

Towards More Evidence-Based Policy Making in Montenegro in the Context of the Advanced Stage of EU Accession Negotiations¹

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Abstract

The main findings in this paper will be focused on the effects of the new system of policy planning and the current impact of the mentioned legal and methodological framework. The paper will verify whether or not the gradual steps that have been made until now have contributed to the changing environment in strategic planning in Montenegro. The subjects of the analysis were strategic documents already in force, as well as opinions of the Department for Government Strategies (DGS) on drafts and proposals of strategic documents and reports. The analysis implies that more emphasis should not only be placed on quality drafts of strategic documents and reports, but also that more should be done to improve the capacities of civil servants, raise awareness of high-level officials and put policy coordination issues high on the political agenda. The paper suggests that the Government of Montenegro, including line ministries and Secretariat-General (SGG), must focus on its resources and visibility in order to improve the quality of strategic documents, promote an evidence-based approach and build this “culture” within the public administration.

Goal

The advanced stage of EU negotiations in Montenegro focused more on Public Administration Reform and part of it – policy planning and co-ordination – has

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become more important in recent years. This policy paper will discuss how the EU integration process affects the policy planning and strategic planning system and how the new legal and methodological framework helps us in moving towards comprehensive and efficient policies. The main goal is to identify how a more evidence-based approach can be developed in Montenegrin public administration in order to make better decisions when creating new public policies. Bearing in mind that Montenegro’s most important foreign policy strategic goal is accession to the European Union, but also given the 2025 perspective, it becomes more important to align national with EU policies that would help Montenegro’s development.

Audience

The policy paper is mainly oriented towards the key stakeholders in this process – the Government of Montenegro and the line ministries. Both high level officials as well as civil servants are the target audience in this case, as the ones who are shaping and creating Montenegro’s public policies.

Policy Aim

The aim of this policy paper is to understand how Montenegro performs in policy and strategic planning and what the gaps are in the process. It will also identify the role of the Secretariat-General of the Government (SGG) and its Department for Government Strategies (DGS) in the new strategic planning system. The key aim of this paper is to show if the first results of the ongoing implementation of the new legal and methodological framework in strategic planning in Montenegro are indicating improvement in public policy planning and what must be done further to improve it.

Background of the Issue

Since the establishment of tighter cooperation with SIGMA, the principles of public administration³ have become one of the crucial components of changes at the level of the overall political system, including, of course, strategic planning. Principles of public administration, which are relevant for the SGG mandate in policy development and co-ordination, are mostly focused on coherent policy planning, medium-term policy planning and regular monitoring of the government’s performance, which should enable public scrutiny and also support the government in achieving its objectives.⁴ Our baseline for reviewing the situation

3 SIGMA, *The Principles of Public Administration*, 2017, link: <https://bit.ly/2lh181i>, pg. 6–7.

4 SIGMA, *Monitoring Report: The Principles of Public Administration, Montenegro*, November 2017, link: <https://bit.ly/2yWLHqK>, pg. 30–35.

in Montenegro are the notes given in the last SIGMA Monitoring Report for Montenegro (2017), and the two latest European Commission Progress Reports for Montenegro, for 2016⁵ and 2018⁶.

All of the aforementioned reports state that key challenges in Montenegrin policy planning remain with ensuring the quality of policy proposals, which led to the limited quality of analysis supporting the proposals, inconsistent implementation of the procedures for evidence-based policy making and consultation, and no clear information on the costs of the implementation. In the end, the reports on the implementation are mainly output-oriented and do not provide information on the achievements at the outcome level. On the other hand, the reports are publicly available, as all material discussed at the Government sessions is published online. The 2018 EC Progress Report states that the quality of policy planning should be “substantially upgraded, by introducing a medium-term planning framework, including fiscal planning, and by ensuring the consistency and coordination of sector strategies.” (pg. 10)

The legal framework that would help to harmonise strategic planning and establish a hierarchy between strategic documents, that has long been the subject of reports⁷ on Montenegro, is now in place with the adoption of the *Decree on procedure of drafting, alignment and monitoring implementation of strategic documents*⁸ and the following *Methodology*, that entered into force in August 2018 and upon which the Montenegrin strategy planning system is grounded. The Decree introduces the key principles,⁹ as a guiding mechanism for the creation of public policies, thoroughly described in the Methodology. An additional novelty introduced by the Decree is a sector-based approach¹⁰ to the strategic planning of policies, with the intention to rationalise not only the number, but also the process of developing new strategic documents.

5 European Commission Montenegro 2016 Report, 9.11.2016 (link: <https://bit.ly/2tr6wXs>).

6 European Commission Montenegro 2018 Report, 17.4.2018 (link: <https://bit.ly/2qExlEK>).

7 European Commission Progress Reports and SIGMA Monitoring Reports, which are addressed in the paper.

8 The *Official Gazette of Montenegro*, number 54/2018 (available only in Montenegrin, link: <https://bit.ly/2Vtv1hd>).

9 Articles 5–12 of the Decree, pg. 15–16 of the Methodology.

10 The following seven sectors, within whose scope strategy documents are developed are determined: Democracy and Good Governance, Financial and Fiscal Policy, Transport, Energy and Information Infrastructure, Economic Development and Environment, Science, Education, Culture, Youth and Sport, Employment, Social Policy and Health and Foreign and Security Policy and Defence (article 13 of the Decree, pg. 18–19 of the Methodology).

Policy Alternatives

It would be significant for Montenegro to review the current legal framework and use the space for simplifying the regulations for strategic planning. We have seen that focusing on annual planning and outputs, rather than outcomes, was leading towards a direction of a relatively loose and complex strategic planning system. The analysis of the DGS, conducted from May to July 2017 pointed to a total of 95 strategies, 20 programmes, 20 plans and 69 action plans¹¹, but the precise number could not be given since the drafters did not clearly differentiate between these categories of strategic documents. The adoption and implementation of the *Decree* have made it easier to specify numbers, which gave us a new result – 102 strategies in April 2019. However, the Decree is narrow in scope and some issues related to strategic planning are defined in other legal acts.¹² Regional practice, at least in Croatia¹³ and Serbia¹⁴, show that strategic planning is defined within a comprehensive law in which every overarching strategic document has a separate definition and is positioned as hierarchically higher than the sectoral strategic documents. With regard to the letter, it could be useful if this approach could be thoroughly analysed.

Quality strategic documents can be prepared only if we have highly skilled civil servants and units for policy planning. Apparently, strategic documents were prepared more as an answer to the opening or closing benchmarks for EI negotiation chapters, but usually with a lack of evidence and necessary data that would identify problems, their causes and effects and eventually lead to a solution that would improve the situation in a specific field. In the Montenegrin case, this problem is inter-related to the aforementioned number of civil servants working on policy development and analysis, which is still low. Actually, out of 17 ministries, only 4 have departments for strategic planning.¹⁵ **In 2018, out of 34 members of the Network, 46,2% had experience in working on 1–5 strategic documents, 19,2% were working on 5–10 strategic documents, while only 7,7% of them were engaged with more than 10 strategic documents, but 26,9% had no experience at all.**¹⁶ This result indicates that even the members of the Network, a forum of “strate-

11 Table 1, *Number of strategies in effect in Montenegrin strategic framework*, Appendix, pg.8 (source: DGS).

12 In 2018, 25 laws and legal acts in Montenegro contained definitions on strategic documents that are to be adopted in specific areas or sectors.

13 Law on the System of Strategic Planning and Development Management of the Republic of Croatia, Public newspaper, Official Gazette of the Republic of Croatia, number: 71-06-01/1-17-2, Zagreb, 11 December, 2017 (available in Croatian only, link: <https://bit.ly/2WTTWuN>)

14 Law on the Planning System of the Republic of Serbia, Official Gazette of the Republic of Serbia, number 20, 20 April 2018 (available in English, link: <https://bit.ly/2TYKJzD>)

15 Ministry of Defence, Ministry of Interior, Ministry of Public Administration, Ministry of Sustainable Development and Tourism.

16 Graph 1, *Experience of the members of the Network with strategic documents*, Appendix, pg. 8 (source: DGS, J. Bulatovic).

gic planners” of Montenegrin public administration is, for some of them, their first experience with any strategic planning. Therefore, more civil servants that deal with strategic documents should be trained, especially since the Training Programme for Civil Servants for Strategic Planning (onwards the Training Programme)¹⁷ has already been established and is about to launch the second generation of participants in October, 2019.

Continuous monitoring, reporting and evaluation of public policies can be established if strategic documents are “built” on a good foundation and with clearly defined indicators. The results of the analysis conducted by the DGS¹⁸ show that 53 % of draft strategic documents do not have outcome level indicators,¹⁹ 47 % lack information regarding the process of monitoring, reporting and evaluation²⁰, while 44 % of them do not define a financial estimate or sources of financing.²¹ The practice of drafting strategic documents inconsistently leads to similar issues in reporting, which were part of other analysis.²² The results have shown that previous to adopting the Decree, 60 % of the analysed reports did not give information on the outcomes or effects of the implementation of a strategic document.²³ This analysis also showed that only 4 reports contained quality recommendations for the next steps, mostly focused on financial issues. However, reporting on costs of the implementation was not present. The second analysis²⁴ showed that 75 % of the reports analysed contain recommendations in the final document that was adopted by the Government, after informal consultations with the DGS. Through the consultation process, DGS should promote this approach further.

17 The accreditation for the Programme of Professional Specialization of Civil Servants for Strategic Planning, developed in cooperation with international experts and the Human Resources Agency of Montenegro was approved by the National Education Council of Montenegro at its session of 7th March 2018. This Programme contains six modules that cover the whole policy planning cycle. As a result of the Programme, the groups of participants are preparing new strategic documents.

18 DGS analysed the opinions on drafts and proposals of new strategic documents and reports issued from September to the end of December 2018. These opinions check three key aspects: a) alignment with national strategic framework; b) alignment with the obligations stemming from EU integration and other international obligations; c) alignment with the Decree. Subject of the analysis were 59 opinions on drafts (32) and proposals (27) of strategic documents, including strategies, programmes and action plans.

19 Graph 2: *Outcome level indicators in draft strategic documents*, Appendix, pg. 9 (source: DGS, A. Vukic).

20 Graph 3: *Information on monitoring, reporting and evaluation in draft strategic documents*, Appendix, pg. 9 (source: DGS, A. Vukic).

21 Graph 4: *Information on financial estimate and sources of financing in draft strategic documents*, Appendix, pg. 9 (source: DGS, A. Vukic).

22 The first analysis of the reports was conducted on a sample of 20 reports adopted by the Government from January to July 2018, all of which were annual reports.

23 Graph 5: *Reporting on the outcomes (July, 2018)*, Appendix, pg. 9 (source: DGS, A. Vukic).

24 The second analysis was conducted for the 11 opinions issued on reports by the SGG, from September to the end of December 2018.

The role of the SGG and Network members must be more visible and there must be clear political commitment to improve strategic planning at national level. The results of questionnaire²⁵, shared with members of the Network, showed that satisfaction with the role of SGG in promoting the significance of strategic planning was rated 4.7 out of 5. Concerning the ways that would help to bring closer the competences of the SGG in order to simplify the strategic planning process, the two preferred options are: a) sending quarterly notifications to the line ministries that have the obligation of drafting strategic documents, according to the Government Annual Working Plan and b) systematise and publish FAQ's. All of the respondents (100 %) consider their membership in the Network useful. They do, however, believe that they should receive more “visibility” within their line ministries and that the number of Network members should be increased (73 %).

Stakeholder Analysis

Bearing in mind that the topic is system-related and that it touches on the strategic planning system as a whole, it is of the utmost importance to engage the Government (i.e. the President) and the Heads of all line ministries. It is also important to keep members of the Network, participants of the Programme, and also other civil servants, both interested and engaged in the process of enhancing the quality of strategic documents and our public policy. Academia and civil society organisations should be informed and included in constructive feedback, while citizens, even although with the least interest in the topic, should also be informed and included to make the process as transparent and consultative as possible. Eventually, this would lead to higher efficiency, not only of public policies, but public administration.²⁶

Consultations

For this policy to be successful, continuous consultations with civil servants must be maintained, as well as occasional meetings with other relevant stakeholders. Additionally, the Government, the line ministries and the interested public must be informed on the results of the process. In the future, high-level officials and decision makers should be included through meetings and periodic information on key developments, needs and recommendations on future perspectives that would lead to a more evidence-based approach in public policy planning.

25 22 out of 34 Network members responded to the questionnaire. The questionnaire was conducted by the Network secretary, Jovana Bulatović, Local Consultant for Monitoring and Evaluation in the DGS.

26 Table 2, *Stakeholder analysis* (A. Vukic), Appendix, pg. 8.

Policy Recommendation

In order to improve the quality of our public policies and develop an evidence-based approach in Montenegrin public administration, the Government should prioritise the topic in the future. First of all, the number of analytical units within the line ministries must be increased from 4 (in 2019) to at least 8 in 2020. Taking into account that general parliamentary elections in Montenegro will take place in 2020, the new government should be thoroughly informed about the situation in the strategic planning framework and the key steps to be taken. This would also help in raising the visibility of the Network members, who could then work within the sphere of strategic planning, apply skills and knowledge gained through the Training Programme and contribute to creating quality public policies. It would also help in fostering an evidence-based approach through public administration. However, this could be done if more civil servants went through the Training Programme and became familiar with all the steps in creating better policies i.e. those that are result-oriented and evidence-based. For this to be achieved, both the Government, ministers, but mainly SGG and DGS should promote the idea – through consultations, meetings, and definitely through the media. For this, we propose launching small-scale campaigns before every new generation enrolls in the Programme and explain the benefits for civil servants.

Conclusion

Additional effort must be put into building the evidence-based “culture” of policy planning, defining result-oriented priorities and goals and ensuring full costing of strategic documents, as well as reporting on the financial costs of their implementation. Challenges remain in all of the areas in which initial success was recorded. First of all, the visibility of the SGG, the Decree and Methodology have to be increased, as well as the visibility of the members of the first Network of Civil Servants for Strategic Planning, in order to raise policymakers’ awareness regarding the new legal and methodological framework in strategic planning. The Training Programme has produced its first generation of strategic planners, but its continuity must be obtained and the modalities for it must be examined. Both the Network and the Training Programme are not simply mechanisms for implementing the Decree; they are more a means for capacity building within the whole Montenegrin public administration. For this process to be successful, putting it in a high position in the political agenda needs to be the first step.

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Appendix

Table 1
Number of strategies in effect in the Montenegrin strategic framework

Period	July 2017	December 2017	October 2018	April 2019
Number of strategies	95	120	118	102

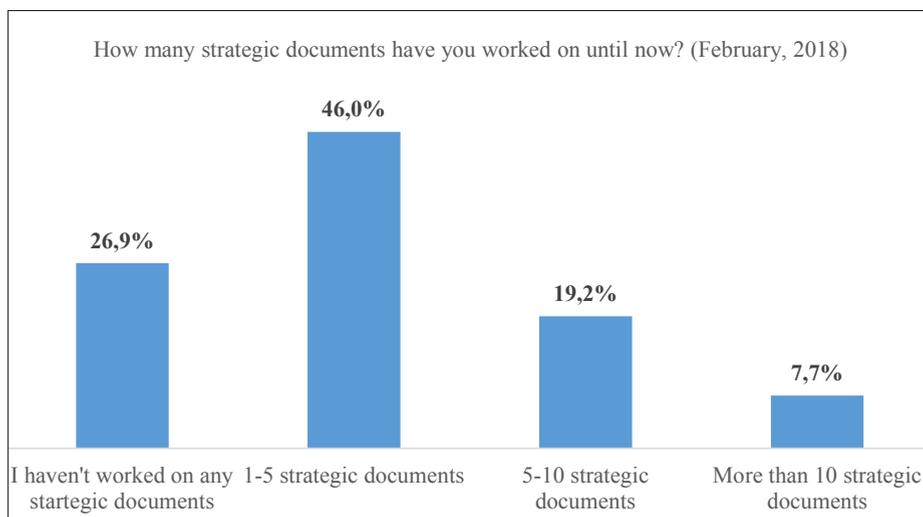
Source: DGS.

Table 2
Stakeholder analysis

Interest	High	Network of Civil Servants for Strategic Planning, participants of the Training Programme for Strategic Planning, civil servants in line ministries (especially dealing with strategic documents)	Government, ministers
	Low	Citizens	Academia, Civil society organisations (especially those focused on PAR, policy coordination and public policy planning)
		Low	High
Power/influence/authority to make it happen			

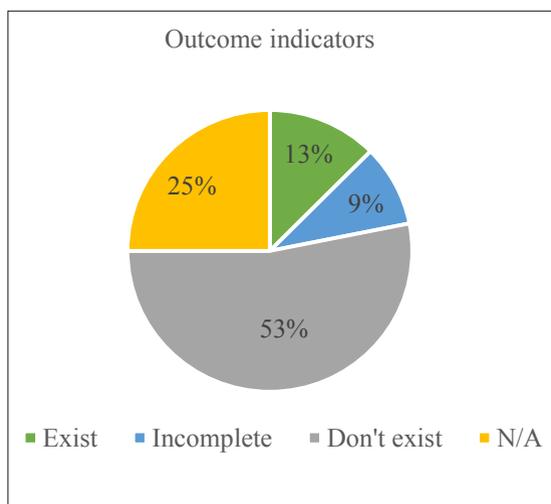
Source: A. Vukic.

Graph 1
Experience of the members of the Network with strategic documents



Source: DGS, J. Bulatovic.

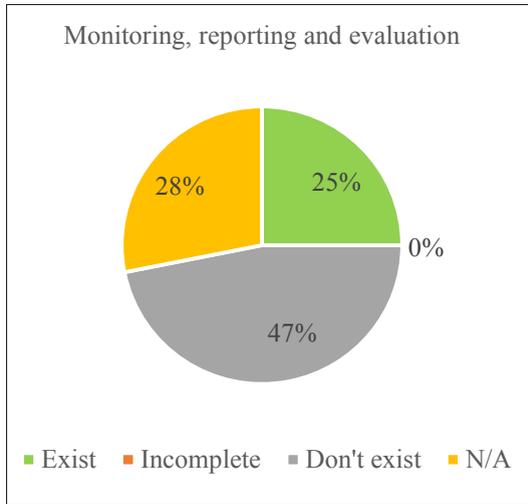
Graph 2
Outcome level indicators in draft strategic documents



Source: DGS, A. Vukic.

Graph 3

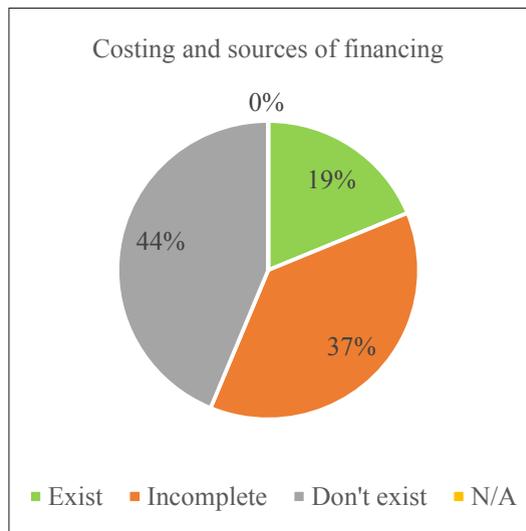
Information on monitoring, reporting and evaluation in draft strategic documents



Source: DGS, A. Vukic.

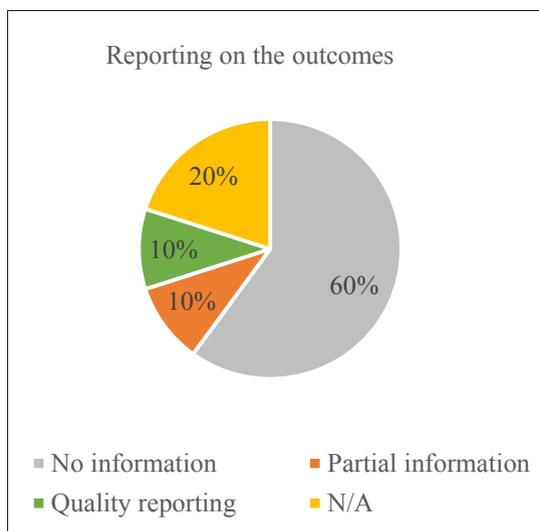
Graph 4

Information on financial estimate and sources of financing in draft strategic documents



Source: DGS, A. Vukic.

Graph 5
Reporting on the outcomes (July, 2018)



Source: DGS, A. Vukic.