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## **Merit Recruitment in the Western Balkans: An evaluation of Change between 2015 and 2018**



# **Merit Recruitment in the Western Balkans: An Evaluation of Change between 2015 and 2018**

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<sup>1</sup> \* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and ICJ Advisory Opinion on the Kosovo Declaration of independence

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The initiative goes back to a Working Group meeting in May 2017 in Tirana when the decision was taken to update the 2015 baseline study on merit recruitment in the Western Balkans and to trace the recommendations that were formulated at that time. Like in 2015, the study involved research by regional experts and a survey of personnel managers across public sector organisations. Coordinating a project of this scale in a short period has again been a challenge and intense journey for everybody involved. We would like to especially thank the Members of the ReSPA Working Group on Human Resources Management for their support and collaboration throughout the project. Without their help, it would have been impossible to realise this project. We would further like to thank Annika Uudelepp and her colleagues at SIGMA, Fanni Toth and Graeme Docherty from the University of Nottingham for their help in making this project work.

The views and opinions expressed in this report are those of the authors. They do not necessarily reflect the official views of the Regional School of Public Administration, any government, funding organisation or university.

### Executive Summary

- (1) This report presents findings from a study of change in recruitment procedures and practices in the Western Balkans between 2015 and the end of 2018. The study was commissioned by the ReSPA Working Group in Human Resources Management in the Public Sector. It was jointly funded by ReSPA and a grant of the Economic and Social Research Council – Impact Acceleration Account awarded by the University of Nottingham.
- (2) The study focused on change since the completion of the 2015 ReSPA baseline study on merit-based recruitment in the civil service in the Western Balkans. In order to identify change, the 2018 update took a similar approach based on the analysis of legal material, qualitative interviews with senior civil servants and external experts and, in particular, a survey of personnel managers from public sector institutions to compare recruitment practices in 2015 and 2018. The survey generated 713 responses, which implies a response rate of 62 per cent as compared to 58 per cent in 2015.
- (3) In order to gauge the change in civil service recruitment, the study examined (i) change in institutional frameworks such as civil service laws and secondary legislation, (ii) the development of capacity building measures to improve the quality of implementation and (ii) change in recruitment practices as measured through the survey of personnel managers.
- (4) Civil service recruitment was further unpacked along five areas of recruitment, including (i) the scope for the application of merit recruitment procedures, (ii) the planning, central approval and public advertisement of job vacancies, (iii) the formation of selection commissions, (iv) the application of written examination and personal interviews and (v) the ranking and final selection of candidates. The latter explicitly addressed the question of merit versus non-merit criteria in civil service recruitment, in particular, the role of political influence.
- (5) The study finds a broadly positive trend for the region. Institutional reforms and, most notably, efforts to build capacity have helped strengthen the merit principle in civil service recruitment. Recruitment practices have remained largely stable. Political influence in civil service recruitment has slightly decreased compared to 2015. However, changes in practices are small in scale and uneven across ReSPA Members. The positive trend is relatively more evident in Montenegro.
- (6) The broadly positive trend is evident when considering civil service reform pathways and developments in individual areas of recruitment.
- (7) All ReSPA Members<sup>2</sup> have actively engaged in civil service reform since 2015. However, the types of activities differ and – at the time of writing – they have reached different stages of the reform cycle.
- (8) Albania and North Macedonia had passed civil service reforms in 2013 and 2015 respectively. Reform activities during the last three years focused on achieving full implementation in North Macedonia and consolidating and gradually improving implementation in Albania.
- (9) Montenegro developed a civil service reform that focused on merit-based recruitment. It led to the adoption of a new law that came into force in July 2018. The focus has hence been on institutional reform while achieving full implementation is the objective of current reform

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<sup>2</sup> The term 'ReSPA Members' also refers to Kosovo\*, which is included in ReSPA activities as a beneficiary, although it is not yet a full Member.

## Merit Recruitment in the Western Balkans: 2015 – 2018

efforts. Serbia and Kosovo\* also focused on institutional reform. Serbia passed a major amendment of the civil service in December 2018. Kosovo\* adopted the new Law on Public Officials in early 2019. The focus of activities has now shifted towards ensuring the effective implementation of the new formal-legal frameworks.

(10) In Bosnia and Herzegovina, finally, legal amendments were withdrawn at the level of BiH institutions (BiH), annulled at the Federation of Bosnia and Herzegovina (FBiH) level and remain under preparation in the Republic of Srpska (RS). The re-launch of institutional reforms is underway. Yet selected measures to improve the quality of implementation were also pursued across Bosnia and Herzegovina, most notably, at the level of BiH institutions.

(11) Generally, the study finds that the focus of civil service reform in the region has gradually shifted from an emphasis on institutional reform to developing a variety of measures that help build the capacity to improve the implementation of recruitment procedures. At the point of writing, this process is most advanced in Albania but gradually becoming more important for the other ReSPA Members.

(12) Looking more closely at the five areas of recruitment, the study finds that the scope of the application of merit recruitment procedures has been widened during the last three years. In North Macedonia and Serbia, the application of basic merit recruitment procedures has been expanded to temporary contract staff. However, the application of merit recruitment procedures to short-term staff, the top civil servants in North Macedonia and, in particular, employees that are not covered by civil service laws will need further review. In particular, in Bosnia and Herzegovina, the majority of public administration employees are so-called public employees who are not subject to the same merit recruitment procedures as civil servants.

(13) The study finds that the basics of staff planning and systematisation, the central approval and public advertisement of job vacancies are in place across the region. This area of recruitment has seen some of the most important changes during the last three years, in particular, support of HR units to improve planning, investment in e-recruitment to enhance the efficiency and user-friendliness of the application process, outreach activities in schools and universities and the use of social media to reach larger pools of potential applicants.

(14) The formation of selection commissions is required across the region. This area of recruitment has also seen a variety of initiatives including the preparation of manuals and guidelines for commission members, the training of commission members, in particular, in Bosnia and Herzegovina and Albania, and the regulation of the role of external experts on commissions, for instance, in Montenegro. Moreover, new measures to promote the impartiality of selection commissions – one of the main weaknesses of civil service recruitment in the region according to the 2015 baseline study – are under consideration such as the audio recording of personal interviews. However, permanent and semi-permanent selection commission remain exceptions across the region.

(15) Written examinations and personal interviews are basic components of merit recruitment procedures. They are required by most but not all ReSPA Members. The Republic of Srpska does not yet require compulsory written examinations. Montenegro introduced compulsory written examinations for senior civil servants. Serbia will introduce compulsory written entrance tests as a result of the adoption of the amendment of the civil service law. In the other cases, reform activities have focused on professionalising the examination process through the development of banks of examination questions (Albania, North Macedonia) and the introduction of competency-based interviews (level of BiH institutions). A competency-



## Merit Recruitment in the Western Balkans: 2015 – 2018

based system has also been introduced in Serbia, and the shift towards pool examinations will introduce change in Kosovo\* in due course.

(16) Across the region, it is typically required to rank candidates at the end of the recruitment process. However, this area has seen the least change since 2015. Montenegro is a positive exception, in that the new law has delegated the authority to select candidates to heads of institutions, thereby abandoning the former practice of giving Ministers discretion over a selection from open lists of successful candidates. Serbia is planning change towards the compulsory selection of the top-ranked candidate. In the Federation of Bosnia and Herzegovina, rankings continue to be sorted alphabetically rather than based on examination results. In Serbia and Bosnia and Herzegovina, Ministers have retained the authority to take final selection decisions.

(17) Compared to institutional changes and efforts to build implementation capacity, recruitment practices have largely remained stable when comparing 2015 and 2018. This is not surprising. Management practices generally change slowly. Moreover, for institutional reforms and capacity-building efforts to have a visible impact on management practices, more time is required. However, positive trends are evident in Montenegro and Albania and to a lesser extent in the other countries. In Kosovo\*, the data from the survey of personnel managers suggests that recruitment procedures are less rigorously applied than they used to three years ago. However, the implementation of the new Law on Public Officials aims to reverse this trend.

(18) The survey of personnel managers suggests a slight decrease in the importance of political influence in civil service recruitment. The change over time is small and uneven across ReSPA Members. However, political influence over recruitment and selection decisions remains high in the region. Further efforts to de-politicise are hence required across in all countries, in particular, in light of evidence that civil service politicisation undermines the performance, integrity and capacity of governments to manage the EU accession process successfully.

(19) Finally, the study explored the contribution of ReSPA to changes in civil service recruitment in the Western Balkans. The 2015 baseline study had concluded with 61 recommendations. More than 60 per cent of the recommendations were adopted by ReSPA Members. Sixty-seven per cent of the adopted recommendations have been fully or partially implemented since then.

(20) The ReSPA baseline study has been complemented by the organisation of Open Days in several capitals in the region in order to disseminate the findings and recommendations of the study. In addition, the baseline study provided the basis for ReSPA activities to assist Members and Kosovo\* through 'in-country support' and 'urgent needs' mechanisms. These activities have contributed to the adoption and successful implementation of recommendations from the 2015 baseline study. Support from the European Commission and close coordination with SIGMA helps reinforce the positive contribution of ReSPA to the professionalisation of the civil service in the Western Balkans.

### Recommendations

This study concludes with eight general recommendations for ReSPA Members. They will be complemented by country-specific recommendations in the appendix of this report.

#1 ReSPA Members will have to focus on different types of reform activities in the near future, bearing in mind that they have reached different stages of the reform cycle at the time of writing this report:

- For Albania and North Macedonia, it is recommended that they continue to invest in the capacity to improve and consolidate the implementation of the recruitment procedure.
- For Montenegro, Serbia and Kosovo\*, the focus will be on achieving full implementation, which will have to imply further efforts to invest in the capacity to implement the new institutional framework. Serbia and Kosovo\* are still at the beginning of this process.
- The level of BiH institutions, Federation of Bosnia and Herzegovina and The Republic of Srpska will have to focus on the analysis and the drafting of new laws or amendments. However, efforts to improve the quality of implementation should also be continued in Bosnia and Herzegovina, in particular, the positive results that have recently been achieved at the level of BiH institutions.

#2 In relation to the scope of merit recruitment, it is recommended that the application of merit procedures to all categories of staff should be reviewed in order to ensure that all types of temporary staff, all senior civil service positions and all categories of public employees are subject to standard merit recruitment procedures.

#3 In relation to the area of staff planning, central approval and the public advertisement of job vacancies, it is recommended that ReSPA Members focus on activities to increase the efficiency and user-friendliness of the application process. In particular, it is recommended to invest in e-recruitment mechanisms, for instance, as developed in Albania and to explore opportunities for collaboration within the region.

#4 In relation to the role of selection commissions, efforts should be made or continued to be made that help professionalise the work of selection commissions. In particular, it is recommended to establish permanent or semi-permanent selection commissions where this is not yet the case, to invest in the development of guidelines for commission members, their training and certification and the regulation of the role of external experts on selection commissions. The audio recording of personal interviews should be considered to enhance the impartiality of the work of commissions.

#5 In relation to written examinations and personal interviews, it is recommended that the Republic of Srpska introduces compulsory written examinations to complete the basic institutional framework of merit recruitment. ReSPA Members should generally focus on developing the capacity to implement the examination procedure and explore innovative examination methods such as competency-based interviews.

#6 In relation to the ranking and final selection of candidates, the Federation of Bosnia and Herzegovina should review its ranking methodology to ensure that candidates are ranked in accordance with examination results. Moreover, ReSPA Members such as Serbia and Bosnia and Herzegovina should consider delegating the formal role of Ministers in the selection process to senior civil servants in order to curb incentives for political interference with civil service recruitment.

## Merit Recruitment in the Western Balkans: 2015 – 2018

#8 ReSPA has supported efforts to strengthen merit-based recruitment across the Western Balkans. ReSPA should consider the development of a systematic approach to dissemination and engagement with Members and Kosovo\* in order to enable lesson drawing in the region. Moreover, ReSPA should consider the development of comprehensive programmes of capacity-building activities that promote the effective implementation of merit recruitment procedures in the Western Balkans. Ideally, these efforts are closely coordinated with the European Commission, SIGMA and other local, regional and international organisations.

## Contents

<b>Executive Summary</b> .....	<b>9</b>
<b>Recommendations</b> .....	<b>12</b>
<b>Contents</b> .....	<b>14</b>
<b>I. Introduction</b> .....	<b>15</b>
<b>II. Merit Recruitment in the Western Balkans: Change in Procedures and Practices between 2015 and 2018</b> .....	<b>17</b>
<b>II.1. Civil Service Reform and Merit Recruitment</b> .....	<b>18</b>
<b>II.2. The Scope of the Application of Merit Recruitment Procedures</b> .....	<b>21</b>
<b>II.3. Advertisement of Vacancies and Approval of Positions</b> .....	<b>24</b>
<b>II.4. Formation of Selection Commissions</b> .....	<b>27</b>
<b>II.5. Written and Oral Examinations</b> .....	<b>31</b>
<b>II.6. Ranking and Final Selection</b> .....	<b>36</b>
<b>II.7. Regional Trends in Civil Service Recruitment and ReSPA's Contribution to Change since 2015</b> .....	<b>41</b>
<b>III. Conclusions and Implications for Civil Service Reform</b> .....	<b>47</b>
<b>IV. Recommendations for ReSPA Members</b> .....	<b>49</b>
<b>IV.1. Albania</b> .....	<b>50</b>
<b>IV.2. Bosnia and Herzegovina</b> .....	<b>52</b>
<b>IV.3. Kosovo*</b> .....	<b>54</b>
<b>IV.4. North Macedonia</b> .....	<b>56</b>
<b>IV.5. Montenegro</b> .....	<b>58</b>
<b>IV.6. Serbia</b> .....	<b>60</b>
<b>Appendix: List of 2015 ReSPA Recommendations and Their Status of Implementation</b> .....	<b>62</b>

### I. Introduction

This report presents the findings of a study of change in civil service recruitment procedures and practices in the Western Balkans between 2015 and 2018. The study was commissioned by the ReSPA Working Group on Human Resources Management in the Public Sector. It was jointly funded by ReSPA and the UK's Economic and Social Research Council Impact Accelerate Account awarded through the University of Nottingham.

In 2015, ReSPA conducted a baseline study of merit-based recruitment in the Western Balkans. Merit recruitment broadly refers to recruitment based on competitive examinations to select the best-qualified person for a given role. Cross-country evidence shows that merit recruitment has positive effects on the performance, work motivation, public service orientation and integrity of civil servant.<sup>3</sup> Merit-based civil service management generally improves the management of the EU accession process and is seen as a precondition for economic development and the consolidation of democracy. The centrality of merit-based recruitment for the professionalisation of the civil service is fully reflected by SIGMA's Principles of Administration, which guide civil service reforms in the Western Balkans.<sup>4</sup>

The 2015 ReSPA regional study found that civil service laws adopted by ReSPA Members formally institutionalise merit recruitment and that formal-legal procedures are mostly applied in practice. However, the regional study also showed that the institutional frameworks are often incomplete, that is, regulatory gaps and inconsistencies could be identified – to varying degrees – across the region. Moreover, the capacity to implement merit recruitment procedures is often limited, in particular, when assessing more closely the capacity at the level of individual institutions as opposed to the – more developed – capacity of central civil service management departments and authorities.

Most notably, non-merit criteria such as political support, personal connections and belonging to ethnic and social groups were shown to play an important role in recruitment and selection. In other words, the 2015 ReSPA baseline study showed that civil service recruitment in the Western Balkans was characterised by a persisting discrepancy between legislative intent and actual practice.

Against this background, the 2015 baseline study concluded with 61 recommendations for ReSPA Members. The recommendations were tailored to individual cases to address gaps in institutional frameworks and to propose measures to improve the implementation of recruitment procedures. Three years on, this study asks to what extent the recommendations of the 2015 study have been taken up by ReSPA Members and, in particular, to what extent recruitment procedures and practices in the civil service have changed in the direction of strengthening the merit principle.

'Three years' is a short time for the identification of change in public administration, in particular, when bearing in mind that the professionalisation of the civil service – in law and practice – took generations in Western democracies.<sup>5</sup> A period of three years is also too short

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<sup>3</sup> Meyer-Sahling, J-H, C Schuster and KS Mikkelsen (2018) *Civil Service Management in Developing Countries: What Works? Evidence from a Survey of 23.000 Civil Servants in Africa, Asia, Eastern Europe and Latin America*. London: British Academy and DfID Anti-Corruption Evidence Programme

<sup>4</sup> OECD (2017) SIGMA, *The Principles of Public Administration*. Paris: OECD. Available at [http://sigmaweb.org/publications/Principles-of-Public-Administration\\_Edition-2017\\_ENG.pdf](http://sigmaweb.org/publications/Principles-of-Public-Administration_Edition-2017_ENG.pdf)

<sup>5</sup> Grindle, M (2012) *Jobs for the Boys: Patronage and the State in Comparative Perspective*. Cambridge, MA: Harvard University Press. Sundell, A (2014) *Nepotism and Meritocracy*. Gothenburg: QoG Working Paper Series 2014:16.

## Merit Recruitment in the Western Balkans: 2015 – 2018

to realistically expect to observe much of an impact of new legislative measures on management practices across public administration institutions. The development of civil service reforms, the drafting and adoption of (amendments of) civil service laws, the preparation of secondary legislation are critical first steps. However, subsequently, new legislative procedures and accompanying capacity-building measures have to be rolled out and implemented for at least one or two years before a change in recruitment practices can realistically be observed. In other words, after three years, incremental change that strengthens the merit principle is likely to be the best outcome one can hope for.

Notwithstanding this note of caution, an update of the 2015 ReSPA baseline study provides an opportunity to identify broad trends across the region. To this end, this study follows the same approach as the 2015 baseline study. It relies on the analysis of legal material, qualitative interviews with senior civil servants and external experts and a survey of personnel managers across public sector institutions of ReSPA Members. In particular, the survey provides a bottom-up perspective on how recruitment and selection procedures are managed on a day-to-day basis at the level of individual public sector institutions. The update of the baseline study, therefore, complements reports and evaluations conducted by the European Commission in the context of the enlargement process, SIGMA (Support for Improvement in Governance and Management, a joint initiative of the OECD and the EU), WeBER (Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform), DfID (Department for International Development of the UK Government) and other local, regional and international organisations.<sup>6</sup>

As a general conclusion, the study shows that changes in recruitment procedure and practices have been small since the completion of the 2015 ReSPA baseline study. Yet the general trend for the region has been positive towards strengthening the merit principle in terms of (1) initiatives to upgrade institutional frameworks, in particular, through civil service reforms and the (planned) adoption of new civil service laws by several ReSPA Members, (2) the development and rollout of measures to build the capacity for improving the implementation of recruitment procedures by all ReSPA Members, and (3) stability in recruitment practices, yet a slight decrease in political influence over civil service recruitment. However, recruitment practices generally show a high degree of inertia and any positive changes are small in scale and uneven across the region.

The main part of this study is divided into seven sections. The introduction of the main part outlines the approach for the study of change in civil service recruitment. The first section then examines civil service reform developments since 2015 in order to place changes in recruitment procedures and practices in the wider reform context. Sections 2 to 6 analyse changes in five areas of recruitment. Section 7 summarises the main trends as well as the contribution of ReSPA recommendations to change in recruitment procedures and practices since 2015. The study concludes with the implications of the findings for civil service reform and specific recommendations for ReSPA Members.

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<sup>6</sup> For a recent assessment of the senior civil service in the Western Balkans, see in particular, Uudelepp, A et al (2018) *Analysis of the Professionalisation of the Senior Civil Service and the Way Forward for the Western Balkans*. SIGMA Paper Nr 55. Paris: OECD Publications. Available at <https://www.oecd-ilibrary.org/docserver/8535b60b-en.pdf?expires=1552410826&id=id&accname=guest&checksum=2C444EFB0D66DF8EA76F3E80DF421616>

## II. Merit Recruitment in the Western Balkans: Change in Procedures and Practices between 2015 and 2018

This study analyses change in recruitment procedures and practices in the Western Balkans since 2015. It takes the 2015 ReSPA baseline study as the point of departure and applies a similar approach in order to identify change over time.

Conceptually, the analysis distinguishes three levels of change and five areas of recruitment. First, the three levels to capture change are (1) changes of recruitment procedures that are formalised by civil service laws and secondary legislation, (2) the capacity to implement recruitment procedures, and (3) the day-to-day practice of implementing recruitment procedures across public sector institutions, including the role of non-merit criteria in civil service recruitment.

Second, following the placement of merit recruitment in the wider context of civil service reform, the analysis unpacks recruitment procedures and practices along five areas. They are:

- The application of merit recruitment procedures across all categories of staff
- The central approval and public advertisement of job vacancies
- The formation of independent selection commissions
- The written and oral examination of candidates
- The ranking and final selection of top-ranked candidates, including the influence of non-merit, in particular, political selection criteria

For the identification of change in recruitment procedures and practices between 2015 and 2018, the study relies on two types of data. First, regional experts prepared country background studies based on detailed research protocols. The preparation of background studies involved the analysis of legal material as well as qualitative interviews with senior civil servants and external experts. Regional experts further examined the extent to which ReSPA Members adopted the recommendations of the 2015 baseline study. The regional experts coordinated closely with ReSPA Working Group Members from central civil service management departments.

In addition, the study relies on findings from a survey of personnel managers of public administration institutions. The survey aims to reveal how individual institutions manage recruitment and selection processes. The approach allows for a bottom-up perspective to compare recruitment practices in the region and to provide detailed information for central civil service management departments and Members of the ReSPA Working Group.

In order to identify trends in recruitment practices, the 2018 survey asked the same questions than in 2015 wherever possible. The survey was translated into local languages. It targeted the directors (or equivalent) of personnel departments. Each personnel director was sent a personal invitation to complete the survey. The survey generated 713 responses compared to 283 in 2015 (Table 1 for details).<sup>7</sup> The overall response rate is 62 per cent, which is an increase from 58 per cent in 2015.

The largest number of responses was received in Bosnia and Herzegovina (279) where the 2018 survey also included respondents from the cantonal level of public administration. The sample of personal managers is hence significantly wider for 2018. In Kosovo\* (104), Serbia

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<sup>7</sup> The number of responses does not take into account that a certain proportion of responses has been incomplete.

(67) and North Macedonia (91), the institutions included in 2015 and 2018 are largely identical. In Montenegro (113) and Albania (59), additional subordinated organisations were included in the 2018 survey. The wider survey frame in these cases should be taken into account when interpreting the results presented in this study.

The next section discusses broader civil service reform trends in the region in order to place changes in recruitment procedures and practices in a wider context. Subsequently, the analysis turns to the five areas of recruitment outlined above.

### II.1. Civil Service Reform and Merit Recruitment

To what extent have Western Balkan countries engaged in civil service reform during the last three years, and to what extent have reforms had implications for recruitment procedures and practices?

Since 2015, all ReSPA Members have engaged in civil service reform. However, most of the changes have been incremental, focusing on the improvement – rather than transformation – of existing recruitment procedures and practices. This characterisation takes into account that in the Western Balkans transformative change occurred already in the 2000s when merit recruitment was institutionalised for the first time as a result of the first-time adoption of civil service laws. Albania was the first country in the region to adopt a civil service law in 1999 and to start implementation in 2000.<sup>8</sup> North Macedonia followed in 2000, the level of BiH institutions and the Republic of Srpska in 2002, the Federation of Bosnia and Herzegovina in 2003, Montenegro in 2004, Serbia in 2005 and Kosovo\* in 2010.

Since the first adoption, most civil service laws have been replaced and/or amended at least once. Yet subsequent changes have focused on the revision of the existing institutional frameworks and practices. Similarly, all the changes that have been introduced since 2015 have focused on upgrading the existing frameworks in order to improve the recruitment procedures and practices. However, ReSPA Members have engaged in different types of reform activities, and they are currently located at different stages of the reform cycle.

#### *Developments since 2015*

In **Albania**, a comprehensive civil service reform had already been passed in 2013. The new pool recruitment procedure, which represented an innovation in the region, was fully implemented by 2014. Since the publication of the 2015 ReSPA regional study, there was no need for another large-scale reform of the civil service. Rather, the focus of activity was put on fine-tuning and improving the existing system and on increasing the capacity to implement the recruitment procedure.

Accordingly, the Department of Public Administration invested further in the development of e-recruitment tools, the completion of an electronic database of questions for the examination, the training of permanent selection commission members, and the training of HR departments to improve staff planning as the first step of the pool recruitment procedure. The focus has hence been on improving civil service recruitment from a level that was already advanced compared to the other cases in the region.

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<sup>8</sup> Albania had adopted a civil service law earlier in 1994. However, the law was never implemented.



## Merit Recruitment in the Western Balkans: 2015 – 2018

In **North Macedonia**, the new Laws on Public Sector Employees and Administrative Servants had come into force at the beginning of 2015. It involved a change of the recruitment procedure, in that it introduced a new approach to workforce planning and, in particular, a new examination procedure for civil servants at entry level. Following the adoption of secondary legislation, the new recruitment procedure has been fully implemented since 2016. In operational terms, the civil service in North Macedonia has hence undergone considerable change since the completion of the ReSPA baseline study in 2015.

At the same time, there have been – as one would expect – no new civil service reform initiatives during the last three years. Rather, the focus has been on completing a manual for conducting competency-based interviews to assist the members of selection commissions. Like in Albania, the Ministry of Information Society and Administration and the Agency for Administration have hence focused on activities to improve the implementation of the existing recruitment procedure. However, the scope of activities has been more limited in North Macedonia.

**Montenegro** differs from both North Macedonia and Albania, in that it prepared and passed a civil service reform with a focus on the revision of the recruitment procedure during the last three years. The reform initiative led to the adoption of a new civil service law in December 2017, which came into force in July 2018. The formal-legal framework of merit recruitment has hence been considerably upgraded since 2015.

The new civil service law – to provide key examples – widens the scope of the civil service law to heads of institutions and delegates to them the task of selecting candidates after the completion of the examination procedure. It also regulates the status of external experts on selection commissions and has introduced both compulsory written and oral examinations for senior civil servants. Civil service recruitment in Montenegro has hence undergone a formal institutional change. As a result, the focus of activities has now shifted towards ensuring effective implementation of the new formal-legal framework.

Both Serbia and Kosovo\* have engaged in comprehensive civil service reforms. The reforms led to the preparation of a new civil service law in **Kosovo\*** and a major amendment of the law in Serbia. At the time of writing, the new Law on Public Officials was passed by the Parliament of Kosovo\* but not yet in force. In the Serbian case, the amendment of the civil service law was passed in December 2018. Given the need for the drafting of accompanying decrees, including efforts to incorporate competencies into systematisation acts, it will require more time until the new recruitment procedures will be fully operational Serbia and Kosovo\*.

In particular, Kosovo\* has initiated a major overhaul of civil service recruitment. For the time being, recruitment is largely decentralised to institutions. According to the new law, Kosovo\* will emulate the pool recruitment procedure used in Albania for ministries and their subordinated organisations at central government level. Other institutions may participate in pool recruitment but do not have to. The reform will involve the re-organisation of the Department of Civil Service Administration into a new Department for the Management of Public Officials within the Ministry of Public Administration. In particular, it will centralise much of the recruitment procedure, require new planning tools, the harmonisation of job descriptions, the establishment of permanent selection commissions and a new examination procedure.

No doubt, the shift towards pool recruitment in Kosovo\* is the most ambitious change that is currently under consideration in the Western Balkans. The experience from Albania suggests that the reform will require a major investment in the development of implementation capacity

## Merit Recruitment in the Western Balkans: 2015 – 2018

in the new Department for the Management of Public Officials and the personnel departments of individual institutions.

In **Serbia**, the reform aims to revise and improve rather than transform the existing procedures. Most notably, it has introduced a competency framework for the civil service, which will change the assessment of candidates. Moreover, following the adoption of a decree in early 2019, the new regime will introduce compulsory written entrance tests for all civil servants. The Serbian reform has further led to the requirement to advertise and test candidates who will be appointed on temporary contracts.

Finally, in **Bosnia and Herzegovina** civil service reform have been pursued at the level of BiH institutions and by the Federation of Bosnia and Herzegovina. A new civil service law is under preparation in the Republic of Srpska. In the case of the **Federation of Bosnia and Herzegovina**, the civil service law was amended but the amendment was struck down in 2016 by the Constitutional Court. Yet one of the most contentious parts of the amendment would have increased the discretion for the Government to politicise senior civil service appointments. The planned change would have hence weakened – rather than strengthened – merit recruitment.

At the **level of BiH institutions**, the amendment of the civil service law was pointing in a similar direction but was later withdrawn by the Government. During the last year, efforts have been made to re-launch the reform of the civil service. Moreover, the Civil Service Agency at the level of BiH institutions has engaged in several initiatives to upgrade the existing recruitment procedure. It introduced competency-based interviewing and trained more than 300 prospective commission members in an attempt to strengthen the capacity to implement the new system. The Civil Service Agency at the level of BiH institutions also continued efforts to use social media to disseminate job advertisements and to reach new groups of potential applicants. A similar approach has been introduced by the Civil Service Agency of the Federation level during the last three years.

In summary, all ReSPA Members have engaged in civil service reform during the last three years. However, as shown in Table 1, they have currently reached different stages of the reform cycle. In Albania and North Macedonia, the focus has been on improving the implementation of civil service laws that were adopted before 2015. In Montenegro, Serbia and Kosovo\* the focus has been on drafting and passing new laws (or amendments), for which implementation has just begun. The level of BiH institutions, the Federation of Bosnia and Herzegovina and the Republic of Srpska are still at the beginning of the reform cycle.

The position in the reform cycle has implications for the general recommendations that can be derived for the short and medium-term.

- In Albania and North Macedonia, the focus of activities will have to be on improving the capacity to implement the existing recruitment procedures. This will involve close collaboration and support of HR units of individual institutions and other key participants of recruitment processes such as members of selection commissions.
- In Montenegro, Serbia and Kosovo\*, the focus of activities will have to be on achieving the full implementation of the new formal-legal framework. Montenegro is close to reaching this point. Serbia and, in particular, Kosovo\* are still at the beginning of this process.
- The level of BiH institutions, the Federation of Bosnia and Herzegovina and the Republic of Srpska are at the beginning of the reform cycle, which means that the focus will first have to be on reform development and the drafting of new legislation.

**Table 1. Overview of reform, 2015 – 2018**

Name	First civil service law	Civil service law currently in force	Change 2015 – 2018
Albania	1999	2013	Focus on improving implementation
North Macedonia	2000	2015	Focus on achieving full implementation
Montenegro	2004	2018	Adoption of the new law, awaiting full implementation
Kosovo*	2010	2010	Adoption of the new law, not yet in force. Awaiting full implementation
Serbia	2005	2005	Adoption of a major amendment of civil service law, awaiting full implementation
Level of BiH institutions	2002	2002	Withdrawal of draft law, re-launch planned
Federation of Bosnia and Herzegovina	2003	2003	Adoption of a major amendment, annulled by Constitutional Court, re-launch planned
Republic of Srpska	2002	2008	Preparation of new law

## II.2. The Scope of the Application of Merit Recruitment Procedures

To what extent are all categories of administrative staff subject to merit recruitment procedures and practices? Civil service laws have formally institutionalised merit recruitment procedures in Western Balkan countries. However, the scope of civil service laws varies and, by implication, the extent to which different categories of administrative staff are subject to the application of merit recruitment procedures.

In 2015, the ReSPA regional study found that several categories of staff were exempted from the application of merit recruitment procedures. In North Macedonia, for instance, the civil service law distinguished the State Secretary at the top of the civil service as a political nominee who was not selected on the basis of the standard merit recruitment procedure.

In Bosnia and Herzegovina, the civil service laws at the level of BiH institutions and in the Federation of Bosnia and Herzegovina have a relatively narrow scope. Low-ranking administrative level staff and staff in IT, HR, procurement and other support functions are classified as public employees who are regulated by the labour law. They are subject to a less rigorous recruitment and selection procedure than civil servants.

In Serbia – to provide another example – temporary and acting civil servants have traditionally been a category of staff whose recruitment does not require the public advertisement of positions, the formation of selection commissions and the testing of candidates. As a consequence, recruitment into temporary positions used to be largely discretionary. Moreover, it provided a springboard for recruitment into the permanent civil service, as temporary appointees are often argued to have an advantage in competitions for permanent positions.

### *Developments since 2015*

Between 2015 and 2018, several ReSPA Members have taken measures to increase the scope of merit recruitment procedures. First, most ReSPA Members have not introduced (and are not planning to introduce) major changes to the scope of the civil service law and, by implication, the applicability of merit recruitment procedures. In **Montenegro**, heads of institutions have been integrated into the civil service law, which implies that they will, in future, be covered by the standard recruitment procedure for senior civil servants.

In **Kosovo\***, technical staff such as drivers and cleaners will be regulated by a separate chapter of the new civil service law after it will come into force. While they represent a small proportion of staff, it will be essential that, in future, other legislation regulates their recruitment in order to avoid the potential for unconstrained patronage appointments at the bottom end of the hierarchy.

Second, the appointment of temporary staff has undergone significant change in North Macedonia and Serbia. In both cases, the scope for the application of merit recruitment procedures has been widened. The **North Macedonian** Government terminated the practice of recruiting and managing temporary staff through external personnel agencies, thereby keeping them outside the scope of the civil service law. The number of temporary staff was estimated to be high yet widely unknown in detail. In 2016 the Government started to implement the Law on the Transformation into Full-Time Employment to regulate the transition of temporary staff to permanent civil service positions, while the previous practice has been outlawed. As a result, temporary appointments are still possible but only to replace permanent civil servants on a short-term basis and following the application of standard recruitment procedures.

The consequences of the implementation of the law are visible in the survey of personnel managers. In North Macedonia, on average, merely 4 per cent of the administrative staff are employed on the basis of temporary contracts. This is a low proportion in comparison to the other ReSPA Members.

In **Serbia**, the government changed the discretionary practice of appointing temporary contract staff in public administration. A change of regulation was passed in 2018, which requires the same recruitment procedure for temporary staff as for permanent civil servants. In other words, the standard merit recruitment procedure also applies to temporary appointments. However, the requirements for temporary staff will only come into force after a transition period.

For the other cases, the practices of appointing temporary staff have changed more subtly. In **Montenegro**, temporary appointments have so far been regulated by the civil service law. In future, it will be possible for the heads of institutions to hire temporary staff for a limited period without competition. The change in regulation hence opens the door for more – rather than less – discretionary appointments.

In **Albania**, temporary appointments are not foreseen by the civil service law. If staff are required on a short-term basis, they are chosen from the list of candidates who had passed the pool examination procedure but had not been offered a job. In principle, the recruitment of any fixed term appointees does hence not differ from the recruitment of permanent civil servants. However, Albania has, for several years, allowed the engagement of staff on unpaid internships to gain work experience. The practice of employing interns is said to have increased over time and, most recently, the Government introduced a small number of paid internships. It is too early to say whether this practice will become more widespread in the

## Merit Recruitment in the Western Balkans: 2015 – 2018

future. However, it is desirable to also apply basic recruitment procedures for the selection of interns in order to minimise the potential for the undue exercise of discretion.

In **Kosovo\***, the civil service law allows for the recruitment of non-career civil servants on fixed-term contracts for up to two years. They are recruited as permanent civil servants. By contrast, short-term contracts up to six months are known as so-called Special Service Agreements regulated by the Law on Obligations. These types of short-term temporary appointments are said to have increased in the recent past. As it is not required to apply standard merit recruitment procedures (but procurement procedures according to the law), the recent practice indicates a growing risk of non-merit appointment on a short-term basis.

The relative importance of temporary appointments was addressed by the survey of personnel managers. For **Serbia**, it shows that, on average, approximately 11 per cent of the administrative staff are employed on temporary contracts. As a reference group, the proportion refers to all categories of staff employed by an institution, hence also the political staff. The proportion of temporary staff may be lower than often assumed.

However, **Serbia** differs from the other ReSPA Members insofar as it is more common for temporary contract staff to advance to permanent civil service positions. At the expert level, 55 per cent of the surveyed institutions indicate that temporary staff are often or always recruited into permanent civil service jobs. In **Albania**, for instance, merely 18 per cent of the respondents indicate that this is a frequent practice in their institution.

The survey data also indicates that the scope of civil service laws varies across the countries. In **Montenegro**, for instance, 94 per cent of the administrative staff are regulated by the civil service law and hence subject to standard merit recruitment procedures. For other cases, the proportion tends to be around 80 per cent.

**Bosnia and Herzegovina** is an exception. Bearing in mind that the data does not distinguish between the level of BiH institutions, the Federation of Bosnia and Herzegovina and the Republic of Srpska, it indicates that, on average, only 37 per cent of staff are covered by the civil service laws. The largest proportion of staff is classified as employees in administrative and support roles. The hiring of public employees allows for more discretion and, generally, a less stringent recruitment procedure. In relative terms, the scope for the application of merit recruitment hence remains lowest in Bosnia and Herzegovina when compared to the rest of the region.

In summary, the scope for the application of merit recruitment procedures has been widened between 2015 and 2018, mainly thanks to the institutional changes in North Macedonia and Serbia. However, the discussion suggests three areas for further consideration and improvement.

- Across the region – to varying degrees – there is a need to review the extent to which all categories of staff are subject to merit recruitment procedures, that is, not only staff regulated by civil service laws but also staff covered by laws on public employees or labour laws.
- Across the region, there is a need to continue to monitor the recruitment of temporary staff, in particular, the extent to which merit recruitment procedures apply to them.

### II.3. Advertisement of Vacancies and Approval of Positions

To what extent are job openings centrally approved and to what extent are they publicly advertised before they can be filled? The central approval of positions ensures that jobs are filled in accordance with prior plans and that sufficient funds are available. The prior approval of positions by central institutions also ensures that institutions do not enjoy full discretion over the employment of new staff.

The public advertisement of job vacancies is a basic feature of merit recruitment. Advertisements ensure that citizens have equal access to public service jobs. Moreover, they provide a tool to reach as wide a pool of potential applicants as possible. As the competitiveness of the recruitment process increases, it is assumed that the merit principle is strengthened.

The 2015 ReSPA regional study showed that the basic requirements are met by ReSPA Members in this area of recruitment. They engage in regular staff planning and institutions need to seek approval from central civil service management departments and/or Ministries of Finance before a position can be filled. In North Macedonia, approval has to be further sought from the Ministry of Information Society and Administration and the State Authority for the Implementation of the Ohrid Agreement.

Public advertisements for civil service jobs are also routinely required. Civil service systems mainly differ in whether or not job vacancies need to be advertised internally, i.e. within the recruiting institution, before an external advertisement can be placed, i.e. an invitation for applicants from outside the civil service to apply for a given vacancy. In Montenegro, for instance, the pre-2018 arrangement required first an advertisement within the recruiting institution, then an advertisement that would allow civil servants to apply and only then a public advertisement that would invite candidates from outside the civil service to apply.

The main areas of improvement were, therefore, related to enhancing the efficiency and user-friendliness of the recruitment process. This meant investment in the capacity of institutions to plan their staffing needs and efforts both to reach a larger pool of potential applicants and to make it easy to apply in practice. Three types of change stand out for the last three years among ReSPA Members.

#### *Developments since 2015*

First, in **Albania**, the Department of Public Administration invested in e-recruitment tools. Applicants set up online profiles on the web site of the Department of Public Administration. They can upload, edit and update their personal documentation at any time. In particular, as all jobs and groups of jobs are advertised online, interested candidates can easily pick and choose jobs for which they would like to apply.

The Department of Public Administration further prepared online videos, which prospective candidates can use as tutorials to learn about civil service jobs and the application procedure. The preparation of the video tutorial was supported by ReSPA in-country support activities. The Department also went out to schools and universities to disseminate information about careers in the civil service and how to apply for jobs.

Together with the general change towards pool recruitment, it is likely that the investment in enhancing the user-friendliness of the recruitment procedure has contributed to an increase in

## Merit Recruitment in the Western Balkans: 2015 – 2018

the number of applicants since 2014. By implication, recruitment into the civil service has become more competitive and enhanced the potential for recruiting higher-quality candidates (see below for more details).

Second, in **Serbia**, the amended law involves efforts to enhance the user-friendliness of the recruitment procedure. In future, applicants will no longer have to submit large numbers of official documents for each and every job application. Rather, only successful candidates have to submit the full list of required documents. Similar requirements apply in Montenegro.

Third, at the time of writing the 2015 regional study, the Civil Service Agency of the **level of BiH institutions** started to use social media tools such as Facebook, Twitter and LinkedIn in order to advertise job vacancy. This practice has since also been adopted by the Civil Service Agency of the **Federation**. These initiatives have helped to disseminate job vacancies further and reached a wider pool of potential applicants.

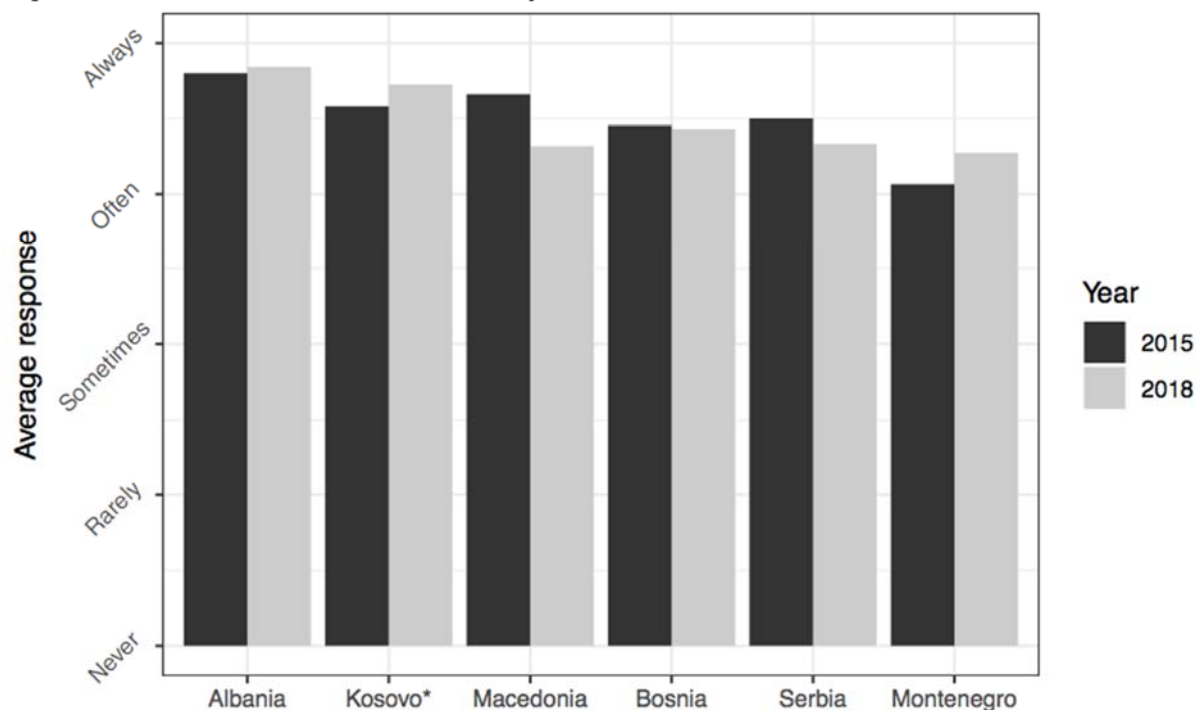
Finally, in **Montenegro**, the new civil service law will introduce the possibility for internal transfers within the recruiting institution that will precede the internal and external advertisement of job vacancies. The change primarily aims to increase the efficiency of the recruitment process, as the sequence of advertisements tended to slow down the process of filling jobs.

The changes since 2015 demonstrate the importance of investing in the capacity to implement merit recruitment procedures after the basic requirements such as public advertisements have been formally institutionalised by law. The lesson from the region suggests that further investment in digital technology to increase the efficiency and user-friendliness of the application process has considerable potential for strengthening the merit basis of recruitment.

The survey of personnel managers confirms that job vacancies are almost always approved centrally before they can be filled and that they are subsequently publicly advertised. Comparing across the countries, 96 per cent of the expert level positions in **Kosovo\*** are always or often approved before they are filled. For the other cases, this proportion stands around 80 to 90 per cent. Only in **Montenegro**, the proportions are lower, in that only 73 per cent of the expert positions are approved centrally. Comparing the responses for 2015 and 2018, the data suggests that there have been only minor changes, which reflects that the basic procedures have not changed over time.

The findings are similar for external advertisement practices. Across the region, almost 90 per cent of vacancies are, on average, publicly advertised. According to our data, the only notable exception **Serbia** where, at the senior civil service level (not shown in the figure below), only 66 per cent of the institutions advertise job vacancies 'always' or 'often'. This finding likely reflects the regular appointment of acting managers to senior civil service positions. Comparing the evidence for 2015 and 2018, the data further suggest that external advertisement practices have remained very stable over time. Indeed, the figure below shows that for expert civil servants, there have been almost no changes over time.

Figure 1. External Advertisements, Expert Level, 2015 and 2018



Further inquiry into the number and quality of applicants suggests that applicants have, on average, good or very good knowledge and understanding of the application process in each country. Interestingly, the data indicates that the proportion of applicants with very good knowledge is slightly higher in Albania than in other countries.

Moreover, the number of applicants varies considerably across the countries. In **Albania**, job openings attract, on average, 27 applicants according to the responses of personnel managers. These numbers are slightly higher than the officially recorded numbers by the Department of Public Administration. Figures from the Department of Public Administration indicate that application numbers increased after the implementation of the 2013 civil service reform began. This positive trend is likely to have stemmed at least in part from the introduction and implementation of the pool recruitment procedure and the investment in e-recruitment tools discussed above. Most recently, the number of applicants per job opening has declined slightly but remains high by regional standards.

Application numbers are even higher for **Kosovo\*** where on average 33 applicants are registered for expert-level positions and 16 for senior civil service positions.<sup>9</sup> Numbers of applicants are also high in **North Macedonia** and **Bosnia and Herzegovina** ranging from 18 to 24 respectively at the expert level. Application numbers are, on average, lowest in **Serbia** and **Montenegro** with 11 and 9 applicants per job opening. At the senior level, merely 4 and 4 applicants respectively are recorded per position. The average numbers suggest that the level of competition for civil service jobs is considerably lower in Serbia and Montenegro than in the other cases.

In summary, the basic requirements for the realisation of merit recruitment are in place in the civil service of all ReSPA Members. The main challenge and recommendations for present

<sup>9</sup> The survey question did not distinguish the total number of applicants and the number of eligible candidates.



and future remain the efficiency and user-friendliness of the planning and application process. This means, ReSPA Members should

- Continue to support staff planning by public sector institutions. This will be especially relevant for Kosovo\* in the context of the new pool recruitment procedure.
- Invest in e-recruitment tools following the positive example of Albania. Measures in this area will be particularly beneficial for ReSPA Members that have not yet established many digital tools such as Serbia, Montenegro, Bosnia and Herzegovina and Kosovo\*.
- Given the positive example with the use of social media to disseminate job openings in Bosnia and Herzegovina, it may be recommended for other ReSPA Members to consider similar measures.

### II.4. Formation of Selection Commissions

To what extent are independent commissions formed before the beginning of the examination and selection process? Independent selection commission plays an essential role in the recruitment process. They are meant to ensure equal treatment of candidates and the screening of competencies to identify the best-qualified person for a given role. Independent selection commissions also serve to shield the examination and selection process from undue political interference.

The 2015 ReSPA regional study showed that the basic requirements to form selection commissions for the recruitment of civil servants are met by all ReSPA Members. Yet selection commissions for civil service jobs differ with regard to their status and composition. First, after the introduction of pool recruitment, Albania established permanent selection commissions, while commissions in the other countries are typically formed on an *ad hoc* basis.

Second, at the level of BiH institutions commissions consist of five members, three of which are delegated by the Civil Service Agency from a list of independent experts who may come from inside or outside the civil service. By contrast, in Kosovo\* selection commissions have five members, but all five members are drawn from the recruiting institution. In Serbia, to give a final example, the commission consists of three members, one of which is delegated by the central Human Resources Management Service and two of which are drawn from the recruiting institution.

Despite the general reliance on selection commissions, the 2015 regional study concluded that they represent one of the weakest links of the recruitment process. In particular, members of selection commissions were often found to lack adequate expertise to conduct their role professionally. Moreover, selection commissions were often argued to lack political impartiality and professional independence, thereby undermining the merit basis of the entire recruitment process.

#### *Developments since 2015*

Since 2015, all ReSPA Members have made efforts to invest in the professionalisation of selection commissions. Two types of initiatives stand out.

First, Albania and the level of BiH institutions invested in the training of commission members. In **Albania**, members of permanent commissions received training in order to improve their role in the examination and selection process. While the impact of this kind of training has been

## Merit Recruitment in the Western Balkans: 2015 – 2018

considered positive in Albania, the Department of Public Administration has also concluded that further training efforts are needed in the future.

At the level of **BiH institutions**, the main change resulted from the introduction of competency-based interviews for civil servants (see also below). In this context, the Civil Service Agency trained 300 prospective commission members to support the implementation of the new methodology. Training participants were delegated by institutions and drawn from the Civil Service Agency's list of independent experts. Participation in training will become compulsory for appointments to selection commissions in the future. The **Federation** of Bosnia and Herzegovina is also planning to train commission members to support the introduction of competency-based interviewing in the near future.

In North Macedonia and Montenegro, training of selection commission members has not yet become compulsory. However, in **North Macedonia**, the Ministry of Information Society and Administration developed a manual in collaboration with the Centre for Change Management that helps to guide commission members during their work. However, so far trainings of commission members have not been rolled out, and criticism of the level of knowledge and understanding that commission members have persisted.

In **Montenegro**, training of selection commission members is not required according to the new civil service law. However, the Human Resources Management Authority has included training for commission members in the 2016 – 2020 Public Administration Reform Strategy and has started to prepare a training manual in collaboration with the British Council. Proper trainings of commission members are planned. At the same time, there are no plans yet to introduce (semi-)permanent selection commissions in Montenegro.

In **Kosovo\*** and **Serbia**, finally, training of commission members has not yet taken place, but compulsory participation in training is planned as part of the new/amended civil service laws. In Serbia, for instance, trainings are under preparation to facilitate the introduction of the competency framework and its implications for the recruitment procedure. This will be especially relevant, as the revised recruitment procedure has come into force without prior training of commissions members, creating risks of ineffective implementation.

Second, in 2015 it was evident that several countries had started to include external independent experts on selection commissions. The level of **BiH institutions** and the **Republika Srpska** provide for this option. Similarly, **Albania** had already established a regulatory framework for the inclusion of external experts on permanent selection commissions.

Since 2015, the role of independent experts has been formalised in the civil service law in **Montenegro**. The accompanying decree is still under preparation. It will clarify the advertisement, selection and allocation of external experts to selection commissions. However, given a large number of eligible external experts, it will be challenging for the Human Resources Management Authority to ensure adequate expertise levels for all experts.

In **Kosovo\***, external experts, for instance, from civil society organisations and academia, are already included as commission members for the selection of senior civil servants. With the adoption of the new civil service law, this will become a general requirement that will be fully regulated. In **Serbia**, external experts are included in the commissions for the recruitment of senior civil servants. Yet the procedure is not consistently applied due to the frequent reliance of acting managers in senior civil service positions. In the **Federation of Bosnia and**

## Merit Recruitment in the Western Balkans: 2015 – 2018

**Herzegovina** and **North Macedonia**, external experts are not yet foreseen on selection commissions.

Third, the many initiatives to professionalise selection commissions have not been matched by initiatives to increase their political impartiality and professional independence. So far, none of the countries has changed the terms of appointing commission members nor the size of commissions. The exception is **Kosovo\*** insofar as the planned introduction of the pool recruitment procedure will be accompanied by the establishment of permanent selection commissions. The experience from Albania suggests that both the centralisation of recruitment and the introduction of permanent selection commissions are associated with more independence and less scope for political and personal interference.<sup>10</sup>

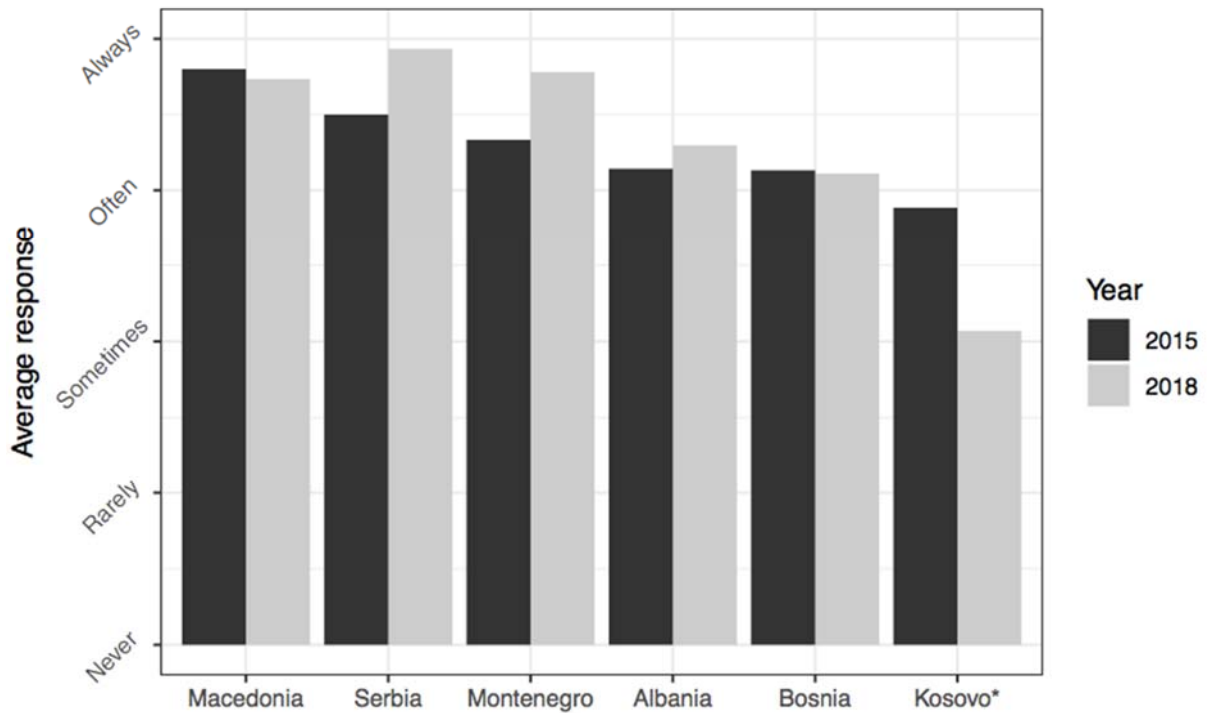
In addition, the level of **BiH institutions** is currently discussing the possibility of audio-recording personal interviews as part of the examination procedure. Similar practices exist already for the recruitment of soldiers into the Bosnian army. Also, in **Albania**, the interview of senior civil servants is audio-recorded. Recordings are not made public, and interviewees have the right to opt-out from recording. In other words, precedent do already exist in the region and initial experience suggests that audio-recording reduces the scope for favouritism and politicisation at the interview stage through the members of the selection commissions. Bearing in mind that audio-recording is a common practice in the private sector to address customer concerns, it might be an instrument to consider for the civil service across the region.

The survey of personnel managers confirms the positive development in this area of recruitment. First, across the region selection commission are, on average, often or always formed before the beginning of a competition procedure. Moreover, a positive trend can be recorded for **Serbia** and **Montenegro**. The main exception from this trend is **Kosovo\*** where around 50 per cent of the personnel managers indicate that in their institution selection commissions are formed always or often. Moreover, the figures have considerably declined during the last three years. This is a puzzling finding when taking into account that the formation of commissions is compulsory in Kosovo\*.

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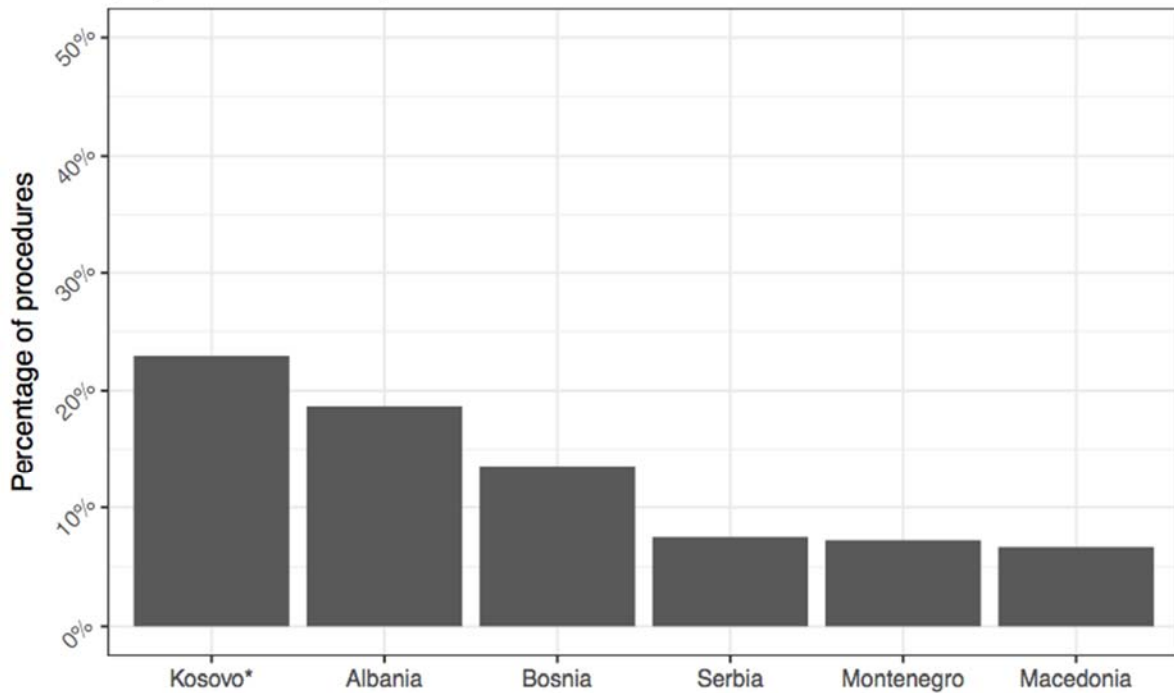
<sup>10</sup> Meyer-Sahling, J-H, C Schuster, KS Mikkelsen, A Shundi (2018) *Civil Service Management in Albania*. London: British Academy and DfID Anti-Corruption Evidence Programme.

**Figure 2. Formation of Selection Committees, Expert Level, 2015 and 2018**



However, compared to the other countries Kosovo\* stands out with a much larger proportion of recruitment procedures that are not completed, that is, no candidate is appointed after a job has been approved and advertised. It is hence conceivable that the proportion of uncompleted procedures and the non-formation of commissions are related to each other.

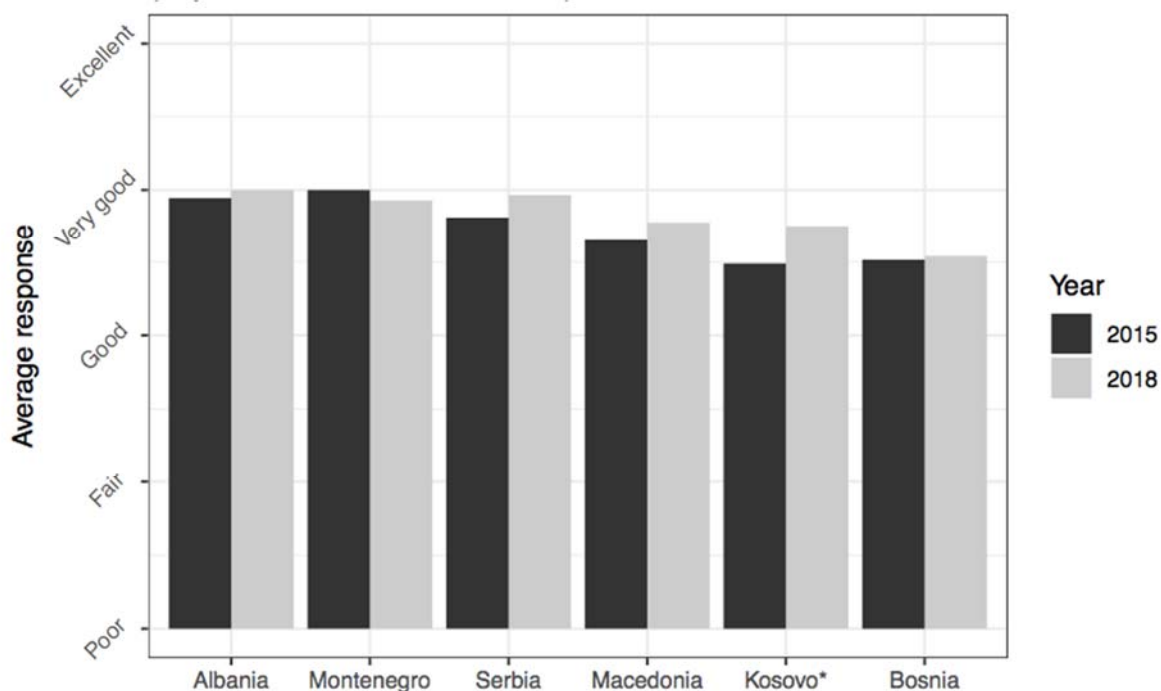
**Figure 3. Incomplete Recruitment Procedures, Expert Level, 2015 and 2018**



## Merit Recruitment in the Western Balkans: 2015 – 2018

Finally, the figure below shows the positive effect of the various initiatives to train the members of selection commissions. Compared to 2015, commission members' knowledge and understanding of the recruitment procedure has increased in the civil service of all ReSPA Members. Interestingly, it also has increased in countries that have not yet rolled out training programmes for commission members. This suggests that the regular application of the recruitment procedure has in itself a positive effect on the expertise of commission members.

**Figure 4. Commission Members' Knowledge and Understanding of Recruitment Procedure, Expert Level, 2015 and 2018**



In summary, the basic requirements related to the formation of selection commissions are met across ReSPA Members. The main challenges and recommendations pertain to the continuing professionalisation of selection commissions and efforts to ensure their independence from political interference. This means that

- ReSPA Members should either develop or continue to provide manuals and guidelines and provide training for commission members.
- They should consider the establishment of permanent or semi-permanent selection commissions where this is not yet the case in order to help professionalise the work of commissions.
- If not yet practised, they should consider the appointment and regulation of independent external experts to selection commissions, and
- Consider the recording of (oral) examinations to strengthen the political impartiality and professional independence of selection commissions.

### II.5. Written and Oral Examinations

To what extent are candidates required to pass written and oral examinations before their selection for a given role in the civil service? Written and oral examinations are among the hallmarks of merit-based recruitment. They screen the competencies, skills and integrity of

## Merit Recruitment in the Western Balkans: 2015 – 2018

candidates and provide the basis for the development of norms of professionalism among civil servants. Examinations also help to signal to prospective applicants that the recruitment and selection process is conducted professionally rather than on the basis of discretion. If run professionally, they hence help to attract more and better-qualified applicants.

The 2015 ReSPA study found that the basic requirements are met by most but not all ReSPA Members. First, personal interviews were required in all countries for all categories of staff. Exceptions were located outside the scope of the civil service, for instance, temporary contract staff in Serbia and the State Secretary in North Macedonia. Second, compulsory written entry examinations were also formally institutionalised across the region with the exception of Serbia and the Republic of Srpska. Moreover, senior civil servants in Montenegro and Kosovo\* did not require written examinations for access to top jobs.

Apart from basic requirements, most questions were directed at the effectiveness of existing examination systems. Pass rates, for instance, were found to be very high across the region. High pass rates imply that examinations are routinely conducted, but they lack the capacity to distinguish the stronger from the weaker candidates. Moreover, on several occasions, examination questions were reportedly leaked to candidates before they were taken. It is difficult to say how often this practice occurred across the region, but it violates the practice of merit recruitment unless exams are officially conducted as 'seen' examinations.

Finally, written and oral examinations were argued to be unfair on many occasions when internal candidates have advantages in examinations designed by the recruiting institutions. Similarly, the structure and content of personal interviews were argued to vary across candidates, thereby undermining the principle of equal treatment. In particular, the latter resonates closely with the limited impartiality of selection commissions, which would favour some candidates over other in several contexts.

### *Developments since 2015*

Since 2015, this area of recruitment has seen incremental changes across the region. First, the most notable changes will be the introduction of written entrance examinations in Serbia and the introduction of pool examinations in Kosovo\*. In the case of **Serbia**, written tests will be implemented after the adoption of a decree following the amendment of the civil service law. In **Kosovo\***, the pool examination will involve centralised written and oral examinations before the winning candidate will be invited to select his or her most preferred position. Evidence from Albania suggests that pool examinations are associated with less politicised and less nepotistic recruitment. Yet pool examinations require a considerable amount of central management capacity, which will have to be built before an effective implementation will be possible.

Second, **Montenegro** stands out with the introduction of written examinations for senior civil servants. Written requirements were optional in the past but only sometimes practised. With the coming into force of the new law, written examinations will be compulsory for all categories of civil servants.

Montenegro has also taken action to prevent the leaking of examination questions before the test date. In future, the Human Resources Management Authority and the recruiting institution will prepare five examination versions. One of the versions will be randomly selected on the day of the examination. As mentioned above, in the context of the 2016 – 2020 Public

## Merit Recruitment in the Western Balkans: 2015 – 2018

Administration Reform Strategy Montenegro is also preparing a new manual for commission members which will guide their role in personal interviews.

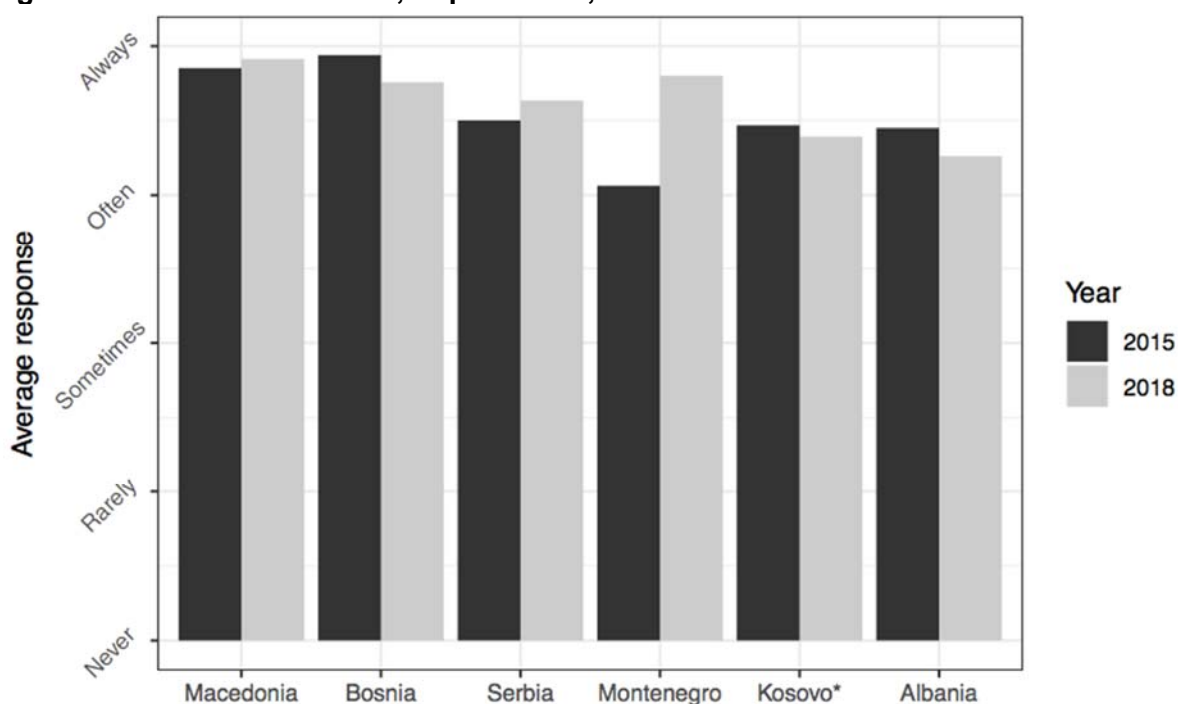
Third, the level of **BiH institutions** has – as mentioned above – introduced a new, competency-based approach to interviewing. The new method was prepared by an EU-HRM project and has been rolled out since 2016. The **Federation** of Bosnia and Herzegovina is planning to introduce the same method of interviewing in the near future. The early experience from the level of BiH institutions suggests that selection decisions will be less based on formal education and more on the skills and abilities of candidates.

Fourth, **Albania** has focused on the efficient functioning of the pool examination procedure by developing a large electronic database of examination questions for each group of positions. The questions are randomly selected before the examination takes place and have contributed to the better implementation of the examination procedure.

Finally, as mentioned above, **North Macedonia** developed a manual for selection commission members to improve the implementation of the oral part of the examination. The interview structure and content itself was not amended. However, owing to the complexity and costs of the examination procedure, the Ministry of Information Society and Administration decided to abolish the psychological aptitude test at the end of the procedure. Moreover, foreign language skills are tested during the interview stage, while it is no longer necessary to submit (costly) language certificates. The other components of the examination were retained.

The survey of personnel managers confirms that most ReSPA Members have put in place the basic examination requirements. Personal interviews are taken almost always in the region. There are few differences across countries and very few changes between 2015 and 2018. A positive trend has been recorded in Montenegro.

**Figure 5. Personal Interviews, Expert Level, 2015 and 2018**

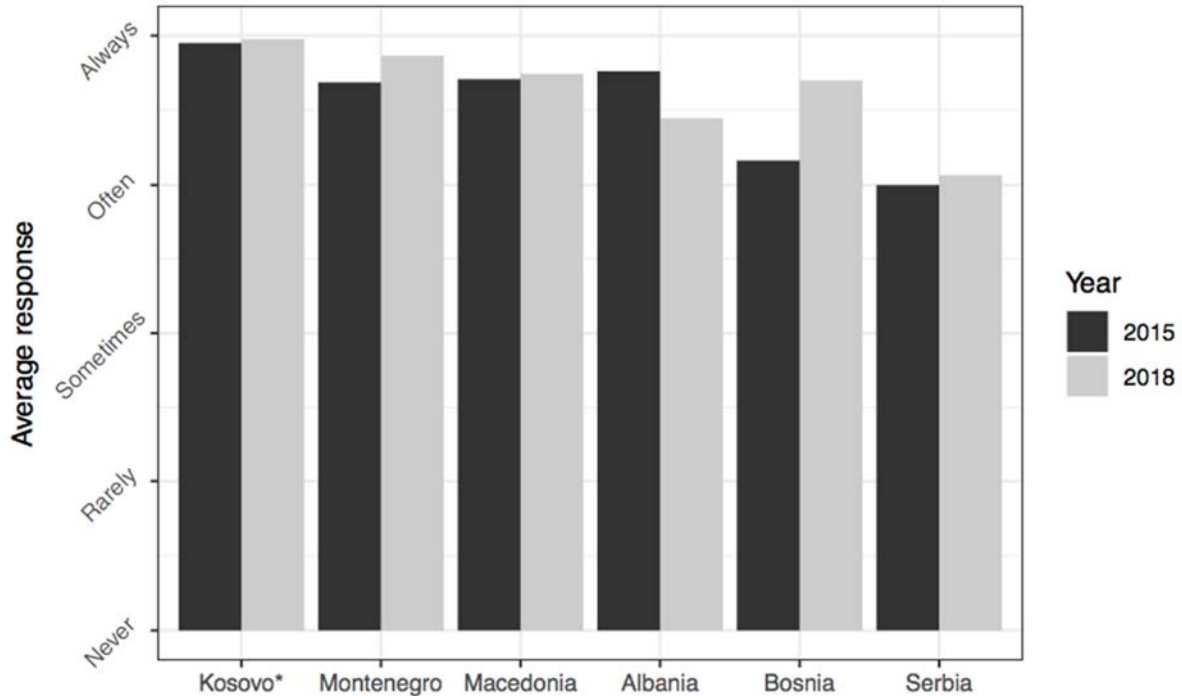


Written examinations are also taken always or often in all countries. Written tests were optional in **Serbia** until the adoption of the latest decree in January 2019, but the evidence suggests that they were taken fairly often. Looking more closely at the Serbian data, 70 per cent of the

## Merit Recruitment in the Western Balkans: 2015 – 2018

institutions always or often conduct written examinations for the recruitment of ordinary civil servants and 65 per cent do so for senior civil servants. At the same time, there are 20 – 30 per cent of the institutions use written tests rarely or never.

**Figure 6. Written Examinations, Expert Level, 2015 and 2018**

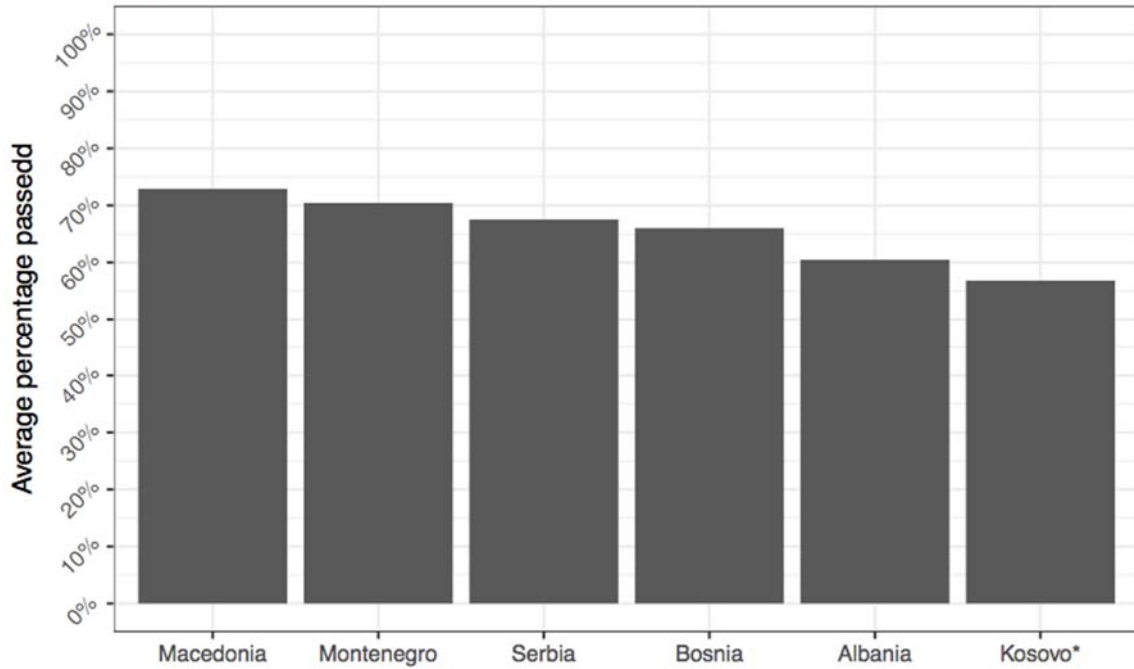


The survey also asked whether written and oral examinations are effective in testing relevant skills and knowledge for a given job. Interestingly, the proportion is highest in **Serbia** where examinations used to be tailored to the job vacancy when they were taken under the previous regime. Yet even in **Albania** where the pool recruitment procedure examines candidates for groups of positions rather than individual positions, the evaluation of personnel managers is positive. The positive finding suggests that the investment in the database of examination questions and the training of commission members has enhanced the effectiveness of the examinations.

At the same time, it is evident from the survey that the majority of candidates pass the written examination successfully. The differences between the countries are remarkably low. High pass rates of around 70 per cent are not a challenge for the selection of the most qualified candidate if they are ranked on the basis of their examination result. However, if commissions, heads of institutions or ministers are allowed to select one candidate from a larger list of candidates who have passed the examination, the high pass rates open the door for the exercise of discretion at the point of selection – as will be discussed in more detail in the next section.

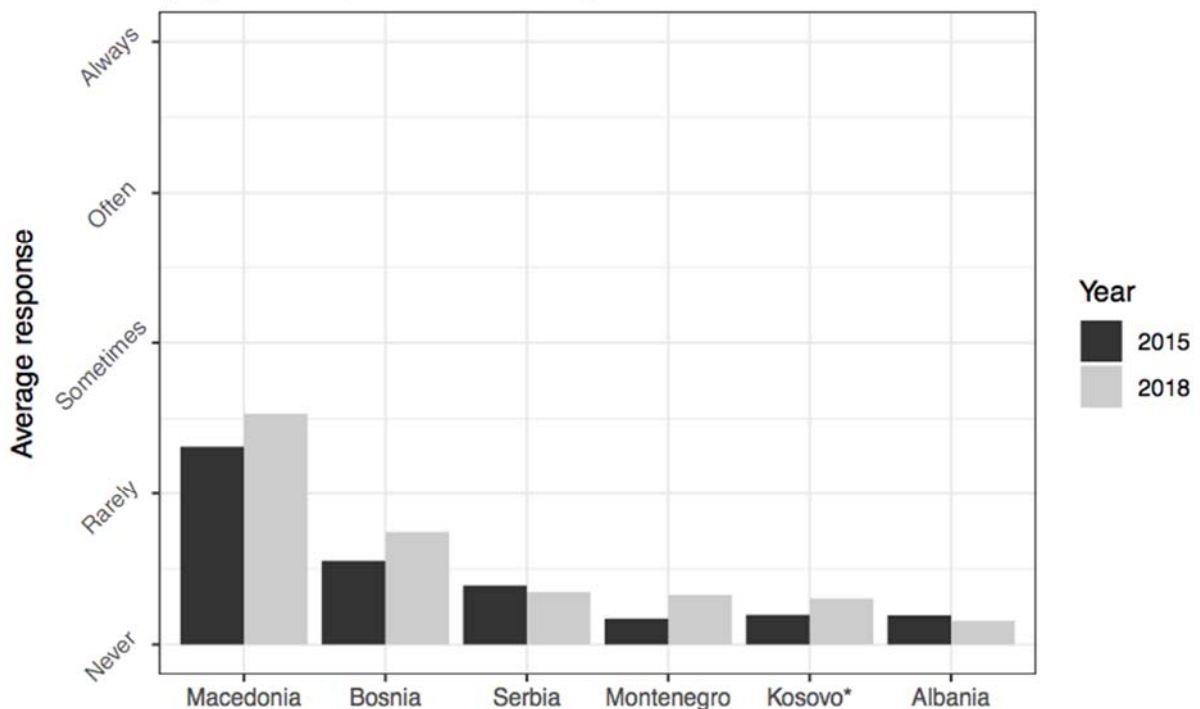


Figure 7. Proportion of Candidates who Pass Examination, Expert Level, 2018



Finally, we asked personnel managers how often candidates learn about exam questions before the actual examination date. The question is sensitive, in that respondents might hesitate to indicate the leaking of examination material in the survey. The responses are critical for **North Macedonia** and, to a lesser extent, Bosnia and Herzegovina. In the North Macedonian case, the finding may, of course, indicate the publication of a bank of 500 questions that are used for the civil service examination rather than the improper leaking of questions before the day of the exam.

Figure 8. Examination Questions Leaked before the Examination Date, Expert Level, 2015 and 2018



## Merit Recruitment in the Western Balkans: 2015 – 2018

In summary, the basic components of merit-based recruitment, written and oral examinations, have been put in place by all ReSPA Members. Several challenges and recommendations to complete and upgrade the examination systems are relevant for all ReSPA Members.

- The Republic of Srpska should consider the introduction of compulsory written entry examinations for civil servants. Evidence from research on the impact of merit recruitment procedures suggests that written examinations are associated with less politicised and less nepotistic recruitment practices. It would provide a simple instrument that could be incorporated in the planned law or in secondary legislation as in Serbia.
- For Kosovo\*, the focus of the next period should be on building capacity to implement the new pool examination procedure. This will imply many steps that have been taken over the years in Albania including the design of written and oral examinations, the development of an electronic database of questions and guidelines for commission members to conduct the examinations.
- For Montenegro, similarly, the focus should be on fully implementing the written examination component for senior civil servants and the randomised selection of exam questions. The same applies to Serbia for the implementation of the planned written entrance examination.
- Both the BiH and Federation levels of Bosnia and Herzegovina should take the opportunity to upgrade their examination systems in the context of the preparation of the planned civil service reform.
- Albania and North Macedonia remain most advanced in the region in this area of recruitment and should continue to invest in the capacity to conduct their examinations effectively.

### II.6. Ranking and Final Selection

To what extent are candidates ranked in accordance with their examination results and to what extent are the top-ranked candidates selected for a given role? Merit recruitment assumes that the best-qualified candidate is selected for a given job or career in the civil service. It hence requires, first, some form of ranking based on competencies, knowledge and skills and, second, the selection of the top-ranked candidate.

In practice, the questions for this area of recruitment are related to the method of ranking candidates, the authority to pick from a list of candidates and the extent to which the selector must choose the top candidates or may choose any candidate from an open list of candidates. In addition, this is the point when the role of non-merit criteria, in particular, political considerations are usefully discussed. Political interference may apply all along the recruitment process, but at this final stage of the process, politicians may be granted formal powers over the selection of candidates. This section will, therefore, close with a discussion of the extent to which politicisation and other non-merit criteria interfere with the merit principle.

In 2015, the picture was mixed for the Western Balkans. All countries relied on rankings following the examination of candidates. However, the potential for merit recruitment was diminished by a number of regulatory weaknesses. First, in the Federation of Bosnia and Herzegovina, successful candidates were ranked alphabetically rather than according to examination mark. As a result, the Minister who has formal selection authority would pick a candidate without having full information regarding the quality of candidates. This is especially

## Merit Recruitment in the Western Balkans: 2015 – 2018

precarious when a large proportion of candidates pass the examination procedure, as discussed in the last section. Second, in Serbia and Montenegro, examinations led to the ranking of candidates, but Ministers would have the discretion to select a candidate from a short-list of three.

Third, at the BiH and Federation level in Bosnia and Herzegovina, Serbia, Montenegro and the Republic of Srpska, the Minister was charged with the final selection of the successful candidate insofar as the Minister is deemed the head of the administrative authority. In North Macedonia, this role was performed by the State Secretary who was recognised as a political appointee. As a result, political influence was formally institutionalised for the recruitment of civil servants. By contrast, only in Albania and Kosovo\* did civil service laws require the ranking on the basis of examination results, the selection of the top-ranked candidate and the delegation of authority to the General Secretary at the top of the civil service.

### *Developments since 2015*

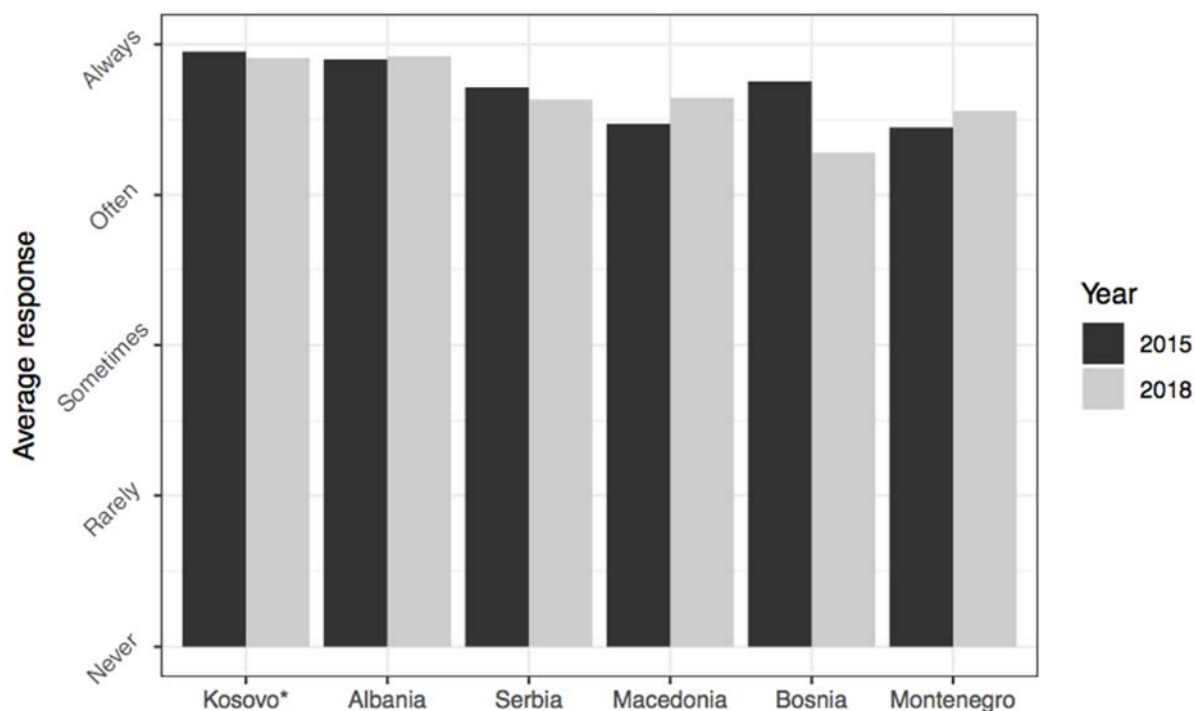
Since 2015, there has been the least change in this area of recruitment. The most notable change has taken place in **Montenegro**. Heads of Institutions have been integrated into the scope of the civil service. Moreover, the authority to select the candidate from a short-list of three successful candidates has been delegated from the Minister to the head of the institution. However, the list of candidates has remained open. In **Serbia**, the Minister has retained final selection authority, but according to the new formal-legal framework, the Minister's discretion has been restricted by requiring the appointment of the candidate that was ranked top after the assessment.

In **Kosovo\***, the ranking and selection process will change when the new pool recruitment procedure is fully operational. Like in Albania, the top-ranking candidate will then be given the right to choose his or her preferred job, followed by the second-ranked candidate and so on. This approach will reduce the potential for political influence over final selection decisions. There have been no changes in this area of recruitment in the other countries of the region.

The formal-legal framework is well reflected in the results of the survey of personnel managers. Across the region, the top-ranked candidates are always or often selected at the end of the process. Moreover, for expert-level civil servants, the selection practices have remained stable over the last three years.

Looking more closely at individual countries, the proportion of institutions in which the top-ranked candidate is selected is somewhat lower at 82 per cent in **Bosnia and Herzegovina** and 77 per cent in **North Macedonia**. By contrast, in **Albania** and **Montenegro**, around 95 per cent of the institutions select the top-ranked candidate at the end of the recruitment process.

Figure 9. Selection of Top-ranked Candidate, Expert Level, 2015 and 2018



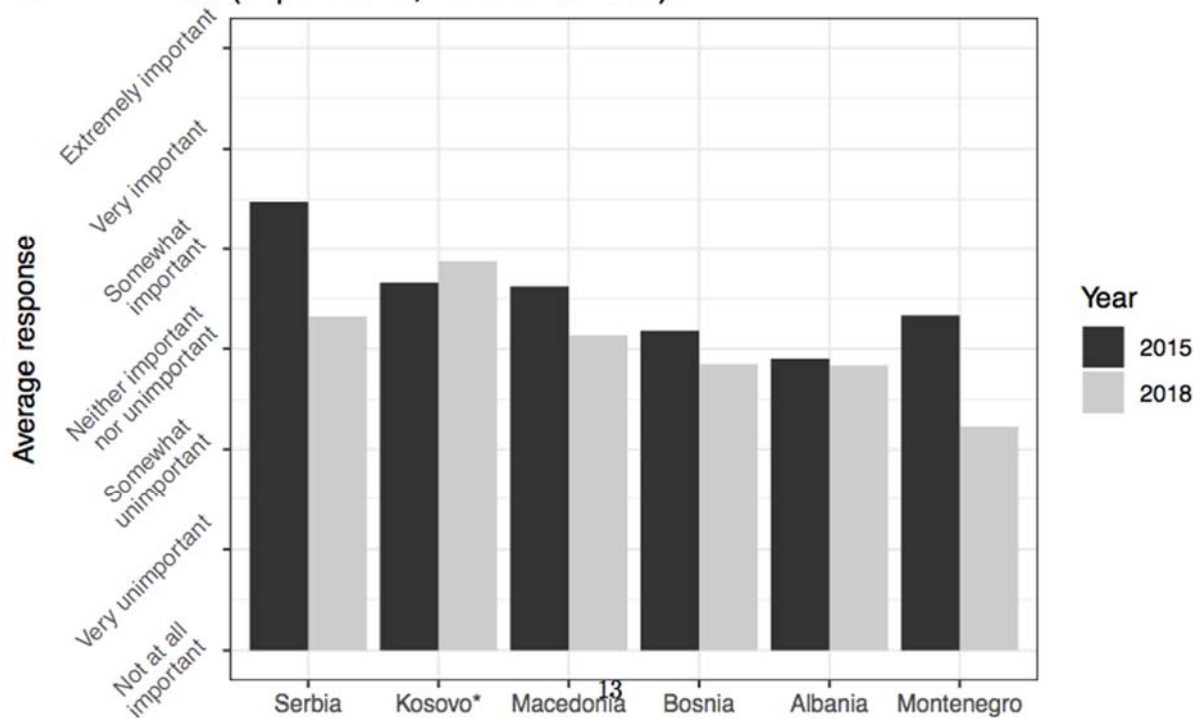
In the case of **Montenegro**, this is a notable development, as recruitment practices have often been criticised for a tendency to ‘not’ pick the highest rank candidate from a short-list of three. This criticism was mainly directed at the selection of senior civil servants, but for 2018 there is no evidence that this practice has persisted.

As explained above, one of the features of recruitment procedures in the Western Balkans has been the delegation of final selection powers to Ministers or senior political appointees in all countries except Albania and Kosovo\*. The survey of personnel managers, therefore, addressed the extent to which the political leadership of ministries, i.e. Minister, Deputy Minister and political advisors and, from outside the public sector organisations, political parties influence recruitment and selection decisions.

In the case of Ministers, their role is inevitably ambiguous. They may have a formal role in the recruitment process (defined by law), but if they use their role proactively, their intervention may be interpreted as evidence of politicisation. By contrast, vice-ministers such as Deputy Ministers and State Secretaries, political advisors and political parties have no formal roles in the recruitment and selection process. Their role is inherently informal and a basic indicator of the politicisation of recruitment practices.

The figure below shows that support from the political leadership of ministries and their subordinated organisations is most important in Kosovo\* followed by Serbia and North Macedonia. Moreover, the actual influence of political leadership has slightly decreased in all countries except Kosovo\*. In **Kosovo\*** 67 per cent of the personnel managers indicate that support from the political leadership is somewhat important, important or very important for a candidate to be selected for a given job. The high proportion is surprising insofar as Ministers have no formal role in the recruitment and selection process. At the other end, the role of Ministers, vice-ministers and advisors is least important in **Montenegro** where merely 40 per cent attach importance to support from the political leadership. Moreover, their role has decreased since 2015.

Figure 10. Support of Political Leadership, Expert Level, 2015 and 2018



For the selection of senior civil servants, the data further suggest that support from the political leadership is even more important. In this case, 85 per cent of the personnel managers in **Serbia** indicate that support from the political leadership is important or very important for getting selected for a given job. However, even in the other cases, the relative importance ranges from 50 per cent in **Montenegro** to 71 per cent in **Kosovo\***.

When comparing different forms of political influence on the selection of civil servants, the data suggests that support from political parties is also notable but – as one would expect – somewhat less important than support from the political leadership. On average, the role of parties is considered as somewhat unimportant.

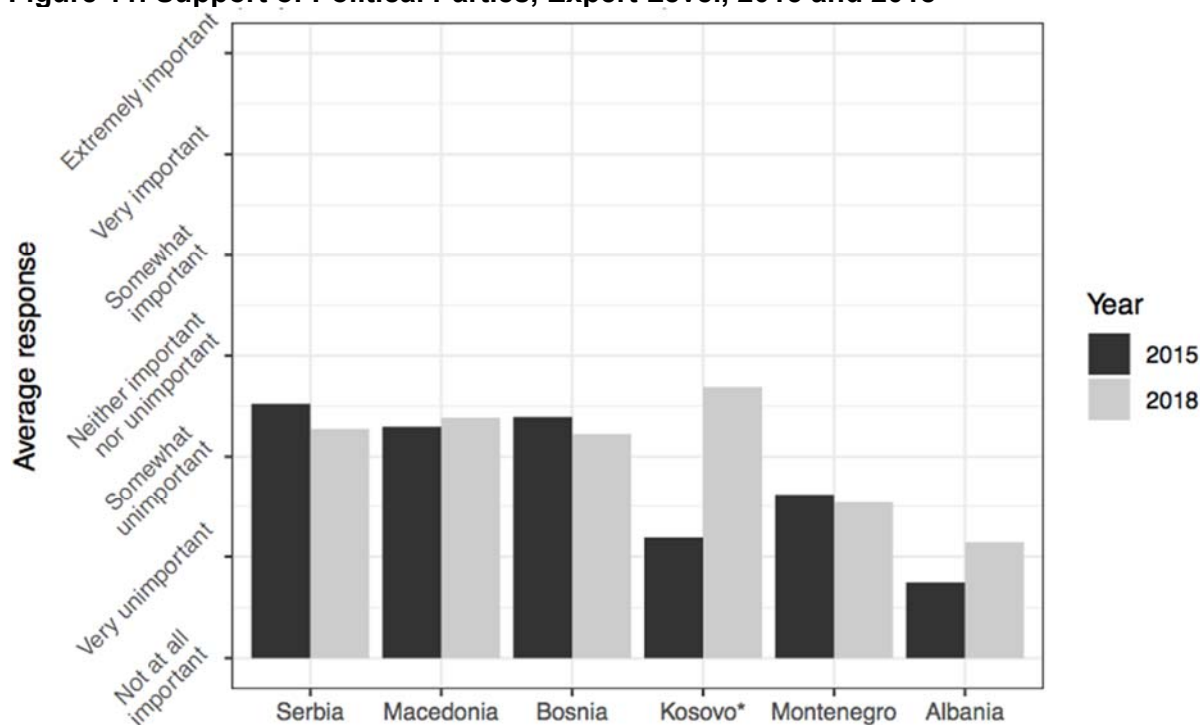
When looking more closely, the data suggests that nearly 50 per cent of the personnel managers in **Kosovo\*** indicate that party support is somewhat important, important or very important for getting selected into a civil service job. Moreover, when comparing the results for 2015 and 2018, the figure suggests that party politicisation has remained very stable during the last three years in most countries. Yet it appears to have slightly increased in Albania but has leapt up in Kosovo\*. This trend may be related to the 2017 elections in both cases but will require further investigation.

For senior civil servants (not shown here), the importance of party support is considerably higher. In **Serbia**, for instance, 57 per cent of the personnel managers classify party influence as somewhat important, important or very important for the selection of senior civil servants. In this area, too, party politicisation is high in **Kosovo\*** with over 50 per cent of the institutions attaching importance to it. By contrast, the proportions are considerably lower in Albania, Montenegro and North Macedonia.

The findings suggest that the importance of political support has remained highly salient in the Western Balkans. Even if the record of implementing merit recruitment procedures is positive, the data from the survey of personnel managers suggests that politicisation remains

widespread. As a general conclusion, the data therefore indicates that politicisation has persisted despite the investment in formal institutions and the capacity to implement recruitment procedures.

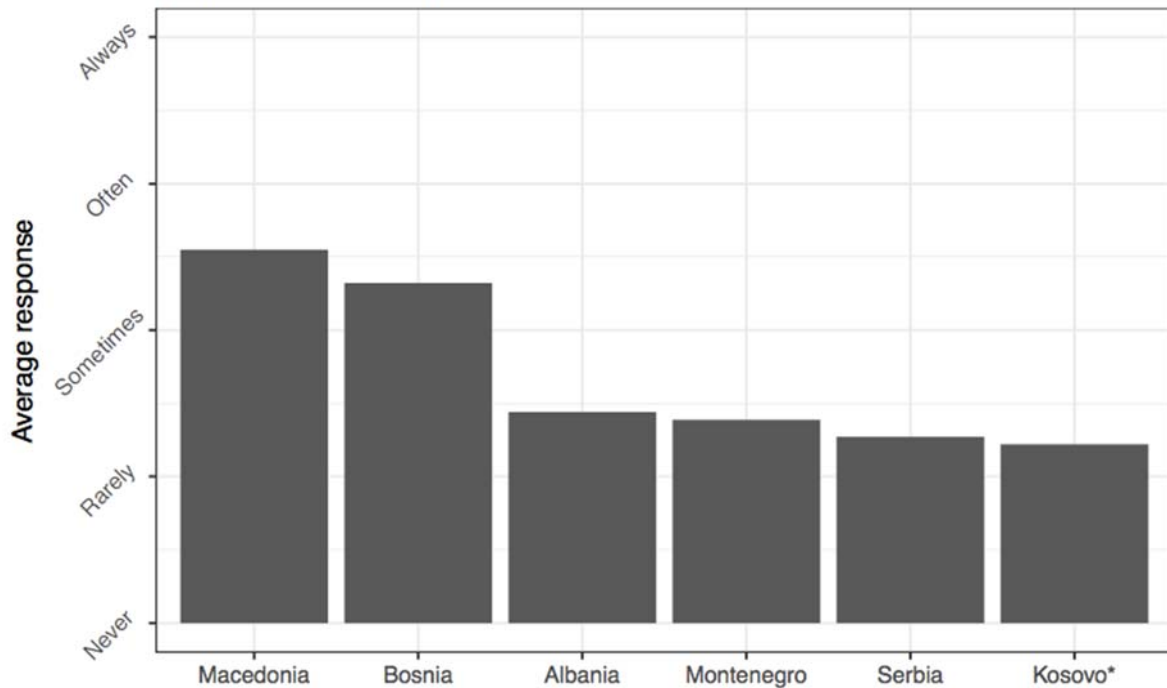
**Figure 11. Support of Political Parties, Expert Level, 2015 and 2018**



The discussion of politicisation further raises questions regarding the role of other non-merit selection criteria, in particular, belonging to a specific ethnic or social group. Belonging to an ethnic group is commonly classified as a non-merit recruitment criterion but may be desirable to enhance the social and ethnic representativeness of the civil service. In **North Macedonia**, for instance, ethnic representativeness is formalised by the Ohrid Agreement. Public bodies have to meet targets regarding ethnic representation. The examination procedure is programmed to choose a particular ethnic group at the beginning of the process. The highest-ranking member of a specific ethnic group will be offered the job at the end of the examination process.

In **Bosnia and Herzegovina**, by comparison, ethnic representativeness is written into the Dayton Peace Agreement and included in the civil service laws at the level of BiH institutions, the Federation of Bosnia and Herzegovina and the Republic of Srpska. The survey of personnel managers confirms the greater importance of ethnic and social belonging for recruitment in North Macedonia and Bosnia. As one would expect, it plays the least important role in Serbia and Kosovo\*.

**Figure 12. Recruitment and Selection Based on Belonging to Ethnic Group, Expert Level, 2018**



In summary, the area of ranking and final selection has seen the least change over the last three years. Some of the main inconsistencies in existing formal-legal frameworks have not been addressed. Similar challenges and recommendations are hence relevant for the future. In particular, it means that

- Merit recruitment in the Federation of Bosnia and Herzegovina should introduce a more meritocratic ranking and selection mechanism.
- For Serbia and the Bosnia and Herzegovina, it should be considered whether the authority to make selection decisions could be delegated from Ministers to professional civil servants such as Secretaries of Ministries. This approach would follow the recent reform in Montenegro.
- Generally, efforts are needed to reduce the influence of the political leadership and political parties in the recruitment and selection process.

## II.7. Regional Trends in Civil Service Recruitment and ReSPA's Contribution to Change since 2015

To what extent can we identify broad trends in civil service recruitment for ReSPA Members since 2015, and what has been the contribution of ReSPA and the recommendations of the baseline study to change in the region? Three broad trends can be distinguished before concluding with a discussion of ReSPA's contribution to change since 2015.

First, in relation to **civil service reform** patterns, it has become evident that all ReSPA Members have engaged in reform since 2015. Yet reform pathways have differed. At this point, ReSPA Members have reached different stages of the reform cycle, which has implications for the types of activities that have been pursued during the period of study. For Albania and North

## Merit Recruitment in the Western Balkans: 2015 – 2018

Macedonia, the focus has been on activities to improve the capacity to implement recruitment procedures. For Montenegro, Serbia and Kosovo\*, the focus has been on preparing and changing formal-legal frameworks. The level of BiH institutions, the Federation of Bosnia and Herzegovina and the Republic of Srpska are at the stage of preparing institutional reforms but have already engaged in selected activities during the last three years to improve the quality of implementation.

In general, the last three years have signalled a shift from adopting and continuously revising civil service legislation to building the capacity to implement human resources management frameworks better. Albania has led the way with investments in e-recruitment mechanisms, the training of members of selection commissions and the development of electronic databases to improve the examination process. All of these activities have helped to professionalise the recruitment and selection process. The other ReSPA Members are moving in the same direction following the (planned) adoption of new civil service laws during the last three years.

Second, reform efforts to upgrade recruitment procedures and to improve the quality of their implementation have been evident in all **areas of recruitment**.

Several ReSPA Members, especially Serbia, North Macedonia and Montenegro have increased the scope of the application of merit recruitment procedures to temporary contract staff and to heads of institutions respectively. However, the narrow scope of civil service laws in cases such as Bosnia and Herzegovina implies that large proportions of administrative staff may not be covered by standard merit recruitment procedures.

In the area of planning, centrally approving positions and publicly advertising job vacancies, the basic elements of merit recruitment are in place across the region. This area of recruitment has seen a positive trend with initiatives to enhance the efficiency and user-friendliness of the application process. In particular, e-recruitment mechanisms have professionalised the application process and have the potential to strengthen the merit principle.

The formation of selection commissions is required across the Western Balkans for almost all categories of staff. The last three years have seen a positive development with investment in the training of commission members and the regulation of the role of external experts in the selection process. These activities have helped to professionalise the role of commissions in the recruitment and selection process. However, further efforts are needed to strengthen the capacity of selection commissions.

Written examinations and personal interviews are required for civil service entry by most ReSPA Members. The trend has been more ambivalent in this area of recruitment. In the Republic of Srpska written examinations – a basic feature of merit recruitment – are not yet required by law, even though they are often used in practice. At the same time, the application of written examinations are now required in Serbia and their scope for application has been broadened in Montenegro. The process of conducting both written examinations and personal interviews has been professionalised in Albania and North Macedonia.

Finally, the area of ranking and selecting candidates at the end of the recruitment process has seen the least change during the last three years and remains an area in need of further review. The delegation of selection powers to heads of institutions at the top of the senior civil service in Montenegro is a positive exception in this area.

However, Ministers have retained important roles in the selection process in Serbia and Bosnia and Herzegovina. The pool recruitment procedure in Albania remains the only institutional design (and practice) that helps reduce the potential for undue political interference. The



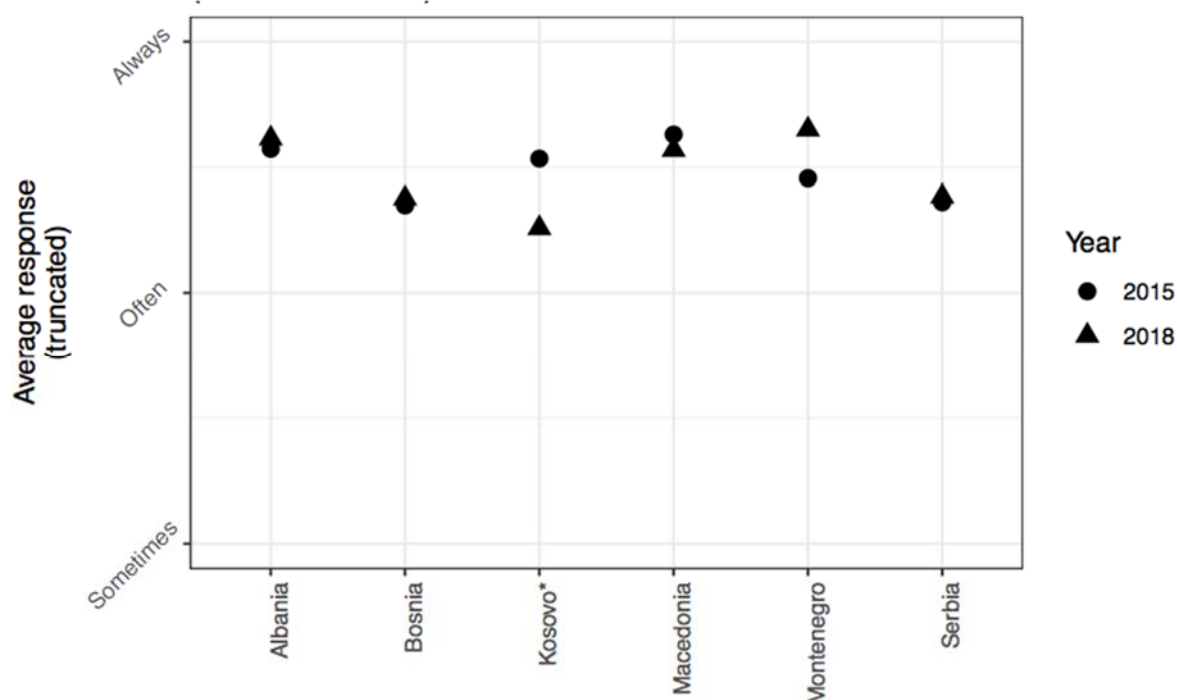
## Merit Recruitment in the Western Balkans: 2015 – 2018

introduction of pool recruitment in Kosovo\* promises to strengthen the merit principle in the future but will require considerable investment in implementation capacity.

Third, while the reform activities of ReSPA Members have mostly aimed to strengthen the merit principle, the evidence suggests that **recruitment practices** have not changed much. The figure below shows an index of the day-to-day application of merit recruitment procedures by public sector institutions across countries. It consists of eight items including the public advertisement of job vacancies, the formation of selection commissions, the taking of written examinations and the selection of the top-ranked candidate from a list of successful candidates. It combines results for both expert and senior level civil servants for both 2015 and 2018 in order to identify broad trends in recruitment practices across the region.

From a regional perspective, the result indicates that merit recruitment procedures are widely applied across the region. The data suggests that most merit procedures are applied always or often by 80 – 90 per cent of the public sector institutions. Moreover, the comparison over time indicates that recruitment practices are best characterised by stability. This should not be surprising. Management practices are subject to inertia and known to change slowly. Moreover, the impact of the capacity-building activities pursued during the last three years will only slowly develop an impact on the day-to-day practice of recruitment.

**Figure 13. Index of merit recruitment practices, Expert and Senior Level, 2015 and 2018**



However, the data also suggests variation within the region with an overall a positive trend towards an increasing application of merit procedures in Montenegro and a slightly negative trend in Kosovo\*. In Montenegro, the positive trend may well be related to the adoption of the new civil service law. The drafting process is likely to have raised the salience of merit recruitment across public sector institutions, as a result of which recruitment practices have increasingly taken merit requirements into account. It should be expected that the full implementation of the new law will further promote meritocratic practices in the future.

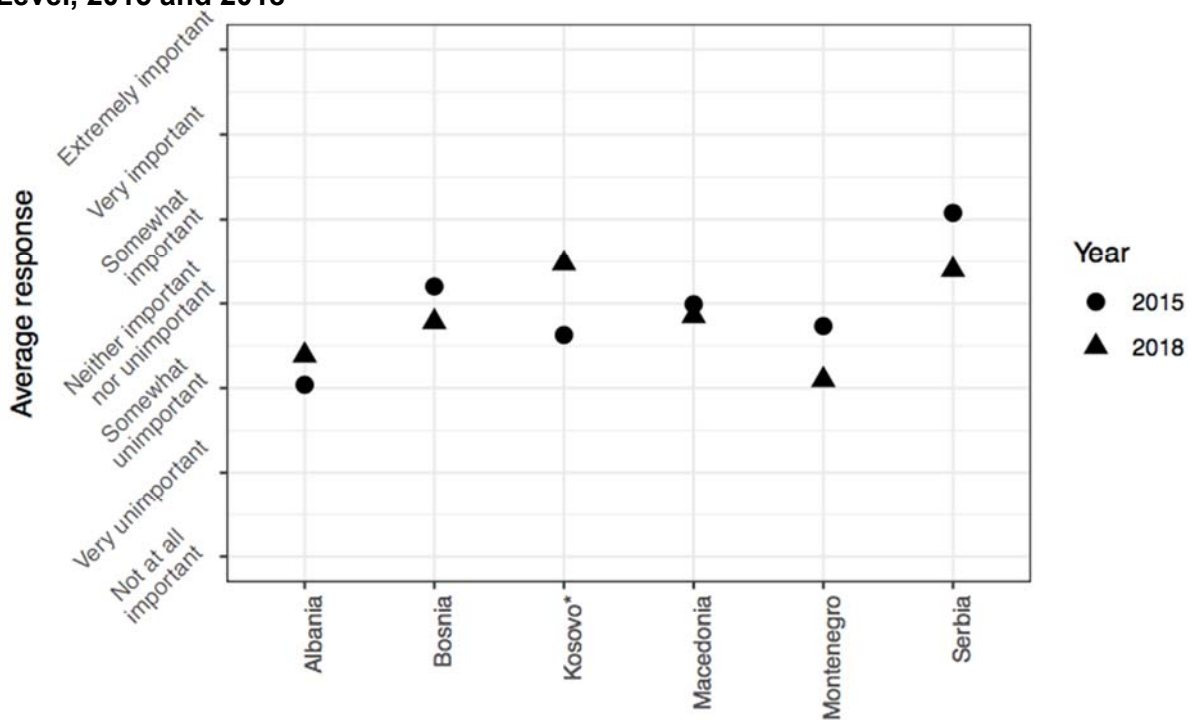
The trend in Kosovo\* is more difficult to interpret, as the civil service system has not yet undergone significant changes. However, the recruitment procedure in Kosovo\* is highly

## Merit Recruitment in the Western Balkans: 2015 – 2018

decentralised and difficult to monitor. It is hence conceivable that recruitment practices have drifted from the original intention of institutional designers. The planned reform should be expected to reverse the recent trend in Kosovo\*.

In relation to the importance of non-merit criteria in recruitment processes, the data from the survey of personnel managers suggests a slight decrease in the importance of political influence in civil service recruitment. The index below consists of four items that refer to the importance of support from the political leadership, i.e. the Minister, vice-ministers and advisors, and support from political parties for the selection of candidates. Again, the results for expert and senior civil servants are combined.

**Figure 14. Index of political influence in civil service recruitment, Expert and Senior Level, 2015 and 2018**



When comparing trends across ReSPA Members, the data suggests that political influence has become slightly more important in Kosovo\* and, to a lesser extent, in Albania. By contrast, in Montenegro and Serbia, the trend points towards slightly less political influence. Over time differences are small for the remaining cases.

The diverging trends across the region should not disguise the finding that political influence remains high in civil service recruitment according to the self-reported figures of personnel managers. This means that civil service recruitment in the Western Balkans continues to be characterised by a considerable degree of politicisation despite the regular application of merit rules and procedures. For the future, it will hence remain a major challenge to strengthen the merit principle and to promote the de-politicisation of recruitment practices.

This general conclusion finally raises the question to what extent the recommendations of the 2015 baseline study were taken up by ReSPA Members and to what extent ReSPA activities contributed to the positive trend in the region.

In 2015, the ReSPA baseline study concluded with 61 recommendations. They ranged from three recommendations for North Macedonia, to five for both the Federation of Bosnia and Herzegovina and the Republic of Srpska, six for Albania, seven for Kosovo\* and the level of

## Merit Recruitment in the Western Balkans: 2015 – 2018

BiH institutions, thirteen for Montenegro and fifteen for Serbia. The number of recommendations did not imply a judgement on the quality of recruitment procedures and practices but were tailored to individual cases.

The evaluation distinguished four levels of uptake of the 2015 recommendations.

(1) A recommendation could be 'adopted and implemented'. This means that there has been a firm commitment by law, decree or in another official document that the recommendation has been taken up and – importantly – is reflected in the day-to-day practice of recruitment and selection. In other words, it is not sufficient for a law to be in force. Instead, implementation is understood narrowly as 'use' or 'practice'.

(2) A recommendation could be 'adopted and partially implemented', that is, the implementation may have started but remains incomplete and in need of further work.

(3) Recommendations could be 'adopted and under preparation', that is, there is a firm commitment in a law, decree, reform strategy or other official document to follow the recommendation but it is not yet 'practised'. In Kosovo\* and Serbia there are several examples of recommendations that were incorporated in the new/amended laws and decrees, but they are not yet used as part of day-to-day recruitment processes.

(4) A recommendation could be classified as 'not adopted', which means that there has simply been no change in practice, formal-legal framework or plan in any other official document.

Three years on, the evidence suggests that 39 (64 per cent) of the recommendations were adopted by the ReSPA Members. Out of the recommendations that were adopted, 26 (67 per cent) were fully or partially implemented. The remaining 13 recommendations were adopted but remained under preparation. Most of the latter recommendations were listed for Kosovo\* and Serbia, where recommendations have been incorporated in recently passed laws or amendments respectively. Still, implementation in the sense of regular 'management practice' is only beginning or has not even started yet.

The largest proportion of recommendations was adopted in Albania and Montenegro (83 and 100 per cent respectively). This takes into account that for Albania, most recommendations focused on measures to supplement the implementation of the 2013 law. For Montenegro, recommendations were incorporated into the 2017 law which has come into force in July 2018. By contrast, in Bosnia and Herzegovina, the proportion of adopted recommendations has been lower (18 per cent), but it should be expected that many more recommendations will be considered during the preparation of the new civil service laws. The Appendix lists all recommendations and their status of implementation.

The uptake of a large proportion of recommendations by ReSPA Members is a testament of ReSPA's positive role in promoting civil service reform and professionalisation in the Western Balkans. The completion of the 2015 baseline study on merit recruitment was complemented by the translation of the study into local languages and the presentation at the 2015 ReSPA Annual Conference.

In 2017, ReSPA organised – following an initiative of the Ministry of Public Administration and Local Self-Government in Serbia – an Open Day in Belgrade to present the findings of the regional study to a wider audience of decision-makers and personnel managers in public administration. An Open Day, which included a presentation of the 2015 ReSPA baseline study was subsequently also held in Sarajevo to present to policy-makers in Bosnia and

## Merit Recruitment in the Western Balkans: 2015 – 2018

Herzegovina. The series of Open Days was concluded with a presentation of the study in Brussels in June 2017.

In order to make a positive contribution to civil service reform in the region, the experience suggests that it is essential to 'bring' the results of regional studies including their recommendations to the public administration of ReSPA Members.

Several recommendations from the 2015 ReSPA baseline study were further followed up by in-country support activities funded and coordinated by ReSPA. For instance, at the request of the Department of Public Administration in Albania, ReSPA supported the development of the video tutorial to support the implementation of the online application system for vacant civil service positions. As discussed above, the video tutorial has been an effective measure to enhance the user-friendliness of the application process.

The e-recruitment initiative in Albania has already raised the interest of other ReSPA Members. The Civil Service Agency of BiH, for instance, requested support from ReSPA to engage in learning from the experience of Albania. ReSPA supported future e-recruitment initiatives in Bosnia and Herzegovina through organising study visits and feasibility studies.

Other notable initiatives that are related to the recommendations of the 2015 baseline study include support for the development of training instruments for selection commission members in Montenegro and a revision of a methodology for job description in Kosovo\*.

Through its in-country support mechanism, ReSPA met the needs of its members and supported them in the adoption and implementation of recommendations. This should be pursued more systematically in the future. However, the support from the European Commission and close coordination with SIGMA are essential for strengthening the contribution of ReSPA activities to the professionalisation of the civil service in the Western Balkans.

### III. Conclusions and Implications for Civil Service Reform

This study had examined the change in recruitment procedures and practices in the civil service of ReSPA Members since 2015 when the ReSPA baseline study on merit recruitment was completed.

Taking a similar approach to the 2015 baseline study, this study has found a generally positive trend towards strengthening the merit principle for the region as a whole. Changes have been more evident in the area of institutional reform and in relation to efforts to build capacity to improve the implementation of recruitment procedures. Recruitment practices have remained largely stable, though a slight decrease in political influence over civil service recruitment could be identified for some but not all ReSPA Members.

This section concludes with eight general recommendations for future reform in the area of civil service recruitment in the region. They will be complemented by country-specific recommendations in the appendix of this report.

#1 Since 2015, all ReSPA Members have engaged in civil service reforms that have had implications for merit recruitment. However, they have reached different stages of the reform cycle, which has had implications for the activities that they have pursued during the last three years and the types of activities they will have to focus on in the near future.

- For Albania and North Macedonia, it is recommended that they continue to invest in the capacity to improve and consolidate the implementation of the recruitment procedure.
- For Montenegro, Serbia and Kosovo\*, the focus will be on achieving full implementation, which will have to imply sustained efforts to invest in implementation capacity. Serbia and, in particular, Kosovo\* are still at the beginning of this process.
- For Bosnia and Herzegovina, the focus will have to be on developing comprehensive civil service reforms and drafting new laws or amendments. Both the level of BiH institutions and the entity levels are hence still at the beginning of the process, but this also entails opportunities to get the institutional framework right.

Looking more closely at the five areas of recruitment,

#2 Merit recruitment has been formally institutionalised by all ReSPA Members. Merit recruitment has been extended to temporary contract staff in Serbia and North Macedonia. However, the study showed that, across the region, temporary contract staff is not always covered by basic merit recruitment procedures, senior civil service positions are not always fully included in the scope of merit procedures (e.g. North Macedonia) and public employees outside the scope of civil service laws are not necessarily subject to basic merit recruitment procedures (especially Bosnia and Herzegovina). Therefore, the scope of the application of merit recruitment procedures should be monitored and reviewed by all ReSPA Members to ensure that the basics of merit recruitment are applied to all categories of staff.

#3 The basics of staff planning, the central approval and public advertisement of job vacancies are required by all ReSPA Members. Consequently, the focus of activities has been on building planning capacities and, in particular, the efficiency and user-friendliness of the application process. E-recruitment tools, most developed so far in Albania, have considerable potential to strengthen the merit principle during the recruitment process. ReSPA Members should, therefore, invest in or continue to invest in the development of e-recruitment tools to improve the implementation of recruitment procedures.

## Merit Recruitment in the Western Balkans: 2015 – 2018

#4 All ReSPA Members require the formation of selection commissions. Efforts to provide guidance and train commission members have contributed to the professionalisation of selection commissions. Several ReSPA Members have regulated the role of external experts. It is recommended to continue the investment in the professionalisation selection commission and to roll out activities of this kind in Serbia and Kosovo\* where they are planned for the time after the adoption of new civil service laws. Also, ReSPA Members should promote the political impartiality and professional independence of commissions. The audio-recording of personal interviews should be one measure to consider across the region.

#5 Written examinations and personal interviews are basic components of merit recruitment that are required and practised by all ReSPA Members. The Republic of Srpska should consider introducing compulsory written examinations to complete the institutional framework of merit recruitment. For the other cases, the focus should be on developing the capacity to implement the examination procedure. The introduction of competency-based interviews in Bosnia and Herzegovina has strengthened the merit principle and should be considered by other ReSPA Members.

#6 At the end of the recruitment process, ReSPA Members mostly require the ranking of candidates. However, the basic requirements should be revised in the Federation of Bosnia and Herzegovina to ensure that candidates are ranked in accordance with examination results. Moreover, Ministers retain selection authority in several cases such as Serbia and Bosnia and Herzegovina, providing incentives for political interference with recruitment and selection decisions. Indeed, formal and informal (e.g. via political parties) politicisation of civil service recruitment remains evident across the region. Efforts to contain political influence in civil service recruitment should, therefore, be considered by all ReSPA Members.

#7 Across the region, it has become evident that civil service reforms are increasingly shifting their focus from the revision and upgrading of institutional frameworks to developing measures to improve the capacity to implement recruitment procedures. Throughout the region, systematic efforts to review and develop capacity-building measures should be considered, and experience should be exchanged among ReSPA Members.

#8 ReSPA has contributed to the positive trend in civil service recruitment through the publication of the 2015 baseline study, the dissemination of findings at Open Days and the support of in-country activities. For the next cycle of activities, ReSPA should consider a systematic approach to dissemination and engagement at regional and country level, as well as close collaboration with country partners to prepare guidelines complemented by comprehensive programmes of activities that can support the effective implementation of merit recruitment procedures. The close coordination of activities with the European Commission, SIGMA and other regional and international organisations would help reinforce the positive contribution ReSPA can make in the Western Balkans.

## IV. Recommendations for ReSPA Members

This ReSPA study closes with specific recommendations for each ReSPA Member and Kosovo\*. They are derived from the present analysis and take into account the latest assessments by the European Commission and SIGMA.

The recommendations address institutional change insofar as the change of civil service laws is planned or pending and insofar as basic components of merit recruitment are still missing from the legal frameworks. Compulsory written entrance examinations are a case in point as a basic component of merit recruitment procedures.

For the most part, the recommendations focus on measures to improve the implementation of recruitment and selection procedures. They hence propose measures to build capacity to professionalise day-to-day recruitment and selection processes.

ReSPA will have an important role to play in supporting the implementation of both the general recommendations presented above and the country recommendations listed below. In the first place, ReSPA is planning to invest in the dissemination of the study's results and recommendations by means of translations, presentations at ReSPA Working Group Meetings, the ReSPA Ministerial Conference and international conferences when opportunities arise

In addition, ReSPA aims to organise Open Days to present the findings of the study in the capital cities of the Western Balkans in order to reach a wider audience of decision-makers and practitioners in public administration at the country level. Experience from the 2015 ReSPA baseline study suggests that presentations and workshops at the country level help engage senior civil servants and raise awareness outside public administration among members of parliament, representatives of civil society and the local media.

In addition to the exchange of experience among ReSPA Working Group Members and the organisation of dissemination events, ReSPA has a number of instruments at its disposal to support the implementation of the recommendations formulated in this study. In particular, ReSPA offers a 'Mobility Scheme' and an 'In-Country Support' mechanism to assist its Members and Kosovo\*.

The Mobility Scheme is based on bilateral cooperation that enables representatives from one country to travel to and learn from another. For example, it was successfully applied when the Civil Service Agencies at the level of BiH institutions and the entity level in Bosnia and Herzegovina received support from the Albanian Department of Public Administration for the introduction of e-recruitment tools. Similarly, the In-Country Support mechanism allows ReSPA Members to request expertise from the region or outside the region in the context of targeted, small-scale projects.

ReSPA will take on an active role in supporting the implementation of this study's recommendations and hence significantly help professionalise merit recruitment in the Western Balkan region.

### IV.1. Albania

Albania has made steady progress in the area of merit recruitment since the publication of the 2015 ReSPA baseline study. Albania passed a major civil service reform in 2013. It introduced so-called 'pool recruitment' at the entry level; an innovative design for the region that has since helped reduce politicisation and nepotism in recruitment. Over the last three years, Albania has invested in the capacity to implement the pool recruitment procedure. It has led the way for the region concerning the introduction of e-recruitment tools, the use of digital technology to support the assessment of candidates and the establishment and training of permanent selection commissions. ReSPA supported several initiatives related to e-recruitment. However, staff planning and the time needed to fill vacancies remain areas of concern. Moreover, the procedure for recruitment to the Top Management Corps of senior civil servants has not been implemented fully yet.

The positive development in Albania is reflected in the latest European Commission Progress Report (2018). It recognises that public administration is 'moderately prepared' for EU accession and has shown 'some progress' during the previous year thanks to the establishment of 'more transparent recruitment procedures and strengthening the administration's capacity to undertake merit-based recruitment'.

SIGMA's latest Monitoring Report (2017) comes to a similar conclusion ranking Albania's recruitment procedure and practices highest in the region. It further takes a positive view of the introduction of digital tools to increase the efficiency and impartiality of recruitment processes. Yet SIGMA reflects critically on the incomplete implementation of the procedures for the appointment of members of the Top Management Corps and the functioning of the Human Resources Management Information Service. Both the European Commission and SIGMA comment on the declining number of applicants per position in Albania since 2015. While a slight decline appears to be evident, this ReSPA study also found that the number of applicants per vacancy remains considerably higher in Albania than in many other countries in the region.

Against this background and the findings of the present ReSPA study, it is recommended that Albania

1. Continues to invest in measures to improve the capacity for the effective implementation of the merit recruitment procedure, thereby building on the positive track record of the last three years.
2. Considers measures to support staff planning by HR units of individual institutions, including the provision of guidelines and training courses for HR staff, in order to increase the effectiveness and efficiency of the pool recruitment procedure and to reduce the time it takes to fill vacancies.
3. Makes efforts to fully functionalize the Human Resources Management Information System (HRMIS).
4. Continues efforts to train members of the permanent selection commissions in order to increase the expertise of commission members and the consistency of recruitment processes.
5. Makes efforts to keep high standards of the written examination component by continuously updating and expanding the size of the electronic database of examination questions.
6. Consider measures to monitor more effectively the personal interview component of the examination procedure, for instance, by audio-recording the interview. A measure



## Merit Recruitment in the Western Balkans: 2015 – 2018

of this type would build on the current practice of interviewing candidates for senior civil service positions.

7. Makes efforts to fully implement the procedure for the selection of members of the Top Management Corps in collaboration with the Albanian School of Public Administration and reduce reliance on the 'exceptional' procedure for their appointment.

### IV.2. Bosnia and Herzegovina

In Bosnia and Herzegovina, civil service reform, including measures to professionalise recruitment practices, has only made progress selectively since the publication of the ReSPA baseline study in 2015. Efforts to amend civil service laws or to adopt new laws were not successful. At the level of BiH institutions, the reform attempt was abandoned. In the Federation of Bosnia and Herzegovina, the law was changed to facilitate political control of senior civil service appointments, which is counter-productive for the professionalisation of the civil service. However, the Constitutional Court annulled the amendment, implying the need for a re-start of the reform process. Many of the systemic problems of recruitment such as widespread politicisation and nepotism, dissatisfaction with the efficiency of the procedure, and the fragmentation of the civil service system have therefore persisted since 2015.

On the other hand, Bosnia and Herzegovina has seen several initiatives to improve the implementation of recruitment procedures. Most notably, the level of BiH institutions introduced competency-based interviews and trained approximately 300 (future) members of selection commissions to apply the new methodology. The Civil Service Agencies of the level of BiH institutions, the Federation of Bosnia and Herzegovina and the Republic of Srpska collaborated with the Albanian Department of Public Administration and ReSPA support to explore the introduction of e-recruitment tools to facilitate application and screening processes in the future.

The latest Progress Report of the European Commission confirms that ‘Bosnia and Herzegovina is at an early stage with the reform of its public administration and no progress has been achieved during the past year’ (2017/2018). Accordingly, the Commission urges the level of BiH institutions and the entity levels to amend civil service legislation, improve the implementation of human resources management, and reduce the risk of politicisation.

The SIGMA Monitoring Report (2017) ranks the quality of recruitment procedures and practices in Bosnia and Herzegovina below her peers in the Western Balkans. SIGMA is particularly critical with regard to the fragmentation of the civil service system across the level of BiH institutions, the entity and cantonal levels. Similar to the present ReSPA study, SIGMA raises concerns with the narrow scope of civil service laws, which subject a large proportion of administrative staff to less rigorous recruitment standards and procedures. The Monitoring Report further points to overly ‘formalistic’ recruitment procedures as an obstacle for effective implementation, a lack of ‘safeguards’ against political interference and the limited capacity of selection commissions – to name but the most prominent findings.

Against this background and bearing in mind the findings of this ReSPA study, it is recommended that the level of BiH institutions and the entity levels of Bosnia and Herzegovina

1. Engage in further evidence-based analysis in order to re-start the preparation of civil service reform concepts – including the revision of the recruitment procedures – and draft legislation followed by the adoption of new civil service laws or amendments. This recommendation is relevant for the level of BiH institutions (BiH institutions), the Federation of Bosnia and Herzegovina (FBiH) and the Republic of Srpska (RS).
2. Review the scope of civil service laws or ensure that the basics of merit recruitment such as job advertisements, written tests and personal interviews are required and applied for all categories of staff, including employees regulated by the labour code and temporary staff. (BiH institutions, FBiH, RS)

## Merit Recruitment in the Western Balkans: 2015 – 2018

3. Consider the introduction of a new methodology for the design of job descriptions in order to improve the alignment of job descriptions, staffing decisions and recruitment procedures building on pilot initiatives currently undertaken elsewhere in the Western Balkans (BiH institutions, FBiH, RS).
4. Consider the introduction of online tools for recruitment in order to manage the advertisement, submission and screening of applications electronically and to enhance the efficiency, user-friendliness and impartiality of the application process. This will be an opportunity to build on the successful pilot conducted in collaboration with Albania and ReSPA support. (BiH institutions, FBiH, RS)
5. Take measures to train the members of selection commissions – building on the positive experience at the level of BiH institutions – in order to strengthen the expertise and professionalism of commission members. (FBiH, RS)
6. Introduce compulsory written examinations in the Republic of Srpska in order to ensure that all the basic components of merit recruitment are required by law and applied in practice. (RS)
7. Consider the introduction of competency-based interviews – based on the positive experience at the level of BiH institutions – in order to improve the effectiveness and consistency of interview processes. (FBiH, RS)
8. Review the contents of the general examination and make efforts to set up electronic databases of examination questions from which questions can be drawn randomly for individual competitions. (BiH institutions, FBiH)
9. Consider measures to better monitor the consistency and impartiality of interview processes. (BiH institutions, FBiH, RS)
10. Revise the method of ranking successful candidates before the final selection in order to ensure a transparent, competence-based ranking at the end of the examination process. (FBiH)
11. Consider the delegation of the authority to make the final selection decision from the Minister to the most senior civil servant of an institution, for instance, Secretaries of Ministries, in order to reduce the scope for political interference with recruitment and selection. (BiH institutions, FBiH, RS)
12. Take measures to facilitate the coordination of human resources management and, in particular, the sharing and collection of information by central Civil Service Agencies in order to overcome central capacity constraints stemming from a lack of relevant information. (BiH institutions)

### IV.3. Kosovo\*

During the most recent period, Kosovo\* has focused on the drafting of a new Law on Public Officials, and hence the preparation of major institutional reform. The new law was adopted in early 2019 but was not yet in force at the time of completing this study. It aims to establish the so-called pool recruitment procedure for central government ministries and their subordinated organisations. The reform takes into account the need to reduce politicisation and nepotism in recruitment, a lack of consistent practices that stem from highly decentralised recruitment and examination procedure, and insufficient central coordination and monitoring capacity of the Ministry of Public Administration. These challenges have also become evident in the results of the ReSPA survey of personnel managers.

The latest European Commission Progress Report suggests 'some level of preparation in the area of public administration reform'. The Report further stresses 'concerns over non-merit based recruitment' and recommends the adoption of the new civil service law – as planned at the time – to improve the professionalisation of the civil service.

The latest SIGMA Monitoring Report (2017) qualifies these findings. It singles out the 'limited capacity of [the Department of Civil Service Administration] for strategic planning and management of human resources'. Moreover, it points to the negative consequences of selection commissions that are formed on an ad hoc basis by individual institutions, the growing number of staff recruited on the basis of non-merit Special Service Agreements and the widespread political influence in recruitment and selection processes.

Against this background and taking into account the findings of this ReSPA study, it is recommended that Kosovo\*

1. Prepares the secondary legislation necessary for the effective implementation of the new law, following the adoption of the new Law on Public Officials in early 2019.
2. Takes measures to support the HR units of individual institutions to engage in staff planning and, generally, to acquire the capacity to implement the new law successfully.
3. Continue efforts to revise the methodology for the design of job descriptions and aligns them with the requirements of the new pool recruitment procedure, building on earlier initiatives that were supported by ReSPA.
4. Takes measures to establish an online system of recruitment aligned with the Human Resources Management Information System to electronically manage the online advertisement, submission and screening of applications in order to improve the efficiency, user-friendliness and impartiality of the application process.
5. Establishes permanent selection commissions appointed for one or two-year terms in order to professionalise examination and selection processes.
6. Takes measures to train the (internal and external) members of selection commissions and to prepare guidelines or manuals in order to boost the expertise of commission members.
7. Takes measures to include external experts in selection commissions and ensures the sound regulation of their screening, selection and allocation to individual panels.
8. Develops a general examination and a set of job-type-specific examinations as key components of new pool recruitment procedure. In this context, efforts should be made to set up an electronic database of examination questions from which questions can be randomly drawn for individual competitions.
9. Considers the introduction of competency-based interviews in the context of the pool examination procedure and for the selection of senior civil servants based on the

## Merit Recruitment in the Western Balkans: 2015 – 2018

positive experience elsewhere in the Western Balkans in order to increase the screening effectiveness and impartiality of interview processes.

10. Develops guidelines for the personal interview component of the examination procedure in order to increase the consistency of personal interviews.
11. Considers measures to monitor the consistent implementation of personal interviews, for instance, by audio-recording interviews and allow for the use of records in case of appeals in order to increase the transparency and impartiality of the examination procedure.
12. Reviews the criteria for the employment of temporary staff based on Special Service Agreement and, in particular, takes measures to apply basic merit recruitment procedures for their appointment in order to reduce the risk of politicisation and nepotism for this group of staff.
13. Takes measures to ensure the full implementation of the procedure for the recruitment of senior civil servants and reduce political interference with their selection.
14. Takes measures to strengthen the capacity of the new Department for the Management of Public Officials in order to create conditions for the effective implementation of the revised recruitment procedure and, generally, the new civil service law.

### IV.4. North Macedonia

North Macedonia has made relevant progress in the area of merit recruitment since the completion of the 2015 ReSPA baseline study. In particular, North Macedonia started to fully implement the new Law on Administrative Servants that was adopted in 2014 and in force since February 2015. The new law has been accompanied by relevant secondary legislation and efforts to build sufficient implementation capacity. In operational terms, recruitment has undergone considerable change since 2015, including the application of a new, largely automated, examination procedure and the rollout of an online system to manage the application, screening and selection process. North Macedonia also abandoned the long-criticised policy of recruiting large numbers of staff on temporary contracts without reliance on merit procedures.

However, the application of the new recruitment procedure has not been without difficulties. The number of eligible candidates has been small for most competitions and the psychological component of the examination had to be abandoned in order to increase the efficiency of the procedure. Moreover, political interference at the senior level remains particularly relevant. The new civil service law requires the recruitment of State Secretaries from 'within' the civil service. However, ministers remain unconstrained over their subsequent selection.

The 2018 Progress Report of the European Commission concludes with a positive verdict for North Macedonia, referring to a moderate preparation of public administration for EU accession and 'good progress' during the latest reporting period. The report arguably emphasises the positive change from the adoption to the full implementation of the new civil service law. However, it stresses the importance of ensuring merit-based recruitment practices across the civil service.

The latest SIGMA Monitoring Report (2017) is similarly positive in relation to the full implementation of the civil service law and the application of the new recruitment procedure. Yet the Report aims the persisting politicisation of the senior civil service and the low capacity of the Ministry of Information Society and Administration (MISA) and the Administration Agency (AA) to co-ordinate human resources management.

Against this background and bearing in mind the findings of this ReSPA study, it is recommended that North Macedonia

1. Continues to make efforts to build the capacity to implement the new recruitment procedure fully.
2. Takes measures to support HR units of individual institutions to implement the recruitment procedure and, in particular, to raise the capacity to engage in staff planning, which has been a long-standing challenge for the North Macedonian civil service.
3. Considers the establishment of permanent selection commissions or, as a starting point, a combination of permanent and non-permanent commission members in order to increase the expertise and consistency of recruitment and selection.
4. Considers the inclusion of external experts on selection commissions, and regulating their selection, screening and allocation to individual competitions.
5. Takes measures to train (internal and external) members of selection commissions in order to raise the expertise and professionalism of commission members.

## Merit Recruitment in the Western Balkans: 2015 – 2018

6. Considers the introduction of competency-based interviews based on the positive experience elsewhere in the Western Balkans in order to increase the screening effectiveness and impartiality of interview processes.
7. Considers measures to monitor more effectively the interview component of the examination procedure by, for instance, audio-recording personal interviews and to allow for the use of recordings in appeals processes.
8. Reviews the rules for the recruitment and selection of State Secretaries, in particular, considers measures for the merit-based assessment of candidates before their appointment in order to reduce political interference and raise the professional capacity of the senior civil service.
9. Takes measures to raise the capacity of the main central bodies, the Ministry of Information Society and Administration and the Administration Agency in order to improve the central coordination of human resources management.

### IV.5. Montenegro

Montenegro has made relevant progress in the area of merit recruitment since the publication of the 2015 ReSPA baseline study. It has developed and adopted a new Civil Service Law that has come into force in July 2018. The law addresses several weaknesses of the previous recruitment procedure and promises further professionalisation of recruitment practices in the future. The most prominent changes include the introduction of written examinations for senior civil servants, the delegation of selection authority from ministers to the most senior civil servant of an institution, measures to facilitate horizontal mobility in the civil service, and the introduction of a competency framework that will influence the categorisation of jobs and, in particular, civil service assessments.

The latest Progress Report of the European Commission confirms the positive development in Montenegro. It classifies public administration as 'moderately prepared' for EU accession and points out 'good progress' thanks to the adoption of the new civil service law, which aims at 'implementing merit-based recruitment across the public service'. Yet the European Commission recognises that the success of the latest civil service reform will depend on the adoption and implementation of secondary legislation.

SIGMA's Monitoring Report published in 2017 focuses on the design and practices of the civil service system in place before the adoption of the new Civil Service Law. Accordingly, it refers to the importance of professionalising the recruitment procedure for managerial and non-managerial civil servants, reducing political discretion at the final stage of selecting successful candidates, and building HR capacity at the central level and the level of institutions.

Against this background and taking into account the present ReSPA study, it is recommended that Montenegro

1. Takes measures to build the capacity for the effective implementation of the new recruitment procedure.
2. Takes measures to support HR units of institutions to effectively apply the new recruitment procedure, including support to improve staff planning at the level of institutions.
3. Reviews the job description methodology in order to incorporate the competency framework in the system of planning and recruitment.
4. Establishes electronic recruitment tools in order to move the advertisement, submission and screening of applications to an online system and to increase both the efficiency and user-friendliness of civil service recruitment.
5. Reviews the number and type of official/certified documents that have to be submitted with any application as opposed to documentation only required for successful candidates.
6. Establishes measures to regularly train members of selection commissions – both civil servants and external experts – and to provide material such as manuals and guidelines to improve the expertise of commission members and the consistency of recruitment processes.
7. Reviews the general examination as part of the overall examination procedure, in particular, with regard to the validation of examination results for a certain period (e.g. two years) and the establishment of an electronic database of examination questions from which the Human Resources Management Authority can randomly draw questions in order to increase the efficiency and impartiality of the examination procedure.



## Merit Recruitment in the Western Balkans: 2015 – 2018

8. Considers measures to better monitor the interview stage of the examination procedure, for instance, audio-recording personal interviews with the consent of candidates in order to increase the professionalism and impartiality of recruitment processes.
9. Takes measures to support the Human Resources Management Authority and build the capacity necessary for the successful implementation of the new civil service system.

### IV.6. Serbia

Since the publication of the 2015 ReSPA baseline study, Serbia has made relevant progress in the area of merit recruitment. Serbia recently passed a major amendment of the civil service law, which involves an upgrade of the recruitment procedure. The amendment introduces competency-based civil service management with implications for staff planning, job descriptions, assessments and performance evaluation. Institutional changes since 2015 have further involved the expansion of merit procedures to the recruitment of staff appointed on temporary contracts.

Despite a positive trend since 2015, it is evident that the politicisation of recruitment practices remains widespread at all levels of the civil service. Moreover, a large proportion of senior civil servants are appointed as ‘acting managers’ who have not undergone the official merit recruitment procedure. Furthermore, ministers will remain formally responsible for the final selection of candidates after the completion of the assessment procedure, even though the new procedure has curtailed their discretion.

The positive civil service reform trend in Serbia is reflected in the latest European Commission Progress Report (2018). It states that Serbia’s civil service is ‘moderately prepared in the area of public administration reform’ and that ‘[s]ome progress was achieved’ during the previous assessment period. However, the Progress Report urges the Serbian government to strengthen merit recruitment and to curb the politicisation of the civil service, in particular, at the senior level. The Progress Report, therefore, recommends the amendment of the civil service law and the measures to ‘ensure merit-based human resources management’.

Similarly, Sigma’s latest Monitoring Report (2017) stresses the importance of improving the implementation of merit recruitment procedures as well as efforts to reduce the number of ‘acting managers’ in senior civil service positions. Indeed, Serbia’s score for the effectiveness of the recruitment of civil servants is below the regional average in 2017, in particular, in relation to the recruitment of senior civil servants.

Against this background and in light of the analysis conducted for this study, it is recommended that the Serbian government:

1. Takes measures to build capacity for the effective implementation of the new recruitment procedure.
2. Revises the internal rulebooks on the systematisation of positions in order to formalise the introduction of competencies in job descriptions in accordance with the revised civil service law and other regulations.
3. Considers the introduction of e-recruitment tools such as online portals in order to increase the efficiency and user-friendliness of the application process.
4. Considers the use of online and social media channels to advertise job vacancies in order to reach a wider pool of potential applicants.
5. Considers the delegation of powers to appoint members of selection commissions from ministers to top civil servants such as Secretaries of the Ministries and Directors in order to reduce the potential for political interference with recruitment processes.
6. Considers the formation of permanent selection commissions at the level of institutions in order to increase the expertise and continuity of commission membership.

## Merit Recruitment in the Western Balkans: 2015 – 2018

7. Considers the appointment of external experts to selection commissions in order to increase the expertise of their work and to create mechanisms for external oversight.
8. Ensures the training of members of selection commissions in order to contribute to the professionalisation of the recruitment process.
9. Takes measures to fully implement the new written component of the examination procedure, including the development of an electronic database of examination questions from which questions can be randomly drawn for individual competitions.
10. Develop manuals that provide guidelines of the recruitment process for members of selection commissions in order to enhance the expertise of commission members and to promote the consistency of recruitment processes.
11. Consider the delegation of the final selection of successful candidates from ministers to top civil servants such as Secretaries of Ministries or General Directors in order to reduce the scope for political interference at the very end of the recruitment and selection process.
12. Reduce the number of 'acting managers' in senior civil service positions in order to ensure their selection on the basis of merit. Alternatively, the Government should consider the revision of the procedure for the appointment of 'acting managers', for instance, the requirement for advertisement and basic testing before an acting manager can be appointed.
13. Take measures to increase and build the capacity of the Human Resources Management Service, thereby taking into account its larger role in civil service management after the adoption of the amendment of the civil service law.
14. Take measure to build the capacity of personnel departments at the level of ministries, subordinated and independent organisations in order to facilitate the implementation of the competency-based civil service system to come into effect shortly.

## Appendix: List of 2015 ReSPA Recommendations and Their Status of Implementation

Country	Nr	Recommendation 2015	Status January 2019
Albania	1	Database for exams	Adopted and implemented
Albania	2	Training of selection commissions	Adopted and implemented
Albania	3	Clarify entry criteria	Not adopted
Albania	4	Fully apply HRMIS	Adopted and partially implemented
Albania	5	Standard forms for main procedures	Adopted and partially implemented
Albania	6	Improve HR planning	Adopted and partially implemented
FBiH	1	Increase reach of job adverts using social media	Adopted and implemented
FBiH	2	Re-design general exam	Not adopted
FBiH	3	Re-design job-specific exam	Not adopted
FBiH	4	Introduce better language testing	Not adopted
FBiH	5	Increase transparency of exam procedure	Not adopted
FBiH	6	Standardise evaluation of interviews	Not adopted
FBiH	7	Training of selection commissions	Adopted and partially implemented
BiH RS	1	Increase reach of job adverts using social media	Not adopted
BiH RS	2	Introduce better language testing	Not adopted
BiH RS	3	Increase transparency of exam procedure	Not adopted
BiH RS	4	Standardise evaluation of interviews	Not adopted
BiH RS	5	Training of selection commissions	Not adopted
BiH institutions	1	Re-design general exam	Not adopted
BiH institutions	2	Introduce better language testing	Not adopted
BiH institutions	3	Increase transparency of exam procedure	Not adopted
BiH institutions	4	Standardise evaluation of interviews	Not adopted

## Merit Recruitment in the Western Balkans: 2015 – 2018

BiH institutions	5	Training of selection commissions	Adopted and implemented
Kosovo*	1	Include independent experts on commissions	Adopted and under preparation
Kosovo*	2	Reduce size of commissions in small institutions	Not adopted
Kosovo*	3	Training of selection commissions	Adopted and under preparation
Kosovo*	4	Improve contents of examination	Adopted and under preparation
Kosovo*	5	Improve regulatory framework of rec procedure	Adopted and under preparation
Kosovo*	6	Enforce decisions of IOB	Adopted and implemented
Kosovo*	7	Develop HRM Strategy for Kosovo*	Not adopted
North Macedonia	1	Training of selection commissions	Adopted and under preparation
North Macedonia	2	Develop interview manual	Adopted and implemented
North Macedonia	3	Training for personnel managers	Not adopted
Montenegro	1	Review the system of horizontal mobility	Adopted and implemented
Montenegro	2	Documentation of applications	Adopted and partially implemented
Montenegro	3	Composition of selection commissions	Adopted and implemented
Montenegro	4	Regulation of role of independent experts	Adopted and implemented
Montenegro	5	Training of selection commissions	Adopted and partially implemented
Montenegro	6	Status of general exams	Adopted and implemented
Montenegro	7	Improve fairness of exams	Adopted and implemented
Montenegro	8	Written exam for senior civil servants	Adopted and implemented
Montenegro	9	Competency-based interviews	Adopted and implemented
Montenegro	10	Select top ranked senior civil service candidate from list	Adopted and partially implemented
Montenegro	11	Increase monitoring capacity	Adopted and partially implemented
Montenegro	12	Expand procedure to Parliament admin	Adopted and partially implemented

## Merit Recruitment in the Western Balkans: 2015 – 2018

Montenegro	13	Expand procedure to local government	Adopted and partially implemented
Serbia	1	Revise Systematisation Rulebook	Not adopted
Serbia	2	Competency-based job descriptions	Adopted and under preparation
Serbia	3	Adverts and exams for temp staff	Adopted and under preparation
Serbia	4	Revise content of job adverts	Not adopted
Serbia	5	Reduce the number of docs for application	Adopted and implemented
Serbia	6	Database of candidates	Adopted and under preparation
Serbia	7	Longer term for selection commission members	Not adopted
Serbia	8	Training of selection commissions	Adopted and under preparation
Serbia	9	Compulsory written exams	Adopted and under preparation
Serbia	10	Expand HRMS role	Adopted and under preparation
Serbia	11	Compulsory psychological tests	Adopted and implemented
Serbia	12	Reduce discretion of the head of the institution	Adopted and implemented
Serbia	13	Increase marking scale to 1 - 10	Adopted and under preparation
Serbia	14	Develop guidelines for recruitment procedure	Adopted and under preparation
Serbia	15	Increase the role of inspection	Not adopted

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