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# Evidence-Based Policy Making and the Implementation of Regulatory Impact Assessment in Croatia

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## Abstract

**Purpose:** This study is dealing with the application of evidence-based policy-making in Croatian public administration and the general role of applied policy analysis in the Croatian system of governance.

**Methodology:** This development is illustrated by the peculiarities of introducing regulatory impact assessment (RIA) tools in Croatian public administrative structures.

**Findings:** The author is pointing out various limitations in the usage of policy analysis tools in formulating, implementing and evaluating public policies in Croatia. The crucial role of RIA for enhancing executive capacity of governance structures is particularly stressed in the study. The final part of the article is devoted to the prospects of further development of RIA as an applied policy analysis tool within the Croatian system of governance.

**Keywords:** evidence-based policy making, regulatory impact assessment (RIA), applied policy analysis, governance, strategic planning, policy coordination

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## Introduction

Evidence-based policy making is one of the latest versions of policy planning approaches, widely applied in public administration. There is a number of contributions to this approach (Howlett, 2009; Nilsson et al., 2008; Sanderson, 2002) underlining the importance of this *ex ante* policy analysis-based model to increase the efficiency of the public policy-making and implementation process. “The evidence-based policy movement is thus the latest in a series of efforts undertaken by reformers in governments over the past half-century to enhance the efficiency and effectiveness of public policy-making” (Howlett, 2009, p. 154). Essentially, the movement itself was based on the assumption that in the future, public policies will not be based on ideology as much as on scientific evidence. One can disregard here the “technocrats’ optimism” of a sort underlying this viewpoint. It is much more important to emphasize the inherent problems of the approach itself, as indicated by numerous authors (Davies, 2004; Howlett, 2009; Tenbenschel, 2004)<sup>2</sup>. The obvious tendency to modernize government and give prominence to the aspect of knowledge do not necessarily result in more effective policy-making and implementation (Parsons, 2001; 2002).

The reasons for this are several. First, evidence is only one of the elements in the policy-making and it cannot simply reverse the effects of other factors that affect policy-making (Colebatch, 2004). Second, as a rule, consistency in gathering evidence cannot fully substitute for active participants’ judgments based on argumentation, discussion and experience (Majone, 1989). Third, insisting on gathering evidence can stretch organizations’ resources to numerous additional activities, which can jeopardize the normal functioning of the organizations.

Regardless of that, the evidence-based policy-making is a version of a policy analysis approach to public administration that still attracts the attention of researchers studying public sector reforms (Boaz and Nutley, 2009). The importance of increasing the quality of the public policy-making system that would build from the evidence-based decision-making is not exclusively associated with Western countries any more. It is one of the ways of increasing the efficiency of the decision-making process in the transition systems of South Eastern Europe that is being more emphasized now (Bartlett, 2013). Furthermore, it is believed that a substantially more independent model of

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<sup>2</sup> Nilsson et al. (2008) offered an exceptionally interesting comparative analysis of the relevance of the evidence-based decision-making. The analysis was based on 37 separate public policy cases chosen in Great Britain, Sweden, Germany and the European Union on the basis of an *ex ante* analysis from 2002 to 2006. The various types of the *ex ante* analysis used in the article are categorized according to the complexity of the mechanisms they used: simple ones (questionnaires, checklists, impact analysis tables), formal ones (scenario techniques, cost-benefit analysis, risk assessment and multiple-criteria analysis) and advanced ones (computer analysis models, simulations of optimal exercises).

policy-making should be introduced, one that would much more rely on national policy expertise. The problem is all the bigger because relying on international organizations and individual external policy consultants has dominated so far (Deacon and Stubbs, 2007). Observers dealing with the level of policy expertise in post-Communist countries concluded that for that reason “the administrative capacity for independent policy-making has been weakened” (Bartlett 2013, p. 452). In the conditions of the serious economic crisis and the crisis of a fiscal state that virtually all southeast European countries are dealing with (Bartlett and Monastiriotis, 2010), creating a more efficient policy-making and policy implementation system suggests itself as one of the important levers for overcoming the general crisis and socioeconomic stagnation.

## Governance and Applied Policy Analysis

Creating a more efficient policy-making environment in public administrative systems requires an institutionalization of the various sorts of applied policy analysis, which can be subsumed under the label of policy bureaucracy (Page and Jenkins, 2005). The process of developing policy analysis within the administrative systems includes various dimensions of “analysis for policy” envisaged by Lasswell (Meltsner, 1976). Beryl Radin showed how this institutionalization happened in the United States (Radin, 2000; 2013a), pointing out that in more recent times, that type of development also affected post-Communist countries (Radin, 2013b).

This study is limited to only one specific role of “analysis for policy” in administrative systems of contemporary democracies: enhancing the steering capability of governance systems. The steering capability includes several dimensions and the first one relates to the *strategic capacities* of policy bureaucracy. It includes the strategic planning capacity and the role of non-governmental academic experts in policy planning. The crucial variable here is the role of strategic planning. The fundamental issue related to this type of public administration refers to the impact that the bodies and units dealing with strategic planning have on the government’s decision-making process (Perko Šeparović, 2006). What is the strength of that impact? Is only a normative framework for such planning in place, without actual implementation, or conversely, is strategic planning being applied as an efficient and functional concept? To put it simply, strategic planning should, in its initial phase, imply having active participants with a strategic vision, a sort of policy entrepreneurs capable of establishing strategic priorities for a community. Such a vision should then be translated into tasks and the tasks should, in turn, be translated into different hierarchically defined goals and objectives. All this should eventually lead to operational strategies as the basic tools

for public sector development. The capacity of academic researchers to advise a government on the decision-making process constitutes an additional dimension of the strategic capacity.

The next element pertains to various dimensions of *inter-ministerial coordination* in public policy-making and this problem is extensively elaborated in policy sciences literature (Bouckaert, Peters and Verhoest, 2010; Metcalfe, 1994; Peters, 2006; 2013). This element of governance primarily includes the potentials of the policy expertise to be applied in a government's inner cabinet or in something that could be dubbed the "prime minister's policy office" (Hamburger, Stevens and Weller, 2011). The key question regarding the implementation of the policy approach in the context of this element is whether the particular government body has the capacity to evaluate the contents of the policies proposed by line ministries. Does government or the prime minister's inner cabinet have the capacity to carry out policy analyses in particular policy fields that can help them carry out regular and independent evaluation of the proposals submitted to the government's inner cabinet by line ministries? This is also connected with the second element of the inter-ministerial coordination: an inner cabinet or prime minister's capacity of stopping the line ministries' proposals on the grounds of a policy analysis that has been carried out. It is the well-known concept of "gatekeeper", with the principal question being whether a line ministry's proposal is stopped only on formal technical grounds, or the decision to stop a proposal is also based on a policy analysis carried out beforehand. If an evaluation is only a formal one, the indicator value is much lower than in the case where both policy and formal evaluations are carried out.

The following element of governance capacity refers to line ministries and their connection with the policy office of a government or prime minister's inner cabinet (Peters, 1998). It is the standard question in governance literature describing the relationship of horizontal and vertical coordination of public policies. The purpose of that sort of literature is to verify the extent in which line ministries (not just in a formal sense) use the public policy guidelines received from the policy office of the government's inner cabinet when they prepare their proposals for individual policies. This is to verify whether they receive such guidelines at all. Why is it important? The reason for that type of conclusion is that in practice, very few policies are made by a single ministry. It is therefore very important that individual ministries follow the government's policy in individual sectors. For example, as employment policy is co-made by perhaps five or six ministries, lack of interconnected capacities and coordination can result in dispersion of a government's policy in some sectors. It should be noted that efficient coordination requires not only ensuring an interconnection of line ministries

and the government's inner cabinet, but also having in place government coordination bodies consisting of the government inner cabinet committees and representatives of individual ministries. This type of policy coordination is also connected with the filtering of policy proposals before they are admitted to a government session agenda.

The issue of policy coordination capacity also comprises the problem of the quality of public servants in individual ministries and their capacity to coordinate the policy proposals within their competence (Saner, Toseva, Atmanov, Mogilevsky and Sahov, 2008). Important in this aspect of the implemented policy analysis is the extent to which officials and public servants in individual ministries are capable of coordinating policy proposals with other ministries before such proposals are included in the agendas of government coordination bodies. Of course, one should not forget the role of informal channels of coordination; preferably, such channels should be only a support to formal mechanisms of policy coordination between ministries, not the other way round.

Besides the issues of strategic capacities and inter-ministerial coordination, the policy dimension of governance also comprises the issue specified in this article: *regulatory impact assessment*. It is a tool for assessment of the efficiency of the public sector, a tool that can be classified among evidence-based instruments. There are a few versions of these policy criteria, ranging from the level regulatory impact assessment is implemented and the quality of such implementation to the sustainability of such assessments. Together with cost-benefit analysis and risk assessment analysis, policy impact assessment is one of the best known forms of the implemented policy analysis in general. The implementation of regulatory impact assessment tools was strongly encouraged by the European Commission, which developed several policy initiatives in that field of governance (Radaelli and De Francesco, 2007)<sup>3</sup>.

## Applied Policy Analysis and Croatian Public Administration

Of course, this study did not make a detailed assessment of the status of all three indicators of steering capability (strategic planning, policy coordination and impact assessment) in the specific Croatian context. It merely discusses the regulatory impact assessment and the specific importance of that tool for the development of the criteria

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<sup>3</sup> The initial step included the OECD report on better regulation policy, prepared by the Maldenkern group (OECD, 2001), followed by the establishment of the first EC impact assessment system in 2002, the Impact Assessment Board in 2006 and revised *Impact Assessment Guidelines* in 2009.

for the assessment of the Croatian public sector efficiency. However, this article will indicate the basic characteristics of the application of policy analysis in Croatia; without that step in analysis, it would be hard to understand the application of the tool in Croatian public administration system. To what extent is policy analysis generally used in the national policy formulation and policy implementation system and what are the structural characteristics of that process (Petak and Petek, 2009)? In general, the role of policy analysis in some specific public sector includes two fundamental dimensions. One refers to the general use of policy analysis tools in public administration, trying to answer questions like “To what extent is this type actually used in putting policies on the agenda and in decision-making? Are all the necessary steps required for one such analysis actually taken in formulation and implementation of policies?” It was shown that rather limited literature on this is available in the specific Croatian context, indicating only a few characteristics of the process and without systematic research on the ways Croatian public policies are made. The other dimension refers to the institutional framework for such an analysis as discussed in this article using the concrete example of institutionalization of the regulatory impact assessment system in the specific Croatian context.

Generally speaking, what can one say about the use of policy analysis in the Croatian public administration system?<sup>4</sup> First of all, one can conclude that the level of implementation of such tools is rather limited, that its serious development started only after 2000 and that to a large extent, it was a result of various sorts of transfers of policies from abroad, whether as part of Europeanization processes or from activities of international organizations such as the World Bank, UNDP and alike<sup>5</sup>. In view of that, one can also consider the shortcomings in public policy-making in Croatia, where a limited reliance on policy analysis leads to deficiencies in a series of phases in policy-making and policy implementation. While there are lots of such limitations, it can be said that insufficient coordination of the active participants in the policy formulation process and limited capacities in policy implementation monitoring can be emphasized as two fundamental problems. It does not mean that other phases of the policy making process, such as putting policies on the agenda, the way policies are legitimized, or evaluation of various adjective policies, do not also contain significant problems. This is why one should more thoroughly explain the reasons for singling out the two critical phases of policy formulation and implementation.

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<sup>4</sup> A detailed account of the development of policy analysis in Croatia as an academic discipline and an analytical tool in public administration is provided in Petak (2006).

<sup>5</sup> Very interesting in this respect is the depiction of difficulties in the implementation of policy analysis in the specific context of public administration in Israel (Geva-May and Kfir, 2000).

There are multiple problems connected with policy design, which is another term for the usage of policy analysis tools in the policy formulation phase, in which alternatives that a policy is facing are discussed (Sidney, 2007). If one tries to apply a standard policy cycle model (Hogwood, Gunn, 1984; Howlett, Ramesh and Perl, 2009) as a normative framework to the real policy-making process that does exist in Croatia, it would help to identify the typical deficiencies that can be found in the Croatian policy-making practice. However, the concern is limited only to the problems related to policy formulation, the phase presented in standard SIGMA materials with as many as six distinctive steps. Studies of the processes of formulation of individual policies have established that the preparation of a public policy proposal (within which the policy problem to be dealt with should be defined) is often omitted (Ben-Gera, 2007; Petak and Petek, 2009). Definition of that problem is, in a way, the “heart of policy analysis” and if it is omitted, it diminishes the quality of policy formulation in Croatia.

The activities related to the formulation of adjective policies also require various types of coordination because the mechanism of government is not a single homogenous body but rather a series of tightly or loosely connected organizations. Coordination thus reflects the idea of efficient interaction of various parties trying to work together to achieve their joint goal. This coordination includes various procedures and structures, such as an efficient consultation system, central agencies, coordination sections in ministries, etc., and finally, introduction of guidelines on public policies included in various forms of horizontal and vertical instructions on how to make individual policies in the most coherent way. Horizontal policy management refers to the coordination of various levels of government and the vertical one refers to the coordination of various active participants in sectors on the same level of government. The horizontal guidelines refer to the organizational collaboration and support in elimination of the hindrances that impede efficient interaction of the administration in particular policy areas. The vertical guidelines, on the other hand, refer to interconnecting the goals, structure and resources to correlate design of a policy and delivery of services with the basic intentions such a policy seeks to achieve<sup>6</sup>. Both the institutional structures of the horizontal and vertical policy management are highly ineffective, producing only a low level of policy coordination (Petak, 2008).

The conceptualization of the problem of coordination is but one aspect in understanding the role of policy analysis in the state administration system. To ensure a high-quality

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<sup>6</sup> Specialized literature details organizational forms of policy coordination. In one of the best known taxonomies, Metcalfe (1994, p 81) identified nine such levels: for example, independent decision-making by ministries or organizations, the communication based on exchange of opinions or consultations with other ministries or organizations, introduction of systems for limitation of the actions of individual ministries or organizations, identification of central (national) priorities and adoption of a government strategy in some sector as the ninth (highest) level.

hierarchy of the goals that are to be achieved by a certain policy, several different options of such policy should therefore be developed, while taking into account the assessment of the impact of possible options on the stakeholder group for which the policy is intended. One of the typical deficiencies of that policy-making step, regularly pointed out by Croatian and foreign analysts, is the lack of inter-ministerial consultations about overlapping issues and, even more, insufficient and often untimely consultations with the segment of the public interested in a specific policy. Avoiding inclusion of a wide range of various horizontal public policy stakeholders (employers, unions, professional associations, non-governmental organizations, citizens affected by a certain policy) often results in relatively low-quality sectoral policy propositions.

However, the public policy-making process in Croatia has various other specific characteristics when compared to the usual policy-making processes in Western democracies. The lack of usual policy procedures does not concern only the public policy formulation or evaluation phases. The problem is much deeper; it extends across the entire policy process. The absence of very specific procedures can also be seen in the initial phases of policy-making: putting special policies on the agenda and formulating possibilities for such policies. Moreover, one could say that essentially the policy making in Croatia is not really based on the application of policy analysis as a decision-making system in the public sector (Petak, 2006; Petak and Petek, 2009). If one takes a standard classification of the policy profession as a starting point, it can be seen that unlike other professions that could serve as a basis for decision-making in the public sector, the impact of the tradition of classical planning or, for example, the tradition of classical public administration, is much more relevant than the impact of the applied policy analysis. The results of such a practice are numerous shortcomings in the policy making and implementation process in the specific Croatian context (Zelenika, 2014).

- There are deficiencies in the implementation of a satisfactory analysis of policy problems, in the gathering of data for the analyses of the problems or in establishing the alternatives for their solution (including the options not connected with legislation).
- The ministries' capacities for carrying out such analyses is low and so are the capacities for drafting legislative proposals. There is a strong reliance on external experts.
- The ministries are focused on the legal dimension of legislative proposals. Due to inadequate prior analyses and low attention paid to the practical aspects of implementation, laws function very poorly and are hurriedly amended.

- There is a proliferation of strategic documents but they are not coordinated with each other. There is no general strategy that would direct the government's priorities and actions in the short or medium term.
- There are no effective mechanisms of monitoring or evaluation of the efficiency of implementation of the government's decisions.

## Institutionalization of Regulatory Impact Assessment (RIA) in Croatia

The noted shortcomings led to the issue of the institutional framework for application of the policy approach in Croatian public administration system. One of the first examples of institutionalization of such a framework in Croatia was the introduction of the regulatory impact assessment system after 2005 (Petak and Petek, 2009). It was part of the Europeanization process, although the issue of better regulation as a part of the Europeanization by the “soft-law” (Radaelli, 2008) was not included in the negotiation chapters. When it was established, the Office for Regulatory Impact Assessment faced, as will be shown later, various forms of obstruction and questioning. Of course, it is not elaborated here whether the office was suitably structured for efficient functioning and how it performed in general. It is much more important that, after a series of aggressive articles in the press and public ridicule of a sort (“the office for regulatory impact assessment as a broom-closet”), the office was suddenly abolished in 2009.<sup>7</sup>

Why are all these things related to the first phase of RIA application in Croatia so important? Because impact assessment is one of the classical methods of policy analysis based on the so called “microeconomic approach.” This includes cost-benefit analysis, cost efficiency analysis, risk assessment analysis, decision analysis, policy forecasting and many other approaches to the decision-making in the public sector that long ago became part of modern public administrations in Western democracies (Radin, 2000). The application of such types of tools started in Croatia and other post-Communist countries a little later, which caused a relatively weak level of institutionalization of applied policy analysis within the Croatian public administration system.<sup>8</sup>

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<sup>7</sup> What should be kept in mind and recorded for the history of development of policy analysis in Croatia is that the first attempt of its institutionalization, as one of the versions of impact assessment studies, was abolished as a totally meaningless institution.

<sup>8</sup> For a detailed review of the development of policy analysis in Croatia, see Petak (2006).

When it comes to the institutionalized framework for the application of policy analysis in the Croatian public administration system, this study first briefly considered the usage of the strategic planning tools and then focused on the fundamental problem of the way the regulatory impact assessment tools are used. Strategic planning is one of the fundamental tools of the new public management (Perko Šeparović, 2006). This type of policy planning does exist in Croatia as a normative framework but it still exhibits a low level of efficiency. A proof of this is the results of the research on public policy management in Croatia carried out by the non-governmental organization GONG. In its survey, GONG interviewed most of the prominent researchers and practitioners of governance in Croatia (Miošić Lisjak and Škrabalo, 2013). More than 85 percent of the respondents were of the opinion that the fundamental task of the state administration reform was to introduce the tools of strategic management, primarily planning, monitoring and evaluation, into the governance system in Croatia. That study concluded that without that condition, all public administration reform attempts would be doomed to failure. In the opinion of the experts interviewed, these very tools are what is more or less being avoided in the public administration system in Croatia, although they should be part of the regular governance system. Admittedly, initial steps in strategic planning were made in the Ministry of Finance during the mandates of the past few governments, but the level of institutionalization of such tools has nevertheless remained very limited.

Regulatory impact assessment has been implemented in Croatia since 2012 by the Department for Regulatory Impact Assessment, which is part of the Croatian government's Legislation Office. The basic purpose of this policy tool is to achieve three basic goals: ensuring transparency of the legislative procedure, opening that procedure to stakeholders and establishing a system of vertical coordination of strategic goals of the public policies institutionalized through legislation by the central government (Zelenika, 2014). Before the government's adoption of the regulatory impact assessment strategy in late 2012 (Croatian Government, 2012), not even a strategic framework for regulatory impact assessment was in place in Croatia (Petak and Petek, 2009).

The process of institutionalization of this kind of applied policy analysis and its introduction into the public administration system in Croatia was rather difficult and characterized by various forms of discontinuity. After 2005, different versions of better regulation policies, as advocated by the OECD, were gradually introduced. Three basic projects were thus implemented in the first place: introduction of fiscal impact assessment into the legislative procedure, regulatory guillotine (*Hitrorez*) project and establishment of the central government's Office for Coordination of the Regulatory Impact Assessment System. The 2005 amendments to the Government Rules of Procedure

were the prerequisite for all that since there had been no institutional framework for regulatory impact assessment in Croatian public administration until then. The institutional change took place in line with the established pattern of policy transfers as the Croatian governance system had to be changed so that the International Bank for Reconstruction and Development's programmatic loan could be received. One of the measures in the reform package that the loan brought also concerned establishing standard methods of assessment of financial, social and environmental impacts in the procedure of proposing legislative and other documents by the government.<sup>9</sup> After that, in 2007, the regulatory guillotine (*Hitrorez*) project was initiated, aiming to streamline the existing business regulation legislation in Croatia.<sup>10</sup> The Office for Coordination of the Regulatory Impact Assessment System was established that same year, but because its structuring turned out to be a very complicated task, it was not until February 2009 that it actually started working. Although its institutionalization was an example of by-the-book structuring of a central government body for public policy coordination, carried out as part of the Europeanization process, the project was heavily obstructed by media, as previously mentioned. In the face of demands for abolition of an "unnecessary office", the government bowed to the media pressure and in July 2009, it abolished the regulatory impact assessment office.

Late that year, the government established such an office again as the Department for Development and Coordination of the Regulatory Impact Assessment System, this time as part of the Government Legislation Office. In mid-2011, the Croatian Parliament adopted the Regulatory Impact Assessment Act (Official Gazette No. 90/2011). Its systematic enforcement began on 1 January, 2012. The Act identified regulatory impact assessment documents (strategy, action plan and implementation report) and stipulated the government legislative proposal preparation plan, competencies and regulatory impact assessment procedure. Article 2 of the Act stipulates that "regulatory impact assessment analyzes the positive and negative impacts of regulations on the economic sector, including the financial impact, the area of social welfare, the area of environmental protection and an outline of the fiscal impact, in parallel with consulting the public and interested parties". In other words, four impact assessment patterns have been established in the Croatian system: economic, social, environmental and fiscal pattern. In late 2012, the Regulatory Impact Assessment Strategy and Action

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<sup>9</sup> Of the proposed forms of impact assessment, only the fiscal impact assessment in the Ministry of Finance took hold.

<sup>10</sup> The regulations in question related to labor legislation, industry sector legislation, commercial law and registers of companies, pension and health-care systems, and consumer protection. A total of 1,451 regulations were analyzed under the project and 799 recommendations for streamlining, amending or abrogating individual regulations were submitted to the government. Of these recommendations, 399 were accepted, resulting in abrogation of 219 regulations and streamlining of 147 of them. An evaluation study carried out after the project showed that a total of HRK 382 million (0.13 percent of Croatian GDP) was saved. According to the study, if all the recommendations were accepted, the eventual saving would equal as much as 0.8 percent of GDP (Zelenika, 2014, p. 12–13).

Plan for 2013–2015 were adopted, thus finally providing the Croatian regulatory assessment system with a complete institutional framework. The 2013 normative activity plans included regulatory impact assessment as a regular policy tool in the process of policy formulation. The short review of that type of activity is presented in Table 1.

**Table 1.** Normative activities (number of laws) of the Government of the Republic of Croatia, 2013–2015

	2013	2014	2015
Legislative proposals not containing RIA	72	98	41
Legislative proposals containing RIA	61	45	34

Source: Legislation Office of the Government of the Republic of Croatia.

The implementation framework for RIA as such was based on the following questions:

- What exactly is the problem in the subject matter?
- Who is affected by the subject matter?
- Why is it necessary to initiate changes in legislation?
- What ways of problem solving (options) are being considered?
- What are the expected benefits, costs and risks of the options being considered?
- Which option is recommended for solving the problem and why?
- How will the recommended option be implemented?
- How will the resulting impacts of the recommended option be monitored?
- When will the evaluation of the implementation of the recommended option be carried out?

However, the whole impact assessment implementation process in Croatian public administration system still has a number of shortcomings. Some of the problems are singled out as follows. The smart regulation approach comes down to how to achieve policy goals and better results through legislation with minimum disruption. The basic problems are connected with poor administrative capacities for full implementation of policy cycles. This particularly refers to the policy formulation phase, where a policy analysis of problems and goals is missing, thus increasing the deficiency of the selection of the policy solution. On the horizontal level of the central state administration bodies, there is the absence of full cooperation and adjustment of different policy goals. As a result, legislative proposals are contradictory and difficult to carry out. On the government level, there is the absence of true policy coordination of the

central state administration bodies in accordance with the government's framework strategic document that defines short-term and medium-term goals and priorities.

## Conclusions

The EU accession process has strongly accelerated the development of RIA in Croatia. In July 2011, the Kosor government adopted a RIA bill and reestablished the Government Office for Coordination of the Regulatory Impact Assessment System that had been abolished in July 2009 as a reaction to populist critique. In accordance with the RIA Action Plan for 2013–2015, the Office for Regulatory Impact Assessment became a department of the government's Legislation Office and RIA implementation coordinators were appointed in all ministries. After that initial step, all government bodies were obliged to prepare annual regulatory plans, specifying which of the planned regulations should undergo an RIA. As a consequence, almost all ministries posted their annual regulatory plans on their websites. It was announced that roughly 40 percent of all bills would undergo the planned impact assessments.

Besides creating a new legislative framework for RIA, the Office for Regulatory Impact Assessment also developed the administrative capacities for implementing specific RIA procedures and established stable partnerships with representatives of the business community (chambers, employers associations, chamber of crafts, banking association), several civil society organizations and trade unions. However, several weaknesses of the RIA process in Croatia are still much influenced, diminishing in that way the quality of the whole process. One of the most prominent problems relates to the low level of inclusion of the public in the process and the difficulty of exerting influence on regulator plans. The RIA Act stipulates that the proposed regulatory plan be posted on the official website for not less than 15 days. However, most ministries confine themselves to informing the public. In contrast, less than a third of all ministries have enabled the public to leave comments on the plans they had proposed. Such a feedback option is particularly important in cases in which regulation has not been included in the impact assessment process. Ministries are also eager to keep control over the selection of external collaborators. For this and other reasons, the participation of stakeholders is often symbolic.

The implementation of RIA has had a rather selective bias that depends on attitudes of the regulators (ministries, agencies) towards the openness of the policy-making process. Some ministries opened the whole RIA process to the public, asking from the stakeholders a sort of feedback to their bill drafts. Unfortunately, there are still

ministries and agencies that are still unfamiliar with the importance of getting feedback from the public, diminishing by that type of behavior the effectiveness of the whole RIA project. Additional problems are stemming from a bad performance of communication strategy related to the application of RIA. The Croatian government is relatively rarely in its sessions promoting RIA as a tool, neglecting in that way the efforts of ministries and agencies that are implementing the tools of RIA in policy-making.

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