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PUBLIC ADMINISTRATION DURING THE COVID-19 PANDEMIC AND REFORM DIRECTIONS**

Abstract: *During the COVID-19 pandemic, caused by the SARS-CoV-2 virus, every form of company organization and operation has undergone certain changes. The global crisis has highlighted the role of the state and the public sector in emergency situations and tested their readiness to respond to the challenges posed by the pandemic by instituting adaptable and pragmatic solutions while respecting the rule of law. During the pandemic, state and local officials have faced huge challenges. Being obliged to deal with rapidly and constantly changing circumstances, they often had to resort to improvisations. In such an extremely difficult context, it was of great importance to avoid administrative barriers, which could result in the loss of valuable time during the crisis. The pandemic has revealed many weaknesses in the functioning of state and local governments across Europe, including organization issues, change of workplace (from office to home environment), a new mode of interaction with citizens, etc. In developing countries, inadequate legislative provisions, technical solutions and insufficient digitalization have contributed to slowing down the administrative procedures. The aim of this paper is to indicate the problems faced by state administrations and local governments during the COVID-19 pandemic, to highlight the examples of good practices, and to indicate the reform directions after the pandemic.*

Keywords: *civil servants, human resources, organization, transparency, decentralization.*

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1. Introduction

On 30 January 2020, a panel of experts of the World Health Organization (WHO) declared the outbreak of SARS-CoV2, causing the Coronavirus disease 2019 (COVID-19), which was declared to be a Public Health Emergency of International Concern (PHEIC).¹ Each crisis, including the one caused by the COVID-19 virus pandemic, provides an opportunity to identify deficiencies in the public administration, to learn some lessons, and take the path of reform. Major crises, such as the one caused by the COVID-19 pandemic, affect the core of democracy and pose challenges to the capacity of public administration, both for organizational capacity and for the legitimacy and trust of citizens in public administration. In addition to the differences between countries in economic terms, this pandemic has shown the unpreparedness of the public administration of many countries that lack the mechanisms, material and human resources to adequately respond and continue to work without significant setbacks. On the other hand, it is also the opportunity to identify their weaknesses and shortcomings and to learn from countries that had more adequate solutions and institutional responses. In times of emergency, “the need for a swift response favors the entrenchment of the administrative state at the expense of representative, democratic legitimacy” (Ching-Fu, Chien-Huei, Chuan-Feng, 2016:892).

The public administration faced the challenge of preserving democracy, human rights, the economy, and human lives. In achieving this goal, states were making decisions and adapting them to the new situation on the go, and there were often differences in the attitudes and actions of experts and authorities. On the other hand, as the level of government that is closest to the citizens, local self-government units have played a vital role in the conditions of the pandemic but they also faced challenging tasks not only in terms of organizing their work and continuing their regular activities so that citizens are not denied their rights but also in terms of contributing to a safe environment and the preservation of people’s health in the local community.²

2. Some aspects of the functioning of the public administration during the pandemic

These are some issues that we will try to address further in this paper. How did the state administration and local self-government units respond to the

1 WHO (2020): COVID-19 Public Health Emergency of International Concern (PHEIC), World Health Organization (WHO), 12 February 2020; [https://www.who.int/publications/m/item/covid-19-public-health-emergency-of-international-concern-\(pheic\)-global-research-and-innovation-forum](https://www.who.int/publications/m/item/covid-19-public-health-emergency-of-international-concern-(pheic)-global-research-and-innovation-forum) (accessed 1.11.2022)

2 For more, see: Ansell, Sørensen, Torfing, 2020: 1-12.

COVID-19 pandemic during the state of emergency? Was the legal framework adequate for their successful operation, and to what extent did cities and municipalities have institutional mechanisms and strategic-planning documents and procedures usable in pandemic management? Is the degree of digital literacy of public officials and citizens at a satisfactory level so that they can use digital services? Another key issue is mutual communication and coordination between competent public administration institutions and services, which raises new questions. What kind of cooperation was developed among these institutions, as well as between the institutions and politicians, and the institutions and the civil sector? Finally, which governance models have proved to be better in crisis management: the centralized or the decentralized governance models?

In Great Britain, the Oxford Policy Management (OPM) team of experts singled out some lessons for the public administration and local governments during the COVID-19 pandemic.³ First, it is necessary to eliminate institutional overlaps by establishing a clear division of functions between the state administration and local self-governments, different social sectors and other branches of local self-government. Crisis response is impossible without a clear demarcation of who makes decisions and who does what. Second, local self-governments should be encouraged to have emergency management plans, in addition to national plans. Third, there is a need to enhance integration by creating platforms for mutual coordination and communication (e.g. the Corona Virus Local Responses in the USA, or global platforms such as C40⁴) in order to quickly allocate people and resources where they are most needed. It would enable local self-governments to share information and learn from the experiences of others. Fourth, it is necessary to empower citizens and ensure their participation and public action. Fifth, it is essential to strengthen the system resilience. In order to respond to the changing reality and citizens' needs, the system has to be flexible. Moreover, "for a government to work effectively in the worst of times, it needs to have well-oiled systems, practices and resource flows in the best of times". Therefore, investment in the local government is "key to successful recovery and long-term resilience" (OPM, 2020).

In the context of crisis management, it is inevitable to draw attention to the use of digital services, considering the fact that those public administrations that had already invested in digital capacities were in a better position during the

3 Oxford Policy Management (2020): Five lessons for local governments during COVID-19, by M. Rajadhyaksha, April 2020; <https://www.opml.co.uk/blog/five-lessons-for-local-governments-during-covid-19> (access 20.06.2022)

4 C40 Cities is a global network of city mayors collaborating to deliver urgent action to confront the climate crisis and create a future for everyone and everywhere to thrive. See: C40 CITIES (2022), About C40; <https://www.c40.org/about-c40/> (accessed 20 June 2022)

COVID-19 pandemic. In addition, it was necessary to maximize the flexibility of absence from work during the pandemic. For example, Germany increased the special leave provisions for certain groups (e.g. parents) for up to 30 days.⁵

In case of having a large number of infected employees or officials who were absent from work due to isolation, local self-governments and state administration bodies had the possibility to cooperate with each other and send their employees to another body or municipality for temporary work, so that the organization could keep on working.

Shortly after declaring the state of emergency on 15 March 2020,⁶ the Government of the Republic of Serbia adopted the Conclusion on suspending direct contact and work with clients in all state administration bodies, the Autonomous Province of Vojvodina and local self-government units, public enterprises and other organizations whose founder or majority owner is the Republic of Serbia, autonomous provinces and local self-government units (2020).⁷ This document envisaged that all public institutions had to ensure their continuous and uninterrupted work, without direct contact with the parties, via written communication, electronic mail or by telephone.⁸ In addition, institutions were obliged to publish e-mail addresses on their official websites where citizens could send their submissions, questions, requests, etc. It was stipulated that citizens' submissions would be acted upon even in case they were not submitted by using the prescribed forms which are provided in regular circumstances. The suspension valid until the 6 May 2020, when the RS Parliament issued the Decision on lifting the state of emergency.⁹

Both at the state administration and the local self-government level, the institutions faced a lot of problems due to the lack of technical capacities for work but also due to inadequate IT knowledge of employees, especially older genera-

5 Hanbbook Germany (2022). Coronavirus: work; <https://handbookgermany.de/en/coronavirus-work> (20.09.2022)

6 Decision on declaring a state of emergency, issued by the President RS, President of the National Assembly and President of the Government (PM), *Official Gazette of R. Serbia*, no. 29/2020.

7 The Government RS Conclusion No. 53-2561/2020 on suspending direct contact and work with clients in all state administration, autonomous province and local administration bodies, *Official Gazette RS*, No. 35/2020, 37/2020.

8 Notably, the Customs Administration of the Ministry of Finance, the Post Office Serbia (JP "Pošta Srbije") and some counters of the Tax Administration and Treasury Administration of the Ministry of Finance and the public utility company Electric Power Industry of Serbia (JP "Elektroprivreda Srbije") were exempted from the suspension.

9 The Parliament RS Decision on lifting the state of emergency, *Official Gazette RS*, No. 65/2020.

tions. The COVID-19 pandemic accelerated the digitalization process in the EU candidate countries but, for some unknown reason, this process often entails outdated procedures which ultimately lead to delays in handling individual cases. To change this, it is necessary to encourage institutions to allocate financial resources and ensure staff training in regular circumstances.

Shortly after the declaration of the state of emergency, the Government RS issued the Decree on organizing the work of employers during the state of emergency (2020).¹⁰ On the basis of this document, the Ministry of State Administration and Local Self-Government issued a Recommendation on organizing the work in public administrations and state institutions (2020).¹¹ This document stipulated that employees should be allowed to work from home (outside the employer's official premises) in line with the employer's working plan; while performing their work from home, employees were obliged to be available during the official working hours to the manager via telephone, electronic and direct communication, as well as to submit the completed work to the employer for information purposes or employer's approval. The state of affairs showed the lack of technical resources, poor staff training, as well as the resistance and unwillingness of older staff employed in the public administration to move forward and accept the inevitability of technological progress and the transition to a different way of working, which includes e-services and digitization of administrative procedures, leaving behind dusty archives and binders. Although Serbia recorded a huge advance in E-Participation, Online Services and E-Government indexes in 2016 (UN, 2016)¹², the UN E-Government biannual surveys indicate some of the problem areas (UN E-Government Knowledgebase, 2020, 2022).¹³ In many local self-governments across the OECD counties, it was impossible to organize remote work because public servants did not have adequate digital literacy skills or there was inadequate IT infrastructure. The OECD reported that local governments had different approaches to remote work and degrees of efficiency due to inadequate IT infrastructure, uneven or incomplete digitalization, lack of

10 Decree on organizing the work of employers during the state of emergency, *Official Gazette RS*, No. 31/2020.

11 Ministry of State Administration and Local Self-Government (2020): Recommendation on organizing the work in public administrations and state institutions, 18.3.2020.

12 UN (2016.) UN E-Government Survey 2016: E-Government in Support of Sustainable Development, Department of Economic and Social Affairs, New York, 2016; (accessed on 30 July 2022) <https://publicadministration.un.org/egovkb/Portals/egovkb/Documents/un/2016-Survey/E-Government%20Survey%202016.pdf>

13 See: UN E-Government Knowledge Database (2020, 2022): Serbia: <https://publicadministration.un.org/egovkb/en-us/Data/Country-Information/id/151-Serbia/dataYear/2020>; <https://publicadministration.un.org/egovkb/en-us/Data/Country-Information/id/151-Serbia/dataYear/2022>

digital competences, etc. (OECD, 2020a).¹⁴ At the outset of the COVID-19 pandemic in April 2020, the OECD reported on positive responses of some states; for example, the Netherlands developed an online toolbox for public servants containing information and short videos about working from home and maintaining a work-life balance by providing mental health support services (OECD, 2020b).¹⁵ On the other hand, citizens are insufficiently informed about the catalogue of e-government and services offered to them, and some citizens still do not have the basic IT skills. For example, 42% of families in the poorest regions of Italy have no access to a computer/tablet at home (OECD, 2020a).

In the Republic of Serbia, The National Open Data Portal (OGDP) was launched in 2017,¹⁶ and the Electronic Administration Act was adopted in 2018.¹⁷ The survey conducted by the Statistical Office of the Republic of Serbia (in February 2020), just before the outbreak of the COVID-19 pandemic, showed that 74.3% of the surveyed Serbian population had access to computers in their households, while a total of 81% had access to the Internet in their households (87.1% of urban households and 70,4% of rural households) (Statistical Office RS, 2020:11-13). It means that about 20-26% of the respondents did not have a means of accessing the state administration and local self-government e-services. About 20% of respondents never used computers/Internet (SO, 2020: 33-34), and 10% reported the lack of IT skills (SO, 2020:31).¹⁸ Moreover, the statistics show that 37.0% of the respondents used Internet services instead of personal contacts or visiting

14 OECD (2020a): OECD Policy Responses to Covid-19: The territorial impact of COVID-19: Managing the crisis across levels of government, 10 November 2020; <https://www.oecd.org/coronavirus/policy-responses/the-territorial-impact-of-covid-19-managing-the-crisis-across-levels-of-government-d3e314e1/> (accessed 30 July 2022). The results of research conducted before the COVID-19 pandemic on the use of digital information systems by local self-governments across the OECD countries suggest that the degree of digitization is higher for local services in spatial planning, construction, tourism, culture and sports, and lower for social services (OECD, 2020a).

15 OECD (2020b): OECD Policy Responses to Covid-19: Public servants and the Coronavirus (COVID-19) pandemic: Emerging responses and initial recommendations, 17 April 2020; <https://www.oecd.org/coronavirus/policy-responses/public-servants-and-the-coronavirus-covid-19-pandemic-emerging-responses-and-initial-recommendations-253b1277/> (accessed 30 July 2022)

16 Information Technologies and E-Government Office/ITE ((2022): Open Data Portal, Government of the Republic of Serbia, Belgrade, <https://www.ite.gov.rs/tekst/en/30/open-data-portal.php>

17 the E-Government Act, *The Official Gazette of the Republic of Serbia*, No. 27/18

18 Statistical Office of the Republic of Serbia (2020) Usage of Information and Communication Technologies in the Republic Of Serbia 2020: Households/Individuals Enterprises, Statistical Office of the Republic of Serbia, Belgrade 2020; <https://publikacije.stat.gov.rs/G2020/PdfE/G202016015.pdf>

public institution or public authorities. In this population group, 34% used public administration electronic services to obtain information, 25% to download information, and 24% to submit completed forms (SO, 2020: 25).

The E-Government Portal (officially launched in 2010) shows a wide range of e-services which have been made available by the state administration and may be accessed electronically:¹⁹ e-Family, including e-Baby service which enables the registration of newborn babies (since 2017) and e-Kindergarten as a new service which enables the registration of children for enrollment in preschool institutions (since 2020); e-Diary for keeping primary and secondary school pedagogical records; e-Diaspora; e-Foreigner; e-Business and Finance; e-Inspection; e-Health, including Health Protection, Health Insurance and special COVID-19 services where citizens can choose a vaccine against COVID-19, schedule vaccination, take a self-assessment test on the COVID-19 symptoms, view the results of the PCR test, establish contact with the selected doctor; etc. (E-Government, 2022).

However, it should be noted that a large number of e-services which may be found on the websites of local self-governments cannot actually be fully performed in a digital environment. For example, if you submit an electronic request to a local municipality to issue a certificate (of birth, citizenship, etc.), the original payment form for such a service has to be sent to the local self-government either by post or by mail, which is not an e-service because it cannot be paid electronically and cannot be fully performed in an online environment. Many services cannot be launched at all although they are offered at local government websites. Thus, out of 124 e-services posted on the web-portal of the City of Šabac, only four services can be fully performed electronically. On the other hand, the local governments of Loznica, Zrenjanin, Novi Pazar and Vrnjačka Banja offer a large number of fully implementable e-services (Swiss Pro, 2019).²⁰ The municipality of Tutin was among the first to introduce e-services on its website/portal but the instructions and forms have not been updated for some time. The quality and accuracy of many published e-services is also questionable. For example, Vrnjačka Banja reported a serious problem with mispaid taxes, due to outdated information on the E-Government portal.

19 See: E-Government (2022): Electronic services in the Republic of Serbia; <https://euprava.gov.rs/>; E-Health services <https://euprava.gov.rs/%C5%BEivotna-oblast/17>; <https://euprava.gov.rs/usluge/5886>, <https://www.e-zdravlje.gov.rs/landing/?v=20210418> (accessed 10 September 2022)

20 Swiss PRO, Procena stanja elektronske uprave u jediniama lokalne samouprave (Assessment of the state of E-Government in local self-government units), Swiss Agency for Development and Cooperation, April 2019, https://www.swisspro.org.rs/uploads/files/148-676-sp_rezime_procena_statusa_euprave_u_jls_final.pdf.

Although governments commonly resort to centralization in times of crisis, it is not always considered an appropriate option for crisis management. The government of Great Britain was criticized for the high degree of centralization in managing the COVID-19 pandemic, which led to the impossibility of allocating resources to local governments. The entire COVID-19 episode was marked by centralization and non-involvement of decentralized units (Joyce, 2021: 543). In Italy, relations between the central government and regional and local authorities have proven to be conflictual during the COVID-19 pandemic (Mandato, 2020:6). This was particularly evident in the case of the ambiguous wording of Decree-Law no. 6 of 23 February 2020, which granted undetermined “competent authorities” the power to take undetermined “further measures” to prevent the spread of the COVID-19 pandemic, thus causing a conflict between different levels of government. Contrary to the instituted central government measures, regional governments restricted citizens’ freedoms. Thus, the Regional Administrative Court in Ancona suspended a Decree by which the president of the Marche region ordered the closure of schools, universities and museums, and banned public events of any nature for seven days, regardless of the fact that there were no confirmed cases of infection in the region at that time. (Mandato, 2020:7). Then, the Italian Decree-Law of 25 March 2020 resolved the conflict between the central and the decentralized levels of government and allowed the regions to adopt measures with local efficiency, provided that they: 1) aim to act in the absence of measures adopted by the central government; and 2) are justified by the “exceptional deterioration of health risk” in that particular region. However, even after the entry into force of the aforesaid Decree-Law, there was a new conflict of competence between the central government and regional authorities, when the regional government of the Calabria region was allowed to operate catering services and table service in restaurants although it was prohibited at the state level. This time, the regional measures proved less restrictive than those imposed by the central government. Thus, after the central government challenged the decree, the Administrative Court declared it illegal (Mascio, Natalini, Cacciatore, 2020:628)

In the Republic of Serbia, cooperation with civil society organizations was ineffective during the COVID-19 pandemic. This cooperation was not at a satisfactory level even before the pandemic. During the pandemic, civil society organizations pointed to the abuse of the powers of local self-governments. For example, the City Headquarters for Emergency Situations in the city of Bor adopted 11 orders introducing measures to derogate human and minority rights, referring to the Disaster Risk Reduction and Emergency Management Act. The city of Bor was not in an emergency situation but in a state of emergency. In the opinion of many civil society organizations that reacted to these decisions

and demanded their withdrawal, the Headquarters introduced measures that departed from the authorities they were vested with under the Constitution and positive legislation. According to the Constitution of the RS²¹, during a state of emergency, when the National Assembly is not in a position to convene, the Government may prescribe measures providing for the derogation from human and minority rights, by issuing a decree which shall include the President of the Republic as a co-signatory (Article 200, para.5 of the Constitution). It does not prescribe such authority of the city emergency headquarters. One of the orders referred to the prohibition of the registry office from issuing any documents for persons temporarily working abroad, or persons who do not have a permanent residence in the territory of Bor during the state of emergency. Such an order constituted impermissible discrimination of those persons.

Immediately after the state of emergency was declared, the Government of the Republic of Serbia adopted the Decree on the Application of Time Limits in Administrative Proceedings during the State of Emergency (2020)²², which prescribes the procedure regarding the application of deadlines in administrative proceedings in the circumstances of the declared state of emergency. This Decree stipulates that, during the state of emergency in the Republic of Serbia, the parties in proceedings brought before state bodies and organizations, autonomous province bodies and organizations, and local self-government units, institutions, public enterprises entrusted with general powers may not bear the consequences of their failure to act within the deadlines prescribed or determined in line with the legislative acts governing general administrative procedure or special administrative procedures. In terms of the application of the prescribed deadlines, the submission of written claims in administrative proceedings and delivery of notification acts, from which non-extendable deadlines begin to run and which were submitted or delivered during the state of emergency, will be considered to have been submitted or delivered 15 days after the date of lifting the state of emergency (Article 2). The deadlines referring to initiating administrative actions, the completion of administrative proceedings and the decision on the declared legal remedies, which expire during the state of emergency, will be considered expired 30 days after the date of lifting the state of emergency. The prescribed deadlines for declaring a legal remedy against the oral decision of the competent authority made during the state of emergency, in the process of implementation of emergency measures to prevent the spread of the infectious COVID-19 disease caused by the SARS-CoV-2 virus, as well as

21 Constitution of the Republic of Serbia, *Official Gazette RS*, br. 98/2006; <http://www.ustavni.sud.rs/page/view/en-GB/235-100028/constitution>

22 Decree on the Application of Time Limits in Administrative Proceedings during the State of Emergency, *Official Gazette RS*, no. 41/2020, and 43/2020.

the prescribed deadlines for submitting a request for the delivery of a written copy of that decision, begin to run from termination of the state of emergency (Article 3). In the proceedings for establishing, payment, collection and control of public revenues of tax and customs payers, the application of this Decree is limited exclusively to the deadlines for submitting legal remedies against the first-instance decisions and conclusions of the competent tax and customs authorities (Article 3a). In terms of the suspension of procedural deadlines, we should bear in mind that the public administration body must enable all parties in the administrative procedure to respond, to state their opinions on the evidence and other material in that administrative matter, and to address all requests submitted by that body. Parties clearly did not have that opportunity during the suspension of the procedural deadlines, which was evident in the fact that many decisions were contested for formal (substantive) and procedural reasons.

The situation was similar in Poland. In response to the first COVID-19 pandemic wave, the Polish legislator decided to suspend substantive and procedural rules related to the statute of limitations, administrative silence and deadlines for administrative proceedings. Notably, the Administrative Procedure Act of Poland was amended on 18 April 2020 in order to facilitate the citizens' communication with the administrative authorities during a state of emergency through an electronic service using the ICT system. Under the new provision, any document issued by the authority during the administrative procedure may be delivered in the form of an electronic copy. In order to be delivered the document in an electronic format, the party must meet certain conditions: a) submit the request in the form of an electronic document via an electronic master box; and b) give the authority its e-mail address or express consent to the delivery of documents in the procedure in this way. This is a new solution in the Polish Administrative Procedure Act, "involving a manner of serving documents issued in the course of the proceedings in the form of an electronic document different to service using electronic communication" (Klich, 2021: 685).

Citizens' trust in public administration is one of the most critical factors in its successful functioning. The COVID-19 crisis seems to have raised concerns about trust, stemming from the increasing citizens' mistrust in the public administration. The problem was generated by the contradictory statements of the public authorities and professionals, as well as by the insufficient clarity and interpretation of the measures adopted during the state of emergency. The European Commission emphasized the importance of "clear and timely communication" with citizens, transparency and social dialogue (EC, 2020)²³

23 See: European Commission (2020a). Joint European Roadmap towards lifting COVID-19 containment measures 2020/C 126/01, [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020XC0417\(06\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020XC0417(06))

because citizens' trust is a pillar on which public administration must rest in normal circumstances in non-crisis times. Trust is not built "overnight"; it is a continuous process. Therefore, the citizens must have a trustworthy public administration, which is transparent, efficient, reliable and competent, which takes them seriously and acts in a responsible and responsive manner. Thus, the development of public administration services must move in the direction of understanding the end-user experience, especially when innovative digitized services are put in place and when the digital environment and artificial intelligence bring new challenges.

Citizens' trust is primarily based on their satisfaction with the quality of delivered public services. The OECD Recommendation on Public Service Leadership and Capability (2019)²⁴ highlights the drivers of confidence related to competencies and values. Competencies refer to the ability of governments to deliver services to citizens at the level of quality they expect, in an accountable and reliable manner. Values are principles and drivers that should guide and shape the actions of governments, such as openness, integrity and fairness. In Norway, for example, a high level of citizens' trust of in the public administration was recorded during the pandemic, but the authors emphasized that it is a long-term process which certainly did not happen "overnight", and that citizens' trust was built over many years (Christensen, Lægheid, 2020:775).

3. Directions of public administration reforms in Serbia

The successful implementation of the public administration reform process is crucial because it conditions the proper development of reform processes in other areas of society (Marković, 1998: 279). In the Republic of Serbia, the key strategic document for public administration reform processes is the Public Administration Reform Strategy for 2021-2030.²⁵ The main role of this document is to ensure the continuous, planned implementation of the administrative reform process aimed at establishing a modern public administration which will provide quality public services to its citizens and economic operators, and have an adequate level of unification with the EU Member States public administra-

24 OECD (2019). Recommendation on Public Service Leadership and Capability, 17. Jan. 2019:<https://www.oecd.org/gov/pem/recommendation-public-service-leadership-and-capability-2019.pdf>

25 The Public Administration Reform Strategy for the period 2021-2030, "Official Gazette of RS", no. 9/2014, 42/2014 – corr., 54/2018); See: Ministry of Public Administration and Local Self-government of the RS (2022); <http://mduls.gov.rs/en/public-administration-reform/>; <http://mduls.gov.rs/wp-content/uploads/PAR-Strategy-in-the-Republic-of-Serbia-for-the-period-2021%E2%88%922030.pdf>

tion systems, which is necessary for connecting administrative systems on the European soil (Lilić, Golubović, 2011:101).

The Strategy has set ambitious goals to be achieved over the next ten years. The proposed reform will be aimed at establishing well-managed, professional, motivated, and efficient public administration, which promotes innovation and merit-based employment and staff appointments, and is capable of implementing the government goals and meeting the citizens' expectations. One of the main goals set by the PAR Strategy is the further development of a functional and innovative public administration system. Given that the organization of a system is largely embodied in the people who make, this goal is intended to be achieved by improving the recruitment process in public administration: a) attracting and hiring staff with the necessary competencies; b) promoting and retaining competent and motivated employees who achieve their career goals in an enabling environment; c) updating the system of professional development and professional examinations in public administration based on an analysis of the needs for improving the competencies (knowledge, skills and abilities) of public administration employees. In view of improving the recruitment process in the public administration by the end of 2030, "it is expected that the state administration will be perceived as a desirable employer who applies transparent procedures, identifies better the necessary staff needed by state administration who have appropriate job competencies, and has more efficient recruitment and candidate selection procedures, including merit-based appointment of senior civil servants". In order to achieve this specific goal, the PAR Strategy envisages the following activities: a) improving personnel planning and promoting public administration as a desirable employer; b) improving the selection process and initial training of new employees, and c) improving the merit-based process of filling senior civil service positions and their induction. (PAR Strategy, 2021-2030: 13).

An effective career management system has also been set as a specific goal which will be applied in practice. Within this goal, emphasis is placed on "attracting and retaining competent civil servants by providing conditions for career development, innovation, stronger motivation and increased mobility. Efficient human resources management in the state administration will be further enhanced by ensuring adequate delegation of authority as well as professionalization of the senior civil servants' positions (PAR Strategy, 2021-2030: 13).

In terms of human resources orientation in the Serbian public administration, we may observe a notable progress. Namely, looking 20 years back, it may be said that the personnel policies were strictly bureaucratic, while nowadays the focus is more on individuals. However, personnel policies are still inconsistent,

many employees are still recruited and admitted without public competition; in many cases, public competitions are only formally announced because it is already known in advance which candidate will be admitted. It indicates that corruption is still present in the employment process, and that the candidates' actual professional competencies and values do not come to the fore. The professionalization of public administration will not be possible without selecting the best candidates exclusively through a public competition. Even after several years of application, the candidate assessment system has not produced the desired results. The lack of reliable objective criteria, subjectivity in candidate evaluation, and the absence of complaints have had negative effects in other parts of the civil service system (rewards, promotion, demotivation, interpersonal relations, etc.).

In Serbia, it may be said that the public administration reform and European integration are interconnected processes, the goal of which is to ensure compliance with the fundamental principles of "good governance". The COVID-19 pandemic has accelerated the digitization of public administration and the necessity of the digital inclusion of all actors in that process. We should not forget that in certain parts of the country, mainly in rural areas, there is a lack of IT infrastructure, which leads to digital exclusion and unequal treatment of citizens. Online training programs and professional development of civil servants are recognized as good experiences from the pandemic period, which can be very effective and efficient, while reducing costs. The most important lesson from that period is the need to simplify administrative proceedings.

4. Directions of public administration reforms in European countries

On 27 May 2020, the European Commission proposed the Recovery and Resilience Facility (RRF) as the centerpiece of NextGenerationEU, a temporary recovery instrument that allows the Commission to raise funds to help repair the immediate economic and social damage brought about by the Coronavirus pandemic and make European societies and economies more sustainable, resilient and better prepared to face the challenges and opportunities of the next generation policies. On 17 December 2020, the Council of the EU adopted the next long-term EU budget for the period 2021-2027(EC, 2022).²⁶ The European Institute of Public Administration (EIPA) emphasized that the directions of public administration reform after the COVID-19 pandemic must consider the

²⁶ EC (2022). Recovery plan for Europe; https://ec.europa.eu/info/strategy/recovery-plan-europe_en; Recovery and Resilience Faculty (REF); https://ec.europa.eu/info/business-economy-euro/recovery-coronavirus/recovery-and-resilience-facility_en

weaknesses observed during the pandemic crisis,²⁷ considering that most EU Member States will support public administration reforms and digitalization projects in the period 2021-2027 (Lopriore, Vlachodimitropoulou, 2021: 11).

As pointed out by the GRECO,²⁸ the pandemic crisis has increased the risk of corruption in all EU member states, while preventive measures show weakness and inapplicability in practice. The GRECO “has consistently recommended specific anti-corruption and governance tools”, which include greater transparency, oversight and accountability as a key to preventing corruption both at the central and the local level, particularly in extraordinary circumstances caused by the pandemic (GRECO, 2020:1). Therefore, it is necessary to introduce comprehensive new or revised anti-corruption strategies with clearly defined and measurable goals, to designate the budget, and to clearly define the competences and responsibilities of specialized institutions.

Furthermore, the Commission singles out the unused potential of digital services as one of the lessons from the pandemic, because the percentage of digitally provided services and the share of the population that uses them is low. There are significant transaction costs for analog services, which simultaneously create a significant administrative burden for businesses and citizens, but also public administration (EC, 2020).²⁹

In Belgium,³⁰ for example, some of the reforms planned by the Government of Flanders in the forthcoming period are: to simplify administrative proceedings; to ensure faster appeal procedures and eliminate backlogs by employing extra judges; to reduce the case files processing time to a maximum of 9 months; to strengthen trust in local authorities by slowing down structural decentralization; to invest in knowledge administration, quality education, digitization

27 Lopriore, M. Vlachodimitropoulou, M. (2021). Recovery and Resilience Plans for the Next Generation EU: a unique opportunity that must be taken quickly and carefully, EIPA Paper, European Institute of Public Administration, https://www.eipa.eu/wp-content/uploads/2021/10/EIPA_Paper_Recovery-and-Resilience-Plans-for-the-Next-Generation-EU_Digitaal.pdf (accessed 30 September 2022)

28 GRECO (2020). Corruption Risks and Useful Legal References in the context of COVID-19, (2020)4, Group of States against Corruption, Council of Europe, Strasbourg, 15 April 2020; <https://rm.coe.int/corruption-risks-and-useful-legal-references-in-the-context-of-covid-1/16809e33e1>

29 European Commission (2020b). Recovery and Resilience Facility – State Aid, Guiding template: Digitalisation of public administration, including healthcare, 19 December 2020, Brussels https://ec.europa.eu/competition/state_aid/what_is_new/template_RFF_digitalisation_of_public_administration.pdf

30 Government of Flanders (2020). Flemish Resilience, Government of Flanders Recovery Plan, Department of Chancellery and Foreign Affairs, Brussels; <https://publicaties.vlaanderen.be/view-file/40072>; (10 Sept. 2022).

and digitalization, etc. (GF Recovery Plan, 2020:9). In view of accelerating and strengthening the digital transformation of public services, the Flanders Government envisaged the project “Municipality without a Town Hall”, which entails launching an e-desk for citizens “to accelerate the roll-out of citizen profiles and an e-desk for businesses as a service plugged into the websites of local authorities, so that these become fully-fledged, unique digital gateways for the service delivery of local, Flemish and federal authorities alike” (GF Recovery Plan, 2020:19).

Similar to Belgium, the German government has envisaged the modernization of public administration as one of the six strategic recovery goals. In the German Recovery and Resilience Plan (GDRP) plan³¹, the public administration modernization entails three main components: a) European identity ecosystem; b) Digitalization of administration, ensuring the implementation of the Online Access Act; and c) Modernizing the digitalization of administration, by ensuring the modernization of registers (GDRP, 2020: 39). In this context, “the Online Access Act promotes creating a digital administrative service at the national level in Germany by 2022. Its main goal is to digitize 575 administrative services in a user-friendly and legally correct way.” The goal is to connect as many local governments as possible through online services, which have been developed and implemented in one place according to the “one for all” model (GDRP, 2020: 40). In Germany, the registers are managed on a decentralized basis, i.e. on-site by individual local authorities. They are often not interconnected to allow for the use of existing data in other administrative procedures. In order to make it possible in the future, “the quality of German registers will be improved and they will be linked to each other across the country through a cross-register identification management system and a system for the communication of competent authorities and data relevant to the implementation of the Online Access Act and the European “once-only” principle” (GDRP, 2020: 40).

In Croatia, legal scholars point to a number of problems in the employee assessment system (e.g., officials do not know what their specific tasks are; the officials’ tasks are not related to organizational goals; there are no work plans for officials; etc.). In addition, the Croatian legal theory highlights a number of weaknesses of the public administration system, including huge regional and local differences in the availability of public services, neglected community and citizen-oriented approach, poor citizens’ influence on the formulation of public

31 See: Federal Ministry of Finance (2021). German Recovery and Resilience Plan (Draft GRRP), Dec.2021; https://www.bundesfinanzministerium.de/Content/EN/Standardartikel/Press_Room/Publications/Brochures/2021-01-13-german-recovery-and-resilience-plan.pdf?blob=publicationFile&v=8 (accessed 10 September 2022)

policies at the state and local levels, etc. (Koprić, Džinić, Škarica, Manojlović, Lopižić, 2020:15).

5. Concluding remarks

The importance of the public administration system was evident during the COVID-19 pandemic, which revealed the need for a high quality, transparent, reliable and efficient system which should be flexible enough to adapt to the changing reality and citizens' needs. In addition to the need to simplify administrative proceedings, this period also revealed the need to invest in the system in the best of times so that it can adapt to changes in the worst of times.

All countries agree that the digitalization of public services is inevitable, which has only been accelerated the COVID-19 pandemic. Furthermore, there is a consensus among states that reforms in the future must move towards simplification of administrative proceedings and removal of administrative barriers. Citizens need an administration which they can trust, which would hear their needs and take them seriously, which is transparent, responsible and responsive in performing their activities, and which provides opportunities for citizens to influence public policies. However, trust cannot be built "overnight"; it is a long-term process that takes a lot of effort and consideration of different factors. Citizens want a public administration that cares about the exercise of citizens' rights, while respecting the principle of legality, ensuring the rule of law, and protecting the public interest. On the basis of prior experience, almost all countries concluded that centralized systems did not do well during the pandemic and that decentralization is a necessary process. It indicates that local governments cannot only be seen as service providers but also as key actors in the decision-making processes.

However, many countries have to make a much greater effort in view of the professionalization of public administration, especially EU candidate countries. In Serbia, human resources policies are still inconsistent and public administration employees are still recruited and admitted without public competitions. In a large number of cases, public competitions for public administration positions are only formally announced because it is already known in advance which candidate will be employed. Such practices preclude the recruitment of the best candidates and indicate that corruption is still present in the employment process and that candidates' professional competencies and values are not taken into account. The professionalization of public administration is not possible without the selection of the best candidates because the human substance is the most precious quality of public administration. Another huge problem is the politicization of public administration, where civil servants act in accordance with the interests of the political party to which they belong.

The overarching goal of the public administration reform in Serbia is to establish a “good administration” which “successfully” implements its goals in full observance of human rights and freedoms, provides high-quality services to end-users in a modern manner, acts in accordance with enacted legislation and legitimate professional practices, effectively counteracts the practice of “bad” administrative treatment, enjoys the trust of its citizens, and produces positive socio-economic effects both in the country and at the supranational level.

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ЈАВНА УПРАВА ТОКОМ ПАНДЕМИЈЕ И ПРАВЦИ РЕФОРМЕ

Резиме

Свака форма организације рада током COVID-19 пандемије изазване вирусом SARS-CoV-2 претрпела је одређене промене у начину свог функционисања. Криза је истакла улогу државе и јавног сектора и тестирала њихову спреност да на изазове које је уроковала пандемија одговоре прилагодљивим и прагматичним решењима поштујући владавину права. Јавни службеници су се током пандемије суочавали са великим изазовима у којима су често били приморани да импровизију, суочени са ситуацијом која се брзо мења. У овако изузетно тешком контексту, било је од велике важности да се избегну административне баријере, које су могле резултирати губитком драгоценог времена током кризе. Пандемија је открила многе слабости у функционисању јавних управа широм Европе, од организације, промене радног места из канцеларијског у кућно окружење, новог начина интеракције са грађанима, а у земљама у развоју и до спорих процедура због неадекватних законских и техничких решења и недовољног степена дигитализације. Циљ рада је да укаже на проблеме са којима су се суочавале јавне управе током пандемије, да истакне примере добре праксе суочавања са кризом и да укаже на правце реформе након пандемије.

Кључне речи: службеници, људски ресурси, организација, транспарентност, децентрализација.