

2. Regionalna radionica o reformi struktura državnih službi na zapadnom Balkanu  
*Profesionalizacija i depolitizacija državne službe*  
Budva, 11. i 12. oktobar 2007.

2nd Regional Workshop on Civil Service Reform in the Western Balkans  
*Towards a Professional and Apolitical Civil Service*  
Budva, 11 – 12 October 2007

## 2007 Workshop Report



## 1) Overview

The 2<sup>nd</sup> Regional Workshop on the reform of civil service structures in the Western Balkans was jointly organized by the United Nations Development Programme (UNDP) Country Office Montenegro, the Montenegrin Human Resources Authority and the Western Balkans Community of Practitioners on Human Resources Management in civil service. The event was supported by UNDP Bratislava Regional Centre (BRC), and by the Regional Centre for Public Administration Reform, a project funded by the Greek Government and operated by UNDP BRC. This second regional gathering proved an important signal of interest and participation of both local and international stakeholders and once again approved the merit and pressing need of networking among civil servants and others concerned with civil service reforms in the region.

Following from the 1<sup>st</sup> Regional Workshop, hosted by the UNDP Country Office Bosnia and Herzegovina in Sarajevo in September 2006, this year's gathering brought together representatives of civil service structures in the region, members of the international community and other stakeholders in the ongoing civil service reform (i.e. academia and non-governmental sector). Participants have discussed specific issues in relation to the ongoing reforms towards a professional and politically neutral civil service. The format of the Workshop remained the same, with the newly formed Western Balkans Community of Practitioners on Human Resources Management (CoP) having a more prominent role on the second day.

The initiative to establish this CoP originated from the 1<sup>st</sup> Regional Workshop in Sarajevo. Since then, UNDP Country Office in Bosnia and Herzegovina has worked with numerous representatives of the civil service structures in the region to transform the idea into an operating initiative. In June 2007 it convened the first meeting of the Resource Group with representatives of civil service structures in the region and the Regional School for Public Administration (ReSPA) to officially mark the beginning of the CoP's work and to facilitate the preparations of the 2<sup>nd</sup> Regional Workshop. The participants pledged their support to the Community by becoming registered members. Maintaining and widening the support for the Community will be of crucial importance for the CoP's sustainability in the long run.

The event was attended by some 70 participants from seven different civil service structures in the region (Croatia, Bosnia-Herzegovina, Serbia, Montenegro, Kosovo, Macedonia and Albania). Welcome addresses were delivered by Mrs. Svetlana Vukovic Director of the Montenegrin HR Authority and Mr. Garret Tankosic Kelly, Resident Coordinator a.i. UNDP Montenegro.

The keynote speech was delivered by H.E. Jusuf Kalamperovic, Minister of Interior and Public Administration of the Republic of Montenegro. Minister Kalamperovic stressed the importance of good governance and voiced out his belief that public administration will be an engine of progress. He also emphasized that good governance pre-supposes politically neutral civil servants who need to serve citizens not their political favorites.

## 2) Panel Presentations and Discussion

Prior to the presentations from countries in the region, Dan Dionisie of UNDP Bratislava Regional Centre, gave a presentation entitled *Why do we need professional and non-political civil service?* emphasizing, in general, the need for a professional and depoliticized civil service. Dan underlined that professional and depoliticized civil service is desirable but there are many problems along the way especially in the highly politicized Western Balkans region. Dan's concluding remarks were as follows:

- avoid legalistic trap
  - problem can not be solved by legislation alone
  - laws cannot radically change established practices overnight, can have unintended consequences and lead to more cynicism
  - more sociologically-informed approach needed
  - clear, predictable rules within reasonable / acceptable limits are more important than having “perfect” solution (e.g. on demarcation between political and civil service posts, career vs position modality)
- avoid blame game, work for mutually acceptable solutions
- no ready-made recipe
- need for genuinely home-grown solutions
- this is why CoP, mutual learning are so important
- re-discover local CS traditions
- (be ready to) innovate!

After Dan’s presentation, Mrs. Anke Freibert of SIGMA<sup>1</sup>, gave an overview of the developments in the Western Balkans, thus providing a comprehensive picture about the challenges and prospects for the professional and politically neutral civil service structures in the region. In her presentation, entitled *Problems and challenges on the path of making the civil service in the Western Balkans professional and non-political*, Anke reiterated that politicians do need professional staff to implement reforms and ‘therefore they should develop trust that non-partisan professional civil service exists’. The cornerstone points of Anke’s presentation are:

- Ensure professionalism of senior civil servants by giving preference to well trained in-house candidates
- Make a strict line between political advisors and senior civil **servants**.
- Work on mentality change
- Delegate responsibility
- Provide and implement sanctions and incentives for the staff
- Provide more “real directly applicable training” with feed back

Following Freibert’s presentation, participants heard seven presentations, from the representatives of the civil service structures in the region. The presentations provided quality state-of-the-affairs reports from the respective civil service structures with an emphasis on the key achievements made so far and the main challenges for the near future. Below is the summary of main points raised in each presentation:

Presenter	<b>Aleksandar Karisik</b> , HRM Advisor to the National PAR Coordinator
Civil Service Structure	Bosnia-Herzegovina
<b>Main Points</b>	<ul style="list-style-type: none"> <li>• <i>National PAR Strategy calls for the professional and politically unbiased civil service.</i></li> <li>• <i>All main legal texts affirm the principles of professional and depoliticized civil service.</i></li> <li>• <i>Recruitment to civil service is more or less merit based but in case of managerial civil service posts there is still a fairly large discretion on the part of politicians to select the candidates they want.</i></li> <li>• <i>In principle, improvements to be made via custom-made</i></li> </ul>

<sup>1</sup> Sigma is a joint initiative of the OECD and the European Union, principally financed by the EU.

	<i>solutions using the best EU practices.</i>
Presenter	<b>Biljana Nikolovska-Zagar</b> , State Advisor for Legal Affairs
Civil Service Structure	Civil Service Agency, Macedonia
<b>Main Points</b>	
	<ul style="list-style-type: none"> <li>• <i>Both the Civil Service Law as well as Code of Ethics do emphasize the need for professional and depoliticized civil service.</i></li> <li>• <i>Professionalism on the part of civil servants jeopardized by the lack of motivation and deficit of certain expert profiles (IT, economists, ...)</i></li> <li>• <i>Too many discretion rights for the political heads of the bodies, thus jeopardises the development of a merit system</i></li> <li>• <i>Main challenge is to establish a competent, professional, impartial and permanent civil service independence from the politics</i></li> <li>• <i>Strengthening the administrative capacities on the central and local level, especially for using the pre-accession instrument of the EU</i></li> </ul>
Presenter	<b>Rahman Zahiti</b> , Director of the Department of Central Administration
Civil Service Structure	Ministry of Public Services, UN Administered Province of Kosovo
<b>Main Points</b>	
	<ul style="list-style-type: none"> <li>• <i>The request for professionalism and de-politicization of Public Administration in Kosovo, is included in the European Partnership for Kosovo for 2006.</i></li> <li>• <i>Strengthening of transparent procedures of employment, transfer, assessment, promotion, control and discharge of civil servants.</i></li> <li>• <i>Development and effective maintenance of training institutions of public service without political influence. Development of Kosovo Institute for Public Administration in a capable authority for offering professional trainings for all civil servants.</i></li> <li>• <i>Continuation of sustainable reform of public administration by respecting the budget limits. Improvements of local administration capacity to ensure impartial and effective services for their electoral zone.</i></li> </ul>
Presenter	<b>Enkela Dudushi</b> , Head a.i. of Department of Public Administration
Civil Service Structure	Albania
<b>Main Points</b>	
	<ul style="list-style-type: none"> <li>• <i>A Clear separation between politics and human resource management</i></li> <li>• <i>A more democratic system of recruitment through an open competition based on merits.</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>A division of the managerial and decision- taking levels from those in supervising</i></li> <li>• <i>Reducing the turn over for political reasons</i></li> <li>• <i>Same rules for different institutions</i></li> </ul>
Presenter	<b>Petar Spadijer</b> , Deputy Director
Civil Service Structure	Department of human resources, Government of Serbia
<b>Main Points</b>	
	<ul style="list-style-type: none"> <li>• <i>Depoliticisation of administration is widely set; pursuant to new legislation the only political positions are the ones for ministers and state secretaries – all the rest are public servants and state employees.</i></li> <li>• <i>Public servants are divided into those occupying positions and those filling the posts of employees</i></li> <li>• <i>Superior Public Servants Council and its role in filling positions</i></li> <li>• <i>The role of Authority for Human Resources Management in filling vacancies</i></li> <li>• <i>International cooperation, regional networking and experience sharing, are of particular importance</i></li> </ul>
Presenter	<b>Dubravka Prelec</b> , Head of Department for Planning, Development and HRM
Civil Service Structure	Central State Office for Administration, Croatia
<b>Main Points</b>	
	<ul style="list-style-type: none"> <li>• <i>Objective criteria and procedure for recruitment in the civil service</i></li> <li>• <i>Job descriptions based on real competences, skills and knowledge</i></li> <li>• <i>Promotion of the constitutional principle of equal access of the civil service to all</i></li> <li>• <i>“Transformation” of the key officials’ posts into civil servants’ jobs (depoliticisation)</i></li> </ul>
Presenter	<b>Milan Markovic</b> , Professor of Public Administration
Institution	Faculty of Law, Podgorica University
<b>Main Points</b>	
	<ul style="list-style-type: none"> <li>• <i>Securing higher quality task execution and introduction of certain control mechanisms, as well as insisting on more efficient establishing of responsibilities at all levels,</i></li> <li>• <i>Development of public services and those which must be in the function of consumers, i.e. citizens and commercial subjects,</i></li> <li>• <i>Securing better human resource management in administration, as well as improvement of the position of key civil servants,</i></li> <li>• <i>Civil servant carries out his/her duties in a politically neutral and impartial manner, in accordance with public interest</i></li> </ul>

Panel presentations provided to be a rich source of information for the participants and was a strong basis for interesting discussion that followed.

The second day of the event began with the presentation entitled *Working Modalities and Goals of the Community of Practitioners* and was delivered by Damir Ahmetovic – CoP Coordinator and HRM Expert of UNDP BiH. The presentation touched on the development of the CoP on Human Resources Management in the Western Balkans Civil Service Structures which in 12-months period grew-up into a full-project led by UNDP Bosnia and Herzegovina and supported, in large part, by UNDP Bratislava Regional Centre. CoP membership forms were distributed to the participants present on the second day and vast majority of them took the opportunity to fill them up.

The view of the CoP prospects, from an angle of Bratislava Regional Centre, was given by Mrs. Agi Veres (Deputy Chief, Policy Support and Programme Development, UNDP Bratislava Regional Centre) who spoke about the support that the UNDP BRC can extend to such initiatives. Agi also mentioned that UNDP's experience tells that CoPs in general are indeed very powerful knowledge management tools and, given the Western Balkans' context, the initiative has a great opportunity to add value to the public administration reform process.

The workshop continued in the group discussions with Group 1 centering their attention to the *Trends in formulating the status of the civil servants in Europe*, while Group 2 focused on the *Lessons learned in making the civil service non-political (EU vs. Western Balkans)*. Group 1 was moderated by prof. Ivan Koprivic with Jadranka Djurkovic being in charge of reporting the main discussion points; Ansi Shundi facilitated discussion in the Group 2 with Petar Spadijer summarizing and presenting the issues discussed. Given below is the summary of issues raised in the group discussions:

#### **GROUP 1 - Trends in formulating the status of the civil servants in Europe**

*Moderator: Ivan Koprivic, Regional PA Expert, Croatia*

*Reporter: Jadranka Djurkovic, HR Authority, Montenegro*

Main questions raised and discussed in the Group 1 include:

- Is professionalism ultimately linked to the status of public employees?
- Why is it that some EU states go on outsourcing considerable number of civil service jobs (e.g. Austria)? Are they compromising on professionalism by doing so?
- Is the separate status viewed as a privilege or a burden by civil servants (given the often negative public perception of civil servants)?
- Can the protected status (e.g. lifetime employment) of civil servants lead to weaker performance?

#### **GROUP 2 - Lessons learned in making the civil service non-political (EU vs. Western Balkans)**

*Moderator: Ansi Shundi, Independent PAR Expert, Albania*

*Reporter: Petar Spadijer, Human Resources Department, Serbia*

Main issues addressed in the Group 2 discussions:

- The extent to which politicians participate in the process of selecting civil servants; discussion on the pros and cons of their participation.
- Embedding the 'political neutrality' of civil servants in the Western Balkans in the respective Laws.
- Is absolute political neutrality achievable? Why?

### 3) Concluding Remarks

The event was concluded by remarks from Mrs. Svetlana Vukovic and Mrs. Biljana Nikolovska-Zagar. Mrs. Vukovic who thanked the participants for their involvement and expressed her confidence that the workshop will become a traditional annual event.

Mrs. Zagar reflected on the official start of CoP's work saying that it is an initiative worth pursuing because it can only benefit civil servants working in respective civil service structures in the region. She also announced the beginning of concrete CoP activities after the Resource Group meeting scheduled to take place in Sarajevo in January 2008.

All in all, the event confirmed the enthusiasm among the participants to discuss issues of mutual interest and to collaborate with each other for the benefits of all. Besides being an excellent host, the Montenegrin HR authority was instrumental in arranging the primetime TV show, on the Channel 1 of the National Broadcaster, fully dedicated to the event and its main theme.

The overall success in the organisation of workshop was largely due to the selfless assistance extended by the UNDP Montenegro Country Office.

Finally, the Resource Group members of the HRM Community of Practice (assisted by the UNDP CO in BiH as the champion of CoP initiative) worked hard to prepare the program of the event and to source out individuals to take part in it.