



ReSPA

Regional School
of Public Administration

**ADMINISTRATIVE
LEGAL
FRAMEWORK
IN WESTERN BALKANS**

REGIONAL CONFERENCE

Belgrade, Serbia, 9–10 June 2016

ReSPA

The Regional School of Public Administration (ReSPA) is the inter-governmental organization for enhancing regional cooperation, promoting shared learning and supporting the development of public administration in the Western Balkans. ReSPA Members are Albania, Bosnia and Herzegovina, Macedonia, Montenegro and Serbia, while Kosovo^{*1} is a beneficiary and observer. ReSPA's purpose is to help governments in the Western Balkan region develop better public administration, public services and overall governance systems for their citizens and businesses, and prepare them for membership in the European Union (EU). Since its inception, ReSPA has contributed to the development of human resources and administrative capacities through training programmes and innovative cooperation mechanisms such as the exchange of good practices, peer reviews and development of know-how.

European Commission (EC) provides directly managed funds for support of ReSPA activities (research, training and networking programmes) in line with the EU accession process. So far, two EC Grants have been implemented by ReSPA during the period 2010-2015. The new EC grant will support the main objective of ReSPA work in 2016-2017: Improving regional cooperation in the field of public administration reform (PAR) and EU integration and strengthening administrative capacities in the beneficiaries. This objective will be achieved through the following three pillars of ReSPA Programme of Work for 2016-2017:

- (1) European Integration Pillar: Increased capacity of public administration in the ReSPA Members necessary for successful conducting of the European Integration process;
- (2) Public Administration Reform Pillar: Facilitated and enhanced cooperation and exchange of experience in PAR and European Integration activities in ReSPA Members;
- (3) Governance for Growth Pillar: Ensured effective coordination of the implementation of the Governance for Growth pillar of the South East Europe (SEE) 2020 Strategy.

¹ *This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and ICJ Advisory opinion on the Kosovo Declaration of independence.

Public Administration Reform is clearly connected and broadly interrelated with the European Integration and Governance for Growth pillars. The fundamentals for needs assessment and defined objectives of ReSPA support to its Members in this Pillar are derived from the EC Progress and Readiness reports, SIGMA Baseline Measurements of European Principles of Public Administration of Western Balkan countries, and SIGMA priorities for PAR 2014-2020 for the same countries.²

In the area of Public Administration Reform, all activities are organized in accordance with the European Principles of Public Administration (PAP). Therefore, ReSPA activities are organized within the following components: Strategic Framework of Public Administration Reform; Policy Development and Coordination; Public Service and Human Resources Management; Accountability; Service Delivery and Public Financial Management.

² See: <http://www.sigmaweb.org/publications/principles-public-administration-november-2014.htm> and <http://www.sigmaweb.org/publications/public-governance-assessment-reports.htm>



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<http://www.respaweb.eu>

ADMINISTRATIVE LEGAL FRAMEWORKS

Within the European Principle of Public Administration (PAP) related to Accountability and Service Delivery, ReSPA's activities contribute towards the development of the administrative legal frameworks in Western Balkan countries, by supporting ReSPA Members and Kosovo* in assessment and application of European principles and standards in this field.

ReSPA Members and Kosovo* are already facing significant novelties in the area of administrative procedure and administrative justice. Most of the countries in the region have enacted new General Administrative Procedure Acts (GAPAs): Montenegro in December 2014, Albania in April 2015, Macedonia in July 2015, Serbia in February 2016, and Kosovo* in May 2016. This process is followed by harmonisation of a significant number of special laws, and drafting of amendments or new legislation in the area of administrative dispute, across the region. These developments have significant impact on the structure, importance and work of administrative justice, and administration as a whole.

ReSPA identified a need for experience exchange in the area of administrative procedure and administrative justice, among the countries of the Western Balkan region, as well as with peer EU countries. In order to respond to this need, ReSPA commissioned and published a regional comparative study entitled "Legal Remedies in Administrative Procedures" which is analysing new GAPAs and comparing novelties in the Western Balkans with experiences in Croatia, Slovenia and Austria. The Study was prepared by experts from the Institute of Public Administration from Zagreb, Croatia. The publication is accessible at ReSPA website: <http://respaweb.eu/11/library#respa-publications-2016-7>

In order to further contribute to exchange of experiences and best practices, ReSPA is, in partnership with the Regional Cooperation Council (RCC), with the Ministry of Public Administration and Local Self-Government of the Republic of Serbia, and with the Centre of Public Administration of the Faculty of Law – University of Belgrade organising a regional conference where issues of common interest will be discussed among peers from Western Balkan countries.

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