



# **'Stop the bureaucracy'**

**Case study of a Slovenian ESF project under the study 'Progress Assessment of ESF Support to Public Administration' (PAPA)**

*Written by Dr Nejc Brezovar  
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**PPMi**

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## **Case study written by country expert Dr Nejc Brezovar**

Specific contract No VC/2018/0771 under the Multiple Framework Contract No VC/2017/0376 for the provision of services related to the implementation of Better Regulation Guidelines

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## PROJECT BACKGROUND

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### Stop the bureaucracy

<b>Operational Programme</b>	The project 'Stop the bureaucracy' is supported during the programming period 2014-2020 within the Operational Programme Administration 2020 - the 'Stop the bureaucracy' Priority axis 11, Specific Objective 3.
<b>Beneficiary organisation</b>	Slovenian Ministry of Public Administration
<b>Target groups</b>	Business subjects (over 200,000) and citizens (over 2 million).
<b>Project duration</b>	May 2016 – December 2022
<b>Budget</b>	EUR 1,114,000 (ESF contribution EUR 891,200)
<b>Project manager (email address)</b>	Slavko Patekar, head of the project 'Stop the bureaucracy', Development Office – Ministry of Public Administration (slavko.patekar@gov.si)
<b>Partners</b>	N/A
<b>Project/ organisation website</b>	<a href="http://www.stopbirokraciji.gov.si">www.stopbirokraciji.gov.si</a>

This case study was produced as part of the project 'Progress Assessment of ESF Support to Public Administration' project, contracted by DG Employment, Social Affairs and Inclusion of the European Commission. The purpose of this project was to present specific cases of ESF-funded public administration reform and capacity building initiatives, as well as to show the role of ESF financial support to public administration, for the purposes of accountability. This report recounts the story of the project '**Stop the bureaucracy**'. This account discusses the context and purpose of the project; the characteristics of the team implementing it; the main challenges faced and difficulties encountered during its implementation; key developments during the implementation process; the results and impacts achieved; as well as lessons learnt and the contribution of the ESF.

## STOP THE BUREAUCRACY

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When visiting the project's operational base, the Development Office at the Ministry of Public Administration (hereinafter: MPA), one's first thought might be 'How do they do it?'. With little space and only five members of staff, the project's important mission to 'Stop the bureaucracy' might seem an impossible task. The head of the project, Slavko Patekar, seems familiar – hardly surprising, because he has presented the project at many conferences. Before starting work on this project, Slavko Patekar worked at the Slovene Chamber of Commerce and Industry on projects connected to the removal of administrative barriers. There he gained great insight into the administrative burdens faced by businesses and citizens in relation to many everyday aspects of life and work, such as opening up a company, hiring a new employee, registering a vehicle, applying for social transfers. The activities related to the reduction of administrative burden started in 1997 and increased in 2005, when the Slovenian government established the Economy-Friendly Administration Council primarily aimed at removing administrative barriers for creating and operating a business. Since then, different programmes and projects to eliminate administrative barriers have been systematically implemented – among them different phases of the 'Stop the bureaucracy' project. The latter was implemented as a part of the wider state goal of removing administrative burdens and was nominated for ESF financial support (programming period 2014-2020) by MPA (senior adviser on the project 'Stop the bureaucracy') as a **'Platform for business owners and citizens to give their proposals on how to reduce administrative barriers and simplify administrative procedures'**.

Reduction of administrative barriers project started in 2005<sup>1</sup>. Since then, work has been systematically focused on the prevention of administrative barriers. The 'Measuring Administrative Costs and Burdens in the Regulations of the Republic of Slovenia' project also called 'Minus 25 Per cent Programme' represents a continuation of previous projects, funded by the ESF during the programming period 2007–2013. Its initial goal encompassed the evaluation of 146 concrete measures seeking to reduce administrative barriers for business entities, citizens and the public sector, with the annual cost savings of EUR 362 million, i.e. 25 per cent annual savings in real terms out of total red tape costs. Positive impacts of the project were manifested in enhanced competitiveness of businesses, improved quality of life, simplified procedures and increased transparency.

The demands to continue and further develop earlier projects, aimed at removing administrative barriers, came from different stakeholders ranging from business (various chambers such as Chamber of Craft and Small Business of Slovenia, Chamber of Commerce and Industry of Slovenia, Slovenian Chamber of Commerce) to municipalities, their representative associations, Non – Governmental Organisations (NGOs) and citizens. One of the main stakeholders' demands was the creation of a unified or single point of access (portal, platform) for communicating and presenting their different ideas on removing of administrative barriers to state authority. Such a platform would enable an easy, fast, digitally supported and transparent connection of the non-governmental sector (business, citizens, NGOs, etc.) with state authorities (government, ministries). At the moment few such points or platforms exist. Yet among these, the 'Stop the bureaucracy' platform, managed by the MPA, is the most important and most used by different stakeholders. Others are managed by various government bodies, including the Government

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<sup>1</sup> Main milestones in the development of the project can be found on: <http://www.stopbirokraciji.gov.si/en/stop-the-bureaucracy/>.



Communications Office that manages the platform 'I suggest to the government'<sup>2</sup>. This platform enables citizens to exchange views and opinions on different public topics (from taxation to health care topics).

Igor Knez, the Head of Legal and Lobbying at the Slovenian Business Club, worked at the Chamber of Commerce and Industry of Slovenia from 2009 to 2019 as a liaison officer for communicating with the MPA and its Development Office regarding the 'Stop the bureaucracy' project. Igor remembered that 'the main concern of the Chamber of Commerce and Industry of Slovenia was a lack of a centralised control institution that would track and discuss different proposals from the business community and would analyse concrete measures and show their pros and cons'. At first they thought that the institution chosen would be the Government itself because of its political influence and decision-making power. Yet the task at hand was entrusted to the MPA.

In 2009, an analysis, using the CMMC Methodology, measured the cost of the administrative burden imposed by 3,500 different regulations at EUR 1.5 billion in Slovenia<sup>3</sup>. This remarkable figure led the Government to set an objective of reducing the cost of existing administrative burdens by 25 percent – around EUR 362 million – by the end of 2015 (first 2012). A special 'Minus 25 Per cent Programme' was adopted to achieve the goal of administrative burden reduction. At the same time, it aimed to avoid creating new administrative burdens unless absolutely necessary.

Main concerns at the time were based on the fact that the position of Slovenia was deteriorating in international competitiveness rankings. One concrete example of a project aimed at improving the situation is the launch of 'Single collection of measures for ensuring a better legislative and business environment and raising competitiveness (hereinafter: 'Single document')'. The project was adopted by the Government in 2013 as a way for business to make suggestions for the removal of administrative barriers and get their suggestions actually addressed by different ministries.

Measures were divided into different sectors, depending on their area of impact. A 'Single document' represents a document with concrete definitions of measures, commitments, proposed solutions, persons responsible and implementation deadlines. In 2014, a website was created for the 'Single document', which provides a one-stop shop approach enabling users to gain an overview of all measures and see the current stages of implementation of measures to improve the regulatory and business environment. The 'Single document' is a living mechanism, with new measures aimed at removing administrative burdens being added periodically.

With respect to the 'Single document'<sup>4</sup> that has been made public and is easily accessible, the ministries had to report quarterly (now yearly) to the Government on the progress made regarding the removal of administrative burdens in their areas of work. Since the launch of the 'Single document' project, ministries have gained an additional interest in removing administrative burdens efficiently, as the public can now follow the progress of concrete measures regarding the removal of administrative burdens (unrealised, partially realised, realised) (see Figure 1). Presented and publicly available results are important in terms of public confidence in the performance of the Government.

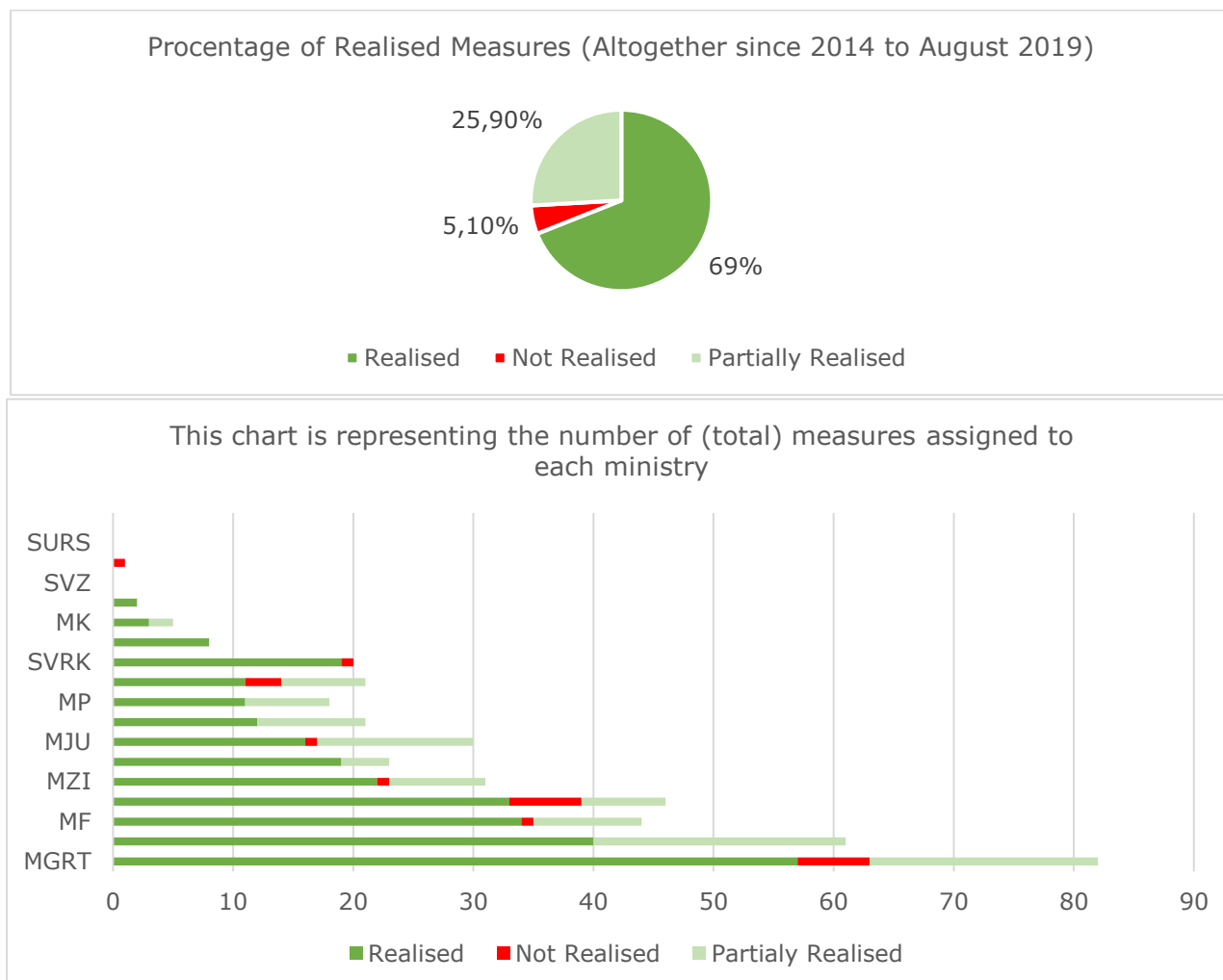
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<sup>2</sup> See: <https://predlagam.vladi.si/>.

<sup>3</sup> The Common Methodology for Measuring Administrative Costs is available at: [http://www.stopbirokraciji.si/fileadmin/user\\_upload/mju/Boljsi\\_predpi-si/EMMAS/EMMAS\\_SCM\\_z\\_dodatkom-2\\_1.doc](http://www.stopbirokraciji.si/fileadmin/user_upload/mju/Boljsi_predpi-si/EMMAS/EMMAS_SCM_z_dodatkom-2_1.doc).

<sup>4</sup> See: <https://www.enotnazbirkaukreprov.gov.si/>.

**Figure 1. Single document**



List of abbreviations: MGRT - The Ministry of Economic Development and Technology; MOP - Ministry of the Environment and Spatial Planning; MF - Ministry of Finances; MDDSZ - Ministry of Labour, Family, Social Affairs and Equal Opportunities; MZI - Ministry of Infrastructure; MKGP - Ministry of Agriculture, Forestry and Food; MJU - Ministry of Public Administration; MIZS - Ministry of Education, Science and Sport; MP - Ministry of Justice; MZ - Ministry of Health; SVRK - Government Office for Development and European Cohesion Policy; MNZ - Ministry of the Interior; MK - Ministry of Culture; MZZ - Ministry of Foreign Affairs; SVZ - Office for Legislation; MO - Ministry of Defence; SURS - Statistical Office of the Republic of Slovenia; GSV - The Secretariat-General of the Government of the Republic of Slovenia.

Source: <https://www.enotnazbirkaukreporov.gov.si/realizacija-ukrepov>

The key difficulty in reducing administrative burdens and removing legislative barriers is that it often involves changes to existing legislation. This requires political support, together with a great deal of effort, time and cooperation. As part of this process, many aspects must be monitored, communicated, and even encouraged – cooperation between the regulator and key stakeholders is certainly not a given. It takes time to prepare quality legislation with the

involvement of key stakeholder and adhering to the principles of better regulation<sup>5</sup>. In 2009, the National Assembly adopted a Resolution on legislative regulation<sup>6</sup> that represented a political commitment from the incumbent government to respect the principles of better regulation during the process of policy-making in a particular field or during the process of drafting new regulations, and to involve the public in the procedures for the adoption of regulations. In 2017, the OECD published a report 'Regulatory policy in Slovenia – Oversight matters'<sup>7</sup>. This review disclosed flaws and offered solutions to the regulatory process in Slovenia with an intent of preparing regulation through better cooperation with stakeholders.

In addition, sometimes the process can cause alarm among government officials employed at the ministries, since cooperating with stakeholders to change regulations also means taking control over a portion of the work of ministries and state administration. Difficulties occur, particularly at times of political instability, leading to a lack of sufficient confidence between different actors in the process, and a lack of responsiveness from the various ministries or government departments involved. The experience of certain employees working at the Development Office was that ministries were sometimes afraid to look at things from a different angle and to think outside the box when searching for solutions to the removal of administrative burdens. There was little desire or effort from ministerial leaderships and public employees to change regulation, as they preferred to maintain the status quo. For example, in relation to specific targeted legislation, some ministries adopted the attitude that 'this is my baby' that made it difficult to change legislation. In the early stages of the project, resistance to cooperation was also encountered from other ministries, arising from a lack of understanding of the project's purpose and aim.

Recently, matters have improved: there has been a change in political culture and cooperation between the Development Office and various ministries involved, becoming more positive. Indeed, there are already signs that the departments from different ministries themselves have begun to cooperate on the effort to remove administrative burden, without interventions from the Development Office of the MPA. The project team now encounters less resistance.

The main focus of the 'Stop the bureaucracy' project is addressing excessive legislative burdens placed by the state on citizens and business entities. In August 2019 legislation in Slovenia was comprised of 855 laws and over 20,000 regulations – a large sea of regulation for a small country<sup>8</sup>. Judging from some of the evidence presented in the Public Administration 2020 – Public Administration Development Strategy 2015–2020<sup>9</sup>, it is easy to conclude that businesses and citizens in Slovenia encountered over-regulation. Over the last 25 years (especially during the period of harmonizing Slovene legislation with EU regulation), citizens have had to cope with a huge increase in the number of regulations. Adapting to rapid changes in regulation has created many problems, and lead to calls for a more stable legislative and business environment.

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<sup>5</sup> CNVOS is keeping an eye on the violations of the Resolution on legislative regulation with a special easily accessible to public and up to date 'violations meter'. Available at: <https://www.cnvos.si/stevec-krsitev/>.

<sup>6</sup> The Resolution on Legislative Regulation, Official Gazette of Republic of Slovenia No. 95/09.

<sup>7</sup> For more information, look at: [https://read.oecd-ilibrary.org/governance/regulatory-policy-in-slovenia\\_9789264291690-en#page1](https://read.oecd-ilibrary.org/governance/regulatory-policy-in-slovenia_9789264291690-en#page1).

<sup>8</sup> More data regarding applicable regulation on a daily basis in Slovenia is available at: <https://www.tax-fin-lex.si/Supervisor/Veljavnipredpisi>.

<sup>9</sup> The Strategy is available at: [http://www.mju.gov.si/fileadmin/mju.gov.si/pageuploads/JAVNA\\_UPRAVA/Kakovost/Strategija\\_razvoja\\_JU\\_2015-2020/Strategija\\_razvoja\\_ANG\\_final\\_web.pdf](http://www.mju.gov.si/fileadmin/mju.gov.si/pageuploads/JAVNA_UPRAVA/Kakovost/Strategija_razvoja_JU_2015-2020/Strategija_razvoja_ANG_final_web.pdf).

Interestingly, the state administration acknowledges this problem, which is demonstrated by the content of official documents such as the before-mentioned Public Administration 2020 Strategy. One of the government's priority objectives set out in the latter strategy is a reduction of the identified excessive legislative burdens. An improvement in the legislative environment is also a priority task of the European Commission's better regulation agenda, which provided an external pressure for the pace of reform in Slovenia. Slovenia's focus all along has been on relieving citizens and business of various administrative and legislative burdens, thereby enhancing the competitiveness of the economy and strengthening the trust of citizens in the rule of law.

## **Design of the ESF-funded project**

### ***Previous ESF supported projects***

To support the implementation of certain projects and to improve the legislative and business environment in Slovenia, it was decided by the Development Office and the leadership of the MPA to apply for ESF support. The team members of the MPA's Development Office believe that many projects in Slovenia have only seen the light of day as a result of help from the ESF. Some of these include Inovativen.si (its purpose is to come up with better user-friendly solutions and services through innovative methods and partnership between public administration, citizens, civil society and the private sector); government website renovation and optimisation via creating a single government web page 'gov.si'; and strengthening the capacity to carry out regulatory impact assessments and involve the public in drafting and implementing regulations (manuals for public engagement, seminars, roundtables).

Early during the 2007-2013 programming period, up to the end of 2008, cases of removing administrative and legislative barriers were addressed only to a small extent – around 20 measures, with the targets being provided by the Slovenian business community. With the financial support of the ESF, the MPA and its working group on the project 'Measuring administrative costs and burdens in the regulations of the Republic of Slovenia' were able to look at the issue more broadly, adopting a comprehensive methodology to determining regulatory burdens. First, it was decided they would measure the impact of 71 selected laws and 3,500 regulations. With the help of ESF funding, external experts were brought in to help analyse the effects of legislation down to the finest detail. As a result of this process, over 16,000 administrative activities were identified, giving rise to EUR 1.5 billion of the cost of the combined administrative and legislative burdens, most of which are of a repetitive nature, such as periodical (monthly, yearly) reporting. This finding prompted an immediate decision to annually reduce identified burdens by EUR 362 million.

An action plan 'Minus 25 Per cent Programme' was created to de-bureaucratize the system. Its initial goal was to complete the process by 2012, but some of the project's activities were delayed as a result of political instability in Slovenia brought about by the financial crisis that began in 2008. Between 2012 and 2014, Slovenia had four different governments. The situation resulted in problems for the project team, as by the time each new government's decision making and support team had been introduced to the work of various ministries and institutions, the government had already been replaced. The completion of the project was therefore delayed until 2015, when its results were finally evaluated. In total, the project had achieved an annual reduction in the legislative burden of EUR 362 million. Aside from the measures that had already been implemented, further measures worth around EUR 60 million were ready to be implemented.

The experience of the Development Office, gained while working on previous projects, was carried forward while working on their successor – the 'Stop the bureaucracy' project. For instance, the head of the project 'Measuring Administrative Costs and Burdens in the Regulations of the Republic of Slovenia' was Matija Kodra, who was a member of the team working on the 'Stop the bureaucracy' project, and also works as the head of the project 'Inovativen.si' at the MPA. The results of the project 'Measuring administrative costs and burdens in the regulations of the Republic of Slovenia' that was carried out during the programming period 2007–2013 cannot be underestimated.

### **'Stop the bureaucracy' project**

The 'Stop the bureaucracy' project has two main sets of activities. The first is to promote better legislation based on the Resolution on legislative regulation, which emphasises stakeholder involvement and the training of government officials in such matters. In this regard, most of the project's work was carried out hand in hand with various NGOs and watchdogs, in particular CNVOS (the Centre for Information, Cooperation and Development of NGOs)<sup>10</sup>. The team work of CNVOS and MPA experts resulted in the publication of different manuals and guidelines. The other aspect of the 'Stop the bureaucracy' project is the removal of administrative burdens. Here, the Development Office plays the main role, horizontally coordinating activities within government ministries.

During the period 2004 - 2010, twelve people worked on the project, and all them were paid by the state budget. After the financial crisis hit, resources and personnel began to be cut. During the first programming period, from 2007 to 2013, the financial crisis meant that not much resources were available in the state budget. The project was able to develop solely on the basis of the funds provided by the ESF. Among employees of the Development Office, a need still exists for the existing project to strengthen its team if the project is to be developed further and implemented with greater intensity. A reduced team is only sufficient for the execution of basic day to day tasks.

In 2011, in accordance with the action plan, a 'Minus 25 per cent' website was set up. The purpose of this website is to inform the public of all current information regarding the implementation of the Programme for Reducing Administrative Burdens and the implementation of the 'Stop the bureaucracy' project. Same year, the project achieved a significant milestone with the creation of an online entry point that enables citizens and businesses to report their own 'pains' and suggest ideas in relation to regulations and administrative procedures. All procedures are transparent and involve public controls, meaning that the public (business entities, citizens) can track the progress regarding their suggestions and initiatives. The responsiveness of relevant ministries is satisfactory, on average within 13 days (the deadline set by the Development Office is 15 days), and the quality of replies is improving. In 2019, the website was upgraded to facilitate more frequent communication with users, regularly informing them about what is happening with their proposals, and the stage of progress. Several workshops were also conducted by the Development Office with service users in order to gather their suggestions on how to make the platform more user-friendly. All in all, the experience with the functioning of this website has been positive: Slovenian ministries have accepted different European solutions to better regulation problems.

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<sup>10</sup> CNVOS is a national NGO umbrella network, uniting over 1,200 groups of associations, individual associations, institutes and foundations. More info available at: <https://www.cnvos.si/en/about/>.

In 2013, the same year as the 'Single document' was created, a 'Stop the bureaucracy' website was also set up. The 'Stop the bureaucracy' platform is intended to submit proposals to the MPA, to amend the existing regulation of a particular area or regulations covered by the 'Minus 25 per cent' Action Programme and to involve interested public in policymaking. The MPA is the administrator and moderator of the 'Stop the bureaucracy' platform. Each proposal submitted is reviewed if it complies with the published rules. In case of non-compliance with the rules, the proposal shall be rejected, otherwise it shall be forwarded to the competent authority (e.g. ministry) for consideration. Each proposal therefore receives feedback (which, of course, does not necessarily mean the proposal will be acted upon). Those suggestions that are accepted are included in the 'Single document'. Work activities and progress of a certain measure are then monitored in greater detail.

Igor Knez, although very positive in his experience with the (previous) project(s), recalls that the progress altogether was too slow. The business community acknowledges some measurable results have been achieved via different projects whose implementation started in 2005. Although his personal experience of cooperation with the Development Office team was positive, he believes one of the problems is that the team does not have sufficient power and influence on decision-making, such as the power to block or prevent a certain decision that would introduce additional administrative burdens. They were and still are toothless tigers in the political arena. Therefore, the task of removing administrative burdens should be entrusted to a higher political level within a centre of government. The past targets of different projects aimed at removing administrative burdens - such as the target of 25 percent for administrative burdens - were based on an inventory of existing burdens in 2008. But nowadays this target is no longer needed. Measures and results achieved should be re-analysed, and new targets for the elimination of burdens should be set up. At present, it is necessary to make an inventory of obsolete regulations in the field of occupational safety, environmental protection, real estate and either eliminate them or adapt them to the changed environment. The long-term goal should be zero new burdens based on the approach of 'one in, one out'.

The 'Stop the bureaucracy' project secured ESF funding for 2016-2022. The project is supported during the programming period 2014-2020 and contributes to the implementation of the Slovenian Operational Programme Administration 2020 (CCI 2014SI16MAOP001)<sup>11</sup>. The project supports the achievement of the Specific Objective 11.3.3 (Improve governance and transparency in public administration by introducing new tools, methods and interoperable solutions) under Priority axis 11 (Rule of law, enhancing institutional capacity, efficient public administration and capacity building of social partners and NGOs).

The project aims at preventing and eliminating legislative burdens and involving the public in participating in the regulatory process. It is targeted at anyone who has encountered complex procedures and has a proposal for their simplification. Cooperation with different stakeholders (businesses, NGOs, citizens) is done through the 'Stop the bureaucracy' platform, where the stakeholder can initiate changes to complex procedures both in the business process and in everyday life, where he meets the obligations that he has to fulfil in order to satisfy the requirements of the legislation. The aim of the project is also to further accelerate activities (such as training) to strengthen the support and awareness of public employees about the importance of drafting better legislation via the usage of tools such as proper stakeholder involvement (better legislation), or with the usage of newly produced IT tools such as SME test, which was developed in part thanks to the 'Stop the bureaucracy' project. Through the

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<sup>11</sup> European Commission (2016), *Summary of Operational Programmes Supporting Institutional Capacity Building 2014-2020*. Luxembourg: Publications Office of the European Union.

development and use of such systematic tools, the project will contribute to a clear and predictable system for both public employees and businesses and citizens, and consequently result in a less burdensome legislative and business environment.

The financial situation during the programming period 2014 - 2020 has been more favourable than during the previous period. The ESF still covers the majority costs of the project and is vital for its further implementation and development. Much is happening in areas such as digitalisation, and ESF funds are more than adequate for the continuation of the activities already launched. Although the project received government support, the number of staff working on the project is decreasing. Currently, five employees work on the project, of whom two have project jobs (i.e. paid for by the project budget), and three are ministry employees paid in full by the state budget. Such a reduction in the number of staff has a negative effect on the capability of developing the project further. Some people working on the projects in the past, such as Matija Kodra, took on other new tasks. He is now head of ESF funded project 'Inovativen.si'. Despite the resource constraints, one can agree (to some extent) with Katja Glavič who says it is not the size of the project team that makes a difference, but the people involved. As such even a small team comprised of people with positive attitudes, who do not give up at the smallest barrier, encourage each other and see their work as an important mission, can make changes even to the field as complicated as 'stopping bureaucracy'.

### **Implementation of the ESF project 'Stop the bureaucracy': main developments and challenges**

A number of key decisions have been made during the project's implementation phase as to what the project's priorities should be. It was decided that the process of drafting regulation could be improved, and that administrative burdens should be removed from regulations during the drafting phase. A decision was made to prioritise the business environment, leading to the creation of a SME test. The functioning of this application is continually monitored to see if any and what improvements are needed.

Such view is shared in the Development Office's team working on the 'Stop the bureaucracy' project during the period 2014 to 2020. Members of the team believe that its main achievements include the establishment of the website [www.stopbirokraciji.gov.si](http://www.stopbirokraciji.gov.si), together with the technical and content updating of the website; as well as the establishment of the SME solutions test. This application was created mainly to assess the *ex-ante* effects of proposed laws on business and economy.

Since June 2016 the SME test is mandatory to all laws adopted under the ordinary and shortened procedure. SME test is based on the full application of the EMMS Methodology (SCM methodology) and is therefore an analytical, highly sophisticated module within the system MOPED (a special application, obligatory since January 2017, to prepare and allow access to all the documents required in the legislative process). Such *ex-ante* assessment enables the calculation of actual effects on SMEs (both quantitatively and qualitatively), which is the basis for cost-benefit analysis. Although a welcomed tool, the SME test has one vital flaw – it is only mandatory for laws proposed and adopted under the so-called ordinary and shortened legislative procedures. This excludes laws proposed and adopted under urgent legislative procedure, which present around a third of all legislative procedures on average since year 2004<sup>12</sup>. Therefore, the SME test lacks the possibility of analysing a big portion of laws being proposed and adopted in the country. Igor Knez who sees this as a major obstacle also commented on the lack of

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<sup>12</sup> See: <https://www.pamfil.si/clanki/2018/4/5/nenujni-zakonodajni-postopek>.

obligation to apply the SME test on other regulation hierarchically lower than laws. Although such (government, local) regulation in Slovenia is predominant and represents the main source of administrative burden, the SME test does not have to be applied to it. This is a challenge that should be tackled in the future, if the Government truly wishes to achieve its policy goal regarding the removal of administrative burdens for business.

The first training of public employees on the use of the SME test was carried out in 2016. Altogether more than 60 public employees were trained on the purpose of applying the SMC Methodology and more than 200 public employees were trained on the use of the SME test through the Administrative Academy at the MPA and with the help of the Government Office for Legislation. Since 2018, the wider public has been enabled to access the SME test application via the eDemocracy platform. The use of the application requires additional training not only on the part of public employees, but also for representatives of the business community (e.g. chambers of commerce, chambers of crafts, which hold public authorisation to prepare regulatory impact assessments (RIA) on the economy). Unfortunately, Slovenian ministries feel that there is no real support or interest from the business community to attend such trainings.

By the end of the funding period 2016-2022, broadened (*ex-ante*) RIA will be put in place, such as an assessment of the effects of regulations on the environment, welfare, IT solutions. These will operate within the framework of the Government's eDemocracy platform, and will also include a yet-to-be-established *ex-post* evaluation of laws. This is a response to one of the key recommendations of the OECD's 2017 review, which states that 'the better regulation agenda should move beyond administrative burden reduction and strengthen the institutional frameworks and ministries' capacities to effectively use RIA, stakeholder engagement, and *ex-post* evaluation'. During the ESF funding period, from 2007 onwards, the 'Stop the bureaucracy' project evolved. It now enables submitting of initiatives, bilateral communication, as well as setting up of the 'Single document' in each sector.

For the Development Office's project team a number of challenges arose during the project's implementation phase. Some challenges appeared at the beginning of the project in relation to which projects to choose and a lack of knowledge regarding the use of ESF funds. Here, the Development Office relied on the positive experience of EU funding from the past. They knew, for example, that they wanted to remove administrative barriers, but they did not have a complete picture of the various sectors affected (labour, the economy, construction, energy), and therefore had to approach specialists. The project in general faced no (political) opposition (and not much support) during its design and implementation phase, but perseverance from the side of the Development Office helped keep the project moving at a steady rate. The difficulties encountered in the last ESF funding period mostly related to staff reduction and lack of political power of the Development Office when dealing with other ministries and trying to get them involved more actively in the project.

For a long time, it was hard to find project coordinators from some government departments and ministries. At first, the project team itself sought individuals with extensive knowledge of the sector/ministry they represented. The response was lacking. Not only that people did not volunteer, but also when they found individuals willing to participate, the desired results were not there. No progress had been made even a year after an inter-ministerial working group first met. The reasoning behind it, as seen by Matija Kodra, was probably that the people chosen were experts who lacked decision-making political powers. So in reality the problem was more organisational than substantive. Information was simply not circulating. The project needed involvement of public employees with political power, thus ensuring the responsiveness of each ministry to influence matters in the right way at a political level.



Another challenge that is still present relates to the promotion of the 'Stop the bureaucracy' project. Despite extensive promotion (round tables, seminars, videos posted on internet), many citizens and businesses remain unaware of the project. For example, as part of the 'Partnership for change' project<sup>13</sup>, Katja Glavič went on an employee exchange at one of the major private TV stations in Slovenia. None of the journalists she talked to at the station knew anything about the 'Stop the bureaucracy' project, or the various ways in which the public could engage with the project. And this was despite the fact that videos of the 'Stop the bureaucracy' project won a practical prize less than a year ago, for being best recognised by members of an informal cohesion network made up of communicators in the field of EU cohesion policy. Following her experience, Katja wrote an article for a web media where she presented the activities of the 'Stop the bureaucracy' project and invited the wider public to participate in removing administrative burden. Katja shared an invitation of the Development Office's team who believes that 'public administration is a friendly and efficient service for all citizens and businesses. To be able to offer the right solutions, to work together, to think innovatively and to approach the user. So make sure your next initiative is an example of good practice. Get involved and be part of positive change'<sup>14</sup>.

The team members of the Development Office also mentioned that although they are mostly well received when promoting the project in the field, people often respond with general criticism, and fail to offer concrete targets or challenges. For example, at a conference, a member of the project team asked the public to suggest a concrete challenge to tackle in relation to the removal of an administrative burden. Response was and often is too general, such as 'There's just too much bureaucracy...'

**Figure 2. Stop the bureaucracy promotional logo depicting a sign that symbolises stopping bureaucracy (or cutting red tape)**



Source: <http://www.stopbirokraciji.gov.si/en/home/>.

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<sup>13</sup> More on the Partnership for change can be found on: <https://www.en.partnerstvovzaspremembe.si/>.

<sup>14</sup> Article available on: <https://cekin.si/clanek/koristno/katja-glavic-stop-birokraciji.html>.

Many of the project's challenges arise on a daily basis, and are dealt with on a daily basis. These include reviewing all new regulations to eliminate potential administrative burdens before they come to force; gathering different initiatives and responding to them; coordinating the 'Single document' to improve the regulatory and business environment; evaluating existing individual measures to reduce regulatory burdens; continuing the training of public employees on how to use the SME test application to assess the effects of regulations on the economy.

Meanwhile, the 'Single document' website allows the public (and other parts of the Government) to track the progress of concrete measures taken by the project<sup>15</sup>. This change has however resulted in an additional problem: it now takes more time to confirm a new project at the governmental level, as this can now be carried out only once a year. In practice, this has not produced a negative effect yet. Concrete measures are added to the 'Single document' list as soon as they are identified, and work begins on them right away, even before a formal confirmation from the Government. Most of the administrative burdens on the project exist in relation to using and reporting on EU funds, complex applications and approval procedures, as well as complex and lengthy public procurement procedures via the e-procurement platform and reporting to the SVRK.

## **Conclusion: results, lessons learnt and the role of ESF financial support**

### ***Main Results***

The results of the 'Stop the bureaucracy' project are encouraging, useful and applicable. When results of past years were evaluated in 2015, the achievements included an annual reduction in the cost of administrative burdens of EUR 362 million, with an aim of increasing this saving by an additional EUR 18 million each year in the programming period 2014-2020 (project duration 2016 - 2022). Many measures aimed at removing administrative burdens have been implemented, and many more are on the waiting list. It is hard to measure concrete results at this stage, especially because of the continuous nature of the project, but some can be evident just by looking at the statistics of realised measures during the 'Single document'. But as it was mentioned, it's an ongoing process and the numbers of realised measures for the removal of administrative burdens will improve further in the future.

Interestingly, taking into account the project's problems regarding promotion, 'Stop the bureaucracy' project has managed to amass 12,000 followers on Facebook – more than twice as many as the Government of Slovenia's Facebook page that has just 5,300 followers. Also the total number of visitors to 'Stop the bureaucracy' web page is near 200,000.

The 'Stop the Bureaucracy' project and its platform for business owners and citizens enables them to give their proposals on how to reduce administrative barriers and simplify administrative procedures. With the use of the platform business and citizens can directly influence the development of public administration and the work it carries out, by helping it remove administrative burdens. They can help improve the business environment by highlighting certain areas in which regulatory burdens need to be removed; they can make suggestions on how to create faster, simpler procedures, promote digital solutions and processes such as E-vep point (single access point for businesses, now called SPOT – Slovene Business Point)<sup>16</sup>. Between 2005

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<sup>15</sup> See: <https://www.enotnazbirkaukrepov.gov.si/realizacija-ukrepov>.

<sup>16</sup> More information about the Slovene Business Point can be found here: <http://eugo.gov.si/>.

and 2015, one million administrative procedures (such as business registration) were carried out online. In 2016, with the introduction of a simple procedure to apply for social insurance via internet for companies using E-vem point, the number rose to one million procedures completed in one year. In 2018, this figure had already reached two million in a year. The next step (expected to be popular) will be e-registration for sick leave.

Igor Knez notes that when the project began key economic organisations were invited to participate and get involved. He also sees as positive that certain initiatives (such as the 'Single document') that were suggested by business were taken into account and realised. It may also be a little difficult and questionable to evaluate to what extent the suggestions of business are truly taken into account. Regarding the realisation measures, it is up to the Government to pass an evaluation of the work done by ministries. Since it grades its performance, such evaluation can be subjective. The business community also expected to have greater control over the implementation of concrete measures.

Overall, the 'Stop the bureaucracy' project is a positive experience for the Slovene Chamber of Commerce and Industry. Yet it cannot go unnoticed that in recent years the progress has slowed down. Most administrative burdens exist within specific procedures such as public procurement procedures, environmental law (construction permits take too long to acquire), administrative (and court) procedures are too time consuming. The use of digitalised IT tools such as SME test and different platforms for doing business helped to improve the existing legislation and removed some of the administrative burdens, making the procedures (e.g. registering a company) easier and faster. Digital support is welcome and always prone to rapid change. The regulations need to respond to changing market needs and innovations, or to new services, such as Uber or Airbnb. The approach to solving such challenges must be systematic, and not only focusing on one sector, since each of these elements represents a piece of a puzzle in the wider business or social environment. This is why a project such as 'Stop the bureaucracy' is key to a well-functioning business environment and to the provision of better public services for citizens.

The future development of 'Stop the bureaucracy' will go towards increasing stakeholder participation<sup>17</sup>, increasing transparency in the drafting of regulations, consistently performing RIA, and improving the process of drafting regulations on the basis of the OECD's recommendations. Continuing efforts will be made towards the better implementation of the measures listed in the 'Single document', which will result in specific savings for citizens and business (e.g. when a pupil finishes high school, the state will issue a certificate indicating the individual's level of proficiency in a foreign language – citizens will no longer have to pay to take additional exams with (private) providers, such as language schools, in order to gain a certificate demonstrating their foreign language proficiency).

### **Lessons learned**

'Stop the bureaucracy' has been an important project for many reasons. From its outset, the project's main theme has been the reduction of administrative burdens – a goal that is of benefit to both the business community and Slovenia's citizens in general. By doing so, the project can help to relieve people's everyday life and work-related burdens – leading to a better life, and a more reliable and competitive business environment. Improving such environments is no easy

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<sup>17</sup> On stakeholder participation, it is useful to refer to certain guideline and manuals such as the OECD Citizens as Partner: Information, Consultation and Public Participation in Policy-Making (2001) or Citizens as Partner: OECD Handbook on Information, Consultation and Public Participation in Policy-Making.

task, particularly when operating in an unstable political situation, as was the case during the rapid changes of government seen in Slovenia between 2012 and 2014.

Therefore, the Development Office working on the project learned how to work in a stable and unstable political environment. The team also learnt the importance of teamwork and the need to put extra effort into better cooperation between different ministries and key stakeholders, such as chambers of commerce. An inclusive approach when dealing with legislative changes usually brings positive results.

Another lesson learnt was that making changes does not rely solely on funding. To remove administrative burdens and change regulation, one also needs political power and support. That is why projects, which demand a wide cooperation of different sectors (public and private), need to be directed from a higher political level or at least have a high political backing to achieve results.

In addition, the team also learned that organising seminars and training of public employees brings positive result. The training participants not only gain knowledge, e.g. on how to use the SME test application, how to include stakeholders in the legislative procedure, but also develop a positive attitude towards the use of such tools.

Finally, another important lesson was that staff shortages can be dealt with by using outside experts and funding the cooperation with them with the help of ESF. Such was the OECD project 'Regulatory Policy in Slovenia – Oversight Matters' carried out in 2017 (published 2018). An outside critical expert view can make a team rethink its own view of progress being made on a project. Daniel Trnka (OECD), who worked on the project, backed up its findings saying that: 'A change in culture is the key. The awareness that the preparation of good regulations is of the utmost importance is very present in Slovenia. However, too little has been done in implementing the concrete steps.' Such experts can make a team pick up its pace and help the project evolve faster.

### ***Role of ESF support in Slovenia for improving 'Stop the bureaucracy' project***

ESF funding was key to the successful implementation of the 'Stop the bureaucracy' project and its platform. Due to the lack of sufficient financial resources for the project within the state budget, ESF funding was (and is) necessary for its further development and project activities such as IT support, organisation of various meetings, promotional activities and, most importantly, training of public employees.

Without ESF funding, there is a feeling shared by stakeholders and individuals working of the project that the state would not have provided sufficient financial resources to support such work, since removing administrative burdens is still not seen as a part of regular tasks of MPA although it is determined as such by law. As a consequence, it lacks regular and stable state budget funding for this task. The project presents a range of different measures and is a continuous process from one programming period to the next, from one measure to the next, from one year to the next, and so on. The impact of ESF funding was vividly described by Slavko Patekar in an interview where he said that 'Between the years 2009 and 2015, the 'Stop the bureaucracy' project budget was worth EUR 1,700,000, 85 per cent of which was funded by the EU (ESF). As a result, we [the team of the Development Office] were able to systematically and broadly identify legislative burdens and look at as many as 14 different areas. Without this financial help we could only address 2 to 3 areas.' Also according to a calculation made by the

Development Office at the MPA, every EUR invested in the project by the ESF saved at least EUR 1,300 in administrative burden – an impressive 1,300 per cent return on investment.

During the current programming period 2014-2020, ESF funding helped to upgrade the online tool 'Single document'. Among other things, the tool now provides interested parties with an insight into the implementation of changes to regulations to achieve municipal savings (through a new module for reviewing municipal fiscal savings, which was complemented by municipal associations). Although Miloš Senčur, who is General Secretary of Association of Urban Municipalities of Slovenia said that 'it is a welcomed tool', he also added that 'most communication between municipalities and the state is done with the use of the working group principle' since the dialogue between the state and municipalities usually takes form of negotiations where they try to reach a consensus on local 'versus' state public interest.

ESF funding was also crucial in the preparation of the SME test application. A review of regulatory policies in Slovenia by the OECD was carried out, and a final report was prepared with findings and recommendations for Slovenia, which was also funded with the help of ESF. In 2017, an ex-post evaluation of the effects of 136 laws, which were adopted by urgent procedure for the period 2010-2014, was carried out. Of these, 126 have achieved their purpose, while 6 have not achieved their purpose and 4 have only partially achieved their goals or objectives.

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