ANALYSIS OF PUBLIC POLICIES AND LEGAL CHANGES IN THE ADMINISTRATIVE FUNCTIONS OF THE REPUBLIC OF NORTH MACEDONIA, AIMED AT HARMONIZATION WITH THE PRINCIPLES AND STANDARDS OF THE EUROPEAN UNION

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Abstract

We can conclude that great progress has been made in terms of public administration reform policies, but weaknesses are still detected as regards political neutrality, accountability, motivation and training within the administration. There is a need to measure the results of the administration, divert certain administrative activities and review the functionality of state bodies. Special emphasis should be placed on the slow adaptation of laws, specifically the law on General Administrative Procedure, the establishment of the one-stop-shop system and the appointment of responsible persons to manage procedures. Regarding the Law on Administrative Dispute, the applicability of some provisions will ensure efficiency in the judiciary, but in general, we cannot agree that the scope of work will be reduced and the efficiency of the Administrative Judiciary increased. Although the legislature seeks to increase the efficiency of correspondence between the administration in administrative bodies, which resolve administrative cases and the administrative court, time is wasted while waiting for the original documents relevant to the hearing to be delivered.

Keywords

administration, policies, laws, principles, efficiency, accountability

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Introduction

For the consistent implementation of state administration reforms, the Government continuously strives to improve the instruments for strategic planning, policy analysis and coordination. In February 2007, the General Secretariat of the Government of the Republic of Macedonia adopted guidelines on the manner, form and content of the preparation of strategic plans of the ministries and other state administration bodies. For an easier implementation of the guidelines, the General Secretariat of the Government has developed a Strategic Planning Manual. The Strategic Planning Manual identified the legal basis in the Law on Budgets, Article 15, paragraph 3, according to which budget users are obliged to prepare a three-year strategic plan containing programmes and activities, aimed at achieving the strategic priorities of the Government of the Republic of Macedonia, as well as priorities and the budget user's goals for that period (art 15 (3) Law on Budgets).The legal framework that regulates the system for planning and policy-making consists of the Law on the Government of the RNM (art 4. Law on the Government)[1] and the Rules of Procedure of the Government of the RNM, (Rules of Procedure of the Government of the Republic of Macedonia) which establish the foundations for the processes of strategic planning, policy analysis and coordination. The methodology for policy analysis and coordination sets out the basic principles for policy-making, and together with the published Policy-Making Manual are the basis for continuous training in the state administration.[2] Ensuring full consistency of the established strategic planning mechanisms, including the budget process with its mechanisms and instruments, is one of the key objectives set by the Government. This implies harmonization and the consistent implementation of established administrative procedures, supported by the electronic system of operation of the Government, as well as capacity building, both at central Government level and in the state administration bodies. Regarding the strengthening of central coordination mechanisms, the Government tries to contribute to the changed position and the functioning of the General Secretariat as a professional service of the Government.[3] The role of the General Secretariat of the Government in the strategic planning process is defined in Article 24, according to which the General Secretariat is responsible for coordinating the process and ensuring the harmonization of the strategic plans of the ministries and other states administration bodies. The Strategic Planning Methodology and the preparation of the annual work programme of the Government define the phases and procedures in the strategic planning process, including the time frames for the implementation of specific measures and activities, as well as the association with the budget process. Here, the competencies of the General Secretariat and the Ministry of Finance, as bodies responsible for coordinating these processes, are clearly defined. The development of strategic plans and policy coordination has been a priority goal of all Government strategies from 1999 until the present day. A survey was conducted (Denkova & Denkova, 2016) on the situation across all the state bodies regarding the realization of strategic plans; interviews were conducted in 20 state bodies with over 30 respondents, involving civil servants with various categories of titles. The focus of the research was the

1 The Government determines the economic and development policy, determines measures for its realization and proposes Assembly measures for the realization of the policy that is within its competence. The Law also determines the policy of execution of the laws and other regulations of the Assembly, monitors their execution and performs other activities determined by law. Within the framework of their rights and duties determined by the Constitution and law, the Government and each of its members are accountable for their work before the Assembly

2 Policy-making manual issued by the General Secretariat of the Government, developed and funded by the NORMAK project, Norwegian support of the Republic of Macedonia in the field of European integration and public administration reform, with the contribution of SIGMA, Skopje, 1997

3 With the amendment of the Law on the Government, Article 40-a ("Official Gazette of the Republic of Macedonia" no. 55/05) the General Secretariat was established as an expert service of the Government, to provide coordination and professional support for the needs of the Government, the Prime Minister, his deputies, as well as the members of the Government in exercising their competencies

documents, operational plans and procedures related to strategic planning and the research questions considered the following: have strategic plans been prepared? Have the plans been formulated from procedures and standards? How is their realization monitored? How is success or failure evaluated? Are there procedures for determining responsibility in this domain? The answers have shown that the respondents are familiar with strategic planning in one body, primarily since the last amendment to the "Decree on the principles of the internal organization" was made mandatory. Such departments are established in almost all state bodies but there is a lack of trained people in this field. Regarding the preparation of strategic plans, the respondents believe that they are largely familiar with the role of the strategic plan in the institutions, but to what extent it will be implemented in reality is understood as a formal obligation, without reflecting the progress of institutions. This approach is due to the frequent deviations from the adopted strategic plans at the expense of those activities that have not even been foreseen in the strategic plan. An indicator that signals a deviation from the strategic plans, is a deviation from the budgets, which often do not contribute to the realization of the strategic plans and are reduced to the detriment of planned activities or activities that have already been initiated. In this context, the respondents pointed out that, very often, the budgets are reduced in cases where contracts have been concluded, based on published tenders, and the Ministry of Finance has been notified.

The system of evaluation and the monitoring of the implementation of Government policies should be developed to establish a circle of responsibility, facilitating the accurate monitoring of the process from policy-making to implementation, the reasons for deviating from this process and the identification of those responsible for this deviation. Therefore, at this stage, we consider the predictability of Government policy as the highest act in the hierarchy of responsibility. When we look down the hierarchy of competencies, there should be indicators and set rules for the lower ranks, which are an extended arm of the realization of Government policy, through which we will easily determine the responsibility of the state administration, which, despite the ideally set policy negative impact in public administration. This means that the civil servants participating in the implementation of the policy are aware of their power and responsibilities and the way in which they act with regard to the performance of their tasks, especially when these are associated with the provision of services to citizens, thereby reflecting the expertise, competence, confidentiality and responsibility of the former.

Concerning human resource management in state bodies, in 2007, a legal provision was introduced for the first time, which required the establishment of organizational units for human resource management and strategic planning in all state bodies. The applicability of these provisions has been slow, with numerous studies pointing to the elaboration and concretization of the provisions for human resource management in the administration. In the "Law on Administrative Servants 2014", (Law on Administrative Servants) the competencies for human resource management are distributed in a clear and precise way. To successfully carry out the work of the organizational units for human resources management, the "Law on Administrative Servants" provided for the establishment of a "Network of organizational units for human resource management". It is important to note that the Ministry of Information Society and Administration takes the lead in the legal management process, appointing the State Secretary for the Information Society and Administration to chair this network. The network adopts rules of procedure for its work, which details the questions relating to the way in which this network operates. Research (Denkova et al., 2017) has shown that these organizational units are established in all state bodies but lack professional and competent people, i.e., these units do not contain all the positions necessary for efficient human resource management.

1. Analysis of indicators for the effectiveness of the administration

In terms of increasing the efficiency of the administration through the administrative laws, we have observed changes in terms of improving the criteria for the selection of public/civil servants, training, evaluation, etc. As a result, the psychological test and the integrity test were introduced, which should be structured, so as to evaluate the profile of a candidate for a certain job, i.e., to select the most appropriate candidate. In this respect, the trial work for one year has been introduced, for each job. During the trial period, the public/civil servant has a mentor who assigns him/her various tasks and monitors his/her work. The final grade for the work of the public/civil servant is awarded by the mentor and the former must take a professional exam. Moreover, the Ministry of Information Society and Administration introduced several instruments for training, micro-learning, etc. The new Law on Administrative Servants made a clear distinction between what is meant by experience in the profession, which was not the case in the previous laws, however, this was perceived negatively. The new Law on Administrative Servants gives priority to all those who have experience as administrative servants over those who have limited work experience. In addition, this Law enabled advancement in the state service, as well as a transition from one state announcement to another through an internal announcement by the state body. The Law on Administrative Servants expresses the merged system in the civil service through the introduction of cabinet officials, who elect responsible persons, primarily based on political commitment. The motivation of the civil servants depends on the knowledge and abilities of the responsible persons, i.e., their immediate superiors, however, the state administration bodies do not have a procedure or any criteria for motivation. Some of the respondents in managerial positions stated that they try to apply other methods as a means of motivation, such as overtime work leave on days when the employee urgently requests it, involvement in work tasks which are important for the body, a desire for training or professional development, etc. If we analyse the efficiency through research conducted in the state bodies, we will note that in the state bodies there are no procedures for monitoring the effectiveness of the administration. Another very important question that indicates the effectiveness of the administration concerns how the realization of the work tasks of the administration is measured. Indicators measuring the effectiveness of an individual are the number of completed cases, the deadline for realization, the classification of cases according to the complexity of the work, etc. From the interview, it can be concluded that such indicators have not been established. The annual strategic plans are the only basic indicators used to monitor the implementation of activities in the state body, from which an annual work programme is devised. This method of monitoring only refers to the group effectiveness of the organizational units in the institution and the only means of monitoring the individual work of administrative workers is the ledger. According to the Law on Archive Material in all state bodies (Law on Archive Material), records are only kept in this book, namely details relating to the origin of the case, the person in charge of the case and the date of receipt and completion of the case. These data are only used for records purposes but do not measure the effectiveness of the administration. Frequent changes to the Rulebook on job systematization in state bodies also affect the monitoring of the effectiveness of administrative staff. Moreover, research showed that the evaluation of administrative staff is realized according to the hierarchy of competencies; the superiors evaluate their subordinates, but this process is not based on measurable indicators that show the individual and group effectiveness of the organization. A system for monitoring the complaints and grievances from citizens has not been established in the state bodies as an indicator relating to the individual effectiveness of the employees. Although the civil diary has been established as an obligation of every state body by which to receive complaints and appeals from citizens regarding the services of administrative staff, there is no analysis of these data to indicate the effectiveness of the administration (Denkova, J. et al., 2015).

2. Analysis of administrative laws relevant to the functioning of the administration

The role and significance of the administrative dispute through the work of the Administrative Court relates to a decision made in 2006. The introduction of such a specialized court is a novelty in the judicial system in RNM (Open Society Foundation - Macedonia, 2012). These changes form part of the reforms in the judiciary, envisaged by the Strategy for Reform of the Judicial System and adopted by the Ministry of Justice in 2004, to achieve an independent and efficient judiciary. As stated in the Strategy, (*Justice Sector Reform Strategy,* 2017) the need to create a separate, specialized court in the field of administrative disputes is justified by the inability of the Supreme Court to deal with them effectively. The continental model of judicial control of the administration is a systemic solution that allows judicial control of the administration to be performed by a special Administrative Court, so as to effectively protect the rights and freedoms of citizens. Thus, the protection of citizens' rights can be seen in the basic provisions of the Law on General Administrative Procedure, which refers to the needs and goals of the Law, namely, to protect the rights and legal interests of natural and legal persons. Of course, the specific laws governing special administrative procedures must not reduce the protection of the rights and legal interests of the parties, guaranteed by the basic Law on General Administrative Procedure (art. 1, Law on General Administrative Procedure). Contrary to the decisions of the public bodies that decide in the first instance, citizens and legal entities have several legal remedies that they can use against different institutions: independent bodies, commissions, line ministers, and in some cases, they can immediately initiate an administrative dispute with a lawsuit. In the Law on General Administrative Procedure of 2015, a new regular legal remedy was introduced, that of "objection", the application of which will be the subject of future research and analysis in the coming years. It is assumed that if the objection justifies its function, this will affect the reduction of lawsuits before the Administrative Court. An administrative dispute with a lawsuit, brought before the Administrative Court, is permitted against the decisions of the appellate bodies, and an appeal can be filed before the Higher Administrative Court against the decisions of the Administrative Court. The changes in the new Law on Administrative Disputes refer to strengthening the powers of judges as regards efficient decision-making on the one hand and strengthening the rights of citizens in proving the procedure on the other, by introducing a public hearing that allows citizens to exercise their rights to submit evidence during the proceedings. Regarding the competencies of judges in the process of ruling on administrative disputes, these are the same as the previous Law on Administrative Disputes; a novelty comprises two lines which are of great importance in terms of independence in decision-making. Thus, judges have the right to decide on the legality according to a free assessment - the discretionary right and on the legality of the administrative act of a public body in a procedure following an objection against real acts or their omission. Exceptions, when an administrative dispute cannot be conducted, are further specified, which protects the public body from the proper application of a free assessment by a public body (discretionary authority), through the adoption of an individual administrative act but can be guided by the legality of such an act and the limits of such authority. An administrative dispute may not be conducted against an individual administrative act that decides on issues of procedure, however, such an act may be challenged with a lawsuit against the individual administrative act that decided on the main issue, unless otherwise provided by law (art 3 (9) Law on Administrative Disputes). The new Law on Administrative Disputes determines the principles in the procedure that indicate the changes aimed at strengthening the evidentiary procedure through the principle of legality, the hearing of the parties and the oral hearing. The principle of legality, contained in Article 7, confirms the constitutional provisions for lawful operation (art 7, Law on Administrative

Disputes).[4] The principle of hearing the parties, contained in Article 8 of the Law on Administrative Dispute, refers to the possibility of the party to exercise his/her right to be heard during the entire procedure, to be able to present evidence to prove the material truth and to correctly determine the factual situation (art. 8, Law on Administrative Disputes).[5] The principle of an oral hearing is a new principle that was not contained in the previous Law. An oral hearing was left to a judge's decision in exceptional cases. The amendments to the Law on Administrative Dispute introduce the oral hearing, as a result of the harmonization of legislation with European legislation, to give the parties in the fair trial procedure the opportunity to express their requests, opinions and views, which are of an evidentiary nature and could influence the determination of the factual situation, as stated in Article 9 of the Law on Administrative Dispute. This allows the possibility to review decisions in the first instance administrative procedure, which gives both the party and the judge the right and the opportunity to establish new facts and evidence, and thus, the possibility for effective judicial control of the administration (Denkova et al., 2020). The principles of contradiction and proportionality complement the commitment of the legislator to the realize the rights of the parties in the procedure. As a result, in Article 10, following the principle of adversarial proceedings, the court will enable the parties to rule on the allegations and motions of the opposing party. According to the principle of proportionality, the court will enable the parties to exercise and protect their rights and legal interests, if these are not to the detriment of the rights and legal interests of other parties or third parties and are not to the detriment of the public interest determined by law. To increase the efficiency of the Administrative Court, a novelty is the obligation of the public bodies ex officio to submit all required information, documents and materials relevant to the court case. New solutions are provided in the provisions for the Law on Administrative Disputes, which regulate the situation when the court makes decisions without the case file. These will supersede the current situation in practice, whereby the respondent body often does not submit the case file, despite the urgency of the court to make a decision; consequently, the court upholds the lawsuit and annuls the disputed act, but this has no positive effect on the party who filed the lawsuit. Unlike the existing situation whereby the court is expected to decide without the files if it has twice addressed a request to the defendant body, according to the new law, the court now has no such obligation and it is enough for the body not to submit the case file within the deadline or to state that it could not submit the same. Thus, Article 36 of the Law on Administrative Dispute states that at the request of the court, each public body is obliged by law to submit all documents and data at its disposal, which are of interest in resolving the specific case, to the court within a specified timeframe. If the public body does not submit the required documents, the court has the right to impose a fine of up to 20% of the monthly salary of the authorized person, i.e., the responsible person in the public body who, for unjustified reasons, did not submit the documents, i.e., the available data. As a novelty with the new law on administrative disputes, a model procedure is introduced, which is a procedural article of the law, allowing the court to facilitate and deal more quickly with a large number of lawsuits already filed. A condition for conducting such a procedure is to file lawsuits against more than 20 administrative acts in which the rights and obligations are based on an equal or similar factual situation and the same legal basis, according to Article 49 of the Law on Administrative Dispute. This procedure is carried out by the court by applying the principles of urgency and priority, with the obligatory holding of a public hearing, at which a factual situation is determined. The fact that no special appeal is allowed against the decision to terminate the procedure, due

4 The court decides on an administrative dispute on the basis of the Constitution and the laws and international agreements ratified in accordance with the Constitution of the Republic of North Macedonia, monitoring the consistency of its decisions, which ensures legal certainty and equal application of laws.

5 In accordance with the principle of hearing, before making its decision, the court shall allow the parties to rule on the allegations in the lawsuit and the response to the lawsuit, as well as on all facts and legal issues raised in the administrative dispute, except in cases determined by law.

to the implementation of a model procedure, and that in these cases, the court decides according to time priority, indicating that the legislator's goal is to shorten the procedure and to facilitate the resolution of a large number of cases in a shorter period, there should be no negative reflection on the quality of decision-making guaranteed by the established factual situation at a mandatory public hearing. The legislator allowed the citizen to initiate a procedure for the silence of the administration, should the case not be resolved within 30 days, however, within the state bodies, no procedure analyses the speed at which cases are resolved. It is the responsibility of the administration whether it acts promptly and whether the citizen suffers damage from the delay of cases. Thus, Article 111 of the Law on General Administrative Procedure allows the party to appeal to the second instance body, in cases of silence of the administration. When the second instance body determines that the first instance body has not adopted the administrative act within the legal deadline, it should order the first instance body to adopt an administrative act and set a deadline of up to 30 days after receiving the order. When the appellate body determines that the reasons for the first instance administrative act not being adopted are not justified, the body will decide on the request of the party within 30 days of receiving the appeal or will order the first instance body to adopt the requested administrative act within 15 days of receiving the order. In the case of re-silence of the first instance body, the second instance body is obliged to solve the matter itself.

Regarding the responsibility, a novelty in the law indicates that the cases in the administrative procedure are signed by an authorized official; this is a good basis from which to locate the person responsible for solving the case. In Article 24 of the Law on General Administrative Procedure, (Law on General Administrative Procedure) the state body must appoint a department or an expert who will sign the cases that it resolves. In paragraph 2, which reads: "this obligation is valid only if otherwise determined by another law", the legislator allows derogation from this article, which indicates the possibility to resolve the special law in another way. Should the special law provide for the administrative cases to be signed by the minister or the mayor, then the motivation and responsibility of the authorized officials will again decrease, if they are aware that someone else will sign and take responsibility for their work. However, if the official and responsible person of the body signs, then the officer will have shared responsibility. This is especially important for the professional approach of administrative staff in handling cases. In that case, the authorized member, i.e., the official, shall act as an authorized official and shall submit a proposal for the administrative act to the collegial public body, in writing, unless otherwise determined by a special law. Therefore, the personal responsibility of the administrative officers should constitute a motivating factor for administrative officers, who solve cases efficiently (faster in terms of time and solve a larger number of cases compared to their colleagues within the same period) and do not damage the reputation of the body; they will be rewarded at the expense of those who work inefficiently and irresponsibly. In this regard, by comparison with 2019, there was a 5% increase in the number of institutions that had prepared appropriate amendments to their acts for the internal organization and systematization of jobs in 2020. This was carried out so as to comply with the provision of Article 24 of LGAP and to determine the organizational unit for conducting the administrative procedure or for systematizing at least one job in order to conduct the administrative procedure. In addition to the established organizational forms for conducting administrative procedures in 18 institutions, 16 institutions have appointed persons to conduct the administrative procedure.

Conclusion and recommendations from the research

Regarding the preparation of strategic plans for the implementation of public policies, the conclusion is that the state bodies are faced with a lack of experts, material and technical means to establish the effective and efficient implementation of strategic plans. Moreover, the lack of clear procedures renders it impossible to close the circle of responsibility in the field of strategic planning of the bodies. This is due to the fact that there is no strategic human resource planning in state bodies, although it is well-known that strategic human resource management is an important factor for the efficiency of the organization. Due to the lack of this strategy, state bodies face the problem of a lack of professional staff in the field of strategic planning. The lack of clear procedures for strategic planning results in an inconsistent approach to this activity, due to the frequent deviations from the adopted strategic plans, at the expense of activities that are not foreseen in the strategic plan.

The conclusion is that very often the budgets of the state bodies are reduced without considering any criteria or procedures, even in cases when a tender or an agreement is announced. Due to a lack of clarification as to why the budget has been reduced or reallocated, the responsibility is blurred and the realization of the strategic plans of the state bodies is prevented. A very important element, absent from the process of strategic planning in the public sector in RNM, is an analysis of the strategic plans, by measuring the achievements and considering the reasons for deviating from the realization of the strategic plans. As a result, there is a need to establish a serious approach to the strategic planning process by the Government and state bodies. From the last Government Report in 2020, it can be seen that the elaboration of strategic plans and the coordination of policies have not been realized entirely. In terms of statistics, the progress of this general goal is measured by an indicator of the compliance of the draft acts and strategic planning documents (strategic plans and sector strategies) with the priorities and objectives of the documents created alongside the long-term planning documents. The percentage of draft strategic plans, prepared by the legal framework for strategic planning, has improved by more than 10% from 2018 to 2020, i.e., 60% of the state bodies have realized this activity (Ministry of Information Society and Administration, 2021). Regarding the efficiency of the administration, the following conclusions have been drawn: 1. the administrative staff are not involved in setting the goals of the organization; 2. there is no measurable system for the individual effectiveness of the administrative staff; 3. there is no comparative analysis of the effectiveness of state bodies in relation to the needs of citizens; 4. there is no established system of external evaluation on the part of the citizens, which would highlight indicators of satisfaction with the services provided by administrative staff. The organization can measure the effectiveness of the administration for certain periods, daily, monthly, quarterly, semi-annually, nine-monthly, while comparing the individual achievements of the employees, as well as determining the percentage of participation in terms of group effectiveness. To obtain the results for the realized activities of the administrative workers quickly, effectively and impartially, it is necessary to have an electronic management system. This system should include workflows, work orders, execution times and measurable performance indicators. These measurable indicators are the most important tool for impartial and realistic assessment and will reduce the bias of the human factor. To obtain complete information on the effectiveness of administrative staff, it is mandatory to introduce an external evaluation by service users, namely, citizens. Such an external evaluation should be compared with the indicators of employee achievement, obtained from established indicators within the organization. Regarding the external indicators for assessing the effectiveness, the results indicate the need for an analysis of the complaints and grievances of citizens in relation to the quality of services provided by administrative

staff. This analysis must be compared with the effectiveness indicators shown through the measurable indicators; these measurable indicators should be linked to the payroll software, so as to reward or punish the administration.

Hence, all indicators in the analysis so far point to the need for a detailed elaboration of the administrative processes in state bodies to calculate individual and group effectiveness. This means that a new approach to managing the effectiveness of state bodies needs to be put in place. Despite the priority goal of the state administration reform in RNM, setting the legal framework for the functioning of a new system of state administration, there is a lack of provision for a clear set of duties and responsibilities for all those involved in the policy-making process (political and administrative functions). It requires the establishment of specific procedures, proving the responsibility of all stakeholders involved in policy-making decisions.

Regarding the administrative procedure, it is recommended that indicators be introduced demonstrating the omissions of the administrative officer when conducting the procedure, which resulted in an illegal final act with harmful consequences; such an indicator will determine the personal responsibility of the administrative officer and the basis for compensation. Such a legal commitment will affect the professional and responsible work of the administration (Denkova et al., 2019). The commitment of the Legislator harmonizes the Administrative Judiciary in RNM with the principles in the European administrative system. The applicability of some provisions will ensure efficiency in the judiciary, however, in general, we cannot agree that the scope of work will be reduced and the efficiency of the Administrative Judiciary increased, given that the public hearing is being introduced. Although the legislator seeks to increase the efficiency of correspondence between the first instance administrative bodies of the administration and the administrative court, time is wasted while waiting for the original documents relevant to the hearing to be delivered. The law introduces provisions for punishing the public bodies, i.e., should the administration that conducts the procedures not submit the files to the administrative judge in a timely manner, it will be exposed to material responsibility. Further research will show how the application of this provision will work, whether judges will resort to punishment or whether solidarity and cooperation with public bodies will continue. Given that the legislator instructs the judge to resolve the case without the files, except for the right to issue a decision on a fine, it is debatable how judges will act in such situations. The question is whether they will use the provisions to return the case to the body that passed it for a retrial, whether the defendant body decided at its discretion or whether the nature of the administrative work does not allow a decision in full jurisdiction, i.e., cannot fully establish the facts on the essential issues, therefore, the real factual situation must be determined in the administrative procedure. The amendments to the Law on Administrative Disputes have resulted in an efficient Administrative Judiciary that will largely rule in full jurisdiction; indeed, we should also consider the motivation of judges who will decide in full jurisdiction on a larger number of cases or with a higher percentage of efficiency. The introduction of the public hearing opens the possibility for both judges and citizens to provide all additional documents and evidence, as well as statements, so as to determine the factual situation and properly establish material truth. For this reason, the legislator established provisions on the mandatory presence of the parties, the obligation of the court to inform it, as well as all other provisions that refer to informing and gathering relevant evidence. Regarding the infrastructural conditions, spatial accommodation and staffing, there is an urgent need to approach the Administrative Judiciary and to provide all the necessary material and technical means, as well as professional and competent staff for the efficient and swift resolution of cases. These measures will increase the satisfaction of the citizens, strengthen the image of the country and will ensure a higher ranking of its systems when being evaluated by the relevant European institutions.

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