

Open Society Fund Bosnia and Herzegovina

Public Administration Reform (PAR) in Bosnia and Herzegovina
Capacity Assessment of Education and Training in Public Administration

Policy Research

By

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Executive summary

Public administration reform entails education and training for those who work in public administration. Bosnia and Herzegovina needs public administration reform. Therefore, Bosnia and Herzegovina needs education and training in Public Administration.

It is common knowledge that efficient and effective public administration (PA) is necessary for productive development of the country and its economic prosperity. As one of the least developed countries in the region known as the Western Balkans or South East Europe, Bosnia and Herzegovina needs its PA even more because a functional PA is a precondition for joining the European Union (EU), which seems to be one of the rare consensual goals of a weak state still suffering from the consequences of the 1992 – 1995 war and a country very much ethnically divided.

A process of reform is required in order to achieve the values of a modern PA. All transitional countries of Central and Eastern Europe, and South East Europe as well, at one point became a part of the Public Administration Reform (PAR). All these countries managed to change the administrative tradition developed during their communist history – some with more success than others, however as a result, the new public administration systems are established and the EU is now larger by ten new member states.

Bosnia and Herzegovina is going in the direction of this type of PAR and end result, although the situation with BiH is far more complex. PAR is expected to take place in a state described as a semi-protectorate (Knaus, 2003); ethnically divided on almost all administrative levels; with weak central institutions and strong entities – but each with their own structure – the Federation of Bosnia and Herzegovina is decentralized and includes 10 cantons, while Republika Srpska is centralized, and the third administrative

unit is composed of the Brčko District. The political power in the entire country is divided among political parties, each with a strong nationalist agenda and very often without a common vision and political will to implement a program of change (Balkans Public Administration Reform Assessment: Bosnia and Herzegovina, 2004). Given the context, the implementation of PAR is quite a challenging task.

As one of the most essential processes for a functional and sustainable state, the efforts and processes around PAR in Bosnia and Herzegovina are the subject of this policy study. Political leaders formally committed themselves¹ to PAR; the PA legal framework is in place; key reform institutions have been established (civil service agencies and Public Administration Coordinator Office); the functional review of PA has been conducted; key strategic documents have been adopted and published (PAR Strategy and Action Plan I); the international community has introduced a number of PAR related projects.

The success of PAR is primarily determined by the political will of top-level decision makers, or the leadership of change (Polidano, 2001), and the available financial means as well as knowledge and skills of those who share responsibility for its implementation. The knowledge and skills, the last but not least ingredient for PAR success, are the focus of this policy study. More precisely, the objective was the assessment of capacities for education and training in public administration on the state level. Throughout the research, the focus was placed on components that usually determine the system for PA education and training (Public service training systems in OECD countries, SIGMA Papers No. 16, 1997) in a country: the type of civil service system and the recruitment

¹ The Council of Ministers and Entity governments have subscribed to the Five Pledges to improve Public Governance.

philosophy; legal framework; funding; institutional framework; type, design, content and implementation of Education and Training; international assistance².

The Law on Civil Service in the Institutions of Bosnia and Herzegovina (CSL BiH) is one of the many Bosnian legal acts that are not fully implemented after their adoption. This in particular applies to those provisions related to the education and training of civil servants. According to the CSL BiH, education and training are both a right and an obligation of civil servants, while the Civil Service Agency of Bosnia and Herzegovina (CSA BiH) is the state institution responsible for the education and training of civil servants. However, the Final Report on System Review of Public Administration in Bosnia and Herzegovina (System Review) and interviews with stakeholders suggested that CSL BiH and a few other bylaws failed to create an adequate and sustainable system for PA education and training. Another issue to consider is that the adopted Strategy for the Public Administration Reform (PAR Strategy) doesn't foresee the need to improve the legal framework as a priority.

The amount of allocated budget for education and training is the best way to determine the government's commitment to personnel development. The financial aspect of education and training is quite neglected both on the level of central administration and entities, together with the Brčko District. Although there is no precise data at the moment, it is certain that more than 95% of funds for education and training in BiH actually come from international agencies' aid. The state system of PA education and training is not financially sustainable. This particular problem is well known and Action Plan I of the Strategy for the Public Administration Reform (PAR Strategy) foresees 3%

² Of course, this is specific element that characterizes PAR in transitional and less developed and developing countries.

of salary budgets to be allocated for training. However, according to the majority of stakeholders, the chances for getting these funds are not very high.

PARs across Central and Eastern Europe and their need for highly qualified specialists were the rationale for establishing numerous academic programs in Public Administration (Connaughton and Verheijen, 2000). Once again, Bosnia and Herzegovina failed to follow these evident and logical trends. Public Administration as an academic discipline is far from being recognized either in academic or governmental circles of BiH. Also, strategic planning including regular communications and cooperation between CSAs and universities does not exist.

The backbone of the current system for education and training of civil servants is made up of central and peripheral units - CSAs and personnel units within the respective institutions. According to the PAR Strategy and Action Plan I, this institutional framework will be improved with the introduction of the Institute for Public Administration (Institute). The Institute will be responsible for education and training of all civil servants in Bosnia and Herzegovina (state, entity and lower administrative levels). Also, the PAR will be concentrated on six intervention areas (policy-making and coordination capacity, administrative procedure, public finance, human resources, institutional communication and information technology) each of them including a certain percentage of actions and activities related to education and training. However, their positioning within the six intervention areas does not reflect the importance of education and training as a strategic precondition for achieving the strategic goals of PAR. The study argues that the value of training should be taken into account and acknowledged in the form of a comprehensive and more elaborated Strategy for

Education and Training in Public Administration. In this regard, the study proposes a set of short- and long-term measures to be the components of the suggested strategy, which will affect and create a more favourable environment for a sustainable and stable system of PA education and training. These measures do not go against the general directions set up by the PAR Strategy and Action Plan I. As a matter of fact, they are complementary and intended to ensure the most efficient and effective PAR.

Introduction

“War profiteers want to make decisions on appointments in key institutions, privatization, coalitions, the economy and concessions, who can and who can’t be president of the state and government, minister, ambassador... This circle does everything to meet its goal, to suspend legal state institutions and keep the system of decision-making in informal meetings, as they used to do before. That would be the worst and most dangerous thing for the state of BiH and I will not stand for it!” (Tihic, 2006). These are the words of Mr. Sulejman Tihić, former member of the Presidency of Bosnia and Herzegovina and leader of one of the strongest and most powerful political parties in Bosnia and Herzegovina, which has been participating in the government since the independence of the country in 1992. The quotation is used only to illustrate the amount of problems that PAR in Bosnia and Herzegovina has to deal with.

Besides good will and money, it is more than obvious that PAR will require enormous and unique knowledge and skills on the part of the reformers who are expected to handle such a complex endeavour. Therefore, the starting point of the research is acceptance of education and training as key providers of knowledge and skills – all necessary

ingredients for a successful PAR and PA modernization. More precisely put, the research has the ambition to assess legal, political, institutional, organizational and academic capacities for education and training in PA on the level of public institutions of central BiH government. Also, it should be noted that this research is not a detailed presentation and assessment of all education and training efforts for PA in BiH.

An assessment of this kind was needed because there are reasons to believe that the poor performance of PA and its slow reform process are partly caused by the existing capacities (or rather incapacities) of the system for education and training in PA. Also, the lack of awareness about the importance of this issue has an end result of a marginalized position within the relevant legislation, official policies and reform strategies.

An assessment of capacities implies investigating key components that constitute the subject of assessment. In the particular case of PA education and training in BiH the components and areas of research are:

- The legal framework for PA Education and Training. Special attention was paid to the actual implementation of relevant legal provisions.
- The institutional framework for PA Education and Training.
- The position of Education and Training in the key PAR documents.
- Academic programs in PA in BiH.
- The role of the international community in the PA Education and Training.

The content of the policy study is actually organized in accordance with the above-mentioned areas. Their research and analysis constitutes the main body of the paper.

In its initial phase, the research was based on the content analysis method. The analyses of laws and bylaws, relevant documents of different European institutions, reports and functional reviews, academic papers, selected case studies, key documents of PAR, mission statements and program documents of international agencies, and universities curriculum were used in order to provide a clear overview of the position of education and training in the context of BiH Administration.

The process of the initial research resulted in the need for applying additional research methods. In this regard, a number of semi-structured interviews with civil servants, representatives of the international community, BiH academic staff and students were conducted.

The study ends with a set of recommended operational measures aimed at immediately addressing some of the weak points of the system for education and training in PA so as to increase its capacities for dealing with the challenges of PAR and PA modernizations.

1. Education and Training in Public Administration in Bosnia and Herzegovina

Education and training are a harmonious entirety. Education is the “preliminary” preparation of civil servants; and training is the “additional” and immediate preparation for concrete work and tasks (Kavran, 2003). Education is a longer and more fundamental process of gaining theoretical and practical knowledge about the environment of the relevant issue, and it altogether serves as a basis for intellectual development. At the same time, training is defined as the process of gaining or deepening one’s knowledge and skills, and changing the attitudes and behaviour of a person who will use them at the

work place (Kavran, 2003). To fulfil their duties and obligations civil servants need both of these.

Having in mind the definitions given by American Public Administration scholars³ Rosenbloom and Kravchuk, education and training in public administration could be understood as adoption of knowledge and skills about “the use of managerial, political and legal theories and processes to fulfill legislative, executive, and judicial mandates for the provision of governmental regulatory and service functions.” (Rosenbloom and Kravchuk, 2002).

The used definition encompasses three approaches to Public Administration: managerial, political and legal. It is expected from a civil servant that he/she is familiar with and well aware of all of them. Values that support the aforementioned are efficiency, effectiveness, cost-effectiveness, accountability and equity. Similar values and principles are emphasized in the Joint Statement by Heads of Governments on the Public Administration Reform Strategy⁴ and Article 3 of the CSL BiH. The greatest impact in introducing these values into the civil service is through education and training.

³ It must be acknowledged that a large portion of scientific discourse on public administration is coming from USA where public administration stands recognized as an academic discipline since the 19th century.

⁴ The Strategy will focus our efforts in working together to: create a public administration that is more effective, efficient, and accountable for what it does; that will serve the citizens better for less money; and that will operate with transparent and open procedures, while meeting all conditions set by European Integration, and thereby truly become a facilitator for continuous and sustainable social and economic development.(PAR Strategy, 2006)

1.1. Legal Framework

According to the CSL BiH⁵, education and training are the right and obligation of approximately 900 civil servants⁶ in the institutions of Bosnia and Herzegovina. Article 15 of the CSL BiH states that a civil servant has the right to be encouraged and supported in advancing his/her career and professional development through training and other means. Article 49 deals more precisely with training:

1. Civil servants shall be obliged to make permanent efforts with regard to their in-service and further training as well as study and research.
2. Civil servants shall be entitled and obligated to participate in training and educational activities, seminars.
3. Decision regarding the participation of civil servants in seminars and other forms of educational activities shall be made by a person designated under the bylaws, taking into account at the same time that the equal representation of all civil servants has to be maintained.

Also, as stated in Article 22 of the CSL BiH, in order for one to be appointed as a civil servant, one needs to hold a university degree or equivalent educational or academic qualifications.

Bosnia and Herzegovina has a position-based civil service meaning the CSL BiH prescribes open competitions as the basis for recruitment and promotion (Balkans Public Administration Reform Assessment: Bosnia and Herzegovina, 2004). In the position-

⁵ The CSL BiH has been adopted on May 2002.

⁶ A civil servant is an individual appointed to a civil service position by an administrative act in accordance with the law. Articles 4, 5 and 6 regulate exceptions regarding the status of a civil servant. For example, elected officials, such as members of the BiH Parliament, Council of Ministers, Constitutional Court judges, etc., are not civil servants.

based system, all posts are filled by open competition of all applicants, internal and external. Usually, internal candidates don't have any comparative advantage with respect to candidates from outside the service (Civil Service Training in the context of Public Administration Reform, 2003). However, Article 19 of the CSL BiH defines that internal competition for positions has priority over external open competition (Balkans Public Administration Reform Assessment: Bosnia and Herzegovina, 2004).

To enter the Public Administration in Bosnia and Herzegovina, a person must pass the open competition process. Article 26 of the CSL BiH determines the content of the open competition, which includes a general and specialized exam⁷. A more detailed elaboration of the open competition is provided in the "Decision on the Conduct and Program for the Public and Special Examination for Persons to be appointed as Civil Servants in the Institutions of BiH"⁸. However, the design of the open competition process leaves a lot of space for manipulations by individual institutions and managerial civil servants, which makes it far from being objective and open.

Beside CSL BiH, several additional bylaws regulate the area of education and training in the domain of public administration:

- As already mentioned, The Decision on the Conduct and Program for the Public and Special Examination for Persons to be Appointed as Civil Servants in the Institutions of BiH
- Decision on Scholarship Grants for Specialized Postgraduate Courses in the Country and Abroad for Civil Servants in the Institutions of Bosnia and Herzegovina (July 21, 2005)

⁷ These examinations are organized and implemented by CSA BiH.

⁸ The Decision was proposed by CSA BiH and accepted and issued by the Council of Ministers on June 26, 2003.

- Decision on Reinstatement, Conditions and Methods of Establishment of Credits for Completed Trainings of Civil Servants in the Institutions of Bosnia and Herzegovina (July 21, 2005)
- Decision on the Amount of Credits for Particular Elements of Evaluation of Civil Servants' Training in the Institutions of Bosnia and Herzegovina (July 6, 2006)
- Decision on the Appointing of Units in the Institutions of Bosnia and Herzegovina for Implementation of the Law on Civil Service in the Institutions of Bosnia and Herzegovina (April 3, 2006)
- Decision on the Conditions, Method and Procedure of Appointing Civil Servants for Participation in Trainings (October 31, 2006)
- Rulebook on the Procedure of Review and Promotion of Civil Servants in the Institutions of Bosnia and Herzegovina (April 16, 2004)

Civil servants, and other employees of the Institutions of Bosnia and Herzegovina, have the right to participate in trainings that will enhance their performance and professionalism, thereby contributing to the impact and success of the overall institution. Additionally, only civil servants have the obligation to collect a certain amount of credits for trainings they completed during each year⁹. The CSA BiH and individual state institutions are responsible for ensuring a sufficient number of training courses during each year. The credit rate and their justification for each training course are determined by the CSA BiH in cooperation with the institution whose employees are to be trained. Also, the credit system is connected with the system for reviews and promotion of civil servants. According to Article 5 of the Rulebook, education and training are part of the

⁹ Managerial civil servants should collect at least 10 credits, and others at least 8 credits.

annual evaluation of civil servants' performance. For this particular segment of evaluation, civil servants are entitled to a maximum of 10 points. One point equals two trainings credits. Having in mind the obligation of civil servants to have at least 8 training credits, or 10 for managers, this means the number of points for education and training cannot be lower than 4 points.

The introduced of the legal framework is intended to be a solid basis for developing a system of education and training of civil servants. However, the real question is weather these legal provisions are properly implemented? The latest SIGMA (Support for Improvement in Governance and Management in Central and Eastern European Countries) Report on Bosnia and Herzegovina's Administration concludes that implementation of the CSL BiH remains disappointing. The Report expressed some serious concerns regarding PA education and training:

- In-service training is neither systematic nor fully demand-driven
- The current delivery of training is mainly dependent on foreign donors
- The CSA BiH is still not staffed according to its systematization
- The performance appraisal, based on evaluation of Education and Training among other elements, has not yet become a routine
- The high politicization coupled with the principle of representation creates little room for any real impact of performance on promotion and other incentives
- Inappropriate and inapplicable training
- The real training needs are often not identified or not met

- Human resources management skills may exist, given the considerable amount of training delivered by the donor community, but their adequate application remains limited

Employees of civil service agencies in Bosnia and Herzegovina generally agree with the above-mentioned findings. One of the conclusions of the Conference on the Quality of Training¹⁰ is that the legal framework for the relevant processes ought to be improved. Another conclusion of the Conference is that the existing legal framework failed to establish a sustainable system for PA education and training. The CSL BiH is not very detailed when it comes to the education and training segments , which created a need for adopting additional bylaws. However, many institutions and individuals are constantly failing to act in accordance with the existing bylaws or do so in a very formal and/or superficial way.

1.2. Institutional Framework

The CSL BiH provides the institutional framework for education and training of civil servants in the institutions of Bosnia and Herzegovina. The institutional framework includes central and peripheral units.

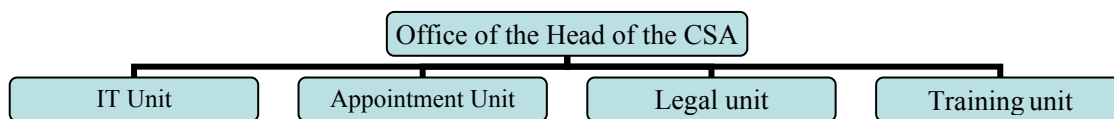
At the moment, CSA BiH¹¹ is the principal central government agency dealing with Education and Training in Public Administration (System Review, 2005). The training of civil servants is one of its three main mandates:

¹⁰ The Conference on Quality of Training, 7 and 8 December, 2006, Hotel Radon Plaza, Avaz Business Centre, Sarajevo, Bosnia and Herzegovina. The Conference was attended by more than thirty national and international participants involved in the process of education and training in public administration.

¹¹ The CSA BiH is the subject of Article 62 of the CSL BiH. It was inaugurated in June 2002 by the High Representative, Lord Paddy Ashdown as a government-wide human resources management agency. It

- Reviewing the appointments of current civil servants in order to determine whether they are properly appointed;
- Developing a recruitment and selection processes for employment in state ministries and other state agencies;
- Training of civil servants.

The CSA BiH has a rather simple organizational structure:



The responsibilities of the CSA Training Unit are defined by the Rulebook on Internal Organization of CSA BiH and they include activities that range from training needs assessments, curriculum development and implementation, management of training resources, advising to support individual initiatives and access to literature and education materials.

According to the Working Positions Systematization document, which is the annex to the Rulebook on Internal Organization of CSA BiH, these responsibilities should be fulfilled by the Training Unit team made up of five employees:

1. Assistant Director;
2. Head of Unit;
3. Expert Advisor for Planning, Analysis and Coordination;
4. Senior Expert Assistant for Decentralized Training;
5. Expert Assistant for Centralized Training.

became operational on February the 3rd 2003 and since then it has been managing the essential part of government reform initiatives.

However, almost five years after the establishment of the CSA BiH, the Training Unit is still understaffed, since it has only three employees. This is another painfully obvious illustration that the importance of education and training is still being underestimated. Apart from the CSA BiH as the central personnel unit on the state level, education and training are also the responsibility of the so-called peripheral units. The system of peripheral units is defined in Articles 59 and 60 of the CSL BiH. State institutions and agencies are required to establish human resources (HR) units that will ensure the implementation of their human resources policies, management of their personnel, cooperation with the CSA BiH as well as implementation and conduct in line with the CSL BiH provisions in general. According to the System Review, very few institutions have HR units, and in the cases where they actually exist their status is not satisfactory.¹² This causes a serious problem for education and training. If peripheral HR units are not in place, it is impossible to develop education and training strategies based on the training needs assessment of civil servants in their respective institutions and agencies. As a consequence, the CSA BiH, as the central personnel unit, is facing difficulties in its effort to define and implement an appropriate and effective education and training program.

In order to address this problem, the Council of Ministers of BiH (CoM BiH) adopted the Decision on Appointing Units in the Institutions of Bosnia and Herzegovina for the Implementation of the Law on Civil Service in the Institutions of Bosnia and Herzegovina. The aim of this Decision (Article 2) is to ensure better realization of civil servants' recruitment processes; cooperation between state institutions and CSA BiH in the development and implementation of HR policies; coordination, organization and

¹² Two years after the Civil Service Law came into effect, the overwhelming majority (73%) of the State institutions admitted not having complied with this obligation (Functional Review, 2005).

realization of civil service training; civil service development. Nevertheless, discussions among HR experts during the Conference on Quality of Training in Sarajevo suggest that the Decision did not have any significant effect, meaning that observations made by the System Review at that time are still unchanged today:

- HR management is not given a strategic role within the institutions
- In most cases, the HR unit is located away from an institutions' top management
- Employees with personnel tasks are more often referred to as "Cadre Officers", and are not even civil servants
- HR activities are mostly confined to drafting employment decisions, maintaining personnel files and other key documents (i.e. Rulebook on Internal Organization and Systematization) and other general administrative tasks
- The people with designated HR roles have no specific education, training or qualifications in HR management

The CSL BiH (Articles 8, 9 and 10) also defines particular positions within the civil service where the responsibility for HR management is listed and includes Education and Training of personnel. These are the managerial positions of civil servants (senior executive manager and assistant minister) as well as heads of internal organizational units. However, it has been noted in the System Review that only a few of them are familiar with basic HR concepts. It is important to note that the actual dynamics of PAR ultimately depend on the managerial civil servants, their skills and performance.

1.3. Academic programs

“It is the object of administrative study to discover, first, what government can properly and successfully do, and, secondly, how it can do these proper things with the utmost possible efficiency and at the least possible cost either of money or of energy.” (Wilson, 1887). This is a quotation from the Woodrow Wilson’s famous essay “The Study of Administration” where the 19th century USA president reflects on the fact “that the eminently practical science of administration is finding its way into college courses”. 120 years later, Bosnia and Herzegovina has no developed academic programs in Public Administration.

Since the 1990s CEE states saw the emergence of PA as an academic discipline (Connaughton and Verheijen, 2000). This was a simple and logical acceptance of the fact that the process of democratic transition, which required administrative reform, needed additional knowledge and skills provided by these newly initiated academic programs. The development of PA academic programs was affected by several factors: the tradition of civil service education under the Communist regime; the attitude of the state toward PA academic programs; the attitude of universities toward PA academic programs; approaches to the organization of PA academic programs; the European dimension of PA programs; PA graduates access to the profession or attitudes toward employment for PA graduates (Connaughton and Verheijen, 2000).

Bosnia and Herzegovina has a tradition of public administration education. During the 1950s, all republics of the former Socialist Federal Republic of Yugoslavia (SFRJ) established higher administrative schools (Pavic, 2003). In the beginning, they were two-year programs with a unified curriculum and subjects such as: Introduction to

Administrative Sciences, Introduction to the Study of Administration, Organization and Methods of Public Administration, Administrative Law, Administration, Constitutional System, Sociology, Social Psychology of Public Administration, Office Management and Communication (Dimitrijevic, 1959). During the Communist regime period, they changed their curricula on several occasions until they were dissolved in the 1980s.

The central government in Bosnia and Herzegovina is very passive with regards to PA education and training. There are no PA academic programs, either initiated or suggested, let alone requested by the government. In this context, the most important role is played by the CSA BiH, which usually acts as a mediator between civil servants and available international and domestic academic programs in different disciplines. On several occasions, the CSA BiH tried to initiate more concrete cooperation with the universities and faculties, but their attempts were not successful (Dz. Zivalj, personal interview, January 24, 2007). To date, cooperation is achieved only through the participation of university professors in some training programs organized by the CSA BiH.

Also, the research showed no PA programs or courses organized by any of the eight public universities (Sarajevo, East Sarajevo, Banja Luka, Mostar, Mostar – West, Zenica, Bihac and Tuzla). A similar conclusion can be found in the System Review¹³. However, even if there were PA programs, one could easily question their quality having in mind the general state of higher education in Bosnia and Herzegovina. “Crisis” is the most appropriate term for describing the current situation (Weber, 2006). During 2004, the European University Association (EUA) issued a summary report on institutional

¹³ ... As a whole, Public Administration in BiH can hardly rely on any domestic educational institution simply because of insufficient capacity to produce qualified young professionals with the right mix of skills and competencies, ready to take-up their positions within the civil service authorities in BiH.

evaluations of seven public universities in Bosnia and Herzegovina. The EUA findings are quite discouraging:

- Higher education in BiH is highly constrained by the existing legal framework
- Teaching and learning are unsatisfactory;
- Research is neglected
- The reform of all BiH universities to the Bologna model is stagnating;
- Mechanisms for quality assurance are not in place;
- Most of the public universities are still not integrated;
- Age structure of academic staff is a matter of concern;
- There are only few mechanisms for structured exchange and dialogue between the universities and their stakeholders

As already mentioned, the CSL BiH stipulates a university degree as a precondition for one to be appointed a civil servant. Therefore, the nature and quality of the public service depends on the nature and quality of the system of education (Randma-Liiv and Connaughton, 2005). In the present situation, the higher education system in Bosnia and Herzegovina is not able to satisfy the need for highly qualified professionals in the area of Public Administration.

However, there are some positive developments in this area. The first one of note would have to be the Centre for Interdisciplinary Postgraduate Studies of the University of Sarajevo (CIPS). CIPS is organizing and implementing several interdisciplinary postgraduate programs in cooperation with well-known European universities (such as the University of Bologna, University of Rome “La Sapineza”, London School of

Economics, and others). At the moment, approximately 150 students are attending four master programs:

- State Management and Humanitarian Affairs (SMHA);
- European Regional Master in Human Rights and Democracy for South East Europe (ERMA);
- European Studies (ES);
- Gender Studies (GS);

These programs are closest to the concept of Public Administration programs in the entire higher education system of Bosnia and Herzegovina. English is usually the working language and the selected teaching staff comes from both the national and international universities. The programs are based on an interdisciplinary approach with a highly developed European dimension. A significant percentage of students are civil servants or have ambitions to join the civil service. The above-mentioned EUA Report had positively evaluated the CIPS programs and activities. It is important to point out that these programs are usually financed by international agencies and partly by charging scholarship fees. The BiH central government and government agencies never participated in the design or implementation of these programs and the government failed to provide even a basic legal framework for ensuring CIPS graduates' access to Administration. In other words, a person who passed the bar exam before the war in Bosnia and Herzegovina is in a better position when applying for a civil service position (as this exam does not entail the obligation of taking the general exam) than a person with an MA degree in European Studies or State Management¹⁴. Many civil servants and CIPS

¹⁴ Article 13 of the Decision on the Conduct and Program for the Public and Special Examination for Persons to be appointed as Civil Servants in the Institutions of BiH defines that candidates who have

graduates are rather concerned with the fact that the efforts they invested in their postgraduate education with CIPS did not have any impact on their career and promotion in public administration. In some cases, this concern resulted in their leaving the civil service and taking positions in the private sector or international organizations.

1.4. International assistance

Similar to the experience of other CEE countries, a key role in PA education and training in Bosnia and Herzegovina is played by foreign assistance in the form of various international agencies and donors.

The presence of international donors in BiH is very strong, with a large percentage of international actors having PA education and training on their agenda. The most important role is played by the Delegation of the European Commission to BiH (EC Delegation), the United Nations Development Program (UNDP), the Department for International Development of the United Kingdom (DFID), the United States Agency for International Development (USAID) and the Organization for Security and Cooperation in Europe (OSCE). However, this research will cover only the EC Delegation assistance, because it is the main donor agency in this area on the level of central government.

The EC Delegation is the main international partner to central government in the process of preparation, development and implementation of the PAR Strategy and Action Plan (I. Sotra, personal interview, January 17, 2007). A significant portion of EC Delegation technical and financial aid goes to education and training in public administration. Since 2003, the EC Delegation concluded three strategic PAR projects: Support to Office of the

passed the bar exam, candidates with a PhD in Law, university assistant professors and professors teaching at law departments at BIH universities are exempted from the obligation to take general exam.

Coordinator for Public Administration in Bosnia and Herzegovina (started on 01/09/03, duration 15 months); System Review of Public Administration Institutions in Bosnia and Herzegovina (started on 15/12/03, duration 12 months); Support to the General Secretariat of the Council of Ministers of Bosnia and Herzegovina (started on 09/12/03, duration 12 months). Only one of them had civil service training among its main activities.

Since 2005, the EC Delegation decided to launch several projects, financed through CARDS¹⁵, primarily concerned with the issue of civil service training:

- Public Administration Specialization Scholarships (PASS) – approx. 500.000 EUR
- ECDL¹⁶ training in information and communication technologies (ICT) – approx. 200.000 EUR
- Civil Service Training Project (CSTP) – approx. 1.000.000 EUR
- Twinning Light project “Support to Training Unit of the Civil Service Agency in Defining Strategy and Content of Civil Service Training”
- Language courses (English, French and German) – approx. 500.000 EUR

The PASS project gives selected BiH civil servants scholarships for one-year postgraduate studies at different international universities in studies of EU Law, Economy and interdisciplinary studies. The program also offers three-week specialized courses for civil servants in different areas of Public Administration. According to the CSA BiH, the main challenges of the program are lack of good candidates and lack of support from the managerial civil servants. For example, in 2005, 15 scholarships were

¹⁵ Community Assistance for Reconstruction, Development and Stabilisation

¹⁶ European Computer Driving Licence

available, but there were only 8 successful candidates (Training Unit of the CSA BiH, 2006)¹⁷. Also, in order to be more successful, PASS will need some additional legal regulations. The existing Decision on Awarding a Scholarship for Specialized Postgraduate Courses for Civil Servants in the Institutions of Bosnia and Herzegovina in the Country and Abroad is not enough for ensuring maximum effectiveness and efficiency of PASS. Selected civil servants usually go abroad to study without any strategy for their employment after completing their studies. There is no procedure for including these new experts in the PAR process. The only certainty is that civil servants who obtained their masters degrees are obliged to return to their previous post in Public Administration where they usually do not have any opportunity to apply the new knowledge and skills gained during their studies.

The CSTP project started in December 2005 and ended in February 2007. It was financed by the EC Delegation¹⁸ but implemented by UNDP. The broader objective of the project was to contribute to strengthening the civil service in BiH through development and delivery of training based on priorities as identified in the CSA plans as well as other relevant documents including the System Review (J. Krolkowski, personal interview, February 6, 2007). The most important results of the project include:

- 129 delivered trainings
- organized four international seminars
- Approximately 2500 civil servants participated in the trainings
- 75 civil servants participated in 6 study visits to civil service training systems, administrative procedures, HRM (Northern Ireland, Slovenia)

¹⁷ It was decided that the remaining 7 scholarships would be offered during the 2006/2007 academic year.

¹⁸ Small part of the funds was also provided by UNDP.

Although these results are quite impressive, some well-known concerns remain. Jacek Krolkowski, the UNDP project manager for the CSTP project, pointed out the fact that a number of civil servants undergoing the trainings were not in the position to apply the obtained knowledge and skills in the institutions they were representing. The initial idea of the CSTP trainings was actually training civil servants whereby they would be obliged to conduct some activities as part of their everyday job that would clearly manifest the knowledge and skills they adopted. However, public institutions were not cooperative in this regard and they simply failed to support their employees who were delegated for the CSTP courses. For example, some of participants in HRM trainings were not even appointed as HR specialists in their respective institutions. Also, in some cases the personal capacities of civil servants were not adequate for participating in HRM courses.

Twining Light project “Support to the Training Unit of the Civil Service Agency in Defining the Strategy and Content of Civil Service Training” was actually requested by the CSA BiH, because its Training Unit recognized the need for an efficient and well focused approach to civil servants training in order to adequately address the challenges of PAR and integration processes (CSA BiH, 2006). The project started on July 8, 2005 and it was concluded in March 2006. The aim of the project was additional training of employees of CSA BiH Training Unit for topics of needs assessment, creation of efficient and systematic civil servants training programs, harmonization of Training Unit organization with the best practices, and improvement of cooperation with entity CSAs.

The results of the project were:

- Principles of the System for Civil Servants Training on the Level of BiH
- Manual for Training Managers in Public Administration

- Workshops with domestic and international partners

Unfortunately, the practical implementation of these documents failed to take place. There is no evidence that any public institution or central administration generally acts in accordance with the defined principles. For example, the absence of a budget line for training and development in budgets of individual public institutions is only one, but very vivid illustration.

The experience of the EC Delegation in delivering education and training in public administration could trigger a number of worrying conclusions. Nevertheless, one conclusion is very dominant. Although a significant amount of international assistance is invested in the education and training of civil servants, there is a constant lack of willingness, or maybe capacities, of domestic authorities, managers and decision makers, to use these valuable inputs. In other words, the fuel is filled up in the car whose driver either does not know how or does not want to drive.

1.5. Funding

Bosnia and Herzegovina does not have a financially sustainable system of PA education and training. Without international assistance, civil servants training would not be able to satisfy even the minimal needs for new knowledge and skills.

There are three basic systems for the state to fund the education and training of civil servants:

- Supplier-funded model
- Buyer-funded model
- The combination of the first two models

Because individual state institutions do not have a separate budget line for education and training of their personnel, the supplier-funded model, i.e. CSA BiH funded model, is applied on the state level. The CSA BiH has an annual training budget in the amount of 140.000 KM¹⁹ (Dz. Zivalj, personal interview, January 24, 2007). Although this amount is far below the 3% civil servants salary budget, which is the amount required for training according to the PAR Strategy, it is emphasized by the CSA BiH that these funds are spent on very important and useful trainings of managerial civil servants.

The draft of the BiH Framework Budget Document for the 2007-2009 period is not harmonized with the PAR Strategy and does not recognize education and training as priorities, and does not foresee funds for the Institute for Public Administration, which should be fully operational by the end of 2008.

Obviously, it is expected that the international community will financially support the education and training of civil servants in the forthcoming period. The establishment of the PAR Fund²⁰, made by donors to assist the implementation of PAR in BiH, and under the supervision of the Public Administration Reform Coordination Office (PARCO), partly confirms this fact (Buha, 2006).

It could be expected that a part of these funds will be used for civil servants education and training.

¹⁹ In its 2006 Progress Report on BiH, the European Commission mentioned the wrong calculation in the amount of 40.000 EUR for training.

²⁰ More information on the PAR Fund is available on the official web presentation of PARCO at www.parco.gov.ba.

2. Education and Training in the Public Administration Reform Strategy and Action Plan

The Public Administration Reform Coordination Office (PARCO) prepared and published key PAR documents. They are:

- System Review of Public Administration of Bosnia and Herzegovina: Final Report
- Bosnia and Herzegovina: Public Administration Reform Strategy (PAR Strategy)
- Annex 5: Action Plan I to the Strategy for Public Administration Reform (Action Plan I)

While some observations from the System Review about the education and training have already been mentioned, this chapter attempts to identify the position and strength of these categories within the PAR Strategy and Action Plan I.

2.1. The PAR Strategy

The PAR Strategy, defined as a comprehensive and holistic document providing the strategic framework for the PAR process, is made up of three principal segments:

- Development of general administrative capacity;
- Creation of a basis for the sustainable development of sector administrative capacity;
- Management of the reform process.

The development of general administrative capacity refers to the reform of core horizontal systems and governance structures. These include policy-making and coordination capacities, public finances, human resources, administrative procedures,

institutional communication and information technologies. Quite expectedly, the PA education and training are seen as part of the Human Resources Reform Strategy.

PAR Strategy describes the current situation in human resources management (HRM) in Bosnia and Herzegovina as complex. A number of problems related to HRM are identified:

- A legal framework is in place, but its importance is seriously diminished by the lack of unified HRM approaches and procedures;
- HRM functions and tools defined by law are not fully implemented (for example, training needs assessment);
- Lack of HRM capacity in individual institutions;
- Lack of monitoring and advisory capacities of the CSA;

In order to deal with these issues, a number of activities in the area of human resources management are needed and education and training are among them. In the chapter TRAINING AND DEVELOPMENT, the PAR Strategy emphasizes the need to develop a permanent learning culture which views training as an essential rather than an optional need. All training should be based on personal, organizational (the most important one) and performance needs. The capacity of managers for training needs assessments must be further developed. If not, training activities are still going to be based on offer, rather than on demand.

The CSA BiH has a responsibility to develop a training strategy and program of activities, based on needs assessment. Furthermore, the PAR Strategy suggests that the creation of a specialized training institution for civil servants should be explored.

2.2. The Action Plan I

The Action Plan I is Annex 5 to the PAR Strategy. It is the first of two action plans intended to accompany the PAR Strategy. Based on the general concept of the PAR Strategy, actions are foreseen for the six core policy areas²¹ of PA, covering a total of 50 sub-areas, prepared by six inter-governmental working groups, and all in order to enhance the general capacity of PA.

The format of Action Plan I is a table that specifies the activities necessary to achieve the goal, the proposed measures to achieve the goal, the institution(s) and the envisioned timeline for the implementation of the activity. The following table represents the participation of education and training actions, activities and proposed steps in Action Plan I.

Participation of Education and Training actions, activities and measures in Action Plan I			
Intervention area	Total number of actions, activities and measures	Number of education and training actions, activities and measures	
Policy-making and coordination capacity	23 actions	1 action (4,3%)	
	38 activities	4 activities (10%)	
	80 measures	7 measures (8,75%)	
Institutions with responsibility for taking these measures are governments, parliaments, secretariats of the governments and parliaments, offices for legislation, Directorate for European Integration and individual institutions. Contributions from universities (faculties of law, economics, etc) are also envisaged. Action Plan I also links some of the training activities with on-going projects of international agencies: UNDPs Project on Strengthening the Capacity of BH Governments Representatives in Policy-making and Strategy Development and ECs Twinning "lights" projects. Timelines for these activities, apart from those already underway, are in the period between 2007 and 2009.			
Public finance	25 actions	2 actions (8%)	
	43 activities	2 activities (4,65%)	
	71 measures	6 measures (8,45%)	
State and entities ministries for finance, Brcko District Government (sector responsible for finance) and all individual public institutions are responsible for training and organization of seminars and workshops for finance officers in the area of budgeting, auditing, internal auditing, etc. It seems that Action Plan I excludes CSAs from the process of Education and Training in public finances.			

²¹ Policy-making and coordination capacity, public finance, human resources management, administrative procedure, institutional communication, information technology.

Human resources management	29 actions	5 actions (17%)
	41 activities	8 activities (19,5%)
	136 measures	30 measures (22%)
<p>These activities are the responsibility of the state, entity and Brcko District governments, the state and entity CSAs, human resources department of Brcko District and individual institutions. CSAs and HR department of Brcko District are required to deliver policies, advice, guidance and training to individual institutions. In order to do so, they also have to be included in the process of capacity development aimed at ensuring their position of centers of excellence and modern HR knowledge. Also, Action Plan I is interested in:</p> <ul style="list-style-type: none"> • ensuring establishment of cooperation arrangements between CSAs and HRM specialists from individual institutions in the area of personnel planning, training in introduction of information systems for HRM, improvement in implementation of current HRM functions, etc; • examination of skills and knowledge needs for HRM in individual institutions and development of a training program for capacity building of both the HR specialists and line management; • providing further specialization to HR specialists, both in individual institutions and CSAs; • identification and development of trainers from across the civil service (HR specialists) who will deliver ongoing training requirements to line management; • delivering training to line managers to ensure effective management of personnel at all levels of public service; • designing and delivering a common training program for those involved in the evaluation of applicants for civil service positions; • further development of the concept for trainee internship programs; • development and dissemination of handbooks and training workshops in performance management for managers and individuals; • training for managers on identifying and improving poor performance during the probation period; • training managers in the identification of training needs, including all institutions undertaking a training needs analysis of all current staff; new employees training and development requirements identified during probation period; individual training and development needs discussed and identified as part of the performance management cycle; • development of three-year training plans, revised annually to reflect new identified needs; • capacity building or training of civil servants to be developed as 'in house' trainers to deliver across the civil service; • establishment of an Institute for Public Administration (for the whole of BiH) that will work as a training provider/curriculum designer for the civil service; • individual institutions preparing annual training plans and submitting them to the CSAs; • coordinating common development of needs/activity to ensure efficient use of available resources; <p>All these activities are to be implemented in the period 2006 – 2008, with some of them continuing afterwards. Their implementation is mainly linked with the EC Delegation Technical Assistance Program.</p>		
Administrative procedure	17 actions	1 action (5%)
	25 activities	1 activity (4%)
	55 measures	4 measures (7,27%)
<p>Education and Training in administrative procedure are needed in order to reach basic requirements related to professional qualifications of staff responsible for administrative decision-making.</p>		
Institutional communication	21 action	1 action (4,76%)
	36 activities	3 activities (8,3%)
	79 measures	6 measures (7,5%)
<p>Training is needed in the following fields: Communications Planning; Purpose and Requirements of Government Documents on Institutional Communication (IC); Public Relations (PR); Information and Communication Technologies (ICT); Foreign Languages; Human Resources Management; Budgeting. The DFID-funded-project on "State and Entity Public Administration Reform" is recommended as possible support for actions in this intervention area.</p>		

Information technology	28 actions	2 actions (7,1%)
	59 activities	3 activities (5%)
	59 measures	5 measures (8,47%)
<p>In this area, Action Plan I is primarily interested in the following issues: education of managers on IT's potential in PAR; permanent education of IT personnel; training needs assessment; additional training for IT managerial staff in skills needed for project management (for example, cost and benefit analysis, risk assessments, etc.); computer literacy of civil servants;</p> <p>The engagement of CSAs in the above-mentioned activities is defined by Action Plan I, but there are no recommended international community supported projects for this purpose.</p>		

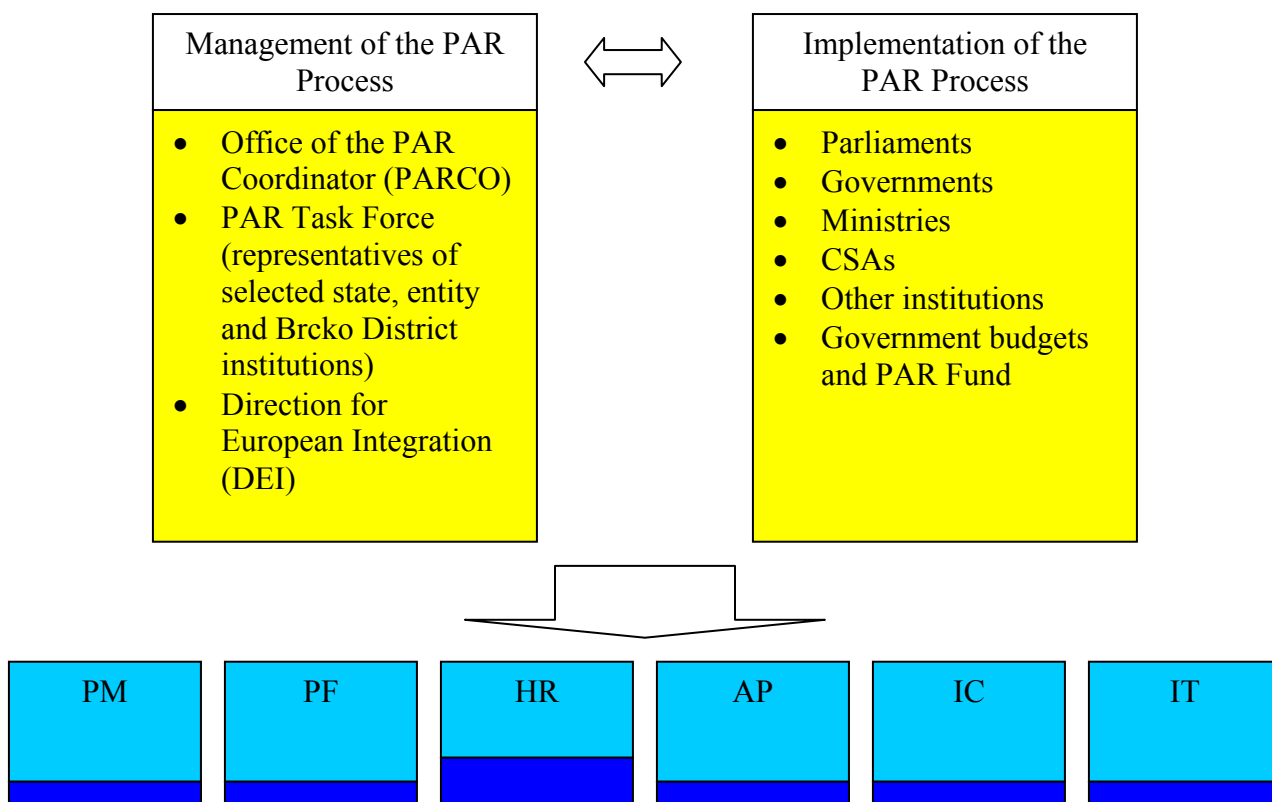
Table 1. Participation of education and training actions, activities and measures in the Action Plan I

2.3. Re-positioning of Education and Training in the PAR Strategy and Action Plan I

Figure 1 represents the present position of education and training in PAR. Some characteristics of this position should be emphasized:

- all intervention areas have a certain percent of actions and activities related to education and trainings
- Education and training are equal elements of the intervention areas and they are treated as subjects of PAR

Figure 1 Public Administration Reform in Bosnia and Herzegovina: Position of Education and Training in Public Administration

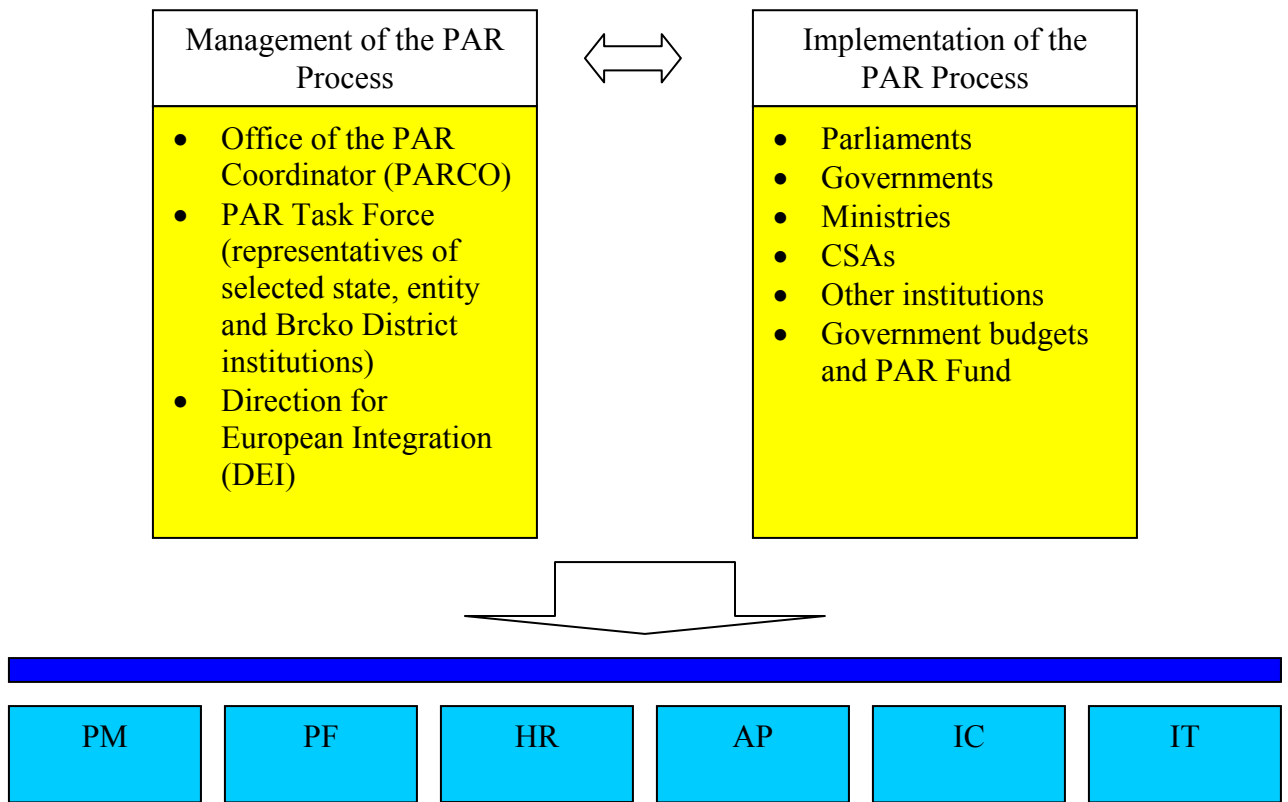


Legend: PM – Policy-making and coordination capacity; PF – Public finance; HR – Human resources management; AP – Administrative procedure; IC – Institutional communication; IT – Information technology; - portion of education and training actions and activities; - portion of other actions and activities

By dividing education and training efforts among intervention areas, this model failed to stress the importance of education and training as a precondition for successful PAR.

Therefore, a kind of re-positioning is recommended.

Figure 2 Public Administration reform in Bosnia and Herzegovina: Proposal for re-position of Education and Training in Public Administration



Legend: PM – Policy-making and coordination capacity; PF – Public finance; HR – Human resources management; AP – Administrative procedure; IC – Institutional communication; IT – Information technology; ■ - education and training actions and activities; ■ - other actions and activities

All education and training activities should be extracted from intervention areas, concentrated within one additional intervention area of highest priority and immediately supported with appropriate strategic documents (Strategy on Education and Training in Public Administration), strengthened legal and institutional framework (Law on Education and Training of Civil Servants, Institute for Public Administration) and a set of operational measures that will help to bridge the gap between the given situation and directions set up by the PAR Strategy and Action Plan I.

3. Conclusion and Recommendations

Bosnia and Herzegovina does not have a fully operational system for PA education and training. The key problems are:

- Inadequate and poorly implemented legal frameworks
- Weak institutional framework
- Lack of human resources
- Lack of budgetary funds
- Lack of academic programs in Public Administration
- Dependence on international assistance

These problems are recognized by the PAR Strategy and a number of activities and actions are included in Action Plan I of the PAR Strategy. This means that if successfully implemented, PAR will introduce a new system for PA education and training. However, it must be recognized that education and training are not only a subject of PAR, but also one of the major preconditions for its successful implementation. New administrative knowledge and skills are needed at the beginning of PAR. The questions are:

- What about the education and training of reformers?
- What about the education and training for education and training in public administration?

Thanks to the international assistance and full engagement of training units of CSAs, these issues were addressed through several projects which resulted in impressive outcomes in terms of the number of issued documents and manuals, as well as organized trainings, seminars, and study visits. These qualitative indicators could be regarded as satisfactory, or even outstanding, but the quality of these efforts is questionable when

there is no overall plan or strategy for how to get the most out of these expensive investments.

What has been done by the PAR Strategy and Action Plan in this regard? The research leads to the conclusion that the key PAR documents presented the basic directions towards adopting systematic and comprehensive strategic planning for education and training in public administration. The true challenge is how to make these directions more attainable by means of their deeper elaboration in terms of operational measures that need to be taken.

3.1. Operational measures

The set of operational measures presented here is based on the examination of the current situation in the area of education and training in PA in BiH and the analysis of relevant regional and European practices. Sources of information were key PAR documents (System Review, PAR Strategy and Action Plan); international reports and assessments (European Commission, SIGMA, and UNDP); interviews and discussions with representatives of key domestic and international institutions involved in PAR, experts, civil servants; scientific papers and articles. The ambition of operational measures is to be complementary to the PAR Strategy and Action Plan I.

The operational measures are:

- Operational measure 1: Working group on Education and Training in Public Administration
- Operational measure 2: Two-year postgraduate program in Public Administration

- Operational measure 3: One-year specialized action training in Human Resources Management
- Operational measure 4: Draft Law on Education and Training of Civil Servants in (the Institutions of) Bosnia and Herzegovina

3.1.1. Operational measure 1: Working group on Education and Training in Public Administration

The aim of the Working group on Education and Training in Public Administration (Working Group) is to: (1) ensure communication and coordination between all institutions involved in public administration education and training (CSAs, international agencies, universities and faculties, NGOs); and (2) to ensure communication and coordination of all education and training institutions with the governments in BiH and with PARCO. The Working Group should be established and supported by PARCO as soon as possible. It should act as an advisory, monitoring and advocacy body that will contribute to the adequate positioning of education and training in public administration in the context of PAR. To be more precise, the Working Group would discuss the already mentioned problems (legal and institutional framework, financing, coordination, cultural obstacles, strategic planning, evaluation, etc.) and suggest their solutions to the governments, to PARCO and implementing agencies.

It is important to mention that the need for such a working group has already been mentioned in the document called “Principles of the System for Civil Servants Training on the Level of BiH” developed by the CSA BiH and Estonian public administration experts. However, the difference between the two proposals is in the fact that the CSA

BiH proposes a working group made up of “representatives of state institutions responsible for training”, while the latter working group includes possible membership of representatives of private entities and NGOs.

3.1.2. Operational measure 2: Two-year postgraduate program in Public

Administration

The primary aim of the postgraduate program in Public Administration is to provide a central place within the higher education system in BiH for the academic study of Public Administration. Also, a more specific aim of the first/pilot program is related to preparation for the establishment of the Institute for Public Administration (Institute) as foreseen by the PAR Strategy and Action Plan I and supported by all CSAs in BiH. According to Action Plan I, the Institute should be fully operational by the end of 2008. If present dynamics of PAR are taken into consideration, it is not very likely that this aim will be achieved in the given timeframe. Also, neither the PAR Strategy nor Action Plan I provide for any additional actions and activities needed to establish an institution that will take over the full responsibility for development and implementation of civil servants training. This particular problem is addressed with the proposed operational measure. The target group of the postgraduate program will be civil servants and university graduates – potential trainers and researchers of the Institute.

The program will be responsible for educating a group of experts/scholars who will be professionally engaged at the Institute, either as employees or external associates (managers, trainers, researchers and consultants). A similar approach to establishing education and training institutions has already been applied by Slovenia and Serbia. The

MASTER project²², a Slovenian-Swiss project for the modernization of public administration, was the first step towards the creation of the Slovenian State Administration Academy (Country Profiles of Civil Service Training Systems: SIGMA Papers: No. 12, 1997). Civil servants educated through this project are still the key personnel of Slovenian institutions responsible for the development and training of civil servants (Trpin, 2004). In Serbia, at the Law School in Belgrade, a postgraduate study program was organized as the beginning of professional preparation of future trainers of the Institute for Public Administration (Kavran, 2003).

The proposed postgraduate program would be interdisciplinary and it would include courses covering political, legal and managerial approaches to public administration. Of course, the needs and requirements of the future Institute for Public Administration will be the key factors for defining the curriculum of the program.

The postgraduate program could be a joint venture of the BiH Government and domestic and international universities. The EC Delegation's PASS project could provide financial support for the program. This approach would eliminate at least one weak point of the PASS program – the efficient and effective use of its graduates. Of course, the government would have to give its contribution and ensure, by adopting appropriate legal regulations, that the first generation of graduates is professionally engaged with the Institute and other institutions involved in the implementation of PAR (PARCO, CSAs).

²² This project has multi-level targets but focuses primarily on training 40 civil servants in developing the state administration system — organization, methods and techniques of work — and in training within public administration. The consequence of this training effort would be a specialized organizational unit taking care of the development of state administration... (Country Profiles of Civil Service Training Systems: SIGMA Papers: No. 12, 1997)

3.1.3. Operational measure 3: One-year specialized action training program in HRM

One of the biggest obstacles for the proper functioning of the system for education and training in public administration is the weakness of its peripheral units, i.e. personnel units within institutions. The problem is well known and it was the subject of intervention of many international assistance programs (for example, EC Delegation's CSTP project). In terms of quantity, the final results of these efforts are impressive, but in terms of quality, the final outputs remain quite poor and the peripheral units are still far from being fully operational HRM units.

The "learning by doing" concept lies behind this operational measure. Having in mind the size of the public administration on the state level, the program should have an ambition to include personnel units of all state institutions and agencies. The program will be a kind of the action training, which is a rather practical approach to managerial development that integrates formal training sessions and informal coaching with on-the-job problem solving (Kerrigan and Luke, 1989). The value of the action training approach is that "it involves learning while problem solving and problem solving while learning" (Kerrigan and Luke, 1989). It has five characteristics: (1) performance oriented; (2) situation-emergent; (3) systematic; (4) capacity-building orientation; (5) integration of training, research and consulting.

The proposed action training is to be viewed as an organizational intervention aimed at solving HRM problems and simultaneously increasing internal HRM capacities. The participants would take action to solve a problem, changing the existing situation, not just

thinking about it and analyzing it as in a formal training session(Kerrigan and Luke, 1989).

Some programs of this kind have already been successfully implemented in BiH. One example is a program financed by GTZ, German organization for technical cooperation, aimed at developing youth policies on the level of local communities in BiH. GTZ signed memorandums of understanding with all the municipalities covered by the project and committed them to ensure an environment favourable for the development and adoption of youth policies. The same is to be done in this particular program whose final objective is the development of comprehensive HRM policies for all institutions involved.

The proposed HRM action training program is actually a tool for implementing the Decision on the Appointing of Units in the Institutions of Bosnia and Herzegovina for Implementation of the Law on Civil Service in the Institutions of Bosnia and Herzegovina.

Again, as the most realistic option, the program should be implemented through a partnership between the BiH government and institutions and an international partner, very likely the EC Delegation. Due to the problem of language barriers and the nature of action training (often communication between trainers and trainees, situation-emergent), the program will require employing domestic trainers.

3.1.4. Operational measure 4: Draft Law on Education and Training of Civil Servants in (the Institutions of) Bosnia and Herzegovina

The aim of this operational measure is to advocate for a sustainable system of education and training in public administration in BiH. As shown by the research, the present

system faces numerous obstacles and almost entirely depends on international assistance. The legal framework is made of the CSL BiH and additional bylaws that are poorly implemented. To draft a Law on Education and Training of Civil Servants will be a unique opportunity to collect and legally frame in one place all existing bylaws, regulations and recommendations related to the matter. The potential of such a law is enormous; it could lead to a solution for many problems identified by this and other investigations. It could:

- Ensure legal recognition of principles for civil servants training system which have already been developed by the CSA BiH
- Regulate the legal status of the Institute for Public Administration
- Set-up the model of state funding of civil service education and training
- Introduce a set of obligatory education and training courses and programs for all civil service positions (from interns to senior executive managers)
- Regulation of cooperation between the Institute for Public Administration and central (CSAs) and peripheral (personnel units) units dealing with education and training
- Regulation of public administration graduates access to the profession
- Regulation of cooperation with universities and other academic and training institutions, including NGOs
- Regulation of cooperation with international institutions
- Introducing a set of sanctions for institutions and individuals/civil servants who failed to act in accordance with the law

Both the theory and practice of public administration reforms and modernizations say that attention paid to education and training is necessary for their success. BiH could be one of the first countries in the world to acknowledge this fact by regulating it with a law. There is no need to emphasize the value of this act in the context of the international image of our country and ongoing negotiations on EU membership. Unfortunately, BiH officials and decision-makers were not aware of the value that permanent development of civil servants has for the overall performance of public administration. The activity of drafting this particular law could contribute to raising their awareness in this matter. Operational measure 4 could be realized by the CSAs and the above mentioned Working group in cooperation with relevant international experts in the form of a twinning lights project which is the type of international assistance very much appreciated by the CSA BiH.

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