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***To all media – delivery of***

**Systematic destruction of the civil service**

*The Council of Ministers of BiH is still trying to enable the politicization of the civil service at the state level and it insists on solutions that would decrease the objectivity and transparency in the employment of the key people in the civil service*

**Sarajevo, 30th May 2016 –** Although the Draft Law on Amendments to the Law on Civil Service in BiH has been returned from the sessions of the Council of Ministers for several times to the proponent for revision, the Ministry of Justice has been persistent in its draft amendments that would attach the key positions in the civil service to the term of office and thus enable additional political impact on the employment with the civil service. It is also absurd that the Law was submitted for public consultations, and that the Ministry of Justice published a notice on consultations only 3 days prior the expiry of deadline for consultations.

Transparency International in Bosnia and Herzegovina (TI BiH) has prepared comments regarding the proposed amendments and submitted them for public hearing, emphasizing that restrictions of the term of office of the senior civil servants, and the term of office of directors, are not in accordance with the principles of a transparent and independent civil service, because in this way the key positions are related to the political terms of office. Even the Chief Inspector and the Head of the Internal Audit Unit are also put in this category, even though they should be completely independent of the term of office of the so-called politically nominated positions in order to be able to impartially perform control and audit.

It is clear that this is an attempt to ensure that individuals in charge of control of work and financial responsibility are put under the control of political parties, and to make the senior civil servants, heads of administrative organizations, their deputies, secretaries, assistants ministers, etc. increase the assets of the political parties and bring new opportunities for the employment of the political party personnel.

TI BiH indicated as particularly controversial the fact that the Agency for Civil Service does not play any role any more in the selection of the senior civil servants. Regardless of the fact that they are still selected through the open competition, the commission for their selection is appointed by the head of the institution, who again is allowed not to select the most successful candidate, but there is only an obligation of selection from the list of most successful candidates. This means that the direct impact on the composition of commission and arbitrary selection from the list, leave an opportunity for partiality in employment procedure, while the omission of the opinion provided by the Agency for Civil Service gives complete freedom to the arbitrariness in the selection of candidates.

The trend of constant attempts of destroying independence, neutrality and professionalism of the civil service continues under the mask of reforms and rationalization of the civil service. The reform agenda is being abused – the solutions which are completely opposite to its aims are being proposed within its framework, while there is an attempt to additionally degrade professionalism and political neutrality of the public administration. Not only that it does not provide better efficiency, but it does not guarantee rationalization either, since relating all set of positions in civil service for a four-year term of office does not imply the reduction of the state apparatus, but only its politicization.

TI BiH urges to use the comments obtained through the public hearing for the improvement of the proposed solutions, and it particularly appeals to the representatives of the international community, EU primarily, to send a decisive message to the BiH government that such moves are not in line with the reform agenda and European principles of the public administration, but also that the politicization of the civil service cannot be considered its rationalization.