

CROATIA

POLITICAL TRANSITION PROVIDES A WINDOW OF OPPORTUNITY

"The parliamentary elections at the end of 2011 were a very specific situation and time in Croatian politics when the people hoping to come to power expressed high levels of interest in and openness towards the Open Government Partnership."

says Jelena Berkovic of GONG, a non-partisan citizens' organisation. The timing was favourable and contributed to the willingness of all key political actors to join the OGP. The political transition opened doors that had previously been closed under the conservative regime. Driven by a constellation of enthusiasts – select CSOs, academia, the Office of the President and a handful of civil servants, the process was almost by the book, with broad consultations with civil society and the public. The President of the Republic –

who wasn't facing elections – was a champion of open government principles and very interested in joining the OGP. He provided the high-level political support needed to move the process along. Acting as a mediator, the Office of the President enabled deliberations between government and civil society on creating greater openness, and facilitated the embedding of OGP in government structures. According to Jelena, 'civil society didn't need to fight as before. The new government embraced the OGP as their goal. They grew into it.'

'The topics involved in OGP had been in focus for Croatia, within the context of the accession process to the EU,' explains Igor Vidačak of the Government Office for Cooperation with NGOs. Participation in the OGP provided further confirmation of the government's willingness to introduce more improvements and to adopt new, modern standards of

participative democracy. In addition, Croatia was endowed with various systems and structures that support collaboration with civil society: the National Foundation for Civil Society Development, a National Strategy, a Council for Civil Society, and a Government Office for Cooperation with NGOs. The latter played a critical role, acting as an intermediary between government and civil society.

'This functional government office, with excellent people working there, was a crucial actor in leading and coordinating the whole OGP process.'

says Jelena. Following the elections, a new entity – the OGP Council – was established to oversee the development and monitoring of the Action Plan. This has 19 members representing various Government ministries, civil society, media, think

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tanks and academia. 'Civil society involvement and engagement started from the very first day; representatives for the OGP Council were selected through an election process that was open and transparent,' explains Katarina Ott, Director of the Institute of Public Finance. While Croatia may have almost 50,000 NGOs, only a handful work on issues of human rights, democracy, transparency and accountability. In September 2011, over 200 participants – from state bodies, civil society, academia, media and diplomatic corps - attended the first public debate. The European Union supported further consultations in early 2012. The draft action plan was placed online and circulated for input through the mailing list of the OGP Council. 50–75% of all civil society submissions are reflected in the final National Action Plan. 'In the beginning, there were more ambitious proposals regarding fiscal transparency and open spending; these measures

were not fully accepted by the Ministry of Finance,' Igor explains.

From Jelena's perspective, civil society could have been more forceful, but ultimately

'we needed to be realistic, especially in terms of the capacity and understanding of government and the public bodies.'

The economic crisis has put a ban on employment in the public sector, and hence there is insufficient human and financial capital; only 3–5 people are working on issues of fiscal transparency while this area really requires more than 30 skilled personnel. The OGP process has highlighted other demands in terms of human capabilities and standards within public administration. Katarina adds, 'Many public bodies haven't internalised the action-planning

process. There is a low level of strategic thinking and planning. Many are still used to just ticking the boxes.' While acknowledging these challenges in certain ministries, the government is confident that the process of preparing for EU Accession, coupled with intensive policy transfers over the past ten years, has contributed to a sort of 'cognitive Europeanisation' of policy processes. Today expectations among civil servants, civil society and the wider public are higher than ever before. 'When it comes to drafting new laws and regulations, nobody is asking whether we should consult the wider public, but how we should do it more efficiently, how we can perform better and how we can provide better feedback,' says Igor.

An important lesson gained from the action-planning process was the need to, 'sit down together with government to start the process of thinking how government can

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assist civil society and how civil society can assist government.' This was particularly evident in the preparations for the European OGP regional meeting in Dubrovnik in October 2012. That meeting had multiple values, both internally and externally. 'Aside from exposing the key actors in Croatia to the best practices of European countries, it raised the bar and expectations among civil society and the government of our own OGP Action Plan,' Igor reflects. Ultimately, genuine political commitment remains critical. 'Government should avoid treating OGP as a kind of foreign policy PR and carefully place the responsibility within the most appropriate department so that the process really is influenced,' Katarina emphasises. At the same time, there are many lessons for non-government actors. Becoming better acquainted with the issues and building relationships with middle-level government officials are both important. Civil society has a valuable role in actively

monitoring the implementation. It needs to publish its findings and distribute them more widely.

'Croatia needs to do more to engage the general public, to involve the CSOs outside Zagreb and to educate the media. Making it a popular issue remains a challenge.'

says Jelena. And while the use of social media can be useful, it is important to use it strategically. Communicating through Twitter or Facebook cannot by itself promote openness, accountability and participation.

Moving forward, it is important to make note of the lessons and to celebrate the successes thus far. The Action Plan was co-drafted by CSOs and government bodies. Although challenging, this was a very successful process and it has helped develop trust between the

government and civil society. In 2012, the government amended its Rules of Procedure, a step that further affirms the importance attached to implementing codes in consultation with the public and backing action with written feedback. Moreover, the new Access to Information Law was adopted recently, which was also one of the OGP measures. 'The OGP has provided additional scope and mechanisms for dialogue with domestic and international actors with a view to delivering more openness and more inclusive and transparent policy-making. Hopefully, this will lead to better policies in general,' says Igor.

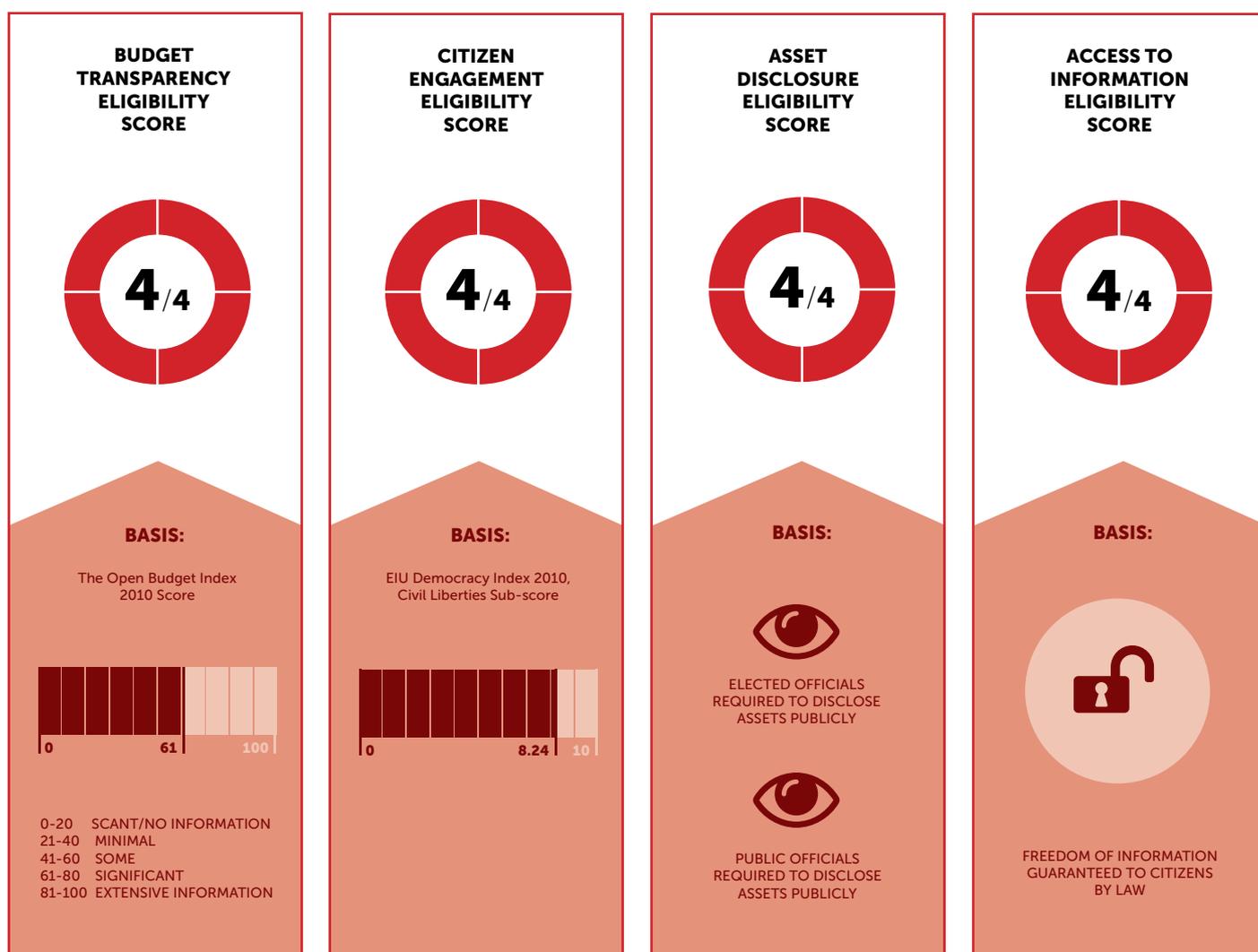
🔗 For more information or to get in touch with one of the people interviewed, please e-mail nvaart@hivos.nl.

OGP MEMBER SINCE:
April 2012

CURRENT STAGE:
1st Action Plan

OGP SITE:
<http://www.uzuvrh.hr/page.aspx?pageid=236>

CROATIA OGP ELIGIBILITY DATASHEET



TOTAL OGP ELIGIBILITY SCORE:

16/16