

# **SIMPLIFICATION OF ADMINISTRATIVE PROCEDURES**

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## **CONTENT**

### ***Reform in Public Administration***

#### ***1.1 Where will be focus?***

#### ***1.2. Simplification of administrative procedure***

### ***2. Case study Albania and conclusions***

***Key words: reform, public administration, simplification of administrative procedure, member state of EU, decision-making, public services, ect.***

### ***Introduction***

Public Administration Reform, Public Administration Reform is one of the most important objectives of the Albanian government. Public Administration Reform has been ongoing among priorities of governments. Reform is an important issue for the integration of the country in EU, as a prerequisite for the better relationship between Albanian government and the EU, also as a key component of interaction between administration and citizens, to make it functional, efficient and transparent, directed to citizens whom it serves. Member's states of the EU use a great number of legal principles of the administration such as rule of law, transparency and equality in front of the law. These principles are collected in one document and reflect the concept of "A Single European Administrative Space". The process of public administration reform is a very important, and in the same time, is a very complex process, especially when we have completed our entire legal framework according to European Administrative Space.

Focus of the reform, identified by the Public Administration Reform Crosscutting Strategy document, which provides a comprehensive framework for the reform of the administration, during the 2013-2020 period is focused in improvement of the process of administrative decision-making, improvement of organization and training of the staff and strengthening of

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the administrative supervision. Current research has been found that, Albanian Strategy for the Public Administration Reform, together with Public Administration Reform Crosscutting Strategy document have identified the following primary aspects in the area of administrative procedure, within which is necessary to provide that measures that will be conducted are as following:

- Strategy of simplification of administrative procedure that means improving service delivery to the public through simplified procedures for the provision of these services, making service more accessible for the customer;
- Structure and organization of administration, that means an organic law on organization and functioning of the state administration;
- Training of human resources that mean creating a strong career in public administration and unification of human resource procedures, through the new draft law for the civil servant, which is currently approved by government and is being considered in Parliament.

In this research, attention has been paid to the use of lot of serious documents such as: Annual Progress Report of the EU for Albania, especially in Public Administration Reform, Strategy for Public Administration and all the legislation, related to these issues.

### **1.1. Where will be focus the reform in Public Administration ?**

First of all, reform in Public Administration must identify the main aspects of administrative procedure as following:

- Improve the function of administrative decision;
- Strengthening administrative;
- Growing organization and training of civil servants<sup>2</sup>

So, this reform should be accompanied by an action plan, which should identify the key measures and actions that will be taken based on reform of PA. These measures are as following:

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<sup>2</sup>SNRAP, 2009-2013, Cross-Cutting Strategy for Public Administration Reform, 2009-2013, Chapter II, clearly defined three basic directions, which are based on strategic and operational improvements in the Albanian public administration.

- simplification of administrative procedure<sup>3</sup>;
- transparency in decision-making process;
- internal control;
- administrative inspection;
- the right of information of the public on administrative activity.

## ***1.2 .Simplification of administrative procedure***

Today, strategies designed to simplify administrative procedures, considered as the basis of creating a favorable climate for the business and eliminating regulatory uncertainty that may arise in this direction, while minimizing as soon as possible all bureaucracies, and individuals facing these businesses, public administration to provide.

The main purpose of sanctioning the process of simplification of administrative procedures in terms of normative function and the decisions to promote the fundamental principles of administrative activity, as there liability and predictability principle(rule of law), the principle of equality before the law, as well as increased effectiveness and efficiency in the work of state bodies and creating a favorable economic environment.

Major confrontations, which should a government faces today is finding the balance between administrative enforcement proceedings, as one of the main means of implementing public policy and public information and, in turn, minimize the interference of individuals these administrative procedures. So, in other words, simplification of administrative procedures means either less or more, cutting links in a bureaucratic administrative decision-making procedure and the performance of public services. Mostly, this simplification is oriented toward permitting and licensing<sup>4</sup>.

Public policy for many European countries is simplification of administrative procedure and is one of the most important policy. Even in our country, this process has taken a leading

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<sup>3</sup>Administrative simplification, otherwise known as "The simplification of administrative procedures" and means cutting bureaucratic chains, the provision of public services to citizens by the state administration. In Albanian administrative practice, this process is known as "One stop shop" service in a single stop and is one of the main challenges facing the Albanian government today.

<sup>4</sup>Referring Albanian administrative practice, the concept of simplification of administrative procedures, known as "One stop shop" for several years has been implemented at the central level, and has proven successful. Suffice it to mention the creation of law, institutions such as the National Registration Center (NRC, established by Law No. 9723, dated 3.5.2007 "On the National Registration Center") and National Licensing Center (NLC, created by law No. 10081, dated 23.2.2009, "On licenses, authorizations and permits in the Republic of Albania). Now, the aim is to simplify the administrative procedures extended to the local level.

government political agenda. In the strategic documents of the Department of Public Administration Albanian, the main measures are to be taken in the time frame 2009-2013<sup>5</sup>, in relation to decision-making procedures and service delivery to the public by the central institutions.

Simplification of administrative procedure considered more efficient regulatory reform, as this process reduces administrative costs for businesses and citizens, especially in terms of:

- Implementation of innovations in technology, thus making the business to focus attention on the efficient use of materials and resources, thus increasing their profits;

- Reduction of administrative costs, which leads entrepreneurs to be better management of human resources;

- Implementation of the efficient public policies by the government, so concrete, a good public governance and acceptable by individuals and society

This process, in some European countries, whose governments have applied correctly, has proven successful in terms of better management of government, but also in terms of electoral benefit of them.

In fact, there is no single model of this process, which can be imported from one country to another, in a mechanical way. Different states have different ways of finding practical implementation of this simplification of administrative procedures, based on the pace of political, economic and social thereof.

So, in some of these countries is selected administrative simplification policies on an “*Ad hoc*” and focused only on one sector (the economy, mainly in the promotion of small and medium enterprises), in others, this model is designed as a long-term perspective and that affects several areas simultaneously<sup>6</sup>.

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<sup>5</sup>Adoption of the Strategy on Public Administration Reform (SNRAP) within the National Strategy for Development and Integration, 2009-2013, set the work program for the implementation of the strategy and concrete action plan, by setting the key measures, these such as: revision of the Code of Administrative Procedure, establishing an electronic registry of administrative acts, changes in the civil service law, the bill for the organization and functioning of public administration, application models according to the laws of one-stop-shop and silent approval adoption of the RA law on inspection, etc..

<sup>6</sup>Referring Albanian administrative practice, this process is designed as a long-term perspective, the extended time (SNRAP 2013-2020), Cross-Cutting Strategy for Public Administration Reform for the period 2013-2020, the design of which is mounted as an interagency working group by order No. 112, dated 09.14.2012, the Prime Minister, "On the establishment of the interagency working group for Public Administration Reform",

Any reform of the public administration must be accompanied by a strategy and concrete action plan, which included the essential elements that influence the decision-making process procedures and processes and delivery of services by the public administration. These elements are:

- Legislative measures to improve the existing legal framework of the civil service, namely the institutional framework;
- Management of the civil service system by improving human resource management, to ensure transparent recruitment procedures, on the basis of merit and career development;
- Development of new technologies in the field of decision-making system ("e-government");
- Provide ongoing training for civil servants;
- Promoting ethics in public administration;
- Public consultation;
- Reform of administrative deadlines, by consolidating the principle of "silence is consent";
- Further improvement of the principle of "one stop shop", and his chance of reaching the local level;
- Computerization of administrative services to citizens;
- Building and further improvement of NGOs official website of state institutions.

## ***2. Case study Albania and conclusions***

Concretely, reference to EU recommendations for the Albanian government, a great attention has been paid to public administration. The European Commission has noted that the Albanian public administration reform has made limited progress and that the fact that the political stalemate that has accompanied the Albanian political scene has become an obstacle to the disapproval of the by-laws, which require a qualified majority of 3/5 for the vote<sup>7</sup>.

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which envisages preparation of the National Strategy for Development and Integration, and SNRAP 2013-2020, which are expected to be approved soon by the Albanian government.

<sup>7</sup>See the key opinion of EU 2011, official site of MoI of Republic of Albania.

Due to this fact, one of the criteria identified affect the company's processes and procedures for administrative simplification, this is the criterion of "**Political barrier**". In this context, the lack of a regulatory authority to determine the number of ministries and constitutes a serious obstacle in terms of sustainability of public administration<sup>8</sup>.

Following the recommendations of the European public administration, noted that one of the essential elements of the common strategy on public administration reform (SNRAP), the management of human resources system by ensuring fair recruitment procedures, open and on the basis of merit, leaves much to be desired. In this sense, the second criterion may be evidenced that plays an important role is "**Lack of human capacity and limited resources**."<sup>9</sup>

The key opinion of EU in terms of building a computer system for data resources in administration and management is still negative. This means that the criteria for a significant reform of public administration, it "**Lack of data and information**", the Government should work more, by strengthening and increasing the capacity of the Department of Public Administration<sup>10</sup>.

In the institutional context, much remains to be done, because the definition and identification of challenges to administrative simplification procedure is a dynamic, ongoing. *This is because it is related to her issues, the most extensive in most cases belong policy and cannot be treated separately it.*

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<sup>8</sup>Peka N. "Government of Albania toward contemporary democratic standards", pg.173, Tirana 2011.

<sup>9</sup>Right here, EU in its opinion, underlines that functioning of civil servant in Albanian Public Administration has a lot of problems, related to the recruitments procedures.

<sup>10</sup>Opinion of EU, recommend that, "... *structure of Department of Public Administration has grown up with 4 civil servant , but it has a vacuum in direction of building of a computer system for data for all public administration...*".

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