

# TOWARDS MORE EVIDENCE-BASED POLICY MAKING IN MONTENEGRO IN THE CONTEXT OF THE ADVANCED STAGE OF THE EU ACCESSION NEGOTIATIONS<sup>1</sup>

Author: Almedina Vukić<sup>2</sup>

## ABSTRACT

For Montenegro being in the advanced phase of EU negotiations demanded more focus on policy planning as one of the main obligations stemming from the EU negotiations regarding PAR and good governance, with policy coordination as major task. Well-planned policies that are aligned with EU priorities are also one of the prerequisites of successful use of the Instrument for Pre-Accession Assistance (IPA). This paper will be focused on the approach that the Government of Montenegro has taken in order to achieve higher efficiency and impact of public policies which required the revision of the existing strategic framework. This approach was mostly based on establishing a coherent strategic planning system based on a strong legal and methodological grounds. A new role has been given to the Department for Government Strategies<sup>3</sup> (DGS), first within the Ministry of European Affairs of Montenegro with purpose to give guidance and issue opinions on drafts and proposals of strategic documents and reports on their implementation in order to achieve their mutual coherence. This role gradually turned itself into oversight of policy planning cycle regarding all the strategic documents of the Government and not only those related to the EU accession negotiations.

During 2017 and 2018 both legal and methodological framework have been established and are being implemented through various activities: on one side a quality check of Government strategies performed by DGS and on the other a proactive approach towards all the ministries.<sup>4</sup> 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 check whether the gradual steps that the SGG has taken by now have contributed to changing environment in strategic planning in Montenegro. Period before and after the adoption of the *Decree on procedure of drafting, alignment and monitoring implementation of strategic documents* and the following *Methodology* will be briefly described and compared. The statistics will be mostly based on the results of the analysis conducted by the DGS, that covers the number of existing strategic documents, identified gaps in drafting strategic documents and preparing reports on their implementation. Subjects of the analysis were strategic documents already in force, as well as the opinions of the DGS on drafts and proposals of strategic documents and the reports. Qualitative analysis will be focused on the findings of the issued opinions and revision of the current strategic system. The expected result of the whole analysis is to give clear and specific answers to the questions what has changed in the strategic system in Montenegro and are we moving towards comprehensive and efficient policies.

## POINTS FOR PRACTITIONERS

The paper discusses a number topics focused on improving the practice of the public administration in Montenegro when it comes to strategic planning and policy making. Its main findings could be useful to practitioners in the manner that it will:

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<sup>2</sup> The author is a UNDP Local Consultant for Policy Coordination in the Department for Government Strategies, Secretariat-General of the Government of Montenegro engaged through Norwegian funded and UNDP implemented project “Strengthening capacities for the acceleration of EU accession of Montenegro” and a PhD student at the Faculty of Political Science, University of Montenegro.

<sup>3</sup> The Department for Government Strategies is the name that will be used in this paper. The official name in the organization structure of the Secretariat-General of the Government is Department for Coordination, Monitoring Harmonisation and Implementation of Strategies Establishing Public Policies, <http://www.gsv.gov.me/en/organisation>

<sup>4</sup> Trainings, meetings, round tables, workshops developed for and engaging civil servants in all the line ministries

- Give an insight into the strategic planning system in Montenegro before and after the adoption of the relevant legal and methodological framework;
- Share good practices from the Montenegrin experience, especially regarding the preparation of the Decree and Methodology, establishment of Network of Civil Servants for Strategic Planning and launching of the Training Programme for Civil Servants for Strategic Planning;
- Identify the effect of the new strategic system on improved policy planning;
- Demonstrate how a pragmatic, “small-steps” approach can bring more tangible results than over-ambitious, complex legal solutions that are often too difficult to implement.

Key words: *strategic planning, evidence-based public policies, Montenegro, EU integration*

## 1. INTRODUCTION

Accelerated changes on global scale have affected public policy making, bringing into focus sustainability, inclusivity and participation of various actors. Even in societies, like Montenegrin, where governance and policy is very much constrained and determined by the legal framework, as in all former Yugoslav republics with a strong, legalistic socialist system legacy, these developments lead to re-thinking the existing approach in a sense that would enable the system to adapt to the new circumstances. The latter especially bearing significance in light of the fact that Montenegro is currently the frontrunner candidate country for the accession to the EU and a recent, fully fledged NATO member. As Đurić (2014: 49, translation A.V.) puts it quite realistically in the terms of these changes, „against the former approach to management, that was dominantly focused on legal, institutional and administrative governance, stands a new view that clarifies that coherence between various public policies and their coordination implies a wider context, so now the former governance is understood as a process of collective management of economy and society.“ Managing public policies relies not only on the competences of the institutions, but also on the possibility and skills to think more analytically and practically at the same time, to be able to carry out reforms, but also to face their consequences. In order to achieve these requirements the whole system of policy planning goes through transformations so as to achieve all the ideas and priorities that the government sets. In the context of societies that experienced transition from socialism, to which Montenegro belongs, introducing democratization, political market and competitiveness has made state actors think about minimizing costs and maximizing efficacy. Public policies are exposed to the public, mass media, experts and expert organizations, while at the same time legislators are increasingly asking for feedback and evaluations of the effectiveness of the laws and policies. (Grdešić, 2006: 5, translation: A.V.)

Additional context for Montenegro are the accession negotiations with the European Union (EU). Montenegro has become EU candidate – country in December 2010 and ever since it has been oriented towards various, intertwined processes which would eventually lead to major prosperity of the country. The EU is “perhaps the most important agent of change in contemporary government and policy – making in Europe” and “EU decisions pervade the policy – making activities of individual European countries, both the member states and their neighbours” (Wallace, Pollack and Young, 2010: 4) which is why Montenegro should be aware that national policies are a part of the EU system of policies and that there is a strong link between the supranational, national and subnational levels that must be aligned in order to achieve the common goals.

However, this part of policy planning has not been thoroughly examined in Montenegro, even though there are civil society organizations that are preparing various policy analyses but in a more practical rather than scientific way. Policymakers sometimes tend to neglect the importance of policy analysis and research, but they are, on the other hand, more aware of the significance of policy development and policy implementation for the EU integration. This paper will try first to identify relevant theoretical approaches in policy and strategic planning and define some of the key concepts used. It will, further, try to explain policy planning and strategic system in Montenegro, also seen from the perspective of relevant international institutions that monitor the situation in this field. Finally, the paper will discuss the role of the SGG (more closely, the role of DGS), the practice of evidence-based policy making and recent developments in this area.

## 2. THEORETICAL AND CONCEPTUAL FRAMEWORK

Since there are some specificities in both linguistic and theoretical sense, when defining policy in Montenegrin framework, we will start by defining the key concepts that will be used in the paper and giving them a relevant

theoretical background. Policy and politics are very distinctly defined in English, where policy is associated with the activity of the government to improve the situation in various social spheres, and politics with the activity in which political parties compete in order to gain political power. This distinction doesn't clearly exist in Montenegrin language and the term "politika" is used for both policy and politics. The wider public sometimes ignores the difference between policy and politics which is not that unusual since policy and politics indeed are inter-related in a sense that the decision-makers, who come from political parties, are the ones developing public policies that affect the lives of citizens. However, distinction must be made in order to understand what the substance of policy is, contrary to politics. Hoppe and Colebatch agree that policy is a particular way of making sense of governing, "a particular way of framing the activity of "governing", seeing it as harnessing state authority to getting to more or less coordinated and deliberated collective, public action" (2016: 124-125). This collective action is emphasized in the latest period, indicating to larger number of public policy actors (stakeholders) involved in public policy making in order to address the identified problems in a specific field. This process is now focused not just on the role of the government, formal institutions and politicians, but also on civil servants that are mostly involved in public policy planning and drafting of strategic documents and other actors – civil society organizations, academia, experts, enterprises and other relevant stakeholders. (Đurić, 2014: 49, translation A.V.)

With intention to bring closer the concepts of policy development and policy planning, the Methodology for Policy Development, Drafting and Monitoring of Strategic Planning Documents<sup>5</sup> (2018: 11, onwards the Methodology) gives two definitions:

1. *Policy development*, as a concept that refers to deliberate action by the government that influences society or the economy and is ultimately aimed at the overall development of the country. Policy development is also defined as "a deliberate non-action" – a decision not to intervene in some aspect of society or to encourage private and non-governmental organizations. The content of a policy is transposed in drafts and proposals of strategies, laws and by-laws, decrees and speeches, preparation of budget in line with political priorities, and it can be expressed through other policy instruments, too.
2. *Policy planning*, as a process that translates the intentions of the government (established during the policy development stage) into specific strategic documents. It enables the identification of challenges (problems), setting goals (target values), proposing activities (solutions) and resources (financial and human) needed for implementation of a particular policy.

Policy development, and policy planning should be based on experience, but a good policy should have a very strong foundation in evidence. Evidence-based policy-making has become one of the major topics in Montenegrin practice and it is gradually gaining importance in recent years. This is mostly visible since the beginning of European integration process, especially in the part of Public Administration Reform (PAR)<sup>6</sup> that covers a number of areas<sup>7</sup> in which main reform actions will be taken by candidate countries and will eventually lead to good governance that would strengthen the rule of law, democracy and market economy in transition countries that aspire to become EU member-states. The first set of Copenhagen criteria, democracy and the rule of law, were translated into the request for development of professional and politically independent public administration by the partnership of the EU and the Organization for European Cooperation and Development (OECD) – SIGMA – as a support for the countries of Central and Eastern Europe. (Perko Šeparović, 2006: 5-6, translation A.V.)

The "evidence-based" discourse is widespread across Europe and, as mentioned above, the process of European integration has primarily helped in shifting Montenegro in this particular direction. We can describe evidence – based policy as a policy that relies on strong facts that indicate to the current situation in a specific field. This kind of policy making was dominantly used in the Western political cultures, whereas the countries of Central and

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<sup>5</sup> The English version of the Methodology is available in the following link: <https://bit.ly/2WWLiMj>

<sup>6</sup> Current Public Administration Reform Strategy was brought for the period 2016-2020, link: <https://bit.ly/2G70HCX>

<sup>7</sup> PAR Strategy defines the following areas that require due actions: organization and responsibility in public administration system, service delivery, civil service system and human resource management, development and coordination of public policies, Public Finance Management (PFM), special issues related to local self-government system and strategic management of public administration reform process and financial sustainability. PFM is regulated through a Public Finance Management Reform Programme 2016-2020, link: <https://bit.ly/2FYLjB>

Eastern Europe, including Western Balkans, had to develop it much later and gradually learn what this concept is about and why it is important to create policies founded on experience and evidence equally. The evidence needed for public policy planning doesn't need to be purely scientific because „(...) the use of evidence is a dynamic process, embedded in a broader policymaking process.“ (Veselý, Ochrana, Nekola, 2018) This makes policy planning a never-ending process that needs to be broad enough to take into account all the relevant information.

Related to policy and policy planning, other concepts, such as, public management, strategy, strategic planning and strategic documents, are derived. These concepts “attribute particular values to the action (...) and these may complement one another, or compete for attention, or simply run in parallel, or even undermine each other.” (Hoppe, Colebatch, 2016: 125) All of them are very significant for the explanations given in this paper.

Public management contains many segments - from definition of common priorities, through achieving coherence and co-ordination in different sectoral policies, to ensuring sufficient institutional and administrative capacities to achieve those priorities (Đurić, 2016: 50, translation A.V.) Tightly connected to public management is the concept of good governance, which consists of four components: *legitimacy*, in a sense that the system relies on public consent, *liability* of civil servants and politicians that govern and manage public goods and the Budget; *visibility* and freedom of media; *competence* in making and implementing public policies and delivering efficient public services. The concept of good governance points to the shift from economic to political management and to the capability of formal and informal institutions (in which individuals, social groups, civil society organizations and policy makers influence each other), that are both needed in order to implement public policies and improve the coordination of the private sector. Good governance is important for development and in order to be successful some technical pre-conditions must exist, amongst them strategic planning. (Perko Šeparović, 2006: 1-10, translation A.V.)

Strategic planning has originally emerged and evolved in private sector, more precisely in business and its use became wider when in early 1920's Harvard Business School developed Harvard Policy Model, one of the first strategic planning methodologies for the private sector. (Perko Šeparović, 2006: 11-12) Later the concept transferred to other social spheres and the logics of strategic planning were applied in public policy development. According to Blackerby, strategic planning is a continuous and systematic process where people make decisions about intended future outcomes, how outcomes are to be accomplished, and how success is measured and evaluated. (Blackerby, 1994) Perko Šeparović suggests that scientific evaluation of strategic planning isn't quite possible, but that techniques of strategic management can sharpen the focus of observation, improve the understanding of the environment and increase willingness to change. (2006: 17, translation A.V.) Strategic planning documents should provide a clear roadmap for implementing individual policies, translate political level priority statements into objectives and reform targets, designate actions and the institutions responsible for performing them, allocate the necessary resources and provide other relevant information for implementing the reform agenda. (SIGMA, 2018) Strategic planning assumes that strategic documents are oriented towards the overall development and prosperity of the country, while in Montenegro they are supposed to lead equally towards the adoption of European standards and values, which it aspires to achieve as a future member state of the European Union. In Montenegro the strategic planning system includes strategic documents that define public policies, the institutional and legislative framework that defines the competences of the state institutions and procedures and modalities of planning, drafting and implementation of documents aimed at the attainment of public policy goals, as well as procedures for inclusion of the wider public in these processes. (Methodology, 2018) This system, as well as definition of strategic documents, will be described in the following pages of this paper.

### **3. METHODOLOGY**

Describing policy planning and strategic system in Montenegro in the light of the new changes had risen a number of questions that were the starting point for preparing this paper, making some of them our research questions:

- 1. How does Montenegro perform in policy and strategic planning and what are the gaps in this process?**
- 2. How does the EU integration process affect policy planning and strategic planning system and does the new legal and methodological framework help us in moving towards comprehensive and efficient policies in line with European standards?**
- 3. What is the role of SGG and DGS in the new strategic planning system?**

#### 4. Is evidence-based policy making present in Montenegrin policy planning and to what extent?

In order to answer these questions, while being led by the idea of founding arguments not only on experience, but on evidence, as well, we will use different qualitative and quantitative methods that will help us describe the present situation in Montenegro. When it comes to qualitative methods, text and content analysis will be mainly used. In the period from May to September 2017, DGS, at that moment within the former Ministry of European Affairs (MEA), prepared an analysis of the existing strategies in force (their mapping, classification and main features). Conclusions from the analysis as well as conclusions from SIGMA Monitoring Report of the Principles of Public Administration in Montenegro (2017) and European Commission Progress Report (2016, 2018) will be used. Quality check opinions on the new strategic documents and reports that are issued by the SGG based on a specific assessment questionnaire will also be a part of the textual analysis, as well as the sources of statistical data. From September to December 2018<sup>8</sup> the SGG has issued 77 opinions on drafts and proposals of strategic documents and reports on the implementation of strategic documents.<sup>9</sup> Statistical data deriving from the analysis of the opinions will be used especially in quantifying the alignment of new documents with the criteria set in the Decree on the Modalities and Procedures of Drafting, Alignment and Monitoring of the Implementation of Strategic Documents, that entered into force in August 2018<sup>10</sup> (onwards the Decree) and Methodology. Alignment with the Decree implies that the national overarching and sectoral strategies, documents stemming from international obligations and EU integration process are defined as relevant, that the situation analysis is evidence-based and that the documents contains the obligatory structure.

Activities of the newly established fora for promotion of the new system – Network of Civil Servants for Strategic Planning (onwards the Network) and the Training Programme for Civil Servants for Strategic Planning (onwards the Training Programme) also be used in a methodological sense because the DGS shapes their agenda, guide their work ahead and regularly distributes assessment needs' questionnaires on the issues that should be addressed in the future. Analysis of these questionnaires will give us more information on the opinions of civil servants when it comes to the strategic system in Montenegro. Part of the conclusions from the meetings with civil servants across the Government regarding the implementation of the new legal and methodological framework will be included in the paper, but no structured interviews were held with them. However, more than 50 meetings and some of the key issues that the ministries are facing in the process of implementing the new legal and methodological framework will be briefly described since this information gives a clearer insight into every-day practice of the people who work on developing strategic documents.

Comparative method, especially its *functional* dimension that focuses on organizational or process-oriented comparison (Caramani, 2013<sup>11</sup>: 11, translation Stipetić, Ivan), will also be one of the applied methods in the paper so as to explain what has changed in the periods before and after the adoption of the Decree. Focus of this part of the analysis will be on legal framework, institutional and human resources in this area, making them the cases of our comparison. Due attention will be given to the process of European integration that runs simultaneously with Public Administration Reform, a significant part of which is Policy Development and Coordination. Since all of these processes are inter-twined, it is necessary to observe them as a whole, which would lead to explanations of specific issues concerning Montenegrin example.

Collected results are representative for the SGG and the members of the Network. The research was conducted primarily in order to identify the work of the new institutions and fora that were established. Thus, samples that were used addressed primarily these elements and were not prepared for the public administration of Montenegro

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<sup>8</sup> This period is relevant since the Decree on the Modalities and Procedures of Drafting, Alignment and Monitoring of the Implementation of Strategic Documents has entered into force in August 2018. Unfortunately, the data for the first quartal of 2019 haven't been prepared in the time of writing of this article and are in the process of analysis.

<sup>9</sup> The Decree on the Modalities and Procedures of Drafting, Alignment and Monitoring of the Implementation of Strategic Documents stipulates that the Secretariat – General of the Government of Montenegro issues opinions on drafts (article 17) and proposals of strategic documents (article 18), as well as on annual and final reports on the implementation of strategic documents (article 19).

<sup>10</sup> The *Official Gazette of Montenegro*, number 54/2018 (available only in Montenegrin, link: <https://bit.ly/2Vtv1hd>)

<sup>11</sup> Translated to Croatian by Stipetić, Davor; Caramani, Daniele, *Komparativna politika*, Političke analize, Fakultet političkih znanosti Sveučilišta u Zagrebu, Centar za cjeloživotno obrazovanje, Zagreb, 2013.

as a whole, which would have to be a part of a more comprehensive and thorough research. This kind of research could take place after a few years of implementation of the Decree and Methodology, when proper evaluation of effectiveness and sustainability of the new system could be done.

## **4. STRATEGIC PLANNING IN MONTENEGRO**

When talking about strategic planning in Montenegro, it is undeniable that the strategic system was influenced by different political systems that existed in this territory and that the strong legalistic culture has been preserved as an influence of former socialist rule, evident even now in the public administration practice. Since establishment of tighter cooperation with SIGMA, the principles of public administration<sup>12</sup> have become one of the crucial components of changes on 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, aligned with the government's financial circumstances and ensuring that the government is able to achieve its objectives; medium-term policy planning that should be in place; and regular monitoring of government's performance that should enable public scrutiny and support the government in achieving its objectives.<sup>13</sup>

### **4.1. A comparative perspective: What is changing in Montenegro?**

In this part we will try to answer two of our research questions, i.e. how does Montenegro perform in policy and strategic planning and what are the gaps in this process? How does the EU integration process affect policy planning and strategic planning system and does the new legal and methodological framework help us in moving towards comprehensive and efficient policies in line with European standards?

#### **4.1.1. A glance on Montenegro from the perspective of good governance: period before the new legal and methodological framework were established**

Our baseline for reviewing the situation in Montenegro are the notes given in the last SIGMA Monitoring Report for Montenegro (2017), which was prepared before the adoption of the Decree and publication of the Methodology, that is, in the period before the new institutional, legal and methodological framework came into force. Additional remarks will be given based on the two latest European Commission Progress Reports for Montenegro, for 2016 and 2018. SIGMA covers the processes that are implemented by the Centre of Government (CoG) institutions and in Montenegro these are the SGG, Ministry of Finance, Ministry of Public Administration, European Integration Office and Secretariat for Legislation. In the moment when SIGMA prepared the report one of the CoG institutions was the Ministry of European Affairs, which seized to exist during 2018 and its competences were delegated to the European Integration Office and partly to the SGG.

According to SIGMA 2017 Monitoring Report, key challenges in Montenegrin policy planning remain with ensuring the quality of policy proposals. Policy planning was primarily annual and there was no medium-term government programme,<sup>14</sup> the links between policy and fiscal plans are limited, the central planning documents do not establish clear outcome-level objectives for the Government. This 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 they don't provide information on the achievements on the outcome level. On the other hand, the reports are publicly available, as all material discussed at the Government sessions is published online. When it comes to EU integration, Programme of Accession of Montenegro to the EU (PPCG)<sup>15</sup> is the key planning document and it provides a detailed overview of future tasks and contains predictions for additional staff needs arising from each negotiation chapter. However, PPCG doesn't include information about the costs of the planned activities and its alignment with the GAWP is incomplete. When it comes to the number of strategies, the Report states that their number in 2017 decreased considerably by

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<sup>12</sup> SIGMA, *The Principles of Public Administration*, 2017, link: <https://bit.ly/2IhI81i>

<sup>13</sup> SIGMA, *Monitoring Report: The Principles of Public Administration, Montenegro*, November 2017, link: <https://bit.ly/2yWLHqK>

<sup>14</sup> Government Annual Working Programme (GAWP) was Government's principal planning document.

<sup>15</sup> Subject of this report was the previous PPCG, prepared for the period 2014-2018, and reviewed on annual basis (link: <https://bit.ly/2OSdrkF>), while the new one is adopted for period 2019-2020 (link: <https://bit.ly/2FTVrC>)

comparison with 2016,<sup>16</sup> but the strategic planning system remains fragmented, illustrated by the fact that separate strategies are planned for areas that should be covered by a single sector strategy. (SIGMA, 2017: 33) In total, the value of indicators “Quality of policy planning” and “Policy planning for EU integration” is 2 out of 5, while the indicator “Quality of monitoring and reporting” is valued with 4 out of 5. Two main problems in policy planning, according to the belonging sub-indicators, are completeness of financial estimates in sector strategies and alignment between planned costs in sector policy plans and medium-term budget.

Remarks given by the European Commission in their country reports for Montenegro in the area of policy development and co-ordination are more or less in the same line as the ones mentioned in SIGMA Monitoring Report. Both Progress Reports for 2016<sup>17</sup> and 2018<sup>18</sup> conclude that Montenegro is moderately ready in the area of public administration reform and when it comes to policy development and co-ordination some changes were achieved. While the 2016 Report states that medium-term policy planning is not given priority by the Government, in the moment of preparing the 2018 Report the Government of Montenegro adopted its first Medium-term Government Working Programme. On the other hand, both reports identify the problem with alignment between policy and fiscal planning, especially in sectoral strategic documents that don't have proper costing. Compared to the 2016 Progress Report that doesn't single out a specific recommendation in policy development and co-ordination, the 2018 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) It also mentions that the government is legally obliged to monitor and report on implementation of the central planning documents, but there is no legal requirement for ministries to report on implementation of sector strategies.

#### **4.1.2. Viewing Montenegro internally: steps and key components to promoting new approach in strategic planning**

After these assessments on situation in policy co-ordination and development, some of the key steps in improving it were taken. Legal framework that would help harmonizing strategic planning and establish a hierarchy between strategic documents that has long been the subject of reports<sup>19</sup> on Montenegro is now in place, with the adoption of the Decree, that entered into force in August 2018<sup>20</sup> and upon which the Montenegrin strategy planning system is grounded. Another requirement in this field, was the elaboration of the guidelines on drafting strategic documents, its alignment, implementation, monitoring and reporting - a task that also become fulfilled with the publication of the Methodology that accompanies the Decree. The Methodology provides practical guidance on the development, drafting and monitoring of the implementation of strategic documents, aimed at improving their quality. Since its use is mandatory from the date of entry into force of the Decree, and the legally binding opinions of the SGG are grounded on compliance with it, the Methodology explains in detail the main requirements set by the Decree. It intends to provide a detailed explanation of all components of the Decree and to facilitate the work of the line ministries in the preparation, monitoring and implementation of strategic documents, to provide a broader picture on the key principles of policy development and a basic outline of the planning system in Montenegro, thus functioning as a manual and basic literature for the Training Programme.<sup>21</sup>

The Decree introduces the key principles,<sup>22</sup> as a guiding mechanism for the creation of public policies, thoroughly described in the Methodology. These are *the principle of alignment, principle of financial sustainability, principle of responsibility, principle of cooperation, principle of transparency, principle of continuity and the principles of efficiency and rational planning*. Each of them represents an equally important basis for ensuring quality in the

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<sup>16</sup> Total number of strategies in the end of 2017 was 120, while in the end of 2018 a total of 118 strategies were in effect, according to the analysis of the Department of Government Strategies.

<sup>17</sup> European Commission Montenegro 2016 Report, 9.11.2016 (link: <https://bit.ly/2tr6wXs>)

<sup>18</sup> European Commission Montenegro 2018 Report, 17.4.2018 (link: <https://bit.ly/2qExIEK>)

<sup>19</sup> European Commission Progress Reports and SIGMA Monitoring Reports, which are be addressed in the paper.

<sup>20</sup> The *Official Gazette of Montenegro*, number 54/2018 (available only in Montenegrin, link: <https://bit.ly/2Vtv1hd>)

<sup>21</sup> 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 7 March 2018. This Programme contains six modules that covers the whole policy planning cycle. As a result of the Programme, the groups of participants are preparing new strategic documents.

<sup>22</sup> Articles 5-12 of the Decree, pg. 15-16 of the Methodology

strategic planning of public policies. An additional novelty introduced by the Decree is a sector-based approach<sup>23</sup> to the strategic planning of policies, with intention to rationalize not just the number, but also the process of developing new strategic documents.

Bearing in mind the significance of data and evidence, mentioned above, the minimum criteria for the mandatory content of a strategy, programme and action plan<sup>24</sup> are set by the Decree, as well as the Methodology. The focus is thus shifted towards result-oriented policy planning that would enable better monitoring of the strategic documents in every phase of their implementation. Montenegrin institutions, which are the key creators of public policies and implementers of the development priorities of Montenegro, including its perspective as a credible future member of the European Union, are the ones to gradually embrace and apply the given guidelines. Because of that, DSG has established the two above-mentioned fora to fully implement and promote the concepts laid in the Decree and Methodology: Network of Civil Servants for Strategic Planning (onwards the Network), where all the line ministries are represented by two civil servants and the Training Programme, that is currently attended by the members of the Network. The Network had four meetings in the previous year, while the first generation of the Training Programme is on the way of completing it, in June 2018.

### 4.1.3. Quality assessment for the new strategic documents

After these changes happened there was no analysis of the current state of play, except the analysis conducted and prepared by the DGS that is competent for implementing the Decree and the Methodology. The analysis of the DGS, conducted from May to July 2017, had similar conclusions as the above-described reports. It pointed to the number of 95 strategies, 20 programmes, 20 plans and 69 action plans, but the precise number couldn't be given since the drafters didn't make clear difference between these categories of strategic documents, which confirms the remark that there is no clear hierarchy between them. Unlike regional practices, as is the case in the legislation of Croatia<sup>25</sup> and Serbia<sup>26</sup> in which every overarching strategic document has its separate definition and is positioned as hierarchically higher than the sectoral strategic documents, Montenegro through its Decree decided to regulate the need for alignment of sectoral strategic documents with the overarching ones that define strategic development directions of the country. Definitions of overarching strategic documents in Montenegro are given in the Methodology (2018: 17-18), and they are divided into strategic and planning documents foreseen by the Constitution of Montenegro, documents defining key government priorities, key strategic and planning documents defining general development directions of Montenegro and financial strategic documents. Further, the Decree doesn't regulate the relation between strategies and programmes as hierarchical, but the programme elaborates a specific topic of an existing sectoral strategy. This possibility given in the Decree enables the line ministries to define key strategies within the ministry and within the sector they belong to, establishing "smaller hierarchies" for the area they regulate, while the programmes will be used to answer to more specific topics.

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

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

Concerning the quality of the strategic documents that were the subject of the analysis, the results showed that 71% of the existing strategies had a plan for implementation, 62% included reporting, 45% of them were costed, but only 30% of the strategies have foreseen mid-term evaluation. The quality of the plans for implementation of strategic documents and the quality of reporting indicated to uneven structure, no unification in their drafting and no identification of modalities of enhancing a certain public policy. This ended in adopting many reports that don't contain reporting on the outcome level and don't highlight the main issues that the state institutions are

<sup>23</sup> 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)

<sup>24</sup> Articles 2 and 3 of the Decree, pg. 9, 20-21 of the Methodology

<sup>25</sup> 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>)

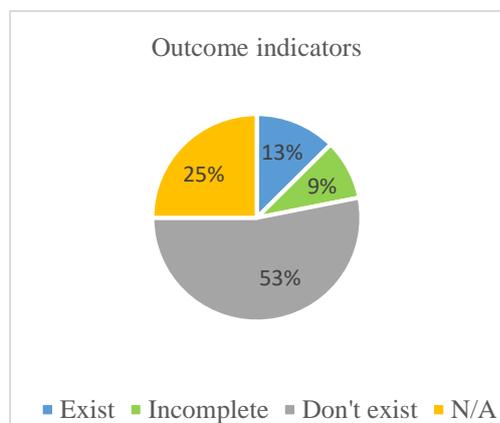
<sup>26</sup> Law on the Planning System of the Republic of Serbia, Official Gazette of the Republic of Serbia, number 20, 20 April 2018 (available in English, link: <https://bit.ly/2TYKJzD>)

facing during the implementation of strategic documents. When the analysis was reviewed, in the end of 2017, it identified 120 strategies in effect, while their number in October 2018 fell just slightly to 118.

Besides analyzing strategies, the DGS analyzed the opinions on drafts and proposals of new strategic documents and reports issued by the SGG from September to the end of December 2018. These opinions are one of the mechanisms for quality check for new strategies, programmes, action plans and reports, but also a useful tool for cooperation between the line ministries and the SGG. The opinions on drafts and proposals of new strategic documents have the same structure and they check three key aspects:

- a) Alignment with national strategic framework – overarching and existing sectoral strategies;
- b) Alignment with the obligations stemming from EU integration and other international obligations;
- c) Alignment with the Decree, i.e. the criteria and the structure of the strategic documents stipulated in the Decree.<sup>27</sup>

This quality check covers the review of state analysis, problem identification, setting goals, defining outcome indicators, defining activities in the action plan, costing and sources of financing for the implementation of the strategic documents and mechanisms for monitoring, reporting and evaluation. When it comes to checking actions



plans, it is necessary that they contain the activities, output indicators, the period for the implementation of the activities, competent institutions, costing and sources of financing the implementation of individual activities.

Graph 1: Outcome level indicators in draft strategic documents

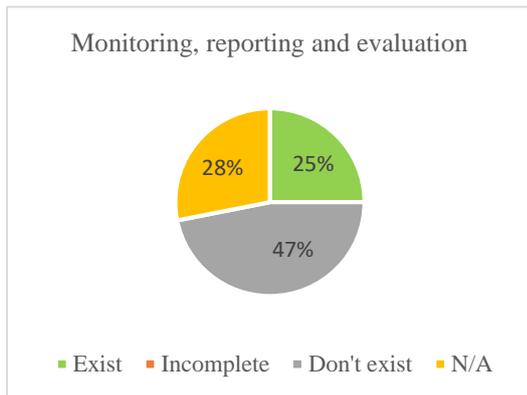
The analysis of the opinions issued by the SGG gives a clearer insight into some of the major gaps in the strategic documents that were prepared from September to the end of December 2018. Subject of the analysis were 59<sup>28</sup> opinions on drafts (32) and proposals (27) of strategic documents, including strategies, programmes and action plans. Only the results regarding draft strategic documents will be showed in the graphs 1, 2 and 3 because they indicate how the strategic documents are prepared before the first cycle of opinions and consultations with the SGG. For the purpose of this paper, the values from the opinions are adapted to be more useful and understandable, so the value

“exist” will refer to the value “aligned” in the opinion, “incomplete” will refer to “partially aligned” and “don’t exist” will refer to “non-aligned”. There is, however, a number of documents to which these criteria couldn’t be applied, such as action plans from strategies that were in effect before September 2018. These are valued with “N/A”, as non-applicable.

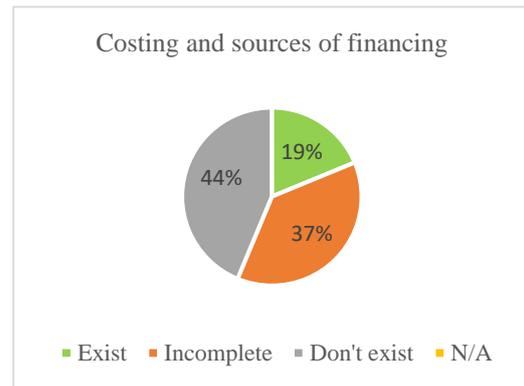
The results show that main gaps in preparing new strategy documents remain in the part of formulating outcome level indicators (there were no outcome indicators in 53% of draft strategic documents), information regarding the process of monitoring, reporting and evaluation (no information on these processes was given in 47% of strategic documents) and defining financial estimate and sources of financing in the action plans (44% of strategic documents didn’t contain this information). The part regarding monitoring and reporting is probably the most indicative for the lack of data and evidence in the next cycles of policy planning.

<sup>27</sup> The template of the opinion on draft and/or proposal of strategic documents can be found in Annex 1 to the paper.

<sup>28</sup> DGS issued additional 7 opinions which were consultative and didn’t enter into this analysis.



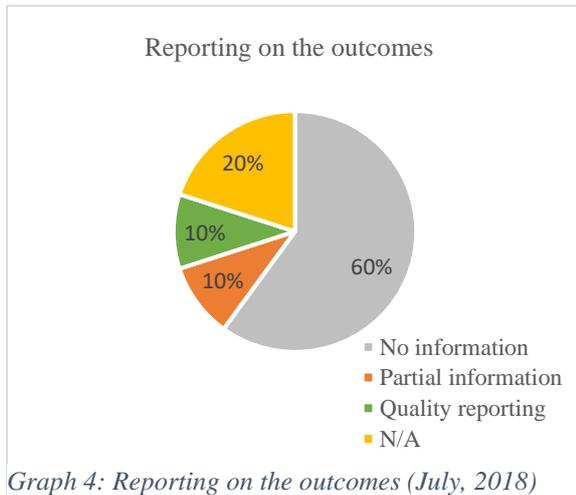
Graph 2: Information on monitoring, reporting and evaluation in draft strategic documents



Graph 3: Information on financial estimate and sources of financing in draft strategic documents

After the opinions were issued and DGS held consultative meeting with the drafters of new strategic documents, the situation changed and the documents were adopted respecting the structure defined with the Decree and the Methodology – outcome indicators were added in all of the 53% of documents that didn't contain them as well as the information on monitoring, reporting and evaluation in 47% of documents. However, financial estimate remained a problem and even after preparing the proposal strategic documents lacked the information either on the sources of financing or the planned costs for the implementation of the activities or the whole strategic document.

The practice of drafting strategic documents inconsistently leads to similar issues in reporting, which were also treated in two other analysis. The opinions on reports that the SGG issues also check the alignment with the Decree in a sense of containing the criteria and the structure set in it and the Methodology<sup>29</sup> and they are divided in a different manner – opinions given on annual and opinions given on final reports. Both opinions check whether a report contains an introductory outline, information on outcome indicators, table for reporting on implementation of the action plan and recommendations, except that opinions on annual reports check if the reports have recommendations for the future more efficient implementation of the action plan, while the opinion on final reports focuses on recommendations for the next policy cycle. Opinions on final reports also check whether reports contain information on the status of performance indicators, evaluation findings and an overview of the planned and spent financial resources for the overall implementation period of the strategy document.



Graph 4: Reporting on the outcomes (July, 2018)

The first analysis of the reports was conducted on the sample of 20 reports adopted by the Government from January to July 2018, of which all were annual reports. The results have shown that 60% of the reports doesn't give information on the outcomes or effects of the implementation of a strategic document. This analysis also showed that only 4 reports contained quality recommendations for next steps, mostly focused on financial issues. However, reporting on costs of the implementation isn't present. In the period after the adoption of the Decree some changes have been noticed, in a sense that the recommendations are incorporated in the reports to a higher extent. The second analysis was conducted for the 11 opinions issued on reports by the SGG, also from September to the end of December 2018. It showed that 75% of these reports contains recommendations in the final document that was adopted by the Government, after informal consultations with the SGG. The situation with reporting on the outcomes is yet to be followed, since it is tightly related to defining outcome level indicators in the strategic documents in the first place, which is something to be further insisted on.

<sup>29</sup> The template of the opinion on annual and final reports can be found in Annexes 2 and 3 to this paper.

As a conclusion and answer to the first two research questions, we can say that there are still gaps in drafting strategic documents and reporting about them, but having adopted the Decree and Methodology, which set the required structure and criteria that must be respected, we can say that some improvements are becoming evident. The Decree is the first legal document in Montenegro that regulates strategic planning, which, by August 2018, was defined in more than 25 laws and legal acts. We must, however, take into account that this conclusion is based on the first four months of implementing the new legal and methodological framework and the real effect is yet to be analysed and monitored.

#### **4.2. The redefined role of the Secretariat-General of the Government in the policy co-ordination**

In the last three decades, since the transition from socialist system to liberal democracy, Montenegro is going through continuous transformation in which two opposing forces need to be reconciled. One of them is the mentioned strong legalistic culture, legacy of the former socialist rule, and the other is the progressing process of EU accession negotiations to which the institutions are adapting so as to broaden their competences and accept higher level tasks. The new role of the SGG can be observed through this lens. The fact that policy co-ordination represents an important part of the public administration reform, which is one of the three pillars of the EU enlargement policy and from which the commitments of candidate countries arise, led to dedication to quality of strategic documents and improvement of the relevant legal framework with the accompanying principles of policy development and planning. The new concept of functioning of the SGG is a response to Montenegro's need to approach the task of co-ordination of policies and strategic planning in the medium term in a systematic way. Obligations of the SGG regarding the coordination of policies and improvement of the strategic planning system have set a new way of functioning and are reflected in the obligations two departments: DGS and the Department for Coordination and Monitoring of Implementation of Government Policies, which is responsible for the monitoring of implementation of the Medium-Term Work Programme of the Government 2018-2020, preparation of the Government Annual Work Programme and work programmes of the ministries, introduction of a new system of mid-term working programmes of the ministries, new system of reporting of the ministries and Government, as well as on a different approach when it comes to the monitoring and assessment of successfulness of implementation of policies. (Pešić, 2018: 13-14) DGS, on the other hand, is the body responsible for coordinating the strategic system in Montenegro. The Department has a specific role in implementing the new legal and methodological system in Montenegro because it monitors the harmonization of new strategic documents and reports, issues opinions on their alignment with the methodological criteria, while at the same time giving advice on how to incorporate the new criteria into the existing system. This other role is mainly conducted through the Network and the Training Programme, but also through consultative meetings held with civil servants from line ministries that were involved in drafting new strategic documents. Since the DGS is aiming to raise awareness on the implementation of the Decree and Methodology, it is quite clear that these roles must be obtained professionally.

If we try to understand the role of SGG through a more theoretical perspective, it would probably be somewhere between the three roles of a policy analyst identified by Nagel and Mills (1993; according to I. Grdešić, 2006: 12) – *the neutral technician*, that is oriented towards the integrity of the policy analysis; *the political counselor*, that is oriented towards the satisfaction of the decision-makers; and *the analyst* that is problem-oriented. The three roles can't be distinctly separated and usually policy analysts need to combine all of them. The Department, however, can't be described as a genuine policy analyst, but the scope of its competences covers the whole strategic planning system, of which public policies are an integral part.

##### **4.2.1. How do civil servants see the role of the SGG in the new framework?**

The direct recipients of SGG's opinions and implementors of the criteria set in the Decree and Methodology are civil servants working in the line ministries. Since we mentioned that the new approach towards policy planning includes collective action that is focused on civil servants included in policy planning, we wanted to check what the Montenegrin civil servants, members of the Network think about the new legal framework. For the purpose of better quality of the opinions and the improvement of the SGG work, they answered a questionnaire<sup>30</sup> that contained five questions regarding the role of SGG:

1. To what extent are you satisfied with the role of SGG in promoting the significance of strategic planning (including the implementation of the Decree and Methodology)?

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<sup>30</sup> The analysis of the questionnaire was prepared in February, 2019

2. What would be the most efficient way to bring closer the competences of the SGG in order to simplify the strategic planning process (phases in which the SGG opinions are issues, in what way, etc.)?
3. Did you have the opportunity to collaborate with the SGG in the process of drafting strategic documents and delivering them for opinion?
4. How do you rate informal communication with the SGG (meetings, phone calls, written suggestions)?
5. How do you rate SGG's suggestions entailed in formal opinions on drafts and proposals of strategic documents and/or reports in a sense of clarity and precision?

Question 1, 4 and 5 had values from 1-5 as the possibilities to answer, where 1 would be the lowest, and 5 the highest rating. Question 2 had four different options that respondents could choose (more than one answer was possible), but they also could give their answer that wasn't suggested. The suggested options for promoting the work of the SGG were "Presenting the competences of the SGG in infographics", "Sending quarterly notifications to the line ministries that have the obligation of drafting strategic documents, according to the GAWP", "Systematize and publish FAQ's (frequently asked questions)" and "Opening a help-desk". Question 3 had only two options for answering – yes and no.

Even though the total number of members of the Network is 34, only 22 members responded to the questionnaire, which is still a representative sample for this group. The results of the questionnaire showed that the satisfaction with the role of SGG in promoting the significance of strategic planning was rated with 4,7 out of 5, while only 57% of respondents had the possibility to work with SGG in drafting new strategic documents and reports. Informal communication was rated with value 5 by 90% of the respondents, while on the other hand their satisfaction with suggestions in formal opinions was different – 65% believes that the opinions are excellent and rated them with 5, 24% rated them with 4, and 12% with 3. Concerning the ways that would help bringing closer the competences of the SGG in order to simplify the strategic planning process, two preferred options were evident - "Sending quarterly notifications to the line ministries that have the obligation of drafting strategic documents, according to the GAWP", "Systematize and publish FAQ's (frequently asked questions)" had the same values (11 responses). Opening of a help-desk was the third preferred option (9 responses), while infographics gained the least attention with only 3 responses. No answers were added by the respondents.

As a conclusion to this part and answer to the third research question, the role of SGG, we can say that this role is important in coordinating and harmonizing the strategic system, especially in the light of the newly established instruments and the accession negotiations. Additionally, the results of the questionnaire showed that the role of SGG, its perspective and effectiveness depend on civil servants with whom it needs to work constantly in order to fully achieve the European standards in policy and strategic planning.

### **4.3. Evidence-based policy**

Moving towards the use of evidence in policy planning to a greater extent than is the case now or it was in the past few years is the final part of reviewing the planning system in Montenegro. In the context of EU accession negotiations, EC Progress Reports, as well as SIGMA Monitoring Report for Montenegro were briefly analyzed. The EC 2016 Progress Report for Montenegro states that "inclusive and evidence-based policy and legislative development is only partially ensured. The number of civil servants working on policy development and analysis is still limited." The same view was mentioned in the latest EC 2018. Progress Report.

According to the information obtained during informal meetings with civil servants regarding the drafting of new strategic documents and preparing the reports, we can say that policymakers, i.e. civil servants in Montenegro are familiar with this concept, but not so many of them tend to use it in practice. Some of the explanations for this situation, except the ones mentioned in previous chapters, are the obligations stemming from the European integration process. Apparently, strategic documents were prepared more as an answer to the opening or closing benchmarks for negotiation chapters, but usually with lack of evidence and necessary data that would identify the problems, their causes and effects and eventually lead to a solution that would improve the situation in a specific field. When we add to it the information that outcome level indicators are usually not defined in the draft strategies and that reporting doesn't focus on the effects (outcomes) it becomes clear why there is a problem with evidence-based policies. On the other hand, we can see many strategic documents and reports that are stacked with data, but there is no analytical approach to them, which is crucial for transforming data into evidence that could be used for the new policy planning cycle.

In Montenegrin case, this problem is inter-related to the mentioned number of civil servants working on policy development and analysis, which is still low. Actually, out of 17 ministries, only 4 of them have departments for strategic planning (Ministry of Defence, Ministry of Interior, Ministry of Public Administration, Ministry of Sustainable Development and Tourism) Usual practice in Montenegrin public administration shows that “everyone is doing everything”, or that sooner or later civil servants within the ministries will be included in drafting strategic documents, but with not so much or no experience in this field. Because of that, one of the first steps when the Network of Civil Servants for Strategic Planning was established was the first questionnaire conducted within this group, with purpose to identify the experience of the members in strategic planning. The first questionnaire was prepared for the first meeting of the Network, in February 2018, so all of the members (34) have answered the given questions. There were two questions relevant for their experience:

1. What is the number of strategic documents that you have worked on by now?
2. How do you evaluate your knowledge and skills in the areas relevant for strategic planning?

Offered answers to the first question ranged from “no experience”, “1-5 strategic documents”, “5-10 strategic documents” to “more than 10 strategic documents”. Out of the total number of respondents, 46,2% had experience in working on 1-5 strategic documents, 19,2% was working on 5-10 strategic documents, while only 7,7% of them was engaged with more than 10 strategic documents, but 26,9% had no experience at all. This result indicates that even the members of the Network, a forum of “strategic planners” of Montenegrin public administration, is for some of them the first experience with strategic planning at all.

The second question was separated into areas relevant for strategic planning, given in table 1, and the respondents could rate these areas with values 1-5, where 1 is the lowest, and 5 is the highest value.

Area	Average rating
Understanding the process and difference between monitoring and evaluation of strategic documents	<b>4,3</b>
Knowledge of legal regulation for conducting public consultations	<b>3,7</b>
Defining goals (developing strategic goals and operational objectives)	<b>3,3</b>
Developing performance indicators (output, outcome, impact) for measuring the improvements	<b>3,1</b>
Steps and components of public policy development cycle	<b>3</b>
State analysis and problem identification (SWOT, PESTLE, problem tree)	<b>2,9</b>
Costing of reform activities	<b>2,9</b>

*Table 2: Results of self-evaluation of civil servants' knowledge in strategic planning (February, 2018)*

Some contradictions can be identified in this self-evaluation, especially regarding the process of evidence-based policy making. For example, civil servants evaluate their knowledge in preparing state analysis moderately (2,9), while they evaluate their knowledge in monitoring and evaluation as very good (4,3). However, quality monitoring and evaluation make state analysis easier to prepare so it remains unclear what the real problem is – either the monitoring and evaluation don't give enough evidence for state analysis, or the evidence gathered in monitoring and evaluation processes isn't used for the next policy planning cycle. This, in our opinion, could be a subject for a new paper since the current data can't give us a clear answer.

On the other hand, the results of the analysis conducted in February 2019 showed that 73% of Network members were identified as “strategic key points” by their colleagues. The same percentage of members thinks that the Network should include more members in order to promote the result-oriented and evidence-based approach in policy planning. In order to improve the level of knowledge in strategic planning and introduce practical methods in making policy planning more evidence-based, members of the Network have become first participants of the

Training Programme.<sup>31</sup> This helps the capacity building for strategic planning in the line ministries, but needs further improvements and sustainability in order to raise the number of civil servants trained for policy planning, drafting of strategic documents and reports, raise the quality of policies and their effectiveness and establish coherent policy making on the level of the whole public administration.

## 5. CONCLUSION

The accession negotiations between Montenegro and the European Union, that have begun six years ago, have thrown the light on the reform of the whole public administration, now bringing into foreground evidence-based policy planning. Montenegrin administration, used on the former practices in policy planning, has still a long way to go to come to the full implementation of European standards in this area. However, major steps have been already made, identified in the adoption of the first ever Decree on procedure of drafting, alignment and monitoring implementation of strategic documents that defines the hierarchy and structure of strategic documents, their alignment and consistency, as well as the obligation of annual reporting on the implementation of all the sectoral strategic documents. The Decree is followed by guidelines, Methodology for Policy Development, Drafting and Monitoring of Strategic Planning Documents, which explains in detail each part of the new legal and methodological framework. New forums for civil servants are established – the Network of Civil Servants for Strategic Planning and the Training Programme for Civil Servants for Strategic Planning – that will serve as the places of promoting the new approach in policy planning, upgrading their skills in drafting the strategic documents and preparing reports and sharing their experiences in implementation of the strategic documents.

The data obtained for the purpose of this paper showed that the implementation of the Decree and Methodology, as well as the mechanisms of their promotion have already given some results in strategic planning process – the number of strategies gradually decreases, insisting on outcome level indicators, monitoring, reporting and evaluation ends in defining them in proposals of strategic documents, and quality recommendations on future steps are included in annual reports to a higher extent. The approach taken by the SGG has shown that it was significant for a small administration like Montenegrin to make gradual changes that could be immediately implemented and would change the “planning mindset” step-by-step rather than introducing an extensive law that would remain inapplicable. 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 financial costs of their implementation. Meanwhile, the Department for Government Strategies will use the established mechanisms to move Montenegro closer to the practices established in the European strategic framework thus enabling effective public policies, efficient and sustainable system of strategic planning that could easily be embedded into a wider European context.

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<sup>31</sup> The Programme is comprised of six modules: 1. Public policies development, Planning system in Montenegro; 2. State analysis and problem identification; 3. Setting the goals and identifying outcome indicators for measuring the improvement; 4. Planning reform activities, consultations and communication of the reforms; 5. Costing of reform activities and understanding fiscal reality; 6. Monitoring, reporting and evaluation.

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