.par-monitor.org>. The methodology and individual indicator tables can be accessed within the PAR Monitor menu.

■ 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 baseline indicator values from the monitoring conducted in 2017/2018. 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 2019/2020 PAR Monitor allows us to monitor prevailing trends in the opinions of these stakeholder groups as compared to the baseline surveys.⁸

The “Master Methodology” document and the detailed indicator tables, all available on the WeBER website,⁹ should also be considered as part of the entire PAR Monitor package and can be used to fully understand the details of this monitoring exercise where needed.

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 www.par-monitor.org, under the heading “PAR Monitor”. 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

As in the baseline monitoring cycle, this monitoring applied 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:

⁸ As it was not possible to create representative, random samples for the populations of CSOs and civil servants, these two surveys were distributed throughout these two populations, and analysis was done on the received complete responses. Since the samples in the baseline and in this second monitoring cycle are, thus, not identical, the results are not fully comparable. Yet, the overall response rates are solid, allowing us to compare the trends between the two survey cycles.

⁹ WeBER project website: <http://www.par-monitor.org>. The methodology and individual indicator tables can be accessed within the PAR Monitor menu.

- 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 2019/2020 timeframe

The monitoring exercise was conducted between February and December 2020. For the most part, monitoring focuses on practices implemented in 2019 and the first half of 2020. The exception are those indicator elements looking at regularity of governmental reporting practices, where 2018 or 2017 were included as the base years due to the governments' reporting cycles or the requirements of specific indicators.

The individual indicator measurements indicate the exact periods of measurement, kept comparable across the region, which allow for the clear identification of timeframes of reference for all findings in the reports. Where situations have changed by the time of this report's writing, those changes will be reflected in the scores in the next biennial WeBER monitoring cycle and PAR Monitor 2021/2022.

■ Limitations in scope and approach

The main limitation facing this project stems from the fact that, for reasons which were elaborated above, 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.

Importantly, bearing in mind that there was no SIGMA assessment for 2020, for this PAR Monitor cycle WeBER researchers performed their own calculation of the ten SIGMA sub-indicators that WeBER uses in the area of Public Service and Human Resource Management. Done in accordance with SIGMA's methodology, the results of these calculations are the sole responsibility of the WeBER research team and the authors of PAR Monitor reports, and SIGMA/OECD cannot be held responsible for the outcomes of such calculations.

Lastly, despite the changes made in the PDC indicator on inclusiveness of policymaking (elaborated above), some of the principles are still approached from a rather perception-based point of view. This is mainly the case for 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 civil servants and CSOs). This is a deliberate component of the WeBER approach, and those indicators should be looked at as complementary to the assessments conducted by SIGMA for the same principles. Nevertheless, experience from the baseline monitoring cycle exposed limitations in certain cases when relying solely on perception data. An indicator on the inclusiveness and openness of policy making, which was previously entirely based on the perceptions of CSOs, was thus complemented with hard evidence so as to have a more balanced assessment, as described in the section on methodological changes. Such change brought about more objective assessment, as can

be seen in this report's analysis. However, the new elements which analyse public consultation practices did not significantly change the picture previously created on the basis of CSO perceptions much, so that the indicator values have mainly changed from 0 to 1 in the region on average. In the period ahead, WeBER will consider changes if similar adjustments are needed in other indicators, 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 PAR Monitor cover the six administrations of the WB region, in accordance with the EU definition of the region.¹⁰ For BIH, WeBER has again focused predominantly 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 in BIH (such as entities).

1.3 Structure of the National PAR Monitor report

This report follows a standard outline established for the baseline PAR Monitor, and is divided into six chapters, pertaining to the core areas of PAR: 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 financial management. Each chapter follows an identical structure.

In each chapter introduction, the reader is briefly introduced to the WeBER indicators used in the observed PAR area and their values for Bosnia and Herzegovina, on a scale from 0 to 5. Immediately after, a brief state of play in Bosnia and Herzegovina is given to contextualize the analysis for the observed area, based on existing secondary sources. The state of play sections in this National PAR Monitor largely rely on the latest European Commission progress report for Bosnia and Herzegovina for 2020, but also refer to other relevant sources. State of play is followed by the WeBER monitoring focus, describing the methodological steps in more detail, and methodological changes where applicable, illustrating the structure of each principle and indicator, including data collection and analysis methods.

The key section of each chapter is the presentation of WeBER monitoring results, stemming from thorough and methodologically robust research conducted in Bosnia and Herzegovina. For each PAR area, indicator values, and scores of their elements, are presented for both WeBER monitoring cycles (for 2017/2018, and 2019/2020 cycle), allowing easy insight and comparison of monitoring results for the two PAR monitoring exercises. A summary of results for each area is given at the end of each chapter and presents key, succinct one-page findings and trends.

Finally, section on recommendations consists of two parts in this National PAR Monitor. Firstly, based on the detailed tracking, implementation status of recommendations proposed in the PAR Monitor 2017/2018 is given, with colour codes assigned and explanations as to why recommendation was assessed in certain way (e.g., fully, or partially implemented, initiated, or no action taken). Secondly, based on the detailed elaboration of findings for Bosnia and Herzegovina from this monitoring cycle, the report proposes actionable recommendations for the responsible government authorities. Since

¹⁰ European Commission's Enlargement package, and progress reports, are available at: https://ec.europa.eu/neighbourhood-enlargement/countries/package_en (last accessed on 1 June 2021).

most of the recommendations from the 2017/2018 PAR Monitor proved to be still highly relevant, a great number of them is repeated and some slightly modified, either to adjust them to the changed national context or to make them clearer and more specific.

II. STRATEGIC FRAMEWORK FOR PUBLIC ADMINISTRATION REFORM

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

SFPAR P1 I1:					
0	1	2	3	4	5
SFPAR P2_4 I1:					
0	1	2	3	4	5

II.2 State of Play in Strategic Framework for PAR and main developments since 2018

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 structure¹¹.

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 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

¹¹ See: <https://parco.gov.ba/rju/o-rju-2/>

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.¹²

As stated in Bosnia and Herzegovina 2020 Report by the European Commission¹³, 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), as stated in the previous cycle report¹⁴, in BiH there is no country-wide strategy because there is no response from RS yet. WeBER included only state level for its monitoring in BiH and on state level the Strategy of the reform of PFM in the institutions of BiH 2017 – 2020¹⁵ is available. 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. The State government and the Republika Srpska entity have established working groups to develop strategies on public financial management for 2021-2025. However, stronger political commitment, sufficient financial resources and more efficient coordination structures are needed to ensure a comprehensive and harmonised approach to public administration reforms¹⁶.

II.3 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.

¹² See: <https://zastone.ba/app/uploads/2019/04/Javna-uprava--Zasto-ne.pdf>

¹³ See: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/bosnia_and_herzegovina_report_2020.pdf

¹⁴ See: https://weber-cep.s3.amazonaws.com/data/attachment_799/weber_par_monitor_2017-2018.pdf

¹⁵ Available at: <https://bit.ly/2RCnM4a>

¹⁶ See: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/bosnia_and_herzegovina_report_2020.pdf

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;

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 from the baseline PAR Monitor 2017/2018 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:

1. Action Plan for implementation of PAR Strategy of BiH 2021-2023
2. PFM Reform Strategy in the institutions of Bosnia and Herzegovina 2017-2020 (taken from the PAR Monitor 2017/2018)

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.4 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 2019/2020	Scores 2017/2018
E1 Consultations with civil society are conducted when the document(s) are developed	2/4	2/4
E2 Consultations with civil society are conducted in an early phase of the development of the document(s)	0/4	0/4
E3 Invitations to the civil society to participate in the consultations are open	2/4	2/4
E4 Responsible government bodies are proactive in ensuring that a wide range of external stakeholders become involved in the process	0/2	1/2
E5 Civil society is provided complete information for preparation for consultations	2/4	2/4
E6 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	0/4
E7 Responsible government bodies publicly provide feedback on the treatment of received comments	1/2	0/2
E8 Responsible government bodies engage in open dialogue with civil society on contested questions	1/2	1/2
E9 Consultations in the development of strategic PAR documents are open to the public	2/4	2/4
Total score	12/28	10/30
Indicator value (scale 0 – 5)¹⁷	2	1

Out of the two examined documents, CSOs were consulted only during the development of Action Plan for implementation of PAR Strategy of BiH. Public consultation on Draft Action Plan for implementation of PAR Strategy of BiH lasted 15 days and an open call for comments and suggestions was published on the website of PARCO BiH, together with downloadable draft Action Plan and statement of the purpose of the Action Plan.

Public consultations meetings with CSO representatives, business associations and academia were held in on Zoom platform. Invitations were published on the website of PARCO BiH, eKonsultacije portal (BiH Ministry of Justice), and Twitter and Facebook profile of PARCO BiH. Moreover, invitations were sent via email by PARCO BiH. Information on the consultation process is provided in a timely manner and the document was accessible to the public and everyone was invited to submit comments on the eKonsultacije portal. PARCO BiH published the report on the consultation process

¹⁷ 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.

from eKonsultacije portal and it includes information about number of participants, number of comments, number of proposals, number of accepted proposals, as well as comments and proposals. All the comments and proposals are considered by the working group which consists of representatives of government from all the levels, as stated by the interviewed PARCO representative. The published report after the public consultations includes all the comments and proposals with explanations why a comment or proposal has been accepted/rejected. 7 out of 8 comments and proposals were fully or partially accepted.

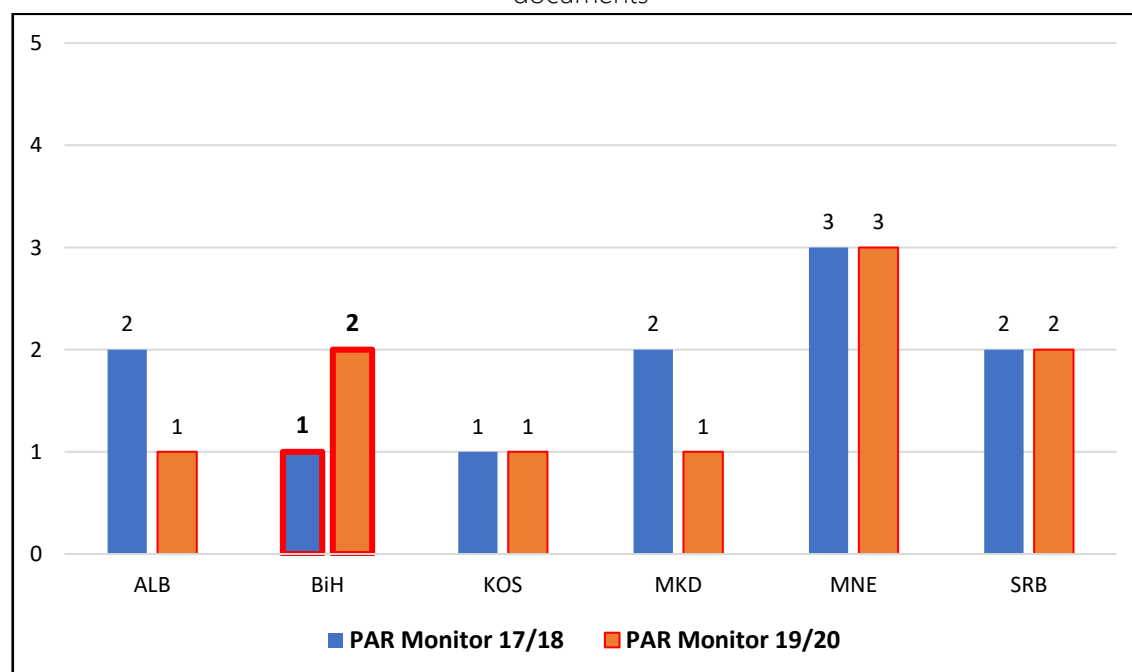
Table 1: Newly analysed PAR strategic framework for Bosnia and Herzegovina, and results taken from the baseline PAR Monitor 2017/18

	NEWLY ANALYSED	TAKEN FROM THE BASELINE PAR MONITOR
BIH	Action Plan for implementation of PAR Strategy of BiH 2021-2023	PFM Reform Strategy in the institutions of Bosnia and Herzegovina 2017-2020

Although, representatives of CSOs were not involved in the working group for development of the PAR Strategy, they achieved communication with the representatives of PARCO BiH and have had the opportunity through this communication to submit suggestions and to advocate for the better results of the public administration reform in BiH.

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 is available at: www.par-monitor.org.

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

Principle 4: Public administration reform 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 2019/2020	Scores 2017/2018
E1 Administrative structures for PAR coordination and monitoring foresee an involvement of CSOs	0/2	0/2
E2 Political level structures for PAR coordination foresee an involvement of CSOs	0/2	0/2
E3 Format of CSO involvement in administrative structures for PAR coordination and monitoring	0/4	0/4
E4 Format of CSO involvement in political structures for PAR coordination and monitoring	0/4	0/4
E5 Involvement of CSOs is achieved based on an open competitive process	0/4	0/4
E6 Meetings of the PAR coordination and monitoring structures are held regularly with CSO involvement	0/4	0/4
E7 The format of meetings allows for discussion, contribution and feedback from CSOs	0/4	0/4
E8 CSOs get consulted on the specific measures of PAR financing	0/2	0/2
Total score	0/26	0/26
Indicator value (scale 0 – 5)¹⁸	0	0

Overall, there has been no major shift in the assessment of the CSO's participation in the PAR monitoring and coordination structures since the baseline PAR Monitor. Coordination and monitoring are done by PARCO BiH. No reference to CSO involvement in the document. PARCO BiH representatives invite CSOs for their internal consultations and meetings, but an involvement of CSOs as part of administrative structures for coordination and monitoring is not the case. 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.

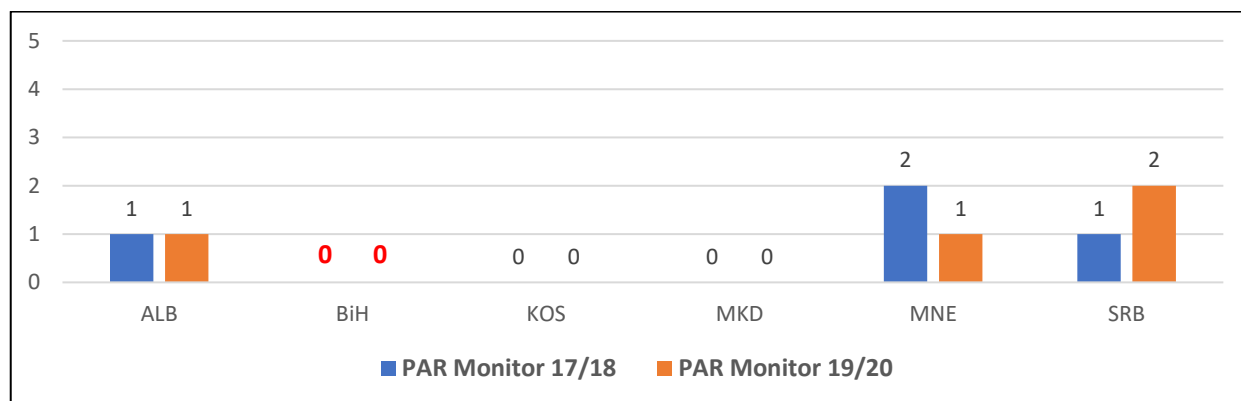
PARCO BiH foresees an involvement of CSOs but only for public consultation (for developing a strategy and action plan), where CSOs can give their suggestions, comments, and feedback on final draft of the documents. Also, CSOs are not consulted on the measures of PAR financing.

Lastly, and the most important is that an involvement of CSOs is not foreseen in the relevant laws and documents because institutions are not legally obliged to involve CSOs in the work of advisory or other bodies.

¹⁸ 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.

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 is available at: www.par-monitor.org.

II.5 Summary results: Strategic Framework for PAR area

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 PFM Reform Strategy in Bosnia and Herzegovina's Institutions 2017-2020. 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 the comments and recommendations. Following the public consultations, a report was published that included all the comments and proposals, along with explanations as to why they were approved or rejected. Even though 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 oversees 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.

II.6 Recommendations for Strategic Framework for PAR

Tracking recommendations from PAR Monitor 2017/2108

Colour coding scheme for tracking recommendations

Short term recommendations	Long term recommendations
No action taken	No action taken
Initiated	Initiated
Partially implemented	Partially implemented
Fully implemented	Fully implemented

<i>Recommendation</i>	<i>Status</i>	<i>Comment</i>
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. <i>Positive example is PARCO BiH – they invite CSO representatives to the meetings in early phases but again, this is not in the Law nor other institutions have the same practices.</i>
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.	Fully implemented	The new PAR strategy is adopted on all levels of government (state level, FBiH, RS, BD)
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.	No action taken	Nothing changed from the previous monitor cycle.
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.	No action taken	Nothing changed from the previous monitor cycle.

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.	No action taken	Nothing changed from the previous monitor cycle.
Institutional, individual and managerial responsibility for PAR needs to be clearly established. There is a need for further involvement of all relevant, particularly the CSO sector, as an additional verification factor.	Initiated	Although, nothing mostly changed from previous monitor cycle, there is an initiative from PARCO BiH to have all relevant stakeholders involved in the processes.

II.7 PAR Monitor 2019/2020 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 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. **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 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.*
5. **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.*
6. **Improve the effectiveness of the coordination mechanisms 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.***
7. **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)

New recommendations 2019/2020

8. Consultations should include invitations to organizations that focus on horizontal niches or groups relevant from the lenses of PAR success (e.g., people with disabilities, organizations dealing with gender issues and similar). Moreover, proactively inviting diverse group of stakeholders to participate should become regular practice, and not dependent on the specific matter of the strategic document.
9. The administrative structures should be made fully functional and CSOs should be included in both PAR coordination and monitoring structures – to have an opportunity to propose and choose a representative as a way of increasing trust, transparency and reduce discretion.

III. POLICY DEVELOPMENT AND COORDINATION

III.1 WeBER indicators used in Policy Development and Coordination and country values for Bosnia and Herzegovina

<i>PDC P5 I1: Public availability of information on Government performance</i>					
0	1	2	3	4	5
<i>PDC P5 I2: Civil society perception of the Government's pursuit and achievement of its planned objectives</i>					
0	1	2	3	4	5
<i>PDC P6 I1: Transparency of the Government's decision-making</i>					
0	1	2	3	4	5
<i>PDC P10 I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development</i>					
0	1	2	3	4	5
<i>PDC P11 I1: Civil society perception and scope of involvement in policymaking</i>					
0	1	2	3	4	5

III.2 State of Play in Policy Coordination and Development and main developments since 2018

As it was stated in the last WeBER National Report for Bosnia and Herzegovina¹⁹, 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 Herzegovina²⁰, The Rules of Procedure of the Council of Ministers of Bosnia and Herzegovina,²¹ the Unified Rules for Legislative Drafting in the Institutions of BiH²², and the Regulations on Consultations in Legislative Drafting in BiH²³. 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

¹⁹ See: https://weber-cep.s3.amazonaws.com/data/attachment_799/weber_par_monitor_2017-2018.pdf; The National PAR Monitor Bosnia and Herzegovina; WeBER 2017/2018

²⁰ 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

²¹ The RoP of the CoM of July 2003, Official Gazette of BiH No. 22/03

²² "Unified Rules for Legislative Drafting in the Institutions of BiH", Official Gazette of BiH, Nos. 11/05, 58/14 and 60/14

²³ "Regulations on Consultations in Legislative Drafting in BiH", Official Gazette of BiH No. 05/17

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.²⁴.

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.²⁵.

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 analysis²⁶.

III.3 What does WeBER monitor and how?

In the Policy Development and Coordination area, WeBER monitoring is performed based on 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;

²⁴ For more details see: https://europa.ba/wp-content/uploads/2020/10/2020_bosnia_and_herzegovina_report.pdf

²⁵ See <https://www.analitika.ba/sites/default/files/publikacije/Obstacles%20to%20evidence%20-%20policy%20memo%20ENG.pdf>

²⁶ See https://weber-cep.s3.amazonaws.com/data/attachment_799/weber_par_monitor_2017-2018.pdf

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 this edition of the PAR Monitor, five WeBER indicators are used for analysis in the Policy Development and Coordination area. As explained in the introductory chapter, unlike in the baseline PAR Monitor 2017/2018, SIGMA Principle 12 was not included in this monitoring cycle, and consequently an indicator on the accessibility of legislation was not measured.

The first indicator measures the extent of openness and availability of information about governments' performance to the public, through analysis of the most comprehensive websites through which governments communicate their activities and publishes reports. Written information published by governments relates to press releases and the online publishing of annual (or semi-annual) reports. The WeBER monitoring covers a period of two annual reporting cycles, except for press releases, which are assessed for a one-year period (due to the frequency of their publishing). Other aspects of government performance information analysed include understandability of published materials, usage of quantitative and qualitative information, presence of assessments/descriptions of concrete results, availability of gender-segregated and open-format data, and the online availability of reports on key whole-of-government planning documents.

The second indicator measures how CSOs perceives government planning, monitoring, and reporting on its work and objectives. To explore perceptions, a survey of CSOs in the WB was implemented in the period between the second half of June and the beginning of August 2020 using an online surveying platform²⁷ A uniform questionnaire with 28 questions was used throughout the region, 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 of organisations, geographical distribution, and activity areas, and hence be representative as much as possible, additional boosting was done where needed to increase overall responses. A focus group with CSOs served to complement survey findings with qualitative information.

The third indicator measures the transparency of decision-making by the government (in terms of the Council of Ministers), combining survey data on the perceptions of civil society with analysis of relevant government websites. Besides looking for published information on government decisions, the website analysis considers the completeness, citizen-friendliness, timeliness, and consistency of information. Monitoring was done for each government session in a six-month period - the last three months in the calendar year preceding the monitoring (2019), and first three months in the monitoring year (2020), except for the timeliness of publication, which is

²⁷ The survey of CSOs was administered through an anonymous, online questionnaire. In Bosnia and Herzegovina, the survey was conducted in the period from 23 June to 3 August 2020. The data collection method included CASI (computer-assisted self-interviewing). The survey sample was N=122.

compared with all government sessions in the period of three months from the start of monitoring (roughly from the beginning of March until beginning of June 2020).

The fourth indicator measures whether government institutions invite civil society to prepare evidence-based policy documents, and whether evidence produced by CSOs is considered and used in policy development processes. Again, this measurement combines expert analysis of official documents and survey of civil society perceptions. Regarding document analysis, the frequency of references to CSOs' evidence-based findings is analysed for official policy and strategic documents, policy papers, and ex-ante and ex-post policy analyses and impact assessments in a sample of three policy areas.²⁸

Finally, the fifth indicator, focusing on the quality of involvement of the public in policymaking through public consultations, was modified in this monitoring cycle. It includes not only perceptions of CSOs collected by online survey, but also additional qualitative data gathered through the analysis of a sample of public consultations as well as assessments of online governmental portals used for public consultations. More precisely, in this PAR Monitor this indicator was enhanced with the addition of qualitative document analysis of the scope and impact of public consultations on policy documents and legislation adopted in the second half of 2019, the availability and quality of reporting on public consultations, functionalities of the public consultation portals, and proactiveness of information provision by the responsible institutions.

III.4 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 PDC P5 I1: Public availability of information on Government performance

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1 The government regularly publishes written information about its activities	4/4	4/4
E2 The information issued by the government on its activities is written in an understandable way	2/2	2/2
E3 The information issued by the Government is sufficiently detailed, including both quantitative data and qualitative information and assessments	4/4	4/4
E4 The information issued by the Government includes assessments of the achievement of concrete results	2/4	2/4
E5 The information issued by the Government about its activities and results is available in open data format(s)	0/2	0/2
E6 The information issued by the Government about its activities and results contains gender segregated data	2/2	0/2
E7 Share of reports on Government strategies and plans which are available online	1/2	2/2
Total score	15/20	14/20
Indicator value (scale 0 – 5)²⁹	4	3

²⁸ Policy areas where a substantial number of CSOs actively works. For Bosnia and Herzegovina, the three policy areas selected are anti-corruption, antidiscrimination and environment policy.

²⁹ 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.

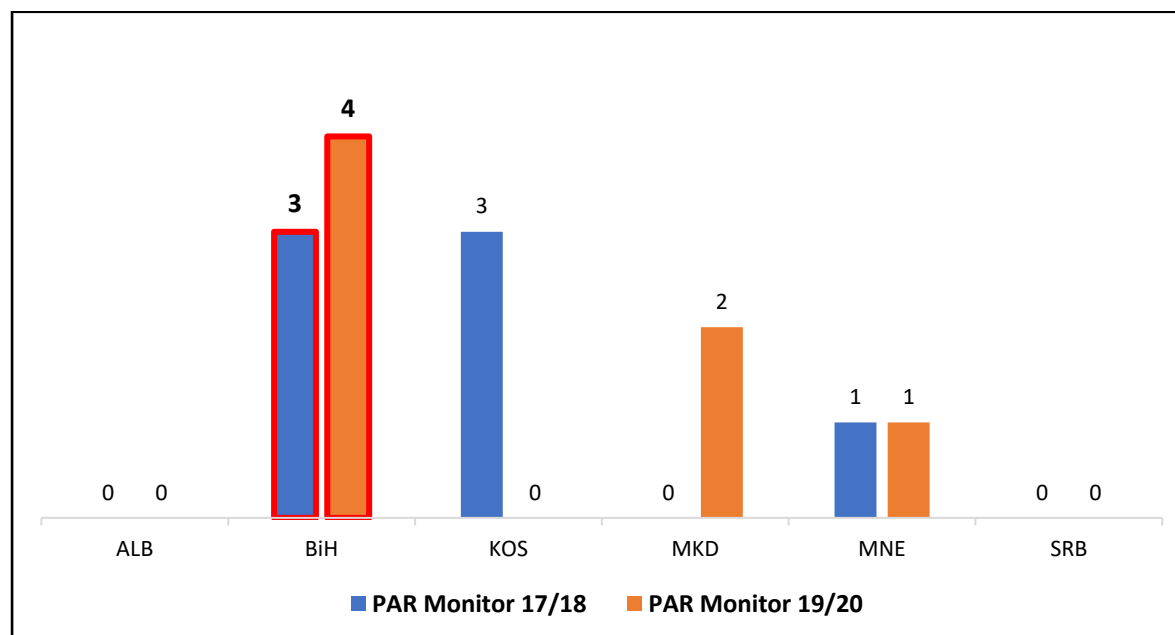
Good practice from the baseline PAR Monitor of 2017/2018 of reporting on government performance has continued through the PAR Monitor 2019/2020. There is a regular publishing of press releases as well as of annual reports on the Government Annual Work Plan (GAWP). BiH Council of Ministers (BiH CoM) publishes 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. Although everything is easily accessible, one important recommendation would be to have all the reports in one place – 2018 report is available at the homepage whereas the 2017 report in the report section.

Both studied reports include quantitative and qualitative data and assessments. The reports are presented in narrative, and in tabular form, and they provide annual results of the 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. More generally, reports include assessments of the achievement of results, although they do not report on the concrete performance indicators set in the GAWP. However, the BiH CoM does not publish information related to its work in open formats. On the other hand, it is important to emphasize that the annual reports have a gender segregated data for each ministry. The Ministry of Civil Affairs does not have this information in the 2018 report, so it is one of the recommendations for the next reporting period to continue with this practice as well as to extend it to programs and projects of the Council of Ministers.

The share of reports on central planning documents for the last reporting period which are available online is 50%. The GAWP report for 2018 is published online, as well as the report on the implementation of the structural Economic Reform Programme (ERP) for previous period (2018/2019), given in the ERP BiH 2020-2022. There is no reporting on the Medium-Term Government Programme of the CoM BiH for the period 2018 – 2020, although, the evaluation of the Mid-term Planning Process and the Mid-term Work Program of the Council of Ministers of BiH 2016-2018 is available. Finally, the Global Framework of Fiscal Balance and Policies in BiH is not reported on.

How does Bosnia and Herzegovina do in regional terms?

WeBER indicator PDC_P5_I1: Public availability of information on Government performance



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

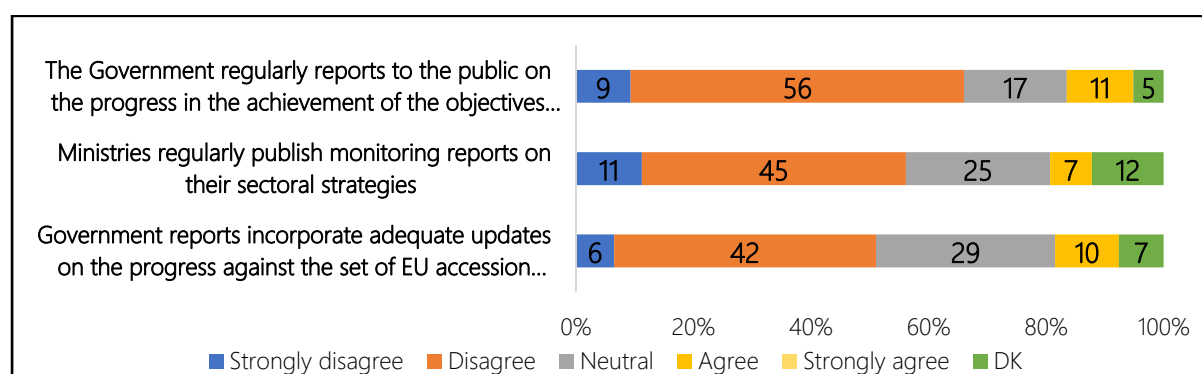
WeBER indicator PDC P5 I2: Civil society perception of the Government's pursuit and achievement of its planned objectives

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1 CSOs consider government's formal planning documents as relevant for the actual developments in the individual policy areas	0/2	0/2
E2 CSOs consider that the Government regularly reports to the public on progress against the set objectives	0/4	0/4
E3 CSOs consider that official strategies determine governments' or ministries' action in specific policy areas	0/2	0/2
E4 CSOs consider that the ministries regularly publish monitoring reports on their sectoral strategies	0/4	0/4
E5 CSOs consider that the EU accession priorities are adequately integrated into the government's planning documents	0/2	0/2
E6 CSOs consider that the Government's reports incorporate adequate updates on the progress against the set EU accession priorities	0/2	0/2
Total score	0/16	0/16
Indicator value (scale 0 – 5)³⁰	0	0

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.

Survey results show that only around 12% of surveyed CSOs agree that there is a direct connection between the work-plan of the government and actual developments in specific policy areas which is a slight increase from the previous measurement when it was 9%. It is noteworthy that roughly 49% have answered disagree or strongly disagree. Regarding government's reporting on its work, only 12% of surveyed CSOs either "agree" (11%) or "strongly agree" (1%) that the government regularly reports to the public on the progress in the achievement of the objectives set in its work-plan which is 1% less than the last measurement. By contrast, 65% either disagree or fully disagree with the statement.

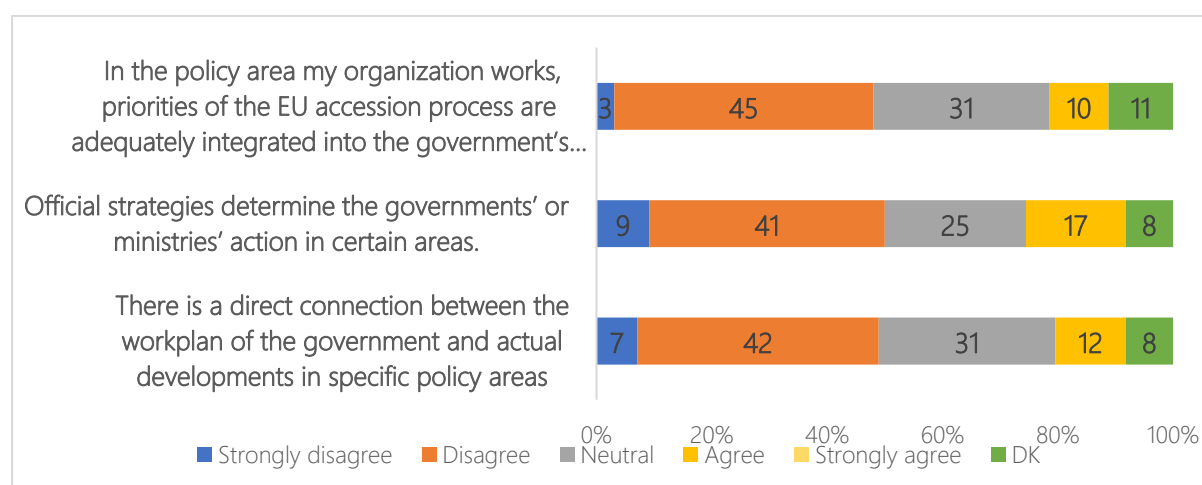
Chart 1: CSO perceptions on reporting of the implementation of government work plan



Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%

Moreover, only 17% "agree" and none "strongly agree" that the official strategies determine the governments' or ministries' action in certain areas, and half of all CSO respondents "disagree" or "strongly disagree" with the statement. Also, negligible 7% of respondents agree that ministries regularly publish monitoring reports on their sectorial strategies, which is even less from the last PAR Monitor by 3 percentage points, whilst 56% disagrees or strongly disagrees which is more than 20 percentage points compared to the previous cycle (34%).

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

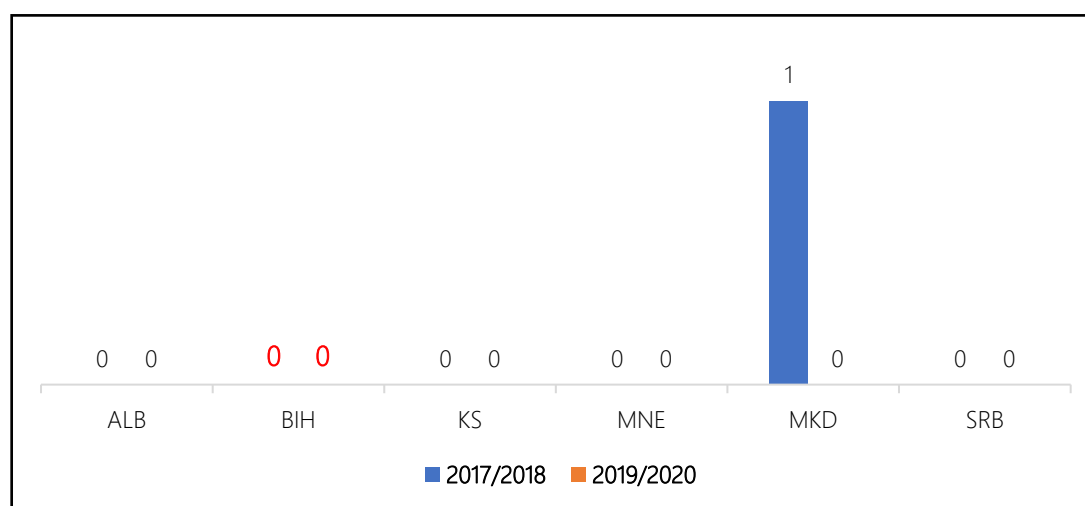


Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%

Lastly, when it comes to EU accession priorities, only 8% of surveyed CSOs agree that EU priorities are adequately integrated into the government's plans, which is 4% less than the last PAR Monitor. Moreover, 10% of respondents think that government's reports incorporate adequate updates on the progress against the set of EU accession priorities. This is, once again, slightly less than in 2017/2018 monitoring cycle.

How does Bosnia and Herzegovina do in regional terms?

Indicator PDC_P5_I2: Civil society perception of the Government's pursuit and achievement of its planned objectives



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

Principle 6: Government decisions are prepared in a transparent manner and based on the administrations' professional judgement

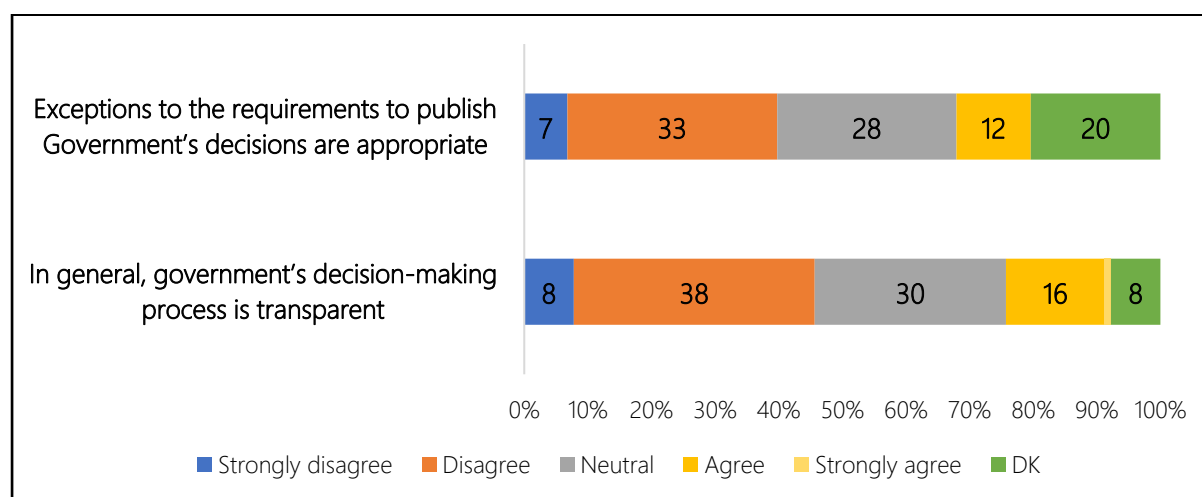
WeBER indicator PDC P6 I1: Transparency of the Government's decision-making

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1 CSOs consider government decision-making to be generally transparent	0/2	0/2
E2 CSOs consider the exceptions to the rules of publishing Government's decisions to be appropriate	0/2	0/2
E3 The Government makes publicly available the documents from its sessions	2/4	2/4
E4 The Government communicates its decisions in a citizen-friendly manner	4/4	4/4
E5 The Government publishes adopted documents in a timely manner	0/4	0/4
Total score	6/16	6/16
Indicator value (scale 0 – 5)³¹	2	2

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.

Perceptions of civil society in Bosnia and Herzegovina on the transparency of decision-making by the government remains at a low level. Only 16.5% of respondents agree that the decision-making process is transparent, and even fewer (10%) that the exceptions to requirements for publishing government decisions are appropriate (with these percentages including respondents that answered “strongly agree” or “agree” to the question). These perception results almost mirror those from the previous PAR Monitor 2017/2018.

Chart 3: CSO perceptions on the government’s decision-making process transparency



Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%

BiH Council of Ministers makes some of the documents publicly available. The decisions, statements, regulations, and strategies are published in the Official Gazette and on the website of BiH CoM. But all the other documents that have been drafted and adopted (adopted information, proposed laws, programs, reports...) are not published on the website of the BiH CoM. However, out of the four groups of documents and materials analysed (agendas, minutes, documents, and press releases), there is regularity in publishing agenda items and sessions’ minutes, before and after every session, respectively.

Table 2: Availability of materials from the Government’s sessions, in the period between 1 October 2019 - 1 April 2020

Session	Date	Agenda	Minutes	Documents	Press
178	03/10/2019	✓	x	x	✓
ES-Ph	03/10/2019	x	✓	✓	✓
ES-Ph	04/10/2019	x	✓	✓	✓
ES-Ph	09/10/2019	x	✓	x	✓
ES-Ph	15/10/2019	✓	✓	x	✓
ES-Ph	24/10/2019	x	✓	x	✓
ES-Ph	29/10/2019	x	✓	x	✓

ES-Ph	31/10/2019	x	✓	x	✓
ES-Ph	04/11/2019	x	✓	x	x
ES-Ph	05/11/2019	x	✓	✓	✓
ES-Ph	07/11/2019	x	✓	x	✓
178	12/11/2019	✓	✓	x	✓
ES-Ph	12/11/2019	x	✓	x	✓
ES-Ph	22/11/2019	x	x	No information	✓
ES-Ph	02/12/2019	x	✓	x	✓
179	03/12/2019	✓	x	x	x
ES-Ph	06/12/2019	x	x	x	✓
1	30/12/2019	✓	✓	x	✓
2	23/01/2020	✓	✓	x	✓
3	30/01/2020	✓	✓	x	✓
ES-Ph	03/02/2020	x	✓	x	✓
4	06/02/2020	✓	x	x	✓
ES-Ph	05/03/2020	✓	x	x	✓
ES-Ph	10/03/2020	x	✓	x	✓
ES-Ph	15/03/2020	x	✓	x	✓
ES	17/03/2020	✓	✓	x	✓
ES	24/03/2020	✓	✓	x	✓
ES-Ph	26/03/2020	x	✓	x	✓
Total	28	11	22	3	27

ES: Extraordinary session

ES-Ph: Extraordinary session via telephone

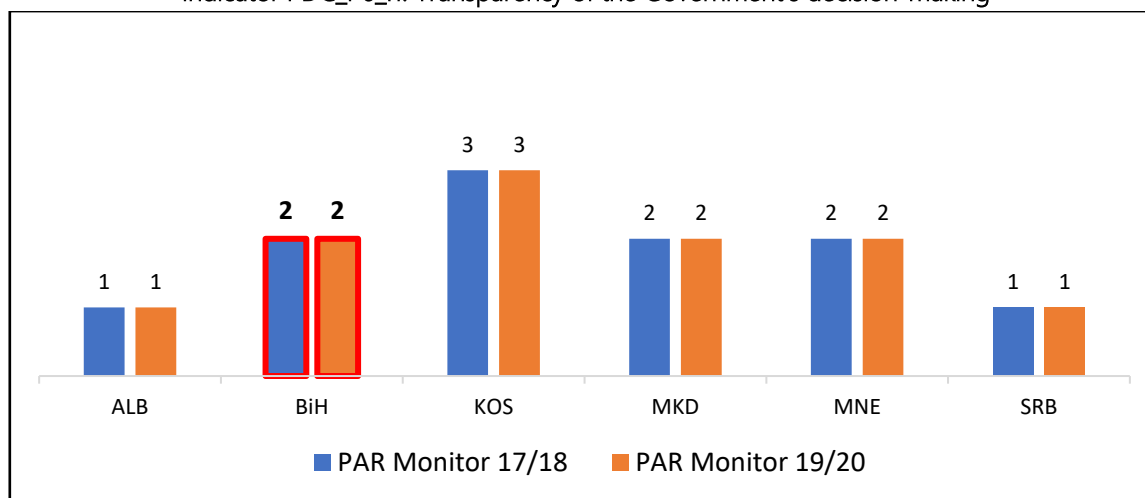
Source: <https://www.vijeceministara.gov.ba/>

In general, a press release was published for each government session, but there were also exceptions and inconsistencies in terms of placement of information during sessions after the COVID-19 outbreak. As compared to the first PAR Monitor, there was a similar pattern when it came to the citizen-friendliness of press releases. Communication of every session, through press releases on the website, remained simplified and written in a citizen-friendly language, in the form of news articles that explain the Government's decisions. They continued to contain bureaucratic terminology, depending on the subject matter e.g., in the names of documents, agreements, bodies etc. Also, most of them remained easily accessible with no more than three clicks from the homepage.

Lastly, documents that were adopted and published were mostly issued in a timely manner (within a week) after session activity.

How does Bosnia and Herzegovina do in regional terms?

Indicator PDC_P6_I1: Transparency of the Government's decision-making



Regional PAR Monitor Report with results for all WB administrations is 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 2019/2020	Scores 2017/2018
E1 Frequency of referencing of evidence-based findings produced by CSOs in the adopted government policy documents	2/4	2/4
E2 Frequency of referencing of evidence-based findings produced by CSOs in policy papers and ex ante impact assessments	0/4	0/4
E3 Share of evidence-based findings produced by wide range of CSOs referenced in ex post policy analyses and assessments of government institutions	0/2	0/2
E4 Relevant ministries or other government institutions invite or commission wide range of CSOs, to prepare policy studies, papers or impact assessments for specific policy problems or proposals	1/2	0/2
E5 Representatives of relevant ministries participate in policy dialogue pertaining to specific policy research products	1/2	1/2
E6 Representatives of wide range of CSOs 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
E7 Relevant ministries in general provide feedback on the evidence-based proposals and recommendations of the wide range of CSOs which have been accepted or rejected, justifying either action	0/2	0/2
E8 Ministries accept CSOs' policy proposals in the work of working groups for developing policies and legislation	0/4	0/4
Total score	4/24	3/24
Indicator value (scale 0 – 5)³²	0	0

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.

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.

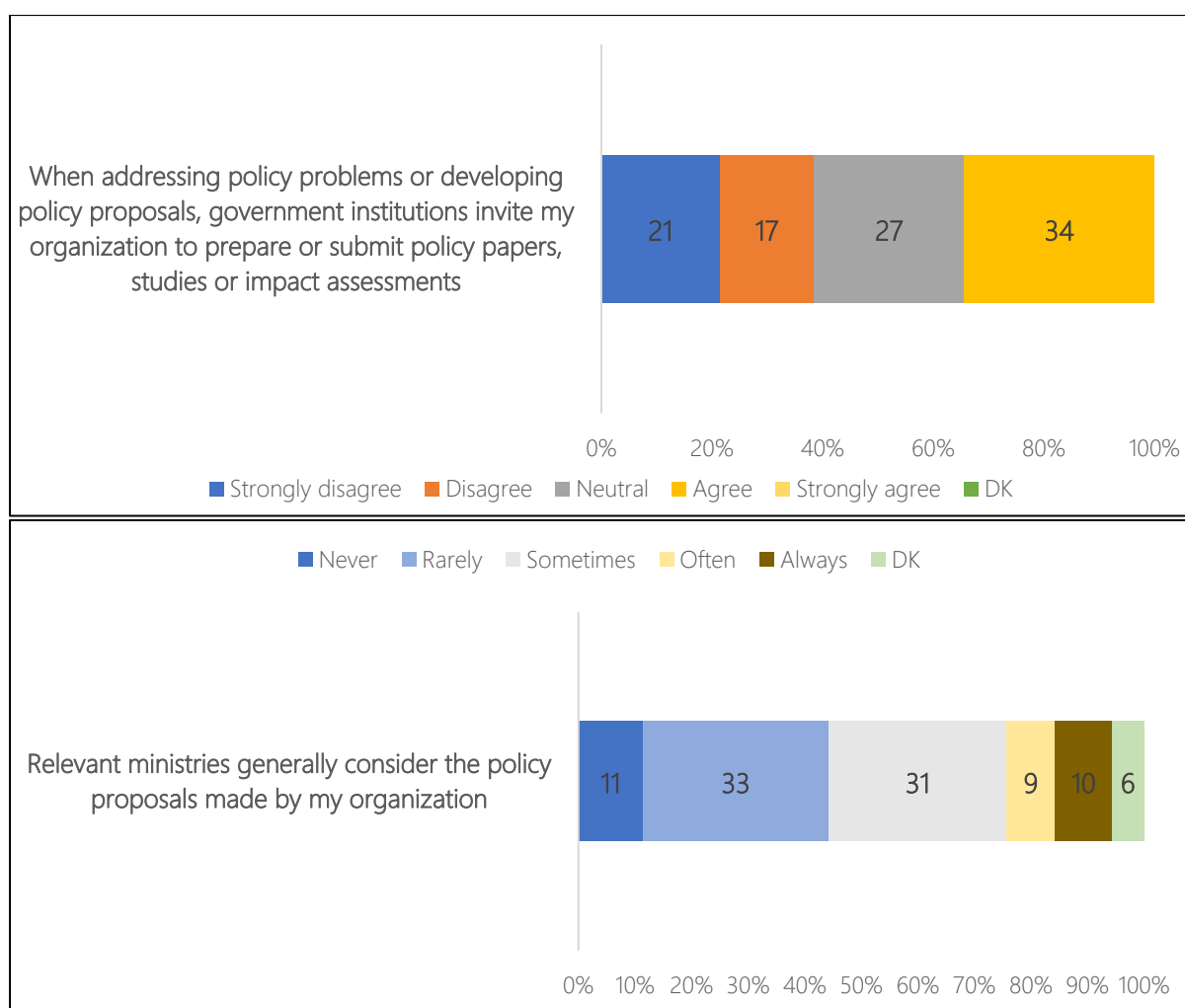
3 out of the 8 of examined strategies contain reference to CSO's findings. However, within all three examined policy areas, no ex-ante regulatory impact assessments or other policy or concept documents were found or obtained through FOI and measuring of frequency of referencing of evidence-based findings produced by CSOs was not possible. The same applies for as ex-post policy document and analysis.

Table 3: Frequency of referencing of evidence-based findings produced by CSOs in the adopted government policy documents

Policy area	Policy document	No. of references
Anti-corruption policy	1. Strategy for Combating Organized Crime 2017 – 2020	0
Antidiscrimination policy	2. Gender Action Plan 2018-2022	0
	3. Action plan of BiH for addressing Roma issues in the fields of employment, housing and health care 2017 - 2020	0
	4. Strategic Platform for Solving Issues of National Minorities in BiH (draft)	3
	5. Strategy on Migrations and Asylum and the belonging action plan for 2016-2020	0
	6. Strategic Platform for adult education in the context of lifelong learning in BiH 2014-2020	1
Environment policy	7. Strategy of Harmonization of Legislation to Legal Legacy of EU in Field of Environmental Protection EAS	0
	8. Strategy and action plan for protection of biological diversity in Bosnia and Herzegovina 2015–2020	4

When it comes to CSO perception, 34% of surveyed CSOs in BiH confirm that the government institutions invite them to prepare or submit policy papers, studies, or impact assessments, when addressing policy problems or developing policy proposals. In addition, more than half of CSOs agree that representatives of relevant government institutions participate in the events organized by CSOs to promote policy products (54%).

Chart 4: CSO perception of the government's approach to soliciting their policy expertise

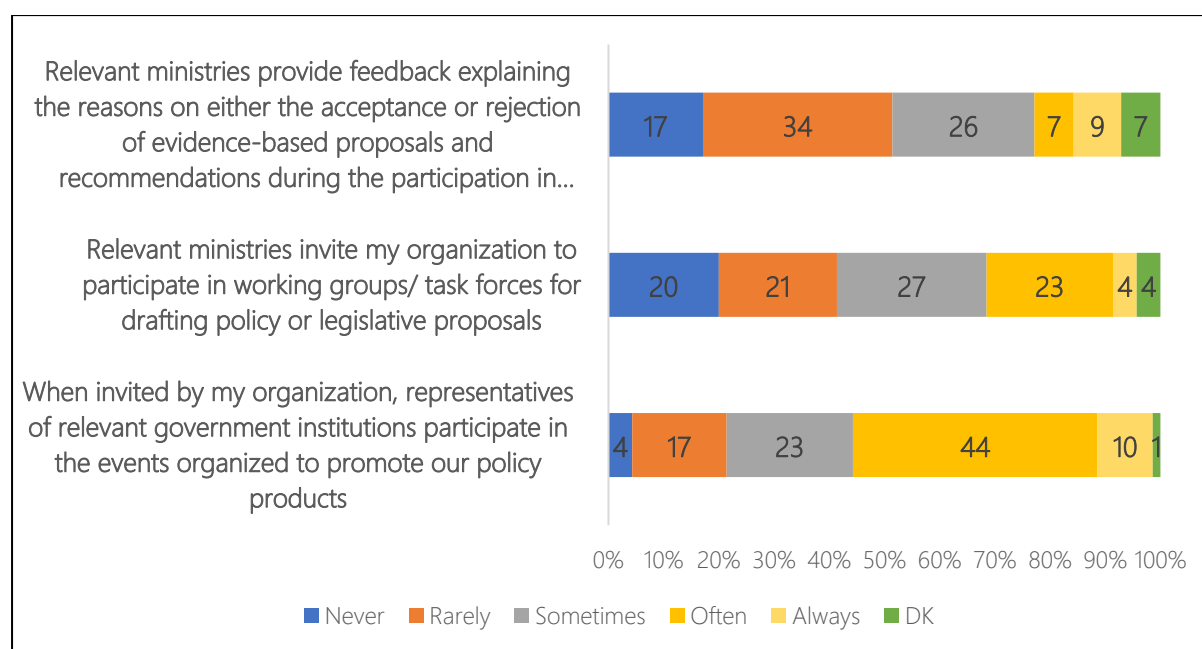


Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%

When it comes to CSO perception, 34% of surveyed CSOs in BiH confirm that the government institutions invite them to prepare or submit policy papers, studies, or impact assessments, when addressing policy problems or developing policy proposals. In addition, more than half of CSOs agree that representatives of relevant government institutions participate in the events organized by CSOs to promote policy products (54%).

But, on the other hand, only 27% of CSOs are either often or always being invited by the relevant ministries to participate in working groups/task forces for drafting policy or legislative proposals. In this regard, slightly more than 15% of surveyed CSOs confirm that relevant ministries provide feedback on the reasons for acceptance/rejection of evidence-based inputs coming from the organization during the working group work. Lastly, only 19% of respondents think that relevant ministries generally consider and accept their policy proposals.

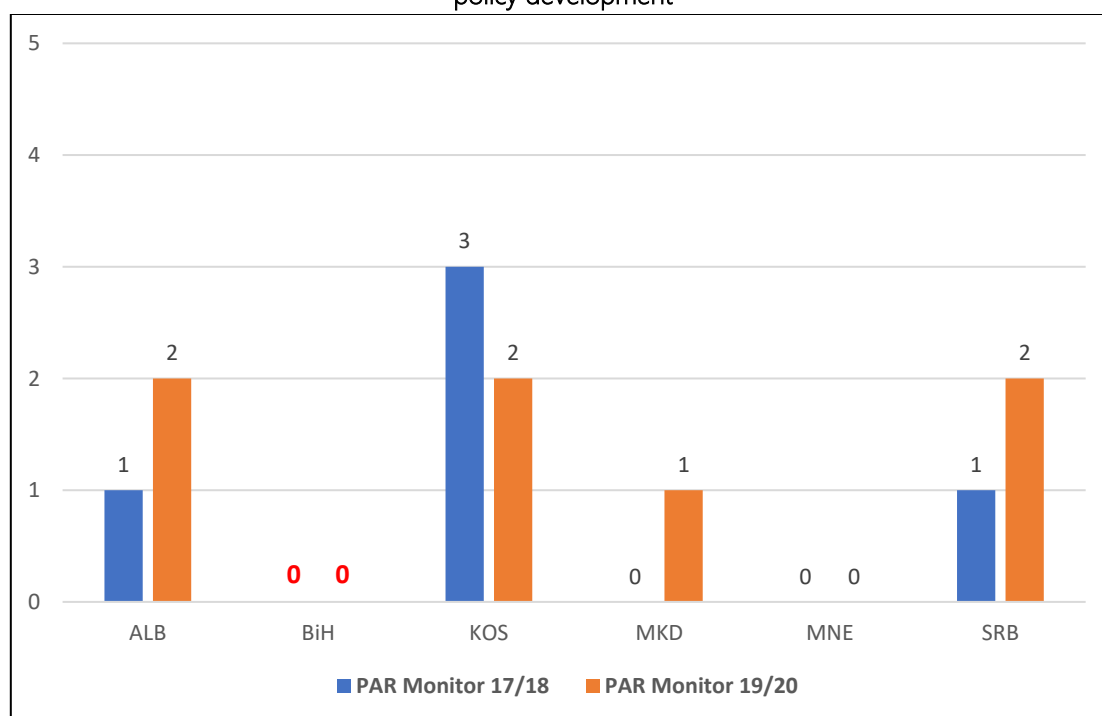
Chart 5: CSO perception of the government-CSO policy cooperation



Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%

How does **Bosnia and Herzegovina** do in regional terms?

Indicator PDC_P10_I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development



Regional PAR Monitor Report with results for all WB administrations is 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 2019/2020	Scores 2017/2018
E1 Scope of public consultations on policy documents in central administration	4/4	n/a
E2 Scope of public consultations on legislation in central administration	4/4	n/a
E3 Availability of reporting on public consultations on policy documents by central administration	2/4	n/a
E4 Availability of reporting on public consultations on legislation by central administration	4/4	n/a
E5 Basic functionality of a national public consultation portal	2/4	n/a
E6 Advanced functionality of a national public consultation portal	1/2	n/a
E7 Proactiveness of informing on public consultations	0/4	n/a
E8 Embeddedness of early public consultations in practice	0/2	n/a
E9 Quality of reporting on public consultations	0/2	n/a
E10 Impact of public consultation results on policy making	0/2	n/a
E11 CSOs consider formal consultation procedures create preconditions for effective inclusion of the public in the policy-making process	1/2	0/4
E12 CSOs consider formal consultation procedures are applied consistently	0/2	0/4
E13 CSOs consider that they are consulted at the early phases of the policy process	0/2	0/4
E14 CSOs consider consultees are timely provided with information on the content of legislative or policy proposals	0/2	0/2
E15 CSOs consider consultees are provided with adequate information on the content of legislative or policy proposals	0/2	0/2
E16 CSOs consider sponsoring ministries take actions to ensure that diversity of interests is represented in the consultation processes	0/2	0/2
E17 CSOs consider ministries (sponsors of policy and legislative proposals) provide written feedback on consultees' inputs/comments	0/2	0/2
E18 CSOs consider ministries accept consultees' inputs/comments	0/2	0/4
E19 CSOs consider ministries hold constructive discussions on how the consultees' views have shaped and influenced policy and final decision of government	0/2	0/4
Total score	18/50	0/2
Indicator value (scale 0 – 5)³³	2	0/30

In Bosnia and Herzegovina, the only three policy documents which were adopted in the second half of the 2019 were subject to public consultations, as well as the three legislative pieces within

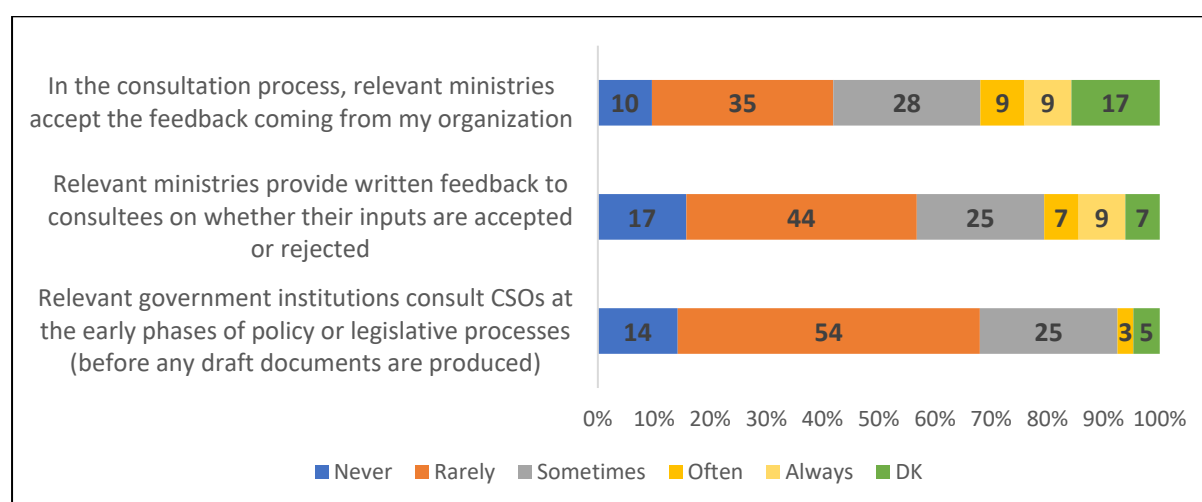
³³ Conversion of points: 0-9 points = 0; 10-17 points = 1; 18-25 points = 2; 26-33 points = 3; 34-41 points = 4; 42-50 points = 5.

the same timeframe of measuring public consultations. All the consultations were held at a later stage, with no pre-consultations in the early phase.

Focusing on the public consultations or debates that have been implemented, for two out of three policy documents, consultation reports have been published (66%), as well as for all three legislation documents. However, of all five legislative and policy documents taken into account (ones with the reports published), only one had comments by a single third party, so the quality of reports could not be measured.

Analysis of the functionality of the national e-consultation portal (<https://ekonsultacije.gov.ba/>) was mostly satisfactory. The portal does have various basic search functionalities, with an available database of debates/consultations that dates back to 2017. Nevertheless, most consultations have no participation from third parties. That said, during the period of monitoring this indicator, there was only one active public consultation underway, and it was on the e-consultation portal and the website of the institution holding the consultation.

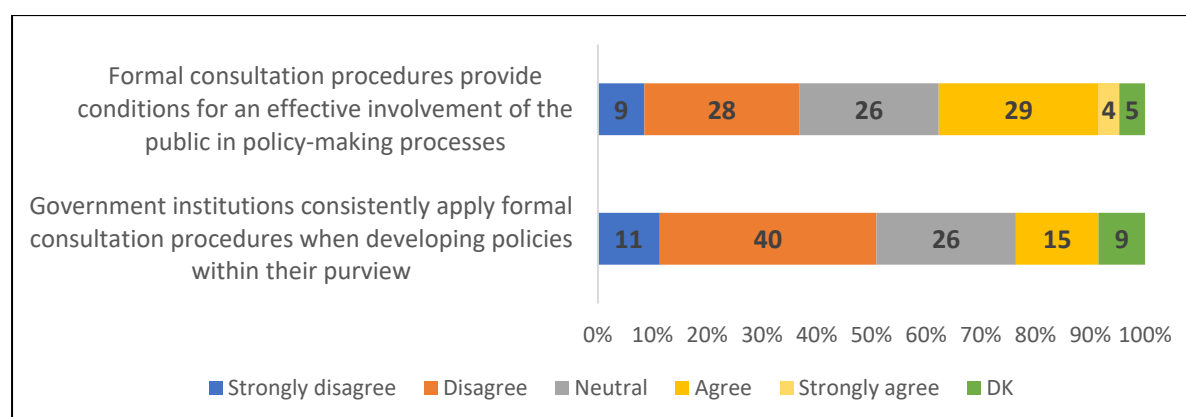
Chart 6: CSO perception of the government's handling of CSO feedback through the public consultation process



Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%

Negative impressions and opinions prevail in CSO's perceptions of how public consultations are conducted in practice, like the results of the baseline PAR Monitor 2017/2018. Approximately a third of respondents (33%) believe that the formal procedures create preconditions for the effective involvement of the public in policymaking processes, while only 15% believe these procedures are applied consistently by relevant institutions. Furthermore, just about 3% believe CSOs are often or always involved in the early phases of legislative or policy development – which is a significant drop from 2017/2018 (10%). Additionally, 17% of respondents believe that CSOs are provided with information on policy proposals in a timely manner, whereas approximately 21% of them report that consultees are provided with adequate information on the content of these proposals.

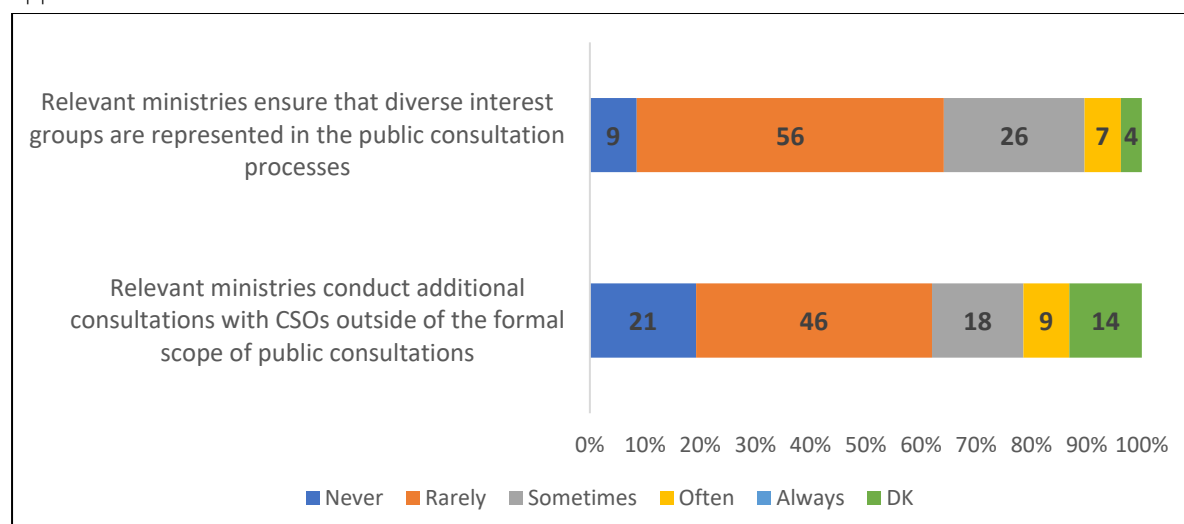
Chart 7: CSO perception of the government's application of formal public consultation procedures



Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%

At the same time, survey results once again showed negative impressions from CSOs regarding ministries' handling of specific aspects of consultations. More specifically, only 7% of respondents noted that ministries ensure that diverse interests are represented in the consultation process, and only 8% noted that ministries often or always provide written feedback on accepting or rejecting consultees' inputs. What is more, 9.5% believe that ministries actually accept these inputs.

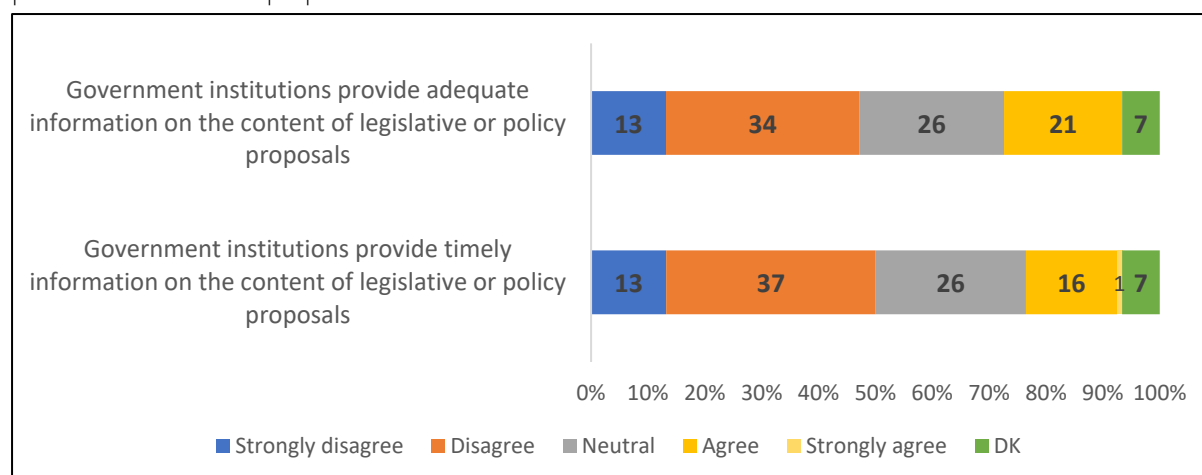
Chart 8: CSO perception of the inclusion of diverse interest groups in the consultation process and the application of additional consultation sessions



Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%

Finally, a negligible 1% of respondents believe that ministries hold constructive discussions on how consultees' views have shaped and influenced policy and final decisions of government. In general, for most of these questions, some declines in percentages have been identified compared to the previous monitoring cycle.

Chart 9: CSO perception of the timeliness and adequacy of information by government institutions to the public for consultation purposes

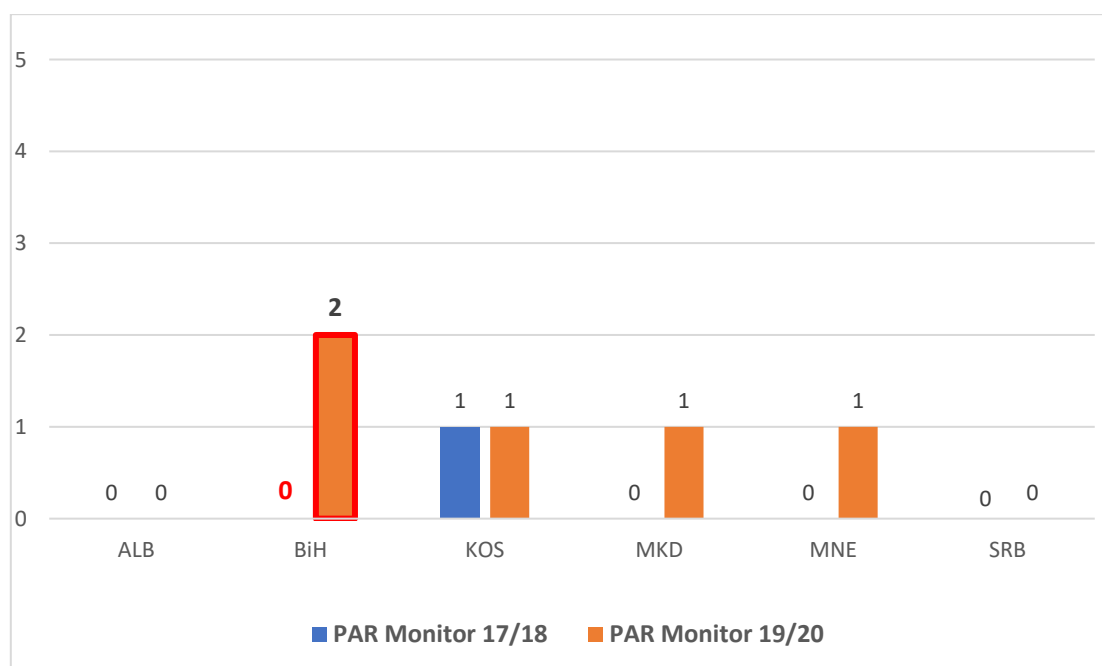


Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%

How does **Bosnia and Herzegovina** do in regional terms?

Indicator PDC_P11_I1: Inclusiveness and openness of policymaking *

**It should be noted that the values for the two monitoring cycles are not directly comparable due to the change in the monitoring methodology*



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

III.5 Summary results: Policy Development and Coordination

Good practice from the baseline PAR Monitor of 2017/2018 of reporting on government performance has continued through the PAR Monitor 2019/2020. Press releases and annual reports on the Government Annual Work Plan are both published on a regular basis (GAWP). On a weekly or even more regular basis, the BiH Council of Ministers (BiH CoM) issues detailed and easily understood press releases. The BiH CoM produces and publishes annual reports on its performance on its website on a regular basis. Since all is easily available, having all of the reports in one place would be a good option. The BiH CoM, on the other hand, does not publish details about its work in open formats. Quantitative and qualitative data, as well as evaluations, are included in both studies. The annual results of the CoM are provided in narrative and tabular form in the reports. The number of sessions held, the number of points addressed, and the number of conclusions are all mentioned in the report's introduction. Laws, decisions, strategies, proposals, agreements, and protocols, as well as the number of proposals for concluding international agreements, are all available in precise detail. Special reports on proposed legislation, bylaws, international contracts, and public investments are available. It should also be noted that no budget information is available in each situation. For the most recent reporting period, 50 percent of data on central planning documents are available online.

In Bosnia and Herzegovina, civil society's perceptions of the government's decision-making transparency remain low. Within the three policy areas in which the largest number of CSOs is included: anti-corruption, anti-discrimination, and environment policy, evidence-based results provided by CSOs are sometimes cited in strategic and policy documents.

The only three policy documents adopted in the second half of 2019 in Bosnia and Herzegovina, as well as the three legislative pieces within the same timeframe of measuring public consultations, were subject to public consultations. There were no pre-consultations in the early stages, so all of the consultations took place at a later stage.

The national e-consultation platform (<https://ekonsultacije.gov.ba/>) was mostly satisfactory in terms of functionality. The site does have various basic search functions, as well as a database of debates and consultations dating back to 2017. Nonetheless, third parties are rarely invited to participate in consultations. Additionally, there was only one active public consultation ongoing during the time of this indicator's tracking, and it was on the e-consultation platform and the website of the organization conducting the consultation.

Negative impressions and opinions prevail in CSO's perceptions of how public consultations are conducted in practice, like the results of the baseline PAR Monitor 2017/2018.

III.6 Recommendations for Policy Development and Coordination

Tracking recommendations from PAR Monitor 2017/2108

Colour coding scheme for tracking recommendations

Short term recommendations	Long term recommendations
No action taken	No action taken
Initiated	Initiated
Partially implemented	Partially implemented
Fully implemented	Fully implemented

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.
Timeliness and proactiveness in organising and announcing public consultations and public debates by Ministries and other public authorities. Firstly, CSOs and other interested stakeholders should be informed on time, meaning the call to be publicly available (all the available channels should be used 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.) and to have enough time for preparations	Partially implemented	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.
In this regard, keeping and updating the record of civil society organisations and individuals who previously participated in consultations and public debates should be practiced,	Fully implemented	CSOs and individuals can subscribe to all the areas that they are interested in and notified on all the consultations held in respective areas. The list is publicly

ensuring continuity of inviting already engaged and interested organisation and individuals		available.
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	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.
Consultation reports should be published, addressing each input, and providing explanation for acceptance or dismissal, so the entire process is easily traceable from start to finish and transparent.	Fully implemented	Reports published at the eConsultations portal (ekonsultacije.gov.ba) after the process of consultation is finished include all the proposals and comments and the information if they have been accepted or rejected.
To increase trust in the process, additional consultation should be considered in each case when consultation process returned unresolved, contested, or when especially important issues for civil society and the public are debated.	No action taken	Nothing changed from the last monitor cycle.
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.	No action taken	Econsultation portal includes only state level legislation that is being adopted or has been adopted.

III.7 PAR Monitor 2019/2020 recommendations

Most of the recommendations from the 2017/2018 PAR Monitor are still highly relevant, as the Government has made little progress towards their implementation. Therefore, majority of recommendations - for the indicators still monitored - is repeated. Some of the recommendations which are repeated have been slightly modified, either to make them more relevant to the somewhat changed legal framework or simply to make them clearer and more specific.

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. 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.*
6. 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)*

New recommendations 2019/2020

7. 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.).
8. 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.
9. Comments, suggestions and recommendations from civil society and the public should be sought as early as possible in the process, preferably in the policy formulation phase. Moreover, additional consultation should be considered in cases when consultations are unresolved or contested.

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

<i>3PSHRM P2 I1: Public availability of statistics and reports about the civil service and employees in central state administration</i>					
0	1	2	3	4	5
<i>3PSHRM P2 I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime</i>					
0	1	2	3	4	5
<i>3PSHRM P3 I1: Openness, transparency and fairness of recruitment into the civil service</i>					
0	1	2	3	4	5
<i>3PSHRM P4 I1: Effective protection of senior civil servants' position from unwanted political interference</i>					
0	1	2	3	4	5
<i>3PSHRM P5 I1: Transparency, clarity and public availability of information on the civil service remuneration system</i>					
0	1	2	3	4	5
<i>3PSHRM P7 I1: Transparency, clarity and public availability of information on the civil service remuneration system</i>					
0	1	2	3	4	5

IV.2 State of Play in the Public Service and the Human Resources Management and main developments since 2018

As stated in the last European Commission Bosnia and Herzegovina Report 2020, 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 a 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 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.

However, this research only considered 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 institutions.³⁴

³⁴ More information: <https://www.ads.gov.ba/bs-Latn-BA/about-us>

IV.3 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. However, *having in mind that there is no SIGMA assessment for 2020, WeBER researchers performed their own calculation of SIGMA sub-indicators in this PAR Monitor cycle, on the basis of SIGMA's methodology. SIGMA/OECD cannot be held responsible for the result of such calculation, but only the authors of this report.*

In addition, monitoring is based on WeBER's expert review of legislation, documents and websites, 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 the second half of June and the beginning of August 2020.³⁵ 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.³⁶ 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.³⁷ 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 5 May - 30 May 2020.³⁸ 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.

³⁵ 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 16 June to 17 July 2020, and the CSO survey in the period from 23 June to 3 August 2020.

³⁶ Bosnia and Herzegovina, the survey sample was N=251. The base for questions within Principle 2 was n=219 respondents, Principle 3 had n=251 respondents, Principle 5 had n=197 respondents and Principle 7 had n=197 respondents.

³⁷ For Bosnia and Herzegovina, the survey sample was N=122. The base for questions within PS&HRM area was n= 96 respondents.

³⁸ 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 5 May - 30 May 2020. For Bosnia and Herzegovina, the margin of error for the total sample of 1007 citizens is $\pm 3.15\%$, at the 95% confidence level.

IV.4 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 2019/2020	Scores 2017/2018
E1 The Government keeps reliable data pertaining to the public service	0/4	0/4
E2 The Government regularly publishes basic statistical data pertaining to the public service	2/4	2/4
E3 Published statistical data includes data on employees other than full-time civil servants in the central state administration	0/4	0/4
E4 Published statistical data on public service is segregated based on gender and ethnic structure	1/2	1/2
E5 Published official data is available in open data format(s)	0/1	0/1
E6 The government comprehensively reports on the public service policy	2/4	0/4
E7 The government regularly reports on the public service policy	0/2	0/2
E8 Reports on the public service include substantiated information concerning the quality and/or outcomes of the public service work	0/2	0/2
E9 Data and information about the public service are actively promoted to the public	0/2	0/2
Total score	5/25	3/21
Indicator value (scale 0 – 5)³⁹	0	0

HR central database does not exist and it is not predicted by the Law on Civil Service. Data that the Civil Service Agency operates only include overall number of civil servants, as confirmed with the Director of the Civil Service Agency. Basic statistical data pertaining to the public service is available on website of the Civil Service Agency (CSA) of BiH. CSA BiH conducts periodic research on the number and structure of the institutions and the civil servants employed in them. The data includes the number of civil servants, their division per ranks, their age (last available data for 2015), gender and ethnic structure and a list of institutions on state level. The research is conducted through electronic form with authorized persons in BiH institutions updating the data and the BiH CSA then summarizing it and publishing results on their website. Published official data is not available in open data format.

Review of website of the CSA BiH and FOI response returned with result of the availability of REPORT ON THE WORK OF CSA BiH for each year until 2018 as well as work programs and financial reports for each year until 2020. The report for 2019 has not yet been adopted by the time of measurement. Report for 2018 covers 4 out of 7 issues - 1. planning and recruitments (in part 1.1.1 of the report Employment of the Civil Servants), 3. career development (in part 1.1.1 of

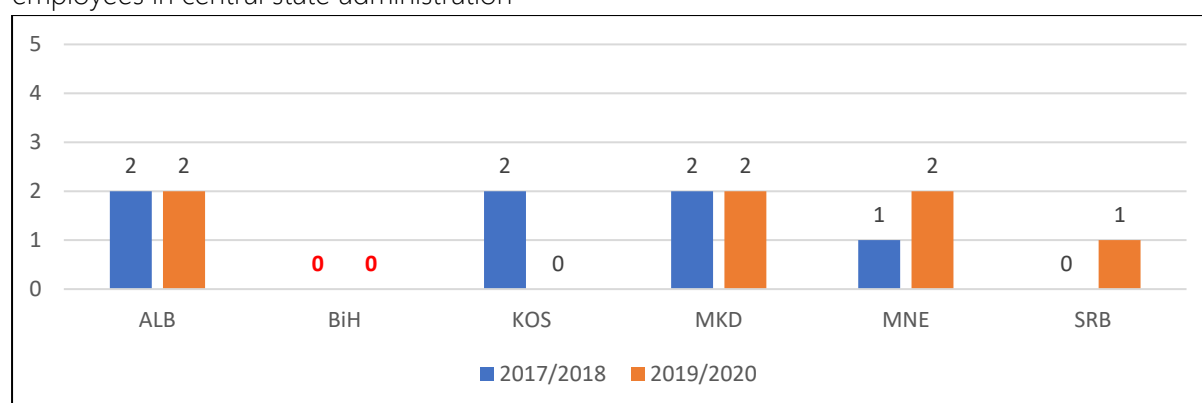
³⁹ Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5.

the report Employment of the Civil Servants), 4. trainings (in parts 1.2.1 - Need for Training and Plan of Trainings Analysis - and 1.2.2 Preparation and Implementation of Trainings), 6. disciplinary procedures and decisions (in part 1.1.4 Protection or Right of Civil Servants in the Institutions of BiH). The reports, including the last one, 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. Press releases were not made on the website of CSA BiH to promote data and information relevant for this indicator. Within the section NEWS, they inform public about some issues. Also, social media accounts were not used for this purpose (to promote data relevant for this indicator), they are mainly used for promoting the employment calls.

No media statements of representatives of the relevant Government institutions about data relevant for the public service.

How does Bosnia and Herzegovina do in regional terms?

Indicator PSHRM_P2_I1: 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	Scores
	2019/2020	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
E2 There are specific criteria determined for the selection of individuals for temporary engagements in the state administration.	0/4	0/4
E3 The hiring procedure for individuals engaged on temporary contracts is open and transparent	0/4	0/4
E4 Duration of temporary engagement contracts is limited	2/4	2/4
E5 Civil servants perceive that temporary engagements in the administration are an exception	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	0/2

E7 Civil servants perceive that appointments on a temporary basis in the administration are merit-based	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
E9 Civil servants perceive that individuals hired on a temporary basis go on to become civil servants after their contracts end	0/2	1/2
E10 Civil servants perceive that contracts for temporary engagements are extended to more than one year	0/2	1/2
Total score	5/28	5/28
Indicator value (scale 0 – 5)⁴⁰	1	1

The laws regulating civil service affairs in BiH, including employment relations in the civil service, do not specify limitations in terms of the number of temporary engagements. As no other piece of legislation in Bosnia and Herzegovina (BiH) regulates this matter, findings show that temporary engagement in the public administration of BiH is not limited by number.

Legislation also lacks setting up specific requirements or competences for engaging individuals temporarily in the state administration, for jobs equal or similar to those that civil servants do. More precisely, if there is a vacancy that needs to be urgently filled, and it is not possible to fill it internally, the Law on Civil service allows the institution to hire an employee pursuant to the Labour Law in the Institutions of Bosnia and Herzegovina. However, both laws only specify general conditions for employment in civil service (e.g. citizenship or age), without more specific criteria.

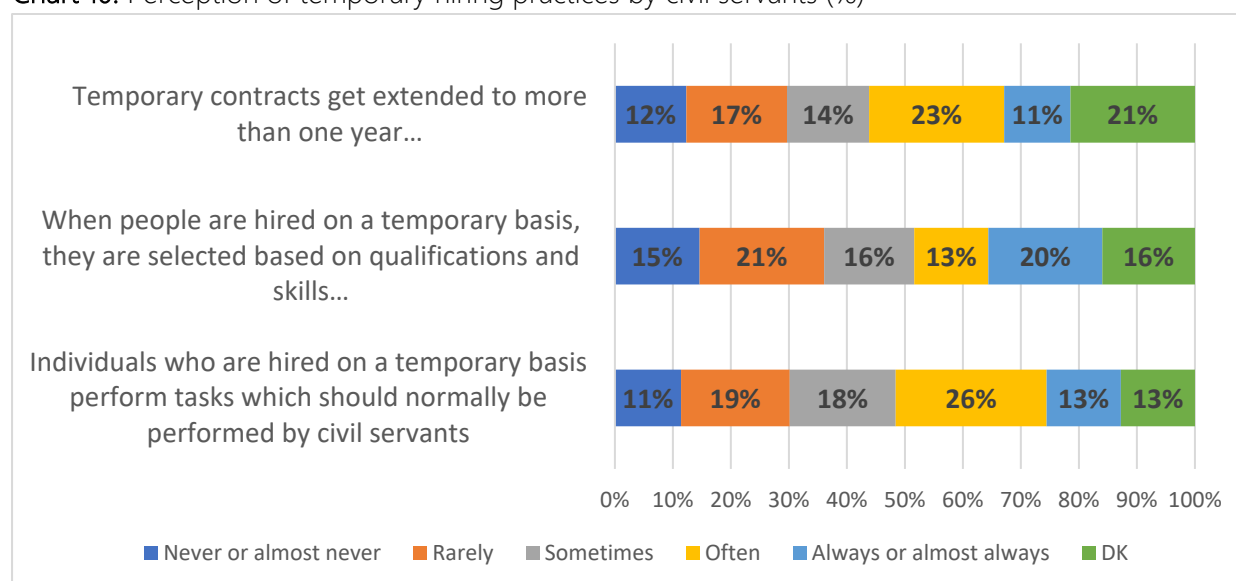
The engagement process lacks transparency as the Labour Law in the institutions of BiH allows for there not to be a public competition, for positions that need to be filled urgently for a duration not exceeding three months.

Duration of temporary engagement contracts is limited, albeit to a period longer than a year. Fixed term contracts under the Law on Civil Service may only last for nine months, except in the cases when position is filled due to sick leave or maternity leave of a civil servant, but no longer than two years.

According to the Labour Law in the Institutions of Bosnia and Herzegovina (Article 16), for performing out of the ordinary, temporary or part-time jobs the scope of which had been temporarily or unforeseeably increased, as well as replacements on job positions due to longer term absence of an employee, a fixed term contract can be concluded for as long as there is a necessity for performing such jobs or until an absent employee returns from a leave of absence, for a period not exceeding two years. Should an employee explicitly or implicitly renew fix term labour contracts with the same employer or explicitly or implicitly conclude two consecutive fix term labour contracts with the same employer for a period exceeding two years without interruptions, such contract will be observed as contracts of indefinite duration.

⁴⁰ 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.

Chart 10: Perception of temporary hiring practices by civil servants (%)



Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=219

Labour Law also specifies that volunteering contracts may not exceed duration period of one year.

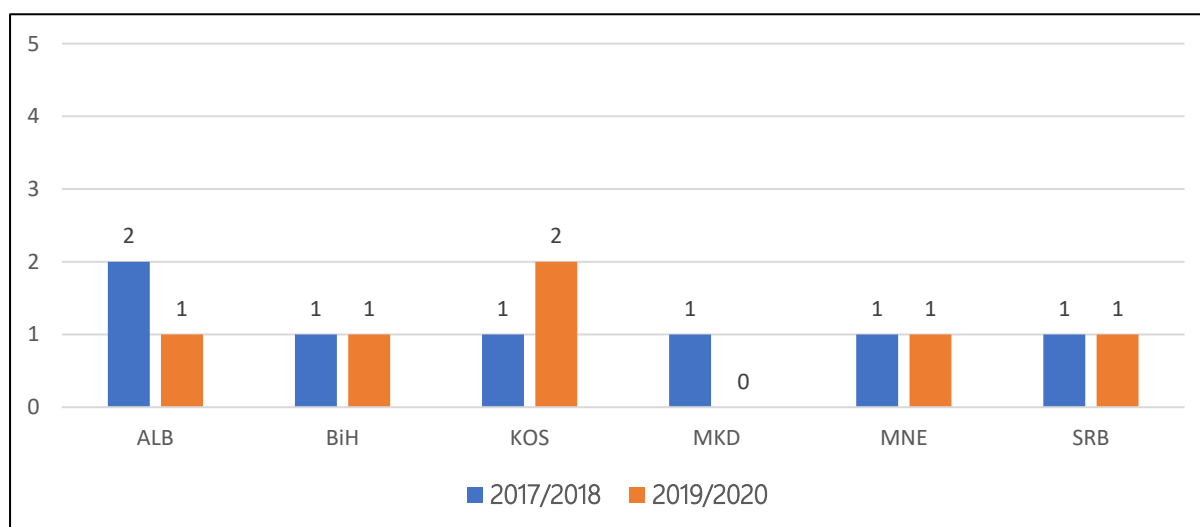
In the survey of civil servants, 26% of surveyed civil servants agreed that the hiring of individuals on a temporary basis is an exception in their institution, and close to a third (30%) stated that such individuals "never" (11.4%) or "rarely" (18.7%) perform tasks which should normally be performed by civil servants. Furthermore, while 32% of civil servants share the opinion that temporary staff are "often" (12.8%) or "always" (19.6%) selected based on qualifications and skills, more respondents think that this rarely or never happens (36%).

Almost 32% of civil servants declared that formal rules for hiring people on a temporary basis are often or always applied in practice, and 19% claimed that individuals hired on a temporary basis "rarely" (13%) or "never" (6%) go on to become civil servants after their temporary engagements in the institutions where they work.

Slightly more than 29% of surveyed civil servants stated that the temporary engagement contracts "rarely" (17%) or "never" (12%) get extended to more than one year, while more than a third (34.7%) of them indicated this practice occurs often or always.

How does Bosnia and Herzegovina do in regional terms?

Indicator PSHRM_P2_I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime central state administration



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; the criteria 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 2017/2018
E1 Information about public competitions is made broadly publicly available	4/4	4/4
E2 Public competition announcements are written in a simple, clear and understandable language	4/4	4/4
E3 During the public competition procedure, interested candidates can request and obtain clarifications, which are made publicly available	0/4	0/4
E4 There are no unreasonable barriers for external candidates which make public competitions more easily accessible to internal candidates	0/2	0/2
E5 The application procedure imposes minimum administrative and paperwork burden on candidates	0/4	0/4
E6 Candidates are allowed and invited to supplement missing documentation within a reasonable timeframe	0/4	0/4
E7 Decisions and reasoning of the selection panels are made publicly available, with due respect to the protection of personal information	2/4	2/4
E8 Information about annulled announcements is made publicly available, with reasoning provided	4/4	4/4
E9 Civil servants perceive the recruitments into the civil service as based on merit	0/2	0/2
E10 Civil servants perceive the recruitment procedure to ensure equal opportunity	1/2	0/2

E11 The public perceives the recruitments done through the public competition process as based on merit	0/2	0/2
Total score	15/36	14/36
Indicator value (scale 0 – 5)⁴¹	2	2

The Law on Civil Service in the Institutions of Bosnia and Herzegovina prescribes that the Civil Service Agency of BiH shall advertise civil service competitions on its official website and in at least three daily newspapers distributed throughout the territory of Bosnia and Herzegovina, at least 15 days before the deadline for submitting applications.

All competition announcements contain sufficient information starting from the general, such as date of announcement and deadline for applications at the beginning of the call. The BiH CSA has now created helpful tools for job applicants on its website informing the applicants how to fill out the forms, what documents to submit, how to submit them, what not to submit, and information about the materials and legal sources, the literature for taking public examinations, as well as a test simulator that assists candidates in preparing for the real public exam.

The text of the competition is generally clear, written in a simple, clear and understandable language.

Recruitment and selection procedure for the civil service in general is coherent, fair and merit based. Labor Law in the institutions of BiH (Article 10) and Law on Civil Servants in the Institutions of BiH (Article 22) only specify general conditions for employment in BiH institutions and civil service. And once selected, probation period is mandatory.

The civil servant's survey indicates 19.7% of surveyed civil servants agreed that civil servants in BiH country's administration are recruited based on qualifications and skills, yet only 13.9% of them disagreed that in order to get the job in the civil service you do not need to have any political personal or political connections in order to get civil service job. Survey amongst the citizens shows that 10.6% of BiH citizens think that public servants are recruited based on merit, and that the best candidates get the job.

The selection procedure is done in phases - submitting documents, written test and interview, yet candidates are required to submit all the documents in the first phase (certified copies of requested documents and personally signed forms) because the Selection Committee will reject all untimely, incomprehensible or incomplete applications after the first phase.

The legislative framework enables equal opportunity for all when applying for a position in civil service. However, some barriers may arise since some of the candidates applying for a certain position may have an advantage if they had the opportunity to work in that sector. The perception survey of civil servants shows that 31.48% of surveyed civil servants either agreed (20.32%) or strongly agreed (11.16%) that the recruitment procedure for civil servants in BiH administration ensures equal opportunity for all candidates and 17.53% of surveyed civil servants

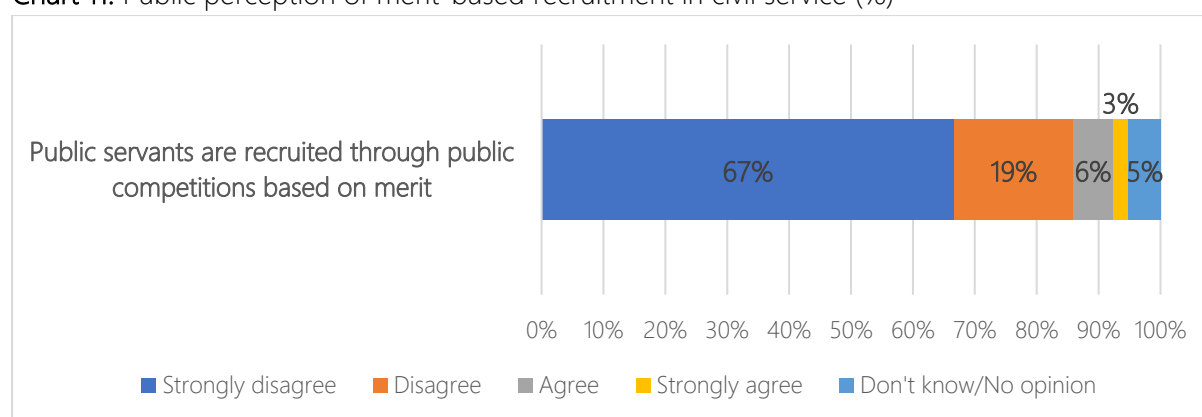
⁴¹ Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5

either disagreed (12.35%) or strongly disagreed (5.18%) that political or personal connections affect the recruitment procedure.

Websites of the BiH CSA as well as the website of sample institutions do not contain published decisions and reasoning of the Selection Committee for each competition. Decisions of the Selection committee for each candidate are delivered to the candidates. On the website of Official Gazette of Bosnia and Herzegovina - the name of the selected candidate is publicly available. Decisions however are not available on the website of the Agency.

The Agency may annul the Announcement based on a justified request of the institution no later than the submission of the results of the selection process, whereby the same Announcement cannot be announced for a period of one year from the date of the Announcement that was annulled.

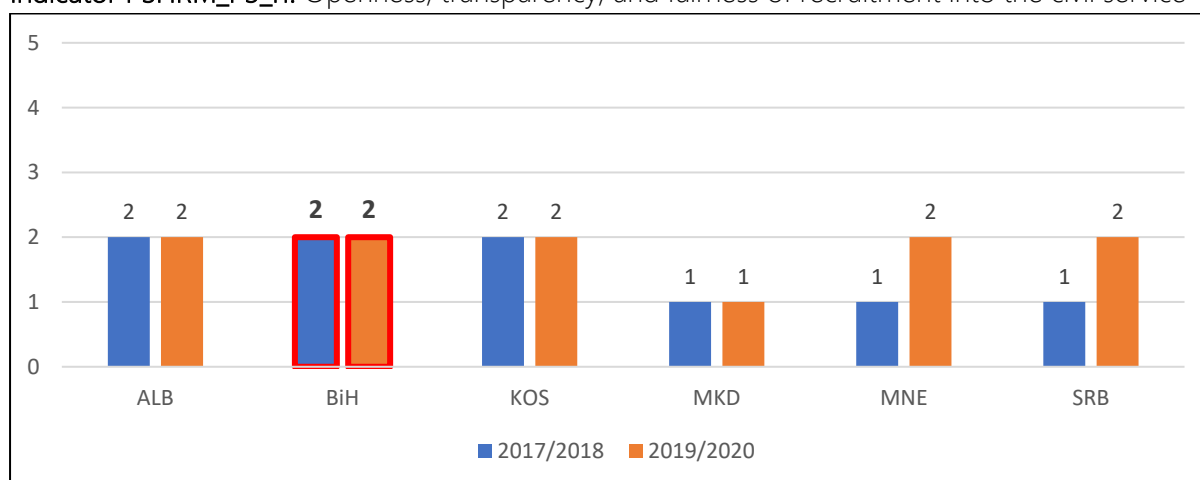
Chart 11: Public perception of merit-based recruitment in civil service (%)



Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Based on a total public perception survey sample, N=1027

How does Bosnia and Herzegovina do in regional terms?

Indicator PSHRM_P3_I1: Openness, transparency, and fairness of recruitment into the civil service



Regional PAR Monitor Reports with results for all WB administrations are 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 2019/2020	Scores 2017/2018
E1 The Law prescribes competitive, merit-based procedures for the selection of senior managers in the civil service	1/2	1/2
E2 The law prescribes objective criteria for the termination of employment of senior civil servants	2/2	2/2
E3 The merit-based recruitment of senior civil servants is efficiently applied in practice.	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
E5 Ratio of eligible candidates per senior-level vacancy	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
E7 CSOs perceive that the procedures for appointing senior civil servants ensure the best candidates get the jobs	0/2	0/2
E8 Civil servants perceive that senior civil servants are appointed based on political support	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
E10 Civil servants consider that senior civil servants would not implement and can effectively reject illegal orders of political superiors	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
E12 Civil servants perceive that senior civil servants are not dismissed for political motives	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
E14 CSOs consider senior managerial civil servants to be professionalised in practice	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
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	4/4	2/4
Total score	10/40	8/40
Indicator value (scale 0 – 5)⁴²	1	1

Clear and non-discriminatory eligibility criteria for access to senior civil service positions are established. However, the principle of merit is harmed by the legal possibility of the head of the institution to choose any candidate from the list of successful candidates who passed the competition. Acting senior civil servants are named without competitions, but Law on Administration of Bosnia and Herzegovina prescribes that acting heads to be named for a period of 3+3 months. When it comes to competitions, the law guarantees professional well-defined composition and functioning of selection committees, with no political interference and candidates have right to appeal recruitment decisions and there are two appeal instances. The law prescribes objective criteria for the termination of employment of senior civil servants. The requirements are well aligned with both legislation and job description as stipulated in the systematization acts. All the announcements contain job description and work tasks, and they are well aligned with the requirements. The requirements contained in job descriptions or job announcements are aligned with responsibilities expected in the position. All the announcements are published at the Civil Service Agency's portal.

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. Interviewees also support this finding, and state that there is an ongoing practice of appointing "acting heads" in state-level institutions and the BiH CoM can nominate an acting head without open competition, based on procedures that are unclear and not transparent.

Furthermore, the ratio of eligible candidates per senior-level vacancy was not established, since the data is not available.

Only 3.1% of surveyed CSOs and 17.76% of surveyed civil servants agree with the statement "procedures for appointing senior civil servants ensure that the best candidates get the jobs.", Survey of civil servants shows that over 70% of the civil servants feel that civil servants are, at least

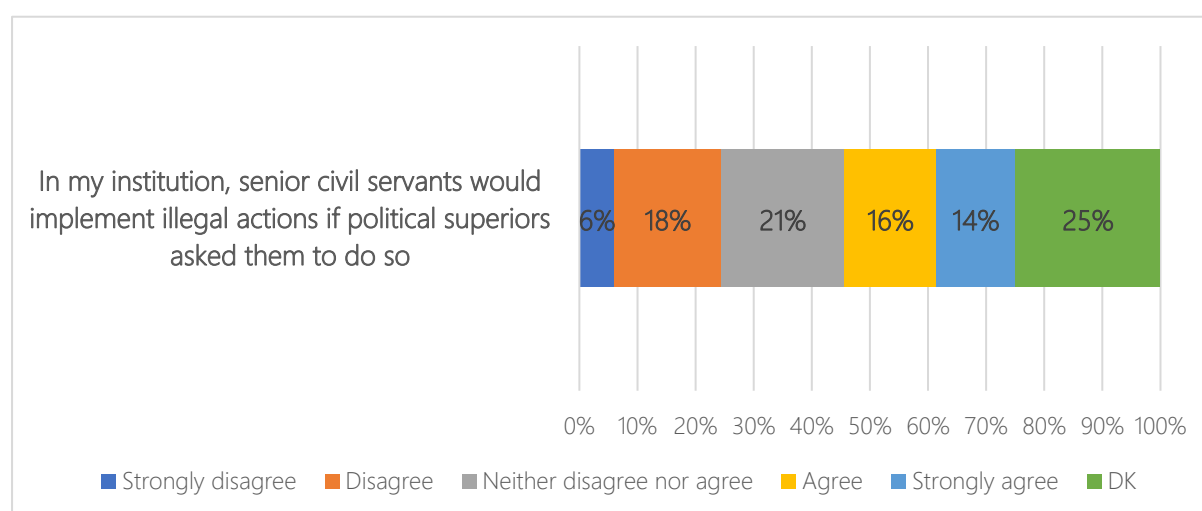
⁴² Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5

partly, appointed due to political support. In fact, they find that senior civil service positions are subject of political agreements and “divisions of the cake” among the ruling political parties.

As for the dismissal of civil servants for political motives, this is an occurrence that rarely happens. The survey reveals that 42.63% of surveyed civil servants stated that rarely ever is a civil servant dismissed from civil service position due to political influence. Interestingly, 41.12% of surveyed civil servants preferred not to answer or have not have an opinion regarding this statement.

The civil servants survey indicated that over 60% of the interviewed civil servants do not agree that the civil service appointments are merit based. Therefore, they do not agree that the best candidates get the job. This is even more emphasized in the CSO survey, where 82.3% of the CSOs do not think that the best candidates get appointed in the civil service.

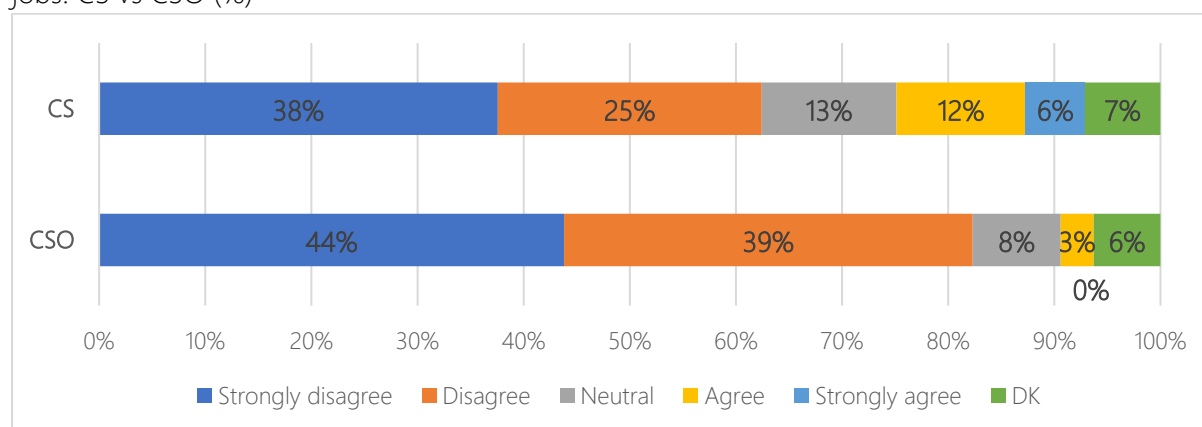
Chart 12: Civil servants’ perceptions on implementing illegal orders (%)



Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for thus questions was n=197.

With regards to the vetting or deliberation procedures on appointments of senior civil servants outside of the scope of the civil service legislation, 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, however, the management of the competent authority has the right to select any of the shortlisted applicants. This procedure differs from the procedure used for other civil servants positions, in which the CSA appoints a civil servant based on his/her results in the selection process. This gives the management of the public authority some degree of discretion in the selection process, which is not unusual for this type of position.

Chart 13: Procedures for appointing senior civil servants ensure that the best candidates get the jobs: CS vs CSO (%)

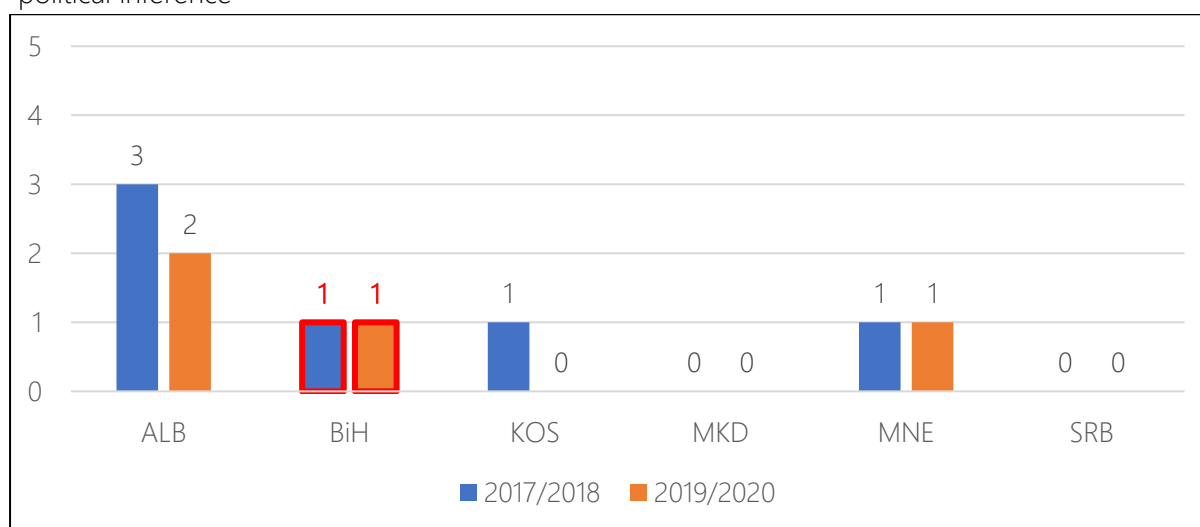


Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was in CSO survey n=96; in CS survey n=197

ADS carries out the selection of registered candidates by conducting a check on formal requirements and interviewing candidates with a commission of five (three of the BIH ADS experts and two from the institution in which a candidate should be recruited). For senior civil servants, the rule in the Civil Service Act does not apply to a candidate with the highest score, but the one that the institution wants with only one condition - that he/she is on the list of successful candidates. Political influence can be felt in each section of civil service. Even if civil servants are not politically affiliated, there is political influence over their work, where a lot of civil servants are afraid to reject direct orders from their superiors at work for fear of losing their jobs. Survey of civil servants indicates that 25.38% of respondents believe that those politically affiliated would implement illegal actions should their political superior ask them to do so.

How does Bosnia and Herzegovina do in regional terms?

Indicator PSHRM_P4_I1: Effective protection of senior civil servants' positions from unwanted political inference



Regional PAR Monitor reports with results for all WB administrations are 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 2019/2020	Scores 2017/2018
The civil service remuneration system is simply structured	4/4	4/4
The civil service salary/remuneration system foresees limited and clearly defined options for salary supplements additional to the basic salary	0/4	0/4
Information on civil service remuneration system is available online	4/6	0/6
Citizen friendly explanations or presentations of the remuneration information are available online	1/2	1/2
Discretionary supplements are limited by legislation and cannot comprise a major part of a civil servant's salary/remuneration	2/4	2/4
Civil servants consider the discretionary supplements to be used for their intended objective of stimulating and awarding performance, rather than for political or personal favouritism	0/2	0/2
Total score	11/22	7/22
Indicator value (scale 0 – 5)⁴³	2	1

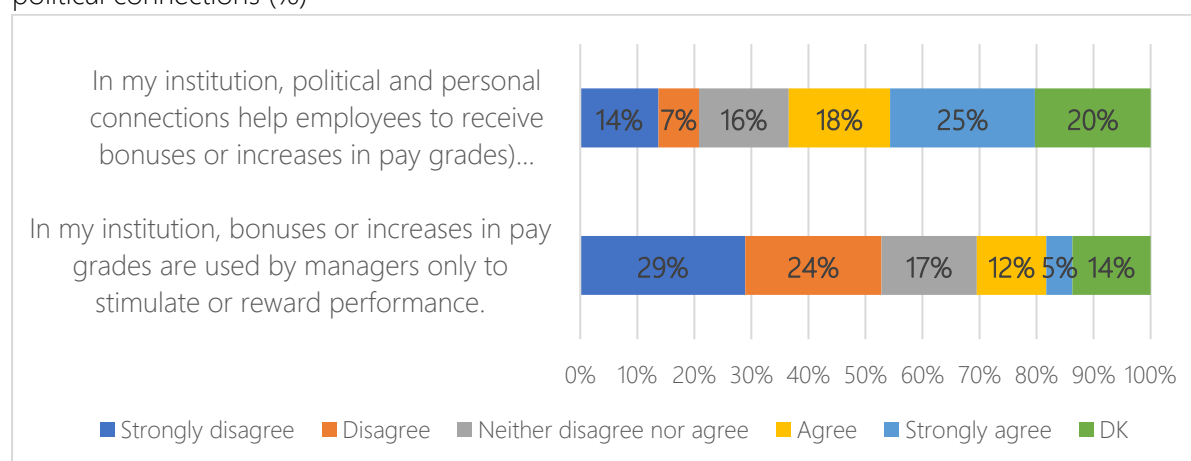
Law on Civil Service in the Institutions of Bosnia and Herzegovina in Article 35 says that "a civil servant is entitled to a salary that corresponds to the position of that civil servant". Article 6 of the Law on Salaries and Remuneration in the Institutions of Bosnia and Herzegovina regulates that the basic salary is determined by multiplying the base for salary calculation with the corresponding

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

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 the compensations.

Moreover, Article 26 regulates a number of supplements on the salary, which include a number of supplements specific to certain institutions (given that the Law encompasses all BiH institutions, not only the central state administration), but also include a number of supplements which can be applied on civil servants. More specifically, those are the supplement for "special significance of a job position", which can go up to 50% of the basic salary. The latter is left very vague in the Law, without any specific criteria included. Finally, the mutual relations and exclusiveness of compensations and supplements is not regulated.

Chart 14: Civil servants' perception of the use of bonuses and the relevance of personal and political connections (%)



Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=197.

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.)

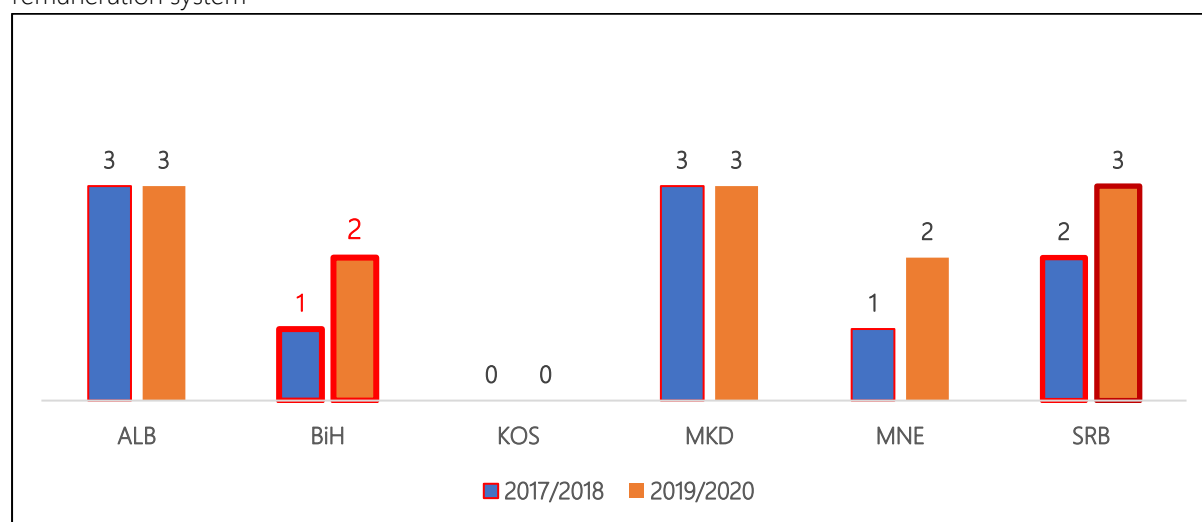
Information on average total salaries per different categories of civil servants could not be found on Civil Service Agency website. On the other hand, general information on salary levels can be found in the Law on Salaries and Compensations in the Institutions of BiH, available on the website of the Ministry of Finance and Treasury.

Each job announcement contains a clearly stated starting basic salary in KM (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.

The WeBER team (based on SIGMA methodology) found that legally the percentage of bonuses in total remuneration is 20%, but there were no data available that would confirm this is the case in practice. The legislation contains clear and non-discriminatory criteria for allocating bonuses. Only 4.57% of civil servants consider the discretionary supplements to be used for their intended objective of stimulating and awarding performance, rather than for political or personal favouritism.

How does Bosnia and Herzegovina do in regional terms?

Indicator PSHRM_P5_I1: 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

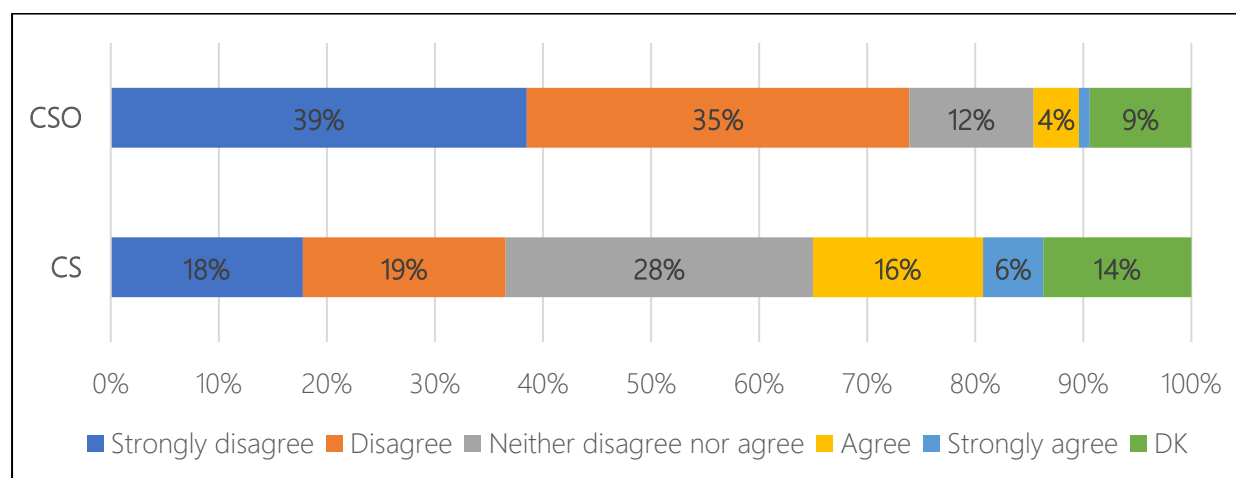
Principle 7: Policies and legislation are designed in an inclusive manner that enables the active participation of society

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

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1 Integrity and anti-corruption measures for the civil service are formally established in the central administration	0/4	0/4
E2 Integrity and anti-corruption measures for the civil service are implemented in central administration	0/4	2/4
E3 Civil servants consider the integrity and anti-corruption measures as effective	0/2	0/2
E4 CSOs consider the integrity and anti-corruption measures as effective	0/2	0/2
E5 Civil servants consider that the integrity and anti-corruption measures are impartial	0/2	0/2
E6 CSOs consider that the integrity and anti-corruption measures in state administration are impartial	0/2	0/2
E7 Civil servants feel they would be protected as whistle blowers	0/2	0/2
Total score	0/18	2/18
Indicator value (scale 0 – 5)⁴⁴	0	0

The legislation includes conflicts of interest for all public servants, restriction of secondary employment for civil servants, restrictions to minimise “revolving doors”, obligation to disclose assets for senior civil servants, whistle-blower protection for all public servants and code of conduct and/or ethical guidelines for all public servants. Integrity policy does not exist at the state level. There are no reports related to the monitoring of public sector integrity policy documents.

Chart 15: Effectiveness of integrity and anti-corruption measures: civil servants' and CSO perceptions (%)



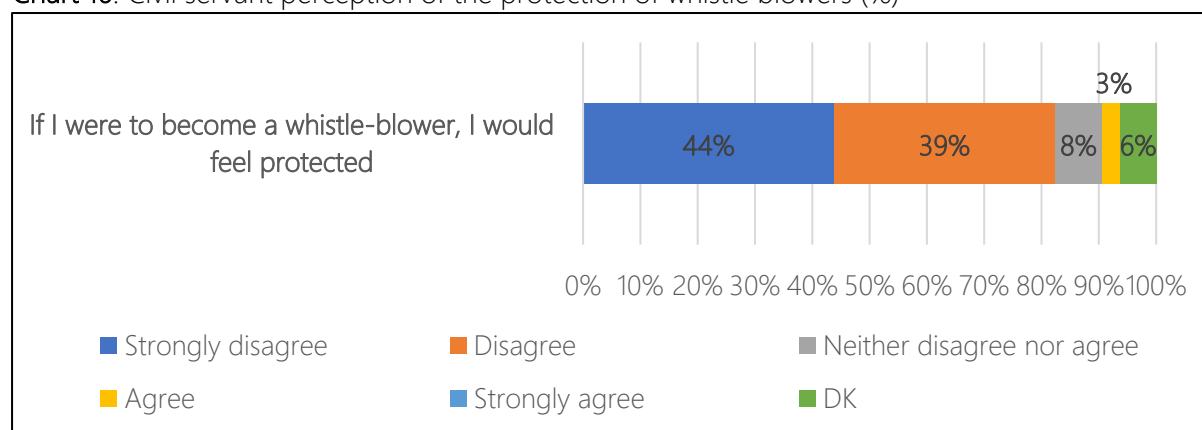
⁴⁴ Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-25 points = 4; 26-30 points = 5

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=197 for civil servants, and n=96 for CSOs

Despite the findings of SIGMA, Weber survey indicates that currently 21.32% of surveyed civil servants consider the integrity and anti-corruption measures in place are effective in achieving their purpose. The CSO survey reveals a different perspective where only 5.2% of the CSOs perceived these measures as effective. Further, 25.89% of surveyed civil servants either agreed (18.78%) or strongly agreed (7.11%) that integrity and anti-corruption measures were impartial. In contrast, 39.09% did not agree to this statement. The CSO survey indicates that only 2.1% of the CSOs agreed that these measures are impartial, while 75% disagree on this point.

Finally, only a small number of surveyed civil servants, 8.13% (5.08% “agree”, 3.05% “strongly agree”) of them, answered that they would feel protected as a whistle blower.

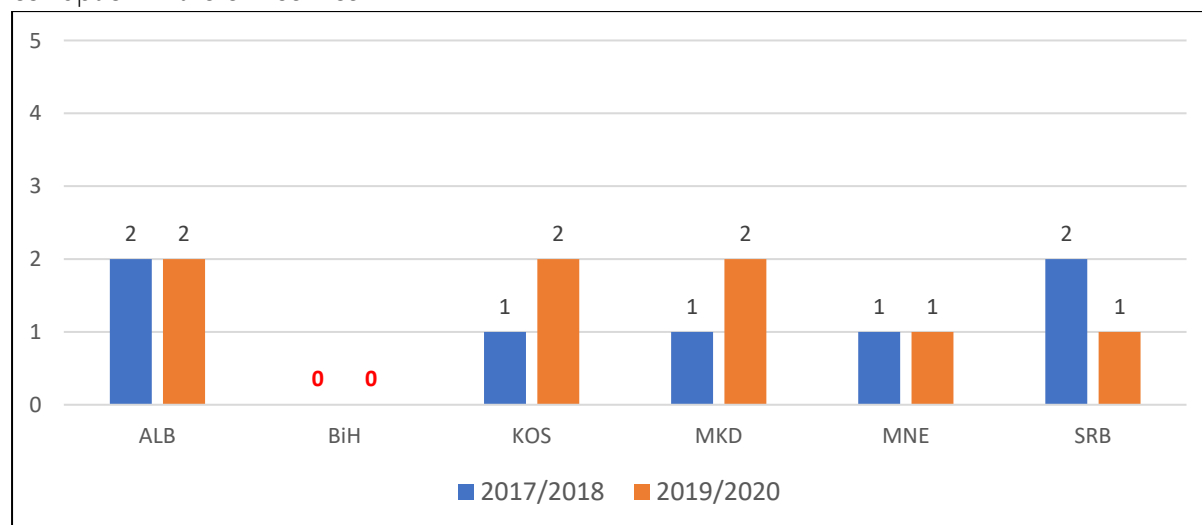
Chart 16: Civil servant perception of the protection of whistle blowers (%)



Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for this question was n=97.

How does Bosnia and Herzegovina do in regional terms?

Indicator PSHRM_P7_I1: 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.5 Summary results: Public Service and the Human Resources Management area

The Law on Civil Service does not anticipate the creation of a central database for human resources. The Civil Service Agency solely keeps track of the total number of civil servants. On the website of the Civil Service Agency (CSA) of BiH, one can get basic statistical statistics about the public service.

Following a review of the CSA BiH's website and a FOI request, the availability of the REPORT ON THE WORK OF THE CSA BiH for each year until 2018, as well as work programs and financial reports for each year until 2020, was discovered. By the time of measurement, the 2019 report had not yet been adopted. Report for 2018 covers 4 out of 7 issues - 1. planning and recruitments, 2. career development, 3. trainings, 4. disciplinary procedures and decisions. The reports, including the most recent one, are primarily focused on the CSA BiH's work and activities, and are mostly presented from the perspective of the CSA BiH's responsibilities and activities as outlined in their respective Plan and Program, 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 relations in the civil service, make no provision for a restriction on the number of temporary engagements. Legislation also lacks defined prerequisites or competencies for enlisting individuals in the state administration on a temporary basis for jobs that are equivalent to or similar to those performed by civil servants. Because the Labour Law in the institutions of BiH provides for no public competition for posts that must be filled urgently for a period of not more than three months, the engagement process lacks transparency. Temporary engagement contracts are limited in duration, yet they can last longer than a year. Fixed-term contracts under the Civil Service Law can only last nine months, unless a position is filled due to a civil servant's sick leave or maternity leave, in which case they can last up to two years. For a duration of not more than two years, a fixed-term contract can be signed for as long as such jobs are required or until an absent employee returns from a leave of absence. If an employee explicitly or implicitly renews fix-term labor contracts with the same employer or concludes two successive fix-term labor contracts with the same employer for a period of time beyond two years without interruptions, the contracts will be considered indefinite. Volunteering contracts must likewise be for a maximum of one year, according to labor law.

In a survey of civil servants, 26% agreed that hiring temporary staff is an exception in their institution, and nearly a third (30%) said that such workers "never" (11.4%) or "rarely" (18.7%) perform tasks that should be undertaken by civil servants. Furthermore, while 32 percent of civil servants believe that temporary staff are "often" (12.8 percent) or "always" (19.6 percent) chosen based on credentials and skills, most respondents believe this happens only rarely or never (36 percent). Formal rules for hiring people on a temporary basis are often or always applied in practice, according to nearly 32% of civil servants.

The Civil Service Agency of BiH must advertise civil service competitions on its official website and in at least three daily newspapers distributed throughout Bosnia and Herzegovina at least 15 days

before the deadline for submitting applications, according to the Law on Civil Service in Bosnia and Herzegovina's Institutions.

Starting with the general, all competition announcements contain appropriate information. On its website, the BiH CSA has now created useful tools for job applicants, including instructions on how to fill out forms, what documents to provide, how to send them, and what not to send, as well as information on materials and legal sources, literature for taking public examinations, and a test simulator that helps candidates prepare for the real public exam.

According to the civil servant survey, 19.7% of surveyed civil servants agreed that civil servants in BiH country's administration are hired based on credentials and skills, but only 13.9 percent disagreed that getting a job in the civil service requires no political personal or political connections. According to a citizen survey, 10.6% of BiH citizens believe that public servants are hired on merit, with the best candidates getting the job.

The selection process is divided into three phases: document submission, written test, and interview; however, candidates must submit all papers in the first phase. When it comes to applying for a job in the civil service, the legal structure ensures that everyone has an equal chance. However, some barriers may exist as a result of the fact that some of the candidates applying for a certain post may have an advantage if they have worked in that sector. The BiH CSA's and sample institutions' websites do not include published decisions and reasoning from the Selection Committee for each competition. The candidates are informed of the Selection Committee's decisions for each contender. The name of the chosen candidate is publicly available on the website of Bosnia and Herzegovina's Official Gazette.

The Agency may annul the Announcement upon the institution's justifiable request no later than the submission of the selection process results, with the result that the identical Announcement cannot be announced for a period of one year from the date of the annulled Announcement.

The eligibility criteria for senior civil service positions are developed in a clear and non-discriminatory manner. The legal ability of the institution's head to choose any applicant from the list of successful candidates who passed the competition, however, undermines the merit principle. Acting senior governmental workers are appointed without competition, but the Bosnia and Herzegovina Law on Administration requires that acting heads be appointed for a period of 3+3 months. The law establishes objective criteria for determining when senior civil servants' employment should be terminated. The Civil Service Agency's portal contains all the announcements. Article 55a of the Law on Administration, Official Gazette of BiH, 32/02, 102/09, and 72/17, states that a person can be appointed to the role of "acting head" of an administrative organization (both independent and within a ministry or other institution) and have full rights and obligations until a new person is appointed.

Only 3.1 percent of surveyed civil society organizations and 17.76 percent of civil servants believe that "procedures for appointing senior civil servants ensure that the best candidates get the jobs." According to a survey of civil servants, more than 70% believe that civil servants are appointed at least in part because of political support. In fact, they find that senior civil service positions are the

subject of political deals and "cake divisions" among the ruling political parties. When it comes to civil servants being dismissed for political reasons, this is an uncommon event. According to the survey, 42.63 percent of surveyed civil servants believe that a civil servant is rarely fired from a civil service position due to political pressure. According to the same survey, more than 60% of those polled do not believe that civil service appointments are based on merit. As a result, they disagree that the top applicants are hired. This is emphasized even more in the CSO survey, in which 82.3 percent of CSOs believe that the best applicants are not appointed to the civil service.

In terms of vetting or deliberation procedures for senior civil servant appointments outside the scope of civil service legislation, at the state level, the criteria for recruitment to senior managerial positions are clearly defined, and candidates must compete in a public competition like that used for expert-level staff. The BiH CSA appoints a competition committee, and candidates must go through a rigorous testing process that is even more demanding than that needed of expert-level civil servants. However, the competent authority's management reserves the right to choose any of the shortlisted candidates. ADS selects registered candidates by conducting formal requirements check and interviewing candidates with a commission of five (three of the BiH ADS experts and two from the institution in which a candidate should be recruited). For senior civil servants, the Civil Service Act's rule applies not to the candidate with the highest score, but to the applicant who the institution wants with only one condition: that he or she be on the list of successful candidates.

Political sway can be sensed throughout the civil service. Even if civil servants are not politically affiliated, political influence on their work exists, with many civil servants fearful of losing their jobs if they refuse direct commands from their superiors at work. According to a survey of civil servants, 25.38 percent feel that people who are politically affiliated would carry out illegal actions if their political superiors asked them to.

On the Civil Service Agency website, there was no information on average total salaries for different categories of civil servants. General information on salary levels, on the other hand, can be found in the Law on Salaries and Compensations in BiH Institutions, which is published on the Ministry of Finance and Treasury's website. Each job posting includes a clear statement of the starting basic wage in BAM (national currency).

The WeBER team (based on SIGMA methodology) discovered that the legal percentage of bonuses in total remuneration is 20%, but there was no data available to substantiate this in practice. The law establishes explicit, non-discriminatory criteria for awarding bonuses. Only 4.57 percent of civil servants believe the discretionary supplements are used for the intended purpose of encouraging and rewarding achievement, not for political or personal favouritism. Conflicts of interest for all public servants, restrictions on secondary employment for civil employees, restrictions to reduce "revolving doors," asset disclosure for senior civil servants, whistle-blower protection for all public servants, and a code of conduct and/or ethical guidelines for all public servants are all included in the legislation. At the state level, there is no integrity policy. There are no reports on the monitoring of policy documents relating to public sector integrity.

Despite SIGMA's results, according to the WeBER survey, 21.32 percent of civil servants believe the integrity and anti-corruption mechanisms in place are effective in achieving their objectives. The CSO survey offers a contrasting viewpoint, with only 5.2 percent of CSOs believing that these policies are beneficial. Furthermore, 25.89 percent of civil servants surveyed agreed (18.78%) or strongly agreed (7.11%) that integrity and anti-corruption policies were impartial. On the other hand, 39.09 percent disagreed with this assertion. According to the CSO survey, just 2.1 percent of CSOs think that these measures are impartial, while the remaining 75% disagree. Finally, only a small number of surveyed civil servants, 8.13% (5.08% "agree", 3.05% "strongly agree") of them, answered that they would feel protected as a whistle blower.

IV.6 Recommendations for Public Service and the Human Resources Management

Tracking recommendations from PAR Monitor 2017/2018

Colour coding scheme for tracking recommendations

Short term recommendations	Long term recommendations
No action taken	No action taken
Initiated	Initiated
Partially implemented	Partially implemented
Fully implemented	Fully implemented

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	Fully implemented	New PAR Strategy is adopted on all levels of government.
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	No action taken	Nothing changed from the last monitor cycle.

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.		
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.	No action taken	Nothing changed from the last monitor cycle - the old Law on Civil Service is in place.
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.	No action taken	A central database on human resources does not exist and is not provided for in the Civil Service Law. Only total number of civil servants is available online.
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 2019 has not yet been adopted by the time of measurement. Report for 2018 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 nationwide 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,	No action taken	Nothing changed from the last monitor cycle - the old Law on Civil Service is in place.

temporary and service contracts under the Labour Law) 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.		
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.	Partially implemented	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.
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 and increase the number of candidates per vacancy.	Partially implemented	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.
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	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.

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.		
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 of public competitions, should be made publicly available, with due respect to the protection of personal information.	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 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	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

different categories of civil servants. This information should be accessible in no more than three clicks from the homepage of the institution.		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.

IV.7 PAR Monitor 2019/2020 recommendations

Most of the recommendations from the 2017/2018 PAR Monitor are still relevant, and therefore majority of them is repeated. Some of the recommendations which are repeated have been slightly modified to correspond to the current state of play or provide more clarity and specificity.

1. **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.*
2. **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.*
3. **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.*

4. **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.*
5. **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.*
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)*

New recommendations 2019/2020

14. **State administration bodies should intensify advertising vacancies through social media channels and invest efforts in making the advertised content visually attractive and reader friendly.** The institutions advertising vacancies should introduce subscription options and advanced search engines on their respective webpages, for filtering vacancy announcements. Applying these methods would ensure a wider reach of potential candidates and raise the chances of a successful recruitment process.
15. **The institutions should continuously analyse and monitor the effectiveness of integrity and anticorruption measures.**

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					
0	1	2	3	4	5
ACC P2 I2: Proactive informing of the public, by public authorities					
0	1	2	3	4	5

V.2 State of Play in Accountability and main developments since 2018

As stated in the previous WeBER national report⁴⁵, 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 Act⁴⁶, 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. 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.⁴⁷

⁴⁵ See: https://weber-cep.s3.amazonaws.com/data/attachment_921/national_par_monitor_bih_weber.pdf

⁴⁶ See: http://www.mpr.gov.ba/web_dokumenti/ZOSP1_-_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)

⁴⁷ Analitika - Center for Social Research, "Towards Proactive Transparency in Bosnia and Herzegovina", Policy Memo, 2013.

In their 2019 Special Report on Experience in the Application of the Law on Freedom of Access to Information in Bosnia and Herzegovina⁴⁸, 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 Ombudsman⁴⁹ 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.⁵⁰

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

⁴⁸ See: https://www.ombudsmen.gov.ba/documents/obmudsmen_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

⁴⁹ 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).

⁵⁰ See: https://www.ombudsmen.gov.ba/documents/obmudsmen_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.

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 place⁵¹.

As stated in a policy brief by Foreign Policy Initiative BH⁵², 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.

V.3 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 of the legislation on access to public information, and on the other, it is based on direct analysis of the websites of administration bodies.

⁵¹ <https://vpi.ba/bs/2021/03/17/organizacije-civilnog-drustva-ministarstvu-pravde-bih-povuci-prednacrtni-zakona-o-slobodi-pristupa-informacijama-na-doradu/>

⁵² 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.

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 Balkans was implemented using an online surveying platform from the second half of June to the beginning of August 2020.⁵³ 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. 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.⁵⁴

V.4 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 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	0/4	0/4

⁵³ The survey of CSOs was administered through an anonymous, online questionnaire. In Bosnia and Herzegovina, the survey was conducted in the period from 23 June to 3 August 2020. The data collection method included CASI (computer-assisted self-interviewing). The survey sample was N=122.

⁵⁴ For Bosnia and Herzegovina, the sample included the Ministry of Civil Affairs, Ministry of Human Rights and Refugees, Ministry of Security, Ministry of Finance and Treasury, Directorate for Economic Planning and Service for Foreigners' Affairs, Agency for identification documents, registers, and data exchange.

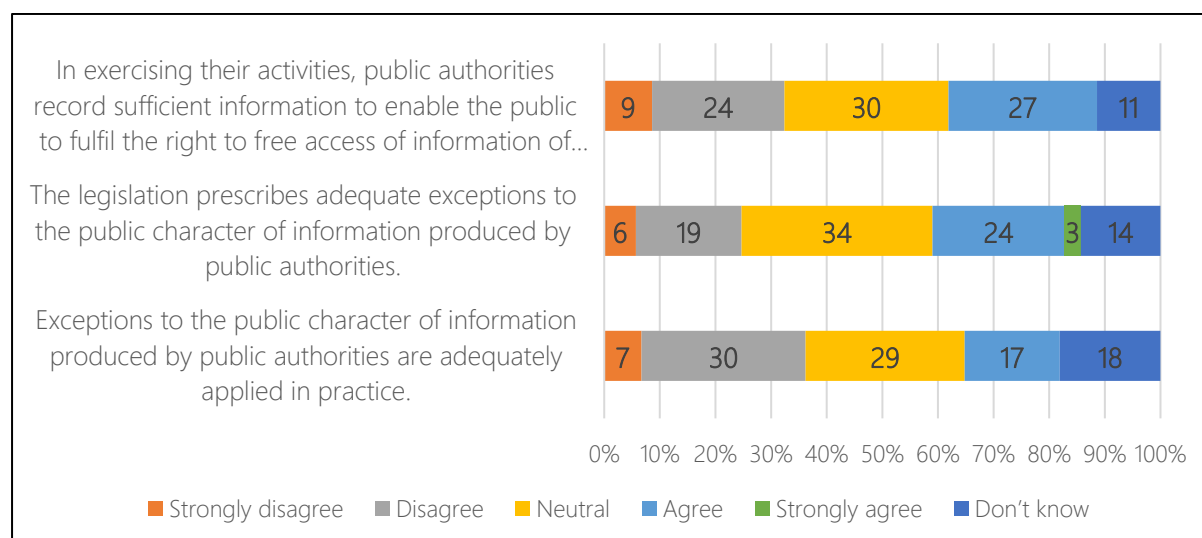
E2 CSOs consider exceptions to the presumption of public character of information to be adequately defined	0/2	0/2
E3 CSOs consider exceptions to the presumption of public character of information to be adequately applied	0/4	0/4
E4 CSOs confirm that information is provided in the requested format	1/2	1/2
E5 CSOs confirm that information is provided within prescribed deadlines	1/2	1/2
E6 CSOs confirm that information is provided free of charge	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
E8 CSOs confirm that in practice the non-classified portions of otherwise classified materials are released	0/4	0/4
E9 CSOs consider that requested information is released without portions containing personal data	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
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	0/4
E12 CSOs consider the soft measures issued by the supervisory authority to public authorities to be effective	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	0/2	0/2
Total score	6/34	4/34
Indicator value (scale 0 – 5)⁵⁵	0	0

Survey results show that 27% of CSOs agreed that public authorities, in exercising their activities, record sufficient information to enable the public to fulfil the right to free access of information of public importance. However, while slightly more than a quarter (27%) claim that the legislation prescribes adequate exceptions to the public character of information produced by public authorities, only 17% agree that these exceptions are adequately applied in practice. Both these figures are slightly higher than in the previous PAR Monitor.

Out of those CSOs that have sent a FOI request in the past two years, 42% claim that provided information is "often" (24%) or "always" (18%) in the requested format, 38% state that information is provided within prescribed deadlines, and two thirds of respondents (66.7%) declare that they are provided free of charge. On the other hand, just about 20% of surveyed CSOs that had exercised their right to information state they have "rarely" (16.6%) or "never" (4.4%) been asked to provide reasons for their requests.

⁵⁵ 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.

Chart 18: Based on the experience of your organization with exercising the right to free access of information, please indicate your level of agreement (%)

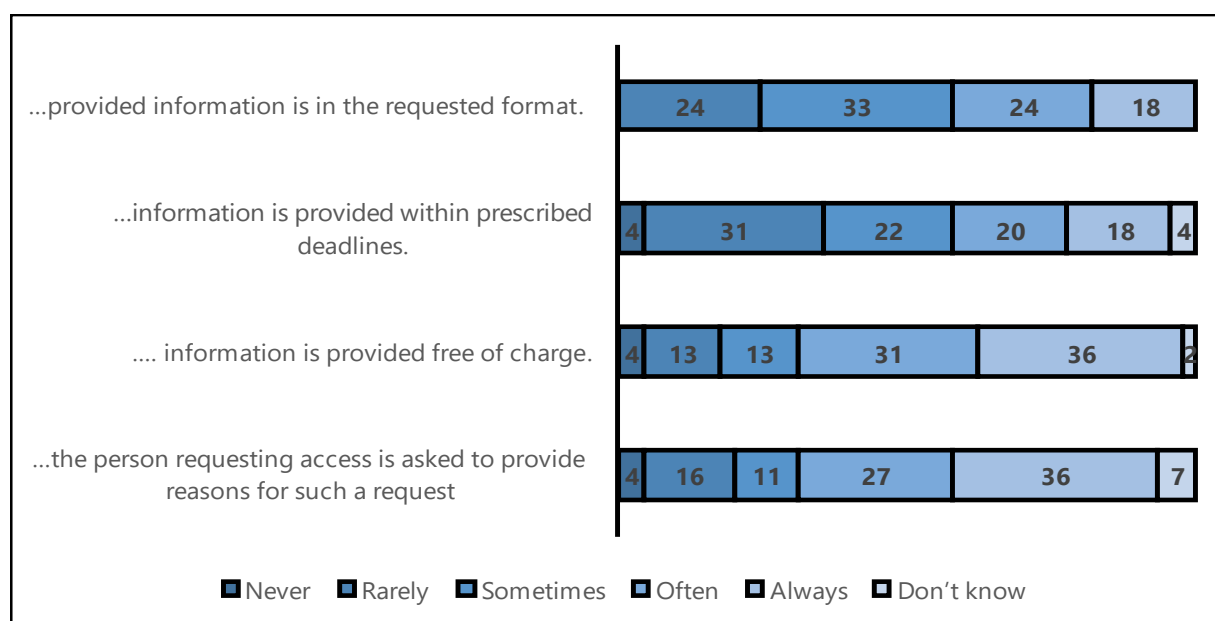


Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n = 105 respondents.

20% of surveyed CSOs that had exercised their right to information answered "often" (17.8%) or "always" (2.2%) when asked whether non-classified portions are released when requests for access to information contains classified materials, which is an improvement from the last PAR Monitor 2017/2018 when only 4% declared so. More, 24.4% of surveyed CSOs consider that requested information is released without portions containing personal data. By contrast, 33.3% said either "never" or "rarely". Additionally, when asked if portions of requested materials are released in a way to mislead the requesting person with only partial information, a quarter of surveyed CSOs that had exercised their right to information answered "never" (9%) or "rarely" (16%) to the statement. By contrast, 22% said either "often" or "always" and 29% reported that they do not know.

When it comes to the role of designated supervisory body – BiH Ministry of Justice, for free access to information, 32% of surveyed CSOs agree that this body sets through its practice sufficiently high standards of the right to access public information. Nevertheless, roughly 7% agree that the soft measures issued by the BiH Ministry of Justice to public authorities are effective in protecting access to information.

Chart 19: When my organization requests free access to information... (%)

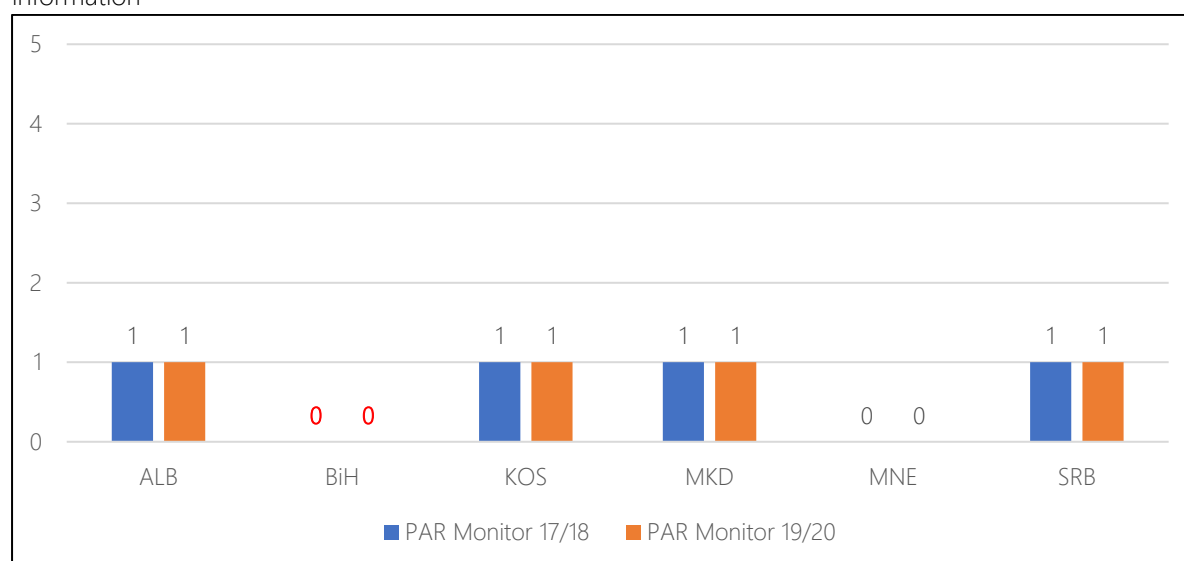


Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=45 respondents

Lastly, in the case of violation of the right to free access of information, only 13% of respondents agree that prescribed sanctions lead to sufficiently grave consequences for the responsible persons in the non-compliant authorities.

How does Bosnia and Herzegovina do in regional terms?

Indicator ACC_P2_I1: 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.

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

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1 Websites of public authorities contain complete and up to date information on scope of work	4/4	2/4
E2 Websites of public authorities contain easily accessible and citizen-friendly information on scope of work	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	2/4
E4 Websites of public authorities contain complete and up to date information on relevant policy documents and legal acts	2/4	4/4
E5 Websites of public authorities contain accessible and citizen friendly information on relevant policy documents and legal acts	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	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	1/2
E8 Websites of public authorities contain complete and up to date annual reports	2/4	0/4
E9 Websites of public authorities contain accessible and citizen friendly annual reports	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
E11 Websites of public authorities contain accessible and citizen-friendly information on the institution's budget	0/2	0/2
E12 Websites of public authorities contain complete and up to date contact information	4/4	4/4
E13 Websites of public authorities contain accessible and citizen friendly contact information	2/2	2/2
E14 Websites of public authorities contain complete and up to date organisational charts which include entire organisational structure	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
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	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	1/2	1/2
E18 Public authorities proactively pursue open data policy	0/4	0/4
Total score	22/56	23/56
Indicator value (scale 0 – 5)⁵⁶	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 all the institutions have copied information, which is the same as in legal texts and is not presented in

⁵⁶ 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.

a citizen friendly format. When it comes to accountability, almost all sampled institutions provide complete and updated information on who they are responsible to, with exception for three ministries.

Generally, information on relevant policy documents and legal acts is complete, up to date and accessible for sampled institutions. This information is not regularly followed with textual explanations, so the lack of citizen-friendliness is evident for all institutions.

There were fewer sample institutions publishing information on policy papers, studies and policy analyses, with only BiH Directorate for Economic Planning (DEP) regularly publishing macroeconomic analysis projections, indicators, and trends. Although every document has a summary, and these publications are easily accessible, they are not citizen friendly i.e. no introduction parts at the website explaining what documents are about – what purpose they serve, or what they regulate. In comparison with the PAR Monitor 2017/2018, publishing of annual reports in PAR Monitor 2019/2020 is regular and sample institutions make them easily accessible, although they are not written in a citizen-friendly manner. It is of note that the reports are published on eKonsultacije portal, which is easily accessible to all stakeholders.

During 2019, state level government was in technical mandate, and that can be the reason why there is no information on the institution's budget (reports or financial plan for 2020). Nonetheless, Interim Financing Decision throughout the previous year, and Interim Financing Decision during the first three months of 2020 are available at the website of Ministry for Finance and Treasury. Financial reports for 2018 are available for almost all institutions in the sample.

Contact information is fully published, with different contact 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 (only two exceptions in the sample).

Furthermore, sample institutions communicate thoroughly with civil society and external stakeholders via individual public consultation invitations or via eKonsultacije portal where they demonstrate citizen-friendly approaches by inviting those interested, or specific stakeholders, to participate. Information regarding the type of documents, procedures, types of consultation, location, and timing of consultations and an online application for interested stakeholders is available. In addition, details about the contact person are available and information about the specific document as well as general rules for consultations. Positive example of separate information booklet for public consultation can be found on the website of BiH Agency for identification Documents, Registers, and Data Exchange (IDDEEA). Finally, public authorities do not pursue an open data policy. Bosnia and Herzegovina has launched a National Summary Data Page (NSDP), a data portal that serves as a one-stop vehicle for publishing essential macroeconomic data in both human and machine-readable formats, which is supposed to lead to a greater data transparency.

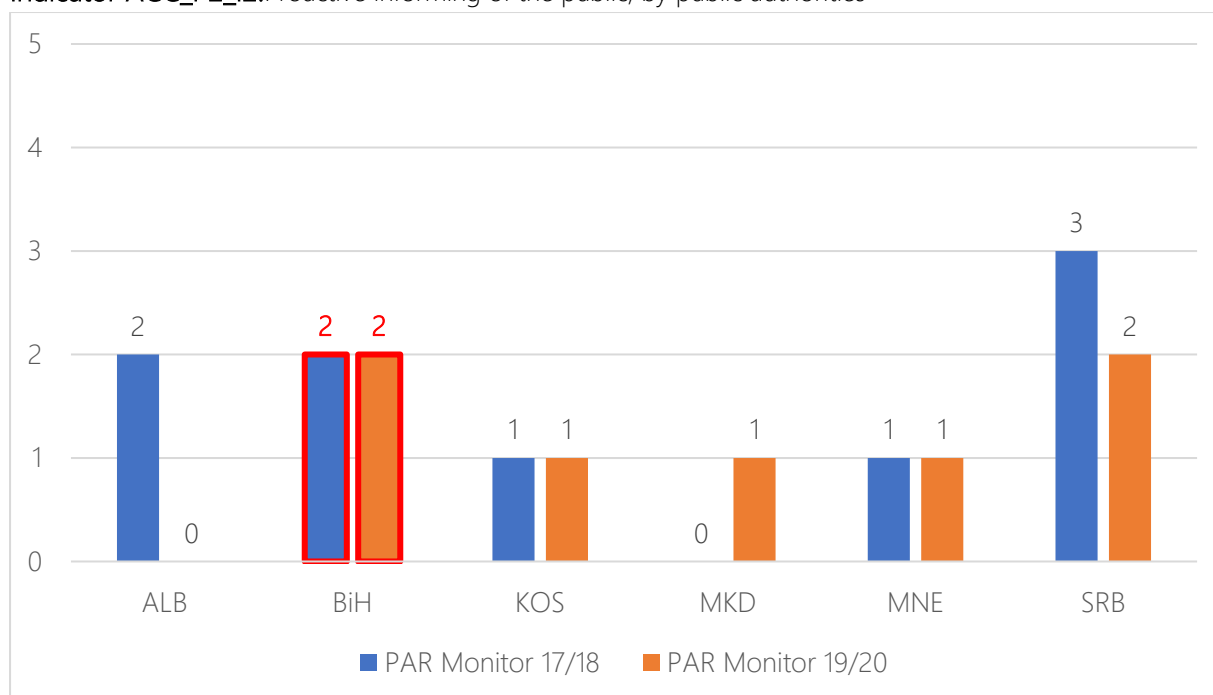
PAR Monitor 2019/2020 sample institutions were Ministry of Civil Affairs of BiH, Ministry of Human Rights and Refugees of BiH, Ministry of Security of BiH, Ministry of Finance and Treasury of BiH, Directorate for Economic Planning of BiH, Service for Foreigners' Affairs of BiH and Agency for identification documents, registers and data exchange of BiH.

Table 4: Sample of state administration authorities in Bosnia and Herzegovina for 2019/2020 monitoring cycle



How does Bosnia and Herzegovina do in regional terms?

Indicator ACC_P2_I2: Proactive informing of the public, by public authorities



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

V.5 Summary results: Accountability

The results of the survey indicate that statistics are slightly higher than in the previous PAR Monitor, with 27 percent of CSOs agreeing that public authorities record enough information in the course of their operations to enable the public to exercise their right to free access to information of public interest. 42 percent of CSOs who have submitted a FOI request in the last two years say that the information given is in the requested format, 38 percent claim that information is provided within specified deadlines, and 66.7 percent claim that information is provided free of charge.

When asked if non-classified sections are published when requests for access to information include classified content, 20% of surveyed CSOs who had exercised their right to information said "always" or "often," which is an increase from the previous PAR Monitor 2017/2018, when only 4% said so. Furthermore, 24.4 percent of the CSOs polled believe that requested information is published in parts that do not include personal data. In addition, a quarter of surveyed CSOs who had exercised their right to information said "never" or "rarely" when asked if sections of requested materials are published in a way that misleads the requesting person with only partial information. When it comes to the function of the appointed supervisory body for free access to information, the BiH Ministry of Justice, 32 percent of surveyed CSOs agree that this body sets sufficiently high expectations of the right to access public information through its practice. Nonetheless, roughly 7% accept that the BiH Ministry of Justice's soft measures for public authorities are successful in protecting access to information. Finally, only 13% of respondents believe that prescribed sanctions result in sufficiently severe consequences for the liable parties in non-compliant authorities when the right to free access to information is violated. For all sampled institutions, information on the scope of work on their websites corresponds to descriptions in legal acts. On the websites, this information is readily available, but it is not presented in a citizen-friendly format. For the sampled institutions, information on related policy documents and legal acts is generally accurate, up to date, and available. Since this information is rarely accompanied by written descriptions, all organizations suffer from a lack of citizen-friendliness. Fewer institutions in the sample published information on policy articles, surveys, and policy reviews. Although every document has a summary, and these publications are easily accessible, they are not citizen friendly. In comparison with the PAR Monitor 2017/2018, publishing of annual reports in PAR Monitor 2019/2020 is regular and sample institutions make them easily accessible, although they are not written in a citizen-friendly manner.

Since the state government was under a technical mandate in 2019, there was no details on the budgets of the agencies (reports or financial plan for 2020). Interim Financing Decisions from the previous year, as well as Interim Financing Decisions from the first three months of 2020, are available on the Ministry of Finance and Treasury's website. Financial reports for 2018 are available for almost all institutions in the sample.

Contact information is fully available online, with various contact channels listed in separate website sections. Organizational charts are usually presentable and downloadable in most of the sampled institutions, and they are in accordance with acts on internal organization and job roles. Furthermore, via individual public consultation invitations or the eKonsultacije platform, sample organizations engage extensively with civil society and external stakeholders, demonstrating citizen-friendly approaches by encouraging those who are interested, or relevant stakeholders, to participate. In

addition, information about the contact person is available, as well as information about the particular document and general consultation rules. Finally, institutions do not have an open data policy.

V.6 Recommendations for Accountability

Tracking recommendations from PAR Monitor 2017/2018

Colour coding scheme for tracking recommendations

Short term recommendations	Long term recommendations
No action taken	No action taken
Initiated	Initiated
Partially implemented	Partially implemented
Fully implemented	Fully implemented

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. 	No action taken	Nothing changed from the last monitor cycle.
Institutions should publish more and more information on their official web sites, and by using modern technologies to establish new information exchange practices.	No action taken	Nothing changed from the last monitor cycle.
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	No action taken	Nothing changed from the last monitor cycle.

indicators on concrete 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.
Public authorities should always provide information in the requested format(s) . If there is reasonable barrier or justification for it,	No action taken	Nothing changed from the last monitor cycle.

information seekers should be informed in advance.		
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.	No action taken	Nothing changed from the last monitor cycle. BiH institutions still mostly send scanned documents.
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	No action taken	Nothing changed from the last monitor cycle.
Pending changes to the FOI legislation in BiH should ensure effective sanctions for all non-compliant authorities.	No action taken	Nothing changed from the last monitor cycle.

V.7 PAR Monitor 2019/2020 recommendations

Most of the recommendations from the 2017/2018 PAR Monitor are still highly relevant, and majority of recommendations is repeated. Some of the recommendations which are repeated have been slightly modified, either to make them more relevant to the somewhat changed legal framework or simply to make them clearer and more specific.

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. **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.*

*Recommendations from the previous cycle (repeated and modified)

New recommendations 2019/2020

6. **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.
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.
8. **Public authorities at the state administration level that have appointed a contact person for cooperation with civil society, should clearly inform on doing so on their webpages –** either by linking to existing database of contact points, or by providing information on contact person at a clearly visible online location.



VI. SERVICE DELIVERY



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

<i>P1 I1: Public perception of state administration's citizen orientation</i>					
0	1	2	3	4	5
<i>P1 I3: Public perception and availability of information on citizens' feedback regarding the quality of administrative services</i>					
0	1	2	3	4	5
<i>P4 I1: CSOs' perception of accessibility of administrative services</i>					
0	1	2	3	4	5
<i>P4 I2: Availability of information regarding the provision of administrative services on the websites of service providers</i>					
0	1	2	3	4	5

VI.2 State of Play in Service Delivery and main developments since 2018

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 prices.

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 level.

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 needed 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. Even though 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.

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

VI.3 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.⁵⁷ 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.

⁵⁷ 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 5 May - 30 May 2020. For Bosnia and Herzegovina, the margin of error for the total sample of 1027 citizens is $\pm 3.11\%$, at the 95% confidence level.

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,⁵⁸ 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.⁵⁹ Finally, the websites of providers of the same sampled services were analysed to collect information on their accessibility and prices.

VI.4 WeBER monitoring results

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

WeBER indicator SD_P1_I1: Public perception of the citizen orientation of public administration

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1 Citizens are aware of government administrative simplification initiatives or projects	1/2	0/2
E2 Citizens confirm that administrative simplification initiatives or projects of the government have improved service delivery	4/4	4/4
E3 Citizens confirm that dealing with the administration has become easier	2/4	0/4
E4 Citizens confirm that time needed to obtain administrative services has decreased	2/4	0/4
E5 Citizens consider that administration is moving towards digital government	1/2	0/2
E6 Citizens are aware about the availability of e-services	1/2	0/2
E7 Citizens are knowledgeable about ways on how to use e-services	1/2	1/2
E8 Citizens use e-services	0/4	0/2
E9 Citizens consider e-services to be user-friendly	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
E11 Citizens confirm that the administration uses their feedback on how administrative services can be improved	4/4	4/4
Total score	18/32	11/32
Indicator value (scale 0 – 5)⁶⁰	3	1

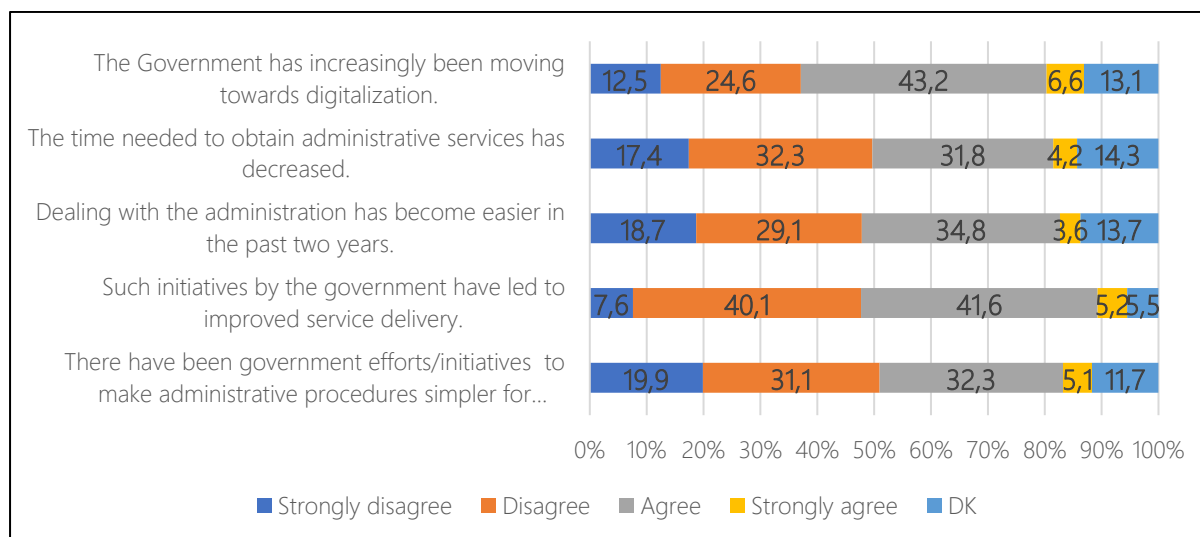
⁵⁸ The survey of CSOs was administered through an anonymous, online questionnaire. In Bosnia and Herzegovina, the survey was conducted in the period from 23 June to 3 August 2020. The data collection method included CASI (computer-assisted self-interviewing). The survey sample was N=122.

⁵⁹ 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.

⁶⁰ 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

Survey outcomes show negative public perceptions towards administrative services. In responses based on citizens' levels of agreement with various statements (based on the percentage of responses of "strongly agree" and "agree"), only 37.4% are aware of government efforts in the past two years to make administrative procedures simpler for citizens and business.

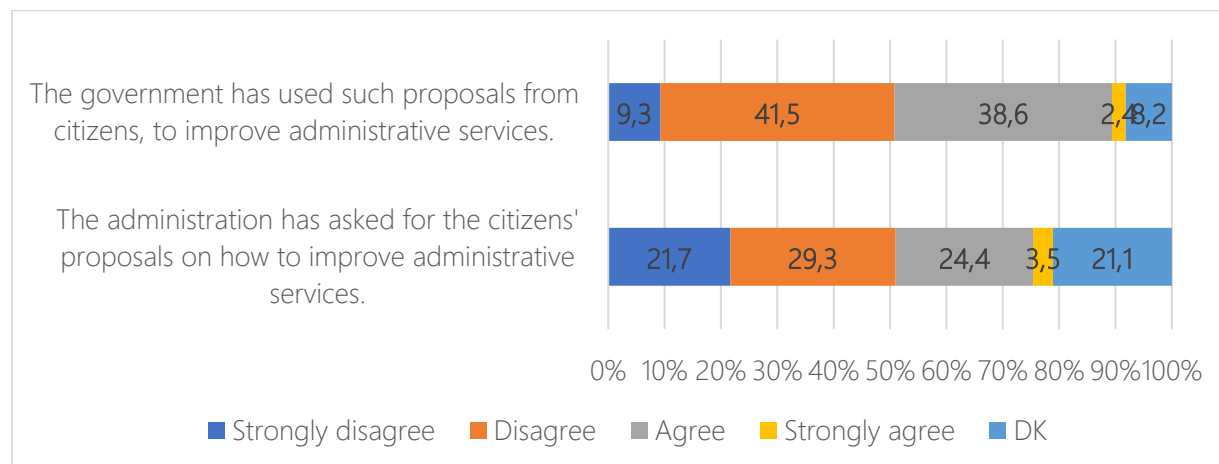
Chart 20: Citizens' perceptions on simplification of service delivery



Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=1027 respondents

Nevertheless, there has been an improvement since the last monitoring cycle of 10 percentage points. Furthermore, 77.55% of citizens that are aware of government administrative simplification initiatives think that such initiatives have led to improved service delivery in the given period. For this statement, a slight decrease is notable from last measurement – in 2017, this figure was 87.2%. However, the percentage of citizens who agree that dealing with the administration has become easier in the past two years is 38.5%, while 36% agree that the time needed to obtain services has decreased. Moreover, 49.9% of citizens agree the government has been moving towards digitalisation. All these percentages have increased more than 10% since the last measurement in 2017.

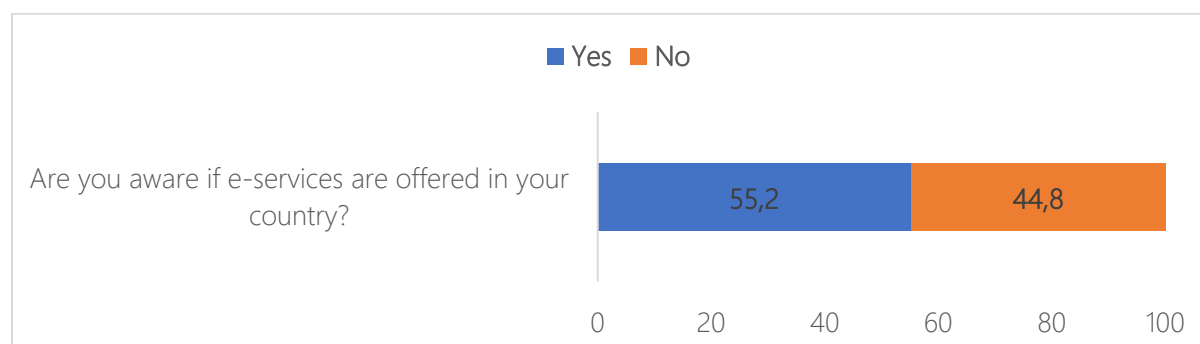
Chart 21: Citizens' perceptions on their impact on service delivery



Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=703 respondents

55% of Bosnian-Herzegovinian citizens are aware that e-services are offered in BiH. Yet, out of those who are aware, only 57.7% have some familiarity with how to use them. However, the utilisation of e-services in the given period is fairly low, as only 27.4% of those who are aware and informed of e-services have used them sometimes or often in the past two years. More than three quarters (79.2%) of those who actually have used e-services think that they are easy or very easy to use. All these percentages have increased since the last monitoring cycle.

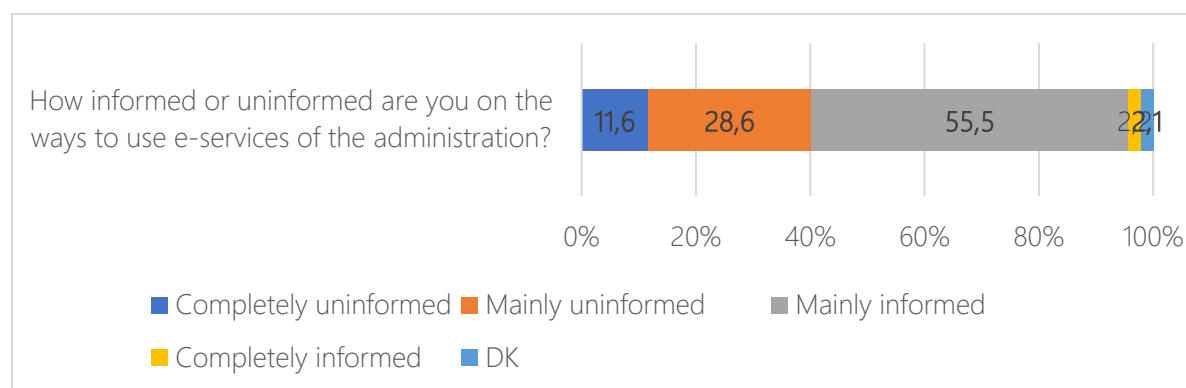
Chart 22: Citizens' perceptions on awareness about e-services



Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=1027 respondents

Lastly, when asked if they think that in the past two years the administration has asked for citizens' proposals on how to improve administrative services, 27.9% of citizens agree or strongly agree with this statement. Furthermore, 74.13% of those that confirm that the administration seeks feedback believe that the government has used such proposals to improve the provision of services. During the last monitoring cycle in 2017, this percentage was 68.4%; so a slight increase can therefore be noted.

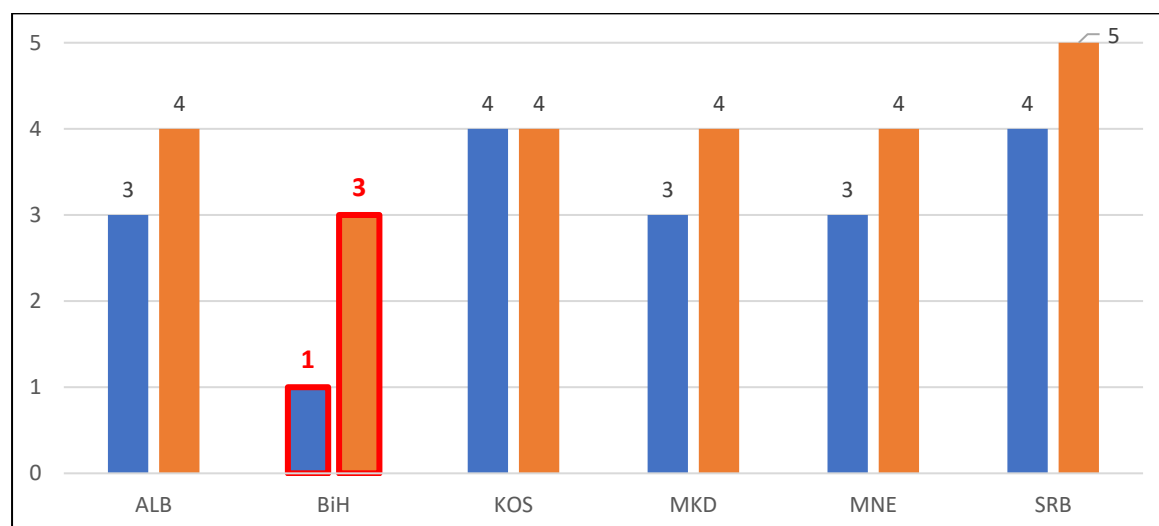
Chart 23: Citizens' perceptions on awareness on e-services channels



Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=567 respondents

How does Bosnia and Herzegovina do in regional terms?

Indicator SD_P1_I1: Public perception of state administration's citizen orientation



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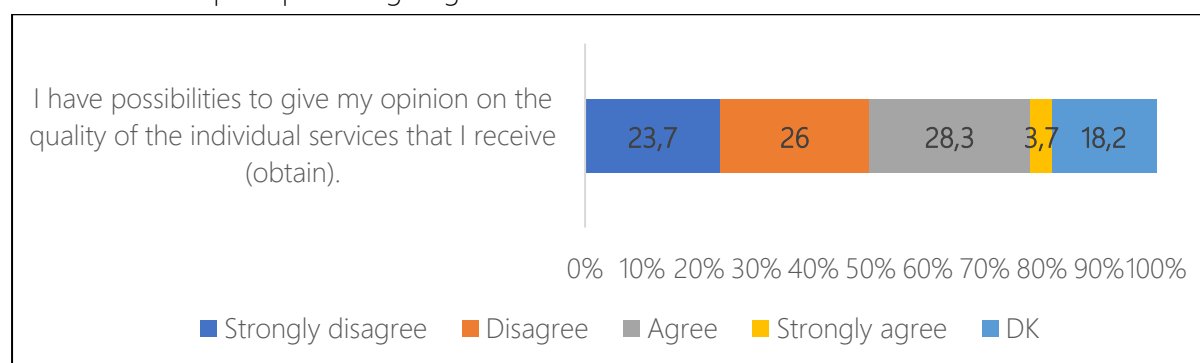
Principle 3: Mechanisms for ensuring the quality of public services are in place

WeBER indicator SD_P3_I1: Public perception and availability of information on citizen feedback regarding the quality of administrative services

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1 Citizens consider they have the possibility to provide feedback on the quality of administrative services	1/2	0/2
E2 Citizens perceive feedback mechanisms as easy to use	2/4	2/4
E3 Citizens perceive themselves or civil society as involved in monitoring and assessment of administrative services	0/4	0/4
E4 Citizens perceive that administrative services are improved as a result of monitoring and assessment by citizens	4/4	4/4
E5 Basic information regarding citizens' feedback on administrative services is publicly available	0/4	0/4
E6 Advanced information regarding citizens' feedback on administrative services is publicly available	0/2	0/2
Total score	7/20	6/20
Indicator value (scale 0 – 5)⁶¹	1	1

Almost a third of the Bosnian-Herzegovinian citizens surveyed (32%) agree that they have the possibility to provide their opinions on the quality of the individual services that they receive. Still, only 36.47% find that the channels that exist for citizens to provide feedback are easy to use (the regional average is 38.9%).

Chart 24: Public perception of giving their feedback

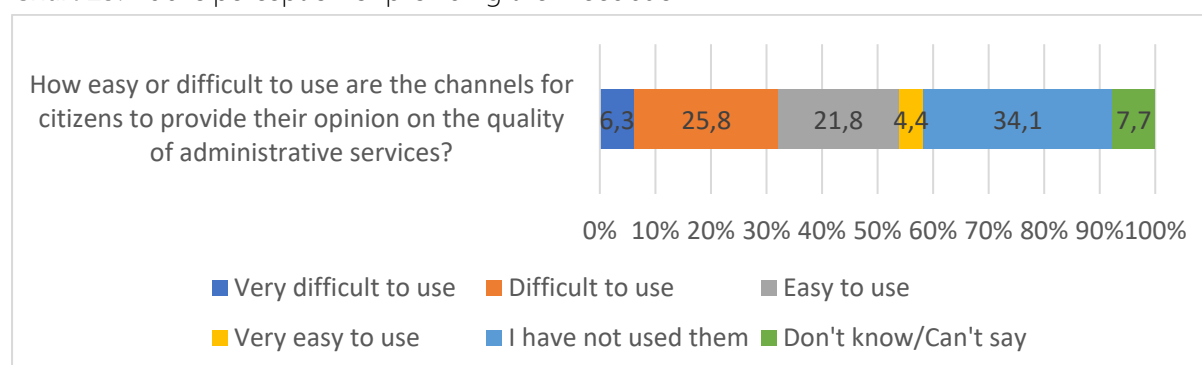


Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=1027 respondents

⁶¹ 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

Furthermore, 26.3% of the Bosnian-Herzegovinian population agrees or strongly agrees that citizens or civil society have been involved in the monitoring and assessment of administrative services in the given period. It is of note that 32.2% of population answered that they did not know or did not have an opinion regarding this question. Out of those who agreed that citizens or civil society have been involved in the monitoring and assessment of administrative services, 68.25% think that this practice has led to the improvement of administrative services.

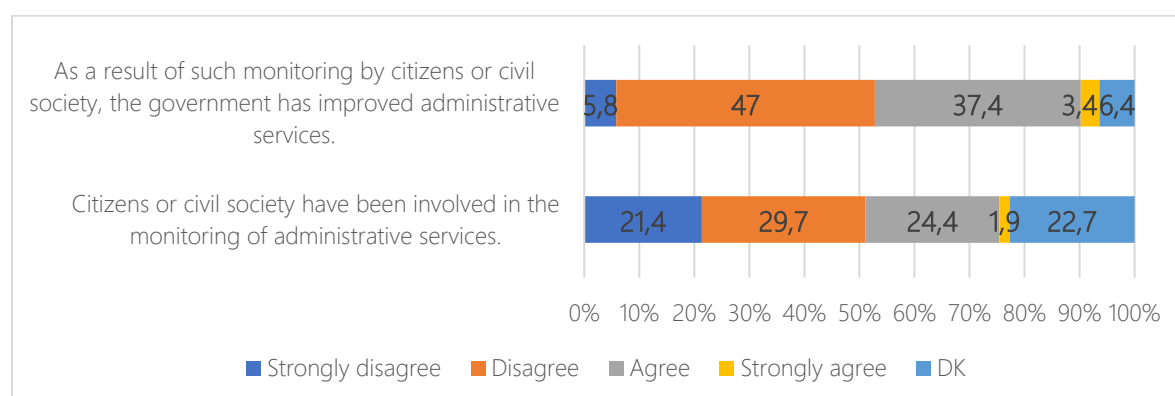
Chart 25: Public perception of providing their feedback



Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=596 respondents

Analysis of web pages for information on citizen feedback on the quality of administrative services included institutions from all levels of government in Bosnia and Herzegovina, such as the State, Republic of Srpska and Federation of BiH, 10 cantons, as well as the Brčko District.

Chart 26: Public perception of providing feedback

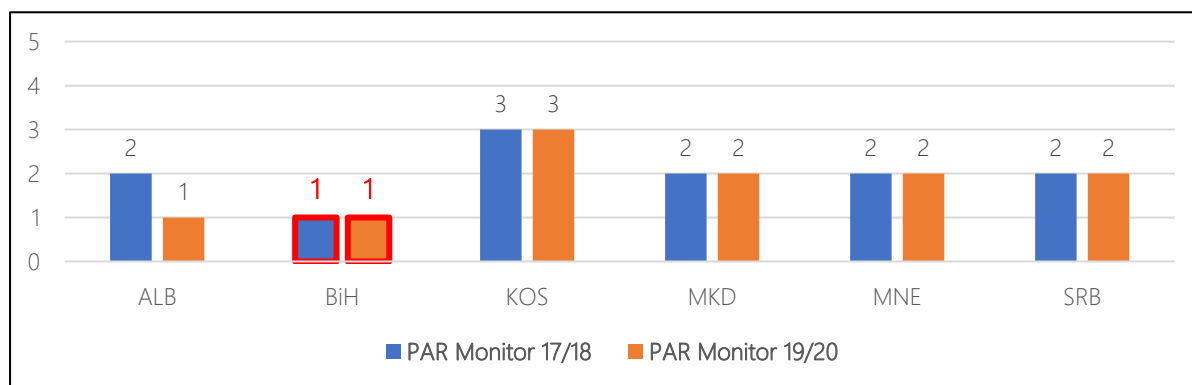


Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=1027 respondents

Findings show that basic information on citizen feedback is publicly available only for services related to the tax administration (on the Republic of Srpska tax authority website) and the issuing of IDs and passports (on the website of Canton 10 – Federation of BiH). None of the pages examined contained more advanced information, such as information from at least two different credible sources, or segregated data based on gender, disability, or other relevant factors.

How does Bosnia and Herzegovina do in regional terms?

Indicator SD_P3_I1: Public perception and availability of information on citizen feedback regarding the quality of administrative services



Regional PAR Monitor Report 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

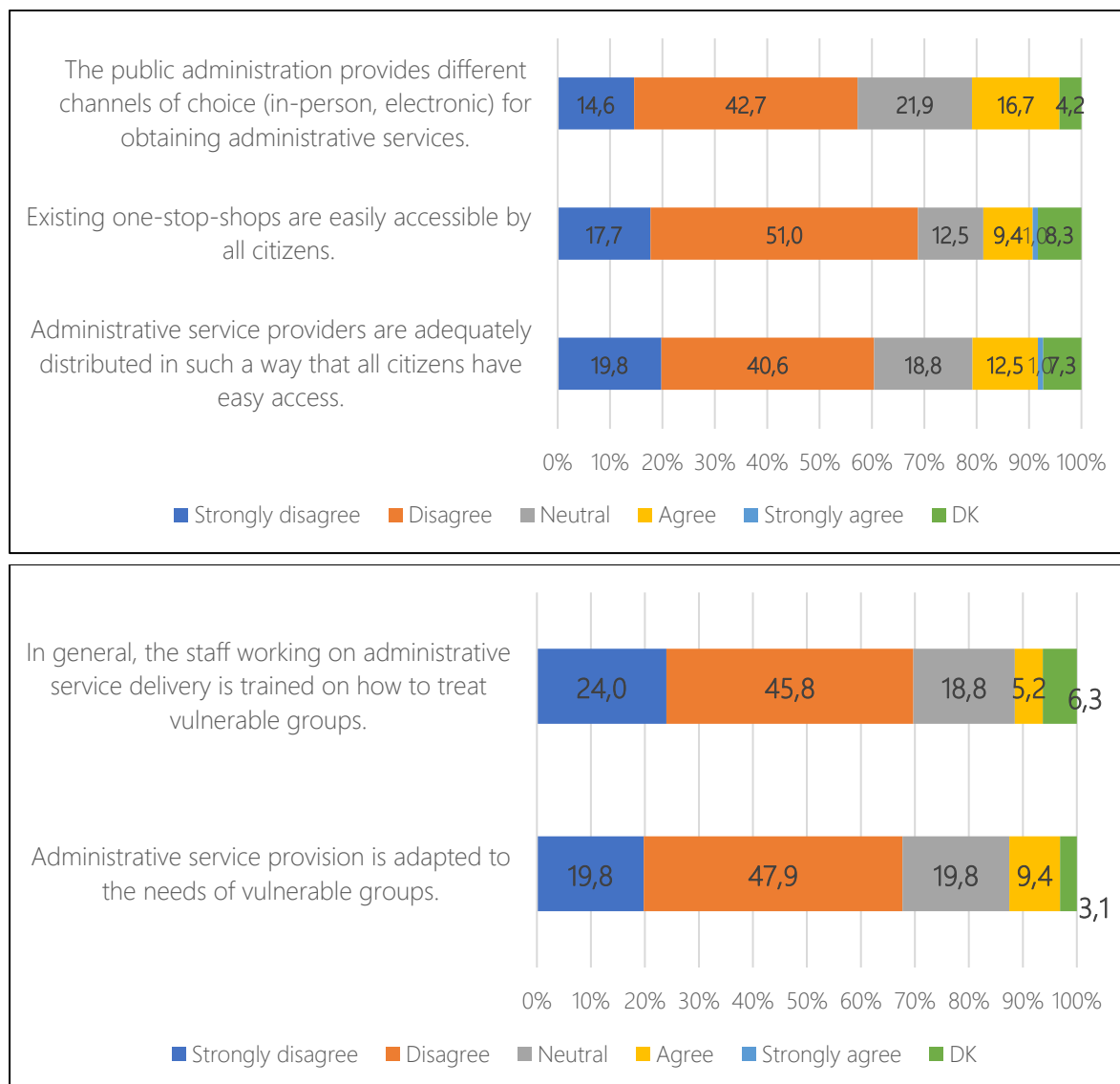
WeBER indicator SD_P4_I1: CSOs' perception of accessibility of administrative services

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1 CSOs confirm the adequacy of territorial network for access to administrative services	0/4	0/4
E2 CSOs confirm that one-stop-shops are made accessible to all	0/4	0/4
E3 CSOs consider administrative services to be provided in a manner that meets the individual needs of vulnerable groups	0/4	0/4
E4 CSOs confirm that administrative service providers are trained on how to treat vulnerable groups	0/2	0/2
E5 CSOs confirm that the administration provides different channels of choice for obtaining administrative services	0/2	0/2
E6 CSOs confirm that e-channels are easily accessible for persons with disabilities	0/2	0/2
Total score	0/18	0/18
Indicator value (scale 0 – 5)⁶²	0	0

⁶² 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

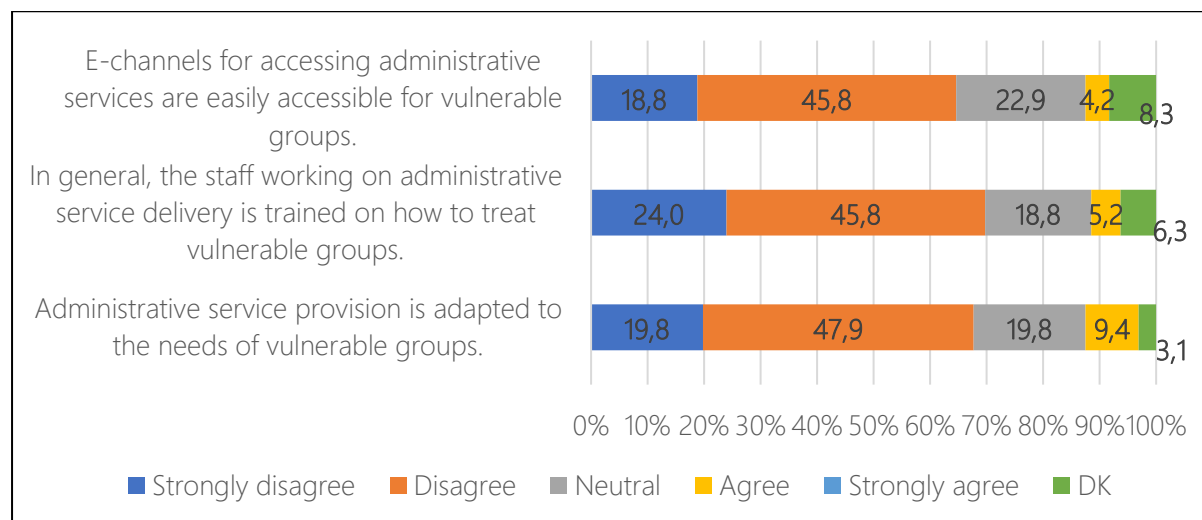
Regarding the territorial distribution of administrative service providers, 13.5 % of surveyed CSOs either “agree” or “strongly agree” that they are distributed in such a way to ensure easy accessibility for all citizens, with more than 68%, however, disagreeing. Moreover, when it comes to one-stop-shops, the similar share of CSOs (10.4%) “agree” or “strongly disagree” that they are easily accessible to all citizens (through their geographic distribution).

Chart 27: Public perception of providing services



Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=1027 respondents

Chart 28: Public perception of providing services

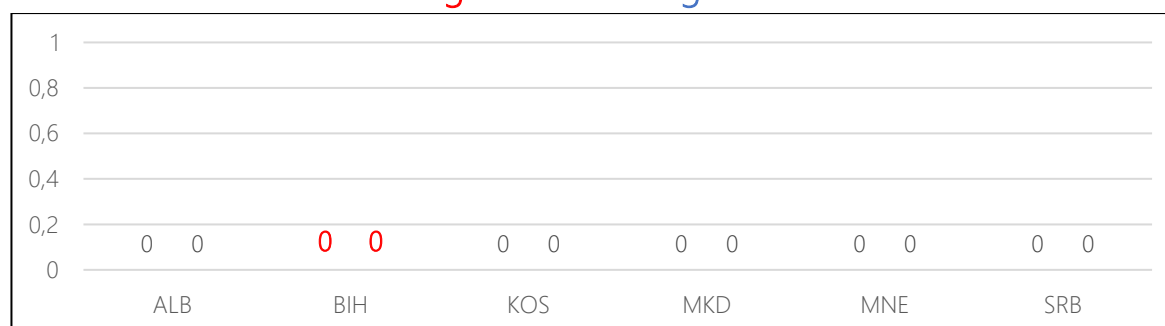


Note: All results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. The base for these questions was n=1027 respondents

Moreover, only 5% of surveyed CSOs believe that the staff working on administrative service delivery is trained on how to treat vulnerable groups. Furthermore, almost the same share of CSOs (4%) agrees that e-channels are easily accessible for vulnerable groups, whereas almost two-thirds majority (65%) of respondents is of the opposite opinion ("disagree" or "strongly disagree").

Finally, regarding the availability of different channels of choice for obtaining administrative services, only slightly more than 16% of surveyed CSOs agree that the public administration provides different channels of choice (in-person, electronic) which is an increase from the last measurement (10%). It is of note that, again, the majority expressed disagreement with the statement (57%).

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

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

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1 Websites of administrative service providers include contact information for provision of services	2/4	4/4
E2 Websites of administrative service providers include basic procedural information on how to access administrative services	0/4	0/4
E3 Websites of administrative service providers include citizen-friendly guidance on accessing administrative services	0/2	0/2
E4 Websites of administrative service providers include information on the rights and obligations of users	1/2	1/2
E5 Individual institutions providing administrative services at the central level publish information on the price of services offered	2/4	2/4
E6 The information on the prices of administrative services differentiates between e-services and in-person services	0/2	0/2
E7 Information on administrative services is available in open data formats	0/2	0/2
Total score	5/18	7/20
Indicator value (scale 0 – 5)⁶³	1	1

Findings show that websites of 3 out of 5 administrative service providers include contact information (phone number and email) for the provision of specific sample services. An exception is the property registration, as full contact details are provided only by RS Republic administration for geodetic and property affairs (RAGPA), whereas The Federal Administration for Geodetic and Real Property Affairs of FBiH (FGA) and Brčko District department provide incomplete information. Another exception relates to the company registration service; namely, in FBiH the registration is done through numerous Registration/Municipal Courts, but necessary contact information for these courts is missing.

Furthermore, out of all five sample services, basic procedural information on how to access administrative services is only provided for VAT declaration and payment. In other words, only the web page of Indirect Tax Agency on the state level (BiH ITA), who is in charge of VAT taxation in the country, provides description of the VAT declaration and payment service, information on where to obtain the service and original forms for download. For all other services, there were no forms available for download.

⁶³ 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

The service of VAT declaration and payment is moreover 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.

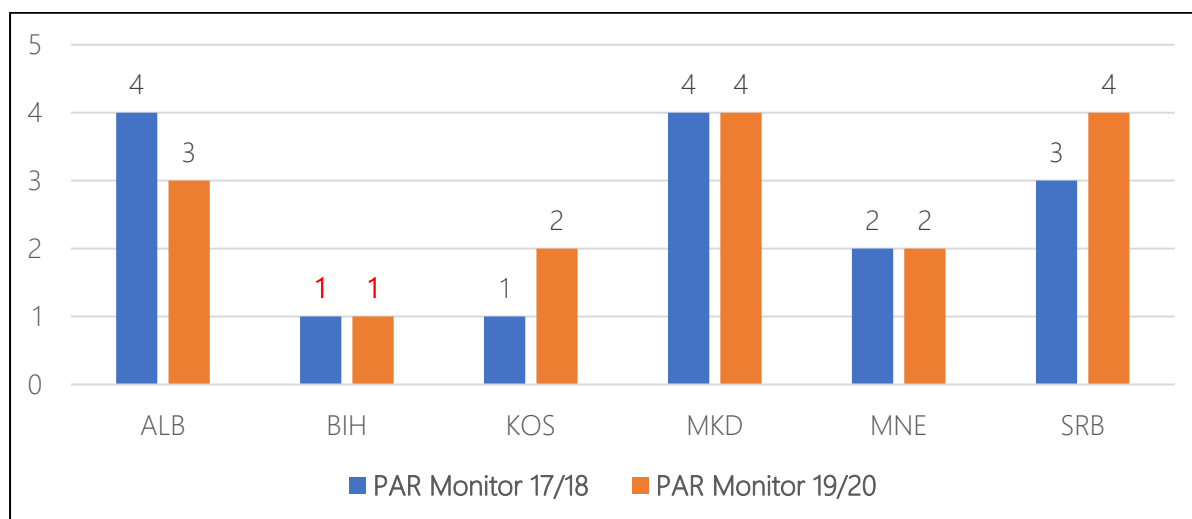
When it comes to rights and obligations of users, with regards to documents and information that needs to be submitted, information is outlined on the website of the administrative service providers for vehicle registration, issuing passports and ID cards, and VAT for companies. This means that users 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.

Prices and fees are publicly available for three out of five services (property registration, issuing passports and ID cards, and VAT declaration and payment for companies). This information is missing in the case of business registration (lack of website on the FBiH level containing all the necessary information) and vehicle registration (no relevant information for Brčko District). 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.

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

How does Bosnia and Herzegovina do in regional terms?

Indicator SD_P4_I2: Availability of information regarding the provision of administrative services on the websites of service providers



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

VI.5 Summary results: Service Delivery

The results of the survey suggest that the public has an unfavourable attitude about administrative services. Only 37.4 percent of citizens are aware of government initiatives in the last two years to make administrative procedures easier for citizens and businesses, according to responses based on citizens' levels of agreement with various assertions. Nonetheless, there has been a ten-percentage-point improvement since the prior monitoring cycle. Furthermore, 77.55 percent of citizens who are aware of government administrative simplification initiatives believe that they have enhanced service delivery over time. However, 38.5 percent of citizens believe interacting with the government has been easier in the last two years, while 36 percent believe the time required to acquire services has dropped. Furthermore, 49.9% of citizens agree that the government is working toward digitalization.

E-services are available in Bosnia and Herzegovina, according to 55% of Bosnian-Herzegovinian citizens. Despite this, just 57.7% of those who are aware are knowledgeable with how to use them. However, just 27.4 percent of those who are aware and knowledgeable about e-services have used them sometimes or often in the last two years, indicating that they are underutilized. More than three quarters (79.2%) of those who have used e-services believe they are easy or very easy to use. Since the past monitoring cycle, all of these percentages have risen. Lastly, when asked if they think that in the past two years the administration has asked for citizens' proposals on how to improve administrative services, 27.9% of citizens agree with this statement.

Almost a third of Bosnian-Herzegovinian citizens surveyed (32%) feel that they have the ability to express their opinions on the quality of the services they receive on an individual basis. Despite this, only 36.47 percent believe the mechanisms available for citizens to submit feedback are simple to utilize (the regional average is 38.9 percent). Furthermore, 26.3 percent of Bosnian-Herzegovinians agree or strongly agree that citizens or civil society were involved in the monitoring and evaluation of administrative services during the time period under consideration.

Analysis of web pages for information on citizen feedback on the quality of administrative services included institutions from all levels of government in Bosnia and Herzegovina, such as the State, Republic of Srpska and Federation of BiH, 10 cantons, as well as the Brčko District. Findings show that basic information on citizen feedback is publicly available only for services related to the tax administration (on the Republic of Srpska tax authority website) and the issuing of IDs and passports (on the website of Canton 10 – Federation of BiH).

Regarding the territorial distribution of administrative service providers, 13.5 % of surveyed CSOs agree that they are distributed in such a way to ensure easy accessibility for all citizens, with more than 68%, however, disagreeing. In terms of administrative service providers' territorial distribution, 13.5 percent of surveyed CSOs agree that they are distributed in such a way as to enable simple accessibility for all citizens, while more than 68 percent disagree. When it comes to the needs and treatment of vulnerable groups, 9 percent of surveyed CSOs agree that service

provision is tailored to their requirements, an increase of 5 percentage points from the previous monitoring cycle. A big majority, 67.7%, disagrees or strongly disagrees once more.

Out of all five sample services, basic procedural information on how to access administrative services is only provided for VAT declaration and payment. In other words, only the web page of Indirect Tax Agency on the state level (BiH ITA), who is in charge of VAT taxation in the country, provides description of the VAT declaration and payment service, information on where to obtain the service and original forms for download. For all other services, there were no forms available for download.

Users' rights and obligations, as well as the documents and information that must be submitted, are outlined on the websites of the administrative service providers for vehicle registration, passports and ID cards, and VAT for businesses. Users of property and business registration services, for example, do not have simple access to information on the kind of documents that must be submitted when obtaining these services.

Three of the five services have prices and fees that are publicly disclosed (property registration, issuing passports and ID cards, and VAT declaration and payment for companies). In the cases of business registration (absence of a website on the FBiH level containing all necessary information) and vehicle registration (no relevant information for Brko District), this information is missing. Only one example service is completely digital: VAT declaration and payment, and the appropriate tax body, BiH ITA, makes it clear that fees for amending/supplementing VAT declarations remain the same, even for e-service users.

VI.6 Recommendations for Service Delivery

Tracking recommendations from PAR Monitor 2017/2108

Colour coding scheme for tracking recommendations

Short term recommendations	Long term recommendations
No action taken	No action taken
Initiated	Initiated
Partially implemented	Partially implemented
Fully implemented	Fully implemented

Recommendation	Status	Comment
It is necessary to adopt a new Law on Electronic Identification and Trust Services. Harmonisation between laws	No action taken	Nothing changed from the last monitor cycle.

on administrative procedures and their legislative amendments needs to be ensured on all levels of government.		
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 delivery performance or user satisfaction needs to be carried out at all levels of Government.	No action taken	Nothing changed from the last monitor cycle.
Information regarding service delivery needs to be displayed and	No action taken	Nothing changed from the last monitor cycle.

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.		
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. 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.	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 courses for communication with and assistance to people with disabilities and other vulnerable	No action taken	Nothing changed from the last monitor cycle.

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.		
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VI.7 PAR Monitor 2019/2020 recommendations

Recommendations from the 2017/2018 PAR Monitor are still relevant in this monitoring cycle. There are repeated and some of them have been slightly modified, either to make them more relevant to the somewhat changed legal framework or simply to make them clearer and more specific.

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. 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.*
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)

New recommendations 2019/2020

11. **General methodology should be developed and implement by the government for measuring satisfaction of service users in a standardized way,** so that all institutions providing services establish and widely promote advanced feedback channels, easily accessible, and easy to use.
12. **Clear criteria should be adopted and applied for the establishment of one-stop-shops,** paying particular attention to accessibility standards in their functioning.



VII. PUBLIC FINANCE MANAGEMENT



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

<i>PFM P5 I1: Transparency and accessibility of budgetary documents</i>					
0	1	2	3	4	5
<i>PFM P6&P8 I1: Public availability of information on public internal financial controls and the parliamentary scrutiny.</i>					
0	1	2	3	4	5
<i>PFM P11&13 I1: Availability of public procurement related information to the public</i>					
0	1	2	3	4	5
<i>PFM P16 I1: Supreme Audit Institution's communication and cooperation with the public pertaining to its work</i>					
0	1	2	3	4	5

VII.2 State of Play in Public Finance Management and main developments since 2018

As stated in National PAR Monitor Report 2017/2018⁶⁴, 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 SAs 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

⁶⁴ <https://www.par-monitor.org/weber-publications/>

report at the state level, which is 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 2019.

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.⁶⁵ 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 Union⁶⁶, 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

⁶⁵ <http://revizija.gov.ba/Content/Read/o-uredi>

⁶⁶ <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-bosnia-and-herzegovina-analytical-report.pdf>

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 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.

VII.3 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.4 WeBER monitoring results

Principle 5: Transparent budget reporting and scrutiny are ensured

WeBER indicator PFM_P5_I1: Transparency and accessibility of budgetary documents

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1. Enacted annual budget is easily accessible online	4/4	4/4
E2. In-year budget execution reports are easily accessible online	0/4	2/4
E3. Mid-year budget execution reports are easily accessible online	4/4	0/4
E4. Budget execution reports (in-year, mid-year, year-end) contain data on budget spent in terms of functional, organization and economic classification	4/4	4/4
E5. Annual year-end report contains non-financial information about the performance of the Government	1/2	0/2
E6. Official reader-friendly presentation of the annual budget (Citizen Budget) is regularly published online	2/4	0/4
E7. Budgetary data is published in open data format	0/2	1/2
Total score	15/24	12/24
Indicator value (scale 0 – 5)⁶⁷	3	2

Law on Budget of the Institutions of BiH for 2019 and 2020 are available and easily accessible on the web page of BiH Ministry of Finance and Treasury. Budget Documents that on annual basis provide information are available with just one click, easily accessible and downloadable. In-year monthly budget execution reports are not available but quarterly reports about execution budget are easily accessible on the web page (2 reports available for 2020). Mid-year budget execution reports (half a year budget) are available online for 2019 and 2020 and they can be found at the Ministry of Finance and Treasury's website. Year-end report for 2019 contains economic, organisational, and functional classification. This report does contain non-financial performance data to an extent.

⁶⁷ 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 5: Online accessibility of in-year budget reports

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

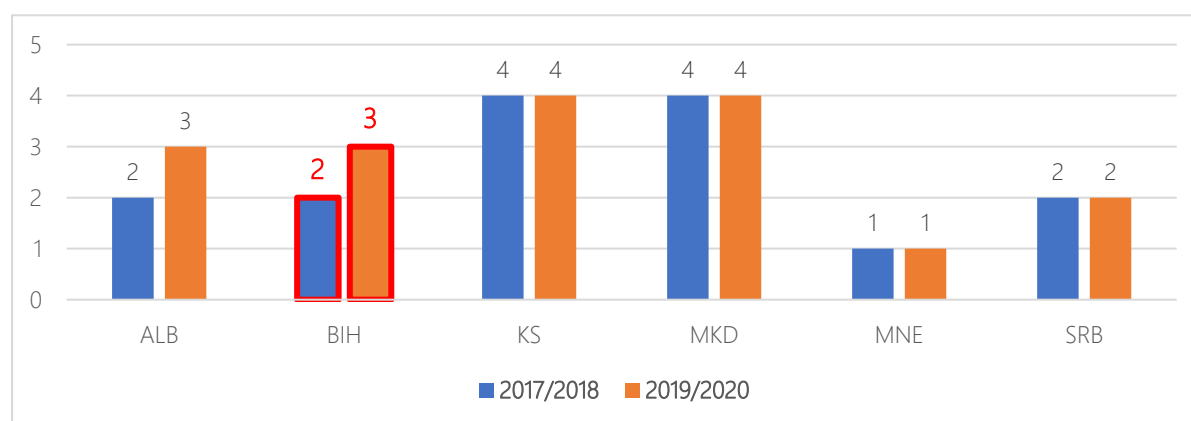
Budget is available online for 2020 and it is the first Budget for Citizens of the institutions BiH and international obligations BiH published. In the introduction it is stated that Ministry plans to introduce a practice of regular publication of this document. Normally, Law on Budget of the Institutions of BiH and International Obligations of BiH is adopted quite late - 2020 budget was adopted as late as 29th July - so more than half the year was covered by temporary financing which resulted in publishing the 2020 citizens budget in January 2021.

Table 6: 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?

Indicator PFM_P5_I1: 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&8_I1: Public availability of information on public internal financial controls and the parliamentary scrutiny

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1. Consolidated annual report on PIFC is regularly produced and published online.	4/4	4/4
E2. Quality reviews of internal audit reports are regularly produced and published online	0/2	0/2
E3. Ministries publish information related to financial management and control	0/4	0/2
E4. CHU proactively engages with the public	0/2	1/2
E5. The Parliament regularly deliberates on/reviews the consolidated report on PIFC.	2/2	1/2
Total score	6/14	6/12
Indicator value (scale 0 – 5)⁶⁸	2	2

The Law on Financing of the Institutions of Bosnia and Herzegovina defines the obligations of publishing quarterly, semi-annual and annual reports on PIFC. For Internal audit (IA), there is no clear deadline for the preparation of the consolidated annual report in Law on Internal Audit of BiH. Also, the Law on Financing of the Institutions of BiH does not have a clear deadline for the CHU to prepare the consolidated FMC report. Although there are no strict deadlines prescribed by these two laws, the Ministry has been consistent in publishing them in March each year, for the last three years.

Consolidated annual report on PIFC are produced and published online, at the website of the Central Harmonisation Unit of the Ministry of Finance. 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.

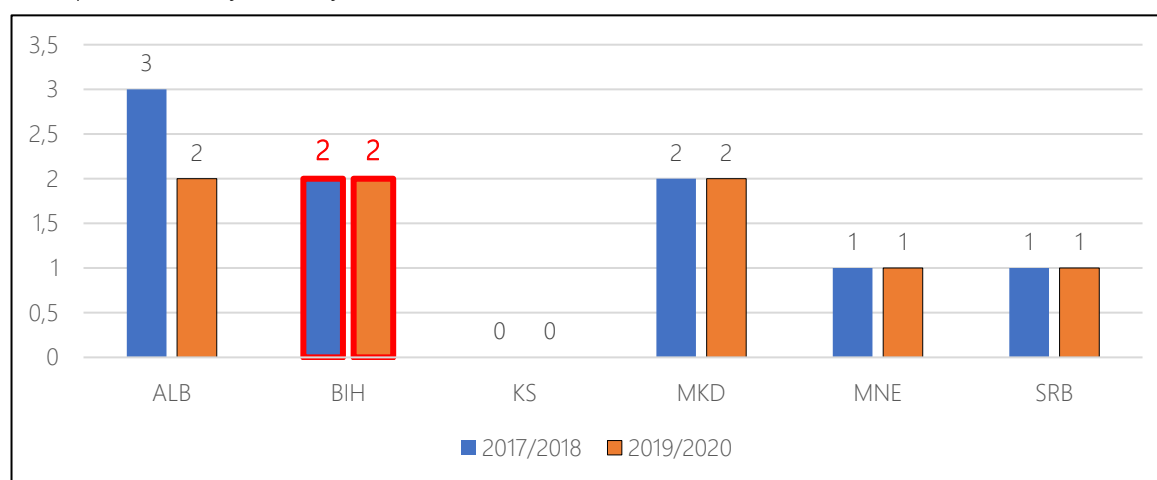
⁶⁸ Conversion of points: 0-2 points = 0; 3-4 points = 1; 5-6 points = 2; 7-8 points = 3; 9-10 points = 4; 11-12 points = 5.

There is some evidence of proactive engagement with the public – the CHU has made several press releases, but no public appearances on PIFC matters. Also, publishing leaflets or social media activity are lacking. Summaries of reports produced by the CHU are available online but the text is a very technical and bureaucratic.

The analysis of the Parliament website and the available documents reveals that the Parliament regularly deliberates on the consolidated report on PIFC.

How does Bosnia and Herzegovina do in regional terms?

Indicator PFM_P6&P8_I1: 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&13_I1: Availability of public procurement related information to the public

Indicator elements	Scores 2019/2020
E1. Central procurement authority regularly reports to the public on implementation of overall public procurement policy	0/4
E2. Central review body regularly reports to the public on procedures for protection of rights of bidders in public procurement	0/4
E3. Reporting on public procurement is by the central procurement is citizen-friendly and accessible	1/2
E4. Public procurement portal is user-friendly	0/2
E5. Central-level contracting authorities regularly publish annual procurement plans	0/4
E6. Central-level contracting authorities regularly publish annual procurement reports	0/4
E7. Central procurement authority publishes open procurement data	0/2
E8. Open and competitive procedures are the main method of public procurement	0/4
Total score	1/26
Indicator value (scale 0 – 5)⁶⁹	0

After reviewing the website of the Central procurement authority, reports on implementation of overall public procurement policy are available since 2006 but all the reports for the last three calendar years are not available. Central review body does not have any reports on its work published so far. Reports on public procurements contain visual presentations (graphs or similar) of the main procurement outcomes and are published at clearly designated website location and available with maximum three clicks from the homepage. At the public procurement portal (www.ejn.gov.ba/), access to full tender documentation is free of charge and the portal includes a guide on how to use its functions. However, tender documentation is available only to certified registered users which does not include CSOs or general public, the portal does not contain explanation of key public procurement terms, frequently asked questions and free text search is

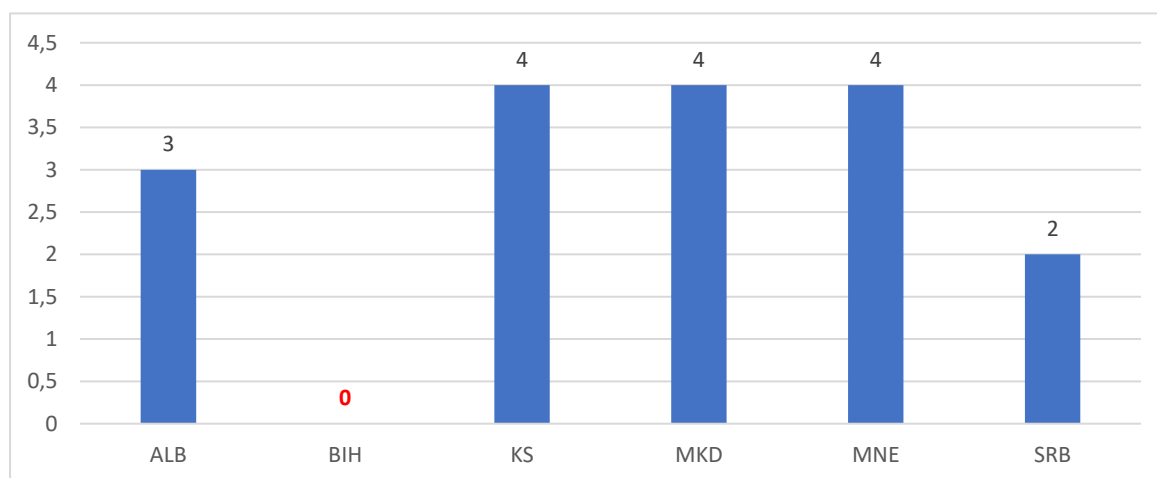
⁶⁹ Conversion of points: 0-3 points = 0; 4-6 points = 1; 7-9 points = 2; 10-12 points = 3; 13-15 points = 4; 16-18 points = 5

not available. Notice type, contracting body and time period are available on Advanced Search. All the documentation is published in a noneditable format.

Only 6 out of 9 state level ministries published procurement plans for the current and previous year and only 1 published procurement reports for last two calendar years.

How does Bosnia and Herzegovina do in regional terms?

Indicator PFM_P11&P13_I1: Availability of public procurement related information to the public



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

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

Indicator elements	Scores 2019/2020	Scores 2017/2018
E1. SAI develops a communication strategy for reaching out to the public	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
E3. SAI utilises various means of communication with the public	2/2	0/2
E4. SAI produces citizen-friendly summaries of audit reports	4/4	0/4

E5. Official channels for submitting complaints or initiatives to SAI by external stakeholders are developed (wider public, CSOs)	2/2	0/2
E6. SAI consults CSOs and their work for the purpose of identifying risks in the public sector	2/2	1/2
Total score	14/18	5/18
Indicator value (scale 0 – 5)⁷⁰	4	1

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, as a part of a project implemented with the support of SIGMA and communication is a part of every annual Work Plan in the chapter titled Communication and Public Relations. Audit Office of the Institutions of BiH (AOI BiH - The Office is the supreme audit institution in Bosnia and Herzegovina established in 2000) 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 Herzegovina 2013-2020 adopted by the Coordination Board. The Plan contains four Strategic objectives. Strategic objective 1: Preserving and strengthening the Office's independence; Strategic objective 2: Strengthening the impact of audit in society actively contributing to the efficiency, economy and effectiveness of public administration; Strategic objective 3: Strengthening institutional (professional and organizational) capacities; Strategic objective 4: International role and cooperation with local institutions and organisations. It also contains Strategic programmes.

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. There is no available information that any press conference was held, AOI does have a Twitter account, promo materials are available, as well as infographics. The primary manner of communication with the public is the website of the Office and direct contact with the media.

None of the financial audit reports contains a summary. All financial audit reports follow the same format, where in the first part the report elaborates on legal framework for reporting and methodology used for forming the opinion of the auditors. A short review is given of the implementation of measures from previous reports (those that have been implemented, those in the process of implementation and those that have not been implemented). They also offer a short review of internal control systems and budgets (such as expenditures, salaries, compensations, and other) as well as financial information and public procurements review. All financial audit reports are written clearly, and although slightly technocratic, they are still written in a user-friendly language. Performance audit reports do have citizen-friendly summaries (very clear, concise and they give the reader a brief overview of main findings). However, all the

⁷⁰ Conversion of points: 0-3 points = 0; 4-5 points = 1; 6-7 points = 2; 8-11 points = 3; 12-15

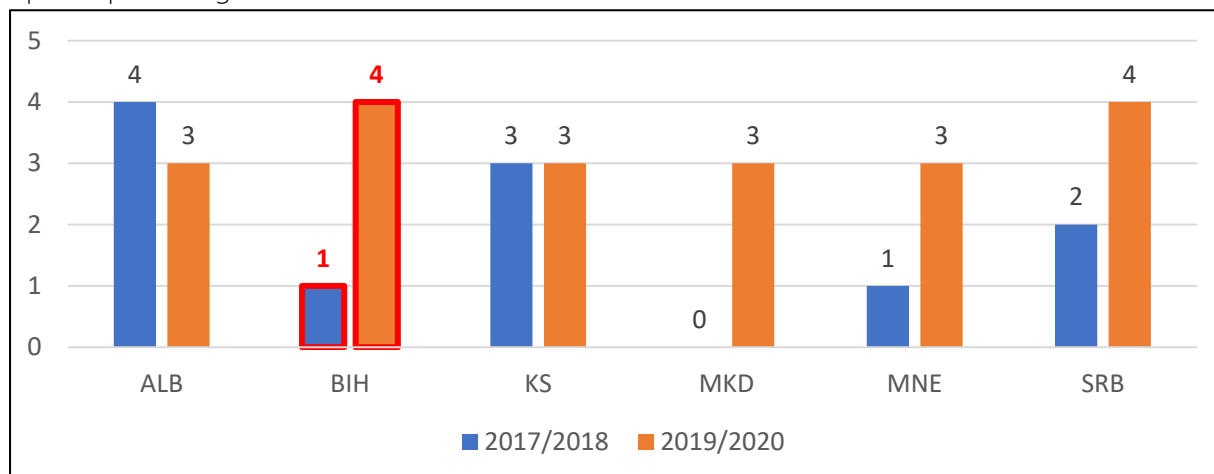
reports are summarized in the annual Summary of Audit Reports for 2019 which is written in clear and citizen-friendly fashion and contains visuals and key findings.

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. Lastly, search of the SAI website result with finding AOI Activity Reports for 2018 and 2019 and they both contain information on consultations with CSO in chapter titled Communication with Public.

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 analyses 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?

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

VII.5 Summary results: Public Finance management

On the website of the BiH Ministry of Finance and Treasury, the Law on Budget of the Institutions of BiH for 2019 and 2020 is available and easily accessible. Budget documents that provide information on an annual basis are easily accessible and downloadable. For 2019 and 2020, mid-year budget execution reports (half-year budget) are available online. Economic, organizational, and functional classifications are included in the year-end study for 2019. To some extent, non-financial performance data is included in this study. Finally, the Citizen Budget for 2020 is available online.

The Audit Office of the Institutions of Bosnia and Herzegovina does not yet have a communication strategy in place; it is in the process of doing so. In the chapter titled Communication and Public Relations, every annual Work Plan includes a section on communication. The Audit Office of the Institutions of BiH has established a Strategic Development Plan for 2014-2020, which will help the Office continue to grow in line with the Coordination Board's Strategic Development Framework for Supreme Audit Institutions of Bosnia and Herzegovina and 2013-2020. The International Cooperation and Public Relations Unit employs one person. The primary manner of communication with the public is the website of the Office and direct contact with the media.

A summary is not included in any of the financial audit reports. All financial audit reports have the same format, with the first section detailing the legal basis for reporting and the methods used by the auditors to shape their opinion. They are written in a simple and user-friendly language, even though they are slightly technocratic. Citizen-friendly summaries are used in performance audit reports (very clear, concise and they give the reader a brief overview of main findings). Many of the results are outlined in the annual Summary of Audit Reports for 2019, which includes visuals and main findings and is written in a straightforward and citizen-friendly manner.

A functional contact form is available at the SAI website where it is stated that "feedback, enquiries and suggestions" are welcome. Furthermore, review of the SAI website result with finding AOI Activity Reports for 2018 and 2019 and they both contain information on consultations with CSO in chapter titled Communication with Public.

CSOs are invited to consultative meetings aimed at familiarizing them with how to develop an annual performance audit plan and recognizing socially relevant problems that they believe should be subject to performance audits, all while upholding the Office's mission and competencies. CSO studies and analyses are often used as guides when preparing reports and for risk management when planning audits.

According to the Central Procurement Authority's website, reports on the implementation of the overall public procurement program have been available since 2006, but not all for the previous three calendar years. So far, no reports on the work of the central review body have been

released. Access to complete tender paperwork is free at the public procurement portal (www.ejn.gov.ba/), and the portal provides a guide on how to use its features. Tender documentation, on the other hand, is only open to certified registered users, which excludes CSOs and the public. All the documentation is published in a noneditable format.

Only 6 out of 9 state level ministries published procurement plans for the current and previous year and only 1 published procurement reports for last two calendar years.

The obligation to publish quarterly, semi-annual, and annual reports on PIFC is specified in Law on Financing of the Institutions of Bosnia and Herzegovina. In the Law on Internal Audit of BiH, there is no definite deadline for preparing the consolidated annual report for internal audit (IA). Furthermore, the Law on Financing of the Institutions of Bosnia and Herzegovina lacks a definite deadline for the CHU to prepare the consolidated FMC study. Even though these two laws do not impose any specific deadlines, the Ministry has published them in March every year for the past three years. Consolidated annual report on PIFC are produced and published online. Internal audit report consistency assessments, on the other hand, are not routinely reported online. There is a lack of proactive approach from ministries when it comes to publishing financial management and control information. This kind of information isn't available on the internet.

There is some evidence of proactive public involvement – the CHU has issued numerous press releases, but there have been no public appearances on PIFC issues. Leaflet distribution and social media activity are also missing. The CHU publishes summaries of its findings online, but the text is rather technical and bureaucratic.

The analysis of the Parliament website and the available documents reveals that the Parliament regularly deliberates on the consolidated report on PIFC.

VII.6 Recommendations for Public Finance Management

Tracking recommendations from PAR Monitor 2017/2108

Colour coding scheme for tracking recommendations

Short term recommendations	Long term recommendations
No action taken	No action taken
Initiated	Initiated
Partially implemented	Partially implemented
Fully implemented	Fully implemented

Recommendation	Status	Comment
BiH MoF has a single place on its website for ALL information on executed budget (quarterly, mid-year, annual), listing separately different	No action taken	Website of the Ministry is the same, nothing changed from the last monitor cycle.

budget execution reports, but it should be better organized and easily accessible.		
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)	No action taken	Nothing changed from the last monitor cycle.
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.	No action taken	Nothing changed from the last monitor cycle.
BiH MoF should proactively publish citizen-friendly version of the annual budget. These kinds of reports are not available at the website of BiH MoF, and if MOF decides to publish them, it should consider increasing the quality of their contents and making data more telling, by e.g. placing highlight on functions/purpose of budget spending, on key budget projects and measures planned for the year, on possibilities for citizen participation in budget formulation at different levels, but also on advanced data visualisation - to keep data simple and understandable but still increasing their visual appeal	Fully implemented	Citizen Budget is available online for 2020 and it is the first Budget for Citizens of the institutions BiH and international obligations BiH published. In the introduction it is stated that Ministry plans to introduce a practice of regular publication of this document.
MoF should pursue open data policy to the fullest, by publishing ALL budgetary data in	No action taken	MoFT does not pursue open data policy.

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.		
MoF CHU should regularly produce and publish online quality reviews of internal audit reports.	No action taken	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.
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.	No action taken	Nothing changed from the last monitor cycle.
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.	No action taken	Nothing changed from the last monitor cycle.
SAI should aim to produce citizen-friendly summary for each audit report published, regardless of the audit type. As the good starting point, short and concise summaries produced for	Fully implemented	None of the financial audit reports contains a summary. Performance audit reports do have a citizen-friendly summaries (very clear, concise and they give the reader a brief overview

performance audit reports can be replicated		of main findings). However, all the reports are summarized in the annual Summary of Audit Reports for 2019 which is written in clear and citizen-friendly fashion and contains visuals and key findings.
On specifically dedicated website location, SAI should clearly promote information on receiving, and procedure of handling citizens' inputs, tips, and complaints. Increased visibility and promotion of this practice can positively affect citizens' engagement in reporting irregularities as well as government accountability	Fully implemented	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.
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.	No action taken	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.
SAI should consider using as many citizen-friendly tools as possible for communication of its work. Possible options include but are not limited to infographics, videos, or brochures, and social media.	Fully implemented	AOI does have a Twitter account, promo materials are available, as well as infographics. The primary manner of communication with the public is the website of the Office and direct contact with the media.

VII.7 PAR Monitor 2019/2020 recommendations

Majority of the recommendations from the 2017/2018 PAR Monitor, still relevant in this monitoring cycle, is repeated and some of them have been slightly modified, either to make them more relevant to the somewhat changed legal framework or simply to make them clearer and more specific.

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. **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.*

*Recommendations from the previous cycle (repeated and modified)

*New recommendations 2019/2020*

9. **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.

Methodology Appendix

PAR Monitor Methodology was developed by the research and expert team of WeBER and widely consulted among all relevant WeBER associates. Overall, for the second, 2019/2020 monitoring cycle, the methodology is based on the selection of 22 SIGMA Principles within six key areas of PAR, and selected Principles are monitored through 23 compound indicators that focus on different aspects of PAR.

PAR Monitor methodology (master) document provides details on the overall approach of WeBER PAR monitoring, the process of developing the methodology, the selection of the Principles which the WeBER project monitors and the formulations of indicators with the basic methodological approaches. Detailed information needed for the measurement of each indicator is provided in separate detailed indicator tables. Each detailed indicator table contains the formulation and focus of a specific indicator, as well as the following information for each of the indicator elements: formulation, weight, data sources, detailed methodology, and point allocation rules.

PAR Monitor methodology, and detailed indicator tables are available at the following link: <http://www.par-monitor.org/pages/par-monitor-methodology>

For producing this National PAR Monitor report for Bosnia and Herzegovina, the following research methods and tools were used for data collection and calculation of indicators:

- Analysis of official documentation, data, and official websites
- Requests for free access to information
- Focus groups
- Interviews with stakeholders
- Public perception survey
- Survey of civil servants
- Survey of civil society organisations.

Analysis of official documentation, data and official Websites

Monitoring heavily relied on the analysis of official documents publicly available on the websites of administration bodies and on the data and information contained therein. Documents which were analysed to this end 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.).

In some instances, responsible authorities were directly contacted by researchers for missing documents and data. 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. In the area Policy Development and Coordination, for monitoring transparency of governmental decision-making (indicator PDC_P6_I1), and public availability of information on Government's performance reporting (PDC_P5_I1), the following website was analysed:

1. The Council of Ministers of Bosnia and Herzegovina - www.vijeceministara.gov.ba

In the Public Service and Human Resource Management area, for the monitoring of openness, transparency, and fairness of recruitment into the civil service (PSHRM_P3_I1), and for public availability of official data and reports about the civil service and employees in central state administration (PSHRM_P2_I1), the following websites were analysed:

1. Public Administration Reform in BiH Coordinator's Office - parco.gov.ba
2. General Secretariat of Council of Ministers of BiH - www.vijeceministara.gov.ba
3. Ministry of Finance and Treasury - www.mft.gov.ba
4. Secretariat of Parliamentary Assembly of Bosnia and Herzegovina - parlament.ba
5. Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina - www.mvteo.gov.ba
6. Civil Service Agency of Bosnia and Herzegovina - www.ads.gov.ba

In the Accountability area, for monitoring proactive informing of the public, by public authorities, (ACC_P2_I2), the following websites were analysed:

1. Ministry of Civil Affairs of Bosnia and Herzegovina - www.mcp.gov.ba
2. Ministry of Human Rights and Refugees of Bosnia and Herzegovina - www.mhrr.gov.ba
3. Ministry of Security of Bosnia and Herzegovina - www.msb.gov.ba
4. Ministry of Finance and Treasury of Bosnia and Herzegovina - www.mft.gov.ba
5. Directorate for Economic Planning of Bosnia and Herzegovina - www.dep.gov.ba
6. Service for Foreigners' Affairs of Bosnia and Herzegovina - www.sps.gov.ba
7. Agency for identification documents, registers and data exchange of BiH - www.iddeea.gov.ba

Table. Breakdown of the CSO survey sample in Bosnia and Herzegovina

	Frequency	% (of cases)
TOTAL	122	100
Key groups		
Type of organisation*		
Policy research/Think-tank	49	26.63
Watchdog	21	11.41
Advocacy	71	38.59
Service provider	60	32.61
Grassroot	46	25
Other	68	36.96
Field of operation*		
Governance and democracy	31	25.4
Rule of law	33	27.0
Human rights	75	61.5
Public administration reform	18	14.8
European integration	28	23.0
Gender issues	34	27.9
Children and youth	69	56.6
Environment and sustainable development	42	34.4
Education	68	55.7
Culture	37	30.3
Health	27	22.1
Media	24	19.7
Economic development	34	27.9
Civil society development	64	52.5

Social services	46	37.7
Other	14	11.5
Year of registration of the CSO		
Mean= 1981; Range=1944-2018		
Position of the respondent in the organisation*		
Senior-level management	70	57.37
Mid-level management	13	10.65
Senior non-management	4	3.27
Mid-level non-management	6	4.91
Other	29	23.77
Years working with the organisation		
Mean=15.5 years; Range=0-31 years		

**Multiple response questions. Calculating frequency totals may add up beyond the sample size (122), or total percentage of cases may add up beyond 100%.*

In the Service Delivery area, for monitoring availability of information regarding the provision of administrative services on the websites of service providers (SD_P4_I2), the following websites were analysed:

State level:

1. Indirect Taxation Authority of BiH - www.new.uino.gov.ba
2. Agency for identification documents, registers and data exchange of BiH - www.iddeea.gov.ba

Entity level and Brčko District:

3. Republic administration for geodetic and property affairs of RS - www.rgurs.org
4. Federal Administration for Geodetic and Real Property Affairs of FBiH - www.fgu.com.ba
5. Government of Brčko District - www.bdcentral.net
6. Agency for Intermediary, IT and financial services of RS - www.apif.net
7. Basic Court of Brčko District - www.ossud-brckodistriktbih.pravosudje.ba
8. Ministry of Interior of RS - www.mup.vladars.net
9. Tax Authority of FBiH - www.pufbih.ba
10. Tax Authority of RS - www.poreskaupravar.org

Canton level:

11. Ministry of Interior of Una-Sana Canton - www.mupusk.gov.ba
12. Ministry of Interior of Posavina Canton - www.zupanijaposavska.ba/ministarstvo-unutarnjih-poslova
13. Ministry of Interior of Tuzla Canton - www.muptk.ba
14. Ministry of Interior of Zenica-Doboj Canton - www.mupzdk.gov.ba
15. Ministry of Interior of Bosnian-Podrinje Canton Goražde - www.mup.bpkg.gov.ba
16. Ministry of Interior of Central Bosnia Canton - www.mupsbk-ksb.gov.ba
17. Ministry of Interior of Hercegovina-Neretva Canton - www.muphmk.ba
18. Ministry of Interior of Sarajevo Canton - www.mup.ks.gov.ba
19. Ministry of Interior of Canton 10 - www.vladahbz.com/ministarstvo-unutarnjih-poslova/aktivnosti-ministarstva
20. Ministry of Interior of West Herzegovina Canton - www.mupzzh.ba

In the Public Finance Management area, for monitoring transparency and accessibility of budgetary documents (PFM_P5_I1), public availability of information on public internal financial controls and the parliamentary scrutiny (PFM_P6&8_I1), availability of public procurement related information to the public (PFM_P11&13_I1), and Supreme Audit Institution's communication and cooperation with the public (PFM_P16_I1), the following websites of centrally responsible authorities were analysed:

1. Ministry of Finance and Treasury of Bosnia and Herzegovina - www.mft.gov.ba
2. State Audit Institution of Bosnia and Herzegovina – www.revizija.gov.ba
3. Public Procurement Office - www.javnenabavke.gov.ba

Requests for free access to information (FOI)

As the PAR Monitor methodology strongly relies on the analysis of public availability of information and data, usually based on the websites of public authorities, FOI requests were not comprehensively sent out for each PAR area or every indicator. Requests were sent in cases where monitoring focus was on the proper identification of certain practice within administration, rather than public availability of information. Hence, where specific indicator requires online availability of information on specific websites, FOI request were not sent.

That said, the researchers used FOI requests as a data collection tool in three areas: Policy Development and Coordination (indicator PDC_P10_I1), Public Service and Human Resource Management (PSHRM_P3_I1, PSHRM_P4_I1, PSHRM_P2_I1), and Accountability (ACC_P2_I2). In Bosnia and Herzegovina, a total of 18 FOI requests were sent in the monitoring period from March to November 2020.

Table. FOI requests sent in Bosnia and Herzegovina

Institution	Date of request	Date of reply/information receipt*
Ministry of Foreign Trade and Economic Relations of BiH	26/04/2020	No response
Ministry of Human Rights and Refugees of BiH	26/04/2020	11/05/2020
Ministry of Justice of BiH	26/04/2020	20/05/2020
Ministry of Security of BiH	26/04/2020	22/05/2020
Ministry of Civil Affairs of BiH	26/04/2020	21/05/2020
Food Safety Agency of BiH	26/05/2020	07/05/2020
BiH Directorate for Economic Planning	10/03/2020	No response
Agency for identification documents, registers and data exchange of BiH	10/03/2020	No response
Ministry of Civil Affairs of BiH	10/03/2020	13/04/2020
Ministry of Human Rights and Refugees of BiH	10/03/2020	11/03/2020
Ministry of Security of BiH	10/03/2020	27/03/2020
Service for Foreigners' Affairs of BiH	10/03/2020	10/04/2020
Ministry of Finance and Treasury of BiH	10/03/2020	16/03/2020
Civil Service Agency of BiH	19/06/2020; 24/09/2020	02/07/2020; 24/07/2020; 08/10/2020
Agency for Statistics of BiH	12/10/2020	30/10/2020
Service for Foreigners' Affairs of BiH	12/10/2020	25/12/2020
Indirect Taxation Authority of BiH	12/10/2020	No response

**Dates indicated do not mean in all cases provision of requested information. In certain cases, public authorities informed they will act upon request when the COVID-19 related state of emergency is lifted, or that they are not in the possession of requested information, or they will reply within the extended deadline in accordance with the Law.*

Focus groups

Focus groups were conducted for collecting qualitative, in-depth inputs from stakeholders for a selection of indicators - for the ones either fully based on survey data to complement them, or for those that relied on otherwise collected information that needed to be corroborated by focus group participants. The PAR Monitor methodology envisaged focus groups for:

- Strategic Framework for 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, PDC_P12_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)
- 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).

For selection of participants, purposive non-probability sampling was used, targeting CSOs with expert knowledge in the topics concerned. In Bosnia and Herzegovina, 2 focus groups with CSOs were conducted. Unlike in the baseline PAR Monitor 2017/18, instead of a focus group with candidates who previously applied for job positions in central state administration, stakeholder interviews were organised as an alternative, due to the low response rate of focus group invitees. In addition, focus groups for the Strategic Framework for PAR covered only topics related to the indicator SFPAR_P2&4_I1 in this monitoring cycle, whereas for other indicator in this area, interviews were organised for data collection. Finally, two focus groups were organised online, as the consequence of the COVID-19 pandemic and preventive measures.

Table. Focus groups conducted in Bosnia and Herzegovina

Date	Group	#	PAR Area
03 November 2020	Civil society	7 participants	Service Delivery
02 November 2020	Civil society	7 participants	Policy Development and Coordination, Accountability
02 November 2020	Civil society	7 participants	Strategic Framework of PAR

Interviews with stakeholders

Interviews were conducted to collect qualitative, focused, and in-depth inputs from stakeholders on monitored phenomena. For a few indicators, interviews are envisaged as data sources according to the indicator tables. Nonetheless, they were additionally used in the research to complement and verify otherwise collected data and findings.

Interviews were semi-structured, composed of set of open-ended questions, allowing for a discussion with interviewees and on-the-spot sub-questions rather than strictly following a predetermined format. Selection of interviewees was based on purposive, non-probability sampling, targeting interlocutors based on their expertise and relevance for the topic.

In Bosnia and Herzegovina, a total of 14 interviews were held within the monitoring period. Interviewees were given full anonymity in terms of personal information and institutional/organisational affiliation, to ensure higher response rate and facilitate open exchange. As in the case of focus groups, certain number of interlocutors were interviewed using online platforms, due to COVID-19 pandemic.

Table. Interviews conducted in Bosnia and Herzegovina

Date	Interviewees	PAR Area
27 October 2020	Senior civil servant	PSHRM
27 October 2020	Senior civil servant	PSHRM
28 October 2020	Senior civil servant	PSHRM
30 October 2020	Senior civil servant	PSHRM
30 October 2020	Former senior civil servant	PSHRM
30 October 2020	CSA representative	PSHRM
22 October 2020	HRM Expert	PSHRM
29 October 2020	HRM Expert	PSHRM
29 October 2020	PARCO representative	SFPAR
5 November 2020	Former candidate for job position in central administration	PSHRM
5 November 2020	Former candidate for job position in central administration	PSHRM
6 November 2020	Former candidate for job position in central administration	PSHRM
6 November 2020	Former candidate for job position in central administration	PSHRM
18 December 2020	SAI representative	PFM

Public perception survey

The public perception survey is based on a questionnaire targeting the general public (aged 18 and older) in the entire Western Balkans. The survey was administered through combining computer-assisted web and telephone interviewing (CAWI, and CATI), using a three-stage, random, representative stratified sampling (primary sampling unit: polling station territories, secondary sampling unit: households, tertiary sampling unit: household member). It was implemented as part of the regional omnibus surveys in the Western Balkans during 5 May - 30

May 2020. For Bosnia and Herzegovina, the margin of error for the total sample of 1027 citizens is $\pm 3.11\%$, at the 95% confidence level.

Table. Survey sample breakdown

	Frequency	% (cases)
TOTAL	1027	100%
Key groups		
Gender		
Male	499	48.6
Female	528	51.4
Age		
18-29	188	18.3
30-44	298	29
45-60	327	31.8
60+	214	20.8
Educational attainment		
Primary school	201	19.6
High school	614	59.8
University degree or higher	212	20.6
Employment status		
In paid work	396	38.6
Unemployed	345	33.6
Other	285	27.8
Employment sector		
Public	90	22.7
Private	306	77.3
Area		
Rural	478	46.5
Urban	549	53.5

Survey of civil servants

Civil servants survey was implemented based on a unified questionnaire targeting civil servants working in the six Western Balkan administrations. The questionnaire was translated and adapted to local languages, and it consists of five sections covering: 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 (web SAQ).

For Bosnia and Herzegovina, a total of 251 civil servants participated in the survey from 16 June to 17 July 2020. The Public Administration Reform in BiH Coordinator's Office (PARCO) facilitated the

dissemination of the survey by sending the questionnaire to the mailing lists of civil servants working in central state administration bodies.

Table. Breakdown of the sample for survey of civil servants

	Frequency	% (of cases)
TOTAL	251	100
Key groups*		
Civil service position		
Senior civil service manager – head of authority	12	6.42
Senior civil service manager – not a head of authority	33	17.65
Non-senior civil service manager (executorial)	0	0
Civil servant in non-managerial expert position	91	48.66
Administrative support civil servant position	14	7.49
Civil servant on fixed-term contract or otherwise temporarily engaged	9	4.81
Political appointment (minister's cabinet or otherwise)	0	0
Other	28	14.97
State administration institution		
Ministry	60	32.09
Subordinate agency	23	12.30
Centre-of-government institution (PM office, government office, government service)	51	27.27
Autonomous agency within the central state administration	39	20.86
Other	14	7.49
Gender		
Male	74	39.57
Female	100	53.48
Other	0	0
Don't wish to answer	13	6.95
Years working in the administration		
Mean= 12.27 years; Range=0-40 years		
Sector worked before joining the administration		
Local or regional administration	42	22.46

Other branch of power	14	7.49
Public services	11	5.88
International organisation	21	11.23
Non-governmental organisation	8	4.28
Media	14	7.49
Private sector	47	25.13
This was my first job	17	9.09
Other	13	6.95

**Due to instances of drop out from the survey by respondents, calculating frequency totals may not add up to the sample size (251).*

Survey of civil society organisations

CSO survey results are based on a unified questionnaire targeting representatives of CSOs working in the entire Western Balkans. In this monitoring cycle, the questionnaire included 7 thematic sections covering:

- CSOs involvement in evidence-based policymaking,
- participation in policy- and decision-making,
- exercising the right to free access of information,
- transparency of decision-making processes,
- CSO's perceptions on government's planning, monitoring, and reporting on its work,
- integrity of public administration, and
- the accessibility of administrative services.

Data collection was conducted using a self-administered questionnaire on SurveyMonkey platform (web SAQ).

For Bosnia and Herzegovina, a total of 122 CSOs participated in the survey from 23 June to 3 August 2020.

Table. Breakdown of the CSO survey sample in Bosnia and Herzegovina

	Frequency	% (of cases)
TOTAL	122	100
Key groups		
Type of organisation*		
Policy research/Think-tank	49	26.63
Watchdog	21	11.41
Advocacy	71	38.59
Service provider	60	32.61
Grassroot	46	25
Other	68	36.96
Field of operation*		

Governance and democracy	41	22.28
Rule of law	40	21.74
Human rights	86	46.74
Public administration reform	42	22.83
European integration	54	29.35
Gender issues	44	23.91
Children and youth	72	39.13
Environment and sustainable development	99	53.8
Education	79	42.93
Culture	48	26.09
Health	41	22.28
Media	31	16.85
Economic development	49	26.63
Civil society development	72	39.13
Social services	55	29.89
Other	26	14.13
Year of registration of the CSO		
Mean= 1981; Range=1944-2018		
Position of the respondent in the organisation*		
Senior-level management	70	57.37
Mid-level management	13	10.65
Senior non-management	4	3.27
Mid-level non-management	6	4.91
Other	29	23.77
Years working with the organisation		
Mean=15.5 years; Range=0-31 years		

**Multiple response questions. Calculating frequency totals may add up beyond the sample size (122), or total percentage of cases may add up beyond 100%.*

