



THE 6<sup>TH</sup> EDITION OF THE INTERNATIONAL CONFERENCE  
**EUROPEAN INTEGRATION  
REALITIES AND PERSPECTIVES**

**The Analysis of Public Administration Reforms in Macedonia and the  
Evaluation of the Performance of Public Administration by the European  
Commission**

Abdula Azizi

*South East European University, Faculty of Public Administration, R. of Macedonia,  
a.azizi@seeu.edu.mk*

**Abstract:** The objective of this paper is to underline the deficiencies in the functioning of Public Administration in the Republic of Macedonia. The issue of Public Administration reforms in Macedonia has been dealt with by other scholars, but the European Commission reports have not been analyzed years after receiving the status of candidate country for EU membership. The results will reflect the realistic assessments and objective perceptions of citizens about the functioning of Public Administration, based on survey conducted with the citizens of Macedonia, and also the evaluation by the European Commission. The critical assessment of the functioning of Public Administration in Macedonia in this study should create a positive and stimulating effect on public authorities to reform Public Administration in conformity with the needs of citizens and Euro-integration processes of the country.

**Keywords:** Politicization; transparency; professionalism and efficiency

## 1 Introduction

The reforms in Public Administration (PA) aim at supporting the development of democratic societies through the improvement of quality of services and the transformation of the administration into a service devoted to citizens and economic subjects.

Reforms represent a permanent process in transition countries, especially from the organizational and functional point of view. Usually, the most important normative changes occur when it is evident that the PA is not functioning the way it is supposed to, as well as when the government or the political factors wish to offer certain support to the PA, particularly when the aim is to establish firm and sustainable institutions through the reforms in PA.

Besides, PA reforms are conditioned by some additional processes such as the implementation of the Ohrid Framework Agreement (OFA), the decentralization process and the integration of Macedonia in the EU.

Therefore, PA reforms in general and their orientation towards the membership in the EU are two complementary processes whose realization requires a strategic approach.

## 2 The Performance of Reforms in PA

The PA in Macedonia is constantly undergoing some kind of reforms so that it can meet the specific actual needs and requirements.

After the country's independence in 1991, some formal steps about the reformation of PA were undertaken in terms of the normative aspect. Initially, the PA reformation is conceptualized in the 1999 Macedonian Government Strategy which identified some crucial areas for reformation including the

state administration system, the overall PA system, the local self-government system, the redefinition of the role of the state, the realization and protection of citizens' rights, the restructuring of public finances, the development of information systems, etc. (Strategija, 1999, p.10).

In the function of the realization of PA reforms, the Macedonian Government undertook the initial steps by creating the institutional grounds.<sup>1</sup>

As a result of the internal interethnic conflict between the Albanian and the Macedonian Community, on August 13<sup>th</sup> 2001 the OFA was signed and it incorporated the constitutional changes. Therefore, as a new obligation which was supposed to be priority within the PA reforms was the implementation of the principle on equal and adequate representation of other community members in the PA bodies and institutions. Apart from this, the OFA included the realization of the decentralization process which required essential changes in terms of the transfer and delegation of central power to local self-government units in the field of education, social protection and local economic development.<sup>2</sup>

The PA reforms were part of the Stabilization and Association Agreement (SAA) with the EU, signed between Macedonia and the EU on April 9<sup>th</sup> 2001 in Luxembourg. Paragraph 4 of the Preamble of the SAA determines the reformation of PA as one of the main objectives; whereas Article 74 emphasizes the concrete obligations for Macedonia in terms of the strengthening of the institutions at all levels of the administration and the implementation of the rule of law. In this respect, Macedonia has been encouraged to work hard in order to establish strong institutions and strengthen the administrative personnel capacities so that they can meet the country's EU integration challenges. However, the above-mentioned reforms associated with the adoption of relevant laws<sup>3</sup> in the field of PA did not change its practical functioning; i.e. it continues to remain inefficient, non-transparent and highly-influenced by politics (Azizi, 2008).

### 3 The Citizens' Opinion, Employee Evaluation and Political Impact in Selecting New Functionaries

The citizens in Macedonia believe that the PA is dysfunctional and they are dissatisfied with the performance of the administration. According to their perception, the PA system is not considered to have been efficient in meeting their needs and requirements as service utilizers. Their dissatisfaction is a result of their treatment by civil servants during their mutual communication as well as of very long, boring, tiring and complicated procedures. In this context, the data acquired from the Civil Service Agency (CSA), though not that critical towards what we just mentioned above, speak almost the same

<sup>1</sup> The following bodies were established for this purpose: *The Commission on PA Reforms*, the highest inter-ministry body to lead directly the process of reforms in PA (Government decision, January 1998); *The Secretariat for the Support of the Commission on PA Reforms* (Government decision, March 1999); *PA Reforms Unit*, to implement the activities of the Commission on Reforms and those of the Secretariat (Government decision, October 1999). As mechanisms for coordination of reforms in PA, the following were determined: *The Prime Minister and the Government* are competent for the strategic management of the reform process in PA; *the Collegium of State Secretaries and the Secretary General of the Government* are competent structures for the coordination of PA reforms.

<sup>2</sup> The increase of competencies in terms of the local economic development, rural and urban development, municipality funding, environment protection, public services, education and healthcare, according to the Law on Local Self-government (Official Gazette of RM, nr. 5/02), implies reforms in the role of the state in the management of sectors to be decentralized, since now the local administration has to be reformed in terms of the improvement of all capacities for a successful realization of all the duties and implementation of modern managing methods which will enable efficient realization of all the rights of citizens and greater participation of citizens in the management of local affairs.

<sup>3</sup> *Law on the Government*, Official Gazette of RM, nr.59/2000, 22.07.2000; *The Law on Organization of State Administration Bodies*, Official Gazette of RM, nr.58/2000, 21.07.2000; *The Law on Local Self-government*, Official Gazette of RM, nr. 5/2002, 29.01.2002; *The Law on corruption prevention* Official Gazette of RM, nr. 28/2002, 26.04.2002; *The Law on Administrative Inspection*, Official Gazette of RM, nr.69/2004, 07.10.2004; *The Law on Institutions*, Official Gazette of RM, nr.32/2005, 11.05.2005; *The Law on General Administrative Procedure*, Official Gazette of RM, nr.38/2005, 26.05.2005; *The Law on Administrative Disputes*, Official Gazette of RM, nr.62/2006, 19.05.2006; *The Law on Civil Servants*, Official Gazette of RM, nr.52, 16.04.2010; *The Law on Civil Servants*, Official Gazette of RM, nr.76, 07.06.2010.

with regard to the evaluation of civil servants that is carried out by their own directors and state administration bodies.<sup>1</sup>

Below is the table with data about the evaluation of functionaries in state administration bodies at a local and central level.

**Table 1. Evaluation of functionaries during 2009**

	Total	Evaluated	Not evaluated	Proved	Meets	Partially meets	Does not meet
<i>Central government</i>	7142	6112 (85.5%)	1030 (14.5%)	4643 (76%)	1373 (22.4%)	85 (1.4%)	11 (0.2%)
<i>Local government</i>	2147	1981 (92.26%)	166 (7.73%)	1001 (46.62%)	883 (41.12%)	71 (3.3%)	26 (1.21%)
<b>Total</b>	<b>9289</b>	<b>8093</b>	<b>1196</b>	<b>5644</b>	<b>2256</b>	<b>156</b>	<b>37</b>

*Source:* The analysis of the civil servant evaluation in RM in 2009, Skopje, August 2010, p.9

A negative phenomenon that has seized the country is the partisan employments<sup>2</sup> in the administration, whereas the concept of “competition” is gradually losing its importance in terms of the selection and appointment of professionalized and highly-skilled people.<sup>3</sup>

During 2009, the CSA announced 203 competitions for a total of 1,494 job positions. 119 competitions were announced for 1,216 job vacancies for the needs of state bodies, whereas for municipalities and the city of Skopje there were 84 announced competitions for 278 job positions. Of all the announced competitions, there were only 6 for the employment of citizens of minority communities out of 701 job vacancies. During 2009 there were 63,772 job applications submitted to the CSA, or approximately 43 applications for one position (CSA, March 2010, p.17).

Below is another table which shows the results of a survey carried out with 3,189 people that had applied for the competitions announced by the CSA during 2009, or 5% of the total number of applicants, which actually confirms what was said above.

**Table 2. Political impact on new employments in PA**

Questions made to the surveyed – job applicants in PA	Answer	
	Yes	No
1. Are professional performances of candidates taken into consideration upon the selection process?	670(21%)	2519(79%)
2. Does the political affiliation of candidates influence the selection process for employment?	2679(84%)	510(16%)

#### **4 The evaluation on the functioning of PA within the EU progress Reports on Macedonia**

Since 2005 when Macedonia gained the status of a candidate country for EU accession, it has been receiving annual reports which also include evaluation of the performance in PA. Speaking about the

<sup>1</sup> Every organ of the state administration has a legal obligation to deliver the Evaluation report on civil servants (for the year 2009 there were 148 such bodies, of which 63 were central government bodies and 85 municipalities). Within the time framework, reports from 128 (86.48%) state administration bodies have been sent to the CSA, whereas 20 of them did not fulfil their legal obligation towards the CSA (the Ministry of Education and Culture as well as 18 municipalities).

<sup>2</sup> In the last 20 years the power has transferred from one political composition to another, but none of them undertook concrete measures as regards the reduction of the number of civil servants (as budget utilizers goes beyond 100,000) due to fears from their voters. See for more in *Makedonija se uhvatila u koštac sa reformom javne administracije*, for Southeast European Times, Goran Trajkov from Skopje 07/07/2008.

<sup>3</sup> It is a public secret that the PA has permanently been considered by the citizens as an “employment bureau” for “partisan militants” of governing structures; this means that only people on the lists coming from branches and sub-branches of certain political parties in power are lucky to get the jobs they have been promised.

period from 2005 to 2010, the EU progress reports on Macedonia keep emphasizing almost the same areas that require special attention in terms of their improvement. Generally speaking, Macedonia has been achieving a certain level of improvement in terms of PA reforms and takes seriously the European Commission remarks by undertaking concrete steps towards the improvement of the overall performance of its PA system. However, there are yet some areas for improvement in which it seems that there is no concrete political will to deal with them seriously and responsibly. Those areas include:

- slow administrative procedures as institutional weaknesses that disable the functioning of the market economy; the implementation of the harmonized legislation with the *acquis communautaire* also lags behind (EU Commission Report, 2005);
- mechanisms of professionalism and efficiency should be improved and independence and political neutrality should be guaranteed; ministries are facing lack of suitable administrative structures for the realization of strategic policies (EU Commission Report, 2006);
- the delivery of reports on the evaluation of civil servants to the CSA is insufficient; there is a high dismissal rate of employees due to government changes as well as politicization of appointments at all levels; the PA remains weak and inefficient, non-transparent, unprofessional and politicized (EU Commission Report, 2007);
- there is also a lack of transparency and responsibility upon the employment procedures in certain administrative bodies, whereas CSA does not possess mechanisms for ensuring legality and regularity of these decisions and procedures; the managing positions are quite often filled in with external people without fulfilling the required terms and conditions in terms of professional qualifications and experience, which is against the Law on Civil Servants; ministries do not have the necessary administrative capacity to manage human resources, creation of policies, strategic planning, internal coordination, etc; there are no sufficient human and financial resources for the implementation of the *acquis*; there is no equal treatment of civil servants, whereas their training and development relies solely on donors (EU Commission Report, 2008);
- significant additional reforms are needed in order to ensure transparency, professionalism and independence of the PA; the legal framework upon the employment of the personnel should be respected; the process of transferring part-time to full-time staff in PA did not ensure merit-based employment; the number of personnel employed for temporary work in PA is too large whereas the government did not provide accurate information; their employment was made in a non-transparent way and was not based on merit; the engagement of non-majority community members is made on quantitative basis without having the real need to do so; the politicization of state administration is worrying and many cases of replacement of professionals by people with limited abilities have been identified; the employment procedures of civil servants in accordance with the Law on Civil Servants does not guarantee merit-based employment; the final employment procedure does not provide selection based on transparency and merits since it is quite open to discretion (EU Commission Report, 2010, pp.7-9).

## **5 Resume**

Even though the PA reforms in Macedonia have been inhibiting compared to other social reforms, there have been some steps undertaken towards the establishment of an administrative system which tends to create better organizational structures, improve the quality of administration bodies as well as services offered to citizens, which could be considered as reforming steps of a normative character.

A considerable amount of laws in the past few years have been adopted under the motto of reforms, but they all lack a clear and strategic concept in terms of creating a PA in conformity with the needs of a democratic country.

Today, the PA is based on the rule of law, but it is still suffering a crisis situation; it is far from ideal postulates and independence, efficiency, competency and professionalism. Macedonian citizens have not experienced the reforms in PA yet, which should transform it into a small but efficient service which will not be politicized and corrupted. The PA is characterized by many disadvantages and weaknesses which created disbelief among the citizens; they revealed many anomalies that have to do with slow

procedures, defects during subject administration, inadequate qualification of human resources, unprofessional behavior of civil servants, etc. In one word, we have a PA system which is not immune against influences, which on the other hand cause problems to citizens who have to be serviced adequately and efficiently.

The main characteristics which are not evident in the PA in Macedonia and which have to be provided with the new reforms are as follows:

- a small PA with a regulatory function different from the classical state interventionism;
- depoliticized and non-partisan PA which is led by the transparent and professional component;
- a responsive PA that performs efficiently;
- equal representation of community members and accomplishment of the decentralization process;
- career advancement of civil servants in accordance with the merit-based system;
- efficient implementation of the behavior codexes of civil servants;
- further realization of the SAA.

In order to overcome the above-mentioned weaknesses, it is necessary to undertake adequate measures. If there is no institutional stability, de-partization and democratic control over the general performance, we will not be able to see concrete and real progress and improvement. During the reformation process professionalism, accountability, and responsibility in exercising the administrative function have to be taken into consideration. Reforms in PA should be backed up by a good political will and establishment of an efficient system that will enable adequate recruitment, advancement and evaluation of civil servants. Within the process of reforms, public services should also be included (social protection, education, healthcare, science and culture) as well as the transfer of some of the functions from the public sector to the private one, or to the private-public partnership. Ministries and other administrative bodies play a crucial role in the reformation process, since they can identify the disadvantages of the organizational system of the state administration. PA reforms should be in compliance with Macedonia's determination to establish a professional, competent, efficient, responsible and accountable PA in service to citizens, which will be led by high ethical principles and will therefore enjoy the citizens' trust and respect.

Finally, we are remaining hopeful that the upcoming reforms will help improve the performance of the administration and that it will positively impact Macedonia's euro-integrative processes.

## 6 References

- Azizi, A. (2008). *Reformat e administratës publike në Republikën e Maqedonisë drejt integritet evropian/ The Public Administration Reforms in Macedonia towards EU integration*, in: "Shteti i së drejtës dhe reformat në AP: rasti Maqedoni"/ The Rule of law and reforms in AP: Macedonia's Case. Tetovo: Arbëria Design, pp.57-79.
- Trajkov, G. (2008). *Makedonija se uhvatila u koštac sa reformom javne administracije*. Southeast European Times, Retrieved from [www.setimes.com/cocoon/setimes/xhtml/sr\\_Latn/features/setimes/features/2008/07/07/feature-02](http://www.setimes.com/cocoon/setimes/xhtml/sr_Latn/features/setimes/features/2008/07/07/feature-02).
- \*\*\* Civil Service Agency (March 2010). Izveštaj za rabotata vo 2009 godina. Nr. 01-1043/1, Skopje, p. 17.
- \*\*\* Civil Service Agency (August 2010) Analiza za ocenuvawe na dr`avnite slu`benici vo RM za 2009 godina. Skopje, p. 9.
- \*\*\* Commission staff working document, the FYR of Macedonia 2005, Progress report, Brussels, COM (2005) 562.
- \*\*\* Commission staff working document, the FYR of Macedonia 2006, Progress report, Brussels, COM (2006) 649 final, p.7.
- \*\*\* Commission staff working document, the FYR of Macedonia 2007, Progress report, Brussels, SEC (2007) 1432, p.8.
- \*\*\* Commission staff working document, the FYR of Macedonia 2008, Progress report Brussels, SEC (2008) 2695 final, p.10.
- \*\*\* Commission staff working document, the FYR of Macedonia 2009, Progress report, Brussels, SEC (2009) 1335, pp.11-12.
- \*\*\* Commission staff working document, the FYR of Macedonia 2010, Progress report, Brussels, SEC (2010)1332, pp.10-13.
- \*\*\* The Strategy on Public Administration Reform adopted by the Government of the Republic of Macedonia in May 1999, Skopje.