

## Challenges and actual problems in reforming the public administration in the Republic of Macedonia

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### Abstract

Taking into consideration the fact that the public administration has a very important role in offering services and being a public service to the citizens and business community, as well as the need of improvement and harmonization of the norms and standards with the European Union, as one of the most important demands toward the integration process of Macedonia in the EU, makes this paper necessary to be taken into consideration for at least as a humble research in the area of public administration.

Primary goal of this paper is that through comparative and quantitative methods to represent the challenges of reforming the public and state administration in Macedonia. De-politicization, more professional administration services and lowering the number of clerks in administration is one of the main criteria that our country needs to fulfil towards full integration in NATO and EU.

The more time passes, the least progress is seen in this process, as we see stagnation in the aspect of quality of services, as well as in the aspect of total number of administrative clerks.

**Keywords:** administration, reforms, integration, organization, functioning.

### A glance in the past of organization and functioning of public administration in Macedonia

With constitutional changes in 1991 in the political, economic as well as judicial system, Republic of Macedonia transformed into a pluralistic country with a parliamentary democracy and market economy. There is no doubt that Macedonia as a member of the ex-Yugoslav system, after its independence did actually inherit institutions and staff which could not change their mindset after serving in a totalitarian regime. Organization and functionality of the public administration is closely related with the creation of the state and as a part of the political system in society, it represents a substantial part of the state itself.

In modern societies administration has a crucial role. In developing countries and those developed during the XX century, the administration staff has increased twenty times more in comparison with the growth of the overall population<sup>1</sup>. From our experience until now, it is evaluated that the public and state administration is more than necessary for the overall progress of the social processes (Pusiæ, 2002). Based on the constitution, Macedonia is defined as a republic of law, a state of welfare and democracy, thus nowhere is it noted that it is a state of political parties. I believe that for my fellow colleagues and students of law and politics, theoretically this issue is

<sup>1</sup>Summary of scientific papers, "The State of Law and reforms in the public administration: case Macedonia", UEJL, Tetovo, 2008, p. 155.

important and clearly defined, because a state of law, democracy and welfare cannot be defined as a state of political parties. A state of political parties theoretically pertains to nondemocratic and totalitarian regimes.

Republic of Macedonia is characterized as one of the few places where transition is taking more than it should. As a consequence of this, De-politicization of the state and the division of the party from the state was one of the main criteria of the European Commission so that Macedonia became a parliamentary democracy and civic pluralism, on the contrary there happened a total control of the institutions by the political parties. Here we can conclude that Macedonia from an ex system where one political party ruled everything became a country where more political parties control the system. Based on the poll results, depending which party or coalition governs the country, the state gets new owners.

Macedonia failed to cope with the process of transition and reforms, because of tight party interests and weak administration of the processes led by the political leaders of that time. Instead of improving principals of professionalism, efficiency and responsibility of governing the country, the contrary happened. Minimizing the criteria of meritocracy and strengthening the swaging of the system as well as nepotism, the institutions are overflowed with unprofessional and unqualified clerks. In the public and state institutions of Macedonia, most of the administration clerks aren't engaged according to their academic education, for example in the culture department you can find those with agricultural or mining degrees, in the police department there are those with linguistic degrees, in economics we see teachers, in education there are policemen, so, there is a cruel and unimaginable mixing in the institutions hard to be comprehended for the sane who have a projection what an efficient administration should be like (Saliu, 2015).

In the Republic of Macedonia all the employment processes in the public and state administration, or the appointment, advancing and promotions seen on the procedural aspect are conform the law, but on the other side the selection by the state institutions is done based on the ruling party lists.<sup>2</sup> Maybe this may sound harsh a bit, but the abuse and the insolence of this procedures goes beyond such that candidates (talking about the ones that are not on the lists) don't even receive an explanation about the reasons why they are not accepted.

According to experts in Macedonia, after every parliamentary elections and the establishment of the new government, there is a total exchange on political basis (based on which party wins the election) in every sector both public and state ones.<sup>3</sup> Compared to developed countries with a longer democratic tradition, such as USA or Germany, after presidential or parliamentary elections, only 400 to 4000 political or public functions are changed<sup>4</sup>. Here on the other hand, because the dismissed placemen remain jobless, either they are systemized in low positions so that they quit themselves or they are fired.

<sup>2</sup> Interview on Portalb, by Argëtim Saliu, <http://portalb.mk/162348-bomba-e-20-del-ne-siperfaqe-monstrumi-i-vertete-i-burgosjeve-dhe-pastrimeve/> (15.05.2015).

<sup>3</sup> Summary of scientific papers, " *The State of Law and reforms in the public administration: case Macedonia*", UEJL, Tetovo, 2008, page 123.

<sup>4</sup> Ibid, page 123.

## Reformation of public and state administration in Macedonia (1999-2014)

Western countries have started with reforms in their national administrations and according to experts reforms in the western European countries have started since the beginning of the XX century. Nowadays, European citizens are treated as customers and users of services, which as taxpayers have the right to use their rights and obligations in any time, even in a professional, efficient and neutral manner. Also there should be noted that in developed countries administrative services are mostly now digitalized. 30 years ago everything started with research in information technology about the work of national administration, for ex.: it is interesting the successful practice of Estonia, which in 2001 launched the project "X Road" which aimed to digitalize and modernize the administration (Naumovski & Dokmanovic, 2008).

As for the reforms in Macedonia, they always start late. The reason for stagnation can be mentioned that Macedonia for decades was part of ex-Yugoslavia, where the tendency of strengthening the federal state was dominating. Another factor worth mentioning was the independence of the country, where the tradition of concentrating power in the executive institutions just continued. Because of these situations Macedonia even after its independence there were laws that were passed since the time of ex-Yugoslavia's system<sup>5</sup>.

We can freely say that till the end of 1999 and the start of 2000, nothing serious was taken towards reforming the administration of this country. As was stated above, the administration through 1990-2000 were organized and in functioning with the changed law in 1994 and 1998. We can state that this law didn't bring any new ways of functioning of the administration, but on the contrary with changes in 1998 the number of ministries rise to 21.<sup>6</sup>

The strategic orientation of the country in order to become a member of NATO and the European Union, is preceded by the fulfillment of the criteria of Copenhagen of 1993, through which the conditions under which the country would be accepted in the EU were laid (Pavlovska & Davitkovska, 2012), and consisted of: stability of institutions, the ruling of law, freedom and human rights, respect of minorities and the application of the market economy.

By the act of Nr. 23-204/1 passed in 26 January 1998, the government of that time formed a Commission for reforms of public administration, under the supervision of the Ministry of Law. Members of this Commission included the most important ministries, the Agency of civil servants and the Secretary of the Secretariat of legislature. In this sense the government of the Republic of Macedonia started with reforms in the public administration in 1999, by establishing the *Strategy for reforms in the public administration of the Republic of Macedonia*.<sup>7</sup>

The purpose of this Strategy for reforms in the public administration was the improvement of the structures and processes in the administration, through different

<sup>5</sup>For more information see: The law on overall administrative procedures; The law on administrative disputes etc.

<sup>6</sup>Summary of scientific papers, "The State of Law and reforms in the public administration: case Macedonia", UEJL, Tetovo, 2008, page 157.

<sup>7</sup>Gvt. of Republic of Macedonia, "Strategy for reforms on the public administration", Skopje, May 1999.

forms and better ways of supporting the progress of the democratic society and the market economy, by which there would be ensured the development of the system in the public administration with these features<sup>8</sup>:

- A small public administration according to the capacity of the state;
- A simpler administration structure according to the principle of the parliamentary democracy;
- A democratic administration;
- Protecting the administration from political and other interests;
- Public administration oriented in serving the citizens and the business community;
- Decentralized model of public administration;

Through these characteristics there could be distinguished the basic principles of the new public administration, like: rule of law, transparency, competency, stability, responsibility, treating equally all citizens, efficiency, ethics (Pavlovskaja & Davitkovskaja, 2012). In order to achieve these goals the Strategy for reforms in public administration, sets the fields where the reforms would take place, like:

- The System of the state administration;
- The System of local self-administration;
- Redefining the role of the state in public administration.<sup>9</sup>

Through these reforms there was achieved an improvement of the organizing structures of the administration, but there was no solution to the crucial problems, like the overload of administration and the political influence which the ruling parties in the government exercise. Thus the number of employed administration clerks eventhough the process of decentralization privatization ended it still grows.

**Tabel 1.** *The number of employees in the state administration (2006-2010)* (Pavlovskaja & Davitkovskaja, 2012),

2006	2007	2008	2009	2010
11830	12530	13203	11130	12480

In 21 December 2010 the Government of the Republic of Macedonia brought a decision for creating a new Strategy (the second one in order), for reforming the administration of this country, for the period of 2011 to 2015<sup>10</sup>. This strategy aims so that by 2015 the administration to be completely reformed and to reach the level of quality according to the European administration. Priorities of this Strategy are:

- Improvement of quality of service toward the citizens and the business community (highlighting the electronic services, like e-Government and e-administration );
- Improvement of quality of service to public administration (agencies, funds) by giving power to Offices for human resources;
- Improvement of functioning of the General Secretariat in the Government of R.M (creating a strategic plan and coordinating governmental/public policies)<sup>11</sup>;

<sup>8</sup>Ibid, p. 7-10.

<sup>9</sup>Gvt. of Republic of Macedonia, "Strategy for reforms on the public administration", Skopje, May 1999, p. 10.

<sup>10</sup>Gvt. of Republic of Macedonia, "Strategy for reforms on the public administration", Skopje, December 2010.

<sup>11</sup>Ibid.

According to many reports and researches by institutions domestic and foreign, for ex.: Reports of progress of the European Commission, OSCE, Ombudsman and the state entity for statistics, the republic of Macedonia even after the second strategy for reforms (2011-2015) was passed, the number of employees in the public sector and that of state is continuously growing. Even the minister of information society and administration himself, Ivo Ivanovski, through his speeches has emphasized that till now the number of the overall employees in the public sector and that of state is over 120 thousand<sup>12</sup>. If we take into consideration the last listings of employment in the Public Enterprise "Woods of Macedonia", where there were 1300 people employed, then two times in a row the listings of the Ministry of Inner Affairs, 300 new policemen and eventually a law was passed for transforming the job status from contractual to permanent, the Government overloaded the public sector with 20000 new employments, which certainly represent high costs for the state budget.

### Conclusions

The diagnosis of negative processes in the public and state administration after such a long time was verified and repeated by the international community. The European Union Commission, OSCE, USAID, World Bank, and International Monetary Fund, have stated in their reports that Macedonia has an overloaded administration, politicized and unprofessional. The analysis of these reports brings the following recommendations:

- Changes in legislation in order to balance the relationship among the legislative and executive government;
- Parliamentary and public control on the executive government;
- Division between party and state functions;
- Development of digitalization, such as: e-administration, e-Government, e-parliament;
- Approval of a resolution against the state dominance by the ruling party and the development of the meritocracy system in the institutions.

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<sup>12</sup>Ministry of administration, [www.mio.gov.mk](http://www.mio.gov.mk); <http://www.mio.gov.mk/?q=node/2424>.