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# Next steps for policy development in Montenegro

Discussion based on results of SIGMA 2021  
Monitoring Report

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**19 January 2022**

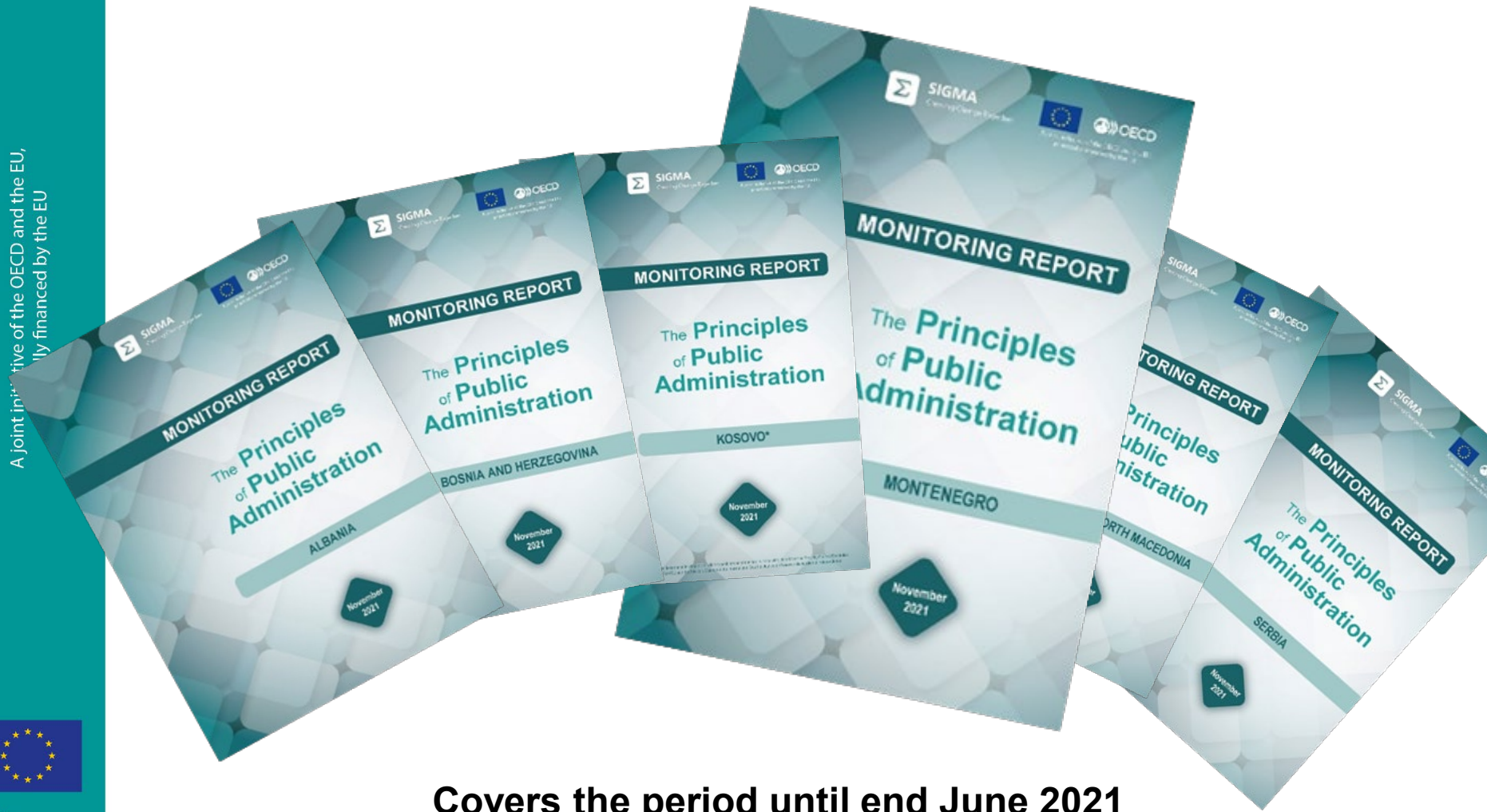




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# 2021 Monitoring Reports for the Western Balkans

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Covers the period until end June 2021



# Principles of Public Administration



**Focus of today's discussion is on selected principles for policy development & co-ordination**



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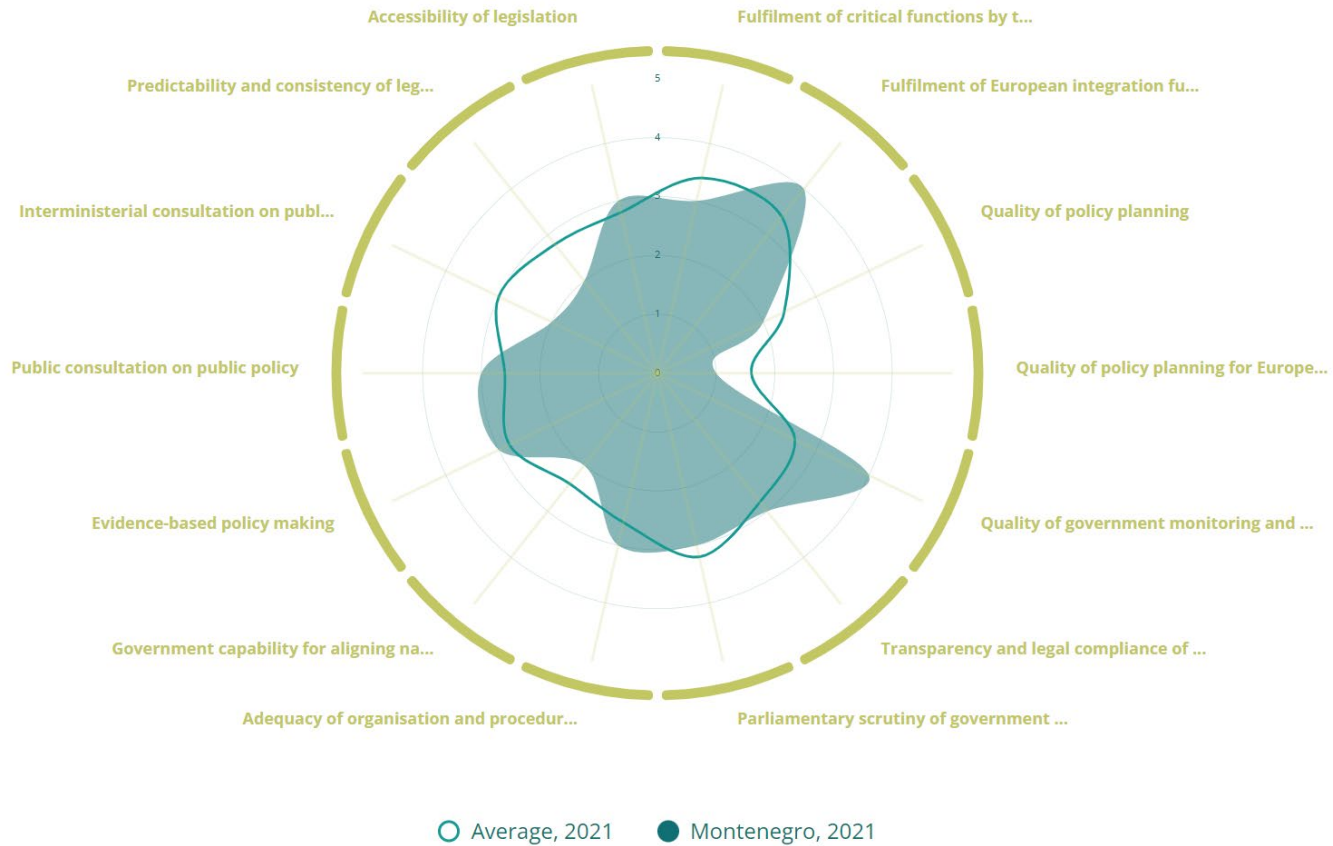


OECD



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# MNE is a regional front-runner in several aspects related to policy development...



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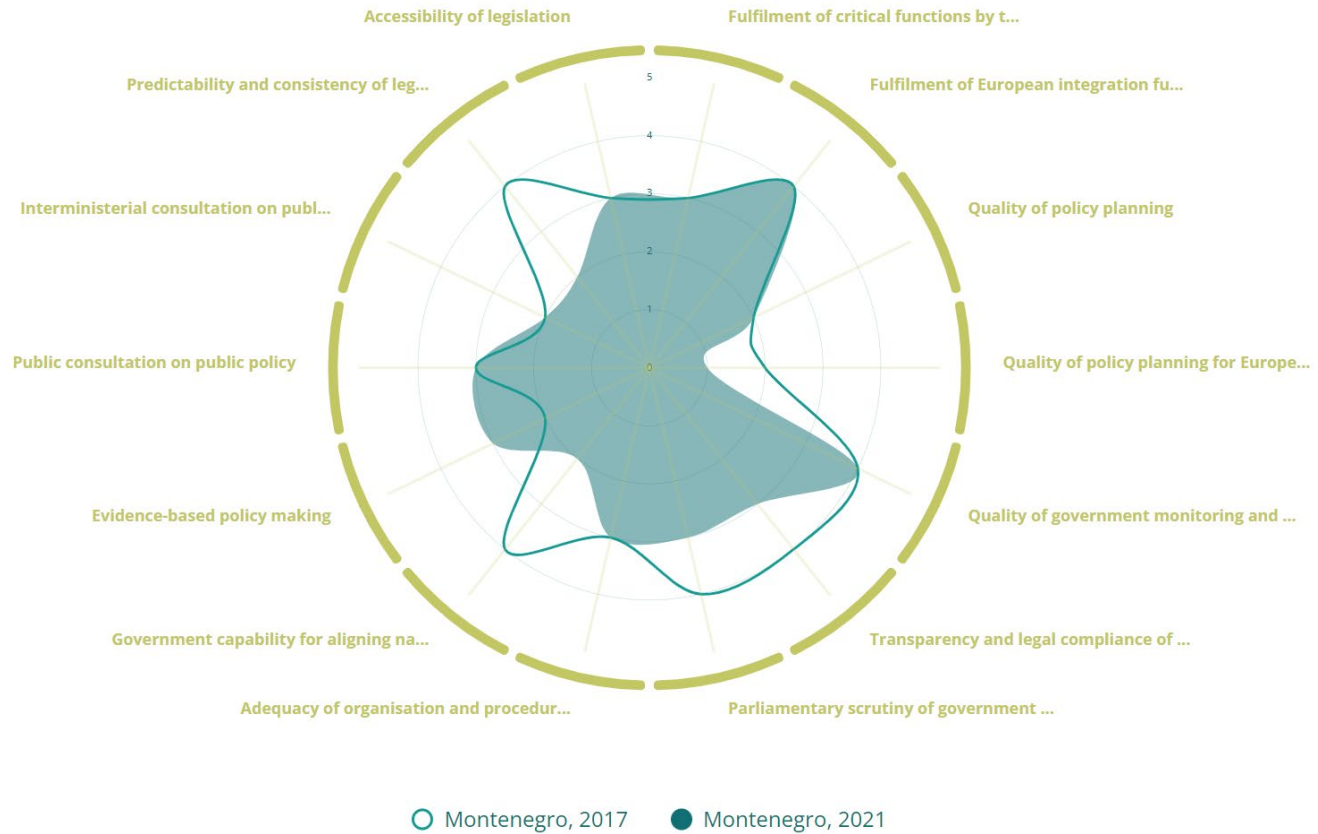




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# ... nevertheless, clear progress compared to 2017 only in evidence-based policy making

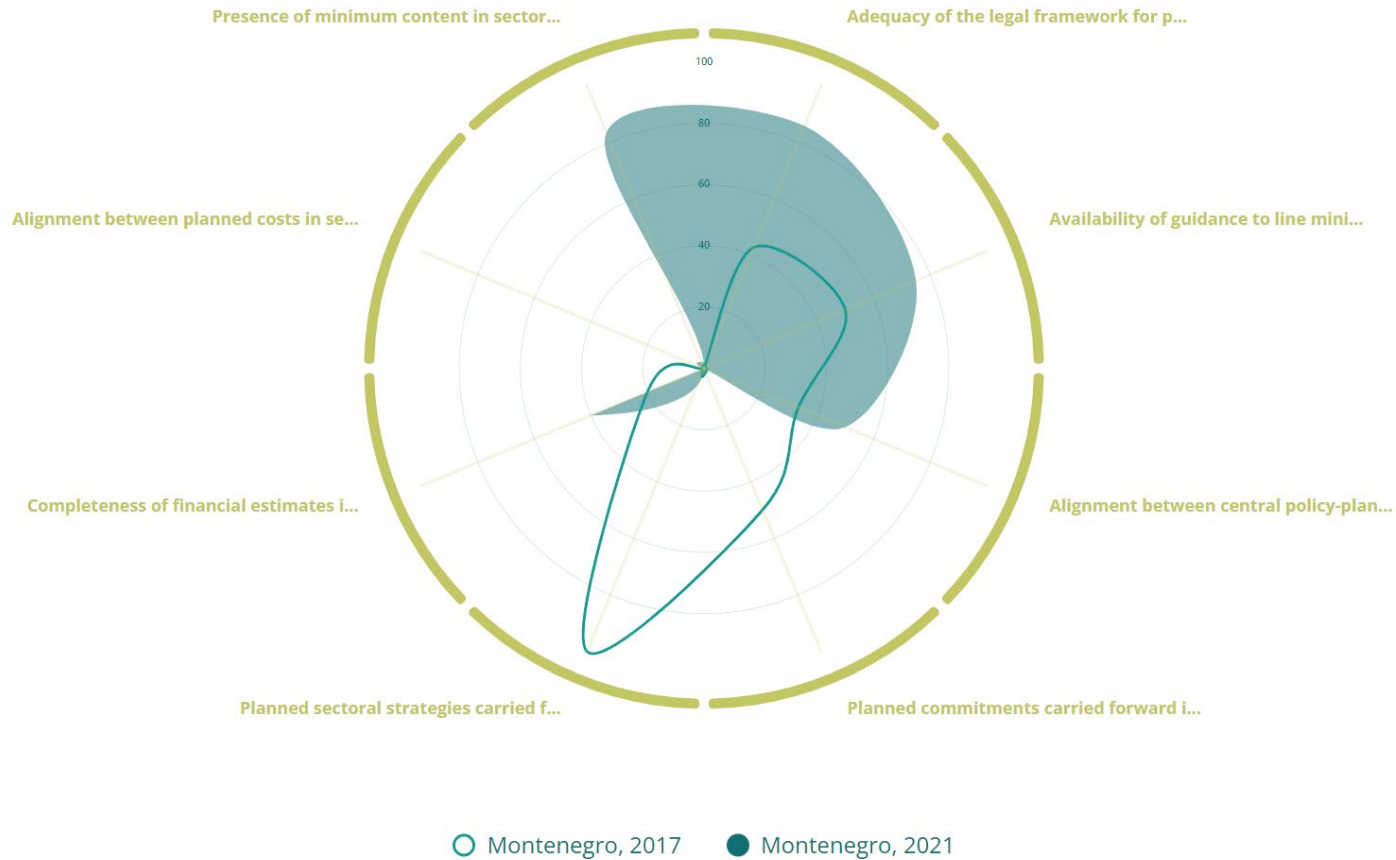
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# Quality of policy planning



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# Quality of policy planning

- Important improvements to the legal framework containing the requirements for sector strategies
- Even more noteworthy, requirements are largely complied with based on review of samples
- Quality of policy planning could be further improved by:
  - ✓ increasing realism in government-level annual work planning;
  - ✓ higher level of alignment between fiscal and policy plans.

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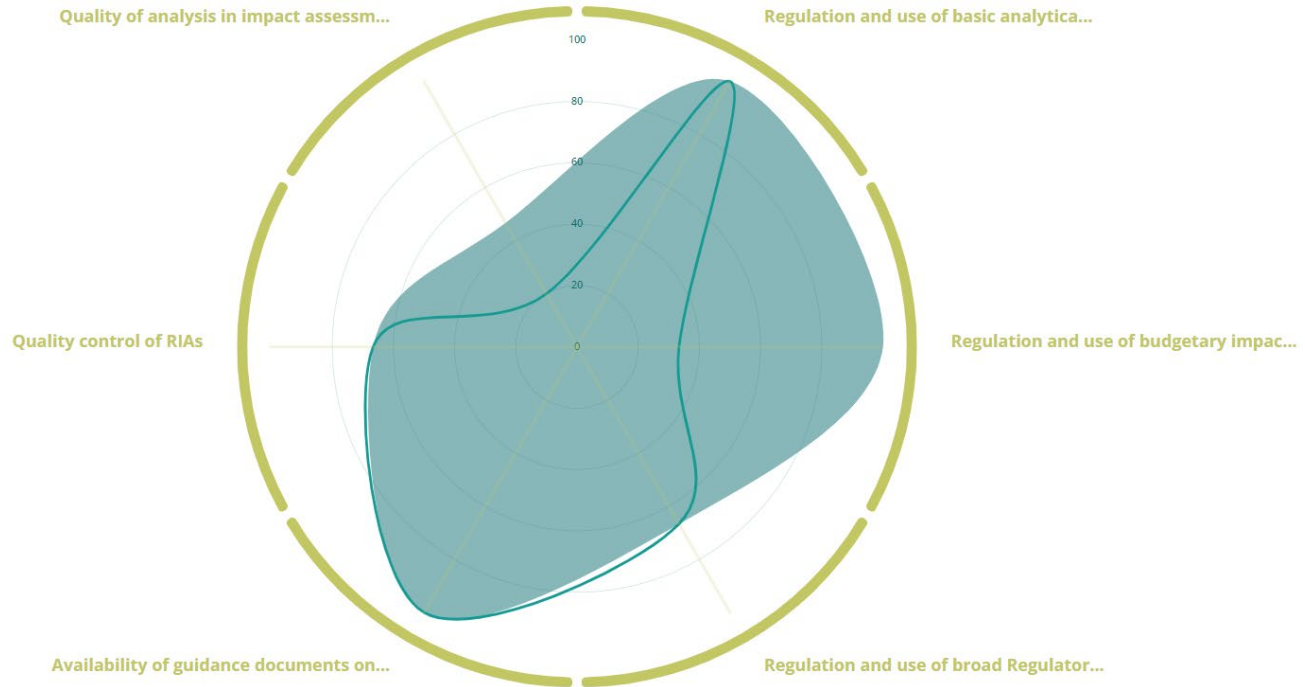




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# Evidence-based policy making - RIA

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○ Montenegro, 2017    ● Montenegro, 2021







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# Evidence-based policy making - RIA

- Progress compared to 2017 in the quality of analysis as well as the consistent use of budget impact assessments
- Analysis could be further improved by wider analysis of alternative policy options (not focusing only on the preferred option)
- Quality control currently in place only for business impacts and budget impacts, not for other key impacts (e.g. social, environmental, economic)

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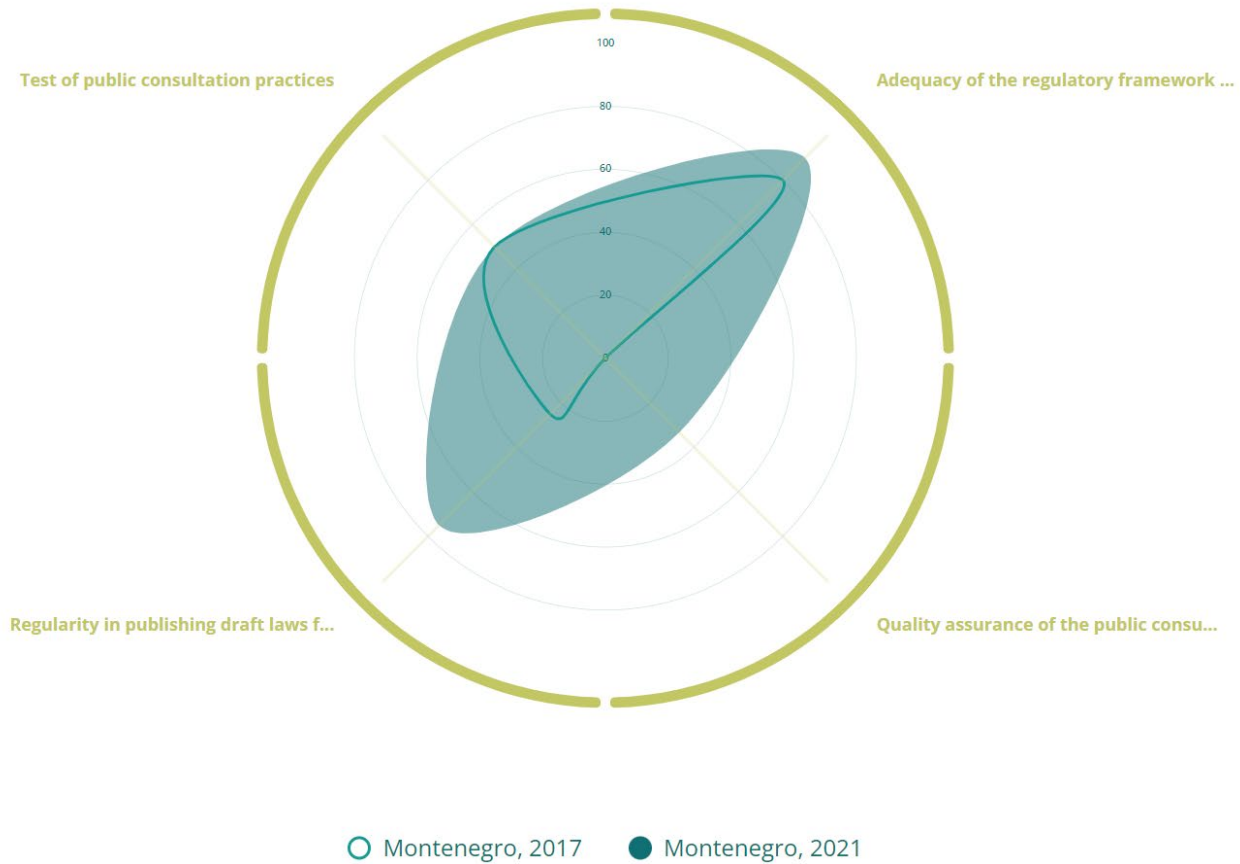




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# Public consultation

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# Public consultation

- Ministry of Public Administration, Digital Society and Media assigned as the responsible body for ensuring quality control
- Significant increase in consistency in publishing draft laws for public consultation in sample ministries compared to 2017
- However, the consultation requirements are usually not met regarding prior notification of stakeholders and publication of RIA reports

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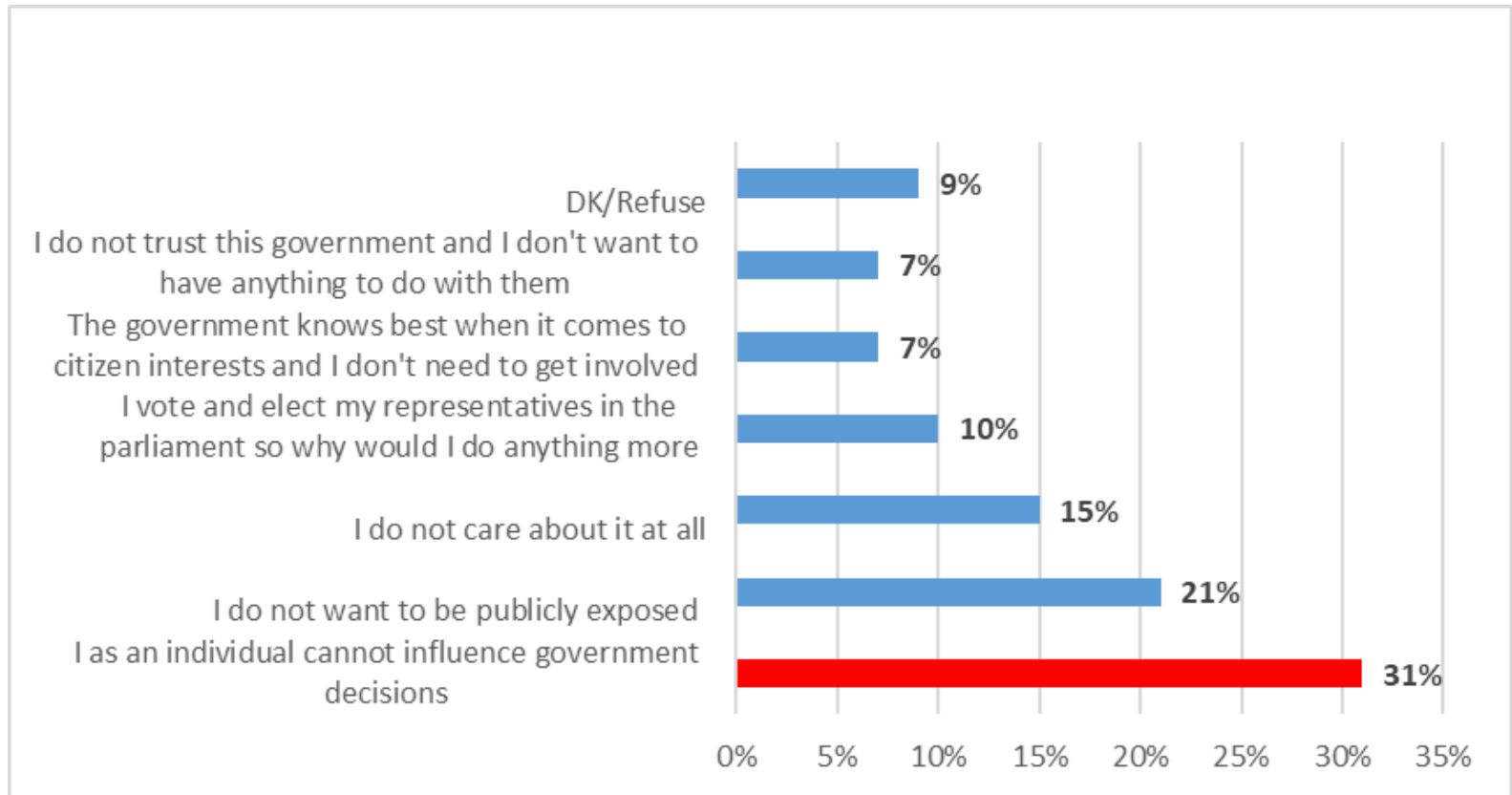




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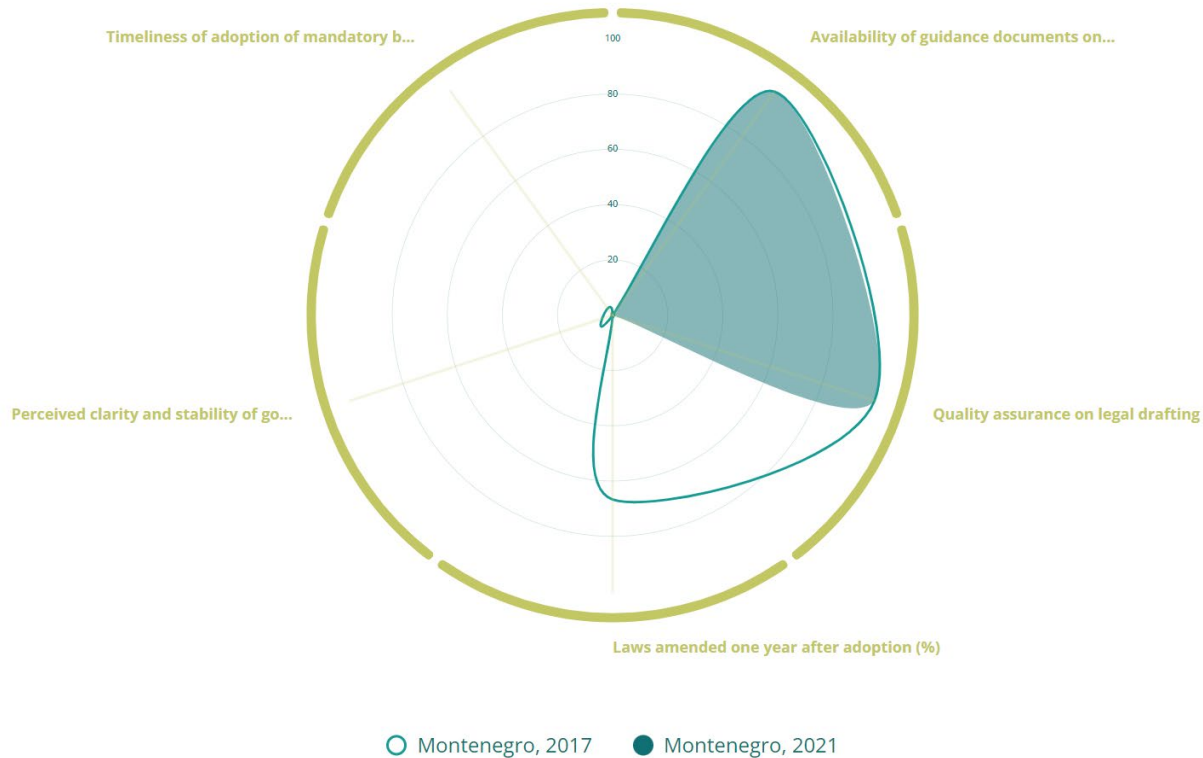
# Public consultation: reasons for not being actively involved according to Balkan Barometer





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# Predictability and consistency of legislation



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# Predictability and consistency of legislation

- Quality control on legal drafting well established, guidance material available
- Still, noteworthy share of laws amended within one year of adoption
- Mandatory bylaws for implementing primary legislation are usually not adopted by the time laws take effect

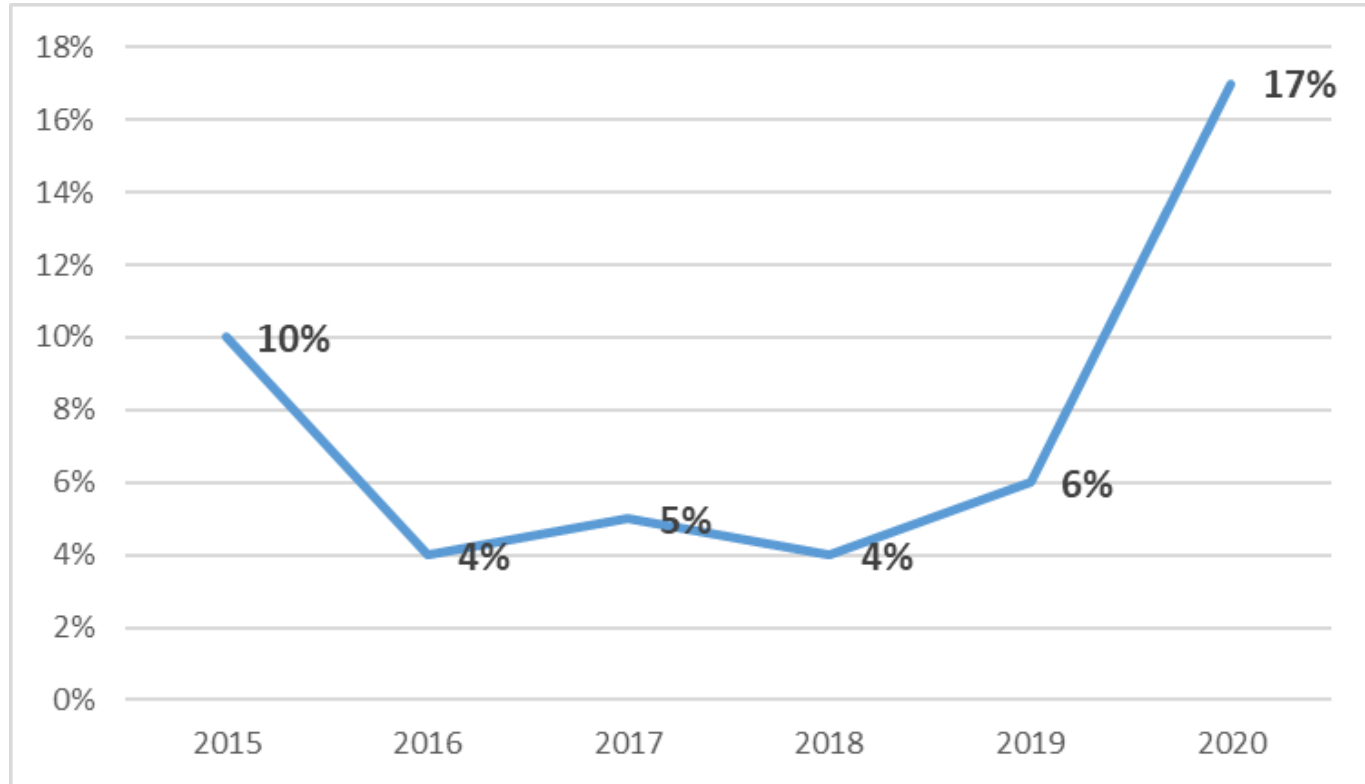




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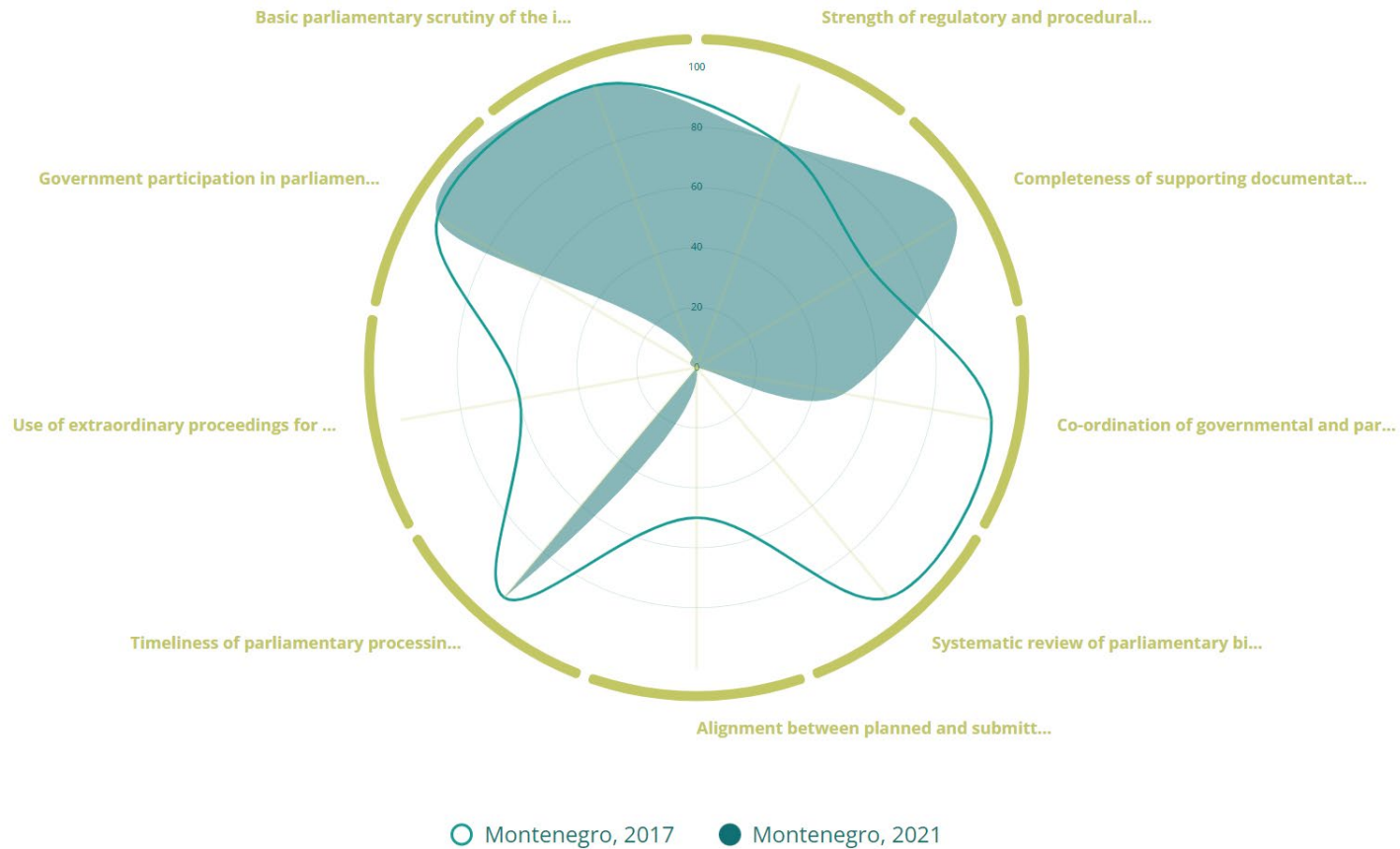
# Laws amended one year after adoption





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# Parliamentary scrutiny of policy-making



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# Parliamentary scrutiny of policy-making

- Good regulatory framework for parliamentary scrutiny of government policy-making
- Challenges emerge in practice, e.g. high share of draft laws approved in extraordinary proceedings, Government not consistent in providing opinions to bills initiated by MPs

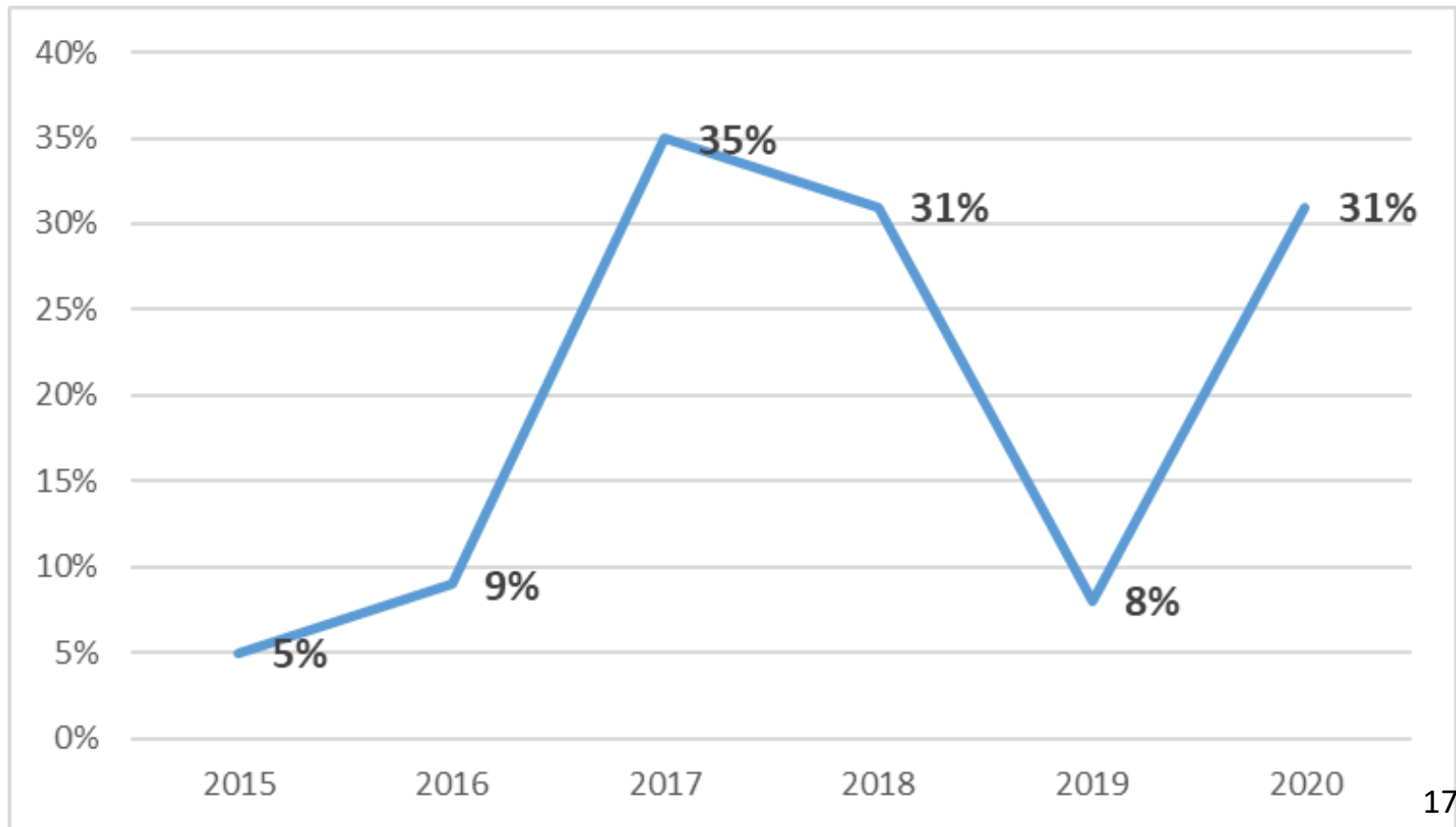




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# Share of Government-sponsored draft laws adopted in extraordinary proceedings

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# Discussion

- How to make the consultation process more meaningful for stakeholders as well as administration and the Parliament? Possible way forward:
  - ✓ *Publication of RIA reports for consultation*
  - ✓ *Consistent reporting on outcomes of consultation + publication of consultation report*
  - ✓ *Submission of consultation report to Parliament*
  - ✓ *...*





# Discussion

- Is it possible to simplify requirements for policy development process without lowering the quality? Possible simplification ideas:
  - ✓ *Is RIA still needed for strategies, now that standalone requirements for strategies also exist?*
  - ✓ *Current RIA form includes overview of consultation results (comments received and how these were addressed). Could this be omitted/simplified as it should also be contained in consultation report?*
  - ✓ ...





# Discussion

- How can legal drafters benefit from Regulatory Impact Assessment and analysis in sector strategies? Possible ideas:
  - ✓ *Situation analysis/problem analysis for understanding the background of legal provisions*
  - ✓ *Overview of planned implementation activities for assessing the suitability of transitional period until law takes full effect (vacatio legis)*
  - ✓ ...





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# Thank you for participating!

**SIGMA Monitoring Reports available at:**

**<https://sigmaweb.org/publications/monitoring-reports.htm>**

