RECOVERY, INCLUSIVENESS, SUSTAINABILITY

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INDEP
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RECOVERY

ECONOMY

COORDINATION

ORGANIZATION

VARIETY

EQUALITY

RESPONSIBILITY

YOUTH

Citizen Inclusion in Policy-making Processes

About the Newsletter

The Institute for Development Policies (INDEP) publishes periodic newsletters on the process of implementation and monitoring of the Economic Revival Package. By providing information on the Revival Package and monitoring this package, INDEP aims to increase the level of transparency and accountability of Kosovo institutions towards citizens. The "Recovery, Inclusion, Sustainability" Newsletter is realized within the "Recovery for Sustainability" Project supported by the Balkan Trust for Democracy (BTD) and USAID.

The ninth edition of this newsletter will focus on the use of digital platforms in policy-making processes focusing mainly on the electronic consultations process under the public consultations platform. Since the involvement of citizens in these processes is vital for genuine democracy, it is advisable for citizens to be informed about the rights and opportunities they currently have to participate in policy-making processes in the Republic of Kosovo. This acquires further gravity in times of such crises, when citizens experience economic and social disruptions, since they definitely need the right address to get involved in such processes, which then reflect on decisions that daily affect citizens. The newsletter provides information on the citizen-led governance model and addresses current opportunities and the impact of the contribution of all third parties, such as citizens and various stakeholders, in policy-making processes, and tends to present the overall situation in Kosovo. in terms of the transition to e-governance.

CITIZEN INCLUSION IN POLICY- AND DECISION-MAKING PROCESSES ➡

The progress of e-governance depends on various factors, such as information technology, legislative will, infrastructure, human resource management, and public trust. E-governance promotes citizen participation in public administration by contributing comments or recommendations regarding various projects, proposals, strategies, initiatives, and increases transparency and accountability, as well as increases the efficiency and effectiveness of social groups such as CSOs, thanks to the opportunities and challenges e-governance presents on an ongoing basis. In order to develop e-governance, governments work in many directions, first by improving or drafting the necessary legislation, then by creating the infrastructure, and finally by putting it into practice, always implementing the Law in force. However, two important aspects of e-governance should be emphasized and analyzed: the power of e-governance to strengthen democracy by restoring the public sphere to the citizens, and the role of government in addressing the non-uniform and unequal use and access to IT.

Undoubtedly, the active participation of citizens through e-governance in policy-making and decision-making processes plays an increasingly important role in jointly creating values for common public issues. E-governance promises significant enhancements to improve government processes in general through joint civic production. An ideal society can be considered the one that is governed digitally, in which undoubtedly there is little to no room for abuse and corruption.

> **Over 90% of the population in Kosovo has access to the Internet**

It should be noted, however, that globally, access to the Internet, which is the initial condition for being able to use e-governance services, is still lacking, therefore, even though the Internet is the most powerful platform to apply e-governance, it is not the most suitable space for all peoples, communities, different social groups. But despite this, the application of online e-governance for current users would be the right mechanism to create space for different parties to express their opinions and to debate on equal terms. In addition to the need for a wide participation of citizens for e-governance, there is also a need for quality participants who should be constantly informed about the political process in order to be able to contribute effectively to the public domain and for everyone to build a future with equal conditions and rights.[1]

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[1] Manoharan, AM, Holzer, MH. (2011). 'E-governance and Civic Engagement: Factors and Determinants of E-democracy'. Last accessed on 31.01.2022.

PUBLIC CONSULTATIONS PLATFORM

E-governance is the application of information technology in government functions and procedures, so that governance is as efficient, effective and transparent as possible, thus improving the life of the citizen, as well as involving them and all relevant stakeholders in policy-making processes. Information technology has changed the classical way of making policies, making it extremely easy for citizens to participate and activate in decisions that ultimately directly affect them. As the traditional way of governing has changed, consequently the policy-making processes and the ways of providing services to the citizens have also changed, thus creating the need for different digital platforms which are easily accessible by anyone and at any time. With the application of information technology in such processes, efficiency, transparency, accountability, participation of active citizenship have increased, and corruption has decreased.

Given the widespread access to Internet in the Republic of Kosovo, it is easier to accomplish a rapid and successful digitization of public administration, a promising factor that should motivate central and local governments to respond more quickly in this direction. One of the most important initiatives taken by the Government of Kosovo is the drafting of Regulation 05/2016 on Minimum Standards for Public Consultations, issued by the OPM, which has resulted in the creation of a platform for public consultations. The Public Consultations Platform aims to assist ministries and agencies of the Government of Kosovo, to communicate with third parties and to involve relevant actors in policy-making and decision-making processes at the local and central level. Among other things, the operation of such a platform enables the increase of transparency and accountability of government institutions. Therefore, the promotion of the platform, and the full implementation of Regulation 05/2016, should be a priority of governments aiming at a digital future.

In 2016, the Republic of Kosovo adopted the Regulation on Minimum Standards for the Public Consultation Process. This regulation obliges the OGG operating within the OPM to establish and maintain an online public consultations platform.

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The platform can be used by all public bodies to conduct public consultation and identify stakeholders in a particular policy-making process. According to the Regulation on Minimum Standards, the electronic platform for public consultation offers the opportunity to all stakeholders, including public bodies, interested actors and the public, to be involved and contribute to various policy-making processes, thus taking concrete steps towards shaping their future.
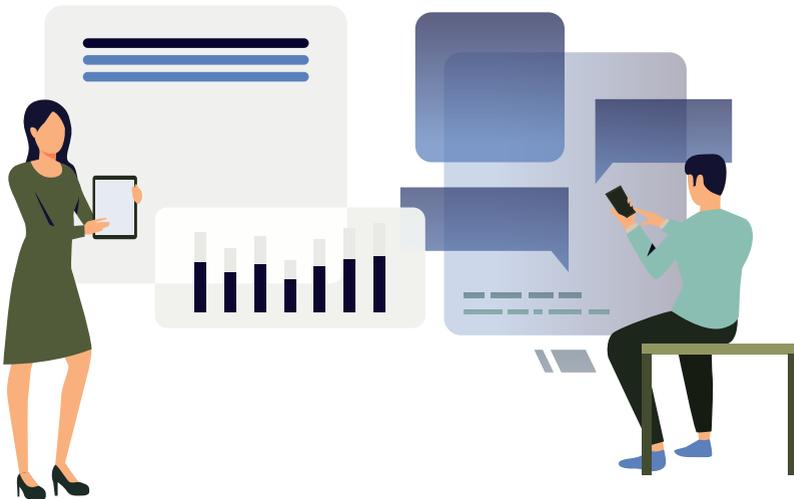
CITIZEN INPUTS AND FEEDBACK

Engagement and participation through digital third-party platforms, which include citizens, civil society, media, economic entities, various interest groups, is a fundamental element of a transparent and accountable government. Among other things, this enables the successful realization of the model of citizen-led governance, where problem solutions and draft proposals come from a number of actors who have special and different interests and are completely independent. This approach creates opportunities for governments to identify new solutions and ideas while having different resources available, thus spending less, always starting from the 'doing more with less' principle.

The contribution of third parties to policy-making processes is extremely important, but not always easy to accomplish. The so-called digital divide is also considered a challenge faced by the government in the application of information technology in governance, especially in the engagement of citizens through digital platforms. This phenomenon burdens the government with establishing the infrastructure and access to the Internet for all, and since Kosovo is a country in transition, the citizens of the Republic of Kosovo, face daily economic, social and other problems. However, the problem of internet access seems to be significantly smaller in Kosovo, given that over 90% of the population have access to the Internet.[2] However, the government bears the burden of providing technological opportunities even for those that does not benefit from this service.
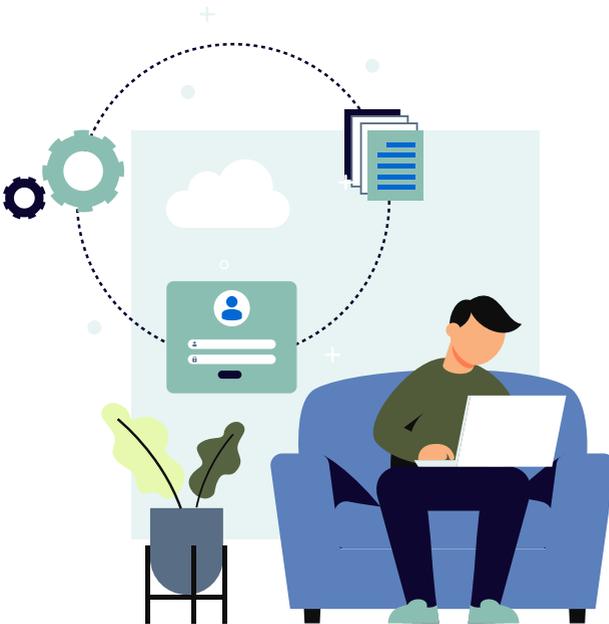
Despite this, in Kosovo it is evident that citizens as individuals do not provide sufficient inputs through digital platforms. Citizens very rarely use the Public Consultation Platform to give opinions and recommendations on initiatives taken by government institutions. However, the same cannot be said about civil society, as various CSOs and interest groups are active and contribute with comments and recommendations on an ongoing basis. Overall, although there has been progress in drafting legislation and aligning it with European legislation and establishing a digital platform for public consultation at the central level, digital agendas and e-governance have not been properly prioritized in government agendas, and for this reason we are still lagging behind in this regard. Citizens need to be made aware about the role and rights they have to be involved in policy-making and decision-making processes; it is necessary to draft new legislation in this regard, as well as to put into practice and implement the regulations that are already in force. All this needs to take place in order to make progress and advance the digital agenda in Kosovo.

RECOMMENDATIONS

- Given that in modern times public participation in policy-making and decision-making processes is the first and essential criterion for good, transparent and accountable governance, it is considered necessary to create conditions for the legislative and executive branches to bring life to the citizen-led governance model. Creating legislative conditions is only the first step that should be taken as soon as possible by any government that claims and has ambitions to lead governance towards digitalization. Orientation of work processes towards e-governance should be done in every organizational structure of public administration. The next step is the creation of infrastructure in the technical aspect that includes the process of adaptation of technological tools and services, which consequently improve the life of citizens and their involvement in all policy-making and decision-making processes. Undoubtedly, in order to create a digital working environment, other conditions must be met, however, political will is primary at this point.

- *Promoting citizen participation in policy-making and decision-making processes through digital platforms* is extremely important. This is due to the fact that not all citizens, interest groups or specific entities are aware of their rights as relevant actors in certain processes. Low awareness makes citizens unaware of the important role they play in policy-making and decision-making processes, as traditional governance, especially that applied in Kosovo, has involved little to no public inputs at all in such important processes. Raising public awareness, first on the rights they possess and then how they can become part of these processes, in this case using various information technology tools such as digital platforms, would be an important step taken that leads into other e-governance processes, such as legal and technical infrastructure. The digital agenda has already become a priority of all countries, and the creation of conditions for the implementation of e-governance is indispensable, since it is necessary to apply citizen-led governance models and data, and without creating the necessary infrastructure these and other elements leading to the digital transition will not be achieved. To do this, other actors such as civil society and other groups involved in the provision and use of digital platforms and services, must be involved.

- *The full implementation of regulation 05/2016,* which is already in force since 2016, has preceded the creation of a public consultations digital platform. The platform is already operational, but it is not always used for the reason it was created. Bodies such as government ministries and agencies, which are required by law to publish any legislative initiative or draft proposal on the public consultation platform, do not always do so, although the regulation requires otherwise. It is already 7 years since the entry into force of the regulation, but there are still cases which are evidenced by a search on the platform, where certain ministries and agencies have not engaged in preliminary public consultations with citizens. There is a need for full implementation of the regulation by all institutions that fall under its umbrella, which must publish any legislative initiative and fully implement the rules after publication, namely, to provide replies within certain deadlines and to publish the final decision.