Independent Reporting Mechanism

Action Plan Review:
Serbia 2023–2027

Open
Government
Partnership

Independent
Reporting
Mechanism

Table of Contents

Section I: Overview of the 2023-2027 Action Plan

Serbia's fifth action plan includes promising commitments on electronic people's initiatives and access to environmental data. The level of ambition of the commitments is similar to the previous action plan, with space for setting more rigorous milestones. Since this is Serbia's first four-year action plan, the government can use the midterm refresh to strengthen the commitments' ambition.

Serbia's 2023-2027 action plan has 10 commitments and one recommendation for the National Assembly (Parliament).[1] Several commitments address similar policy areas to previous action plans, particularly in access to government-held information, civic participation in policy-making, and access to environmental data. The IRM assessed Commitments 1 and 8 as promising. Commitment 1 aims to enable electronic people's initiatives in the eGovernment portal – itself developed through previous action plans.[2] The electronic people's initiatives could be a significant change to the exercise of direct democracy in Serbia, as people's initiatives were previously done in paper form. Commitment 8 aims to standardize all environmental data in Serbia according to European Union (EU) standards on a single platform. This commitment could significantly improve the accessibility of Serbia's dispersed environmental data, which has become a topic of interest among citizens.

The other commitments mostly address important policy areas but are less ambitious. For example, Commitments 2, 4, and 6 involve mapping existing information or assessing comparative practices, to inform future steps. While these measures could be a basis for more ambitious activities, the mapping itself will not change existing practices. One interviewed stakeholder noted that the commitments that require long-term engagement of civil servants have a higher chance of taking root in the public administration, but the lack of control and sanctioning mechanisms could negatively affect their long-term implementation.[3] However, a positive development is that the action plan features fewer commitments that are based solely on the adoption of laws or by-laws.

AT A GLANCE

Participating since: 2013
Number of commitments: 10

Overview of commitments:
Commitments with an open government lens: 100%
Commitments with substantial potential for results: 2 (20%)
Promising commitments: 2 (20%)

Policy areas:
Carried over from previous action plans:
- Access to information
- Civic participation
- Environment and climate
- Public service delivery

Emerging in this action plan:
- Persons with disabilities policy
- Transparent spending for projects in the field of public information

Compliance with OGP minimum requirements for co-creation: Yes

The Ministry of Public Administration and Local Self-Government (MPALSG) continues to lead Serbia's OGP process, along with the Special Inter-Ministerial Working Group (the multi-stakeholder forum). The co-creation process saw improvements compared to the previous action plan and the inclusion of new government institutions. For example, helping persons with disabilities became a part of mainstreaming in sectoral policies, resulting in the inclusion of Commitment 7 and the Ministry of Labor, Employment, Veterans and Social Affairs, for the first time, as responsible for an OGP commitment. However, in some instances, civil society did not perceive the government institutions' reasonings for exclusion of proposed commitments as

Open Government Partnership

Independent Reporting Mechanism

sufficient.[4] One stakeholder noted that the participation of high-level public officials in future action plans could facilitate more ambitious commitments and stronger implementation.[5]

Having chosen a four-year action plan, Serbia is required to hold a refresh period at the two-year mark.[6] During this refresh, the MPALSG could work with the Special Inter-Ministerial Working Group to raise the ambition of commitments. In particular, the commitments that are scheduled to finish in 2025 could be expanded during the refresh based on the achievements at the midterm.

---

[1] The action plan also includes a recommendation for the National Assembly to modernize its website. Since government policy documents cannot create obligations for the parliament, the government classifies this initiative as a recommendation, not a commitment. Therefore, the IRM has not assessed it in this Action Plan Review.

[2] See Serbia 2014-2015 Action Plan, https://www.opengovpartnership.org/documents/serbia-first-action-plan-2014-15/

[3] Kristina Obrenović (Partners for Democratic Changes), interview by the IRM, 13 March 2024.

[4] Nebojša Rančić (Media & Reform Centre), interview by the IRM, 6 March 2024.

[5] Uroš Jovanović and Dejana Stevkovski (Civic Initiatives), interview by the IRM, 14 March 2024.

[6] See pgs 16-17, https://www.opengovpartnership.org/wp-content/uploads/2022/03/OGP-National-Handbook-2022.pdf

Open
Government
Partnership

Independent
Reporting
Mechanism

Section II: Promising Commitments in Serbia 2023-2027 Action Plan

The following review looks at the two commitments that the IRM identified as having the potential to realize the most promising results. Promising commitments address a policy area that is important to stakeholders or the national context. They must be verifiable, have a relevant open government lens, and have modest or substantial potential for results. This review also provides an analysis of challenges, opportunities, and recommendations to contribute to the learning and implementation process of this action plan.

Table 1. Promising commitments

Promising Commitments
1. Electronic People's Initiative: This commitment aims to establish an electronic people's initiative through the creation of a service on the eGovernment portal, which will enable citizens to exercise their right to a people's initiative electronically.
8. Open "green" data: This commitment aims to publish standardized machine-readable data about the state of the environment in Serbia, in accordance with the rules of the European Union (EU), and present "green" open data on the website of the Serbian Environmental Protection Agency in a simple and easy-to-understand manner.

Commitment 1: Electronic People's Initiative
(Office for Information Technologies and eGovernment & Ministry of Public Administration and Local Self-Government)

For a complete description of the commitment, see Commitment 1 in the 2023-2027 Action Plan

Context and objectives:
This commitment aims to establish an electronic people's initiative on the eGovernment portal, which will enable citizens to exercise their right to submit and support a people's initiative in electronic form. During the co-creation process, the network "I ja se pitam" ("I Have a Say, Too") proposed to improve public participation at the local level.[7] "I ja se pitam" was invited by the Ministry of Public Administration and Local Self-Government (MPALSG) to join the consultations to find common ground, since their proposal could not be implemented in its original form.[8] The electronic people's initiative was welcomed by "I ja se pitam".[9]

This commitment is a priority for the government following the amendments to the Law on referendum and people's initiative from 2021.[10] The Law envisioned the establishment of the electronic people's initiative, to be further regulated by government bylaw.[11] Although this bylaw was adopted in October 2023, the electronic people's initiative feature was not operational at the time of co-creating the action plan.[12]

In the past, government institutions and the National Assembly often ignored citizens' initiatives or failed to put initiatives on the voting agenda within a reasonable time period.[13] For example, the initiative of the organization *Kreni Promeni* in 2022 collected 38,000 signatures to ban the mining of lithium and boron in Serbia.[14] Despite the complexities of collecting and verifying the signatures in a short time (the old law permitted only seven days for collection),[15] this initiative was never taken into consideration by the National Assembly.[16] In July 2024, the Speaker of the

National stated that she, as Speaker, did not know where the signatures were.[17] Between 2001 and 2017, no citizen initiative was discussed in the plenary sessions of the National Assembly.[18] These facts speak to a need for easier collection and verification of signatures and for public institutions to take the people's initiative more seriously.

Potential for results: Substantial
The introduction of an electronic people's initiative could be a game-changer in the exercise of direct democracy in Serbia, as envisioned by the Constitution.[19] Civil society stakeholders believe this commitment will lead to more initiatives submitted by citizens and make the government more responsive to citizens' initiatives.[20] Since the signatures are automatically recorded, the possibility for manipulation will be minimized. Civil society pointed out the necessity of strong political will for this commitment to achieve substantial results.[21] At the same time, the MPALSG recognizes the importance of this commitment and is committed to the maintenance and functionality of electronic people's initiatives after the end of the action plan.[22]

This commitment would make it easier for citizens to sign initiatives and make it faster and cheaper for the proposers of initiatives to collect signatures.[23] It would also substantially change the MPALSG's work and the work of the National Assembly (as well as provincial and local assemblies) and stimulate a more active citizenry.[24] Initiatives submitted electronically will not require verification by the relevant commission, unlike the previous (paper-based) process. Citizens will no longer need to manually verify the authenticity of signatures. The new qualified electronic certificate that every citizen obtains when they register on the eGovernment portal serves as proof of verification.[25] Also, instead of collecting signatures in writing, this process will be fully digital, while leaving open the option for written signatures as well.

The new system will be applied to all levels of governance. The exercise of the people's initiative at the local level is rare, even in major cities.[26] Therefore, the electronic people's initiative is an opportunity to strengthen direct democracy both at the local and central level in Serbia.

Opportunities, challenges, and recommendations during implementation
The electronic people's initiative feature was established in June 2024.[27] The National Assembly and local assemblies will be responsible for acting on initiatives that receive the necessary number of signatures prescribed by the Law on referendum and people's initiative. According to a civil society representative, two critical aspects of this commitment will be the development of the technical specifications of this service in the eGovernment portal and the protection of personal data. The MPALSG will need to pay close attention to which persons have access to this sensitive data and secure adequate firewall security from outside attempts to breach it.[28] Regarding the technical aspects, the IRM recommends the MPALSG consult examples from other countries with successful e-petition platforms. For example, Estonia's Rahvaalgatus platform is a good example of how e-petitions can increase citizens' participation, openness in communication, and trust between citizens and institutions.[29]

Since people's initiative are rarely, or almost never, used at the local level, it will be particularly important for the MPALSG to encourage local governments and citizens to use the electronic people's initiative. Once the platform is launched, the MPALSG could carry out a promotional campaign to inform citizens about the new mechanism, and train local (and central) administrations on how to adequately respond to initiatives. In addition, the MPALSG could pilot

the electronic people's initiative service in select local governments and address any challenges or technical issues in the platform.

Alongside technical and security challenges, political challenges might continue to inhibit the exercise of direct democracy.[30] As mentioned, the National Assembly often does not respond to citizens' initiatives, despite legal deadlines to respond. Therefore, the concern of civil society that the National Assembly, and/or local assemblies, might continue ignoring electronic initiatives submitted through the eGovernment portal, is justified. Continuation of such practice would reduce the results of this commitment. It will be critical for the MPALSG to raise awareness among National Assembly members, the Assembly secretariat, and the Speaker on how to respond to people's initiative. Additionally, the MPALSG could generate formal spaces for dialogue and joint work between the national government and the national and local assemblies and civil society to increase the use of the tool, so that popular citizens' initiatives are taken into consideration.

Commitment 8: Open "green" data for more accessible information about the state of environment in the Republic of Serbia
(Environmental Protection Agency – SEPA & Office for Information Technologies and eGovernment - ITE)

For a complete description of the commitment, see Commitment 8 in the 2023-2027 Action Plan

Context and objectives:
This commitment aims to standardize all environmental data according to EU standards and publish it on a single platform. During the co-creation process, the Association of Lawyers (AEPA) proposed creating a portal for monitoring environmental noise pollution.[31] Since this was under the competence of local authorities, the MPALSG explained that it would be necessary to have onboard every local self-governance unit, which was unrealistic.[32] After additional consultations, the MPALSG, in cooperation with Serbian Environmental Protection Agency (SEPA) and ITE, revised the commitment to encompass publishing standardized machine-readable data on the environment in Serbia, in accordance with the rules of the EU, on the website of the SEPA.[33] Although Serbia's previous action plans have aimed to address environmental protection, these commitments mostly focused on adopting or amending legislation or opening parts of the data.[34] The current commitment aims to improve the presentation of the data and standardize it with EU policies.

Climate change and pollution are major issues in Serbia, as recent data showed that Serbia had the worst air quality in Europe in 2023.[35] In this period, the Center for Investigative Journalism of Serbia found that Serbia had three times more PM 2.5 particles above the World Health Organization (WHO) threshold.[36] Additionally, air quality indexes have become part of weather forecasts in recent years.[37] There is a multitude of portals and websites with environmental data, making it difficult for citizens to track them individually. SEPA operates its own services offering visualizations of certain data, such as air quality,[38] water quality,[39] concentrations of allergenic pollen,[40] data from the National Register of Pollution Sources,[41] data on waste management,[42] and Degradation Portal,[43] an Ecoregister, a national meta-register on environmental information,[44] and the National List of Indicators.[45] SEPA has additional services for displaying specific data, such as the Serbian Water Quality Index, water quality in the

Belgrade area, information on concentrations of air pollutants, information on accidental water pollution, and permits for waste management.[46]

Potential for results: Substantial

A single portal with all environmental data could be a game changer for environmental transparency in Serbia, as it will greatly improve access to information such as water and air quality, waste management, and polluting accidents. It could also enable better public monitoring and understanding of the state of the environment and change the approaches of environmental protection institutions in publishing their data. In recent years, the Serbian public has begun to pay closer attention to air pollution, particularly the health consequences, and these indexes are now included in the weather forecast which was not the case before.[47] This commitment can further facilitate citizens' awareness in environmental trends in areas other than air pollution. More efficient reuse of this data will enable different data-based solutions (commercial and non-commercial) and improve scientific research and the work of the competent institutions.

Government and civil society stakeholders in the Working Group recognized this commitment as highly promising.[48] AEPA believe this commitment could significantly improve ecological awareness among people, but pointed out there is more that can be done with the available data.[49] There is a high potential for reuse of the data by environmental CSOs and other interested stakeholders, but also for the government and the Ministry of Environmental Protection to use collected data for future evidence-based policy-making.

Opportunities, challenges, and recommendations during implementation

This commitment is scheduled to be completed in 2026, which means that its implementation will be ongoing at the midterm refresh of the action plan. During implementation, it will be important for SEPA and the Office for Information Technologies and eGovernment (ITE) to design the platform so that the data is easy to access and understand for users. In that sense, SEPA and ITE could consult environmental groups when designing the platform and check examples of good practice in other countries, such as New Zealand's Environmental Data Portal.[50] Also, SEPA and ITE could make the data from the platform accessible and adjusted for different devices and operating systems (mobile phones, tablets, PCs, laptops). Moreover, SEPA and ITE could promote the platform among the public. This could involve marketing on national television, including visualized data in weather forecasting, and using social media, radio, advertising billboards, and newspapers. Lastly, during implementation and afterwards, SEPA and ITE could generate mechanisms and learning opportunities for civil society in using this information, so that the commitment goes beyond the dissemination of already-available information and supports the co-creation of public policies according to OGP principles.

Other commitments

Other commitments that the IRM did not identify as promising commitments are discussed below. This review provides recommendations to contribute to the learning and implementation of these commitments.

Commitments 2, 4, and 6 aim to improve public participation in drafting regulations and policy documents, improve the transparency of the spending of funds for CSOs, and improve the transparency of the work of the Government of Serbia, respectively. These commitments

involve carrying out comparative *ex post* analyses of existing practices in government transparency and citizen participation to inform the midterm refresh of the action plan in 2025. According to civil society representatives, the analyses of comparative practice in the Western Balkans and in EU member states (Commitments 2 and 6) are largely unnecessary, as CSOs and international organizations have already produced similar analyses for Serbia.[51] Moreover, CSOs believe that the timeline for these analyses (1st or 2nd quarters of 2025) sends a message that the government intends to postpone the reforms. As the activities will not change existing practices, the IRM has assessed their potential for results as unclear. During the midterm refresh of the action plan, the government could clarify the anticipated changes to existing practices that will be implemented during the remaining two years of the action plan. For example, for Commitment 6, the government could clarify the scope of government acts, decrees, and regulations that will be subject to enhanced publication practices, amending these commitments during the midterm refresh of the action plan using the findings in the analyses.

Commitment 3 aims to provide an overview of initiatives sent by citizens and businesses to improve or abolish inefficient regulations, administrative procedures, and public policies. The Public Policy Secretariat (PPS) will publish the overview on its website and on the national open data portal. Some members of the Working Group recognized the value of this commitment in improving regulations and administrative procedures.[52] The PPS is already required by law to collect and process such initiatives from citizens, and the PPS has created the electronic form for submitting initiatives before the start of the action plan.[53] The commitment would publish the response and/or actions of the competent authority to the initiatives, giving it modest potential for results. As the success of this commitment will depend on the level of uptake by citizens and businesses, the IRM recommends the PPS widely promote the possibility for submitting initiatives during implementation. To strengthen the engagement of citizens and businesses, the PPS could provide feedback to all stakeholders who submitted initiatives.

Commitment 5 aims to standardize the content of public authorities' websites.[54] The MPALSG will map the information that public authorities are required by law to publish on their websites and consider comparative practices and international standards for the websites of state authorities. The mapping and comparisons will inform the preparation of the Draft Regulation on Detailed Conditions for the Creation and Maintenance of the Authorities' Websites, planned for adoption in 2025. The quality of information available on Serbian government websites differs significantly by institution. Therefore, prescribing mandatory content for websites could significantly improve the quality of the information published by public institutions and reduce the need for journalists and CSOs to submit freedom of information requests to obtain information. Ultimately, the commitment's results will depend on the volume of information that is standardized and proactively published, and the compliance of public institutions with the provisions in the amendments. Once the regulation is adopted around the time of the midterm refresh, the IRM recommends the MPALSG educate public authorities on the new regulation and monitor compliance with its provisions.

Under **Commitment 7**, the Ministry of Labour, Employment, Veteran and Social Affairs will create a "Support Map" with information of importance for persons with disabilities (PWDs). This map will encompass contact points and information from multiple sources in one place in a visually appealing manner. There are two key milestones for this commitment: the collection and standardization of data from eight different sources and the creation of the PWDs Support Map accompanying the publication of all previously collected data. According to some members

of the Working Group, this commitment is a step in the right direction, but there is space for improvement in the general position of PWDs in society.[55] This commitment has a modest potential for results, as the Support Map is unlikely to produce institutionalized changes across government in this policy area. In that regard, the government could investigate how to improve the work of institutions in their engagement and communication with PWDs. In addition to the Support Map, the ministry could also consult PWDs on how to resolve the most common issues faced by these groups.

Commitment 9 aims to establish a Unified Information System for monitoring the implementation of projects in the field of public information, which have been obtained from any level of public authority. This commitment envisages three key milestones: drafting and establishing necessary bylaw; technical development and establishment of a Unified Information System; and official launching of a Unified Information System. The scope of the commitment is wide, covering the entire process of applying, allocating funds and monitoring the implementation of projects. However, similar commitments in previous action plans were not implemented.[56] The implementation of the previous commitment was disrupted by parliamentary elections. The IRM recommends that the Ministry of Information and Telecommunications prioritize the implementation of this commitment to overcome issues from previous action plan cycles.

Commitment 10 aims to introduce a system for measuring citizens' satisfaction with public services. It envisages installing tablets at local government units where citizens can assess services and share their feedback through user satisfaction surveys. The IRM considers this commitment as having moderate potential for results. During the midterm refresh, the IRM recommends amending this commitment to improve public services based on the collected input from citizens.

The action plan also includes a recommendation for the National Assembly to modernize its website. Since government policy documents cannot create obligations for the parliament, the government classifies this initiative as a recommendation, not a commitment. Therefore, the IRM has not assessed it in this Action Plan Review.

[7] See minutes from the second and third meeting of the Working Group, https://ekonsultacije.gov.rs/ogpPage/1

[8] See minutes from the second and third meeting of the Working Group, https://ekonsultacije.gov.rs/ogpPage/1

[9] Bratislav Stamenković (Association "I ja se pitam"), interview by the IRM, 11 March 2024.

[10] Zakon o referendumu i narodnoj inicijativi, Sl. glasnik RS, br. 111/2021 i 119/2021, https://www.paragraf.rs/propisi/zakon_o_referendumu_i_narodnoj_inicijativi.html

[11] Uredba o elektronskoj narodnoj inicijativi, Sl. glasnik RS, br. 85/2023, https://www.paragraf.rs/propisi/uredba-o-elektronskoj-narodnoj-inicijativi.html

[12] Regulation on electronic popular initiative, Sl. glasnik RS, br. 85/2023-3, https://pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/vlada/uredba/2023/85/1

[13] CRTA, Narodna inicijativa u fioci: Analiza kolektivnog učešća građana i procesu donođenja odluka, p. 8, https://crta.rs/wp-content/uploads/2018/03/Finalno_03-narodna-inicijativa-NOVO.pdf

[14] Danas, Kreni – Promeni: Sakupili smo dovoljno potpisa za narodnu inicijativu, naredni koraci su spremni, 31 March 2022, https://www.danas.rs/vesti/drustvo/kreni-promeni-sakupili-smo-dovoljno-potpisa-za-narodnu-inicijativu-naredni-koraci-su-spremni/

[15] Zakon o referendumu i narodnoj inicijativi, Službeni glasnik RS, br. 48/1994 i 11/1998, https://transformator.bos.rs/uploads/library/1399276455_zakon_o_referendumu_i_narodnoj_inicijativi.pdf

[16] N1, Kreni-promeni: Imamo dokaz da su potpisi izašli iz Skupštine, 12 April 2023, https://n1info.rs/vesti/kreni-promeni-savo-manojlovic-bia-potpisi-inicijativa-zabrana-litijuma/

[17] Danas, Brnabić o narodnoj inicijativi za zabranu iskopavanja litijuma: Bavim se time, ali imam prioritete, 17 July 2024, https://www.danas.rs/vesti/politika/brnabic-narodna-inicijativa-litijum/

Open
Government
Partnership

Independent
Reporting
Mechanism

[18] CRTA, Narodna inicijativa u fioci: Analiza kolektivnog učešća građana i procesu donođenja odluka, p. 8, https://crta.rs/wp-content/uploads/2018/03/Finalno_03-narodna-inicijativa-NOVO.pdf

[19] Dragana Brajović and Danilo Rodić (Ministry of Public Administration and Local Self-Governance), interview by the IRM, 21 March 2024.

[20] Bratislav Stamenković (Association "I ja se pitam"), interview by the IRM, 11 March 2024; Kristina Obrenović (Partners for Democratic Changes), interview by the IRM, 13 March 2024. Milica Borjanić (KOMS), interview by the IRM, 11 March 2024; Nebojša Rančić (Media & Reform Center), interview by the IRM, 6 March 2024.

[21] Bratislav Stamenković (Association "I ja se pitam"), interview by the IRM, 11 March 2024.

[22] Dragana Brajović and Danilo Rodić (Ministry of Public Administration and Local Self-Governance), interview by the IRM, 21 March 2024.

[23] See Serbia Action Plan 2023-2017, p. 21, https://www.opengovpartnership.org/documents/serbia-action-plan-2023-2027-december/

[24] Some of the key issues with the previous, paper-based system were the low number of submitted initiatives and the unresponsiveness of relevant institutions. See more at CRTA, Narodna inicijativa u fioci: Analiza kolektivnog učešća građana i procesu donođenja odluka, pp. 8-9, https://crta.rs/wp-content/uploads/2018/03/Finalno_03-narodna-inicijativa-NOVO.pdf

[25] Zakon o referendumu i narodnoj inicijativi, Sl. glasnik RS, br. 111/2021 i 119/2021, https://www.paragraf.rs/propisi/zakon_o_referendumu_i_narodnoj_inicijativi.html

[26] Mijodrag Radojević, Lokalna demokratija u oblici direktnog učešća građana u vlasti (primer – Srbija), *Srpska politička misao,* 3/2023, p. 131, https://www.ips.ac.rs/publications/lokalna-demokratija-i-oblici-direktnog-ucesca-gradjana-u-vlasti-primer-srbija/

[27] See https://euprava.gov.rs/narodna-inicijativa

[28] Kristina Obrenović (Partners for Democratic Changes Serbia), interview by the IRM, 13 March 2024.

[29] See more at Open Government Partnership, Rahvaalgatus.ee – yet another e-platform for civic engagement? No, a process of democratic renewal instead!, 2018, https://www.opengovpartnership.org/stories/rahvaalgatus-ee-yet-another-e-platform-for-civic-engagement-no-a-process-of-democratic-renewal-instead/

[30] Kristina Obrenović (Partners for Democratic Changes Serbia), interview by the IRM, 13 March 2024.

[31] Minutes of the meetings of the Working Group, https://ekonsultacije.gov.rs/ogpPage/1

[32] Minutes of the meetings of the Working Group, https://ekonsultacije.gov.rs/ogpPage/1

[33] Marija Dedović and Filip Mirić (Association of Lawyers AEPA), 11 March 2024.

[34] See commitments on data and climate from previous action plans, https://www.opengovpartnership.org/members/serbia/#commitments

[35] CINS, Šta nam govore satelitski podaci o kvalitetu vazduha u Srbiji za 2023. godinu, https://www.cins.rs/sta-nam-govore-satelitski-podaci-o-kvalitetu-vazduha-u-srbiji-za-2023-godinu/

[36] Ibid.

[37] See for instance weather forecast of N1 portal, https://n1info.rs/zagadjenje-vazduha-kvalitet-vazduha-u-srbiji-n1info-rs/

[38] See Unified overview of automatic air quality monitoring in the Republic of Serbia, http://www.amskv.sepa.gov.rs/

[39] See http://77.46.150.213:8080/apex/f?p=406:1:::NO:::

[40] See http://symappsys.com/POLEN/

[41] See http://prtr.sepa.gov.rs/

[42] See http://www.nrizgis.sepa.gov.rs/NRIZGIS/index.html

[43] See https://degradacijazemljista.sepa.gov.rs/

[44] See http://www.ekoregistar.sepa.gov.rs/

[45] See http://indicator.sepa.gov.rs/

[46] See Republic of Serbia, Environmental Protection Agency, http://sepa.gov.rs/

[47] RERI, Neznanje je moć, 2021, https://reri.org.rs/neznanje-je-moc/

[48] Dragana Brajović and Danilo Rodić (MPALSG), interview by the IRM, 13 March 2024; Marija Dedović and Filip Mirić (AEPA), interview by the IRM, 11 March 2024; Nebojša Rančić (Reform & Media Centre), interview by the IRM, 6 March 2024.

[49] Marija Dedović and Filip Mirić (AEPA), interview by the IRM, 11 March 2024.

[50] See https://envdata.boprc.govt.nz/Data

[51] Kristina Obrenović (Partners for Democratic Changes), interview by the IRM, 13 March 2024. Milica Borjanić (KOMS), interview by the IRM, 11 March 2024.

[52] Kristina Obrenović (Partners for Democratic Changes), interview by the IRM, 13 March 2024.

[53] Law on the Register of Administrative Procedures (Official Gazette of the RS, No. 44/2021); Law on Ministries (Official Gazette of the RS, No. 128/2020, 116/22)

[54] In accordance with Article 1 of Regulation on Detailed Conditions for the Creation and Maintenance of the Authorities' Websites, the authorities in question, in the sense of this commitment, are considered to be: State bodies and organizations, bodies and organizations of Autonomous Province, bodies and organizations of Local Self-Government Units, institutions, public

enterprises, special bodies through which the regulatory function is exercised, and legal entities and natural persons with delegated public powers.

55 Marija Dedović and Filip Mirić (Association of Lawyers AEPA), interview by the IRM, 11 March 2024.

56 Open Government Partnership, Serbia 2020-2022 Action Plan, Commitment 11, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Serbia_Action-Plan_2020-2022_EN.pdf, and the 2018-2020 Action Plan, Commitment 4, https://www.opengovpartnership.org/wp-content/uploads/2019/01/Serbia_Action-Plan_2018-2020_EN.pdf

Section III. Methodology and IRM Indicators

The purpose of this review is not an evaluation. It is intended as a quick, independent, technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process. The IRM highlights commitments that have the highest potential for results, a high priority for country stakeholders, a priority in the national open government context, or a combination of these factors.

The three IRM products provided during a national action plan cycle include:
- **Co-Creation Brief:** A concise brief that highlights lessons from previous IRM reports to support a country's OGP process, action plan design, and overall learning.
- **Action Plan Review:** A technical review of the characteristics of the action plan and the strengths and challenges IRM identifies to inform a stronger implementation process.
- **Results Report:** An overall implementation assessment that focuses on policy-level results and how changes happen. It also checks compliance with OGP rules and informs accountability and longer-term learning.

In the Action Plan Review, the IRM follows a filtering and clustering process to identify promising reforms or commitments:

Step 1: Determine what is reviewable based on the underlined verifiability of the commitment as written in the action plan.
Step 2: Determine if the commitment has an open government lens. Is it relevant to OGP values?
Step 3: Review commitments that are verifiable and have an open government lens to identify if certain commitments need to be clustered. Commitments that have a common policy objective or contribute to the same reform or policy issue should be clustered. The potential for results of clustered commitments should be reviewed as a whole. IRM staff follow these steps to cluster commitments:
   a. Determine overarching themes. If the action plan is not already grouped by themes, IRM staff may use OGP's thematic tagging as reference.
   b. Review commitment objectives to identify commitments that address the same policy issue or contribute to the same broader policy or government reform.
   c. Organize commitments into clusters as needed. Commitments may already be organized in the action plan under specific policy or government reforms.
Step 4: Assess the potential for results of the clustered or standalone commitment.

Filtering is an internal process. Data for individual commitments is available in Annex 1. In addition, during the internal review process of this product, the IRM verifies the accuracy of findings and collects further input through peer review, OGP Support Unit feedback as needed, interviews and validation with country stakeholders, an external expert review, and oversight by IRM's International Experts Panel (IEP).

As described earlier, IRM relies on **three key indicators** for this review:

I. Verifiability

- **Yes, specific enough to review:** As written in the action plan, the stated objectives and proposed actions are sufficiently clear and include objectively verifiable activities to assess implementation.
- **No, not specific enough to review:** As written in the action plan, the stated objectives and proposed actions lack clarity and do not include explicitly verifiable activities to assess implementation.
- Commitments that are not verifiable will be considered not reviewable, and further assessment will not be carried out.

II.   Open government lens

This indicator determines if the commitment relates to the open government values of transparency, civic participation, or public accountability as defined by the Open Government Declaration and the OGP Articles of Governance by responding to the following guiding questions. Based on a close reading of the commitment text, the IRM first determines whether the commitment has an open government lens:
- **Yes/No:** Does the commitment set out to make a policy area, institution, or decision-making process more transparent, participatory, or accountable to the public?

The IRM uses the OGP values as defined in the Articles of Governance. In addition, the following questions for each OGP value may be used as a reference to identify the specific open government lens in commitment analysis:
- **Transparency:** Will the government disclose more information, improve the legal or institutional frameworks to guarantee the right to information, improve the quality of the information disclosed to the public, or improve the transparency of government decision-making processes or institutions?
- **Civic Participation:** Will the government create or improve opportunities, processes, or mechanisms for the public to inform or influence decisions? Will the government create, enable, or improve participatory mechanisms for minorities or underrepresented groups? Will the government enable a legal environment to guarantee freedoms of assembly, association, and peaceful protest?
- **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions? Will the government enable legal, policy, or institutional frameworks to foster accountability of public officials?

III.   Potential for results

The IRM adjusted this indicator—formerly known as the "potential impact" indicator—to take into account the feedback from the IRM Refresh consultation process with the OGP community. With the new results-oriented strategic focus of IRM products, the IRM modified this indicator to lay out the expected results and potential that would be verified in the IRM Results Report after implementation. Given the purpose of this Action Plan Review, the assessment of potential for results is only an early indication of the possibility the commitment has to yield meaningful results based on its articulation in the action plan in contrast with the state of play in the respective policy area.

The scale of the indicator is defined as:

- **Unclear:** The commitment is aimed at continuing ongoing practices in line with existing legislation, requirements, or policies without indication of the added value or enhanced open government approach in contrast with existing practice.
- **Modest:** A positive but standalone initiative or change to processes, practices, or policies. The commitment does not generate binding or institutionalized changes across government or institutions that govern a policy area. Examples are tools (e.g., websites) or data release, training, or pilot projects.
- **Substantial:** A possible game changer for practices, policies, or institutions that govern a policy area, public sector, or the relationship between citizens and state. The commitment generates binding and institutionalized changes across government.

This review was prepared by the IRM in collaboration with the European Policy Centre (CEP) and was externally expert reviewed by German Emanuele. The IRM methodology, quality of IRM products, and review process are overseen by IRM's IEP. For more information, see the IRM Overview section of the OGP website.[57]

---

[57] IRM Overview, https://www.opengovpartnership.org/irm-guidance-overview/

Annex 1. Commitment by Commitment Data[58]

Commitment 1: Electronic People's Initiative
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Substantial

Commitment 2: Toward better citizens' participation in the drafting of regulations and public policy documents
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Unclear

Commitment 3: Improving the transparency of monitoring submitted initiatives from citizens and businesses
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 4: Achieving greater transparency in respect of spending of budget funds through the improvement of the competitive procedure for awarding funds for civil society organizations
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Unclear

Commitment 5: Proactive government – information "on click"
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 6: Improving the transparency of the work of the Government of the Republic of Serbia
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Unclear

Commitment 7: Open government for a better quality of life for persons with disabilities
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 8: Open "green" data for more accessible information about the state of the environment in the Republic of Serbia

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Substantial

Commitment 9: Establishment of a Unified Information System for monitoring project co-financing in the field of public information

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 10: Public services tailored to citizens

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

---

[58] **Editorial notes:**
1. For commitments that are clustered, the assessment of potential for results is conducted at the cluster level, rather than the individual commitments.
2. Commitment short titles may have been edited for brevity. For the complete text of commitments, please see Serbia's action plan, https://www.opengovpartnership.org/documents/serbia-action-plan-2023-2027-december/

Open Government Partnership

Independent Reporting Mechanism

Annex 2: Action Plan Co-Creation

OGP member countries are encouraged to aim for the full ambition of the OGP Participation and Co-Creation Standards that came into force on 1 January 2022.[59] The IRM assesses all countries that submitted action plans from 2022 onward under the updated standards. Table 2 outlines the extent to which the countries' participation and co-creation practices meet the minimum requirements that apply during development of the action plan.

OGP instituted a 24-month grace period to ensure a fair and transparent transition to the updated standards. Action plans co-created and submitted by 31 December 2023 fall within the grace period. The IRM will assess countries' alignment with the standards and their minimum requirements.[60] However, countries will only be found to be acting contrary to process if they do not meet the minimum requirements for action plans co-created in 2024 and onwards.

Please note that, according to the OGP National Handbook, countries implementing four-year action plans must undertake a refresh process at the two-year mark. Countries are expected to meet minimum requirements 3.1 and 4.1 during the refresh process.[61] IRM assessment of the refresh process will be included in the Results Report.

Table 2. Compliance with minimum requirements

Minimum requirement	Met during co-creation?	Met during implementation?
1.1 Space for dialogue: The Special Inter-Ministerial Working Group serves as Serbia's multi-stakeholder forum. It met 11 times during the co-creation period (January-November 2023): three times with full composition and eight times with a narrower composition to discuss specific commitment proposals. Its rules of procedure are available.[62]	Yes	*To be assessed in the Results Report*
2.1 OGP website: The current action plan and OGP-related documents are accessible on a dedicated page on the eConsultations portal.[63] The MPALSG's website also has a page dedicated to OGP process.[64]	Yes	*To be assessed in the Results Report*
2.2 Repository: The eConsultations portal serves as Serbia's OGP repository. The MPALSG updates it regularly with evidence on co-creation and implementation of OGP action plans.[65]	Yes	*To be assessed in the Results Report*
3.1 Advanced notice: The MPALSG published the co-creation timeline on the eConsultations portal on 22 December 2022 and on its webpage. The MPALSG published the results of the open call for CSO membership in the Working Group on 24 January 2023.[66] It also presented the timeline during the "OGP Day" on 20 December 2022 and during the first meeting of the Working Group, on 9 February 2023.	Yes	To be assessed in the Results Repot
3.2 Outreach: The MPALSG organized an "OGP Day" via Zoom[67] which it promoted on Instagram.[68] The Minister of the Public Administration and Local Self-Governance promoted OGP in an interview.[69] The MPALSG sent a newsletter to CSOs on its mailing list about opportunities to participate in the co-creation process[70] and met with CSOs as part of Open Gov Week 2023.[71]	Yes	Not applicable
3.3 Feedback mechanism: The Working Group collected proposals for commitments in writing and orally during its meetings.[72] The draft action plan was open to public consultations from 1-15 November 2023.	Yes	Not applicable

4.1 Reasoned response: The responses from government institutions to members of the Working Group on commitment proposals are available in the Working Group's meeting minutes.[73] The quality of responses varied by institution. In most cases, civil society participants accepted the responses, but in some instances considered them unconvincing.[74] The Ministry of Environmental Protection was the only institution that did not respond to proposals in its area of competence.[75]	Yes	To be assessed in the Results Report
5.1 Open implementation: The IRM will assess whether meetings were held with civil society stakeholders to present implementation results and enable civil society to provide comments in the Results Report.	Not applicable	*To be assessed in the Results Report*

[59] 2021 OGP Participation and Co-Creation Standards, https://www.opengovpartnership.org/ogp-participation-co-creation-standards/

[60] IRM Guidelines for the Assessment of Minimum Requirements, https://www.opengovpartnership.org/documents/irm-guidelines-for-the-assessment-of-minimum-requirements/

[61] OGP National Handbook 2022, Section 2.3, https://www.opengovpartnership.org/documents/ogp-national-handbook-rules-and-guidance-for-participants-2022/

[62] Meeting minutes from all three meetings and the Rules of Procedure, https://ekonsultacije.gov.rs/ogpPage/1

[63] Meeting minutes from all three meetings and the Rules of Procedure, https://ekonsultacije.gov.rs/ogpPage/1

[64] https://mduls.gov.rs/reforma-javne-uprave/unapredjenje-transparentnosti-uprave/partnerstvo-za-otvorenu-upravu/?script=lat

[65] OGP Repository, https://ekonsultacije.gov.rs/ogpPage/1

[66] See https://mduls.gov.rs/obavestenja/rezultati-javnog-poziva-organizacijama-civilnog-drustva-za-podnosenje-kandidature-za-clanstvo-u-posebnoj-medjuministarskoj-radnoj-grupi-za-izradu-petog-akcionog-plana-za-sprovodjenje-inicijative-partn/

[67] MPALSG, OGP Open meeting, https://ekonsultacije.gov.rs/ogpPage/1

[68] Instagram post 1, https://www.instagram.com/p/CmZImntKc2S/?igsh=MWVhcTdmbG95dW8zOA==; Instagram post 2, https://www.instagram.com/p/CmJTO2SsJ8W/?igsh=YzBjbWE5Ynh6NnR6

[69] Interview for Srbija Danas, https://www.sd.rs/vesti/info/intervju-aleksandar-martinovic-ministarsto-drzavne-uprave-i-lokalne-samouprave-2023-10-22

[70] Svetlana Tomov (the Bird Protection and Study Society of Serbia), interview by the IRM, 19 March 2024. Marija Dedović and Filip Mirić (Association of Lawyers AEPA), interview by the IRM, 11 March 2024.

[71] More about the open meeting, https://ekonsultacije.gov.rs/ogpPage/1

[72] Evidence from the meetings, https://ekonsultacije.gov.rs/ogpPage/1

[73] Meeting minutes, https://ekonsultacije.gov.rs/ogpPage/1

[74] According to the interviews conducted with representatives of CSOs, members of the Working Group.

[75] Svetlana Tomov (the Bird Protection and Study Society of Serbia), interview by the IRM, 19 March 2024. Danilo Rodić and Dragana Brajović (MPALSG), interview by the IRM, 21 March 2024.

Open Government Partnership

Independent Reporting Mechanism