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Questions from YOU to the EU

YOU4EU

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Europe for Citizens Programme
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YOU4EU

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INTRODUCTION

Citizen participation is one of the key elements in the establishment and development of modern society and its political, economic and social systems representing the interests of all citizens, social groups and society as a whole. A society with this kind of system should enable the rule of law, together with high living standards for all citizens no matter what their national, religious, gender or political identification, or economic status is. The establishment of such an inclusive system requires that policy design, creation and implementation is oriented towards citizens, based on a wide and in-depth analysis of their interests, needs, opinions, concerns and suggestions.

(How) Can citizens' voices be heard?

In the European Union Member States and candidate countries, there are various institutionally established mechanisms which enable citizens' interests to be communicated to decision-makers, i.e. public discussions, petitions, referendums, citizen initiatives, different working bodies. The process of digitalisation has expanded ways to communicate and, together with new participation tools, have further encouraged citizen engagement in the process of the design and development of public policies. Citizens now have the opportunity to communicate with the authorities through web portals and different applications and, in doing so, share their opinions, questions and recommendations related to the design and development of legal acts at different levels of government, the formulation of policies and/or the allocation of budget funds. Whether citizens find these participation tools as successful channels for sharing and discussing key problems, challenges and solutions in their society depend on the level of incorporation and application of these mechanisms in the decision-making

process. These mechanisms should not only support citizen engagement but above all ensure that the voices of citizens are acknowledged and taken into account during the policy-making process.

Citizen participation 2.0 – and why us?

In order to find the best practice examples across three EU Member States and two accession countries on modalities of citizen participation in decision-making, as well as to find ways to support increased participation and answer the biggest challenges and perspectives at the local, national or EU level, European research has been conducted in Croatia, Montenegro, Serbia, Slovenia and Spain.

The research is part of the Project "YOU4EU – Citizen Participation 2.0" aiming to:

• Facilitate communication between citizens and decision-makers;
• Map topics and issues of high relevance for citizens in the local, national or EU context;
• Address citizens' questions and concerns to targeted decision-makers at the local, national or EU level, and obtain respective answers.

This research has been implemented from December 2018 to July 2019, in three main phases:

I. Wide campaign on social networks directed to citizens

During December 2018 and January 2019, five organisations from five countries participating in the Project conducted a social media campaign on Facebook, Twitter and Instagram. The aim of the campaign was to invite citizens to ask decision-makers everything they want to know about the challenges, issues, priorities and solutions in the policy making processes at the local, national or EU levels in different policy areas.

The most relevant topics common to all five participating countries have been taken into account, together with topics that tackle the future of political and social cohesion of the EU. The chosen topics were used for moderation and direction of citizen engagement in the social media campaign, as well as the facilitation of citizens' articulation for precise questions, problems and recommendations, which were directed to decision-makers in the next phase of the research.

The total of 288 citizens took part in the social media campaign in all five partnering countries and left 367 comments and questions on the following topics:

Good governance
(Croatia, Montenegro, Serbia, Slovenia, Spain)

EU accession process
(Montenegro, Serbia)

European Parliament elections
(Croatia, Slovenia, Spain)

Environmental protection
(Serbia, Slovenia, Spain)

Freedom of media
(Serbia)

Fake news
(Croatia, Slovenia, Spain)

Personal data protection
(Croatia, Serbia)

EU Funds
(Croatia)

Young Europeans – opportunities and challenges
(Croatia)

Croatian Presidency of the Council of the European Union
(Croatia)

North-South gap
(Spain)

II. We ask for you - decision-makers have a say

Once the social media campaign and compilation of citizens' questions was completed, questionnaires with citizens' questions were prepared and sent to targeted stakeholders and decision-makers, both at the national and EU level.

The aim of the questionnaire was not only to obtain answers to these questions, but also to raise awareness among decision-makers about the challenges and problems requiring prompt action of the authorities and a high inclusion of citizens in the formulation of respective policies.

Some of the topics were covered in the questionnaires in all five participating countries, some of them were common for two or three of them – depending on the chosen topic in each of the countries, while each of the participating countries had their national topics as well.

III. 50 key questions that shape the life of European citizens for you!

This publication provides an overview of 50 key citizens' questions about important political, economic and social processes which should be highly positioned on the national and the EU agenda, together with the answers of targeted decision-makers.

We are inviting you to get familiar with key local, national and EU topics and the respective issues, challenges and concerns which citizens (or even yourself!) highlighted and recognised in everyday life, together with the perspectives of the relevant decision-makers who were open enough to join us in this endeavour.

Enjoy the reading!

The questionnaires were sent to 647 decision-makers and the answers were received from 181.

| social media campaign | citizens asking questions | decision-makers have a say | 50 key questions and answers |

1

GOOD GOVERNANCE

GOOD GOVERNANCE

Context

A well-functioning public administration which provides its services in a transparent, accountable and efficient manner is the basis of good governance which requires smooth functioning in line with the needs and interests of its citizens. The establishment of such a public administration entails having strong state institutions which are committed to law enforcement and pluralism, and which are dedicated to the prevention and sanctioning of power abuses.

A highly-functional public administration is one of the key factors in building citizens' confidence and trust in public authorities. The development and implementation of public policies should have in mind citizens' interests, and be inclined to address citizens' concerns and to incorporate suggestions and recommendations for the improvement of the work of public administration. Only a transparent, inclusive and efficient public administration, which is constantly improving its management, capacities and communication with its citizens, can enable the establishment of a society which addresses the needs of all citizens and achieves high living standards.

According to _SIGMA_ (Support for Improvement in Governance and Management), a joint initiative of the Organisation for Economic Co-operation and Development (OECD) and the European Union (EU) for the improvement of public administration and socio-economic development, the main principles of good governance are:

1. Strategic framework of public administration reform

2. Policy development and co-ordination

3. Public service and human resource management

4. Accountability

5. Service delivery

6. Public financial management

- These principles, which emerged from both the praxis in the EU and OECD member countries, as well as EU and OECD expertise in this field, were defined with the aim of providing a framework for public administration reform in countries involved in the EU accession process.

- In the preparation of this publication, these guiding principles served as a framework for organising citizens' questions in order to present the current state of good governance in all countries included in the research and preparation of this publication – both EU Member States (Croatia, Slovenia and Spain) and accession countries (Montenegro and Serbia).

POLICY DEVELOPMENT AND CO-ORDINATION

CROATIA | MONTENEGRO | SERBIA | SLOVENIA | SPAIN

1. What options do citizens have at their disposal in order to be involved in the policy-making process at both the national and the EU level?

In **Croatia**, one of the mechanisms for citizens' participation in decision-making is membership in **parliamentary working bodies**. The _Croatian Parliament_ includes representatives from civil society organisations and the academic community, as external members, in creating public policies (there are 118 appointed external members in 24 out of 29 working bodies). Citizens can send **suggestions and petitions** to these bodies in which they are required to provide an answer within three months.

Citizens can also use a _web form_ to send **questions** to their representatives in Parliament. In compliance with the _Right to Information Act_, the Croatian Parliament informs the public about legislative acts for the purpose of **public consultations**, while citizens can take part in public consultations on legislative acts through _"E-savjetovanja" portal_.

As for citizen participation at the **local level**, local self-governments (LSGs) state that **public consultations** on particular regulations are one of the most common ways in which citizens can participate in the decision-making process. Additionally, citizens can participate in policy making by:
- selecting representatives in committees at the neighbourhood, municipality and city level;
- participating in Local Councils of citizens organised by local representative bodies;
- directly communicating with city administration (meetings, phones, email, social networks);
- participating in working groups and local referendums;
- making strategic partnerships (governmental bodies, NGOs, companies).[1]

THESE ARE EXAMPLES OF GOOD AND INNOVATIVE PRACTICES AT PARTICULAR LSGs:

Pazin – Citizens have actively participated in budgeting at the city level through the project _Pazi(n) proračun_ for the fifth consecutive year
Dubrovnik – The city offers interactive applications, such as _Dubrovačko oko_, where citizens can report municipal problems on an interactive map
Pregrada – In 2014, the city established the "Children City Council" allowing citizens to suggest how to make the city better for children

In **Montenegro**, there are several mechanisms in place for citizens to get involved in policy-making processes such as: a procedure for **free**

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1 Gong contacted 127 LSGs for the purpose of the research. A total of 30 LSGs answered the survey about options for citizen participation at the local level.

access to information, public discussions in the preparation of laws and other regulations, *eGovernment* portal, e-petition, or freedom of association. Citizens can also be involved in the policy-making process by addressing the Ombudsman, MPs, ministers, prime minister and relevant institutions.[2]

The **e-petition** mechanism was originally launched in 2012 with the aim to improve transparency in communication between citizens and their Government. In December 2018, the Ministry of Public Administration recognised the need to re-launch the e-petition project within public administration reform and in January 2019, the Government of Montenegro reduced the number of citizens whose support is necessary in order to consider an e-petition from 6,000 to 3,000.[4] The Platform "*Citizen's Voice e-Petition*" officially started working on April 2, 2019.[5]

Also, an improved version of the *e-Participation* portal, which informs citizens about all public discussions published by the ministries and allows

them to leave comments and ask questions, became operational on March 18, 2019.[8]

In **Serbia**, citizens can participate in policy-making processes by using one of legally established mechanisms, such as **public discussions**, **gatherings and meetings**, **the procedure for free access to information**, as well as **expert and participative advisory bodies** which are established within LSGs (i.e. council for inter-ethnic relations, socio-economic councils, council for public health).[9]

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2   Answer from the Secretariat – General of the Government.
3   The Law on Free Access to Information was adopted in 2012, and came into force in 2013.
4   Answer from the Ministry of Public Administration.
5   Announcement of the Ministry of Public Administration, available at: http://www.gov.me/en/News/197879/Citizen-s-Voice-e-Petition-portal-is-active-again.html

6   Public opinion poll was conducted by IPSOS for the need of the Institute Alternative, and within a project "Civil Society for Good Governance: To Act and Account!" This opinion poll was conducted in February 2018. Results available at: https://institut-alternativa.org/percepcija-javne-uprave-istrazivanje/
7   Comments by the Institute Alternative, available at: https://www.vijesti.me/vijesti/drustvo/za-prihvatanje-inicijativa-gradana-bice-potrebno-duplo-manje-potpisa
8   Answer from the Ministry of Public Administration. Announcement of the Ministry of Public Administration is available at: http://www.mju.gov.me/vijesti/197327/Poceo-sa-radom-unaprijedeni-servis-za-ucesce-gradana-u-javnim-raspravama-eParticipacije.html
9   Answers of Standing Conference of Towns and Municipalities, Don't Drown Belgrade, Group of Public Policies Analysis and Development, United Movement of Free Tenants and Owners of Private Buildings, National Coalition for Decentralization.

These mechanisms are regulated by the *Law on Local Self-Government, Law on Referendum and Civil Initiative, Law on Free Access to Information of Public Importance, Guidelines for inclusion of civil society organisations in the decision making process* and LSGs statutes.

Standing Conference of Towns and Municipalities (SCTM) (Stalna konferencija gradova i opština - SKGO) claims that the possibilities for citizen participation at the local level have improved with the amendments to the Law on Local-Self Government in 2018. These changes require **public discussions** when the statute of the city or municipality is being changed, as well as for budget provisions regarding investment, strategic development and spatial and urban planning. The Law also stipulates that the local assembly should include in the agenda the initiative which is requested and submitted by a minimum of 100 citizens.

While SCTM indicates that citizens' participatory mechanisms had good results in certain local self-governments, according to the experience of civil society organisations, these mechanisms are not effective in their existing context.

These **participatory mechanisms usually represent a formality** since citizens' comments and objections are rejected in most cases. The citizens' initiative *Don't Drown Belgrade* highlights that this is especially the case when the public interest is opposed to the interests of private investors. Also, citizens are not adequately informed about the possibility of participation in the decision-making process, and moreover, public discussions are not implemented in all of the situations envisaged by the legal framework. According to the *Group of Public Policies Analysis and Development*, this indicates that the influence of citizens is minimal and that the whole process could be assessed as dysfunctional.

The *United Movement of Free Tenants and Owners of Private Buildings* highlights that, nowadays, there is no discussion about public policies since most popular TV stations with national frequencies do not present different opinions, while the privatisation of local media brought a majority of them to be closed.

The *National Coalition for Decentralization* calls for the **institutionalisation of citizen participation** in the decision-making process at the local level through the adoption of a legally binding document (i.e. Codex, Charter). This document would be aligned with the legal framework regulating the participation of citizens in the policy-making process and would encourage higher citizen involvement in strategic planning and decision making.

In **Slovenia**, according to *Tina Divjak, head of advocacy at CNVOS*, citizens can participate in the decision-making process on the national level through **different mechanisms of direct democracy** (people's initiatives, referendums), e-consultations on draft laws, general presentations of opinions in the National Assembly, use of various e-participation tools (*Predlagam vladi*) and **indirectly through activities in NGOs and trade unions.**

Jani Kozina, from the *Research Centre of the Slovenian Academy of Sciences and Arts, Anton Melik Geographical Institute*, states that **policy-making tools at the national level are not very effective** in the shaping of national policies. The weakness of representative democracy is that the will of the citizens is taken into account only indirectly through elected representatives. He assesses that there are few participatory tools in Slovenia where people can directly influence policy making, such as *Predlagam vladi.*

In **Spain**, there are **participation mechanisms at different levels of public administration** which allow citizens to be actively involved in decision making. The *Government Area for Citizens' Participation, Transparency and Open Government of the City Council of Madrid* mentions four such mechanisms:
▪ citizens' proposals,
▪ citizens' consultations,
▪ collaborative legislation,
▪ participatory budgets.

The *General Directorate of Open Government and Citizens Attention of Madrid* manages various communication channels with citizens where, besides offering public information, it receives suggestions and complaints for the improvement or inclusion of public administration services. These include: a system of suggestions, complaints and recognition for the Community of Madrid; participation in the improvement of electronic services; an electronic mailbox "we listen to you"; a participation portal for the Community of Madrid; an open data Portal of the Community of Madrid; and inboxes of the highest officials of the community of Madrid.

At the national level, the *Public Governance Area of the Ministry of Territorial Policy and Public Function* provides an extensive list of mechanisms for citizens' participation: the right to active and passive suffrage; the right to individual and collective petition; consultative and constitutional referendums; popular legislative initiatives; participation in discussions of normative dispositions; the right of access to the archives; participation in plans and programmes; the right to present complaints and suggestions; on-referendum consultations at the autonomous and local levels; the right to intervene in plenaries and district municipal governments; participative budgets in some autonomous communities and local entities; and forums and panels for debate.

As for the participation of citizens in decision making at the **EU level**, these are the mechanisms at citizens' disposal:

- **the right to vote** in the European Parliament (EP) elections and elect representatives who will fight for the goals they have prepared and presented in their political manifestos and political programs during the campaign;
- **petition to the European Parliament**[10] - any citizen of the EU, or resident in a Member State, may, individually or in association with others, submit a petition to the European Parliament on a subject which is within the EU field of activity;

CITIZEN COMMENT

The public was very clear about the CETA agreement. Nevertheless, most of its content came into force. There were around 5,000,000 signatures from all over Europe and nothing happened. How do you think this kind of cooperation, in the formulation of regulations and proposals, is possible?

- the right to **apply to the European Ombudsman**;
- *public legislative consultations* at the EU level;
- **European Citizens' Initiative**[11] – the citizens can call on the European Commission to make a legislative proposal. Once an initiative gathers one million signatures from at least a quarter of EU countries (7 of 28), the Commission decides on follow-up action.
- **citizen dialogues** organised as town-hall debates that offer opportunities for citizens to discuss issues they are concerned about with representatives of the EP, the Commission and other EU bodies.

Do you want to be heard? Do you have something to say? These are the options that can make your voice *heard in the EU*.

HOW TO REQUEST INFORMATION FROM EU BODIES?

EU citizens can use *Ask the EU* - web platform (https://www.asktheeu.org/en), developed by civil society organisations, and send requests for information directly to EU institutions and bodies. Citizens have the right to ask all EU institutions for documents and to receive answers within 15 working days.

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10   For more information, please see *Petition the EU* at the European Commission website.

11   For more information, please see *European Citizens' Initiative* at the European Commission website.

2. What are the necessary steps for the improvement of direct democracy at both the national and EU level?

According to *Možemo!*, a political platform which was established prior to European Parliament elections this year in **Croatia**, to improve the provisions of **referendum initiatives**, one of the most important mechanisms of direct democracy, the following steps are necessary:

- *At the national level*: increase the number of days for the collection of signatures and decrease the number of required signatures; establish a different census for statutory and other legislative questions; define areas of fundamental human rights which can be decided upon by referendums; define the obligation of the Croatian Constitutional Court in deciding on the constitutionality of the referendum question before the signatures for a referendum are collected.
- *At the local level*: extend the period of validity of decisions made on local referendums; lower the census for referendums.

They highlight that financing of referendum initiatives should be better regulated and that referendum initiators should be required to transparently report the sources of financing and how collected funds were spent. If these provisions are not respected, sanctions should be put in place.

The parliamentary group in the Croatian Parliament, *Croatian Peasant Party* (*Hrvatska seljačka stranka – HSS*) calls for greater **decentralisation**, while *Start* (*Stranka antikorupcije, razvoja i transparentnosti*), which was formed prior to EP elections this year, claims that political and technological innovations in decision-making are needed, especially at the local level, such as **participative budgeting or participative decision-making in local institutions**.

In **Montenegro**, Institute Alternative forwarded this question to the Members of Parliament (MPs) of Montenegro, the General Secretariat of the Government, the Office for European Integration and to the representatives of LSGs and non-governmental organisations. Although the question was about the improvement of direct democracy, the submitted responses focused on representative and participatory democracy and largely overlap. One of the main conclusions from the received answers is that improving the electoral process by building confidence in relevant political entities and public trust in the integrity of the electoral process are pillars of direct democracy.

Primarily, it was stated that it is necessary to **inform citizens about their rights and the mechanisms available to influence the decision-making process**, as well as to ensure civic participation in all stages of this process. It is important to create an environment where citizens can really shape decisions and exercise their rights. It is also necessary to provide conditions for fair and free elections, so that the results of voting reflect the actual will of the voters. Some MPs and NGO representatives who participated in the research, claim that one way to achieve this is to change the electoral model by **introducing a system of open electoral lists**. An open list system allows voters to select individuals rather than parties giving them some influence over the election of the party's candidates. Also, all stakeholders – civil sector, various civic initiatives and media, should be included in order to contribute to the strengthening of democratic processes.

One opposition MP claims that these stakeholders were more obstructed in their

participation than encouraged and highlights that this has to change. On the other hand, another MP who represents the ruling party, believes that Montenegro is a small country, both geographically and in terms of population, and that most politicians have direct communication with citizens.

Regarding the improvement of direct democracy at the **local level**, it is necessary to strengthen citizen participation in decision-making through civic initiatives, participation in public discussions, as well as to intensify the cooperation of local communities with LSGs.[12]

In **Serbia**, civil society organisations, who actively advocate for the introduction of participatory mechanisms in the decision-making process, emphasise **the necessity of institutional changes in public administration towards increased transparency, availability and efficiency,** as a precondition for improved direct democracy.[13] Citizens should have better insight into the work of decision-makers and the ongoing legislative and public policy processes, especially those of public importance. Also, one of the conditions for ensuring inclusive public administration are having citizens who are well acquainted with their rights and responsibilities. Moreover, state institutions should start perceiving themselves as a citizens' service aimed at addressing citizens' problems, and not as a self-serving bureaucratic system.[14]

The implementation of direct democracy mechanisms, such as **referendums and civic initiatives**, should be improved once the new Law on Referendum and Civic Initiative is adopted. The *Standing Conference of Towns and Municipalities and National Coalition for Decentralization* call for a decrease in the requested number of signatures for the initiation of referendums and initiatives, an

extension of the deadline for the collection of signatures, which now amounts to seven days, the submission of fewer documents and a more efficient response from authorities. The situation has improved at the local level after the amendments of the Law on Local Self-Government in 2018 when the minimum for the initiation of referendum and civic initiative was set at 5% of registered voters.

The *National Coalition for Decentralization and Group of Public Policies Analysis and Development* state that the introduction and improvement of **e-platforms** will strengthen direct participation of citizens by providing them with the opportunity to report communal problems, be informed about scheduled public discussions, and suggest ways to allocate budget funds.

It is also stressed that the **potential of local self-governments and communities** should be better used in the improvement of direct democracy. *Don't Drown Belgrade* indicates that community development should be discussed at the level of local communities, while the *United Movement of Free Tenants and Owners of Private Buildings* argues that capacities of local self-governments should be strengthened and competences broadened.

According to the Transparency, Integrity and Political System Service of the *Ministry of Public Administration* in **Slovenia**, the most important forms of direct democracy are **referendums, people's initiatives and the right to petition**. Referendums allow voters to directly decide about the constitution, a law or other legal act, as well as about other issues that are important to society and the state. At the national level, active discussions are currently underway on possible amendments to the Election Law of the National Assembly (possible change of the electoral system, where one of the options is the introduction of preference voting) and the Referendum and People's Initiative Act, which will regulate in detail the legal protections of voting rights on referendums.

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12   Answers from the municipalities.

13   Answers from the initiative Don't Drown Belgrade and civil society organisations National Coalition for Decentralization and Group of Public Policies Analysis and Development.

14   Answer from National Coalition for Decentralization.

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In **Spain**, one of the best examples of public participation in decision making is the platform "*Decide Madrid*", which was established in 2015. According to the *City Council of Madrid*, citizens can make proposals or vote on those developed by the City Council, collaborate on the drafting of rules and strategic plans and take part in the preparation of participatory budgets. In the last three years more than 450,000 people have registered on the website, submitting tens of thousands of proposals, and have voted on more than 1,000 proposals.

Some of these proposals are forwarded to the City's Governing Council or to various departments and local district councils. As a general rule the aim is to involve citizens in the most important decision-making processes, such as: strategic plans, legislation, major remodelling of public spaces, annual budgets, etc.

The City Council of Madrid has numerous public awareness campaigns (radio, brochures, banners, advertising on social networks, internet) on possibilities for citizens' participation in decision-making.

As for direct democracy tools at the **EU level**, the **European Citizens' Initiative** is one of the most important ones. The *Slovenian Ministry of Public Administration* highlights that a new Regulation on the European Citizens' Initiative, which will enter into force in 2020, will make the Initiative more accessible to citizens, especially young people (Member States may, in accordance with their national law, introduce 16 years as the minimum age for entitlement to support European Citizens' Initiative). Thanks to this new Regulation, the full potential of the European Citizens' Initiative as a tool for promotion of debate and participation at the EU level will be realised.

Members of the European Parliament from Croatia who responded to the survey mostly agree that having well informed citizens who are aware of the possibilities for participation is one of the most important ways of improving direct democracy. Ivana Maletić from the Group of the European People's Party suggests the introduction of citizen education in elementary and high schools. Biljana Borzan from the Group of the Progressive Alliance of Socialists and Democrats notes that the European Citizens' Initiative should be further strengthened, while Dubravka Šuica, a member of the Group of the European People's Party, emphasises the role of the media in developing citizen awareness.

According to *Simon Delakorda from the Institute for Electronic Participation* from Slovenia, **direct democracy is not defined as a form of decision-making at the EU level** in the Treaty on European Union, which states that the functioning of the Union is based on representative democracy. However, this form of decision-making includes elements of participatory democracy, such as the European Citizens' Initiative, civil society consultations and exchanges of views with citizens. Simon Delakorda states that the European Citizens' Initiative should be improved and made more user-friendly for citizens at the EU level. He highlights that political elites in the EU are not in favour of introducing direct democracy at the EU level because of a fear of populism.

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3. What mechanisms for reporting corruption are available to the citizens at the national and the EU level? To what extent do citizens use these mechanisms?

In **Croatia**, the *Committee for Making Decisions on Conflict of Interest*, as a permanent and independent public body, examines if a particular act or negligence of government officials presents a violation of the Law on Prevention of the Conflict of Interest, or principles of performing public duties. The Committee can initiate the procedure based on credible and non-anonymous reports, when they have information about the potential conflict of interest from other sources. Citizens can report a potential conflict of interest directly to the Committee using a *web form* on the Committee's official website.

The *Croatian Parliament* notes that according to the Decision on the National Council for monitoring implementation of the National programme of the fight against corruption, the National Council is obliged to take into account all suggestions, complaints, positions and opinions offered by organisations and citizens, and to forward them to the authorities. From October 2017 to February 2019, citizens sent 30 reports on corruption, four of which were anonymous. All non-anonymous reports were forwarded to the relevant authorities.

The Croatian *Ministry of Public Administration* lists several institutions and mechanisms for reporting corruption cases. One of them is the **Ethics Commissioner** which is appointed by each public and legislative body and which is in charge of promoting ethical principles and receiving citizens' complaints. There is also the **Ethical Committee for civil servants**, as a second method for resolving unethical or corrupt acts of government employees. During 2018, 299 Ethics Commissioners were appointed in public bodies and 240 citizens' complaints were resolved. The **Office for Ethics and Values System in the Ministry of Public Administration** coordinates and monitors the work of Ethics Commissioners. Citizen complaints and reports can also be submitted to the Ministry of Public Administration via a free telephone line 0800 0304 during working days and via email at *prituzbe@uprava.hr*.

Another relevant institution for reporting corruption is the *State Prosecutor's Office for the Suppression of Organized Crime and Corruption (USKOK)*. Citizens can report potential corruption cases to USKOK through several channels: post, telephone, fax, email or personally in USKOK's premises. More information about how to report a corruption case can be found *here*.

If citizens want to report cases of corruption to the **Ministry of the Interior**, as well as any other criminal offense, they can do so by calling the police on the official number 192, the phone line of their local police station or by directly reporting a case to a police officer or at the police station.

The Ministry of Finance has the **Office for Suppression of Irregularities and Frauds**, where citizens can send their suspicions of irregularities and frauds at their email address: *nepravilnosti. eu@mfin.hr*. The Ministry of Justice's **Sector for the Suppression of Corruption** also has an email which citizens can use to report corruption cases - *antikorupcija@pravosudje.hr*. The Sector ensures the cooperation of bodies dedicated to suppression and prevention of corruption and actively collaborates with public and local bodies as well as civil society organisations in Croatia, EU organisations and agencies and other organisations (GRECO, RAI, OECD, UN).

In case of irregularities and fraud related to projects financed by EU Funds, the *Central Finance and Contracting Agency* can be contacted via email at *nepravilnosti.eu@safu.hr*, by post or telephone. Citizens can also submit their reports to the address of the *European Anti-Fraud Office* - OLAF at *olaf-courrier@ec.europa.eu*

In **Montenegro**, citizens can submit a criminal complaint to the **Prosecution** and since 2016 they can report possible corruption to the **Agency for Prevention of Corruption**. A report on corruption as a threat to the public interest may be submitted to the Agency in person by giving a statement (written or oral), by post or by electronic means (email, web applications of the Agency and other bodies). The Agency states that it continuously carries out public campaigns to strengthen the level of public awareness of corruption and encourage citizens to report corruption to the authorities. The campaign includes billboards, posters, flyers and short videos broadcast on TV stations, which contain their own, together with other institutions' contact information, where corruption can be reported. Also, trainings and seminars on this topic are organised for different target groups.

From January 2016 until January 2019 the Agency received 235 whistle-blowers' reports.

Services developed by CSOs in this sphere are also available to citizens. The Network for Affirmation of NGO Sector (MANS) developed

From 28 reports that the Agency for Prevention of Corruption forwarded to the prosecutors' offices so far, a conviction has been issued in only one case, while irregularities have been identified in only nine cases from 71 reports which were forwarded to other competent authorities.

the platform *Report corruption*, where citizens can report corruption cases which MANS then forwards to the institutions. Also, services under the jurisdiction of the Police Administration – *"Report corruption"* are set up on the eGovernment portal. This option is available on the websites of the Ministry of Interior and the Police Administration. During 2018, the Police Administration received 44 reports of corruption. The 2018 Report of the Special State Prosecutor's Office shows that individuals filed criminal charges against 392 perpetrators and NGOs against 26.[15]

When it comes to the local level, in seven municipalities[16] that took part in this research, citizens can report corruption by calling a direct telephone line, by email or leave reports in mailboxes placed in the building halls of local authorities. There are also persons in charge of acting upon these whistle-blowers' reports.

PREVIOUS FINDINGS

Despite many channels for reporting corruption, **citizens have not submitted one report in seven municipalities which participated in our research (out of 24 total municipalities in Montenegro)**. This shows that citizens are not using these mechanisms for reporting corruption enough, as a member of the Working Group on Chapter 23 notices. The report on these results of local self-governments

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15 Answers from the Chapter 23 Working Group Member
16 Nikšić, Kolašin, Mojkovac, Tivat, Petnjica, Gusinje, Pljevlja.

If the citizens in **Serbia** want to report corruption cases they can address the **institutions in charge of prosecution** (the Public Prosecution Office, the Police Administration) or the ones dealing with the **processing of corruption complaints** (the Anti-Corruption Agency, the Anti-Corruption Council). They can also address departments in charge of **internal controls** dealing with specific types of corruption (i.e. Custom Division) and the Ombudsman. **Whistle-blowers** can report corruption to the institution where they work as well as potentially addressing the media.[18] According to *Transparency Serbia*, it is hard to assess the level of usage of these mechanisms since there are no statistics which document all corruption reports submitted to all relevant institutions.

We asked the *Ministry Of Justice – Group for Coordination of the Implementation of the Strategy for Fight against Corruption* about the available mechanisms for reporting corruption cases. We did not receive answers, but they did inform us that the Group did not exist prior to the beginning of the research, which was not reflected on the webpages of the Ministry outlining the structure of the institution.

The *Anti-Corruption Agency*, which is one of the key institutions in the fight against corruption in Serbia, acts upon complaints submitted by citizens or legal entities by post or email. The complaints are processed by the *Sector for Complaints and District Offices* which is in charge of processing them, as well as assessing their validity. The Agency states that the entity who submitted the complaint is notified about the outcome of the proceeding. Citizens' reports are also processed by the *Sector for Resolving Conflicts of Interest* which aims to determine if violations of the Law on Anti-Corruption Agency regarding a conflict of interest occurred.

The aim of these mechanisms is to encourage citizens to take part in the fight against corruption and to increase the number of registered and resolved corruption cases. The research conducted by the Agency indicates that citizens face corruption on a daily basis, but that they are not well informed about legal possibilities and available mechanisms for reporting it. **The Agency has received a total of 6,539 cases since its establishment,** and the majority of them were corruption reports in the field of education, judiciary, health care, social policy and employment. Also, the Agency has received 1,694 complaints related to conflicts of interest, most of them in the field of education.[19]

The citizens of **Slovenia** can report cases of corruption to the *Commission for the Prevention of Corruption* or other competent authorities (Police, Prosecutor's Office), according to *Transparency International Slovenia*.[20] Citizens also have mechanisms provided by civil society organisations such as *Void Center Spregovor!*, which provides assistance to victims and witnesses of corruption and unethical practices, as well as access to other available mechanisms of individual legal entities (internal services of legal entities of public and private law).

According to the *Prosecutor's Office*, when it comes to reporting cases of corruption in **Spain** there is still no published data for 2018 and 2019.

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17 Centre for Civic Education (CCE) conducted research of the functionality of system for reporting corruption cases via the method of 'mystery shopper'. Results of this research are presented in the report *Are municipalities in Montenegro fighting against corruption and how?* This report is available at: http://cemi.org.me/wp-content/uploads/2018/10/Are-municipalities-in-Montenegro-fighting-against-corruption-and-how.pdf

18 Answers from civil society organisation Transparency Serbia and Centre for Investigative Journalism of Serbia.

19 More information can be found in the yearly reports of the Anti-Corruption Agency: http://www.acas.rs/izvestaji/godisnji-izvestaj/.

20 Learn more about this on the CPC scheme *here*.

However data from 2017 does show that the Special Prosecutor's Office against Corruption and Organised Crime received a total of 809 complaints, while 23 complaints were filed to the judicial authority.

The data published on the webpage of the Special Prosecutor's Office against Corruption and Organised Crime is listed below:

referred to the _European Anti-Fraud Office (OLAF)_, which is the only EU body authorised to detect, investigate and prevent fraud with EU funding. The Directorate-General for Neighbourhood and Enlargement Negotiations had the same answer in response to the questionnaire of **Montenegro**. Croatia received an answer from OLAF about its competencies and investigations regarding cases of corruption in Croatia.

GENERAL SUMMARY OF THE ACTIVITY BY THE SPANISH PROSECUTOR'S OFFICE[21]

		2017	2016	2015	2014	2013
Passive legal cooperation		35	25	24	23	28
Active judicial assistance		4				
Inquiry of investigation proceedings		39	37	39	37	19
Judicial proceedings in hearings		609	524	371	340	312
New proceedings		85	51		55	
Formulated accusations		46	59	47	35	35
Complaints filed		23	14	16	20	10
Complaints received		809	652	621	557	434
Notified sentences	Condemnatory	33	27	18	17	18
	Acquittal	1	2	4	2	0

With regard to the activity carried out by the Special Prosecutor's Office against Corruption and Organised Crime during 2017, it is worth highlighting a slight increase compared to the 2016 trend. For instance, the number of judicial proceedings jumped from 524 in 2016 to 609 in 2017. While the number of formulated accusations has remained stable at 46, as in 2015, more were measured in 2016, when 59 were registered. Finally, the number of sentences has risen to 34 (33 convictions) compared to the previous year (2016) of 29.

How to report corruption on the EU level?

At the EU level, **Slovenia** as a Member State received answers from Europe Direct Contact Centre Slovenia, Europe Direct Koroška, Europe Direct Koper-Capodistria and Europe Direct Novo mesto. All of them were the same and

The main task of OLAF is to fight fraud affecting the EU budget, investigate corruption by staff of EU institutions and develop anti-fraud legislation and policies. OLAF achieves its mission by conducting, in full independence, internal and external investigations. It coordinates the activities of its anti-fraud partner institutions within Member States and supplies EU Member States with the necessary support and technical know-how. OLAF conducts administrative investigations but has no judicial powers to oblige national law enforcement authorities to act on its follow-up recommendations.

As cited at _the official OLAF's website_, between 2010 and 2017, OLAF:

21   Available at: https://www.fiscal.es/documents/20142/183863/fiscalia_contra_corrupcion_2017.xls/7730d904-41b8-2e55-dcf4-a316fad83cb8

- Concluded over 1,800 investigations;
- Recommended the recovery of over 6.6 billion Euros to the EU budget;
- Issued over 2,300 recommendations for judicial, financial, disciplinary and administrative actions.

You can read **the competencies of OLAF** and get all relevant information and forms to **report fraud to OLAF** (anonymously) **here.**

In the future, EU citizens will also be able to report corruption to the **European Public Prosecutor's Office**, an independent body established to investigate and prosecute fraud against the EU budget and other crimes against the EU's financial interests. 22 EU Member States participate in this newly established body, which is expected to become fully operational by the end of 2020.

Online via the Fraud Notification System
(anonymous, with secured document transmission)

Go to Fraud Notification System
(available in English, French, German, Dutch)

More about the Fraud Notification System

Data protection terms

Online via webform

(non-anonymous, ie. name and email address are required, with no possibility to transmit documents)

Go to webform
(available in all official EU languages)

Report by post

European Commission
European Anti-Fraud Office (OLAF)
1049 Brussels
Belgium

Source: OLAF website

You can get more **info regarding corruption in each Member State** here.

4. For representatives in the European Parliament: What did you do during your mandate regarding crime and corruption in Croatia?

The Members of the European Parliament _Biljana Borzan_[22], _Tonino Picula_[23], _Jozo Radoš_[24], _Ruža Tomašić_[25], and _Ivana Maletić_[26] stated that they fully supported the introduction of the Transparency Register.

WHAT IS TRANSPARENCY REGISTER?

The Transparency Register is a public website where organisations representing particular interests at the EU level register and provide up-to-date information about those interests. The Transparency Register has been set up to answer core questions such as what interests are being pursued, by whom and with what budgets. The system is operated jointly by the European Parliament and the European Commission. _(Source: European Commission)_

You can search the register **here**.

Marijana Petir[27] encouraged the passing of the legal act regarding suppression of unfair business-to-business trading practices in the food supply chain. She first initiated the adoption of the law in Croatia, and afterwards supported the _Directive_ at the EU level.

Biljana Borzan focused on the areas in which she is most active in the European Parliament such as food safety, public health, consumer protection and the environment.

Ivana Maletić advocated for the introduction of the open budget - a database where each citizen can find exactly how much each supplier was paid from the local, national, and European budget for a specific job (based on their respective contract). She also suggests that the scope of work of public administration employees should be clearly defined, which would provide a basis for the assessment of their work. She especially highlights the importance of digitalisation of public services so citizens could track online the processing of their requests and inquiries. Ivana Maletić adds that she completely supports the introduction of the Lobby Register because "secret lobbying is not lobbying, we use another term for that."

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[22] Group of the Progressive Alliance of Socialists and Democrats
[23] Group of the Progressive Alliance of Socialists and Democrats
[24] Group of the Alliance of Liberals and Democrats for Europe
[25] Group of European Conservatives and Reformists Group
[26] Group of the European People's Party
[27] Group of the European People's Party

5. Can the European Union/European Commission influence the publishing of a document which it believes should be publicly available, even if the Government or other Montenegrin authority declared it confidential?

The European Commission, through its reports, may invite institutions to publish information in accordance with the law. These reports regularly point out that transparency of institutions and free access to information are at the heart of the prevention of corruption and public administration reform.[28]

The European Commission has continuously encouraged national institutions to uphold and maintain the highest levels of transparency in line with international standards and best EU practices. In November 2018, the Commission noted that the implementation of the Law on Free Access to Information has not contributed to more transparency and accountability of public service, as authorities continue declaring requested information as classified, including those dealing with subjects sensitive to corruption.[29]

PREVIOUS FINDINGS

The Montenegrin Law on Free Access to Information proposes that any national, or foreign, legal and natural entity shall be entitled to access information held by state authorities. The problem is that this Law gives broad discretion given to public authorities to determine secrecy. Authorities are also not obliged to conduct a sufficiently broad public interest test, as specified in the analysis of the Law conducted in 2018 by Access Info Europe (AIE). The analysis further states that the Montenegrin Law is undermined by some serious limitations on the right to access information, and that these limitations run directly against international standards.[30]

Introducing tax and trade secrets as additional grounds for restricting access to information additionally enable authorities to deny access to information concerning the management of public debt, the tax debts of municipalities and the implementation of capital projects, especially the construction of the Bar–Boljare highway. Public administrative bodies, that are primarily in the service of citizens, are treated the same way as private companies, and the public remains deprived of data that is very important for assessing their efficiency.[31]

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28 Answer from the Delegation of European Union to Montenegro.

29 Answer from the Directorate-General for Neighborhood and Enlargement Negotiations D.1 – Montenegro.

30 Analysis of the Law on Free Access to Information in Montenegro, conducted in 2018 by Access Info Europe (AIE), available at: http://www.mans.co.me/wp-content/uploads/2018/06/AIE-MANSanalysis.pdf

31 PAR Monitoring report – Toward a better administration in Montenegro, prepared by Institute Alternative in May 2018, available at: http://media.institut-alternativa.org/2018/06/par_monitoring_izvjestaj_eng.pdf

6. Citizens have pointed out that the websites of the ministries are insufficiently functional, that the "search" option does not work, so requested documents can only be reached by a manual search of all published documents. Is there a plan to improve institutions' websites and what has been done so far?

In December 2018, the *Ministry of Public Administration* published the second version of the "Guidelines for Development and Management of Public Administration Websites, Version 2.0 – December 2018". These Guidelines are published with the aim to educate and raise awareness on the importance of functional, high-quality, transparent and accessible institutions' websites. The Ministry of Public Administration expects that all public institutions, not just administrative bodies, will use these guidelines to meet the criteria of a sound web environment. Since these guidelines are not obligatory, there is no unique centralised approach for harmonisation and improvement of all authorities' websites.

However, in the Ministry of Public Administration there is awareness of the citizens' dissatisfaction with the functioning of institutions' websites. In that regard, the Ministry announced that this year it would start developing a new Government internet portal. The new portal should be modernised and more responsive to meet citizens' needs. Accessibility to all users, in particular to persons with disabilities, will be a top priority in the development of the new portal.[32]

Are the employee and contact sections on the websites of state institutions regularly updated?

PREVIOUS FINDINGS

Within WeBER report, where proactivity of public authorities in publishing information on their work was measured on a scale from 0 to 5, Montenegro received 4 points for the extent to which websites of these authorities contain complete and up to date contact information. As for the extent to which these websites contain accessible and citizen friendly contact information (including email addresses), the website of Montenegro's public authorities received only 2 points.[33]

The Guidelines for Development and Management of Public Administration Websites have a requirement to regularly update all relevant contact information and responsibilities of institutions. Internal research conducted by

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32 Answer from the Ministry of Public Administration.

33 Western Balkan Public Administration Monitoring Report, published within the WeBER project, available at: https://weber-cep.s3.amazonaws.com/data/attachment_968/par_montenegro.pdf

the Ministry of Public Administration shows that this situation has improved considerably compared to previous years. Many institutions have internal procedures that stipulate that all changes in staff and staff structure should be accompanied by updates on official websites. However, there are cases that deviate from these rules, the Ministry of Public Administration stated.

In order to draw attention to this problem, the Ministry of Public Administration regularly organises workshops and trainings for web administrators and web portal editors. The fact that there are over 65 sub-portals on the Government's portal, that, at a minimum, 65 people create content and that more than 50 participants attend regular workshops, speaks to the fact that web administrators are aware of the responsibilities they have in representing the institution they are coming from.[34]

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34 Answer from the Ministry of Public Administration.

7. What measures are there for increasing the transparency of the work of the European Parliament?

According to the _Foundation "Hay Derecho"_, which promotes the principles of transparency, rule of law and anti-corruption, there are various mechanisms for boosting transparency within the European Parliament (EP) and other EU institutions. First of all, there is a Code of Conduct for Members of the European Parliament (MEPs).[35] Also, a transparency webpage was developed, which allows access to any information and documents related to the work of civil servants and MEPs together with initiatives carried out with respect to transparency.[36] Other important transparency mechanisms are the norms tackling conflict of interests, "gift policy" and "revolving door phenomenon", which are applicable to civil servants of three EU institutions (European Parliament, European Commission and EU Council) and available to the public.[37]

The _Xnet_ platform, which is focused on work in the field of digital rights and democracy, argues that the regulation of lobbying, which is one of the most important transparency issues in the work of the EP, should be further strengthened. According to Xnet, a distinction should be made between civil society organisations who are lobbying for the common good and those which have economic and political interests. The aim would be to reinforce the obligation of public authorities to publish agendas and limit the existence of closed-door meetings.

This also includes the introduction of automatic registration of lobbyists by institutions.

The _Foundation "Hay Derecho"_ highlights that the Transparency Register[38] was introduced in 2011 as a voluntary register and joint agreement of the EP and Commission (the EU Council acted as an observer and did not actively participate in formulating the Register). In September 2016, the Commission proposed mandatory registration of all people and organisations which interact with any of the following institutions - EP, Commission and EU Council. According to the Commission, through this register citizens would be "able to know who is lobbying and how much they are spending." This initiative has undergone three negotiation rounds by delegates of the three institutions. The last one was organised on 13 February 2019, but talks collapsed and the mandatory register was not adopted.

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35 For more information, please see: http://www.europarl.europa.eu/pdf/meps/Code%20of%20Conduct_01-2017_ES.pdf

36 For more information, please see: http://www.europarl.europa.eu/at-your-service/es/transparency

37 All of these norms are available at: https://ec.europa.eu/info/about-european-commission/service-standards-and-principles/codes-conduct/staff_es

38 Annual Report on the operations of the Transparency Register 2018 Presented by the Secretaries-General of the European Parliament and the European Commission: http://ec.europa.eu/transparencyregister/public/homePage.do

8. Do Spanish municipalities have a lobbying register? If so, is the register public?

The *Foundation "Hay Derecho"* mentions that several town councils have incorporated a lobbying register into their websites, i.e. the City of Madrid established a register in 2017.[39] The *Association of Institutional Relations Professionals (APRI)* points out that this was the first Register of this type at the local level. The Register is public, free and accessible for consultations in an open data format. At the moment, there are 350 registered entities. The registration is mandatory for all organisations which would like to schedule a meeting with a public official.

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39 Lobbying Register of the City of Madrid could be found at this link: https://tomadedecisiones.madrid.es/registration_lobbies/index

9. Does a whistleblowing procedure exist in Spain? If so, at what level and what does it look like?

The *Foundation "Hay Derecho"* highlights that there are various methods of reporting violations within the public sphere, since the general administration of the State, local self-governments and the general public sector have all introduced a transparency portal and a channel for submitting complaints.

The *Xnet platform* is a pioneer in Spain in installing mailboxes in state institutions, which enable citizens to send information anonymously that is useful for detection of corruption, as well as in transposition of the *EU Directive of whistle-blowers* into the Spanish legal system. They also participated in the development of the future EU directive on whistle-blower protection.

On the other hand, the *Foundation of the Journalists' Syndicate* claims that there are no specific methods through which citizens can report cases of corruption. Any person who is aware of a criminal act based on corruption or of any other nature, can and should file a complaint in court, the Public Prosecutor's Office or the State Security Forces. The *Association for Environmental Communication and Information (ACIMA)* adds that complaints should be reported directly to the Office of the Prosecutor against Corruption and Organised Crime, better known as the Anticorruption Prosecutor.

10. Is a pardon permitted for people convicted of corruption? Has there been any specific case?

The *Foundation "Hay Derecho"* emphasises that a pardon is applicable in any case and to any part of the sentence, except in the following cases:

1. The defendant has not yet received a sentence, but is going through a trial or awaiting a verdict;
2. The convicted was not present in the court when the sentence was pronounced;
3. Repeat offenders, of the same or any other crime, who received a final sentence (except when the court believes that there are sufficient reasons for justice, equity or public convenience).

A pardon is also not allowed for crimes such as treason, discovery and disclosure of national defence secrets, piracy, and crimes against the constitution, the King, and peoples' rights.

As for the pardon of public officials sentenced for corruption, recently the Court pardoned six officials – five civil servants and a local councillor from Rota (Cadiz), who were convicted of receiving bribes in return for signing a public contract. Consequently, they will be temporarily suspended and allowed to return to their positions as civil servants at some time in the future.

Fundation Civio claims that, besides these exceptions, there are no limits to pardoning depending on the type of committed crime. It is only illegal to pardon members of the Government for the crimes they committed, if they fall under the listed exceptions.

During the last parliamentary term, there was an attempt to reform the current pardon system and eliminate the possibility of pardoning people convicted of corruption.[40] Unfortunately, these attempts were not successful.

One of the main problems in trying to tackle the problem with pardons is that corruption does not appear as a crime within the Spanish Penal Code, but rather various different crimes can be considered and described as corruption, such as embezzlement or perversion of the course of justice. The vagueness of these definitions allows each government to deny that it is issuing pardons for corruption and corrupt officials. However, in 2017, the General Council of the Judiciary began including offenses that were considered corruption within their statistics, and following this, Civio found that since 1996 there have been 227 different pardons for corrupt officials.[41]

Overall, the total number of corruption cases and pardons have been steadily decreasing, in part thanks to consistent oversight by Civio's *Indultometro*[42] and pressure from civil society.

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40 For more information, please see: https://civio.es/novedades/2019/01/14/asi-fue-la-comparecencia-de-civio-en-el-congreso-para-la-reformar-los-indultos/
41 For more information, please see: https://civio.es/el-indultometro/2018/03/24/indultos-por-corrupcion/
42 The Indultometro is the reference source in Spain which lists and classifies all the pardons granted since 1996 and published in the Official State Gazette (BOE), together with a detailed file of each of them. Available at: https://civio.es/el-indultometro/

SERVICE DELIVERY

CROATIA | MONTENEGRO | SERBIA | SLOVENIA | SPAIN

11. How can citizens evaluate the efficiency and professionalism of the work of public administrations at the national and EU level?

According to the *Ministry of Public Administration* in **Croatia**, if citizens are satisfied with the work of their public administration, they can send recommendations to *pohvale@uprava.hr*. In 2018, the Ministry received 14 praises, while 38 citizens sent recommendations to the Ethics Commissioners[43] who forwarded them to bodies in question.

The *Virovitičko-Podravska County Public Administration Office* states that professionalism in public administration should be strengthened at all levels. The biggest obstacle to establishing a highly professional public administration is the complexity of regulations which are prepared by legislators who do not have proper insight into the work of public administrators.

In order to achieve a better overview of citizens' evaluation of the work of public administration at the local level, Gong sent questionnaires to all local self-governments (LSG) in Croatia. Almost all of the 30 LSGs which took part in this research stated that they do not have a specific mechanism for citizens to evaluate the work of public administration at the local level. However, they did add that the following options are at citizens' disposal:

- using official channels of communication (website, telephone, email, social networks);
- visiting public administration offices or the mayor's office during working hours;
- sending petitions to designated LSGs bodies (such as Committee for Petitions at the city level);
- using designated mailboxes for complaints or Book of Complaints available at the City Hall or other government/public body buildings;
- participating in surveys about citizens' satisfaction of their public administration which are conducted by LSGs.

In *Dubrovnik*, citizens can evaluate the efficiency of public administration on the website *Ocijenime.hr*,[44] while in *Rijeka*, all citizen complaints are analysed by the Commissioner for Ethics for the City of Rijeka. The City Administration of Rijeka highlights that they also offer online service "Ask us - we will respond" (*Pitajte, odgovorit ćemo*) where citizens can send questions regarding the work of public administration and receive a reply in 15 days. Also, citizens can use the option "*Tužibaba*" on the portal *www.mojarijeka.hr*.

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43   Each public and legislative body must appoint an Ethics Commissioner who is in charge of promoting ethical principles and receiving citizens' complaints.

44   Disclaimer: the application is controversial because there are indications that publishing of data about the employees in the city administration is not in compliance with GDPR.

Varaždin has a centralised system *Gradski reklamacijski informacijski centar - GRIC* where citizens can complain and send questions regarding city services via phone or web.

Montenegrin citizens **can only evaluate the quality of services available on the e-Government portal by completing an electronic survey**. According to data from December 2018, there are 564 services on the e-Government portal provided by 50 institutions.[45]

The *Ministry of Public Administration* highlights that the *Public Administration Reform Strategy 2016-2020* and its *Action Plan for 2018-2020* recognise the need for conducting regular evaluations of citizens' satisfaction with administrative services. The improvement of the e-Government portal will enable citizens to evaluate and comment on each individual service, which will be the basis for the development of a mechanism for monitoring individual services and the work of service providers.[46]

The Ministry states that the mapping of the state administration and local self-government bodies that provide administrative services to citizens is ongoing. According to the 2018-2020 Action Plan, it was due to be completed by the end of 2018. Also, the Report on the work of the Ministry of Public Administration for the fourth quarter of 2018 states that although the publication of 10 surveys on the e-Government portal was scheduled for the end of 2018, only six surveys were actually published.[47]

According to civil society organisations in **Serbia** which responded to our questionnaire,[48] even

though public administration reform envisages several mechanisms for the assessment of the work of public administration, these mechanisms are not developed. Consequently, citizens cannot have adequate insight into the work of their public administration.

Transparency Serbia states that all public administration institutions should prepare **annual work plans and work reports**, which need to be published on the websites' of their respective institutions, and should serve as the basis for monitoring and evaluation of the implementation of institutions' activities. However, work plans and related work reports of public administration units cannot be comparatively analysed since they have not been prepared using the same methodological framework.

Whether the situation will improve with the implementation of the Law on Planning System, which entered into force in October 2018, and which will regulate and standardise the planning, implementation and assessment of public policies, is yet to be determined.

National Coalition for Decentralization suggests **the establishment of a public relations unit within public administration bodies** which would bridge the gap between the administration and its citizens. These units will be in charge of forwarding citizens' requests and comments to responsible authorities, monitoring the quality of communication between citizens and the administration, and analysing the work of administration units and their cooperation with citizens. Also, citizens should be better informed about the available mechanisms for the assessment of public administration, while a special instruction/recommendation should be prepared for public administration employees in order to facilitate a higher inclusion of citizens in their work. Additionally, citizens should be provided with the opportunity to assess the quality of public administration work by using online tools.

Transparency International Slovenia states that if citizens are not satisfied with the professionalism

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45 Analysis of e-government portal in Montenegro, prepared by the Ministry of Public Administration. Available at: http://www.gov.me/ResourceManager/FileDownload.aspx?rId=344508&rType=2

46 Answer from the Ministry of Public Administration

47 Report on the work of the Ministry of Public Administration for the IV quarter of 2018.

48 Answers from Transparency Serbia, National Coalition for Decentralization, United Movement of Free Tenants and Owners of Private Buildings, Group of Public Policies Analysis and Development.

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of the public administration in **Slovenia**, they can use **legal remedies** within the public administration body, the competent court or file a civil lawsuit. There is also the constitutionally guaranteed possibility of **petitions** to public authorities, which are occasionally promoted through special platforms as *predlagam.vladi.si* (an analysis of the functioning of this kind of mechanism is worth looking at *here*) or at the portal *European Parliament Petitions*.

According to *Miran Košpenda*, the coordinator of the *Association of Municipalities of Slovenia*, the issue of efficiency in public administration is complex since it is not possible to compare the efficiency of public administration with, for example, efficiency in industry. However, **expertise** must undoubtedly be one of the core values of all levels of public administration. Košpenda adds that citizens should assess the efficiency and professionalism of the work of public administrations in the following ways:

- **regular quality system audits** (citizens evaluate the efficiency and professionalism of the administration and monitor the results);
- **web-based applications or platforms** (citizens can communicate suggestions and problems);
- **local elections** (citizens can assess the availability of public services, the time for addressing citizens' complaints and general impression of the development of the city).

Tina Divjak, head of advocacy at *CNVOS*, states that systematic mechanisms for measuring the efficiency of public administration are not in place, but that there are different authorities which handle this on an *ad hoc* basis. For example, the Ministry of Public Administration distributed a **questionnaire of satisfaction** with the work of the Ministry in 2018.

Dr. Simona Kustec, professor of the Faculty of Social Sciences, states that efficiency and professionalism of the work of public administration at the level of EU Member States is measured by the so-called **standardised**

evaluation tools and exchanges of good practices. The leading tool is the Common Assessment Framework (CAF). Since 2000, every two years, the Council of the European Union, in cooperation with the European Public Administration Network (*EUPAN*) and the European Institute for Public Administration (*EIPA*), organises a large conference where Member States exchange good practices and present current trends. According to Simona Kustec, public authorities at the national level generally prepare annual self-assessments, and many of them acquire different types of certificates and additional assessment measurements such as ISO 9001 standard or EFQM Excellence Model. In Slovenia, measuring the functioning of public administration and its employees is legally defined and mandatory.

Since the *City Council of Madrid* is perceived as the public administration which best corresponds to the interests and needs of its citizens, it has been chosen as an example of good practice in **Spain**. The City Council of Madrid states that it periodically carries out assessment surveys of the efficiency and professionalism of its work which are published regularly on its website. The information is collected through different mechanisms:

→ **Survey on the Quality of Life and Citizens Satisfaction with Public Services Provided by the City of Madrid** - the Survey has a section dedicated to the governance of the city where citizens can assess whether the administration of the City Council has improved or not, the level of transparency and citizen participation, the work of the government team and the Mayor, their

satisfaction in relation to taxes paid and services received.

→ **Studies** *(Banco de Estudios)* should determine the needs of citizens and assess the satisfaction of users. Citizens are usually asked about specific aspects of municipal services, i.e. kindness and manners, dialogue and communication, qualification, professionalism, and degree of trust between public officials and citizens.
→ **Citizens' Polls**
→ **Qualitative evaluations** which are mostly carried out through citizen focus groups.

The City Council of Madrid highlights that they have created the "*Observatorio de la Ciudad*", a permanent participatory body of the Municipality where citizens are part of the process in designing and analysing public policies. Overall, 49 residents have been randomly chosen to assess municipal activities, make proposals for their improvement and participate in citizens' consultations.

The *Ministry of Education* stresses how important it would be to have a similar mechanism at the national level which would evaluate the efficiency and professionalism of public administration. Royal Decree 951/2005 establishes the general framework for the improvement of quality in the General State Administration (AGE). According to this Decree, AGE can draft **lists of services** (*cartas de servicios*) through which it informs citizens about available services, related rights, and standards of quality.

Additionally, the Royal Legislative Decree 5/2015 approves the revised text of the Basic Employee Statute Law and establishes that:

→ Public Administrations will set up systems for the evaluation of the performance of their employees;
→ These systems will be based on the principles of transparency, objectivity, impartiality, and non-discrimination.

12. How were foreigners with illegal facilities in Montenegro informed about the obligation and the deadline for submission of requests for legalisation of their illegally built facilities?

The *Ministry of Sustainable Development and Tourism (MSDT)*, in accordance with the Law on Spatial Planning and Construction of Facilities, initiated the process of legalisation of illegally built facilities in October 2017. The deadline for the submission of requests for legalisation via post or electronically was nine months, until July 2018.

MSDT states that they did not have a formal obligation to specifically inform foreigners who possess illegally built facilities in Montenegro about the deadline. The Ministry also states that foreign citizens, as well as Montenegrin citizens, are obliged to act in accordance with the law and that in this specific case they were obliged to take care of their property and update themselves about the regulations being implemented in Montenegro.

MSDT conducted an intensive media campaign about the initiation of the legalisation process and had frequent communication with the media from the region and abroad. Also, communication with diplomatic missions in countries whose citizens have real estate in Montenegro has been delivered, and information and detailed instructions regarding the process of legalisation have been forwarded to these missions.[49]

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49 Answer from the Ministry of Sustainable Development and Tourism.

13. Is it planned to introduce a system that would send SMS or email reminders to the citizens about the expiration date of their personal documents?

The _Ministry of Interior_, which is authorised to issue personal documents to the citizens of Montenegro, states that personal documents – identity card, passport and driving license, can be issued to citizens for a period up to 10 years, with certain exceptions. Currently, there is no system to inform citizens about the upcoming expiration of their personal documents.[50]

Recently the Ministry has started upgrading the data exchange platform related to the issuance of personal documents and the establishment of new or the redesign of existing applications and modules. Accordingly the Ministry will consider the option of informing citizens about the expiration of their valid documents.

PREVIOUS FINDINGS

According to the WeBER report, in the area of service delivery, Montenegro comes next to last for poor results on the perception of availability and accessibility of public services. Only 31% of citizens are aware that public administration offers electronic services, and out of five percent of respondents claiming to use them, only 34% claim that they managed to successfully obtain required service.[51]

Results of the Public Opinion Survey on perception of public administration, conducted in 2018, shows that e-Government portal is relatively unknown to citizens of Montenegro. Every third citizen heard for e-government portal (30%), while only 7% actually used it.[52]

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50 Answer from the Ministry of Interior.

51 Western Balkan PAR Monitor, detailed results available at: https://institut-alternativa.org/regionalni-par-monitor-2017-2018/

52 Public Opinion Survey on perception of public administration was conducted in 2018 for the needs of Institute Alternative, within the project "Civil Society for Good Governance: To Act and Account!" The survey is available at: https://institut-alternativa.org/percepcija-javne-uprave-istrazivanje/

14. Was the cost-benefit analysis, the results of the supervision of the work of private dentists and the objectives set within the ongoing Reform on dental healthcare from 2008 taken into account when deciding on the reform of children's dentistry?

Since the Law on Health Care and Law on Health Insurance entered into force in 2004, the rights of insured persons in the area of dental care have been diminished. Due to the lack of preconditions for implementation, reform of dental health care started only in 2008 after the completion of the normative framework. Dental care on the primary level has been organised as a private activity, by providing care through selected dentists. Since 2008 the Health Insurance Fund makes contracts with private dentists for delivery of dental services for insured persons.[53]

The _Health Insurance Fund_ did not provide the answer to the question if the cost-benefit analysis preceded allocation of funds to private dentists, but submitted statistical data on number of contracts, insured persons, and budget funds. In 2018 the Health Insurance Fund signed 175 contracts with dental clinics worth a total value of 3.65 million Euros.

Approximately 290,000 insured persons are entitled to primary dental health care at the expense of compulsory health insurance. According to the Fund data, on the 31st of December 2018, the total number of registered insured persons was 147,120, just above 50% of the total entitled.

The Fund informed us that it implements several different controls on the work of private dentists. Data on the number of registered insured persons, the number and value of the services delivered (preventive, curative dental services, pretrial protection and orthodontic services) are provided through an information system. The Health Insurance Fund regularly, and if necessary extraordinarily, conducts on the spot checks of dental clinics. This control includes both administrative and medical - financial control.

The Fund also reminded us that the Dental Chamber was established for the first time in Montenegro in 2017. In this period a lot of meetings were held with the representatives of the Dental Chamber and the Association of Dentists in Montenegro. The main topic of these meetings was the position of dental health care, with a special emphasis on the organisation of providing preventive and child dentistry services.

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[53] _Health Insurance for&with you_, prepared by Health Insurance Fund, available at: http://fzocg.me/documents/Publikacija/publikacija_ENG.pdf

PUBLIC FINANCIAL MANAGEMENT

CROATIA | MONTENEGRO | SERBIA | SLOVENIA | SPAIN

15. Who monitors and reports on budget spending at the national and EU level? How can citizens access these documents/reports?

The *Croatian Parliament* informed us that the Ministry of Finance prepares the **annual report on public budget spending** in **Croatia**. The report is then delivered to the Croatian Government which sends it to the Croatian Parliament, where it is discussed at the working bodies' sessions and afterwards the plenary session. The report is published on the website of the Croatian Parliament and is also available on the website of the Ministry of Finance.

As for **budget spending at the local level**, *30 local self-governments* (LSGs) which responded to our questionnaire, state that:

- the annual report is usually available on their official websites and in the LSG Official Gazette;
- the monitoring and reporting at the local level is usually done by the Committee/ Department responsible for city finances, depending on the city's organisational structure;
- the budget is approved at the City Council level.

Some cities, such as *Dubrovnik and Umag*, also publish so-called "*Proračun u malom*", a document explaining the details of budget spending and providing financial projections for the next few years.

Pazin included citizens in the preparation of the budget through the participative budgeting project *Pazin(n) proračun*, while *Dubrovnik* announced a launching of a similar project for 2020. Rijeka offers four different models of citizen participation in budget decision-making:

- *Male komunalne akcije*,
- *Riječki program lokalnog partnerstva,*
- *Edukativna proračunska igra – Proračun(ajme)*,
- a web form for sending suggestions on budgetary spending.

Rijeka and a few other LSGs have a good practice of open data portals by providing machine-readable data formats with relevant information for citizens (demographic, spatial and other data).

HOW TO ACCESS INFORMATION ON BUDGET SPENDING?

If the data are not available on the official webpage of the LSG, citizens can request Access to Information by sending a request to city bodies. The easiest way to do this is through *Ask the EU platform* (EU level) and *Imamo Pravo Znati* (for Croatian institutions).

In **Montenegro**, Institute Alternative forwarded this question to the Ministry of Finance, the State Audit Institution, the European Integration Office, as well as to all the municipalities. The Office for European Integration directed us to the Ministry of Finance as the competent institution for this issue. However, although the questionnaire contained only one question, the Ministry of Finance failed to provide feedback. We received answers from the *State Audit Institution and seven municipalities*.

At the national level, the **Ministry of Finance is responsible for budget planning and execution, accounting, borrowings and public debt management**. The Ministry of Finance defines the manner of budget accounting, submission of budgetary reports, and the manner of recording receipts, expenditures, commitments, concessions, capital projects, and program budgets. Consumer units submit end-year accounts to the Ministry of Finance by the end of February for the previous fiscal year. The Ministry of Finance prepares the Draft Law on the Year-End Accounts of the State budget, and sends it to the Government which adopts the Proposal of the Law on the Year-End Accounts of the State budget and submits it to the State Audit Institution (SAI).

The *State Audit Institution (SAI)*, as an independent, yet the supreme auditing body of the state, controls the regularity, cost-effectiveness and efficiency of the spending of budgetary funds and the asset management of the state. SAI submits a report on the audit of the final budget to Parliament. Reports on conducted SAI audits are published on their official website accompanied by brief information on key findings and audit results.[54]

Local finance secretariats within municipalities are responsible for monitoring and reporting on spending at the local level. Budgetary documents and reports are posted on municipal websites.[55]

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[54] Answer from the State Audit Institution.
[55] Answers from the municipalities.

PREVIOUS FINDINGS

The inspection oversight of budgetary spending should be performed by a budget inspector, who should have the authority to control the legal and earmarked use of budgetary funds of spending units, municipalities, and other public sector entities in accordance with the Law. Institute Alternative has repeatedly stressed that inspection control in this field is weak, that the budget inspector position has been vacant for more than two years, and that even during the time when it was operational, it did not yield results.[56]

Reports on the openness of local budgets, prepared by Institute Alternative, shows that most municipalities do not publish key budgetary documents, and that in 2017 and 2018 none of the municipalities have prepared and published a **"budget for citizens"**, which would entail the publishing of a simplified and citizen-friendly presentation of a budgetary document. Only four municipalities published budget execution reports in the first six months of 2017.[57]

Regional monitoring platform WeBER Report on public administration reform shows that Montenegro rates as the worst in the public finance management arena. Key issues refer to a lack of budget execution reports, financial performance data and the non-existence of the official budget for citizens at the national level.[58]

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[56] More detailed information are available at: https://institut-alternativa.org/gostovanje-u-emisiji-okvir-2/, https://www.vijesti.me/eu-vijesti/crna-gora-dvije-godine-nema-budzetskog-inspektora

[57] Report on the openness of local budgets (2019), prepared by Institute Alternative. Report available at: http://media.institut-alternativa.org/2019/03/moj-grad-o-mom-novcu-1.pdf

[58] Presentation of the Western Balkan Public Administration Monitoring Report, more information: https://institut-alternativa.org/en/montenegro-lack-behind-in-the-public-administration-reform/

In **Serbia**, BOS asked state institutions (Ministry of Finance and State Audit Institution), as well as civil society organisations and media, about the monitoring of budget implementation and received answers only from non-state stakeholders.

Transparency Serbia highlights that budget beneficiaries have a responsibility to report on expenditures to the Ministry of Finance which is in charge of the preparation of the **Report on Budget Execution**. This Report is to be prepared in the form of a draft law by the Government of Serbia and later discussed and adopted by the National Assembly. However, the Government and the National Assembly have not adopted the Report on Budget Execution for a long time.

The Centre for Investigative Journalism of Serbia emphasises that the monitoring of public fund expenditures is also conducted by the **State Audit Institution**, while other civil society organisations and media closely follow the implementation of the budget and report about mismanagement of public funds.

The Reports of the Ministry of Finance, State Audit Institution and local self-governments should be available on their respective websites. If they are not published, citizens can ask for them on the basis of the Law on Free Access to Information.

In **Slovenia**, according to the *Budget Directorate of the Ministry of Finance*, they ensure monitoring and reporting on budgetary use at the national and EU level by publishing *updated monthly data* on the implementation of budget expenditures (by the end of the current month for the previous month) and explanations of implementation in the monthly publication, *Review of public finance trends*. Certain explanations of the general part of the budget on spending are also presented in the *Final Account of the Budget of the Republic of Slovenia*. All these documents, publications and data series are accessible to citizens via the website of the Ministry.

As for reporting on budget expenditures in **Spain**, the body in charge of supervising and reporting for the *City Council of Madrid* is the Department for Economy and Finance (*Area de Gobierno de Economía y Hacienda*). The City Council of Madrid also offers complete budgetary information through:

→ The *institutional web Portal*, which contains:
  - General budgets;
  - Monitoring bulletins (monthly publication on budget spending);
  - Memorandums of compliance with budgetary objectives that reflect the degree of implementation and must be attached to the General Account at the end of every year for each spending policy;
  - Summaries, indicators, and budget figures.
→ The *Transparency Portal*, which has a specific section called "Economy and budgets" where information on procurements, agreements, assignments, budgets etc., can be found.

→ The *Open Data Portal*, which contains data on budget, budget execution, payments to third parties, and institutional advertising.
→ The *budget viewer* (*visor presupuestario*) where citizens can easily see where income comes from and how the City Council spends it.

The consolidated budgets of both incomes and expenses of the City of Madrid and its Autonomous Bodies from 2011 to the current year are available online. Not only do they include an overview of income and expenses, but also allow access to each spending policy. This way, everyone can see how budget funds are allocated. The budgets also show monthly execution rates and the main budgetary indicators: gross and net savings, as well as the capacity/need to finance the City Council. Finally, they allow access to all the payments made by the City Council to third parties and investments.

The *Court of Auditors* (*Tribunal de Cuentas*) indicates that control over budget expenditures is carried out at various levels: internal and external, national and European.

The Court of Auditors is an external control body formally recognised by the Spanish Constitution, serving as a supreme body that supervises the accounts and the economic management of the public sector. At the same time, it has a jurisdictional function, which enables it to prosecute irregularities and inconsistencies in the management of public funds. The Court is also responsible for the control of accounting and the financial activity of political parties, as well as for the contributions received by foundations and associations linked to political groups with parliamentary representation.

The Court of Auditors depends directly on the General Courts (*Cortes Generales*). Regardless, the Court of Auditors enjoys full independence to exercise its functions, constitutionally recognising that the members of the Court shall enjoy the same independence and irrevocability and be subject to the same incompatibilities as the Judges.

Apart from the Court of Auditors, other various External Control Bodies of the Autonomous Communities have been set up to exercise an oversight function over regional and local Administrations in their respective territorial areas. They are presented under different names and they never exclude the Court's authority to oversee the entire Spanish public sector.

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EUROPEAN PARLIAMENT ELECTIONS IN 2019

EUROPEAN PARLIAMENT ELECTIONS IN 2019

Context

In May 2019, the citizens of Croatia participated in elections for the European Parliament (EP) for the second time since joining the European Union. For Slovenian citizens, these were the fourth EP elections and for Spanish citizens the eighth.[59] If we take a look at the previously held EP elections in 2014, the *Eurobarometer Post-election survey from 2014*, it shows us that the lowest voter turnout was in Slovakia (13.05%), Czech Republic (18.20%), Poland (23.83%) and Slovenia (24.55%). Slovenia and Croatia share the problem of low voter turnout which is not uncommon in so-called "new democracies", where citizen awareness regarding the importance of the elections is lower than in countries with a longer democratic tradition. It seems that many citizens are not aware that the EP makes decisions which significantly affect their lives. It is also troubling that voter turnout is especially low among the young (only 27% of Spanish voters between 18 and 24 years of age went to the polls, compared to 52% of Spanish voters over the age of 55).

The most common reasons for voters to abstain from participating in elections were the belief that their vote will not change anything (60%), distrust in the political system (48%) and a general lack of interest in politics or elections (43%).[60] At the same time 67% of young voters believe that EU membership is "a good thing". Even though voters are sceptical that their vote will change anything and generally distrust institutions and politics, they still value EU membership. This is why it is important to increase citizen awareness of the impact of their participation and the effect elected representatives can have at the EU level, as well as their knowledge of EU institutions and the way decisions are made.

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[59] The Chapter was prepared before the European Parliament elections, so the information regarding the number of MEPs refers to the 2014-2019 EP structure.

[60] For more information, please see: http://www.europarl.europa.eu/pdf/eurobarometre/2018/oneyearbefore2019/eb89_one_year_before_2019_eurobarometer_en_results_annex.pdf (page 33)

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Currently, Croatia has 11, Slovenia eight and Spain 54 Members in the European Parliament (MEPs). The questions included in this section were sent to all of them. We received answers from seven Croatian, five Slovenian and 11 Spanish MEPs.

The citizens' questions were also sent to Spanish Parliament headquarters, the members of the Croatian and Slovenian Parliaments, as well as to the new political parties which currently have no representatives in the Croatian and Slovenian Parliaments, but participated in the EP Elections in May 2019. We received answers from two out of 14 political parties in the Croatian Parliament, and from two out of 20 political parties established in the last five years (left, right and centrist) which do not have seats in the Croatian Parliament. In Slovenia, the answers were received from the parliamentary groups The Left (in Slovenian: Levica) and List Let's join together (in Slovenian: Povežimo se). We also included answers from three experts from the Faculty of Social Sciences at the University of Ljubljana in Slovenia.

CITIZEN COMMENT

How can we be sure that our vote will matter?

48

16. What are the examples of positive contribution of MEPs in formulating EU policies in line with the interests of their home countries and its citizens?

MEPs mainly believe that they can equally contribute to both representing their country and citizens, as well as significantly affecting policies on the EU level.

MEPs during their mandate tend to focus on a specific field of action and make positive contributions at the EU and national level. Slovenian MEP **Franc Bogovič**[61], together with MEP Tibor Szanyi, started the Smart Village initiative which resulted in the allocation of 2.4 billion Euros for the implementation of the initiative within the European Regional Development and the Cohesion Fund. Spanish MEP **Soledad Cabezon Ruiz**[62] is proud of her initiatives which support the overcoming of economic and financial crisis as well as greater flexibility in the application of the Stability and Growth Agreement. As for **Marijana Petir**[63] from Croatia, she emphasises her work in securing grants for healthy meals for children in elementary schools, which are produced on Croatian family farms, as well as increasing grants for young people in the Common Agriculture Policy to 100,000 Euros.

The focus of the work of the Slovenian MEP **Igor Šoltes**[64] is on the protection of the environment and human rights. His most rewarding endeavour was to contribute to changing the European Public Procurement directive by completely exempting food from it. Slovenian MEP **Ivo Vajgl**[65], during his time as a member of the Committee on Foreign Affairs (AFET), devoted his activities to so-called "frozen conflicts" (such as the relationship between Israel and Palestine, the problem of Western Sahara, etc.).

Biljana Borzan[66] from Croatia believes that the *most visible impact can be achieved when MEP is a rapporteur for particular laws and resolutions.* **Romana Tomc**[67], of Slovenia, assessed the performance of the Youth Employment Initiative in her capacity as an EP rapporteur, while **Ivana Maletić**[68], also from Slovenia, acted as a rapporteur on the opinion of the Annual Report of the European Investment Bank (EIB) in 2017 and guided the development of a detailed analysis which warned that EIB is not properly distributing its funds towards under-developed regions of the EU.

Croatian MEP **Ruža Tomašić**[69] emphasises that the *biggest impact arises from representatives' systemic advocacy.* She highlights her Report on the Multiannual plan for small pelagic stocks in the Adriatic Sea which fisheries have been exploiting. This Report was accepted even though the European Commission opposed her suggestions at the beginning. Spanish MEP **Clara Aguilera**[70] states that written questions

61 Group of the European People's Party
62 Group of the Progressive Alliance of Socialists and Democrats
63 Group of the European People's Party
64 Group of the Greens/European Free Alliance

65 Group of the Alliance of Liberals and Democrats for Europe
66 Group of the Progressive Alliance of Socialists and Democrats
67 Group of the European People's Party
68 Group of the European People's Party
69 Group of European Conservatives and Reformists Group
70 Group of the Progressive Alliance of Socialists and Democrats

addressed to the European Commission, or the Resolutions in the Plenary, are useful tools for responding to the Commission on current issues, such as protectionist measures by the United States against Spanish "table" olives. Spanish MEP **Iratxe García**[71] plans to keep on pressing the Commission and the Council until the EU policies adequately address the social needs of citizens, particularly of persons in vulnerable situations.

There are numerous examples of MEPs *using the EU platform to advocate for national issues which potentially have similar implications for other EU countries.* **Romana Tomc** advocated for the improved status of Slovenian migrant workers and was the first who warned the Commission of unacceptable developments in connection with the Austrian Law on Indexation of Child Allowances. **Biljana Borzan** is known for her efforts regarding the dual quality of products in the single market, where she acted as EP rapporteur on this topic after proving that the quality of products in Croatia (among other countries) is lower than in some other EU Member States. **Tonino Picula**[72] from Croatia initiated the establishment of the EU Islands Secretariat and secured two million Euros for its functioning and support of the energy transition of the Croatian and European islands. Croatian MEP **Jozo Radoš**[73] works on connecting the Port of Rijeka to the TEN-T Baltic-Adriatic Corridor which would significantly increase its competitiveness. He stresses that the influence of Croatian MEPs could be greater if the coordination between MEPs and the Croatian Government on strategic priorities was better.

Ivana Maletić notes that MEPs also positively impact the representation of their countries and citizens through Visitor Programmes, internships, conference round tables and panels on various topics. **Romana Tomc** has offered to 40 young

people internships in her Brussels office, while **Franc Bogovič** published a book titled "Funds from the European Union from theory to practice". **Tanja Fajon**[74] actively cooperates with Slovenian companies and citizens in various initiatives and supports the dissemination of information on EU funds for projects in Slovenia. **Dubravka Šuica**[75] mentions the importance of representing the country through various events which promote cultural heritage, such as one occasion when the association Kumpanja from the island of Korčula played a traditional dance "tanac" in front of the EP in Brussels.

Ramón Jáuregui[76] stresses that EU legislative initiatives have indeed influenced everyday life in multiple ways, thanks to MEPs contribution, and lists some of the examples: end of roaming charges across the EU, protection of copyrights on the internet, the Erasmus Program, policy measures implemented to help Member States recovering from the financial crisis, implementation of measures to facilitate work-life balance, fight against climate change and approved measures in favour of energy efficiency, as well as the reduction of emissions for cars, vans, etc.

HOW DO THE MEPs CHOOSE THEIR AGENDAS AND WHAT IS THE PROCESS OF DECISION MAKING IN THE EP?

The agendas of the MEPs are primarily defined by the Work Programme of the Commission and the Legislative Programme of the EP, one year in advance. The official parliamentary agenda is decided on at the suggestion of different secretary offices and in correspondence with different political groups, MEPs and other EU institutions.

The EP has 12 *special committees*, where first legislative drafts are created, after

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71 Group of the Progressive Alliance of Socialists and Democrats
72 Group of the Progressive Alliance of Socialists and Democrats
73 Group of the Alliance of Liberals and Democrats for Europe

74 Group of the Progressive Alliance of Socialists and Democrats
75 Group of the European People's Party
76 Group of the Progressive Alliance of Socialists and Democrats

which reports have been prepared and presented in the plenary. Each political group (party) delegates its own representative for each act on the agenda, however all MEPs are free to work on proposals and in the committees, as well as to suggest their amendments. The MEPs take a position on a particular resolution depending on various factors, such as the position of their political group at the EU level, the national interests of their respective countries, the interests of their national political parties or groups, as well as their personal opinions. The process of reaching a decision at the EP level is not an easy task, because there are no strict majorities in the Parliament - it needs to be reached for each act on the agenda. This means that majorities are not as strict as the ones in national parliaments.

MEPs daily activities include various meetings with representatives and their political groups, committees, and official parliamentary missions. Only after their agendas are set with their official duties, other activities such as meetings with citizens, institutions and other members of the EP can be planned. Many MEPs reserve Fridays and weekends for meetings with citizens and institutions in their respective countries.

INTERESTED IN FINDING MORE INFORMATION ON THE WORK OF THE MEPs?

Click here: http://www.europarl.europa.eu/meps/en/home

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17. Do you support greater citizen participation in decision-making processes and how would you implement it?

MEPs who answered the questionnaire believe that the fact that they are directly elected by the citizens, which is not the case with the members of other EU institutions, makes the EP most sensitive to citizens' proposals and concerns. EP elections are the basis of representative democracy and very similar to the way elections are organised for national parliaments in EU Member States.[77]

Many of our interlocutors believe that one of the main instruments of participatory democracy, through which citizens can directly influence decision-making processes, is the *European Citizens' Initiative*. However, MEP **Igor Šoltes** is critical about the Initiative noting that its democratic capacity has not been fully used, as promised by the Lisbon Treaty. Most of the submitted initiatives, which were signed by at least one million citizens from at least a quarter of the Member States, were rejected. The Slovenian political party **The Left** proposes that the EP addresses initiatives that reach 500,000 signatures.

Other instruments that MEPs emphasise are *open public consultations*. Parallel to this, *citizens' dialogues* are being held across a number of cities in the EU where citizens have the opportunity to express their views and discuss current issues with EU representatives. MEP **Tanja Fajon** adds that various *informal friendships' groups* or related platforms provide direct contact with citizens and support their active participation. MEP **Franc Bogovič** highlights that these groups enable networking and the creation of joint initiatives between

different stakeholders from the political, economic and non-governmental sectors.

WHAT IS THE EUROPEAN CITIZEN INITIATIVE?

It is a new way for citizens to impact the decision-making process at the level of the European Union by calling on the European Commission to make a legislative proposal. Once an initiative gathers one million signatures, the Commission decides on what follow-up action to take.

WHERE CAN YOU FIND OUT MORE AND LAUNCH AN INITIATIVE?

http://ec.europa.eu/citizens-initiative/public/welcome

The *transparency and efficiency of the decision-making process*, as well as the integrity of the institutions and bodies of the EU, are indispensable conditions to achieve the trust of citizens, argues MEP **Eider Gardiazabal**[78]. However, MEPs indicate that the lack of transparency is one of the key problems of EU institutions. **Ivana Maletić** and **Tanja Fajon** believe that the main problem is that citizens are not adequately informed on how to take part in the existing processes. Live streams of parliamentary and committee sessions are one of the important measures of building confidence in EU institutions, reducing democratic deficit and making monitoring and cooperation simple.[79] The Slovenian political party **The Left** thinks that power relations

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77 Answers from the MEPs Romana Tomc, Biljana Borzan, Tonino Picula, Jozo Radoš.

78 Group of the Progressive Alliance of Socialists and Democrats

79 Answers from MEPs Ivana Maletić and Tanja Fajon.

in EU institutions need to be thoroughly reversed to ensure democratic accountability and transparency of all EU institutions. MEPs **Dubravka Šuica** and **Ruža Tomašić** claim that there is a certain democratic deficit in the work of all EU institutions, while **Tomašić** stresses that this is especially true for the European Commission. In the view of **Elena Valenciano**[80], it is essential to build a supranational democratic space with pan-European media, a focus on education about European citizenship, and create a transnational civil society that favours shared European awareness. **Dubravka Šuica** believes that the EP should be strengthened and that special European committees should exist within national parliaments in order to improve the relationship of these institutions with the EU. **Soledad Cabezón** believes that greater transparency in external representation and negotiations that the EU carries with third parties and countries are essential to ensure adequate citizen participation and optimize the opportunities brought by new agreements.

Where can you find information about important decisions made on the EU level?

- **Here** you can access the weekly agenda of the European Parliament.
- **Here** you can watch the plenary and committee sessions.
- **Here** you can learn more about the ordinary legislative procedure at the EU level.
- **Here** is the list of the European Union institutions and bodies as well as guides on how the EU works and how laws are made.

Asked about *including citizens in the EU decision-making process*, as well as informing citizens about EU institutions, specific issues, and the ways they can participate in the process, all included MEPs emphasise the importance of these questions and priorities.

Clara Aguilera highlights that even though the elections are a fundamental participatory instrument, it is not the only one. Citizens, and especially social and political associations, must be aware of the power they have over the EU institutions' decision-making processes. **Franc Bogovič** emphasises the fact that the EU must become a strategic partner of the state and other actors (NGOs, companies, local communities), which should also be more present in Brussels.

Biljana Borzan supports the possibility of launching referendums on questions of special importance and **Ivana Maletić** would include citizens in the process of development and selection of particular programs and projects which will be financed by the EU. **Tonino Picula** believes that direct democracy is important for legitimising political decisions which provoke interest or controversies amongst citizens, but acknowledges that the institute of direct democracy might also promote tyranny of the majority. **Jozo Radoš** supports any method of increasing the participation of citizens at the national and EU levels if this results in increasing the quality of the decision-making process and not decreased efficiency.

EP Election list in Slovenia **Let's join together** (in Slovenian: Povežimo se) believes that it is also important to highlight the responsibility of MEPs to respond to citizens' direct proposals rather than favour capital interests. **Beatriz Becerra**[81] claims that it is essential for citizens to assume a proactive role in demanding accountability from their EU representatives. Since many citizens are not familiar with politics, especially on the EU level, the media should play an important role in connecting EU institutions and the citizens. Citizens' awareness of what is happening in Brussels is crucial for strengthening European identity and cohesion between Member States.[82] **Ivo Vajgl** also believes the media should devote more attention to the work of the EP.

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80 Group of the Progressive Alliance of Socialists and Democrats

81 Group of the Alliance of Liberals and Democrats for Europe

82 Answers from the MEPs, Romana Tomc and Marijana Petir.

18. Should the EU extend its level of competence in some policy areas, having in mind recent protests all around the EU calling for joint action, such as social security?

The number of common policies in the EU is increasing, and the majority of MEPs who took part in this research supported the idea that some of the EU's policies, such as social rights, security and defence policy and taxation, should pass in (exclusive) competence of the EU.

Several MEPs point out that the *pillar of social rights* should be further developed and strengthened. MEPs **Tanja Fajon** and **Biljana Borzan** believe that this pillar is one of the greatest successes of the European Parliament, while **Igor Šoltes** endeavours strengthening social policy and higher labour standards, which are crucial for EU solidarity. **Tonino Picula** believes that the key for the future of the EU lies in the harmonisation of the Social Security system at the EU level. **Ivo Vajgl** advocates for common (at least minimal) standards in the field of social care, health care and school curricula.

Two MP groups in the Croatian Parliament, **Croatian Peasant Party** (in Croatian: Hrvatska seljačka stranka – HSS) and **Istrian Democratic Assembly** (in Croatian: Istarski demokratski sabor – IDS), believe that it makes sense to unify certain policy areas among EU Member States. HSS parliamentary group believes that this is also a question of the structure of the EU which is inefficient as such, while IDS states that the same pay for the same job or minimum wage should be guaranteed at the EU level, having in mind differences in the level of development among the Member States.

The Slovenian Parliamentary group **The Left** believes that the EU needs to become a social union by introducing minimum social standards and standards for the protection of labour rights and pension, disability security

and social benefits. The EU minimum wage is necessary and should guarantee at least 20% of the minimum living costs in each country. New political options, which will run in the EP Elections in 2019, **Start**[83], **List Let's join together** and **Možemo!** agree that it is important to insist on unified social rights at the EU level. **Start** believes that it is time for a strong movement towards building Social Europe, and if this does not happen during the next mandate of the EP and European Commission, the sustainability of the EU project will be seriously compromised.

Let's join together believes we need to establish a *common EU taxation policy and social union* that would provide minimum social protection for all citizens, while social policy would become equivalent to economic policy. **Možemo!** believes that the primary mission of the EU should be to protect and secure fundamental social rights for its citizens. They think that one of the necessary reforms is the increase of the EU budget for social rights and its redistribution in order to decrease the inequality between the Member States in the centre and periphery of the EU.

On the other hand, MEP **Ivana Maletić** believes that social security depends on the specific environment of each country and should be left under the jurisdiction and responsibility of each Member State, after establishing the minimal standards to be followed at the EU level. She lists modernisation of education systems, development of new skills and knowledge, stimulating research and establishing an ecosystem for innovations as areas which can be listed under EU competence.

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[83] In Croatian: Stranka antikorupcije, razvoja i transparentnosti

Marko Lovec, Assistant Professor at the Faculty of Social Sciences, believes that the EU needs to have joint efforts in securing policy measures in a number of areas, such as *taxation* where citizens and businesses in different countries currently pay different contributions. He also argues for adequate guarantee funds in the area of economic union, especially the Eurozone, in the event of a sharp fall in growth or structural problems.

MEP **Dubravka Šuica** believes *security and defence policies* require more joint efforts. She highlights the example of the EU single market as the most successful and visible accomplishment of the EU project.

MEP **Ramon Jauregui** advocates for a joint fight against violations of fundamental rights and protection of democracy and the rule of law.

On the other hand, MEP **Ruža Tomašić** strictly opposes widening the scope of areas that the EU regulates. For her, the purpose of the EU is strengthening cooperation only in areas that bring added value to the EU, such as the economy, security and border protection, as well as cooperation in terms of law enforcement and policing.

> ## How can the EU secure respect of the rule of law regarding violations and non-compliance with EU regulations and international treaties by some EU Member States?

MEP **Clara Aguilera** points out that the rule of law is a key principle of democratic states and one of the fundamental values of the EU, according to Article 2 of the Treaty of the EU. If fundamental values are violated the Treaty stipulates two mechanisms: a preventive one, which is activated in case of a serious risk of violation, and a sanctioning one, which is triggered by a serious and persistent violation of the values listed in Article 2.

MEPs propose different suggestions on how to implement the rule of law by:

- conditioning the usage of EU structural and cohesive funds with respect to EU fundamental principles **(Biljana Bozan and Tonino Picula)**, as in the measures proposed in the recent Regulation on the protection of the Union's budget in case of generalised deficiencies regarding the rule of law in the Member States;
- placing stricter and clearer rules on monitoring and sanctioning violations of the EU and international laws, and implementing concrete measures, such as the abolition of rights to veto **(Jozo Radoš)**;
- better usage of existing mechanisms, such as the EU framework to strengthen the rule of law from 2014, which proposes three phases in the evaluation if a Member State has violated the rule of law and fundamental principles **(Dubavka Šuica)**;
- creating a new mechanism to protect EU values and financial interests, providing new concrete tools to either suspend, reduce or restrict access to EU funds in case of non-respect of those values **(Eider Gardiazabal)**;
- implementing equal treatment for each Member State in case of violations by paying the fine in the amount of 0.2% of GDP of the EU budget. This way all Member States would be in the same position because not all of them use EU funds equally **(Ivana Maletić)**;
- freezing the Union budget for countries that jeopardise the separation of powers or fail to combat fraud and corruption. This measure would only be implemented after receiving the Parliament's and the Council's approvals **(Elena Valenciano)**.

Ruža Tomašić does not believe in universal solutions for these problems and does not think that the bureaucratic and centralist preferences of the EU should affect democracies in its sovereign Member States. MEP **Marijana Petir** stresses that the EU does not have jurisdiction over the legislation of its Member States and highlights the principles of subsidiarity and proportionality when voting.

19. What is your position on the reform of the EU concerning the differences between northern and southern members and how do you think these divergences should be addressed?

MEPs agree that the EU is a union of states with different development levels.

Marko Lovec, from the Faculty of Social Sciences, says that northern EU Member States are among the most developed countries in the world, while others in the south are facing structural problems, such as dependence on agriculture and industry, poor infrastructure, migration and an aging population. MEP **Biljana Borzan** does not believe that there is an easy solution to this problem and that a structural reform of the Eurozone is necessary. **Romana Tomc** emphasises the differences in political tradition since young democracies face high levels of corruption and a weak judicial system. **Ivo Vajgl** points out that the EU is a federation of states on a voluntary basis and with very different starting points. He believes the differences cannot be solved quickly but should be taken into account.

Certain reforms at the EU level are necessary, especially in understanding the specifics of individual Member States in addressing major issues and challenges, claims **Franc Bogovič**. But he warns that forcing "even more Europe" can be a double-edged sword, as it further strengthens Euroscepticism and those who want to strengthen the role of national states over the EU.

However, our interlocutors have a different opinion on how to address the divergences in Member States.

Dubravka Šuica and **Tonino Picula** believe that it is important to preserve and use the EU Cohesion Fund in order to address inequalities and call for increasing, not decreasing, the amount of money available for this purpose. According to **Tanja Fajon,** the EU allocates more than half of its budget to this matter through the Cohesion and Structural Funds. The principle of solidarity is evident in the fact that more developed countries contribute more to the EU budget than less developed ones. **Tonino Picula** also mentions the European Social Fund as another very important factor in addressing these problems because it provides an opportunity to invest in people, their skills and knowledge. **Jozo Radoš** states that differences should be solved by political agreements with a greater level of solidarity, as well as responsibility towards common policies.

MEP **Igor Šoltes** is more critical since in the forthcoming financial framework the funds for the Cohesion Policy are reduced.

MEP **Marijana Petir** sees the European Single Market as an opportunity to increase equality, especially in terms of the quality of products provided to the citizens of different EU Member States. The Slovenian parliamentary party **Let's join together** claims that not enough has been done to open up a serious debate on a common fiscal policy, adding that as long as there is unfair competition within the Single Market, we cannot speak of equally distributed development and satisfactory progress of the less developed Member States. **The Left**, another parliamentary group in Slovenia, states that the developmental differences between the centre and the periphery of the EU need to be resolved by strengthening the Cohesion Fund

and by channelling funds into the development of less developed regions and by removing foreign trade imbalances. **Ruža Tomašić** sees the conclusions of the Report on the Structural Reform Support Programme as one of the solutions since through this Programme an additional 142 million Euros can be distributed to the less developed EU Member States.

Ivana Maletić stresses the importance of initiating procedures and sanctions for Member States that do not comply with measures regarding the debt and deficit, as well as solving macroeconomic inequalities. Together with that, implementation of other crucial measures such as environmental protection, waste management, clean energy and transportation, needs to be ensured and protected.

> Can we talk about shifting more powers to the European Parliament? In relation to the powers of Member States within the European Council and the Council of the EU and in relation to national parliaments?

There are MEPs and parties that support strengthening the powers of the EU Parliament at the expense of Member States, such as **Let's join together.**

MEP Biljana Borzan believes that since the EP was elected directly by citizens, its de-legitimisation would mean de-legitimisation of the democratic character of the EU. **Igor Šoltes** sees the legitimacy of the EP similarly since it is the only directly elected EU institution and considers strengthening the powers of the EP in relation to the European Council and the Council of the EU highly necessary. The legislative initiative power of the EP is essential for **Beatriz Becerra**, who affirms that the system of co-legislation with the Council should not be prone

to obstruction, and that the unanimity rule must be ended, although "important" and "urgent".

MEP Tanja Fajon welcomes the idea of a greater involvement of citizens in the co-creation of EU policies and, consequently, the idea of a bigger legislative role of the EP. **MEP Elena Valenciano** argues that the Treaty of Lisbon has represented a significant step forward, mainly because it managed to achieve closer relations between EU institutions and citizens. The parliamentary group **Istrian Democratic Assembly** from the Croatian Parliament supports the strengthening of EU powers for the benefit of the EU citizens.

Even though **Tonino Picula** supports strengthening the power of the European Parliament, he does not agree with the opinion that this should come at the expense of the Member States. He states that the powers of the EP should be strengthened for the benefit of citizens and consequently its Member States. Similar to him, **Start** from Croatia supports the strengthening of EP power through the development of shared competencies and their capacities to solve complex issues.

Ivana Maletić says that the key is in the cooperation between the EP and national parliaments in establishing efficient democratic surveillance over EU legislation at all levels. The Slovenian Parliamentary party **The Left** suggests a reduction of power of the European Commission and transferring a part of its powers to democratically elected national parliaments and the EP. **Jozo Radoš** believes that the bigger issue is the fact that national parliaments have weak influence over national policies at the EU level, where according to **Ruža Tomašić**, almost ⅔ of laws are made. **Marijana Petir** and **Dubravka Šuica** would strengthen the powers of the national parliaments, by including them more in the decision-making process.

Clara Aguilera believes it should be enough to fully implement the capacities that are already in place, but this is something that the Commission seems to avoid. **Romana Tomc**

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notices that, especially in the trilogue process[84], the Council of the EU has a slightly stronger role in negotiations than the EP.

Parliamentary party in Croatian Parliament - **Croatian Peasant Party**, claims that we need to re-evaluate the Constitution of the EU to discuss and re-negotiate it. **Možemo!** from Croatia claims that it is important to reform the representative system in the direction of creating the European Assembly where representatives from national parliaments would have more impact and which would have greater authority over budget decisions.

According to **Ramón Jáuregui**, the participation of national parliaments in the decision-making process has been reinforced, having in mind greater control of the implementation of the principle of subsidiarity. There has been a strong increase in the number of opinions on different legal acts submitted by national parliaments, which show their growing participation in the decision-making process of the EU.

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84 Trilogues are informal tripartite meetings on legislative proposals between representatives of the European Parliament, the Council of the EU and the European Commission. Their purpose is to reach a provisional agreement on a text acceptable to both the Council and the Parliament.

20. What is the future of EU Security Policy and what would the establishment of an EU military mean for each of the Member States in a sense of their autonomy in defending their own borders?

Most of the respondents agree that the *security policy is becoming increasingly important, especially in the context of global trends and modern global issues.* **Jelena Juvan** from the Faculty of Social Sciences supports a higher degree of integration of the armed forces of the EU Member States. **Let's join together** political platform from Slovenia believes that Member States would definitely gain a lot with the Common Security Policy, since they are not able to fully protect their borders, and this is a problem which can no longer be resolved solely at national level. MEP **Tonino Picula** believes in a common EU military as a basis for strengthening the peace, cooperation, democracy and the rule of law within and beyond EU Member States. **Istrian Democratic Assembly** parliamentary group from Croatian Parliament supports a common EU military and security policy as well as coordination of Member States in this sense.

Eider Gardiazabal explains that even though certain EU Member States are strictly opposed to a Common European Army, several steps have been taken since 2016 in terms of security and defence, including the creation of the Planning and Control Facility (PESCO) and the discussion of a European Defence Fund. According to Gardiazabal, a European army is an attractive idea, but common policy that would address the challenges in uniting it and making it effective is crucial.

A common European army is viewed as an essential initiative by **Clara Aguilera**, who argues that the creation of European army could be the basis for joint action in the field of

security and common defence, and that for this reason the idea has always been supported by her EP group.

Romana Tomc believes the common European army would be a good answer to the challenges associated with illegal migration. In her opinion, European Armed Forces can be complementary to the current security structures and can represent added value, especially when it comes to safeguarding the external Schengen border.

The EU security (and defence) policy is not ambitious, since it mainly involves crisis prevention and civil and military crisis management worldwide, while not providing a common defence of EU Member States, states **Marjan Malešič** from the Faculty of Social Sciences. MEP **Jozo Radoš** claims that a common military would allow for a greater EU impact in the democratisation of international politics, as well as better protect the interests of the EU and its Member States with less investment. This would be the right moment to build the European security and defence union, according to **Dubravka Šuica**, even though some Member States consider this a threat to their sovereignty.

Marko Lovec from the Faculty of Social Sciences, believes that individual EU Member States are too small to be able to take care of their own safety in a complex and unstable global environment. Past experience has shown that the EU's influence in the security field is limited by disparity and mismatch. Individual

Member States already cooperate within the NATO framework and operate in mixed groups as a single army. A common EU military would mean splitting up uniform equipment standards, linking command structures and coordinating the development of infrastructure and means of operation and operations.

Parliamentary party in Croatian Parliament - **Croatian Peasant Party**, claims that the EU needs to have its own security policy, which is independent of NATO and which does not include potential collaboration with this organisation. On the other hand, **Tanja Fajon** is aware of the need for a common European security and defence policy, but only if it does not duplicate the structures of Slovenia's participation in NATO. She believes that closer cooperation between European militaries at the EU level will be ensured by the recently established framework for Permanent Structured Cooperation (PESCO), which was joined by 25 of the 28 EU Member States. She states that a lot could be accomplished in security policy if the EU would stop interfering in the internal politics of countries outside the EU.

Franc Bogovič supports the proposals for the creation of solidarity units in the Member States, which would offer assistance in the event of natural disasters. **Ivana Maletić** mentions that the EU military was planned as a supplement to NATO but there was no word on how to organise it. She believes that the common security policy would enable each Member State to achieve greater levels of security and defence with less investment, but on the premise of a unified position of the Member States. The example of migrant policies demonstrates that it is very hard to reconcile all Member States.

Start, the political party from Croatia, highlights that discussion about a common EU military should come after EU common foreign policy is agreed.

Biljana Borzan states that the countries need to cooperate more, due to various external threats, but claims that a common EU military is currently not on the horizon. **Marijana Petir** also supports military cooperation and coordination, but is not sure if it is possible to agree on the functioning and financing of a common EU military due to differing opinions and political and economic interests of each country.

Ivo Vajgl and **Ruža Tomašić** are *against a common EU military*, and moreover **Tomašić** does not support additional common institutions and bodies at the expense of sovereign Member States. On the other hand, **Vajgl** supports only cooperation which includes the exchange of all relevant information and strategies regarding security. **Igor Šoltes** fears that a joint European military would mean the defence of the interests of the largest economies within the Union.

The Slovenian Parliamentary party **The Left** does not support the current European security policy and considers that this policy is, together with PESCO, an extension of NATO. They highlight that military expenditures must be subject to democratic decision-making and not the control of foreign power centres. The development of a European army can only be done in the direction of defence forces intended to operate on the territory of the EU, but not in the direction of intervention units that would be deployed around the world. **Možemo!** from Croatia claims that a common military is a wrong priority for the EU which should be focused on decreasing the inequalities at the EU level and strengthening the cohesion regarding the rule of law, human rights and social security.

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EU ACCESSION PROCESS OF MONTENEGRO AND SERBIA

EU ACCESSION PROCESS OF MONTENEGRO AND SERBIA

Context

- The Western Balkan countries are committed and strongly convinced that their future is in the European Union (EU), which has been unanimously confirmed at the summits of the leaders of the EU and the Western Balkan countries since 2003. The countries' path from an expressed commitment to European values to formal membership in the EU is a complex legal and political process.

- Since the beginning of **Serbia**'s accession negotiations in January 2014, 17 of 35 chapters have been opened two of which have been provisionally closed. Up to now, Serbia is setting a pace of two chapters opened per Intergovernmental Conference, except the last one in June 2019.

- Since June 2012, **Montenegro** has opened 32 out of 35 negotiation chapters of which three are provisionally closed. Montenegro is the first candidate country in which the EU applied a new approach in negotiations: Chapter 23 – Judiciary and Fundamental Rights, and Chapter 24 – Justice, Freedom and Security, are the first to be opened, and the last to be closed.

- Having in mind that Serbia and Montenegro have been applauded as "frontrunners" by the European Commission in the accession process, this progress, so far, may appear rather slow.

- Besides implementation of political and economic reforms, **Serbia** is facing big challenges related to rule of law, reform of public administration and the judiciary, the fight against corruption and organised crime, as well as the sustainability of the aforementioned economic reforms.

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- **Montenegro**, year after year, receives the same grade – "some progress" in key chapters regarding fundamental rights and the fight against corruption and organised crime.[85] The main findings indicate that transparency, stakeholders' participation, and the government's capacity to implement reforms have to be strengthened.

- The entire process of European integration should be viewed through the overall process of the Europeanisation of society, which includes the establishment and implementation of comprehensive reforms and the acceptance of European standards and values. Therefore it is extremely important for the European integration process to be familiar to the citizens of Serbia and Montenegro.

- According to the *latest official public opinion poll* conducted by the Ministry of European Integration in **Serbia**, to the question: "How would you vote if the referendum for EU membership would be organised tomorrow?", 55% of respondents provided a "yes" answer both in July and December 2018, the largest percentage of support for EU membership since 2011. On average, 23.5% of citizens responded negatively.

- In **Montenegro**, 65.6% of all respondents would answer positively to the same question, according to the *public opinion survey* conducted in September 2018 by the Delegation of the European Union to Montenegro. As in Serbia, this is the largest percentage of support for EU membership over the past five years. The negative answer was provided by 12.9% of respondents. While the percentage of those who "would not vote at all" or "are not sure" decreased in Montenegro, these percentages are almost constant in Serbia indicating that this topic has not increased its mobilising potential there.

- It is important to stress that the success of European integration is effective only if citizens, civil society and other stakeholders are active partners within the process and, by their contributions, improve the quality of negotiations and influence their final outcome. The inclusivity of the process ensures full implementation of the EU legal framework in the candidate's country and the achievement of the objectives of EU public policies. This will lead to better communication of the outcomes of the process which will ensure more realistic expectations and objective timeframes, taking into account the interests and needs of all actors in the process and having the understanding and support of its citizens.

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85 Infographic: Weaker Progress Compared to Previous Years, prepared by Institute Alternative, available at: https://institut-alternativa.org/en/weaker-progress-compared-to-previous-years/

21. What are three main benefits for Serbian and Montenegrin citizens after joining the EU?

The answers received from the state, EU institutions and civil society organisations to this question were complementary and could be divided into three categories: democratic, economic and societal development.

In **Montenegro**, the MPs who took part in the research, the European Integration Office and the Secretariat – General of the Government agree that the benefits which citizens would enjoy in terms of **democratic development** are better standards in areas such as rule of law and the acquisition and adoption of positive practices from other Member States, as well as leading to a more stable and peaceful region.

According to the Negotiating Team for Accession Negotiations of **Serbia** to the European Union, the establishment of the rule of law is crucial for citizens and the economy. The Serbian Ministry of European Integration (MEI) highlights the fight against corruption and better public finance management will also have a positive impact on the economy. Citizens in Serbia are already benefiting from the implementation of reforms in the fields of the judiciary, health system, environmental protection, social policy, education, etc.[86]

When it comes to **economic developments**, **Montenegrin** stakeholders emphasise the benefits of open labour markets, capital markets and market for services, as well as access to structural and other EU funds. This should result in new investments, greater employment opportunities, higher wages and a better quality of life for citizens. Also, the Delegation of the European Union in Montenegro points out that trading in the EU brings greater competition

in services, removal of trade barriers, greater business efficiency, and elimination of anti-competitive practices.

The MEI outlines that once **Serbia** gains access to European Structural and Investment Funds, the amount of available money for Serbia will be higher than Serbia's contribution to the EU budget. What also should be taken into account are free movement of goods, services, capital and persons within the EU, better known as the "four freedoms."[87] Serbian companies will benefit from having easier access to business operations in the EU.[88]

If we talk about **societal benefits**, **Montenegrin** citizens will be able to integrate the European identity into their own and feel they are a part of a successful environment. Also, EU membership would be confirmation that Montenegro has reached a certain level of economic strength and stability and is now in the prestigious club of democratic and economically developed nations. The country Delegation of the European Union points out that EU shared values such as inclusion, tolerance, justice, solidarity and non-discrimination, are an integral part of the European way of life.

The **Serbian** MEI and the Negotiating Team for Accession Negotiations of Serbia to the European Union outline the importance of a higher level of food safety and the gradual introduction of standards in the area of environmental protection.

The Delegation of the European Union to Serbia highlights that **Serbia** has already benefited

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86 Answer from the civil society organisation European Movement in Serbia (EMinS).

87 Answer from the Negotiating Team for Accession Negotiations of Serbia to the European Union.

88 Answer from the EMinS.

from the accession process thanks to visa liberalisation as well as the tripling of exports from Serbian companies to the EU following the Stabilisation and Association Agreement (SAA). EU companies provide over 200,000 jobs in Serbia and EU financial assistance amounts to 3.2 billion Euros of grant support. When talking about the benefits of EU membership the Delegation states that peace, liberty, democracy, security, stability and prosperity are crucial, but emphasises the following concrete advantages – consumer protection, food safety and access to structural funds.

MONTENEGRO | SERBIA

22. Which reforms within Chapter 23 (Judiciary and Fundamental Rights) and Chapter 24 (Justice, Freedom and Security) in the EU accession process of Serbia/Montenegro will have a major impact on its citizens?

The impact of the implementation of the reforms within Chapters 23 and 24 is cumulative and holistic, since each of the areas covered within these Chapters contributes to strengthening the overall democratic development of the respective countries. While visa liberalisation brought an immediate and direct impact, the reforms within these Chapters will have a long-term and more incremental benefit to citizens and businesses.[89]

The **reforms within Chapter 23** are designed to strengthen the rule of law, human rights and fundamental freedoms, and enable better protection of citizens' rights to participate in judicial proceedings within a reasonable time as well as access the court and an effective legal remedy.[90]

In **Serbia**, according to the Ministry of European Integration (MEI), the most important reform within Chapter 23 is the process of preparation of the amendments to the Constitution, which is crucial for strengthening the independence and efficiency of the judiciary. The Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) also considers this reform as the most important one and adds the overall strengthening of the judiciary system, the adoption of the new Law on the Anti-Corruption Agency[91] and enhanced track

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89 Answer from the Directorate-General for Neighbourhood and Enlargement Negotiations for Serbia (DG NEAR).

90 Answer from the Chapter 23 Working Group Member (Montenegro).

91 The new Law on Prevention of Corruption was adopted in May 2019.

record on investigations, indictments and final convictions in high-level corruption cases. According to MEI, the upcoming adoption of the Anti-Corruption Law and the Law on the Origin of Property will enhance control of public finance management, while the adoption of the Media Strategy will improve access to free speech and the right to information.

According to DG NEAR assessment, the legal framework within Chapter 23 is still incomplete and implementation is inconsistent.

As for the **reforms within Chapter 24**, MEI highlights that the reform of the police sector and fight against terrorism are crucial topics for the citizens of Serbia since these reforms contribute to protection of people's lives and property.

In **Montenegro**, according to the members of the Working Group on Chapter 23, all **reforms within Chapter 23** will have an impact on citizens whose rights and freedoms will be better protected. In the first place, reforms will contribute to strengthening the independence and impartiality of the judiciary, as well as the professionalism, expertise and efficiency of the judicial system. One of the members announced the preparation of the following documents in 2019: Strategy for the Reform of the Judiciary, Law on Amendments to the Law on Free Access to Information, Law on Amendments to the Law on Personal Data Protection, Law on Public Procurements, Law on Public – Private Partnership. Additionally, an update of the Action Plan for Chapter 23 is necessary because it is the only document with outdated measures regarding the fight against corruption.

As for **Chapter 24**, according to the members of the Working Group for Chapter 24 in Montenegro, the improvement in the system to fight organised crime is of huge importance. Also, reforms in the fields of legal migrations, international protection and visa liberalisation will have a big impact on Montenegrin citizens, as well as reforms on judicial cooperation in civil and criminal matters, fight against corruption

and terrorism.[92] The Ministry of Foreign Affairs states that it regularly implements visa liberalisation with countries from the Schengen White List and that the process of harmonisation of the Visa Abolition Agreement with a number of countries is ongoing.[93] In the area of international protection, the Law on International and Temporary Protection of Foreigners was adopted,[94] aimed to create a safe and dignified environment for persons seeking international and temporary protection. In the area of legal migrations, the new Law on Foreigners was adopted,[95] which intends to achieve effective exercise of the rights of foreigners, the management of legal migration flows and the suppression of illegal migration by implementing clear policies through coordinated and clearly prescribed procedures.[96]

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92 Answer from the Chapter 24 Working Group Member.

93 Answer from the representative of the Ministry of Foreign Affair in the Chapter 24 Working Group.

94 Amended Law was adopted in 2018.

95 Amended Law was adopted in 2018.

96 Answer from the Chapter 23 Working Group Member.

23. How does the European Union monitor progress in the fight against corruption in the accession countries?

The EU monitors the level of progress in the fight against corruption in the countries which are in the EU accession process within Chapter 23 (Judiciary and Fundamental Rights). The results of the monitoring are presented in the Annual Reports for the Western Balkan Countries,[97] as well as in the European Commission's Reports on the Current State of Affairs in Chapter 23 and Chapter 24, which are published twice a year.[98]

In order to ensure consistent and effective monitoring of progress in this important policy area the EU introduced a **benchmarking mechanism**, which consists of requirements every candidate country has to achieve in order to move forward in the accession process. This mechanism focuses on concrete measurements of the effects of the reforms.[99]

The state institutions are the primary source of data for these reports, but the European Commission also conducts an independent and impartial evaluation. Additionally, the EU relies on a range of other sources, including assessments of EU Member States experts (peer reviews) and reports from international partner organisations and civil societies.[100]

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97 BOS forwarded this question to the Delegation of the European Union in the Republic of Serbia, the Ministry of Justice, the Anti-Corruption Council, the Coalition prEUgovor and the European Commission Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR). The reply was received only from the DG NEAR.

98 Answer from the Chapter 23 Working Group Member (Montenegro) and DG NEAR (Serbia).

99 Answer from DG NEAR Serbia.

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100 Answer from the Delegation of European Union to Montenegro.

Fight against corruption in Montenegro

Montenegro has adopted national strategies and action plans to prevent and fight corruption, most notably the Action Plan for negotiating Chapter 23. The European Commission is informed about the degree of the Action Plan's implementation, as well as achieved results and corresponding statistical data.

An integral part of the Action Plan is the Operational Document which contains measures for the prevention of corruption in areas of special risk. This document introduces *the Agency for Prevention of Corruption as the coordinator for implementation and reporting*.[101] According to the results of a *public opinion survey* conducted by the Agency for Prevention of Corruption, 66.4% of citizens estimate that the Agency contributed to the overall fight against corruption in Montenegro. When it comes to the attitude of the respondents about corruption, the majority believe it is most noticeable in the health care sector (20.2%), state administration (13.9%) and the inspection service (11.7%).

The Representative of the Police Administration in the Working Group on Chapter 23 stated that the number of detected crimes with elements of corruption was significantly higher in 2018 than in 2017. In 2018, 242 criminal offences with elements of corruption were discovered and accordingly 37 criminal charges and three amendments to criminal charges were filed against 138 natural persons and 99 legal entities.

THE RECOMMENDATIONS FROM THE EUROPEAN COMMISSION 2018 REPORT ON MONTENEGRO INCLUDE:

- improving the operational capacity of relevant institutions and their cooperation;
- stepping up efforts to increase financial investigations, including improving operational capacity, and establishing track records of seizure and confiscation of criminal assets;
- significantly improving track records on repression and prevention of corruption, and imposing effective sanctions.

These recommendations are also part of the EU regular policy dialogue with Montenegro in the context of the accession negotiations, in particular with regard to the interim benchmarks of Chapter 23.[102]

THE EUROPEAN COMMISSION 2019 REPORT[103] LISTS THE FOLLOWING RECOMMENDATIONS:

- ensuring the independence of the Anti-corruption Agency and remedy the shortcomings in its work, as established by domestic courts;
- stepping up efforts to systematically conduct financial investigations in parallel with criminal investigations, establishing track records on seizure and confiscation of criminal assets, and ensuring that management and staff of the asset recovery office are recruited on the basis of transparent and objective criteria with a focus on merit and professional skills;
- improving track records on repression and prevention of corruption, and imposing effective sanctions.

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[101] Answer from the Agency for Prevention of Corruption.

[102] Answer from the Delegation of the European Union to Montenegro.

[103] The Montenegro 2019 Report was published during the finalisation of the publication, and therefore its recommendations were not included in the answers of stakeholders.

Fight against corruption in Serbia

The EU Negotiating Position for Chapter 23 for Serbia has 50 interim benchmarks, of which 14 are related to the fight against corruption. The Government of Serbia, through the Action plan for Chapter 23, provides data for all 14 interim benchmarks and informs the EU about legislative reforms, monitoring and coordination mechanisms, institutional arrangements, administrative capacity, allocated resources and achieved results. The statistical data are often presented as a track record for the state of play of different benchmarks.

Based on the reports received from the Government, as well as civil societies and other actors, the European Commission evaluates the progress in prevention and repression of corruption and presents its view in *Non-papers* and *Annual Reports*. According to DG NEAR, the Annual Reports provide a comprehensive picture of this issue, which is often mixed, since progress is faster in some fields than others.

Beside interim benchmarks, the Commission provides a clear set of recommendations in the Annual Report. The **2018 Report** highlighted the following recommendations:

- further improving track records on investigations, indictments and final convictions in high-level corruption cases;
- urgently improving the operational capacity of the institutions;
- urgently adopting the new law on the Anti-Corruption Agency;
- ensuring a measurable impact through the effective implementation of the national anti-corruption strategy and action plan.

THE **SERBIA 2019 REPORT**[102] LISTS THE FOLLOWING RECOMMENDATIONS:

- improving track records on investigations, indictments and final convictions in high-level corruption cases;
- implementing legislation on the Anti-Corruption Agency that needs to be compliant with the *acquis*, international agreements and GRECO recommendations;
- conducting an impact assessment on its anti-corruption policy and adopting a new strategy and action plan.

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[104] The Serbia 2019 Report was published during the finalisation of the publication, and therefore its recommendations were not included in the answers of stakeholders.

24. What impact will future EU membership of Serbia/Montenegro have on locus standi[103] of the Serbian/Montenegrin citizens in lodging applications before the European Court of Human Rights?

Any person, group of individuals, company or NGO having a complaint about violation of rights can lodge an application to the European Court of Human Rights (ECHR) if their country of residence is a member state of the Council of Europe and signatory of the Convention for the Protection of Human Rights and Fundamental Freedoms, provided all domestic legal remedies are exhausted.[106]

According to the Ministry of European Integration, since **Serbia** is a member of the Council of Europe, Serbian citizens can address the ECHR in cases of violations of their rights guaranteed by the Convention. Regardless of Serbia's status in the EU accession process, its citizens have the same rights as EU citizens in lodging applications before the ECHR.

Once Serbia joins the EU, its citizens will obtain the right to submit applications before the Court of Justice of the European Union. However, the proceedings before this court are not only related to human rights protections, but to all violations of the EU *acquis*. Serbian citizens will also obtain the right of lodging complaints to the European Ombudsman.

Montenegro is also already a member state of the Council of Europe, so future EU membership will not affect its possibility of addressing the ECHR.

The EU itself is not yet a signatory to the Convention. During the past decades, however, mechanisms for the elevation of the EU as a supranational entity to the ECHR were being sought.

If a mechanism is found and/or if the EU became a signatory to the Convention, ECHR would have the power to examine all activities regarding human rights in the EU, even those that currently are not under the jurisdiction of the European Court of Justice, according to the Ombudsman and the Office of Representative of Montenegro before European Court for Human Rights.

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105 Locus standi is the right of a party to appear and be heard before a court

106 Answer from the Office of representative of Montenegro before European Court for Human Rights.

25. Which mechanisms should be introduced or improved in order to increase citizen support for EU membership?

Support of Montenegrin citizens for EU membership

What do the facts show?

According to results of recent public opinion surveys, there is solid support for Montenegro's accession to the European Union. A _survey conducted in September 2018_ shows that 65.9% of the citizens support Montenegro's accession to the European Union.[107] Comparing the results from 2017, it can be concluded that the number of those who oppose Montenegro's membership is decreasing. In 2017 this percentage was 32.5%, while in 2018 there were 23.5% of those who were opposed to membership.[108]

Which mechanisms are in place?

The Strategy for Informing the Public on the Accession of Montenegro to the European Union for the period 2019-2022 aims at maintaining stable support and achieving defined objectives through cooperation and coordination of all relevant entities identified in the Strategy.[109] The European Integration Office points out that the _Strategy Action Plan for 2019_ envisages an increase in the quality of information on European integration by:

- Sending understandable, attractive and customised messages;
- Increasing the number of personal stories about the ways people benefit from European integration;

- Strengthening their presence on social networks;
- Direct communication and fieldwork in order to bring the process closer to the elderly;
- Creating easily readable graphics where achieved results will be presented.

Citizens can find more information about the EU integration process on the portal www.eu4me.me, in the EU Info Centre of the Delegation of the EU or during round tables and panels, which are organised by the European Integration Office, where participants can communicate with officials directly involved in the process and the Chief Negotiator.[110]

What should be communicated and how?

The MPs who took part in the research highlight that it is of great importance that citizens can clearly see that European standards are applied in Montenegro and that the EU does not tolerate a lack of accountability and poor performance of institutions, corruption and organised crime.

One MP thinks that Montenegrin citizens are disappointed because the process has taken more than a decade, but not enough democratic, political, economic and social benefits have been seen yet. The EU must show its readiness to distance itself from leaders who are an obstacle to the establishment of the rule of law, fighting all forms of discrimination and dealing with organised crime.[111]

Based on earlier experiences from recent enlargements, the Delegation of the European

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107 Answer from the Secretariat – General of the Government.

108 Answer from the European Integration Office.

109 Answer from the Secretariat – General of the Government.

110 Answer from the European Integration Office.

111 Answers from the MPs who took part in this research.

Union to Montenegro expects that support will decrease as the country approaches the accession date. It is therefore important to develop mechanisms that will maintain public support and positive attitudes towards the EU in spite of the required demanding reforms. Citizens should be offered clear and simple explanations as to how the EU's support of Montenegro has a positive impact on their lives.

Support of Serbian citizens for EU membership

What should be communicated?

The Ministry of European Integration (MEI) states that, according to their *latest public opinion survey*, 75% of Serbian citizens would support the reforms that the EU accession process brings even if they were not a condition for EU membership. Therefore, reforms in key areas such as anti-corruption, the health sector and the judiciary have to be the focus.

Stories about citizens who improved their everyday lives thanks to the EU could also be used to show the advantages that EU membership brings. The Negotiating Team for Accession Negotiations of Serbia to the European Union highlights that citizens should be clearly informed about both the costs and benefits of European integration. European Movement in Serbia adds that independent and objective media reporting about the EU at the local level should be financially supported.

According to MEI, the EU should be presented as a peace and economic project which enables stability, taking into account that there is no viable alternative which would support the transformation of Serbian society.

Who is communicating?

MEI believes that communication is a joint responsibility of both Serbian and EU authorities.

The key messages of EU institutions, primarily the European Commission, European Parliament and European External Action Service should be that new member states are welcome and the EU is the largest donor in the region.

The Delegation of the European Union to the Republic of Serbia, together with the Government of Serbia, implements a number of communication projects aimed at spreading the message about EU development support.

Also, the Government of Serbia has a responsibility to convey a message that the aim of European integration is the establishment of a modern and prosperous society. European Movement in Serbia suggests that the Government of Serbia, in particular MEI, should adopt the European Integration Communication Strategy together with the five-year Action Plan (2019-2024).

The Negotiating Team for Accession Negotiations of Serbia to the European Union states that all available communication tools should be used to bring the EU closer to its citizens since the accession process is a technical one and often explained in bureaucratic language. The communication language should be adjusted to different groups, i.e. students, professional associations, agriculture producers, senior citizens. Media, civil society organisations, and local governments should all participate in this process.

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SERBIA

26. What are the consequences of Brexit on the process of Serbia's accession to the EU?

The Ministry of European Integration (MEI) states that even though we have witnessed enlargement fatigue among EU citizens and institutions, *EU officials have not conveyed negative messages regarding the enlargement policy.* This was confirmed in the EU budget proposal for the period 2021 – 2027 which has not reduced the funds available for the Instrument for Pre-accession Assistance III (IPA). Also in 2017 the leaders of 27 Member States stated in the Roma Declaration, which was adopted during the 60th anniversary of the EU, that EU doors will remain open for all countries who wish to join.

The Negotiating Team for Accession Negotiations of Serbia to the European Union outlines that Brexit has put Serbia in a unique situation – it has to conduct negotiation talks for accession, while one of its Member States is negotiating its exit. *Brexit has influenced the negotiation process in two ways – technical and political.* As for the technical aspect, a number of EU administration staff was reallocated to activities dealing with Brexit. Consequently, administrative capacities were reduced influencing the pace of reviewing negotiation documents and drafted laws. More importantly, at a political level, Brexit became an EU priority and contributed to the strengthening of Euroscepticism.

The European Movement in Serbia confirms that *Brexit has moved the EU focus from the Western Balkans and influenced the allocation of resources*. The fact the United Kingdom blocked, apart from Croatia, the opening of Chapters 23 and 24, citing technical details regarding Brexit as a reason, is evidence of how Brexit has influenced the accession process, states the European Policy Centre.

All stakeholders that answered the questionnaire believe *Brexit could have a positive impact on the EU accession process of Serbia.* According to MEI, Brexit could lead to an innovative, strengthened and accelerated accession process. Taking into account that the EU and its Member States are the most important strategic partners of Serbia in the implementation of reforms, as well as its biggest donors, investors and trade partners, the absence of the interruption in the accession process is in Serbia's interest.

The European Policy Centre, a civil society organisation, indicates that the completion of Brexit could accelerate Serbia's progress on the EU path since the number of EU Member States willing to veto the opening of the Chapters will decrease. If the United Kingdom leaves the EU, the enlargement policy could still reflect the strong power of the EU. Brexit could also be useful as an example of the costs that leaving the EU brings, states the European Movement in Serbia.

27. Was the decision to make the Montenegrin Police Administration an independent body based on an EU recommendation? What is the organisational status of the police in EU countries?

Institute Alternative forwarded this question to the Police Authority, Ministry of Interior and the Delegation of the European Union to Montenegro. The Police Authority directed us to the Ministry of Interior since it is responsible for strategic planning and monitoring the trends in the development of police affairs. In this case, the Ministry of Interior did not provide feedback.

The establishment of the Police Authority as an independent body that will be monitored by the Ministry of Interior was stipulated by the Decree on the Organisation and Manner of Work of State Administration[112]. In practice, Montenegro had both models – police as an independent body and integrated body, each of which have advantages and disadvantages. Therefore, *the issue of police autonomy is essentially a question of where the power is located*, whether in the minister's or director's chair.

The Delegation of the European Union to Montenegro states that the *decision to make Police Authority independent was not based on an EU recommendation* since this question is not regulated by the *acquis*. The way a country chooses to organise its Police is a sovereign decision of each particular state, dependent on its legal and historical background. However, the power must be properly decentralised and brought into balance for there to be significant improvement of police work.[113]

In the EU there are two basic models, centralised and decentralised, with some variations. A number of Member States have opted for a centralised model, in which the Police falls under the Ministry of Interior, or in some cases, the Ministry of Justice. Within such a model, a centralised police force is responsible for providing law enforcement, policing, and investigative services to the entire country. The role of the Ministry is to conduct administrative (civilian) and strategic oversight, while the Police remains independent in terms of its operational independence, employment and dismissal of police officers, etc.[114] The decentralised model is more fragmented with a few separate national police corps forming the national Police service. There are two variations of these basic models: a regionally centralised model within the federal jurisdiction and a model similar to the decentralised – local police forces but with strong national police agencies.

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112 The Decree was adopted in December 2018.

113 Institute alternative blog: *Independent police, yes or no?* available at: https://institut-alternativa.org/blog-samostalna-policija-da-ili-ne/

114 Answer from the Delegation of the European Union to Montenegro.

28. European Commission reports that in 2018 Montenegro is expected to improve the rationalisation of its court system and human resource management. Have some activities been undertaken and what is the plan to achieve this?

A representative of the Association of Judges in the Working Group on Chapter 23 states that many steps have been taken in this area, but that there is still *a problem of judges with a huge backlog of cases* meaning more professional staff need to be hired. The Strategy for the Reform of the Judiciary, whose implementation started several years ago, lists the steps and activities that should be taken in order to improve the Montenegrin judiciary.

A member of the Working Group for Chapter 23 and representative of the Supreme Court point out that the *following measures aimed at the rationalisation of the court system were implemented* in previous period:

- The Commercial Court in Bijelo Polje was abolished;
- Jurisdiction over criminal offences of organised crime, corruption, war crimes and terrorism was centralised into one special department within the High Court in Podgorica;
- The misdemeanour system was introduced into the regular judiciary by establishing three misdemeanour courts in Bijelo Polje, Podgorica and Budva, with departments;
- Deciding on appeals of misdemeanour court decisions and resolving conflicts of jurisdiction between misdemeanour courts was placed under the jurisdiction of the High Court with headquarters in Podgorica.

4
ENVIRONMENTAL PROTECTION

ENVIRONMENTAL PROTECTION

Context

Environmental protection is an important policy area, which covers different fields, such as climate change, energy, air, water, waste management, ecosystems, etc. Environmental governance in these fields should be based on improving quality of life without endangering the preservation of natural resources. The EU has recognised the necessity of addressing climate change, pollution and the protection of nature, and has developed legislation which should efficiently tackle the most critical environmental issues which threaten the sustainable development of society.

Climate change is one of the greatest challenges today's humankind faces and it has to be addressed by implementing mitigation measures (i.e. reducing greenhouse gas emissions), adapting (reducing and/or exploiting the consequences) and respecting the principles of sustainable development. **Slovenia** and the majority of European countries are well aware of climate change and are, in line with *European Climate strategies & targets*, putting into effect the necessary steps to reduce greenhouse gas emissions (GHG emissions).

In December 2014, the Government of the Republic of Slovenia adopted the *Operational Program of measures to reduce greenhouse gas emissions in 2020* in non-ETS sectors (i.e. transport, agriculture, buildings, waste). The legally binding targets for reducing GHG emissions for non-ETS sectors have already been achieved and Slovenia has directed revenue from the sale of emissions coupons to finance additional climate measures.

On the other hand, Slovenia's 2020 goal of having 25% of renewable energy sources in end-use (*Action plan for renewable energy resources*) might not be achieved since the latest data shows that in 2017 Slovenia had only 21.5% renewable energy sources in end-use. The Ministry of Infrastructure providing the *Information on the achievement of the share of renewable energy sources in gross final energy consumption by 2020* indicated that it is very likely that Slovenia will not reach the target set under *Directive 2009/28/EC* due to non-construction of hydropower plants (HPPs) on the Mura, the lag behind the placement of wind farms (zero realisation), etc.

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- As for the goals of reducing total GHG emissions (ETS + non-ETS) in Slovenia, they are not yet determined. Measures to achieve the target will be programmed in the _National Energy and Climate Plan (NEPN)_, which needs to be prepared by the end of 2019. Also, this year, Slovenia will set clear long-term energy goals that must be consistent with long-term climate strategy, and in line with _Slovenia's Development Strategy until 2030_, in which the transition to a low-carbon circular economy is classified as a national development goal.

- The necessity of addressing the causes and consequences of climate change is frequently raised in **Spain**, especially among young people. In the last couple of months several cities supported movements such as _Extinction_[115] _and Friday for Future,_[116] which demand the declaration of a climate emergency.

- The Intergovernmental Panel on Climate Change (IPCC) _special report_ is particularly alarming since it claims that humanity might reach a point of no return in the upcoming years if authorities do not implement immediate and effective measures. The World Health Organization (WHO) already indicates that air pollution contributes to seven million premature deaths per year. The 2018 World Air Quality Report written by Greenpeace and IQAir AirVisual states that even though Spain is not considered one of the most polluted countries, it has a high level of pollution. The _Spanish Society of Pulmonology and Thoracic Surgery (SEPAR)_ claims that 35% of Spaniards breathe polluted air, both inside and outside the home.

- In the case of **Serbia**, in the area of environmental protection the primary focus is on the harmonisation of the legislation with the EU legal framework which should ultimately result in having a well established environmental protection system that will be able to address the ongoing climate change challenges. According to the _European Commission Report for Serbia for 2018_, Serbia achieved _some progress_ within Chapter 27 (Environment and Climate Change), while in the _2019 Serbia Report_ European Commission stated that there was _limited progress._

- The Report states that Serbia should improve the administrative and financial capacities of the authorities in charge as well as inter-institutional coordination. The air quality legislation has been aligned with the _acquis_, but the air quality monitoring network needs to be further strengthened.

- The issue of air quality has been in the limelight in several municipalities in Serbia where the citizens called for a more effective government response to high levels of air pollution. There are several grassroots initiatives in _Valjevo_, _Niš_, and _Smederevo_ which actively advocate for better air quality and health protection.

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[115] For more information, please see: https://www.extinctionrebellion.es/portal/
[116] For more information, please see: https://www.fridaysforfuture.org/

- As for the waste management sector, the Report outlines that improvements are needed regarding the updating of the national waste management strategy and municipal waste management plans, the closing of non-compliant landfills, investments in waste separation and the recycling and disposal of medical waste.

- According to the Commission, the Government of Serbia should develop a climate change strategy in line with the EU 2030 framework for climate and energy policies.

- The Coalition 27, which monitors the implementation of reforms within Chapter 27, points out in its *2019 Shadow Report* that the air quality monitoring system should be well maintained with the necessary funds, while the data about air quality should be shared with the public. The Coalition 27 calls for the urgent adoption of the Air Quality Strategy and better inter-sectoral cooperation. The waste management control system requires improvements, especially regarding the movement and disposal of waste which has not been reduced during the reporting period. This is contrary to the first principle of waste management hierarchy - prevention and reduction of waste. The Coalition 27 also emphasises that there was no progress in transparent and adequate planning of small hydropower plants on rivers in Serbia.

CITIZEN COMMENT

We need to start increasing our awareness about environmental issues. The preservation of nature depends on each individual and communities at both the local and national level.

29. What measures did the EU implement in order to reduce climate change and what are the plans for future? What measures are or should be undertaken in Slovenia?

According to _Europe Direct Contact Centre Slovenia and Ministry of the Environment and Spatial Planning_, on 28 November 2018, the European Commission presented 2020 Climate & Energy Package and 2050 Long-term Strategy, which represents the strategic long-term vision for a prosperous, modern, competitive and climate-neutral economy by 2050.[117] The Commission's vision for a climate-neutral future covers nearly all EU policies and is in line with the _Paris Agreement_ objective to keep the global temperature increase to well below 2°C and pursue efforts to keep it to 1.5°C.

The **EU has already reduced its total GHG emissions by 22% compared to 1990** as a result of a mix of different factors: implemented policy measures (more renewable energy sources, improved energy efficiency, reduced coal consumption), economic factors (recession, more service-oriented economy) and climate conditions (lighter winters - lower consumption of energy products for heating). The share of renewable energy as a percentage of total energy consumption in the EU almost doubled between 2005 and 2016. Estimates for 2017 show that this share will be 17.4%.

Katja Podbevšek, representative of _Greenpeace CEE in Slovenia_, states that the **EU is currently in the process of revising its climate strategy**. Its goals should be that by 2030 it uses 65% less carbon and is carbon-free (including aviation and maritime transport) by 2040. It should also be coal-free by 2030 and its energy mix should be 100% based on renewable energy by 2040.

Personal traffic should be carbonless by 2035 and cargo traffic by 2040. Slovenia is currently lagging behind at all points. The biggest changes have taken place in the field of energy efficiency, while investments in renewable energy have completely stopped in recent years. In the area of transport the measures are also insignificant.

Civil society organisation, _Društvo Doves_ (FEE Slovenia), states that even if we adopt a number of new restrictive regulations the greatest effect will be achieved by changing the behaviour of each individual.

According to Gaja Brecelj, of civil society organisation _Umanotera_, the only real EU action (including Slovenia) for mitigating climate change must be the one that leads to the achievement of a scientifically defined goal to limit the worst effects of climate change, i.e. global warming limit of 1.5 °C according to the pre-industrial level. These goals are too low nowadays. In order to reach the Paris Agreement, the **EU (and Slovenia) should achieve carbon neutrality by 2040 and set targets for a 55-60% reduction in greenhouse gas emissions from 1990 to 2030**. Key actions should be directed towards:

- strongly approving horizontal measures with a major impact such as the _Green budget reform_;
- acting as a progressive region and as a country that advocates ambitious goals (and does not avoid responsibility) in the international arena;
- energy transition: abandoning the use of all fossil fuels and a transition from energy

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[117] For more information, _please see 2020 climate & energy package and 2050 long-term strategy._

efficiency to an absolute reduction in energy consumption, which for Slovenia in particular means, closure of TEŠ (coal power plant) by 2030 and the immediate abandonment of all investments in fossil resources and subsidies and accelerating a fair and sustainable transition to 100% renewable energy;

- promoting change in mobility habits: in the next few years radically reducing the number of cars on the roads, encouraging hiking and cycling and providing accessible, frequent, efficient public passenger transportation;
- changing agricultural production and eating habits - less intensive industrial agriculture and less food of animal origin;
- protecting and restoring global forests that act as a carbon sink.

Slovenia, with nine tons of CO_2 per capita per year, ranks high above the average and even higher than the climate balance, and is also above average climate vulnerable (warming up faster than the world average).

Tomaž Ogrin, MA, from *Alpe Adria Green*, states that the CO_2 reduction trend is slow since we assume that only human CO_2 is responsible for climate change, focus on renewable sources of electricity and insufficiently reduce traffic. He cites Germany as the example of the wrong direction for CO_2 reduction, which replaced coal with wind and solar power plants, which

do not give permanent electricity. The solution for humanity and for the EU is, unfortunately, nuclear power plants. They do not produce CO_2 and they are a quality 24/7 source of electricity and heat which do not destroy nature by using renewables. Even though civil society advocated for Slovenia to co-invest in the construction of an enlarged PAKS nuclear power station in Hungary, the authorities did not do so. He also states that it is necessary to immediately start with a much wider substitution of diesel fuel in sea freight and passenger gas transport.

In Slovenia, thermal isolation of buildings is being increased, but needs to be further strengthened. In the field of transport, the Slovenian governments are not responding to civil society initiatives to ban diesel or gasoline trucks after a transitional period (3 years). In Slovenia, CO_2 is considered on the basis of solid fuel, but due to its geographic position it has large transit traffic compared to its territorial size.

CITIZEN COMMENT

What do you think of self-sufficient cities (cities that supply themselves with green energy)?

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30. Should the EU be more aggressive, and in what way, towards excessive pollution by large countries (e.g. China) or the politics of certain countries (e.g. USA) that break down the agreed plans to reduce greenhouse gas emissions?

Katja Podbevšek, from _Greenpeace CEE in Slovenia_, states that, in the first place, Europe should be an example as a region transitioning to a non-carbon society in order to demand the same from others. In the coming years and decades, it will be necessary to take even more concrete steps and implement investments that will significantly contribute to tackling climate change.

According to _Društvo Doves (FEE Slovenia)_ this will be very difficult to change, having in mind that China is the highest producer of consumer goods. That is why he emphasises the importance of changing people's attitudes towards the environment through education in all countries, as this is the only way to get effective results.

According to Tomaž Ogrin, MA of _Alpe Adria Green_, the economic blockades of Iran, Venezuela and Russia, which are pushed by the United States, have to be removed since they are disabling activities able to reduce CO2 in several global areas. He emphasises that scientists have been drawing more attention to the fact that without nuclear power plants there will be no progress in reducing CO2. While the United States is aiming to become a manufacturer of heavily improved nuclear power plants, the world is not progressing in the development of Tori's nuclear commercial technology,[118] including the EU. The massive use of this technology would

CITIZEN COMMENT

When will green be really green? Palm oil fuel, contaminated products from China, sending electronic waste to Africa, unnecessary plastic packaging etc.?

drastically reduce the need for the construction of coal and gas power plants, all of which are still being built (China, USA, Serbia, etc.). Smaller nuclear power plants would also be acceptable since such reactors use submarines and aircraft operators to make them safe for land use.

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[118] For more information, please see _Thorium as a nuclear fuel_.

31. It is known that most plastics waste (mainly packaging) is in industrial plants (waste packaging for packaging, waste material in the production process, etc.). What measures will the EU take to significantly reduce plastic waste in industry?

According to Katja Podbevšek, from *Greenpeace CEE in Slovenia*, the EU should put more pressure on companies to change their way of doing business and develop new methods to deliver their products to consumers, thus reducing the accumulation of packing materials during the production process. Companies should develop their products based on reuse or refilling, while new ways of delivering products are also needed. Furthermore, since waste management will not solve the problem of waste, waste prevention is needed.

Društvo Doves (FEE Slovenia) highlights that the introduction of alternative environmentally friendly materials affects the price and competitiveness of the product itself. Therefore member states should consider imposing certain tax incentives or other benefits that would "motivate" companies to adapt to changing these (harmful) practices in the industry. Certainly the control and supervision of these measures will be a major challenge.

According to Tomaž Ogrin, MA, from *Alpe Adria Green*, the EU must first adopt regulations on the use of advanced technologies (including circular behaviour) and then considerably increase the financing of the development of recyclable waste plastics. The fundamental principle is to minimise the mixing of plastics with each other. Another measure is to return plastic packaging from retail (shopping centres) to the store and then from there to the processors. The principle is to minimise spatial dispersion. For example

- bottles for various liquids - even at the EU level, could be made from only one type of plastic which should not be directly printed. Also imports into the EU should be only for those types of plastics.

CITIZEN COMMENT

When and what exactly will the EU do to not drown in plastic? Decomposing materials is possible and there are no excuses (money and comfort should not be excuses - it's about our existence and the existence of a planet) not to replace plastics with alternative materials.

32. What will the EU do to encourage innovation in the area of renewable sources of electricity (generating electricity without adverse environmental impacts - green innovation, better efficiency) and are renewable energy sources an advantage or an obstacle to achieving the set goals of climate change?

According to Tomaž Ogrin, MA from *Alpe Adria Green*, renewables are not the solution to a rapid and drastic reduction of CO2, as declared by politicians. Focus on wind and solar power plants has greatly slowed down, or even made impossible, the reduction of CO2 emissions, as inconsistent wind and solar energy cannot regularly and reliably power the European or any country's network. Therefore countries need to reach out for permanent energy sources (thermo or nuclear energy), which are not so environment friendly.

Slovenia must stop building hydroelectric power plants and wind farms, while solar cells should be used only in urban centres. The protection of rivers from dams is also necessary and requires an immediate relevant European directive. Thus, the EU should support the *Save the Blue Heart of Europe campaign*.

In addition, the issue of climate change has been completely separated from an ongoing state of war (e.g. in Iraq, oil fields were on fire for months which caused a release of a huge amount of CO2). Why then would Slovenian TEŠ 6 be shut down? Ending these wars and developing ways for people and nations to better coexist is becoming even more important for humanity than climate change. In this sense, it is a great pity that the non-aligned movement lost its significance as it was a platform for achieving greater coexistence between nations. We are developing into a bipolar world, or in fact, thanks to China's progress, into a tripolar world, which is certainly better. The EU must consider how to integrate Russia into this world, instead of protecting us against it.

Tomaž Ogrin calls for the organisation of a global conference on the future of the planet from the perspective of the coexistence of nations. Then climate issues will be more easily resolved.

33. Will the EU adopt Low Frequency Noise legislation (NFH), which will unify the regulations of individual Member States already regulating it, or impose rules on Member States which avoid this (setting of limit values, distance of devices from the housing area, supervision, etc.)?

According to Katja Podbevšek, _Greenpeace CEE in Slovenia_, the legislation governing specific fields should be the same throughout Europe to ensure the same standard of living for all EU citizens.

Tomaž Ogrin, MA from _Alpe Adria Green_, thinks Legislation for low-frequency noise (below 200 Hz and especially below 20 Hz - infrasound) is absolutely necessary throughout the EU and the world. The EU could demonstrate an example of good practices and adopt relevant directives. This legislation is important, not only because of wind farms that can during their lifetime (20-25 years) damage the health of the population as it is now, but also because of larger hardware devices (including planes), which emit noise. It is shameful that this legislation is not yet in place, as there are enough experts who can justify the necessity of separating settlements from these sources (especially wind farms) or eliminating such noise through technical interventions in cities and certain industries. Noise is recognised as severely harmful to humans, as shown by recent _WHO noise guidelines_, and as a result, the costs of the healthcare fund are increasing.

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34. How are the provisions of the Aarhus Convention adopted and implemented in Slovenia and what do you recommend?

In the opinion of *Tina Divjak* (head of advocacy at *CNVOS*), the implementation of the Aarhus Convention[119] in Slovenia could be better if the access to legal remedies was made easier. Even though there were some changes in the Environmental Protection Act regarding the implementation of the provisions of the Convention, they only facilitated obtaining environmental approvals and permits, not with the regulation of legal remedies. Therefore, the Constitutional Court still rejects some constitutional complaints due to lack of legal interest, even though they were filed by an NGO with a status of acting in the public interest.

On the other hand, Tina Divjak states that CNVOS does not consider the matter of public consultations (the Second pillar of the Aarhus Convention) as very problematic since these consultations are organised for all major issues.

CITIZEN COMMENT

What will you do to make the public (citizens) able to take part in the adoption of regulations earlier than before (at an early stage), and not just at the public disclosure?

However, more emphasis should be placed on active involvement of key stakeholders in drafting proposals at the stage of problem identification and the search for alternative solutions, rather than involving them when the solutions are already formulated and only minor corrections are possible.

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119 The United Nations Economic Commission for Europe (UNECE) adopted Aarhus Convention or Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters in 1998. The Convention, which entered into force in 2001, stipulates the rights of the public in the field of environmental protection.

35. Why has a climate emergency not been declared yet considering the threat from climate change and the current economic and social crisis?

The _Association for Environmental Communication and Information (ACIMA_) believes that the threats from climate change, as well as from the ongoing ecological and social crisis, are not perceived as real and urgent threats, like a war, even though it is the only real war that we should focus on. This emergency should be addressed by modifying the current capitalist and liberal system at the global level.

According to MEP _Iratxe Garcia_[120], climate change has to be perceived as the biggest threat which we face. Various steps have been taken with the aim of fighting climate change, such as the adoption of crucial regulations and directives within the Paris Agreement, directives focusing on renewable energy and energy efficiency, as well as legislation for the reduction of emissions from the transportation industry and agriculture sector. Since the so-called "circular economy" has also been the focus of European politics, various directives have been adopted to reduce waste and to promote the reuse, repair, restoration and recycling of existing materials and products. The usage and consumption of single-use plastic products has also been limited.

[120] Group of the Progressive Alliance of Socialists and Democrats

36. How do the authorities measure air quality in the territory of Serbia and what protective mechanisms for air pollution are in place?

The *Serbian Environmental Protection Agency* – Air Quality Control Department (SEPA) conducts **air quality monitoring** in the territory of Serbia together with the Vojvodina Provincial Secretariat for Urban Planning and Environmental Protection, and City Administrations of Belgrade and Pančevo. SEPA states that due to insufficient funds, several local self-governments (LSG), such as Novi Pazar, Pirot and Leskovac, are not included in the air quality monitoring system, but highlights that the monitoring system should be extended, as well as the monitoring parameters, in the following period. The list of air pollutants can be found in the *National Register of Pollution Sources* on the SEPA website.

EU SUPPORT TO THE AIR QUALITY MANAGEMENT SYSTEM

According to SEPA, 28 out of 34 air quality monitoring stations have been donated by the European Union. The EU also provided the software for data collection of air quality and the real-time data presentation on the SEPA website and mobile app.

The *Law on Air Pollution* stipulates the adoption of several **air quality protection mechanisms.** One of them is the **Air Quality Plan** which should be enforced by the provincial or LSG bodies when: air quality in a zone or an agglomeration is classified in the third category, air pollution exceeds the effects of taken measurements and/or environmental capacity is endangered or there is constant air pollution.

In 2017, only two out of eight LSGs in which the allowed concentration of pollutants was

CITIZEN COMMENT

What do authorities expect us to do once we know the data about air quality? Should I decide on my own that it is dangerous for my child to go outside, don't take him/her to kindergarten and skip going to work?

exceeded and where air quality was classified in the third category,[121] have Air Quality Plans been adopted - Belgrade and Pančevo. In two others, Kragujevac and Užice, the process of the development of the Plan has been initiated.[122]

As for the other air quality protection instruments, only Užice confirmed the completion of the **Short-Term Action Plan** in 2016, while Subotica highlighted the necessity of the adoption of the national **Strategy for Air Protection**, which should be a legal basis for the development and adoption of other instruments stipulated by the Law on Air Quality.

Kragujevac, Kraljevo and Subotica stated that, in the last five years, there was no excessive air pollution in their respective territories, so there

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121 For more information, please see *Assessment of Air Quality for 2017*.

122 Belgrade Open School conducted a survey among these eight LSGs (Kragujevac, Beograd, Valjevo, Niš, Pančevo, Užice, Subotica, Kraljevo) about the measures they are implementing aimed at the improvement of air quality. Out of eight LSGs, six of them provided the answers to the survey (Valjevo and Niš did not reply).

was no need for the implementation of particular measures aimed at reduction of air pollution.

RES Foundation states that authorities do not have well defined measures for the reduction of air pollution and also outlines that there is no in-depth evaluation of both implemented and planned air quality protective measures. RES Foundation underlines that the air quality monitoring system does not provide

reliable information for the assessment of the implementation of these measures and emphasises that, while there are general recommendations for citizens on days of excessive air pollution, they are not timely disseminated and easily available to them.

SERBIA

37. What are the negative environmental effects of the construction of small hydropower plants in protected areas and how can these effects be reduced?

Serbia's policy of planning and construction of small hydropower plants (SHPP) is based on the _National Renewable Energy Action Plan (2013)_ which set a target of 27% as a share of total energy generated from renewable sources by 2020. The construction of SHPPs (strength less than 5 MW) in protected areas was stipulated a year earlier, in 2012, by the _Regulation on the Protection Regimes_. **Out of 850 planned SHPPs, a total of 90 have been constructed so far, the majority of them in protected areas.**[123]

Even though the authorities claim that the main reason for the development of policy measures that facilitate the construction of SHPPs is energy security and an increase in electricity production from renewable sources, the analysis of the information compiled in 46 locations, during or after the construction of SHPPs, indicates that these projects have devastating consequences for the environment. According to the _Dean of the Faculty of Forestry, Ratko Ristić_, who is one of the authors of the study for sustainable planning of the construction of SHPPs, the **main negative effects of the construction of small hydropower plants** are the destruction of aquatic ecosystems, the endangerment of flood protection infrastructure and the disturbance of the living conditions of the local population. According to Mr. Ristić, if all of the planned 850 SHPPs are constructed they would account for only 2-3.5% of the total

[123] Answer from Professor Ratko Ristić, Dean of the Faculty of Forestry, who replied to our questionnaire by sending us two of his analysis dealing with the construction of SHPPs: _Smernice za održivo planiranje i upravljanje slivnim područjima malih hidroelektrana u zaštićenim prirodnim dobrima_ (prepared for the Ministry of Environmental Protection in 2018) and Ratko Ristić, Ivan Malušević, Siniša Polovina, Vukašin Milčanović, Boris Radić, _Male hidroelektrane derivacionog tipa: beznačajna energetska korist i nemerljiva ekološka šteta_, Vodoprivreda, 2017.

energy produced in Serbia, while simultaneously destroying waterways.

The analysis also showed that legal requirements for the protection of the environment were not respected in the process of plan approval for the construction of SHPPs, such as the maintenance of a biological minimum of water flow for the survival of aquatic ecosystems.

Also, almost all of the developed Environmental Impact Assessment Reports claim that there will be no negative consequences on the environment and biodiversity. The quality and the scope of the research conducted for these reports is not satisfying and does not include a complete monitoring of living species in the rivers.

The *Right to Water Initiative* states that these reports should be an important protective mechanism, if they are based on reliable facts and not outdated data. Taking into account the far-reaching consequences of SHPP projects on society, Environmental Impact Assessment Reports should not be the main criteria during the evaluation process of the plans for construction of SHPPs in protected areas.

The civil society organisation, *Renewables and Environmental Regulatory Institute (RERI)*, adds that science facts, which indicate far-reaching

CITIZEN COMMENT

We must defend rivers and springs! Let's not sell the waters of Serbia.

and negative consequences of SHPP projects, are neglected and that the awareness of the necessity of environmental protection is low. They highlight that it is of utmost importance that authorities act in accordance with the law and that citizens raise their voice and use all available legal mechanisms to protect the environment from SHPPs.

Mr. Ristić emphasises the **necessity to re-evaluate procedures of construction permit issuance** not only for planned, but also already constructed SHPPs. Moreover, a ban on further construction of SHPPs in protected areas should be introduced and serious ecosystem disturbances and degradation of the environment prevented.

38. What are the main results and challenges in the process of the establishment of a waste management system in Serbia?

According to the Serbian *Ministry of Environmental Protection's Department for Waste Management*, and the evaluation of the National Strategy for Waste Management for the period 2009-2014, the establishment of the waste management system in Serbia has been slow to develop despite all the undertaken efforts.[124] One of the **main results** of the policies implemented in the field of waste management is the improvement of the legal framework and its harmonisation with EU legislation since two crucial laws, *Law on Waste Management* and *Law on Packaging and Packaging Waste*, were adopted. The evaluation of the Strategy also indicates that institutional cooperation has been strengthened, public awareness about the importance of waste management has been increased and waste management infrastructure has been improved.

However, the **waste management system requires further improvements** regarding waste collection, transportation and disposal, together with additional investments and better coordination among relevant actors. The data in the National Waste Management Strategy 2010-2019 indicates that the process of the establishment of the recycling system is underway, 70% of waste is being collected in Serbia of which 19% is being disposed into seven sanitary landfills, which have been constructed

CITIZEN COMMENT

When will we start paying for public transportation with plastic bottles instead of throwing them into the water?

in accordance with EU regulations, while the remaining waste is transported to unsanitary landfills. The disposal system of hazardous waste has not been improved at all since there is no location for disposal of this type of waste.

The civil society organisation from Novi Sad that is active in this policy area, *Environment Engineering Group*, states that Serbia's legislation should better reflect the reality in Serbia and the realisation of newly adopted legal acts in the EU, not only because of the EU accession process, but primarily because of the health of Serbian citizens. They also emphasise that **adopted legal acts are not being implemented properly as there is no monitoring of the process** and that authorities are not acting in accordance with defined responsibilities. According to the Environment Engineering Group, the Strategy remains a list of wishes after a lost decade. The fact that development of the new Strategy has not been inclusive so far indicates that the ongoing situation is not going to change significantly.

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124 The Ministry's of Environmental Protection's Department for Waste Management replied to our invitation for participation in the research by forwarding two documents – National Waste Management Strategy 2010-2019 (revised in 2015) and Report about Waste Management in Serbia 2010-2017 (2018). According to the Ministry, all relevant information could be found in these documents.

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5

FREEDOM
OF MEDIA
AND FAKE NEWS

FREEDOM OF MEDIA AND FAKE NEWS

Context

Numerous reports indicate that media freedom is endangered globally and that objective and independent reporting is facing challenges, such as restrictive national legislation, censorship, political and economic pressures. Media pluralism is under threat and a number of media outlets are being closed, while the safety and the work of journalists is violated.

The production and distribution of fake news, which emerged with the process of digitalisation and the development of social networks, is one of the issues which threatens objective reporting. Fake news has enabled a rapid spreading of large amounts of misleading, untrue and fictitious information. The quantity of disinformation has become so extensive that the World Economic Forum marked the phenomenon of fake news as one of the main threats to modern society and called for action.[125]

The Reporters without Borders (RSF) *2019 World Press Freedom Index* identifies fake news as one of the issues facing **Croatia** and places it in the 64th place out of 180 countries assessed by the Index. Also, the *Eurobarometer Survey from March 2018* pointed out that 47% of Croatian citizens believe they encounter fake news every day, while 40% of them assess fake news as a serious problem for the state and democracy. *Faktograf*, the only Croatian fact-checking web portal, recently became Facebook's partner in the fight against disinformation. There are currently only 21 fact-checking organisations searching for disinformation on Facebook in 14 national languages.

Slovenia occupies the 34th position according to the *2019 World Press Freedom Index* which identifies the criminalization of defamation, the increased threats against journalists and the high concentration of media ownership as the main issues that have to be tackled by Slovenian authorities. Even though the Index does not recognise the issue of

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125 World Economic Forum, Global Risks 2018, Digital Wildfires, http://reports.weforum.org/global-risks-2018/digital-wildfires/

fake news in Slovenian media, civil society organisations and media associations within the country single it out as one of the threats to free and independent reporting. Slovenian law stipulates that if the media publishes untrue information they have to prove that they had a valid reason for it; otherwise they may face criminal sanctions. The first article of the Slovenian Press Code of Conduct states that journalists must check the accuracy of the information they have obtained. The compliance of individual acts with the Code is established by the Journalist's Court of Honour; however violations and sensationalistic reporting in the Slovenian media still occur.

- The issue of fake news is also emerging in **Spain**, which will in 2019 not only hold EP elections, but also choose a new Government leader and hold local and national elections. Therefore, the fight against the dissemination of fake news which might affect voters is vital for the protection of democracy.

- According to the _2018 Eurobarometer Survey_, "nearly 8 out ten Spaniards find news they believe either distorts reality or is fake, while the EU citizens believe 68% of news fall within these parameters. 52% of Spaniards and 58% of Europeans believe this kind of news is easy to find and detect. 83% of Spaniards and 76% of Europeans believe this type of misinformation is a problem for democracy, with eight out of 10 Spaniards believing it is an issue for our country."

- The latest EU reports, as well as reports of international organisations, indicate that media freedom is endangered in **Serbia** due to pressure, harassment and intimidation of journalists, poor law enforcement, concentration of media ownership and political and economic influences over the media.

- The European Commission states in _Serbia 2019 Report_ that Serbia did not make any progress in 2018 in the areas of freedom of expression and labels this situation as a matter of serious concern. The Report states that journalists face threats, intimidation and violence, none of which is prosecuted.

- These media freedom concerns were registered in _Freedom House's 2019 annual report "Freedom in the world"_, in which Serbia's status declined from _Free_ to _Partly Free_. According to the _2019 World Press Freedom Index_, Serbia's rating declined 14 places compared to the 2018 Report and currently occupies the 90th position on the list. The Report assesses that in the last five years, "Serbia has become a place where practicing journalism is neither safe nor supported by the state."

39. Croatia, like many other EU Member States, has not adopted a plan for the prevention of fake news and announced they are introducing a law on inadmissible internet behaviour in autumn 2019. Taking this into account, who will regulate the implementation of the EU Action Plan Against Disinformation and how will they do it, especially prior to the European Parliament elections?

According to *Faktograf*, a fact-checking website in Croatia, it is not entirely clear whether the Government of Croatia understands that the implementation of the European Commission *Action Plan against Disinformation* is a serious process. At the conference *"Five Years of Open Data in Croatia: Practice and Challenges"*, a representative of the Central State Office for the Development of the Digital Society stated that the Croatian State Electoral Association will have a central role in this regard. However, it remains unknown whether this body is equipped with the necessary knowledge before the campaign for European Parliament elections.

The *Croatian Agency for Electronic Media* highlights that the European cooperation network on elections has a key role in the implementation of the EU Action Plan against Disinformation. They remind that, in September 2018, the *European Commission called on national political parties* to jointly ensure free and fair European Parliament elections.

As for criminal policy in cases of hate speech and fake news disseminated through fake profiles on social networks, the Croatian *Office for Human Rights and Rights of National Minorities (Office)* states that only fake profiles on social networks which promote the most severe forms of hate speech (e.g. encouragement of genocide or public stimulation of terrorism) can be punished, pursuant to Article 103 of the Croatian Criminal Law. The Court may also impose security measures prohibiting internet access for a period of six months to two years to the perpetrators where there is doubt that they can commit this criminal offense again.

In the context of the overall policy of prevention and suppression of hate speech, the Office is tasked with monitoring implementation of the *Code of Conduct on Combating Hate Speech on the Internet*, which is the Agreement concluded on 31 May 2016 between the European Commission and IT companies that manage the world's most important social internet networks and platforms - Facebook, Google, Twitter and Microsoft. The aim of this Agreement is to secure the commitment of the aforementioned companies in reviewing most of the received hacking applications within 24 hours and in removing or making inaccessible the content they consider to be a public incitement to violence and hatred. *A fourth round of monitoring the implementation* of the Code of Conduct has recently concluded with 73.4% of reported content representing hate speech being removed from the internet in Croatia.

40. What measures could be taken against fake news and should we change the regulation of ownership, financing and independence of media in this regard?

According to *Domen Savič, owner of the Citizen D Institute*, most violations of media legislation in Slovenia are not sanctioned so the capacities of regulatory bodies' should be strengthened. When talking about the public, the media consumer awareness has to be increased and an appropriate level of media literacy developed. Journalists should be more aware of their responsibilities and roles in society as well as be more actively involved in decision-making processes in the media field. Above all, the public should stop talking about fake news and focus on the problem of media propaganda and political, economic and state influence over the media, which will indirectly solve the problem of fake news.

The Slovenian media expert, *Dr. Sandra Bašić Hrvatin*, also stressed that strong economic and political interests prevent the adoption of appropriate media legislation. The non-transparent process of digitisation and ownership structure, the lack of self-reflection and the "trade union spirit" in the journalism profession have a direct impact on media consumers, who have lost confidence not only in the media, but also in all public institutions and democracy in general. The lack of media strategy and the attempts to change the legislation have shown a lack of political will and interest in protecting professional journalism as a public good.

She added that, at the moment, citizens do not have any tools and/or regulations with which they could prevent the abuse of media space. Social networks have become the most important source of information but they are not recognised as types of media in the existing legal order. She believes that fake news can be stopped only by reforming the media system.

Dr. Boris Vezjak, Slovenian philosopher, social critic and publicist, suggests that media regulation is necessary for providing greater professionalism and suggests a stricter and more systematic regulation of media ownership which would prevent politicisation and eliminate political or business pressures.

Furthermore, a new, up-to-date redefinition of the public interest of modern media is needed. It is necessary to amend the Media Act to allow for the issuance of fines for spreading intolerance and hatred (*Article 8 of the Media Act*), which must be harmonised with criminal law (*Article 297 of the Penal Code*). There is also a need to reform the *Media Act and the Slovenian Press Code of Conduct* since they are not tough enough to fight fake information and disinformation. The media law should enforce sanctions when there is clear evidence of fake news and provide self-regulation within the framework of the Slovenian Journalists' Association, while a new article which prohibits the spread of fake news should be written into the Code.

41. Is there a study on the influence of fake news on the decisions of Spanish voters in the general elections? Does any mechanism to control fake news exist in Spain?

Cibervoluntarios, a non-profit organisation dedicated to the promotion of the use of technology in addressing social gaps and increasing citizen empowerment, points out that there are studies that reinforce the idea that fake news can change electoral decisions in democratic societies. It was evident how fake news, along with other factors, contributed to the polarisation of the society in the United States, Brazil, Great Britain (in the case of Brexit) and Catalonia.

According to the *Study on the Impact of Fake News in Spain*, 86% of the Spanish population believe there is fake news. 60% believe that they know how to detect fake news, but in reality, only 14% can distinguish between what is true and what is false.

The *Xnet* platform warns that most disinformation has usually been produced and disseminated by governments, political parties, mass media and powerful corporations.[126] The solution is in education and media literacy campaigns which should equip citizens with the necessary knowledge and skills to detect fake news.

A number of fact-checking projects, which are dedicated to verifying the content that circulates through different social networks, media and the political sphere, are emerging to combat disinformation in Spain, such as *Maldita* and *Newtral*. *Cibervoluntarios* quotes professor Raúl Magallón, who called on citizens to put the numbers of Maldita and Newtral in their contacts and send them information whenever they read something that generates doubts. He emphasises that once fact-checkers verify

the information it is important to further share whether it is fake or not.

Another interesting initiative is called *Comprobado* and has been created by *First Draft*. This project relies on a collaboration of different Spanish media and other projects dedicated to fight against disinformation in public and political discourse. *Cybervoluntarios* has also contributed to the fight against fake news through their participation in the ongoing project *Provenance* whose aim is to develop a type of fact-checking technological tool.

On the other hand, the *Foundation of the Journalists' Syndicate* claims there has been no study about the impact of fake news on recent general, local and regional elections in Spain. In their opinion, a survey would be the most adequate tool for assessing the level of impact of fake news.

If a person believes fake news threatens his/her honour, image or personal and family privacy, he/she can file a demand to investigate who had disclosed that news. In the case when someone is accused of having carried out an activity that the Penal Code qualifies as a crime, that person can file a complaint.

Raúl Magallón[127] argues that the following principles are significant in the fight against fake news:

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126 Xnet, Fake you, Fake News y misinformation (2019) available at: https://xnet-x.net/img/FAKE-FINAL-low.pdf

127 Raúl Magallón Rosa is a professor in the Department of Journalism and Audiovisual Communication at the Carlos III University of Madrid (Spain), where he is part of the Research Group on Journalism and Social Analysis: Evolution, Effects and Trends (PASEET). He is the author of "UnfakingNews: How to combat misinformation", Ediciones Pirámide (2019), https://unfakingnews.com/

1. Technological companies should be transformed into companies which are at the service of the community: ensure better transparency of sponsored content; provide greater clarity on algorithms and allow their verification by third parties; make it easier for users to find and access different sources of news that represent other points of view; distinguish advertising and sponsored content from information and editorial content.

2. The importance of the electoral campaign as a form of expression of citizenship in a democracy: political advertising articles should be accessible to the public in a search repository together with the information on who is paying for the ads and which organisations are sponsoring the ads. The state should also guarantee the democratic election process and work on increasing digital literacy.

3. The defence of freedom of information and expression. Countries should ensure information pluralism and freedom of expression and information, which are essential in a scenario where the internet becomes a vehicle for the preferred expression of citizenship. The labelling of satirical information, a clear differentiation of sponsored content and the transparent distribution of institutional advertising are mechanisms that allow citizens to defend with greater knowledge the issues that are being raised.

In the digital world it is often said that it is better not to legislate than legislate badly. However, in this scenario of legislative hibernation, not discussing possible regulation may involve the inclusion of laws that have little to do with new forms of disinformation and much to do with the traditional use of propaganda to restrict our freedoms under the argument of national security.

42. How many cases have been registered in Serbia where journalist safety has been compromised in the last five years? How can their safety be improved?

The databases of the _Independent Journalists Association of Serbia_ (IJAS; Serbian: _Nezavisno udruženje novinara Srbije - NUNS)_ show a **steady overall increase in the number of assaults, threats and pressures on journalists and other media workers in Serbia in the last 5 years**, during which over 350 such cases were recorded. In 2018, there were a total of 102 cases of assault (including physical, verbal and attacks on property, as well as other pressures), while in 2014 this number was significantly lower – 36 cases.

IJAS highlights that convictions were issued only in a small percentage of cases – four in 2018 and two in 2017. All forms of pressures on journalists are rarely prosecuted because they do not have the status of criminal offenses. Therefore, last year IJAS prepared **recommendations and amendments** to the Criminal Code, the Criminal Procedure Code and the Constitution of Serbia, all of which should improve the safety and work of journalists.[128]

According to IJAS, some of the pressures on journalists, such as the request to remove videos, photographs or entire articles, denial of access to public sessions or prevention to broadcast, could be considered violations of freedom of speech and public expression, which is Article 148 of the _Criminal Code_. IJAS also proposed the introduction of a new article that would allow for special incrimination in cases when the limitation of or threat to freedom of speech relates to a journalist.

As far as physical attacks on journalists, which are mostly minor injuries, IJAS suggests that these should be recognised as criminal offenses as minor injuries.
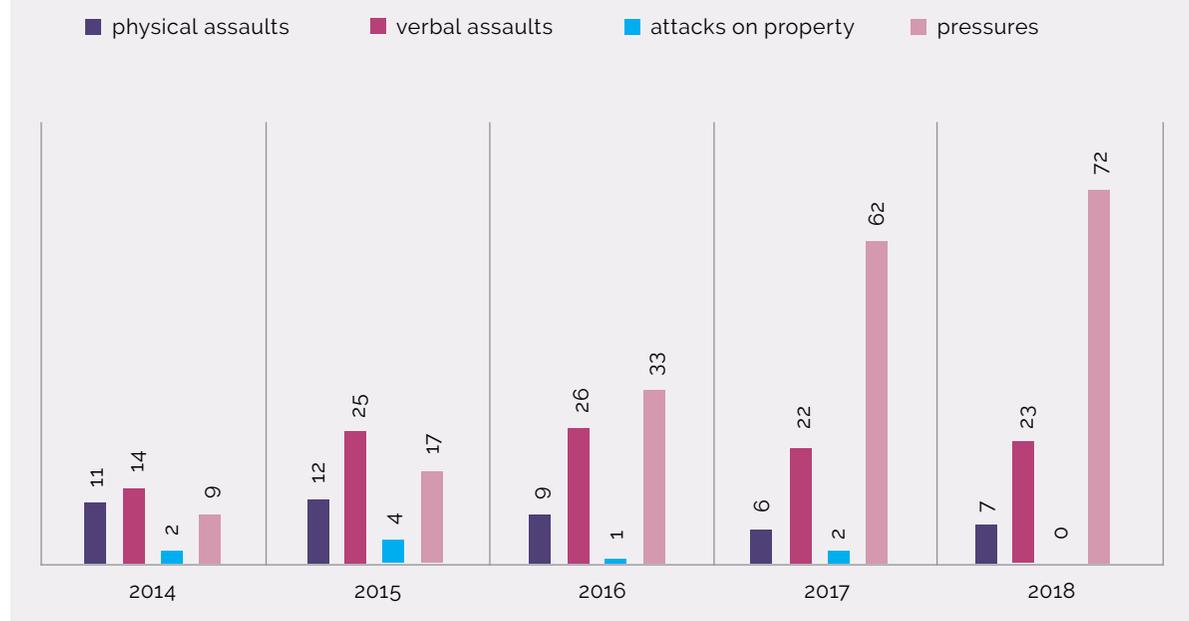
With the aim of ensuring the protection of journalists and their sources, the introduction of new forms of criminal offenses should be considered (i.e. monitoring and unsolicited recording of journalists, publishing of information about their private lives).

Harassment of journalists through social networks and other forms of electronic communication can be considered persecution. IJAS suggests the introduction of a more severe punishment when this offense is committed against a person who performs tasks of public importance in the field of media.

IJAS stresses that investigations in the prosecution of the attacks committed against journalists are not carried out quickly and efficiently. The judicial epilogue is often missing and a large number of unresolved cases remain. Therefore, it is necessary to make amendments to the Criminal Procedure Code and impose deadlines on competent prosecutor's offices in the pre-criminal phase.

The _Ministry of Culture and Information_ **recognises the problem of journalist safety and considers it as one of their priorities in its work.** The Draft of the new Media Strategy provides recommendations and envisages certain measures for the improvement of the environment for journalists' work. Some of the recommendations include documentation of

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[128] For more information, please see: http://www.nuns.rs/info/activities/38670/predlozi-nuns-a-za-unapredjenje-bezbednosti-novinara.html

CASES OF JOURNALISTS' COMPROMISED SAFETY

■ physical assaults　■ verbal assaults　■ attacks on property　■ pressures

	physical assaults	verbal assaults	attacks on property	pressures
2014	11	14	2	9
2015	12	25	4	17
2016	9	26	1	33
2017	6	22	2	62
2018	7	23	0	72

Source: Independent Journalists Association of Serbia (IJAS; Serbian: Nezavisno udruženje novinara Srbije - NUNS) databases

records of the number of crimes and violations committed at the expense of journalists and media workers, education in the field of journalist protection, and mechanisms for providing free legal assistance to journalists and media workers while performing their job.

The *Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) - Unit for Serbia* highlights that Serbia should

establish an environment which will enable and protect freedom of expression, prosecute those responsible for endangering the safety of journalists, publicly condemn such cases and ensure full implementation of media laws.

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43. How many warnings, temporary prohibitions for publishing programme content and seized licenses have been issued by the Regulatory Authority of Electronic Media (REM) in Serbia?

According to the *Independent Journalists Association of Serbia (IJAS)* from 2014, when the Electronic Media Act came into force, until 2018, the Regulatory Authority of Electronic Media (REM) issued 28 notices and 19 warnings, one temporary ban on the publication of a particular program, and did not revoke any licence due to breach of program obligations. In addition, REM reported misdemeanour/minor offences 1,020 times. The judiciary issued a verdict in just under half of the cases, out of which 60% were terminated due to obsolescence.

IJAS states that the work of REM could be more efficient, responsible and independent if it was separated from the system of state administration and the influence of legislative and state administration bodies was reduced.[129]

In the opinion of IJAS, since REM cannot ensure compliance with the law by using the measures which are at its disposal, the introduction of fines should be taken into consideration. The fines would prove to be more effective than notices and warnings, yet they are not as strict as the prohibition of publishing for up to 30 days and licence revoking.

The responsibility and professionalism of REM should also be strengthened and its work should not be based only on received reports of violations, which is particularly problematic during the election campaign.

Other contacted institutions, including REM itself, have not provided answers on this subject.[130]

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129 In 2018, NUNS developed a draft amendments to the Electronic Media Act, which are available at: http://nuns.rs/info/activities/38678/predlozi-nuns-a-za-unapredjenje-rem-a.html

130 BOS sent questionnaires to the Regulatory Authority of Electronic Media (REM), Independent Journalists' Association of Serbia and Serbian Association of Journalists.

6

PERSONAL DATA PROTECTION

PERSONAL DATA PROTECTION

Context

On May 25, 2018, the EU Regulation by the European Commission and Parliament known as *General Data Protection Regulation* or GDPR entered into force. This was a giant step towards better protection of citizens' rights to privacy in the European Union, paving the way for countries outside of the EU to adopt stricter regulations in the future. GDPR's main goal is to strengthen citizens' rights in the digital age as rapid technological developments and globalisation have brought new challenges in the protection of personal data, which are now being increasingly collected and shared. Organisations such as Facebook and Google are processing and sharing citizens' data on a scale which would have been unimaginable just a decade ago. Thanks to GDPR, EU citizens now have an opportunity to have more control over their data, while companies can be punished with administrative fines up to 10 million Euros or up to 2% of the total worldwide annual turnover of the preceding financial year, whichever is higher.

In **Croatia**, the law regulating the implementation of GDPR was passed in May 2018, just before GDPR was put into effect. The official national body in charge of regulating its implementation is the Agency for Personal Data Protection Regulation (AZOP). Citizens can file a complaint regarding infringements of their privacy rights directly to AZOP at *azop@azop.hr* or via mail at AZOP, Martićeva 14, 10000 Zagreb. One of the main controversies about the Croatian law on GDPR implementation was that public and state bodies cannot be fined for violations of GDPR.

In November 2018, **Serbia** adopted a long-awaited Law on Personal Data Protection which was set as one of the benchmarks for the opening of Chapter 23 (Judiciary and Fundamental Rights) within the EU accession process. The Law was praised by lawmakers for being aligned with GDPR. The Law introduced certain novelties: personal data processing can be done only with unambiguous approval of citizens while private companies are obliged to explain how they are processing personal data. Furthermore, it announced more severe penalties for violation of the Law's provisions, while state authorities are now obliged to appoint someone who will be in charge of personal data protection.[131]

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131 Insajder, *Zakon o zaštiti podataka o ličnosti usvojen bez predloženih korekcija* (9 November 2018)

However, the European Commission, the Commissioner for Information of Public Importance and Personal Data Protection of the Republic of Serbia (the Commissioner), as well as civil society organisations had criticised the draft Law that was eventually adopted without incorporating any of the comments or concerns from the EU, independent state institutions and civil society.

For more information on specific comments and raised concerns regarding the Law on Personal Data Protection, please read HERE and HERE.

Furthermore, the *Commissioner's Annual Report for 2018* underlines the inadequate legal framework as a key problem in the field of personal data protection. According to the Report, there were more violations of personal data protection than in 2017 - the Commissioner closed 7,616 cases regarding personal data protection, an increase of 60% compared to 2017 (4,624 cases in total).

CITIZEN COMMENT

The safety of our data could be summarised in one sentence: 'Good afternoon, Your ID please'.

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44. How can Serbian citizens exercise their legally guaranteed right to personal data protection?

According to the _Commissioner for Information of Public Importance and Personal Data Protection_, **citizens should be primarily acquainted with their rights regarding personal data processing**, which is the basis of the prevention of violations. In that respect, the Law on Personal Data Protection prohibits the processing of data without legal grounds or the consent of the individuals themselves. Moreover, personal data processing will be considered illegal if the purpose of the processing has changed from the moment of consent being given or if the processing has continued even though the citizen has withdrawn consent. Personal data processing can include only data which is necessary for the fulfilment of the purpose of processing, while the size and type of the collected data have to be proportionate to the purpose.[132]

The _SHARE Foundation_, a non-profit organisation dedicated to the promotion of digital rights and free access to information, highlights that citizens have **the right to request from the data controller:** information about the data being processed, access to that data, transfer of its copy, correction, updating, erasure of data and termination of data processing.[133]

If the data controller denies or rejects the request of the citizen in question, he/she can **submit an appeal to the Commissioner** within 15 days from the receiving of the ruling of the data controller.[134] Individuals can also file an appeal to the Commissioner if the data controller has not responded to the request within the deadline. There is no possibility to appeal the Commissioner's rulings, which can only be challenged at Serbia's Supreme Court of Cassation.[135]

The SHARE Foundation highlights that there are several protective measures that can help citizens control and protect their right to **digital privacy**[136] such as creating strong passwords which do not contain facts about the user or whole words as well as using free programmes (i.e. _KeePass)_ which safeguard all passwords in one place. Citizens should also activate two-step authentication, regularly update their operating systems and applications and install software for protection against various threats such as viruses, plugins for ad blocking, encryption programmes for blocking illegal access to discs and email communication.

The _Partners for Democratic Change Serbia_, a civil society organisation specialising in the fields of rule of law, democracy and human rights, suggests that **citizens should take control over their personal data and determine the boundaries of their privacy** which is nowadays endangered not only by the state but also by private companies. When deciding where the boundary is, citizens should assess if access to their personal data is necessary for receiving certain services or products.

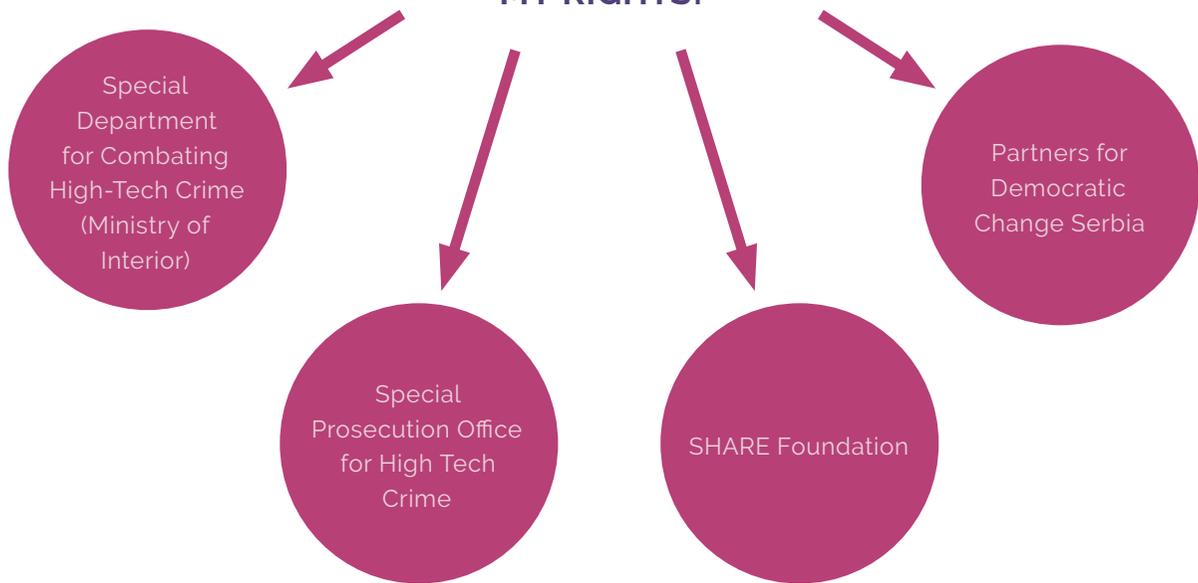**132** For more information, please see: _Personal Data Protection – the Commissioner's opinions_ (2019)

133 For more information, please see SHARE publications: _Vodič kroz GDPR i zaštitu podataka o ličnosti: moji podaci, moja prava_ (2018), _Vodič za medije: zaštita ličnih podataka i novinarski izuzetak_ (2018)

134 For more information, please see _Obligation of Data Controller_s at the Commissioner's website

135 For more information, please see _Who Can I Complain To?_ at the Commissioner's website.

136 SHARE Foundation, _Osnove digitalne bezbednosti_ (2015)

WHO ELSE CAN PROTECT MY RIGHTS?

Special Department for Combating High-Tech Crime (Ministry of Interior)

Special Prosecution Office for High Tech Crime

SHARE Foundation

Partners for Democratic Change Serbia

The Law also stipulates the right to compensation for the person whose personal data protection was violated.

45. Do entities such as local tourist agencies have the right to share citizens' data with private companies (e.g. utility firms) without their consent?

The _Agency for Personal Data Protection_ (AZOP) in Croatia states that according to GDPR (art. 6, par. 1), personal data processing is lawful only if one of the following conditions applies: the data subject has given consent to the processing of his/her personal data for one or more specific purposes; processing is necessary for the purpose of signing, preparing or performing a contract with the person providing the data; processing is necessary for compliance with a legal obligation; processing is necessary in order to protect the vital interests (life, health) of the data subject or of another person; processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority; or processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data.

The legal basis of data processing, purposes of processing and accompanying obligations of the data controller is established in the EU and/or in the national law of the member state of the data controller.

For example, if a local tourist agency is processing citizens' personal data, the legal basis for such processing is the Croatian Law on the Residence Tax (NN 152/08, 59/09, 97/13, 158/13 and 30/14), Law on the Catering and Hotel Industry (NN 85/15 and 121/16), and Regulation on reporting the number of tourists (NN 126/15) and guests lists (NN 140/15).

As per Regulation on how to report the number of visitors who are obliged to pay the residence tax (NN 126/15), the tax is calculated in the eVisitor system, based on the data provided by the tourist, which also monitors the payments. The inspection bodies use the data from the lists of visitors and the data from the eVisitor system for conducting activities within their jurisdiction and under the condition that they use the standard protocol for reporting the number of visitors in line with data protection measures (auto-identification protocol).

Consequently, **there is no legal basis for utility firms to process visitors' personal data for the purpose of calculating utility fees.** Article 5 of GDPR states, among other principles, that all personal data must be processed lawfully. Moreover, according to the principle of accountability, the controller shall be responsible for and be able to demonstrate compliance with the principle of lawfulness. If the data controller does not have any legal basis for the processing according to Article 6 of GDPR, which he/she can demonstrate, personal data processing is considered unlawful.

The Croatian Law on the implementation of GDPR does not stipulate fines for public bodies in cases of data privacy infringements – is this a common practice in the national legislations within the EU?

According to AZOP, the EU Member States have regulated this issue differently. In France, it is possible to sentence public bodies, with the exclusion of state bodies and local authorities. In Germany, public and state bodies can be fined only in cases when they are competing in the market as private corporations. It is important to note that there are different interpretations in different EU Member States of what is a public body or authority and what is not. Additionally, experiences of the Member States speak in favour of the fact that publishing the information on the violator is sanction enough since this motivates the public bodies to comply with GDPR.

WHAT CAN
(SHOULD) EU
DO FOR YOU?

WHAT CAN (SHOULD) EU DO FOR YOU?

SPAIN

Overcoming North-South political and socio-economic gap

Deep integration of European states into the EU, which a while ago was considered only an idealistic dream, is a reality. However this unity might be at risk, taking into account that differences between the countries of northern and southern Europe are becoming increasingly evident in areas such as social justice, employment and immigration policy.

These differences are causing concern among the Spaniards, who are mostly pro-EU, which is not the case in some of its neighbouring Southern countries. The integrity, stability and durability of the EU will rely on policies that can establish a balance among northern and southern countries. Only the idea of a united and equally developed continent can provide the same quality of life for its inhabitants, regardless of their country of origin.

46. How should development and global justice be promoted and what can be done to overcome the European North-South political gap?

According to *Ramón Jáuregui*, a Member of the European Parliament, the goal of the EU was an integration relying on a shared sense of citizenship throughout Europe and among EU Member States. In Spain, 83% of the population confirm that they are citizens of the EU, which is one of the highest values in the entire EU, after Luxembourg (89%). However, the North-South political gap, caused by the distrust of the Northern countries towards the Southern ones, prevents stronger integration, the establishment of an equally developed European economic area and the development of economic and social policies based on solidarity. Moreover the East-West gap has always prevented the adoption of a common policy on migration issues and this

represents one of the main challenges for the future of the EU.

Jáuregui highlights that overcoming this gap is one of our greatest urgencies. This is why the defence of the Sustainable Development Goals as an engine for development, peace, dialogue and prosperity, not only within the EU but also beyond its borders, must play a leading role in the 2030 Agenda. A Europe that invests in the technologies of tomorrow and supports the single market, industry and common currency, must be protected. At the same time, an inclusive Europe that moves towards a better defence of human rights and fight against climate change should guide our political action in the next term.

Croatian Presidency of the Council of the EU

The Presidency of the Council of the EU rotates among EU Member States every six months. The Member States holding the Presidency work together closely in groups of three, called "trios". The current trio is made up of Romania, Finland and Croatia.[137] The trio sets long-term goals and prepares a common agenda which determines the topics and major issues that will be addressed by the Council of the EU over an 18 month period. On the basis of this, each of the three countries prepares its own more detailed 6-month programme.

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137 Romania, Finland and Croatia are presiding the Council of EU from January 2019 to June 2020. Croatia will take over the Presidency in January 2020.

47. What are the benefits and obligations of Croatia during the Presidency of the EU?

At the moment of taking over the Presidency of the Council of the EU, Croatia will no longer act through the presentation of national views, but as a Chairman, striving to achieve a balanced compromise in the European spirit and among all other Member States. As Chair of the Council, Croatia will determine the programme and prioritise the work of the Council in these six months by taking into account the European Agenda and the strategic documents. The country's obligation is to conduct legislative proceedings in the Council, propose daily rows, prepare hearing documents, etc. Acting as fair mediator and moderating debate in the Council in a manner which seeks to find a satisfactory compromise among the interests of the Member States will be particularly challenging.

At the same time it is an opportunity for the presiding Member State to point out issues that are of national importance. The framework for European policies and priority measures which Croatia wants to address have already been _set by the Presidency trio_ - Romania-Finland-Croatia, and approved by the Council in December 2018. In addition to those priorities and measures set out in the _Trio Programme_, Croatia will also draw up the National

Presidency Programme[138] with measures and activities to be represented and prioritised during the Croatian Presidency of the Council of the EU. Presiding is an opportunity for every Member State to promote itself in all spheres. It is an opportunity for Croatia to present itself to the European public - economically, culturally and in tourism, given the fact that a series of meetings in those six months will be held in Croatia.

Being Chairman of the Council gives a country the opportunity to take part in trilogue meetings. Therefore, it is an opportunity to fully understand the overall functioning of the EU, its working methods and decision-making. Recent Member State experiences testify that, after the first Presidency, the Member State fully "breathes" as an EU nation, and its administration is better equipped for acting in the EU. In the _Ministry of Foreign and European Affairs of the Republic of Croatia_, who provided the answers to this question, the presiding role is also seen as an opportunity for further professionalisation of the state administration.

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138 The Croatian Presidency program will be adopted by the Government by the end of this year (2019).

EU Funding Opportunities

The European structural and investment funds (ESIF) are financial instruments for the implementation of the European Union's public policies. One of the most important public policies of the EU is the Cohesion Policy, whose purpose is to reduce significant economic and social differences between EU Member States and regions. ESIF are managed by the EU and the Member States through ESIF's management and control system. In Croatia, the central coordination body that is responsible for managing ESIF is the *Ministry of Regional Development and EU funds*.

48. How many resources did Croatia obtain from the European structural and investment funds in comparison to the Croatian national contribution to the EU budget?

According to the *Ministry of Regional Development and EU Funds*, on 31 December 2018, the Republic of Croatia was positive HRK 10.1 billion, since the total amount of annually received ESIF funds was higher than the Croatian contribution to the EU budget. In the period 2013 - 2018, the Republic of Croatia received HRK 28.1 billion from ESIF while at the same time allocated HRK 18 billion to the EU budget. In mid-2018, the budgetary difference was HRK 8.4 billion but increased by HRK 1.7 billion by the end of the year due to better utilisation of EU funds.

2013-2018

Croatia   EU budget

HRK 28.1 billion   HRK 18 billion

European structural and investment funds (ESIF)   Croatia
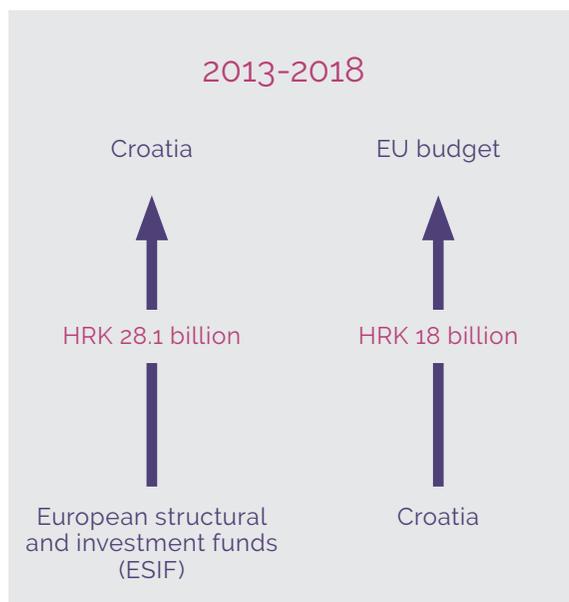
49. How do EU funds for funding culture function? Where is it possible to find more information on this topic?

The *Ministry of Culture* in Croatia is the main intermediary body for the Operative Programme under the *"Investment for Growth and Jobs"* goal (2014-2020). Within Priority Axis 2, cultural and art activities and initiatives promoting the inclusion of vulnerable social groups are funded. Within Priority Axis 4, good governance in culture, by strengthening the cooperation of NGOs and public sector, is also funded.

The most important EU funding opportunity in the field of culture is the *Creative Europe Programme* implemented by the Executive Agency for Education, Audiovisual Policy and Culture (EACEA) for the period 2014-2020. Primarily, the Programme supports the development of the European cultural and creative sector (via CULTURE Programme), as well as the film industry and video game industry (via MEDIA Programme). The Office for CULTURE Programme has been established within the Ministry of Culture, while the Office for MEDIA Programme is within the *Croatian Audiovisual Center* (HAVC). The EACEA allocates the funds through Calls for Proposals, while the offices located at the Ministry of Culture and HAVC act as advisory bodies for all those interested in applying for the Programme.

What is necessary to know in order to prepare applications for these funds?

All necessary information about tenders and calls for proposals are published online, whether on the ESIF website (http://www.strukturnifondovi.hr and http://www.esf.hr/) or the website of the *Creative Europe Programme*.

All tenders and calls for proposals have documents with detailed instructions for submitting the project application and other eligibility criteria (e.g. type of legal entity, compulsory partnership, etc.).

Is there any support for co-financing from Croatian authorities for applications within these funds?

The projects which are selected through the Call for Proposals by the Ministry of Culture within the Operative Programme "Effective Human Resources" are fully funded, 85% of which is provided by the European Social Fund, while the compulsory 15% national co-financing is provided by the Ministry of Culture from the State Budget of the Republic of Croatia.

Erasmus Programme

50. What can I do if the University/Faculty I want to visit within the student exchange programme is not connected to my University/Faculty? Whom can I contact and how to offer cooperation?

According to the _Agency for Mobility and EU Programmes_ (AMPEU) the _Erasmus + Mobility programme_[139] is implemented on the basis of inter-institutional agreements between Croatian and foreign higher education institutions of the Erasmus Charter for Higher Education (ECHE). If an inter-institutional agreement has not yet been concluded between the two higher education institutions the student can contact the Erasmus Coordinator or the International Cooperation Office. However, when choosing a foreign higher education institution for outgoing study stays, it is important to look at the coherence (learning outcomes) of the courses between foreign and home universities for recognition of the outcomes of mobility.

> What if a student has more ECTS points on a foreign university? Is their home university obligated to recognise them or not?

Before the student leaves for the foreign university/faculty (study stay), a Learning Agreement between the student and sending and receiving institutions of higher education should enter into force. This agreement should define all the academic obligations of the student regarding attendance and successful completion of studies at a foreign higher education institution. In accordance with the recommendations of the _ECTS Guidebook (2015),_ upon the student's return to the home higher education institution, all that is defined in the Learning Agreement and achieved at the foreign higher education institution is recognised and approved by a transcript of the qualification. The _Ministry of Science and Education_ points out that the higher education institution is not obliged to admit ECTS credits as a requirement for enrolment in the next year of study if they are not listed in the Learning Agreement. The recommendation of the Ministry is that the excess of ECTS credits is included in the Supplementary Study Document. Likewise, if applicable, a College of home higher education institution may recognise such courses as electives.

> Is there any research or data which show that Erasmus participation is acknowledged for students when trying to find a job? This is often mentioned as one of the benefits of participation in the student exchange.

The Erasmus Impact _Study_ "_Effects of mobility on the skills and employability of students and the internationalization of higher education institutions_"[140] has shown that mobility students acquire transversal skills which help them increase their employability and that they have an advantage over other candidates in the job selection process.

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139 Erasmus+ is the EU's programme to support education, training, youth and sport in Europe. Find more about it _here_.

140 The Republic of Croatia did not participate in the study because it was not a Member State of the European Union at the time.

CONLCUSIONS AND RECOMMENDATIONS

CONCLUSIONS

Phase I:
Wide campaign on social networks directed to citizens

Citizen participation is an important mechanism which enables them to get involved in decision making and shape public policies in line with their interests and needs, overcoming the gap between themselves and public authorities. Achieving this type of participation and approach in one's everyday life is not an easy task at either the local, national or EU level, even though decision-makers mostly recognise that listening to and responding to the concerns of citizens is one of their main priorities.

These are the main findings we identified during the wide social media campaign:

- **Existing communication channels:** In Serbia, Croatia and Slovenia, the most popular social network during the campaign was Facebook, in Spain it was Twitter, and in Montenegro, Instagram and Facebook.
- **Social media serves well for information, not for clearly articulated debate:** Although social networks are very popular lately for different types of social activism, one of the main conclusions for us was that citizens use social networks mostly to stay informed and exchange information like general comments, but do not always engage in real debate. Furthermore, although sponsored posts on Facebook did reach a certain amount of people, they also attracted a higher percentage of hate speech.

- **Scepticism about getting answers**: Most citizens were quite sceptical while directing questions to us on certain topics. While they did send and pose specific questions for institutions and decision makers, they would usually add at the end that they did not expect answers.
- **Good governance, fake news, privacy and environmental protection**: In Montenegro, Serbia and Spain questions related to topics tackling good governance was a key concern for citizens. Most of them in their posts usually used the opportunity to criticise and provide their assessments of the work of the public administration than actually ask specific questions or raise particular concerns. In Croatia, the topic of fake news and media freedom, as well as personal data protection, proved to be interesting to citizens, who were less interested in the work and functioning of particular EU institutions and more in how decisions affect their daily life. Also, concern for the environment generated a lot of questions in Serbia and Slovenia where the public demonstrated good levels of familiarity with the issues and related solutions.

Phase II:
We ask for you - decision-makers have a say

In the second phase of this research, which included dissemination of questionnaires with selected citizens' questions to stakeholders, new obstacles were encountered - **the EU and national institutions were mostly either unresponsive or only provided answers after several reminders and additional explanations about the idea behind the project**.

In Serbia, it was particularly difficult to obtain answers on issues that are currently in the public spotlight and are somewhat controversial as they reveal problems that we are currently facing in the wider public debate (i.e. small hydropower plants, media freedom, budget execution).

In Montenegro, the percentage of decision maker responses received, who are directly elected and thus should be closest to the citizens, was low – we received answers from only 30% of Montenegrin municipalities and less than 5% of MPs in the National Parliament.

In Spain, the questions were sent to all the country's MEPs and less than half of them responded, while in most cases all the members of the same political party responded in the same way. A low response rate was also received from the ministries: only two out of 13 responded to the questions.

Similarly, Croatian institutions, especially ministries, were not responsive, and some did not acknowledge that they even received the questionnaire. However, independent state bodies were more responsive in answering citizens' questions, as well as Croatian Members in the

European Parliament and the Croatian parliament. Around 30% of municipalities and cities responded rapidly, probably due to the fact that the questions were sent to their designated Information Officers.

On the other hand, in Slovenia, public bodies and MEPs were keen to cooperate, even though, because of their busy schedule, they had to be reminded to answer the questions.

contents

RECOMMENDATIONS

In the light of the findings of this research, a series of recommendations for the relevant national and EU level actors have been developed.

National and local authorities should improve:

- **Responsiveness to citizens' requests and implementation of the right to access information according to existing legal frameworks**, as well as comply with the legally established timeframes for responding to the public's requests. The right of access to information, the right to ask for and receive information is still weak, and should be strengthened, with public bodies taking requests from citizens seriously and responding within the legally established timeframes. Also, access to information laws has to be in line with the Council of Europe Convention on Access to Official Documents which has been ratified only by Montenegro (Serbia and Slovenia are one of the signatures, while Croatia and Spain have not signed it yet).
- **Proactive online publication** of all basic information about the working of public bodies (i.e. list of employees, budgets).
- **Channels of communication and consultations with citizens** by strengthening existing mechanisms for citizen participation in public discussions, making better use of social media channels, and designing and incorporating digital tools, such as mobile applications and platforms, in the policy and decision making process.
- **Communication with younger generations** and ensure that participation and communication tools are designed in a way that are effective in reaching these groups. Public debates, educational events in schools and social media can be used to reach a wider audience and inform them about various topics that have relevance to their daily lives.
- **Raise citizens' awareness of the importance of citizen participation** and educate them about the possibilities of their active inclusion, as well as their legally guaranteed rights in this field. Authorities should not only encourage higher participation among citizens, but also demonstrate that they are willing to address citizen interests and are able to respond to their needs.

The European Union should:

- **Improve proactive communication** with the citizens and ensure that social media platforms such as Facebook, Twitter, and Instagram are used not only for one-way communication but engagement in debate with the interested public.
- **Better inform citizens of what the European Union is**, how it works, and what its values are and how it benefits citizens.
- **Better inform the wider public** about the mechanisms of connecting and cooperating within the EU.
- **Increasingly support civil society, government and local government programmes** that genuinely promote active European citizenship.
- **Develop programmes that actively engage a broader spectrum of the public** in discussions with decision-makers (i.e. citizen assemblies involving a representative sample of members of the public) and ensure that such engagements is taken seriously and inputs are integrated into the decision-making process.

Members of the European Parliament should:

- Respond to letters and requests for information from citizens in a short period of time and in full;
- Be more active in their personal interactions with citizens;
- Be fully transparent about their meetings and schedules, including all meetings with lobbyists;
- Be transparent about the use of funding received from the European Parliament in order to increase confidence and trust in the role of MEPs.

GENERAL RECOMMENDATIONS - Urgent Need to Act to Improve Transparency and Participation

- Public bodies at the local, national and EU level need to significantly improve their channels of communication and respond more rapidly and comprehensively to inquiries from the public. The current situation – confirmed by the difficulties we had in obtaining responses during this research – undermines the idea that public institutions should serve the public and not vice versa. It is clear that it is necessary **to strengthen communication between citizens and public institutions across Europe.** This is something that should be fully embraced by public authorities and should not only rely on citizens' initiatives.

- In many cases, even when there are legally established mechanisms for public participation in decision-making processes, **these mechanisms are not taken seriously by public authorities who only focus on fulfilling the formal requirements for citizen participation.** These mechanisms should be more inclusive and result in establishing more open governance that efficiently addresses citizens' comments.

- There is **a pressing need to broaden and strengthen the right of citizens to engage in decision making**, so that citizens are able to contribute constructively to decisions that affect them, and are able to contribute to problem solving, ensuring that such decisions are taken in the public interest.

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ANNEX

We would like to thank all who participated in our research and found time to send us the answers to citizens' questions.

Croatia

City of Belišće

City of Buje

City of Crikvenica

City of Čabar

City of Čazma

City of Dubrovnik

City of Duga Resa

City of Gospić

City of Hvar

City of Ilok

City of Ivanec

City of Jastrebarsko

City of Kutina

City of Mursko Središće

City of Novalja

City of Novi Vinodolski

City of Otočac

City of Ozalj

City of Pazin

City of Pregrada

City of Pula

City of Rab

City of Rijeka

City of Samobor

City of Sinj

City of Sveta Nedjelja

City of Umag

City of Varaždin

City of Zlatar

Committee for Deciding on the Conflict of Interest

Croatian Agency for Electronic Media

Croatian Agency for Mobility and EU Programs

Croatian Agency for Personal Data Protection

Croatian Parliament

European Anti-Fraud Office (OLAF)

European Commission Representation in the Republic of Croatia

Faktograf

Group/Club of Parliament members from the Croatian Peasant Party

Group/Club of Parliament members from the Istrian Democratic Assembly

MEP Biljana Borzan

MEP Dubravka Šuica

MEP Ivana Maletić

MEP Jozo Radoš

MEP Marijana Petir

MEP Ruža Tomašić

MEP Tonino Picula

Ministry of Culture

Ministry of Foreign and European Affairs

Ministry of Public Administration

Ministry of Regional Development and EU Funds

Ministry of Science and Education

Novi Marof

Office for Human Rights and Rights of National Minorities

Political party START

Political platform "Možemo!"

State Attorney Office for Prevention of Corruption

Virovitičko-podravska County Office

Montenegro

Agency for Prevention of Corruption

Centre for Monitoring and Research (CEMI)

Delegation of the European Union to Montenegro

Directorate - General for Neighbourhood and Enlargement negotiations (DG NEAR)

European Integration Office

Health Insurance Fund

Members of Parliament (4 answers)

Ministry of Public Administration (2 answers)

Ministry of Sustainable Development and Tourism

Ministry of the Interior

Municipality of Gusinje

Municipality of Kolašin

Municipality of Mojkovac

Municipality of Nikšić

Municipality of Petnjica

Municipality of Pljevlja

Municipality of Tivat

Office of representative of Montenegro before European Court for Human Rights

Protector of Human Rights and Freedoms of Montenegro

Secretariat – General of the Government

State Audit Institution

Working group on Chapter 23 (5 members)

Working group on Chapter 24 (4 members)

Serbia

Anti-Corruption Agency

Centre for Investigative Journalism of Serbia (CINS)

City of Belgrade - Secretariat for Environmental Protection

City of Kragujevac - Department for Environmental Protection

City of Panačevo - Secretariat for Environmental Protection

City of Subotica - Department for Environmental Protection and Sustainable Development

City of Užice - Department for Environmental Protection

Commissioner for Information of Public Importance and Personal Data Protection

Ratko Ristić, Dean of the Faculty of Forestry

Delegation of the European Union to the Republic of Serbia

Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) - Unit for Serbia (3 members)

Don't Drown Belgrade

Environment Engineering Group

Environmental Protection Agency – Air Quality Control Department

European Movement in Serbia

European Policy Centre

Group of Public Policies Analysis and Development

Independent Journalists Association of Serbia (NUNS)

Institute of Public Health Kraljevo - Department for Air Assessment

Ministry of Culture and Information - Media Sector

Ministry of Environmental Protection - Department for Waste Management

Ministry of European Integration

National Coalition for Decentralization

Negotiating Team for Accession of the Republic of Serbia to the European Union

Partners for Democratic Change Serbia

Renewables and Environmental Regulatory Institute (RERI)

RES Foundation

Right to Water Initiative

SHARE Foundation

Standing Conference of Towns and Municipalities (SKGO)

Transparency Serbia

United Movement of Free Tenants and Owners of Private Buildings (UPSS)

Slovenia

Association DOVES

Association of Municipalities of Slovenia

Boris Vezjak

Citizen D

CNVOS

Europe Direct Contact Centre Slovenia

Europe Direct Koper - Capodistria

Europe Direct Koroška

Faculty of Humanities, Media and Communication Department

Faculty of Social Sciences, Department of Defense Studies (2 answers)

Faculty of Social Sciences, Policy Analysis and Public Administration department (2 answers)

Geographical Institute ZRC SAZU

Greenpeace Slovenia

Institute for Electronic Participation (INePA)

List Marjan Šarec

List Povežimo se (Let's join together)

MEP Franc Bogovič

MEP Igor Šoltes

MEP Ivo Vajgl

MEP Romana Tomc

MEP Tanja Fajon

Ministry of Finance

Ministry of Foreign Affairs

Ministry of Public Administration

Ministry of the Environment and Spatial Planning

Political party Levica (The Left)

Transparency International Slovenia

Umanotera

Spain

Area for Citizens´Participation, Transparency and Open Government of the City Council of Madrid

Association for Environmental Communication and Information (ACIMA)

Association of Institutional Relations Professionals (APRI)

Cibervoluntarios

Court of Auditors

Department for Economy and Finance of the City Council of Madrid

Foundation Civio

Foundation Hay Derecho

Foundation of the Journalists' Syndicate (FeSP)

General Directorate of Open Government and Citizen Attention of Madrid

MEP Antonio López

MEP Beatriz Becerra

MEP Clara Aguilera

MEP Eider Gardiazabal

MEP Elena Valenciano

MEP Enrique Guerrero

MEP Iratxe García

MEP Izaskun Bilbao

MEP Jordi Solé

MEP Ramón Jáuregui

MEP Soledad Cabezón Ruíz

Ministry of Education

Prosecutor's Office

Public Governance Area of the Ministry of Territorial Policy and Public Function

Raúl Magallón (Expert)

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Questions
from YOU
to the EU