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Adaptation of the Legislation of the Western Balkans States to the Acquis of the European Union as a Tool for Modernization of Public Administration

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ABSTRACT

The article analyzes the adaptation of the legislation of the Western Balkan states to the acquis of the European Union as a tool for modernizing public administration systems in the context of European integration transformations. It is determined that the EU acquis performs the function of regulatory approximation and acts as a mechanism for institutional influence on the reform of public administration, the development of strategic planning, increasing the transparency of management procedures and strengthening the administrative capacity of government bodies. It is found that national acquis adaptation programs, negotiating chapters, screening and benchmarking procedures form a structured basis for legislative harmonization and practical implementation of European governance standards. The main directions of implementation of the EU acquis in the areas of public procurement, public finance management, civil service, e-governance, anti-corruption policy and ensuring the rule of law are considered. It is proven that the mentioned reforms contribute to the professionalization of public administration, the development of electronic services, the improvement of budget planning, the increase of accountability of government bodies and the strengthening of institutional stability. It is substantiated that the effectiveness of the adaptation of the EU acquis depends not only on the formal harmonization of legislation, but also on the level of political support for reforms, human resources, financial resources, the effectiveness of law enforcement and the ability of states to overcome corruption and administrative barriers. The conclusions are drawn that the EU acquis is an important factor in the modernization of public administration in the Western Balkans; however, its transformational potential is realized only under the condition of a comprehensive combination of legal, institutional, personnel and organizational changes.

KEYWORDS

EU acquis, Western Balkans, public management, legislative adaptation, European integration, institutional capacity, public administration, administrative reform.

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Філософія та управління

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АНОТАЦІЯ

У статті проаналізовано адаптацію законодавства держав Західних Балкан до acquis Європейського Союзу як інструмент модернізації систем публічного управління в умовах євроінтеграційних трансформацій. Визначено, що acquis ЄС виконує функцію нормативно-правового наближення та виступає механізмом інституційного впливу на реформування публічної адміністрації, розвиток стратегічного планування, підвищення прозорості управлінських процедур та посилення адміністративної спроможності органів влади. З'ясовано, що національні програми адаптації acquis, переговорні глави, процедури screening та benchmarks формують структуровану основу для законодавчої гармонізації й практичного впровадження європейських стандартів врядування. Розглянуто основні напрями імплементації acquis ЄС у сферах публічних закупівель, управління державними фінансами, державної служби, електронного врядування, антикорупційної політики та забезпечення верховенства права. Доведено, що зазначені реформи сприяють професіоналізації публічної адміністрації, розвитку електронних сервісів, удосконаленню бюджетного планування, підвищенню підзвітності органів влади та зміцненню інституційної стабільності. Обґрунтовано, що результативність адаптації acquis ЄС залежить не лише від формальної гармонізації законодавства, а й від рівня політичної підтримки реформ, кадрового забезпечення, фінансових ресурсів, ефективності правозастосування та здатності держав долати корупційні й адміністративні бар'єри. Сформовано висновки, що acquis ЄС є важливим чинником модернізації публічного управління держав Західних Балкан, однак його трансформаційний потенціал реалізується лише за умови комплексного поєднання правових, інституційних, кадрових і організаційних змін.

КЛЮЧОВІ СЛОВА

acquis Європейського Союзу, Західні Балкани, публічне управління, адаптація законодавства, європейська інтеграція, інституційна спроможність, публічна адміністрація, адміністративна реформа.

1. Introduction

The current stage of European integration of the Western Balkan states is accompanied by the intensification of the processes of adaptation of national legislation to the acquis of the European Union as one of the basic prerequisites for the implementation of the Copenhagen criteria and the further advancement of the states of the region towards EU membership. Within the framework of European integration transformations, the implementation of the acquis of the European Union functions as a form of regulatory and legal harmonization. It is a systemic tool for institutional transformation of the public administration sphere, aimed at establishing the principles of good governance, developing the institutional capacity of public authorities, ensuring procedural transparency of administrative activities and increasing the efficiency of mechanisms for implementing state policy.

In view of this, the problem of the preservation of a complex of systemic dysfunctions in the field of public administration in the Western Balkan countries, manifested in the fragmentation of regulatory and legal regulation, an insufficient level of coordination between public authorities, limited efficiency of administrative procedures, low quality of public service provision and insufficient transparency of management activities, which negatively affects the stability of democratic governance and hinders the socio-economic development of the region [14]. In this regard, the need to study the impact of adapting national legislation to the EU acquis on the processes of modernization of public administration systems in the Western Balkan countries, the analysis of institutional mechanisms for implementing administrative reforms and the assessment of the effectiveness of the implementation of European standards in the field of public administration functioning is becoming more urgent.

2. Literature Review

The issue of adapting the legislation of the Western Balkan countries to the acquis of the European Union and its impact on the modernization of public administration systems occupies an important place in modern scientific and analytical discourse. A significant part of the research focuses on assessing the institutional capacity of the countries of the region to implement the EU acquis, the effectiveness of administrative reforms, as well as the transformation of the mechanisms of public administration functioning in accordance with European standards of good governance. In modern analytical reports of international organizations, the process of adapting the EU acquis is considered as a key tool for the structural modernization of the public sector of the Western Balkan countries. In particular, the OECD report “Public Administration in the Western Balkans 2024” states that the harmonization of legislation in the field of public procurement and the professionalization of the civil service are important factors in increasing the transparency of management, reducing corruption risks and ensuring sustainable development of the region [9]. In addition, it is emphasized that, despite achieving a high level of formal compliance of national legislation with EU directives, the effectiveness of practical implementation of reforms remains limited due to institutional dysfunctions, insufficient administrative capacity and incoherence of law enforcement mechanisms [4].

The theoretical and methodological principles of public administration reform in the context of European integration are reflected in SIGMA and OECD documents, which define the principles of public administration as the basis for ensuring effective governance, institutional stability and compliance of management practices with EU standards [10].

In scientific research on the European integration of the Western Balkans, the stabilization and association process is considered as a specific model of the integration influence of the European Union, within which the conditionality mechanism is combined with systematic monitoring of the implementation of the acquis and assessment of the effectiveness of reforms [1]. Thus, O. Parfisyuk in his research focuses on the complex nature of the EU acquis, some components of which include civil service reform, improvement of anti-corruption policy, reform of the judicial system, digitalization of public administration and increasing the efficiency of administrative procedures [11].

Official reports of the European Commission for 2025 indicate the gradual progress of the Western Balkan countries in implementing administrative reforms. In particular, in North Macedonia, the adoption of new laws on civil service was noted, in Albania - the approval of the public administration reform strategy for 2025-2030, and in Montenegro - the updating of the civil service legislation [5]. At the same time, the documents of the European Commission pay special attention to

the preservation of a number of systemic problems related to the slow pace of reform implementation, insufficient staffing, politicization of the civil service and instability of the institutional environment [4].

Separate studies by the World Bank and other international institutions show that the key barriers to the modernization of public administration in the Western Balkan countries are the weakness of executive structures, insufficient level of coordination of state policy, limited mechanisms for evaluating the effectiveness of reforms, and low efficiency of the public service delivery system [14]. Thus, modern scientific and analytical studies indicate the presence of a formed regulatory and institutional framework for the adaptation of the EU acquis in the Western Balkan countries, but do not confirm the persistence of significant institutional and administrative restrictions that complicate the full implementation of public administration reforms in accordance with European standards.

3. Problem Statement

The purpose of the article is to investigate the adaptation of the legislation of the Western Balkan states to the acquis of the European Union as a tool for the modernization of public administration systems in the context of European integration transformations.

4. Methods and Materials

The study is based on the analysis of the European Union acquis, the legislation of the Western Balkan states, official documents of the European Commission, OECD and SIGMA, as well as scientific publications on public administration reform and European integration. The research applies formal legal, comparative legal, and systematic methods to examine the role of the EU acquis in the modernization of public administration systems in the Western Balkans.

5. Results and Discussion

The adaptation of the legislation of the Western Balkan countries to the acquis of the European Union in modern scientific discourse is considered as one of the key mechanisms of the EU's external institutional influence on the transformation of national public administration systems. Within the concept of European conditionality, the implementation of the acquis acts as a tool to stimulate administrative reforms aimed at increasing the efficiency of public administration, ensuring compliance with European standards of governance and integrating the countries of the region into the European political and legal space. In this regard, the EU acquis functions as a set of regulatory, procedural and institutional standards that determine the directions of modernization of public administration and form mechanisms for the implementation of European management practices. In particular, the provisions of the acquis in the field of public procurement are aimed at ensuring transparency of procedures, competitiveness, non-discrimination and accountability in the process of using public resources, which creates the prerequisites for improving the system of state financial control and decentralization of management powers. In addition, the implementation of the acquis in the field of public finances involves the introduction of mechanisms for medium-term budget planning, strengthening financial discipline and the formation of independent institutions of fiscal supervision, which is consistent with the principles of budgetary governance of the European Union.

The implementation of the above areas of adaptation of the EU acquis requires the formation of a holistic system of strategic planning and coordination of legislative and administrative reforms in the candidate countries for accession to the European Union. In this regard, an important feature of the process of adapting the acquis in the Western Balkan countries is the presence of comprehensive program documents that determine the areas of legislative harmonization and institutional reform. In particular, the Republic of Serbia has a National Program for the Adaptation of the EU Acquis (NPAA), which acts as a systemic tool for coordinating the process of approximation of legislation to EU law and contains a detailed list of legislative and subordinate legislation necessary for the implementation of the acquis. According to official data, in 2012, about 88% of the planned legislative and regulatory measures were implemented within the framework of the NPAA [7].

National programs for the adaptation of the acquis also operate in North Macedonia, Albania, Montenegro and other countries in the region, ensuring the coordination of the processes of legislative harmonization and the development of the institutional capacity of public administration bodies. Such

documents determine the calendar for the implementation of the acquis, responsible state authorities, as well as the directions for the development of administrative structures necessary to ensure the effective implementation of European standards [6].

In addition to the national programs for the adaptation of the acquis, Reform Agendas and other strategic documents developed within the framework of the implementation of the Growth Plan for the Western Balkans, which provide for fundamental reforms in the field of public administration, the rule of law, public finances and economic management [3]. In the strategic documents of the Western Balkan countries, special attention is paid to the development of the administrative capacity of public authorities and the staffing of the process of implementing the EU acquis. In particular, the National Program of North Macedonia states the need to form effective administrative structures and train qualified personnel as a basic condition for the proper implementation of the EU acquis into the national public administration system [5]. Strengthening the administrative capacity of candidate countries is directly related to the mechanisms of the negotiation process for accession to the European Union, within which the EU acquis acts as a regulatory and institutional mechanism that determines the content, sequence and criteria for implementing domestic reforms.

In the process of negotiations for the accession of the Western Balkan countries to the European Union, the EU acquis acts as a regulatory and institutional mechanism that determines the content, sequence and criteria for implementing domestic reforms. The negotiation process involves a screening procedure, within which the level of compliance of national legislation with the EU acquis is assessed, after which intermediate and final benchmarks are formed, the implementation of which is a mandatory condition for the further advancement of the countries in the negotiation process. Within the framework of Chapters 23 “Judiciary and Fundamental Rights” and 24 “Justice, Freedom and Security”, candidate countries are obliged to ensure the reform of the judicial system, strengthen anti-corruption policy, improve the mechanisms of the functioning of the civil service and increase the institutional capacity of public administration bodies [4]. One of the most important areas of implementation of the EU acquis in the Western Balkans is the reform of the public procurement system, which is carried out within the framework of Chapter 5 of the acquis. Harmonization of legislation in this area is aimed at ensuring transparency of procedures, increasing the level of competition and minimizing corruption risks in the process of using public resources. The OECD report “Public Administration in the Western Balkans 2024” notes that most countries in the region have achieved a significant level of formal compliance of national legislation with EU directives in the field of public procurement [9]. In particular, Serbia updated its public procurement legislation in accordance with the provisions of Directive 2014/24/EU, which provided for the introduction of electronic procurement procedures, the expansion of competitive selection mechanisms and the reduction of administrative barriers. Similar legislative changes were implemented in Montenegro and North Macedonia. As a result, electronic tendering systems were created in the countries of the region, procurement monitoring mechanisms were improved and anti-corruption control tools were strengthened. In addition, the OECD emphasizes that the practical effectiveness of the reforms remains limited due to the insufficient level of staffing and the weakness of the institutional infrastructure of the bodies responsible for the implementation of procurement policy [9]. An important area of adaptation of the EU acquis in the Western Balkan countries is the modernization of the public finance management system, which is being implemented within the framework of chapters 32–33 of the EU acquis. The European Union is guiding candidate countries towards the implementation of the principles of budgetary discipline, medium-term financial planning and institutional independence of fiscal control bodies. In view of this, medium-term budgetary planning mechanisms were introduced in Montenegro and the Fiscal Council was established as an independent financial oversight body. In Serbia, the legislation in the field of public finance was updated in accordance with EU requirements for budgetary policy coordination and budget deficit management. The implementation of these reforms contributed to the formation of clearer fiscal rules and strengthening control over budgetary processes. At the same time, the European Commission’s report on Montenegro focuses on the lack of coherence between the medium-term budgetary framework and annual budgetary planning mechanisms, which negatively affects the effectiveness of the implementation of financial reforms [4].

The reform of the civil service and administrative system is of significant importance in the process of modernizing the public administration systems of the Western Balkan countries. Despite the absence of a separate EU acquis on the organization of the civil service, the OECD/SIGMA recommendations define the formation of a professional, politically neutral and meritocratic public

administration as a basic condition for effective governance. In this regard, the countries of the region are updating their civil service legislation. In particular, in Montenegro, a new version of the Law on Civil Servants was adopted in 2024, which provides for strengthening competitive procedures and introducing a competency-based approach to personnel selection [15]. In North Macedonia, in 2025, the legislation on administrative servants and civil service was updated, which allowed improving the procedures for personnel selection and professional development of civil servants [12]. In Albania, the modernization of the civil service is being implemented within the framework of the Public Administration Reform Strategy for 2025–2030 [13]. In addition, reports from the European Commission show that the effectiveness of these reforms is significantly reduced due to an insufficient number of competitive procedures, a lack of qualified personnel, and the preservation of a significant number of vacant positions in the public administration system [4].

An important component of the modernization of public administration in the Western Balkan countries is the digitalization of administrative processes and the development of electronic governance, which is implemented within the framework of chapters 10 and 26. The implementation of the provisions of the eIDAS Regulation has become the regulatory framework for the formation of a digital infrastructure of public services and the introduction of electronic identification of citizens. In particular, in North Macedonia in 2025 the provisions of eIDAS 2.0 were implemented and a Single Digital Identity Wallet was introduced [5]. Similar processes of digital transformation are being implemented in Albania and Serbia, where the development of electronic portals of public services, the digitalization of administrative registers and the simplification of procedures for interaction between citizens and authorities are being carried out. As a result of the implementation of electronic governance, there is a reduction in the volume of paper document flow, an increase in the efficiency of the provision of administrative services and an increase in the level of openness of the activities of public authorities. At the same time, the European Commission points to the existence of problems in the field of cybersecurity, as well as the uneven level of access of the population to electronic services, in particular in Albania [2].

An equally important direction of implementation of the EU acquis in the Western Balkans is the reform of the system of combating corruption and ensuring the rule of law, which is covered by chapters 23–24 of the acquis. Within the framework of fulfilling EU requirements, the countries of the region are updating anti-corruption legislation, creating specialized anti-corruption bodies and strengthening internal control mechanisms in the field of public administration. In particular, in Serbia there is an updated Law on the Prevention of Corruption [16], and in Albania an interdepartmental strategy for combating corruption for 2024–2030 is being implemented. At the same time, the judicial system is being reformed, aimed at ensuring the independence of the judiciary and strengthening mechanisms for controlling the activities of public authorities. Montenegro has approved the Judicial Reform Strategy for 2024–2027, which provides, in particular, for increasing the level of material support for judges as one of the elements of guaranteeing their independence [4]. Despite the gradual improvement of the regulatory framework and institutional structure of anti-corruption policy, international analytical assessments continue to record a high level of corruption risks and insufficient effectiveness of the practical implementation of mechanisms for ensuring the rule of law in the countries of the region. The implementation of the European Union acquis in the Western Balkan countries is gradually transforming the institutional principles of the functioning of public administration systems, affecting both the regulatory framework for the activities of government bodies and the mechanisms for implementing public policy. An analysis of modern analytical materials from the OECD, the European Commission and the World Bank shows that the adaptation of the EU acquis contributes to the formation of a more structured model of public administration based on the principles of strategic planning, administrative effectiveness, transparency and institutional accountability. In this regard, the implementation of mechanisms for standardizing management procedures, state policy monitoring systems, unified state registers, and medium-term public administration reform programs that comply with the principles of good governance is of particular importance [1].

As a result of the implementation of the outlined approaches, an institutional environment is gradually being formed in the countries of the region, focused on increasing the professionalization of the civil service and reducing the fragmentation of administrative management. At the same time, the adaptation of the EU acquis stimulates the development of mechanisms for openness and accountability of public authorities through the implementation of legislation in the field of access to public information, digitalization of administrative procedures, e-governance and financial control. The OECD

report "Public Administration in the Western Balkans 2024" emphasizes that in the countries of the Western Balkans there is a gradual expansion of the practice of involving citizens in assessing the quality of administrative services and an increase in the volume of public service standards [9]. At the same time, these processes are implemented unevenly and are characterized by different levels of institutional efficiency, depending on the specifics of the political and administrative development of individual countries in the region.

In addition, international technical and financial support programs implemented with the participation of the European Union, OECD, World Bank, USAID, GIZ and other international institutions have a significant impact on the modernization of public administration systems. Such programs provide financing for public administration reforms, the development of digital infrastructure, the training of civil servants and the implementation of modern management practices. In particular, in Serbia, the European Union remains one of the key donors for the reform of the public administration system and the institutional modernization of the public sector [8]. In this regard, the digitalization of administrative processes, the introduction of electronic document management and the creation of centralized state registers contribute to increasing the efficiency of administrative decisions, reducing bureaucratic procedures and strengthening interdepartmental coordination.

At the same time, the results of the implementation of the EU acquis in the Western Balkan countries remain heterogeneous and largely depend on the level of institutional capacity of state bodies, political stability and human resource potential of public administration. Despite the gradual improvement of the regulatory framework, systemic problems related to the insufficient level of professional training of civil servants, politicization of the administrative apparatus, instability of personnel policy and inertia of bureaucratic structures persist in the countries of the region. Thus, the European Commission report on Montenegro states that even after the update of the civil service legislation, problems with filling vacant positions and a significant number of temporarily appointed officials continue to exist [4]. This indicates that the formal alignment of legislation with the EU acquis does not ensure automatic transformation of administrative practice and does not guarantee a real increase in the efficiency of the functioning of the public administration system.

In this regard, the problem of the presence of systemic barriers that significantly limit the effectiveness of administrative reforms in the Western Balkan countries is of particular importance. One of the key factors is the insufficient level of political will for the practical implementation of reform measures. In many cases, the adoption of strategies, programs and regulatory legal acts is carried out mainly within the framework of fulfilling the requirements of the negotiation process with the European Union, while their full implementation remains inconsistent or fragmented. This problem is most pronounced in Bosnia and Herzegovina, where political fragmentation and interethnic conflicts significantly complicate the process of adopting and implementing reform decisions.

At the same time, a significant limitation to the modernization of public administration remains the institutional traditions of centralized management and excessive concentration of power. In particular, the European Commission report on Albania states that a significant number of state bodies have been transferred under the direct control of the Prime Minister, which has increased the centralization of management functions and limited the effectiveness of parliamentary control [4]. Under such conditions, the adaptation of the EU acquis is often accompanied by the preservation of traditional administrative practices, which limits the real institutional transformation of the public administration system. An additional risk factor remains the high level of corruption and the insufficient efficiency of the judicial system. Despite the updating of anti-corruption legislation and the creation of specialized anti-corruption institutions, the weakness of law enforcement mechanisms and the limited institutional capacity of authorities continue to negatively affect the effectiveness of administrative reforms. The World Bank emphasizes that the fragmentation of management processes, low transparency and widespread corruption remain among the main factors hindering the modernization of public administration systems in the Western Balkan countries [14].

Also, an important limiting factor is resource problems associated with budget deficits, insufficient financing of reforms and a shortage of qualified personnel, especially at the local level. In such conditions, the adoption of new regulatory and legal acts does not provide a real increase in the efficiency of the functioning of the public administration system without proper financial, personnel and technological support. OECD and European Commission reports repeatedly emphasize that in some cases, reform is mainly declarative in nature, when new institutional structures exist formally, but the actual mechanisms for making management decisions remain unchanged [5].

In addition to domestic factors, the effectiveness of public administration modernization in the Western Balkans is influenced by regional political instability and geopolitical contradictions. Despite the development of the Common Regional Market concept and the implementation of common regional standards, interstate conflicts and political contradictions, in particular the Kosovo problem and tensions in relations between individual states in the region, continue to complicate the coordination of reform processes and limit the effectiveness of regional integration. As a result, the modernization of public administration systems in the Western Balkans depends on the pace of adaptation to the EU acquis and the level of political stability, institutional consolidation and the ability of states to ensure the consistency of reform implementation in the long term. A summary of the main directions of the implementation of the EU acquis and their impact on the transformation of public administration systems in the Western Balkans is presented in Table 1.

Table 1. The impact of the implementation of the EU acquis on the modernization of public administration systems in the Western Balkans

Scope of the EU acquis	Main directions of acquis adaptation	Examples of implementation in the Western Balkan countries	Institutional impact on the public administration system
Public procurement (Chapter 5 of the acquis)	Harmonization of legislation with EU directives in the field of public procurement, implementation of electronic procurement procedures, strengthening of competitiveness and transparency of tender mechanisms	Serbia – Update of the Law on Public Procurement (2013; 2019) in accordance with Directive 2014/24/EU; Reform of the e-procurement system in Montenegro and North Macedonia	Increasing the transparency of procurement procedures, developing a competitive environment, strengthening anti-corruption control and improving financial management mechanisms
Public financial management (Chapters 32-33 of the acquis)	Implementation of medium-term budget planning, strengthening of fiscal control, formation of independent institutions of budget supervision	Montenegro – Implementation of the Medium-Term Fiscal Strategy and establishment of the Fiscal Council (2023–2024)	Strengthening budget discipline, improving the financial planning system, increasing the level of accountability of executive bodies
Civil service and administrative management	Improvement of competitive selection procedures, development of a meritocratic model of civil service, standardization of administrative procedures in accordance with SIGMA principles	North Macedonia – Adoption of the Laws "On Civil Servants" and "On Public Servants" (2025)	Professionalization of public administration personnel, reducing the level of political influence on personnel policy, increasing administrative stability
Digitalisation and e-government (Chapter 10 of the acquis)	Implementation of eIDAS provisions, development of electronic identification systems, digitalization of administrative services and electronic document flow	Albania – Modernization of the legislation on electronic documents and implementation of the digital identification system (2025)	Optimization of administrative procedures, expanding citizens' access to public services, reducing bureaucratic management mechanisms
Rule of law and anti-corruption policy (Chapters 23-24 of the acquis)	Strengthening the independence of the judiciary, development of anti-corruption mechanisms, improvement of the system of prevention of conflict of interest and control over the activities of government bodies	Albania – Inter-agency Anti-Corruption Strategy 2024–2030; Montenegro – Judicial Reform Strategy 2024–2027	Increasing the effectiveness of legal control mechanisms, strengthening the institutional independence of the judicial system, strengthening anti-corruption capacity

Source: Compiled by the authors.

Thus, the implementation of the EU acquis in the Western Balkan countries is an important factor in the institutional modernization of public administration, but the effectiveness of the relevant reforms is determined by the level of regulatory harmonization and the practical ability of the states to ensure their effective implementation.

6. Conclusions

The study showed that the adaptation of the legislation of the Western Balkan countries to the acquis of the European Union is an important factor in the modernization of public administration systems and the transformation of institutional mechanisms for the functioning of public

administration. The implementation of the EU acquis contributes to the development of strategic planning, digitalization of management, improvement of the civil service, increased transparency of government activities and strengthening of administrative control. At the same time, it was found that the effectiveness of reforms remains heterogeneous due to the weakness of law enforcement mechanisms, politicization of the civil service, personnel and resource limitations, as well as the preservation of corrupt practices. In this regard, the effectiveness of the adaptation of the EU acquis depends not only on the formal harmonization of legislation, but also on the ability of states to ensure a comprehensive institutional transformation of public administration systems in accordance with European governance standards.

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