

POLICY REPORT

Energy and security sector governance in Macedonia: how to improve its efficiency?



Introduction

The Republic of Macedonia, due to its EU and NATO integration endeavors is experiencing many policy reforms. Especially the country's energy and security sectors are both characterized with low transparency and limited openness for cooperation – the first due to its capital intensity¹ and the second due to the communist system's legacy, both also important for national security. As a result, they have been exposed but reluctant to the reform processes and have many deficiencies in their governance. Some of the identified issues include insufficient capacities, lack of financial means, delays in adopting the respective legislation and in implementing projects, all of which indicate low efficiency in these sectors' performance.

On the other hand, the Slovak Republic, also a former communist country and an EU and NATO member state showcases good examples of capacity building and institutional efficiency in the respective sectors. Its ten year-long Euro-Atlantic integration enabled gaining good experience with the reform processes in the two sectors. Additionally, according to the Worldwide Governance Indicators the Slovak Republic has better governance scores than Macedonia.² Thus, the Slovak Republic can be considered as a valuable resource for applying its learnt lessons in the Macedonian case.

Therefore, the aim of the policy paper is to analyze the Macedonian energy and security sector governance by focusing the institutions' efficiency for the purpose of preparing policy recommendations for improving the challenges by drawing lessons from positive Slovak examples. This paper is important since it will focus on two „closed“ sectors in Macedonia, with the overall aim of contributing to better application of the good governance principles such as efficiency of institutions as well as strengthened rule of law in the two sectors in Macedonia. It focuses on the concept of efficiency as a component of good governance; whereas efficiency is defined as making best use of recourses at institutions' disposal.

The methodology includes review of relevant studies and reports; the main field research was a questionnaire used for an interview or sent by utilizing the Law on free access to public information. Interviews were conducted with Slovak stakeholders³; while questions were sent utilizing the Law on free access to public information to the Macedonian stakeholders.⁴ For the purpose of this paper, the

¹ Capital intensity means business process or an industry that requires large amounts of money and other financial resources to produce a good or service. This refers to the fact that large scale energy projects demand large amount of finances.

² The Worldwide Governance Indicators report six governance indicators for over 200 countries and territories for the period 1996-2012. Worldwide Governance Indicators, Country data reports, available at: <http://info.worldbank.org/governance/wgi/index.aspx#countryReports>

³ Slovak stakeholders interviewed for the purpose of this paper are: Ministry of Economy, Slovak Innovation and Energy Agency, Ministry of Interior, Energy Centre Bratislava, Slovak Foreign Policy Association and Centre for European and North Atlantic Affairs (CENAA).

⁴ The Macedonian stakeholders were reluctant to give an interview. Therefore, the questionnaire in adjusted and shortened version was sent by utilizing the Law on free access to public information to the Macedonian

Macedonian security sector is focused on the Ministry of Interior and in particular its Unit for Strategic Planning and Development; while the energy sector included the Energy Department in the Ministry of Economy and the Energy Agency.⁵ Positive Slovak examples were drawn from the Slovak Ministry of Interior regarding security issues while the Slovak Ministry of Economy (Energy and Raw Materials Policy Department) and Slovak Innovation and Energy Agency represented the Slovak energy sector. The paper is organized in a way that after the introduction and explanation of the key notions, the relevant sectors' key institutions' efficiency is analyzed through their human resources, management of financial resources and implementation of their key policies, as best areas for identifying the efficiency challenges to the respective institutions. The paper ends with conclusions and recommendations for the respective Macedonian institutions.

Notion of good governance and efficiency

Governance was defined by UNDP as the exercise of economic, political, and administrative authority to manage a country's affairs at all levels⁶; The United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) has simply described it as the process of decision-making and the process by which decisions are implemented or not implemented. Based on the latter, an analysis of governance focuses on the formal and informal actors involved in decision-making and implementing the decisions made and the formal and informal structures that have been set in place to arrive at and implement the decision.⁷ Governance is closely related to the notion of good governance; the latter which was defined by the World Bank as "... epitomized by predictable, open and enlightened policy making; a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its actions; and a strong civil society participating in public affairs; and all behaving under the rule of law."⁸ This concept has eight major characteristics according to UNESCAP, one of them is efficiency.⁹ Efficiency according to UNESCAP means making best use of resources at institutions' disposal. It refers to the quality of process or "doing things right"; efficiency means the ability to do something or produce *something without wasting time, cost or effort*; and it can be measured by the *ratio of output to input*.

stakeholders: Ministry of Economy, Ministry of Interior and Energy Agency. The questionnaire focused on three aspects: human resources, financial resources and policy planning and implementation.

⁵ In order to make the research more concrete, the security and energy sectors were focused on these mentioned institutions, despite that these sectors include other set of stakeholders.

⁶ Internet page of the World Bank

<http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/MENAEXT/EXTMNAREGTOPGOVERNANCE/0,,contentMDK:20513159~pagePK:34004173~piPK:34003707~theSitePK:497024,00.html>

⁷ UNESCAP, What is good governance? <http://www.unescap.org/sites/default/files/good-governance.pdf>

⁸ Internet page of the World Bank

<http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/MENAEXT/EXTMNAREGTOPGOVERNANCE/0,,contentMDK:20513159~pagePK:34004173~piPK:34003707~theSitePK:497024,00.html>

⁹ Other elements are: rule of law, transparency, responsiveness, consensus oriented, equity and inclusiveness, effectiveness, accountability and participation; UNESCAP shows effectiveness and efficiency jointly as one characteristic.

Human resources

In countries going through transition such as Macedonia, strengthening the human capacities of the institutions, especially in areas significantly affected by the reform process such as the security and energy sectors, has remained a challenge. The European Commission's progress reports for Macedonia over the years have indicated the need of strengthening the capacities of the Energy Agency, Ministry of Economy's Energy Department or of various bodies or sections under the Ministry of Interior.¹⁰ In fact, for efficient completion of tasks and obligations, sufficient human capacities are a necessity. In order to identify the efficiency weaknesses regarding human resources, analyzed were the number and background of staff, awarding and promotion system, evaluation system, division of responsibilities, training and similar.

Most visible was the limitation in the state budget for new employment over the years as noted by the Energy Agency.¹¹ This is repeatedly stated in its programs for work that the Agency is seriously challenged in completing all the planned activities on time and well with only few employees.¹² In 2012 the Energy Agency had 5 permanent employees and 6 temporary employees as volunteers, interns or consultants¹³, which means that more than half of the whole staff was employees likely to leave the Agency after the end of their contract. That means that the skills and knowledge acquired by the temporal staff through their work will be lost for the Agency when the temporal staff leaves. Employees both in the Energy Agency and the Energy Department are of various educational backgrounds and these institutions have not experienced frequent staff changes.¹⁴ Although asked for, information about the profiles of the civil servants in the Unit for Strategic Planning and Development was not given; the Unit briefly replied the civil servants to fulfill the conditions for their work positions.¹⁵ The Ministry of Interior has the largest number of employees. The official data show a decrease of the number of employees from year to year¹⁶ which could mean enhanced efficiency in public service delivery of this Ministry.

¹⁰ To be precise, the progress reports for 2012 and 2013 indicated that the capacity of the Energy department of the Ministry of Economy needs to be strengthened; the progress reports for 2011 and 2012 spoke about the Energy Agency's limited capacity. In the report for 2013 regarding the security sector as insufficient capacities or capacities need strengthening was mentioned the strategic capacity for managing migration flows and the Illicit Drugs Department.

¹¹ Energy Agency of the Republic of Macedonia (2013), Annual report for work for 2012; Energy Agency of the Republic of Macedonia (2012), Draft report for work for 2011; Energy Agency of the Republic of Macedonia (2011), Report for work for 2010.

¹² Energy Agency of the Republic of Macedonia (2013), Program for work for 2014; Energy Agency of the Republic of Macedonia (2012), Draft program for work for 2013; Energy Agency of the Republic of Macedonia (2011), Draft program for work for 2012

¹³ Energy Agency of the Republic of Macedonia (2013), Annual report for work for 2012

¹⁴ Ministry of Economy, Information obtained by utilizing the Law on free access to public information, May 2014; Energy Agency, Information obtained by utilizing the Law on free access to public information, April 2014.

¹⁵ Ministry of Interior, Information obtained by utilizing the Law on free access to public information, April 2014.

¹⁶ Source: Ministry of Finance, Budget of the Republic of Macedonia for 2009, 2010, 2011, 2012, 2013 and 2014. All budgets are available at: <http://finance.gov.mk/view/budget2013>

On the subject of awarding and penalty mechanism and evaluation of the work of the civil servants or employees, the Unit for Strategic Planning and Development and the Energy Department listed written laws or procedures which apply to civil servants or authorized employees¹⁷ depending on the status of their employees¹⁸ respectively, showcasing a uniform way of managing their human resources. Additionally, each sector in the Ministry of Economy on request of seniors once a month or every three months submits a report about its work progress.¹⁹ The Energy Agency does not have a classical career system; which will be changed after receiving the status of administrative servants.²⁰ The Energy Agency was also not able to develop monetary awarding system and after the harmonization with the Law on administrative servants, the Agency believes to establish a career development system for its employees.²¹

Concerning the division of responsibilities, the Unit for Strategic Planning and Development engages in team work for more complex work tasks²², whereas each employee in the Energy Agency's has several responsibilities, tasks and obligations.²³ The Agency as an institution has its advantages such easier management of human resources as it has less number of employees and a less complicated vertical management structure than ministries,²⁴ having as such preconditions for high efficiency. However, when it comes to deciding about employment of staff with funds from the state budget, the Ministry of Finance has a crucial say as it is included in the approval process of the biannual reports of the Agency jointly with the Ministry of Economy and the Government²⁵; which could be of disadvantage to the Agency as some of the Agency's plans as hiring more staff may not be approved. The latter has already happened in 2009 when the Ministry of Finance did not approve the requests of four new employees due to lack of state funds.²⁶ Positive development about the management in the Energy Agency is its ISO 9001:2008 certificate²⁷ stating that the Agency uses the management system with this standard for preparing energy strategies, developing programs with focus on renewables and energy efficiency and similar.²⁸

¹⁷ Ministry of Interior, Information obtained by utilizing the Law on free access to public information, April 2014; Ministry of Economy, Information obtained by utilizing the Law on free access to public information, May 2014

¹⁸ The employees in the public institutions have various statuses, meaning not all of them are civil servants.

¹⁹ Ministry of Economy, Information obtained by utilizing the Law on free access to public information, May 2014

²⁰ The Law on administrative servants will enter in February 2015.

²¹ Energy Agency, Information obtained by utilizing the Law on free access to public information, April 2014

²² Ministry of Interior, Information obtained by utilizing the Law on free access to public information, April 2014.

²³ Energy Agency, Information obtained by utilizing the Law on free access to public information, April 2014

²⁴ The systematization of the Energy Agency envisages a director and 7 units each managed by a head of unit

<http://www.ea.gov.mk/images/untitled.JPG>

²⁵ Energy Agency, Information obtained by utilizing the Law on free access to public information, April 2014

²⁶ Energy Agency of the Republic of Macedonia, (2009), Report for work for 2009

²⁷ ISO 9001:2008 Quality Management System certification is an internationally recognized quality management system standard showing the commitment to quality and customer satisfaction. Internet page of IPS:

<http://ipslibya.com/group-companies/iso-certification/iso-9001/>

²⁸ ISO 9001:2008 Quality Management System certification of the Energy Agency

http://www.ea.gov.mk/images/stories/ISO_Kvalitet/Agencija_za_energetika_Sertifikat.pdf

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Since the weak human capacities undermine the performance of the institutions in question, a step in the right direction is strengthening them through training and capacity building programs. All of the mentioned institutions subject to this analysis replied that their employees attend training sessions; whereas the Energy Agency additionally explained that it does not plan separate training sessions on the long term due to many obligations of its employees. However, the Agency adds that the ongoing IPA²⁹ project about strengthening the capacities of the Energy Department in the Ministry of Economy and of the Energy Agency will enable an analysis of the needs for training of the employees by end of 2014; therefore from 2015 for each employee separately there will be longer training sessions.³⁰ Interesting for analysis is this mentioned two year IPA project. It will assess the resources and an organization scheme of the Energy Department will be prepared³¹, which represents a step in the right direction as it would provide a basis for more efficient allocation of resources to contribute to strengthening the capacities of the under-staffed Energy Department. However, further information about this project – that there are consultants tasked for realization of this IPA project; that in cooperation with them some legal acts and strategic documents in the energy area will be prepared or developed; and the impression that the IPA experts prepared a report about this project³², leads to the conclusion that the external consultants do the capacity building job for the institutions that need to be strengthened. Capacity building is effectively done when the stakeholders that need to be strengthened are themselves actively engaged in building up their capacities with additional external assistance or facilitator; and is not to be left to external experts to do the job for the institutions as these experts may not know the local context and it should be a capacity building exercise for the institutions themselves. This trend of outsourcing expertise and reliance on outside assistance also continues with other concrete examples related to the energy institutions: all the major energy documents³³ were prepared by donors, international financial institutions or the Macedonian Academy of Science and Arts. The Energy Department replied that for preparing the key legal acts they need assistance outside their own capacities. One positive conclusion could be that the projects allow transfer of knowledge to the staff, also confirmed by the Energy Department.³⁴ In addition the Energy Agency admits that without new employments and without good training for the employees, not sufficiently well will some of its activities be executed such as issuing opinions on municipalities' energy efficiency programs, preparing the energy balance, assessing the energy savings and similar.³⁵

²⁹ IPA means Instrument for Pre-Accession Assistance. It offers assistance to countries engaged in the accession process to the EU.

³⁰ Energy Agency, Information obtained by utilizing the Law on free access to public information, April 2014; Ministry of Interior, Information obtained by utilizing the Law on free access to public information, April 2014; Ministry of Economy, Information obtained by utilizing the Law on free access to public information, May 2014

³¹ Ministry of Economy, Report for the work of the Ministry of Economy in 2013

³² Ministry of Economy, Report for the work of the Ministry of Economy in 2013

³³ Key documents such as the Law on energy, the Energy Strategy, the Renewable Energy Strategy, the Energy Efficiency Strategy, the First Action Plan on Energy Efficiency, the Second Action Plan on Energy Efficiency, the Program for Realizing the Energy Strategy and Renewable Energy Action Plan. Ministry of Economy, Information obtained by utilizing the Law on free access to public information, May 2014

³⁴ Ministry of Economy, Information obtained by utilizing the Law on free access to public information, May 2014

³⁵ Energy Agency of the Republic of Macedonia (2013), Program for work for 2014; Energy Agency of the Republic of Macedonia (2012), Draft program for work for 2013

Positive finding is the Ministry of Interior's awareness about its need to strategically plan the strengthening of its human capacities. First, the Ministry's Strategy for training of the employees in the Ministry of Interior envisages various training sessions for all of its employees; also being aware about its weaknesses such as lack of overall analysis about the needs for training and no measurements of the training's effects.³⁶ In this line, the Ministry of Interior identifies strengthening of its human resources and training as means for improving the efficiency and effectiveness of its work as stipulated in its Strategic plan for the period 2009-2011. The Strategic plan has concrete indicators for the sub-program management of human resources – 10% increase of employees' efficiency and effectiveness. This Strategic plan also identifies the lack of institutional culture regarding strategic planning, lack of coordination and cooperation of the capacities for strategic planning and policy making and lack of continuous training of the police to be some of the Ministry of Interior's weaknesses.³⁷ The Unit for Strategic Planning and Development if faced with lack of human resources rearranges the employees in the Ministry via an internal announcement.³⁸

Unlike the case with the Macedonian Energy Department relying on outside assistance, the Slovak Ministry of Economy for example reported that the employees in the Energy Department prepared the Energy Act relying on their own in-house capacities. This was done in cooperation with the public and specialists in the Government, but they did not use outsourcing for preparation of this Act. The Slovak Ministry of Economy reported about the process of strengthening their capacities over the years: when they entered the EU their capacities were not sufficient, but have sufficient capacities now. They do not need capacity building; they had training programs for specialization when entering the EU and attend training sessions in case of new legislation comes from the EU. For complex tasks dealing with energy efficiency and renewable energy, they create teams for example of lawyers and engineers; also inter-sector cooperation exists in forms of teams.³⁹

Also, the Innovation and Energy Agency of the Slovak Republic reported that its staff does most of its work. They however cooperate with other experts depending on the projects.⁴⁰ Energy Centre Bratislava, a civil society organization (CSO) in the Slovak Republic dealing with energy efficiency and renewables, stated that the Slovak Innovation and Energy Agency has lot of capacities, but lot of tasks, and these tasks demand more capacities.⁴¹ The Slovak Ministry of Economy considers itself efficient since when compared to other ministries or other member states such as Poland, has fewer

³⁶ Ministry of Interior, (2011), Strategy for training of the employees in the Ministry of Interior, Internet page of the Ministry of Interior <http://www.mvr.gov.mk/DesktopDefault.aspx?tabindex=0&tabid=548>

³⁷ Ministry of Interior, (2008), Strategic plan for the period 2009-2011
<http://www.mvr.gov.mk/uploads/strateski%20plan%202009-2011,%20fevruari%202009.pdf>

³⁸ Ministry of Interior, Information obtained by utilizing the Law on free access to public information, April 2014

³⁹ Interview with Peter Dvorak, Principal State Counsellor and Miroslav Jarabek, Director, Energy and raw materials policy department, Slovak Ministry of Economy, conducted on 12.02.2014

⁴⁰ Interview with Eduard Jambor, Communication Department and Karel Hirman, Director of Energy Policy Department, Slovak Innovation and Energy Agency, conducted on 13.02.2014

⁴¹ Interview with Marcel Lauko, Director, Energy Centre Bratislava, conducted on 13.02.2014

employees.⁴² Having fewer employees and still performing the tasks on time may be explained with having staff with good qualifications and experience. From a perspective of a CSO, for the Slovak ministries in the security sector it is convenient to hire them as organization instead of employing someone additionally on a project as reported by the Slovak Foreign Policy Association.⁴³ This can be understood as institutions recognizing the need for CSO's input and CSO having expertise to help institutions in their work. This way of collaboration could contribute to more efficient performance of institutions if the CSO provides the input the institutions need.

Further good example from the Slovak Republic comes from the security sector stating that self-reforming is a step towards own capacity building for management of larger scale projects. In fact, the Slovak Ministry of Interior is the body responsible for the overall public administration reform, which aim is it to be more client-oriented and business friendly. The responsibility for managing this public administration reform was given to the Ministry of Interior since it is the largest ministry and was the first institution to reform itself in order to save finances.⁴⁴

Management of financial resources

Sound management of financial resources at disposal is an important component when assessing efficient performance of the state institutions. In this section, main accent will be put on management of resources, whether the budget is sufficient for the envisaged activities, difference between planned and spent financial resources as well as the donor support in order to provide clear picture on how the public funds, important efficiency factors, are managed by the three institutions that are subject of analysis in this paper.

According to the Law on the budget,⁴⁵ all budget users are responsible for preparation of a three-year strategic plan. The budget of the Ministry of Interior ranges between 150 -160 000 000 Euro annually, without dramatic changes in the total amount. The Ministry of Interior's budget has several sections⁴⁶, out of which administration, security and decentralization have more or less the same value throughout the years. Significant oscillations could be noted when analyzing other sections. Namely, the budget envisaged for 2014 for state security section has been increased 6,5 times compared to 2013 – from nearly 590 000 Euro to almost 3 900 000 Euro. This budget item had faced significant changes also in the previous years. In fact, the state security section is the one envisaged for the Directorate for Security and Counterintelligence (DSCI).⁴⁷ Taking into consideration the secrecy in the work of the DSCI, there is

⁴² Interview with Peter Dvorak, Principal State Counsellor and Miroslav Jarabek, Director, Energy and raw materials policy department, Slovak Ministry of Economy, conducted on 12.02.2014

⁴³ Interview with Alexander Duleba, Director, Slovak Foreign Policy Association, conducted on 12.02.2014

⁴⁴ Interview with Samuel Arbe, Advisor for the programming of European structural and investment funds, Slovak Ministry of Interior (interview given in personal capacity), conducted on 12.02.2014.

⁴⁵ Law on the budget, Official Gazette of Republic of Macedonia (consolidated text), article 15a
<http://finance.gov.mk/files/u6/5.pdf>

⁴⁶ All the sections are: administration, security, training center, state security, NATO integration, decentralization, strengthening the rule of law and EU integration

⁴⁷ Budget of the Republic of Macedonia for 2009, 2010, 2011, 2012, 2013 and 2014. All budgets are available at:
<http://finance.gov.mk/view/budget2013>

a need for increased oversight and control. For instance, there is no explanation whether there are any emerging security threats, buying of new expensive equipment etc.⁴⁸ Additional and more general remark is the insufficient data provided by the Ministry of Finance in the state budget. Namely, up to 2009, there had been information on the results achieved throughout the previous year and priorities and objectives for the following year, breaking them down to separate programs including indicators for each program.

Moving to the energy sector, the budget dedicated for energy development has not seen any major oscillations, apart from the sharp increase in expenditures covered by donations. The planned budget has realization percentage of 85-90% and according to the Energy Agency, reasons for derogation include complexity of the project activities and in some cases, they admit it is due to incompatible project planning.⁴⁹ On the other side, the Energy Department within the Ministry of Economy highlights that they are making maximum effort to fully implement the budget as envisaged.⁵⁰

As stated in its annual reports, the Energy Agency is very satisfied from the cooperation with the Ministry of Economy and the Ministry of Finance in regards to the readiness for reallocation and increasing the amount of particular items.⁵¹ However, the reports reveal modest financial resources of the Energy Agency due to budget rebalance or anti-crisis measures of the Government. The planned funds for renting, accounting, legal services and other contracts were not sufficient. In the same time, as there is no possibility for new employments, significant amount goes to volunteering, internship or consultants contracts. The Energy Agency says that “taking into consideration the limited budget of the Agency, outside expert support is sought only in case the needs exceed the internal capacities of the Energy Agency or any other relevant institution in Macedonia”.⁵² Still, the Energy Agency spends significant amount for engaging external experts.⁵³ These data indicate inefficient spending instead of investing in the employees within the Agency to improve their capacities according to the Agency’s needs.

A positive example could be seen in the Slovak Innovation and Energy Agency which combines three sources of financing: the state budget, EU funds and commercial activities.⁵⁴ This provides them the needed sustainability which could be applicable for the Macedonian Energy Agency. The sources from

⁴⁸ For more information regarding the oversight and control of the security sector, please see: Bogdanovski A. and Lembovska M., (2012) Towards 2nd generation of security sector reform in Macedonia <http://analyticamk.org/images/stories/books/pub-ssr-web.pdf>

For financial oversight of the intelligence sector, please see: Lembovska, M., (2013), Comparative analysis of regional practices for parliamentary financial oversight of intelligence services

http://analyticamk.org/images/stories/files/report/Financial_oversight_english.pdf

⁴⁹ Energy Agency, Information obtained by utilizing the Law on free access to public information, April 2014.

⁵⁰ Ministry of Economy, Information obtained by utilizing the Law on free access to public information, May 2014

⁵¹ Energy Agency of the Republic of Macedonia (2013), Annual report for work for 2012

⁵² Energy Agency, Information obtained by utilizing the Law on free access to public information, April 2014

⁵³ For instance, in 2011, the Energy Agency paid more than 16 500 Euro for five consultants, while the gross salaries of the permanent employees (including pensions and health insurance) made 42 500 Euro.

⁵⁴ Interview with Eduard Jambor, Communication Department and Karel Hirman, Director of Energy Policy Department, Slovak Innovation and Energy Agency, conducted on 13.02.2014

projects were also acknowledged by the Macedonian Energy Agency not to cause any fiscal implication in the state budget, but to increase the capacity of the Agency's employees in their concrete support of the Government's policies and in implementing the energy action plans. The sources from the projects in fact enable temporal employment of high qualified persons.⁵⁵ The positive effect from funds for getting additional staff is recognized; it seems that the real challenge lies in keeping this staff after the project ends.

On the topic of donor support, the Ministry of Interior's Unit for strategic planning and development does not utilize donor support⁵⁶, despite the fact that the Ministry of Interior is one of the biggest beneficiaries of foreign donor support (from governments of other countries and international organizations), mainly in the form of expertise and equipment.

An important role in ensuring sound management of financial resources plays the State Audit Office (SAO). However, as an institution it has a weak positioning in the governance structure and represents an overlooked oversight body. The European Commission Progress Report on Macedonia highlights that "the quality of the Office's reports and recommendations has contributed to identifying reform challenges", but in the same time notes that "while its aggregate annual reports are reviewed by parliament, there is still limited follow-up of the reports' findings".⁵⁷ The last audit performed by SAO in the Ministry of Economy and the Ministry of Interior took place several years ago and the data from it cannot represent indicator for the current performance.⁵⁸ It is positive that both ministries are part of the annual program of SAO for 2014.

Besides the state audit, internal audit, a component of the complex system of public internal financial control,⁵⁹ also plays an important role in ensuring financial accountability and efficiency in spending the public funds. The number of internal auditors in the Ministry of Interior is four⁶⁰ and the Ministry of Economy has only one internal auditor.⁶¹ The ministries do not stand out from the other budget users.

⁵⁵ Energy Agency of the Republic of Macedonia, (2011), Program for work for 2011; Energy Agency of the Republic of Macedonia (2011), Draft program for work for 2012

⁵⁶ Ministry of Interior, Information obtained by utilizing the Law on free access to public information, April 2014

⁵⁷ European Commission's Progress Report for Macedonia for 2013

⁵⁸ Ministry of Economy has an audit for the financial statements in year 2008 and the Ministry of Interior for the year 2007. Notable to mention is that the audit of the Ministry of Economy was positive with several irregularities mainly connected with the internal control system and the internal systematization. On the other side, the State Audit Office detected more irregularities in the Ministry of Interior and they are connected with the application of legal provisions, public procurements, systematic deficiencies, irregular accounting, irregularities in the financial statements etc.

⁵⁹ More on the public internal financial control could be found at the website of the Ministry of Finance www.finance.gov.mk

⁶⁰ As of April 2014. Source: Ministry of Finance/ List of internal auditors in the public sector on central level http://www.finance.gov.mk/files/u16/i_navnatresni_revizori_centralno-30_04_2014.pdf

⁶¹ Ibid.

The Energy Agency has been subject of audit performed by an independent audit institution (Mur Stivens), the Ministry of Finance and independent audit for specific foreign projects.⁶²

Another important segment in ensuring efficient usage of public funds is the existence and implementation of anti-corruption policies. The energy sector institutions have answered that there have been no indications of corruptive behavior.⁶³ For the security sector, important is to note that the corruption within the police officers is considered to be more serious than corruption exercised by other employees within the state institutions.⁶⁴ The Sector for Internal Control and Professional Standards which is responsible for anti-corruption activities regularly publishes its annual anti-corruption programs and action plans on Ministry of Interior's website. However, one might easily note that they are very general, descriptive, repeating the same declarations from year to year. The action plans lack concrete tasks and measurable indicators of achievement. For instance, "improving the professionalism" cannot be a measurable indicator of successful completion of the envisaged activity.

Strategic planning and policy making

Efficient performance of the relevant institutions' tasks is determined by proper strategy planning, implementation of the drafted plans, meeting the deadlines, absence of highly centralized decision making and cooperation with other stakeholders including the civil society, all which were analyzed.

To begin with, access to public information and transparency of institutions remains low as concluded by the European Commission in the 2013 progress report⁶⁵; additionally having in mind the "closedness" of the energy and security sector, getting in-depth information about these sectors is even more difficult. The work of the Energy Department within the Ministry of Economy is strategically planned and stipulated in the Ministry's Program for work; and its implementation reported in a report for implementing the Annual program for work of the Ministry of Economy. These programs and reports are to be published at the Ministry's website, although not all of them are actually accessible. As regards to the security sector, the strategic plans of the Ministry of Interior are classified documents and not available to the public⁶⁶, thus preventing more detailed analysis about the efficiency goals of the Ministry. This is contrary to the directions set in the Manual for strategic planning prepared by the Government where it is said that transparency in the process is one of the preconditions for successful strategic planning.⁶⁷ The last available declassified strategic plan of the Ministry of Interior is for the period 2009-2011.

⁶² Grand Torton for the project Ener Supply financed by the EU and GEF project for sustainable energy financed by the World Bank

⁶³ Energy Agency, Information obtained by utilizing the Law on free access to public information, April 2014; Ministry of Economy, Information obtained by utilizing the Law on free access to public information, May 2014

⁶⁴ Ministry of Interior, (2014), Anticorruption program

⁶⁵ European Commission's Progress Report for Macedonia for 2013

⁶⁶ Ministry of Interior, Information obtained by utilizing the Law on free access to public information, April 2014

⁶⁷ Government of the Republic of Macedonia, (2007), Manual for Strategic Planning <http://arhiva.vlada.mk/files/GS/Priracnik.pdf>

Unlike the ministries analyzed in this paper, the annual planning and reporting is done best by the Energy Agency. It contains detailed budget planning and spending, sufficient information about the projects and planning of strengthening its human resources. The Energy Agency, which is responsible among other things for support of the energy policy implementation and has to initiate energy strategies,⁶⁸ has begun its work with few projects and has gained over the years many more responsibilities and activities. In the past few years it is not only a project implementing institution, but also issues documents, has more concrete projects, prepares secondary legislation, gives feedback to documents, works on identifying projects etc⁶⁹. This clearly shows a development in its capacities, meaning a greater amount of work with almost no change in number of permanent staff. This could serve as an indicator of increased efficiency.

One criticism about the Agency's clarity of obligations which also could affect the efficiency of its performance was given back in 2010 by the State Audit Office having found the Law on establishing the Energy Agency not to clearly define the Agency's duties.⁷⁰ The Law was amended in 2014, but tackles a small part of Agency's obligations and will be put into effect one year after its adoption.⁷¹

Timely implementation of the drafted policies indicates efficiency which has to do with proper capacities of the implementing institutions. If the Ministry of Economy's annual reports are analyzed, the impression is that Macedonia is on track with adopting energy reform policies. Also, evident is delay in some activities such as legislation adopting or construction projects.⁷² The Energy Department explained the reasons for possible delays and problems with the implementation to be limited human and financial capacities and certain open questions in the inter-institutional cooperation.⁷³ The Energy Agency has also experienced some of the projects in which it was involved to be suspended or delayed,⁷⁴ although were overcome later.⁷⁵ Furthermore, if the last two public investment programs are compared and the energy projects are analyzed, an extension of some of the projects' deadlines or their delay is evident: for example the project construction of the hydro power plant Sv Petka has an extension of deadline from 2009 till 2011 and the revitalization of large hydro power plants of 2012 was

⁶⁸ Law on the establishing of the Energy Agency of the Republic of Macedonia, Official Gazette of the Republic of Macedonia 62/05

⁶⁹ Energy Agency of the Republic of Macedonia (2011), Draft program for work for 2012; Energy Agency of the Republic of Macedonia (2012), Draft report for work for 2011; Energy Agency of the Republic of Macedonia (2013), Program for work for 2014; Energy Agency of the Republic of Macedonia (2012), Draft program for work for 2013

⁷⁰ State Audit Office, Annual report for 2010

http://www.dzr.gov.mk/Uploads/Godisen_izvestaj_2010.pdf

⁷¹ Law amending the Law on the establishing of the Energy Agency, available at:

http://www.ea.gov.mk/images/stories/E_lzdanija/lzmeni%20na%20zakonot%20za%20osnovanje%20na%20aerm.pdf

⁷² Delays such as: Energy law was planned to be amended in 2010, but a new one was adopted in 2011; Action plan for energy strategy was envisaged to be adopted in 2012, but was adopted in 2013. (Source: Ministry of Economy, (2010), Report for 2010; Ministry of Economy, Report on the Program for work of the Ministry of Economy for 2011; Ministry of Economy, Report on the Program for work of the Ministry of Economy for 2013)

⁷³ Ministry of Economy, Information obtained by utilizing the Law on free access to public information, May 2014

⁷⁴ Energy Agency of the Republic of Macedonia (2012), Draft report for work for 2011

⁷⁵ Energy Agency of the Republic of Macedonia (2013), Annual report for work for 2012

delayed till 2014.⁷⁶ Similarly, the Ministry of Interior also faces delays in the project implementation. Such project is establishing of National Criminal Intelligence Database, envisaged for December 2012.⁷⁷ One year after, the EU Progress report for 2013 notes that the database is not yet operational.⁷⁸

Further efficiency flaws are seen in frequent changes in the legislation, especially the legislation that is under competency of the Ministry of Interior. As an example, the Law on foreigners has been subject to change each year since it was adopted (2006) and was changed even two times in 2013.⁷⁹ Similar situation occurred with the Law on internal affairs – after changing it several times, in March 2014 the Ministry of Interior came out with a new law.⁸⁰ Frequent changes in the legislation could be an indicator of improper strategic planning. Other possible reasons could be alignment with EU legislation. The Ministry of Interior did not answer the questions regarding the formulation of policies as well as planning and realization of activities, preventing further efficiency analysis in the area. Positive remarks for the Ministry of Interior can be given for its IPA Unit which coordinates the Ministry's activities in the process of defining the project ideas, prepares project fiches⁸¹; which also speaks about the its capability to manage and raise funds.

Factors influencing meeting the deadlines include also good inter-sector cooperation especially in case the particular project is under the jurisdiction of several institutions. In this line, SAO had some findings about the concessions on water for construction of small hydro power plants. It concluded some of the main factors affecting the efficiency of the issued concessions to be: that the procedures for concessions were realized without prepared study for concession project and that the concessionaires are facing ownership issues. All this affects the deadline for getting the construction permit and starting the construction of the small hydro power plants.⁸² This means that for this energy project to be realized without delay, good inter-sector cooperation and coordination is needed, since the ownership issues in this case are under jurisdiction of other stakeholders. The Slovak experience also raises the question about a more coordinated energy efficiency policy. In fact the Energy Centre Bratislava considers that in the Slovak Republic there should be a single body for energy efficiency.⁸³ This could mean discussion about one-stop-shop systems, which means that a single institution offers multiple services.

⁷⁶ Government of the Republic of Macedonia, (2009), Public investment program 2009 – 2011 <http://www.finance.gov.mk/files/u1/PIP-2009.pdf> and Government of the Republic of Macedonia, (2011), Public investment program of the Republic of Macedonia 2011-2013 <http://www.finance.gov.mk/files/u1/PIP-2011novo.pdf>

⁷⁷ Programme of the Government 2011-2015, source: <http://vlada.mk/node/91>

⁷⁸ European Commission's Progress Report for Macedonia for 2013

⁷⁹ Internet page of pravo.org <http://www.pravo.org.mk/documentDetail.php?id=663>

⁸⁰ Internet page of the Ministry of Interior <http://www.mvr.gov.mk/DesktopDefault.aspx?tabindex=0&tabid=241>

⁸¹ Internet page of Ministry of Interior/ IPA Unit

<http://www.mvr.gov.mk/DesktopDefault.aspx?tabindex=0&tabid=612>

⁸² State Audit Office, Annual report for 2012

http://www.dzr.gov.mk/Uploads/DZR_Godisen_izvestaj_2012%20reduced.pdf

⁸³ Interview with Marcel Lauko, Director, Energy Centre Bratislava, conducted on 13.02.2014

Not only should important policies be well planned and implemented, but they need to be able to serve their target group in best possible way by taking the input from the interested parties. A recent analysis about the cooperation between civil society and the security and energy sectors found that the energy and security sector are less cooperative than other sectors and that it is a real challenge for the CSO to influence the policy making process in the energy and security sector domain and especially to be provided with feedback on the submitted opinions on emerging legislation.⁸⁴

Further analysis of the security and energy institutions' work especially in relation to CSO indicated existence of very centralized top-down decision-making, i.e. practices which imply that for simple matters, the minister has to be asked for approval which usually takes much time. Such indication is their rejection to give an interview or not giving approval for it; thus CSO have to use the Law on free access to public information. For the questions that tackle the Unit for strategic planning and development, but are of Ministry's importance and mean communication with outside subjects, the minister decides.⁸⁵ While the Energy Agency is a small institution with only few employees and the centralization of decision-making could be understandable, the ministries (both Ministry of Economy and Ministry of Interior) have complex structures covering broad areas of work. Thus, centralization could contribute to less efficiency. Unlike the case of Macedonia, the Slovak institutions approved the interview requests in a short time period, directly from the departments of the paper's research interest.

Cooperation is a way of work for the Slovak security and energy institutions. It takes place not only between institutions, but also extensively with civil society and on regional level too. The ministries cooperate with CSOs when preparing legislation and they have public meetings as well.⁸⁶ On regional level, the cooperation also takes place in the V4⁸⁷ group, which as a region has a stronger voice enabling the countries to learn from each other, to help each other and push for issues that are important to them.⁸⁸ For example, in the energy area, the ministers dealing with energy issues of the V4 countries have a Declaration stating that they support further development of the regional cooperation in the energy sector and listing concrete aspects and activities. They even have a Road Map towards regional gas market among V4 countries.⁸⁹ The Slovak Innovation and Energy Agency cooperates with

⁸⁴ Stojilovska A. and Lembovska M., (2013), Security and energy sectors' cooperation with the civil society in Macedonia – friends or foes? Analytica think tank

http://analyticamk.org/images/stories/files/briefs/TRAIN_en_za_website.pdf

⁸⁵ Ministry of Interior, Information obtained by utilizing the Law on free access to public information, April 2014

⁸⁶ Interview with Samuel Arbe, Advisor for the programming of European structural and investment funds, Slovak Ministry of Interior (interview given in personal capacity), conducted on 12.02.2014; Interview with Peter Dvorak, Principal State Counsellor and Miroslav Jarabek, Director, Energy and raw materials policy department, Slovak Ministry of Economy, conducted on 12.02.2014

⁸⁷ V4 countries are the Visegrad countries: Czech Republic, Hungary, Poland and Slovakia. V4 reflects the efforts of the countries of the Central European region to work together in a number of fields of common interest within the all-European integration. <http://www.visegradgroup.eu/about>

⁸⁸ Interview with Peter Dvorak, Principal State Counsellor and Miroslav Jarabek, Director, Energy and raw materials policy department, Slovak Ministry of Economy, conducted on 12.02.2014

⁸⁹ Internet page of the Slovak Ministry of Economy <http://www.economy.gov.sk/strategy-documents/131028s>

universities, research and development institutions, ministries, municipalities, CSO, agencies abroad etc.⁹⁰

The cooperativeness of the Slovak energy and security institutions was confirmed by all interviewed CSO. The CSO Energy Centre Bratislava answered that they are invited to seminars, give comments to documents sent to them by the energy institutions, or give guidelines how to implement directives. The Centre says that the energy institutions accept many of their comments and in case they do not, it is because they have stronger arguments. The Centre considers to be helping the energy institutions with its contribution – the Centre is dealing with energy on daily basis with municipalities, small and medium enterprises etc., which is not easy to be done by the energy institutions.⁹¹ This shows that by being formidable as a CSO means an influence in the policy making and contribution to better formulated policies. The Centre for European and North Atlantic Affairs (CENAA), a CSOs focusing on security matters, highlighted the importance of personal contacts that enhance the cooperation. Situations when persons transfer from the state institutions to the civil society and vice versa are not unusual in Slovakia, and this is considered to contribute to transferring the knowledge and building the trust between the state and civil sector.⁹² The Slovak Foreign Policy Association also replied that they closely cooperate with the security sector institutions and are project partner of the Ministry of Interior.⁹³

Good practices that can be learnt from the Slovak Innovation and Energy Agency about efficiency is from its profile: it is expert body for energy efficiency, renewable energy and central heating, not for all energy related areas the Ministry deals with⁹⁴; it has various set of activities among which interesting are implementation of EU structural funds, technical expertise for energy legislation, consultancy in the field of energy efficiency and renewables and has as a long-lasting experience in the implementation of international projects within various EU community programs.⁹⁵ In other words it is an expert body in the area capable for assisting other stakeholders on the way of energy policy implementation.

Last but not least is the matter whether the security and energy sectors are “closed” which makes their governance not a best example. Having confirmed the “closed” status of these sectors in Macedonia, in the case of the Slovak Republic it was concluded that both sectors in the Slovak Republic were closed in the past, but things started changing more than a decade ago with the Euro-Atlantic integration process and finally nowadays this is considered to be an overcome issue. This gives the assumption that the way for improving the security and energy sectors’ governance is a continuous and long-term one.

⁹⁰ Internet page of the Slovak Innovation and Energy Agency <http://en.siea.sk/>

⁹¹ Interview with Marcel Lauko, Director, Energy Centre Bratislava, conducted on 13.02.2014

⁹² Interview with Marian Majer, Senior Research Fellow, CENAA, conducted on 13.02.2014

⁹³ Interview with Alexander Duleba, Director, Slovak Foreign Policy Association, conducted on 12.02.2014

⁹⁴ Interview with Eduard Jambor, Communication Department and Karel Hirman, Director of Energy Policy Department, Slovak Innovation and Energy Agency, conducted on 13.02.2014

⁹⁵ Internet page of the Slovak Innovation and Energy Agency <http://en.siea.sk/>

Conclusions

The paper analyzed the Macedonian energy and security sector governance by focusing the institutions' efficiency in order to draft policy recommendations for improving the challenges by drawing lessons from positive Slovak examples. The analysis went in three tracks: human resources, financial resources and the process of policy making and several bottlenecks were identified.

The civil servants working in the security and energy sector institutions have been exposed to training and capacity building activities. However, their human capacities are still insufficient and there is a need for better inter-sector cooperation. The human resource analysis showed high level of temporary staff engagement, especially in the case of the Energy Agency. The main expertise should not come from outside, but the institutions should have it "in the house", like in the Slovak case. Engagement of temporary staff and consultants for specific projects is due to unavailability of funds for regular employment as well as lack of expertise of the current staff. In addition, unlike the Slovak case where the institutions utilize the CSO's input in order to improve their performance, this kind of cooperation is underused in the Macedonian case.

The human resource management is closely related with the budget spending and rebalance of the budget affects the human resource development in the institutions. In the case of the Energy Agency, it was noted that the total amount spent for contractual services exceed the total amount spent for salaries. Speaking about the finances, there is a need for greater transparency in the case of Ministry of Interior when increasing specific budget items by multiple times, like the item for state security. The financial professionals from the SAO provide sound analysis of the financial statements of the institutions, but unfortunately, there is little follow-up on their recommendations.

Moving to the area of strategic planning, uneven practices and standards among the different ministries have been identified. A positive example could be found in the Energy Agency which regularly publishes annual programs and annual reports that include comprehensive information for all aspect of the Agency's work. On the other side, the strategic plans of the Ministry of Interior are classified and the Ministry does not provide at least basic publicly available version. The research identified frequent change of legislation, certain delays of the projected activities – all of this could serve as an indicator that the quality of strategic planning is not at the satisfactory level. Finally, the closedness of the energy and security sector when trying to approach them for an interview showed the centralization of decision making, low transparency and accountability towards the civil society.

This paper brought to surface the fact that it is a first energy and security sector focused research dealing with a specific aspect of good governance. It is one of the first steps towards assessing efficiency as a component of good governance, trying to establish the basic criteria upon which this specific component could be evaluated.

Recommendations:

Human Resources:

- Planning of the human resources in the energy and security sectors needs to be significantly strengthened. Better human resource management should enable specialization of the staff and reducing the use of temporary staff;
- Outsourcing for preparing legislation and implementing capacity building activities especially in the energy sector should be reduced to the extent that is used only for necessary additional expertise and excluded the possibility of being the dominant implementation body since it does not strengthen the internal capacities. The security and energy institutions' permanent staff should perform the main substantive work as preparation of legislation;
- The security and energy institutions should explore all possibilities for applying for foreign donor support as a good way of getting funds for additional staff and training. Donor's assistance should be factor of development and transfer of "know-how";
- The input of the CSO in the policy making processes should be taken under consideration by the security and energy institutions. The CSO working in the energy and security areas should continue participating in the policy making processes in the areas by giving research-based input⁹⁶.

Management of Financial Resources:

- The Energy Agency should consider client-oriented activities as well as project funds as source of additional funding since having different sources of financing ensures greater sustainability and independence;
- Part of the funds that have been used for outsourcing especially relevant for the energy institutions should be reallocated for employment of permanent staff or training on the current staff, based on the institution's needs;
- Severe budget cuts for the security and energy institutions after budget rebalance should be avoided;
- The energy and security institutions should implement the recommendations provided by the State Audit Office and remove detected irregularities.

⁹⁶ For cooperation of the CSOs with the energy and security sector and more recommendations for improving such cooperation, please see: http://analyticamk.org/images/stories/files/briefs/TRAIN_en_zs_website.pdf

Strategic planning and policy making:

- The Ministry of Economy and the Ministry of Interior should be more transparent regarding their strategic plans and annual reports;
- Since projects bring possibilities for additional resources and training, the security and energy institutions should consider developing a project preparation unit also enabling certain public servants to specialize in project applications;
- The security and energy institutions should plan their projects in accordance with their capacities to implement them and in case of delays should analyze and address the reasons.

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Energy and security sector governance in Macedonia: how to improve its efficiency?

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