

Estonia in Tune with EC
on Administration's Needs

Europe's Demands on
State Audit Institutions

The Civil Service in a
United Europe

Convening on Governance
& European Integration

Forum Focus

Pre-Accession Strategy
Reinforces Institution
Building

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EU Accession and Public Administration Capacities

The European Commission's opinions (*avis*) on the readiness of ten central and eastern European countries to join the European Union confirmed the importance of improving administrative capacities in the region.

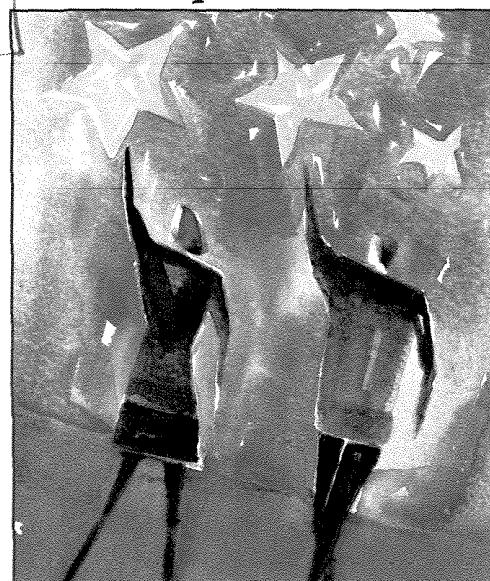
The *avis*, issued in July, follows a number of earlier European Council decisions. In 1993, the Copenhagen European Council first established general criteria for accession, including "stability of institutions guaranteeing democracy, the rule of law...and) the existence of a functioning market economy, as well as the ability to cope with competitive pressures and market forces within the Union" and the ability to take on the obligations of membership. In June 1995, the Cannes European Council welcomed the White Paper on "Preparation of the Associated Countries of Central and Eastern Europe into the Internal Market of the Union."

The White Paper expressed clearly the legal and administrative implications of the internal market for the candidate countries. It implied that the main challenge of associated countries did not lie only in the approximation of their legal texts, but in "adapting their administrative machinery and their societies to the conditions necessary to make the legislation work". In December 1995, the Madrid European Council concluded that the harmonious integration into the European Union of central and eastern European applicant states would require the adjustment of their administrative structures.

The Commission dedicates a full chapter of each country's *avis* to an assessment of the applicant's administrative capacity to apply the *acquis communautaire*, and makes specific suggestions for necessary improvements.

Strengthening Management Capacities

To be effective within the EU, future Members must be



PHOTOS: Leopold

able to address Union-wide issues by involving their entire government and administration. They must have a professional and well-trained civil service; effective policy-making and inter-ministerial co-ordination systems; a well-performing judiciary; and comprehensive financial planning and control mechanisms.

Future Members also must integrate, within a relatively short time, the entire *acquis*, and be able to implement effectively Community directives and policies in their domestic contexts. Candidate countries have established central co-ordinating units to accomplish these tasks, and their public administration reform plans are now largely driven by requirements for completing the transition to a market economy and the policy goal of European integration.

Transition and Expanding Acquis

Future members from central and eastern Europe have a number of challenges on the road to accession which previous entrants did not have to face.

Continued on p.15 ➤

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New Impetus for Public Administration Reform

While several factors drive administrative reform in Central and Eastern Europe – ranging from the need to improve economic competitiveness to citizen and business demands for better public services – the most influential is the policy goal of European integration. Now that the European Commission has released its opinion (avis) on EU membership applications, the importance of this factor has only grown.

In the following pages, PMF looks at the implications of the avis for governance in central and eastern European countries. Interviews with two officials with responsibilities for European affairs in applicant countries appear on pages 3 and 10 (Estonia's Henrik Hololei, and Poland's Jaroslaw Pietras, respectively).

Details on the avis criteria and the European Commission's pre-accession strategy appear in Forum Focus, while Donor Corner reports on Phare's role in implementing this strategy. Other articles address the implications of EU membership for external audit work (page 4) and the training of civil servants (page 6).

Later this year, PMF will present views from officials in Bulgaria and Romania on how those countries are preparing state institutions and workers for EU accession. In addition, we will report on a seminar organised in early October for central and eastern European officials responsible for European affairs and public administration. That seminar, described on page 9 of this issue, will offer the opportunity for further deliberations on the connection between European integration and administration reform.

Belinda Hopkinson - Managing Editor

TABLE OF CONTENTS

• <i>Hands on the Reins</i> Estonia Matches Administrative Reform with Pre-Accession Needs	3
• <i>Managing the Public Purse & Administrative Oversight</i> Central and Eastern European Supreme Audit Institutions Prepare for EU Membership European Audit Bodies Report Their Experiences	4 5
• <i>Human Resources</i> EU Integration and Civil Service Reform	6
• <i>Governance & European Integration</i> Dutch Support Examination of Enlargement's Impact on Governance	7
• <i>Forum Focus</i> Capable Public Administrations Essential to Fulfilling European Aspirations Officials to Compare Notes on European Integration and Administrative Reform	8 9
• <i>On the Frontlines of Reform</i> Poland Prepares the Public Service and Policy-Making System for the Challenge of European Integration	10
• <i>In Brief</i> Public Administration in the News	12
• <i>Fresh off the Press</i> Government Compensation Programmes Inbox: A Compendium of Recent Publications and Articles	13
• <i>Reporter's Notebook</i> The Citizen Comes First in Europe: Modernisation of the Public Service	14
• <i>Donor Corner</i> Phare Takes Prominent Role in Pre-Accession Phase	15
• <i>On the Agenda</i>	16

Estonia Matches Administrative Reform with Pre-Accession Needs



Photo: Jarmo Haik

Henrik Hololei

The European Commission avis on each application for EU membership assesses the public administration's capability to apply the *acquis communautaire*. In the following interview, PMF solicits the personal views of Henrik Hololei, Head of Estonia's Office of European Integration, on what the avis means for his country. The problems and challenges he identifies may be familiar to public servants in other central and eastern European countries.

PMF: *The European Commission avis indicates that "the structures and systems of the Estonian public administration still require significant development," and that "Estonia's administrative structures will require a major effort of reform if there is to be adequate capacity in the medium term effectively to administer the acquis." What do you think of the Commission's assessment of Estonia's administrative capacity to apply the acquis?*

Hololei: The Commission's assessment was objective with regard to Estonia's administrative capacity. The problems and shortcomings addressed in the opinion were not new to Estonia, and we

are already tackling this problem. It is also important to note that Estonia had to start administrative reforms from a very low base, and taking this into account, quite a lot has been achieved up to now. We are confident that the necessary capacity to administer the *acquis* will be reached in the medium term, as also indicated in the Commission's opinion.

PMF: *The avis states that the Estonian civil service is under-staffed, political pressures on civil servants are considerable, and public confidence in the civil service not assured. What is the Government doing to ensure professionalism of the public service?*

Hololei: Since Estonia regained its independence, the Government has made efforts to build up a professional public service. The necessary legislative framework was set up in 1996 -- the Law on Public Service and Law on Government. The full implementation of this and other laws is an important step towards this goal. Another important aspect is training of civil servants. The strategy for training civil servants in the field of European integration was adopted by the Council of Senior Civil Servants in June 1997. The implementation of this strategy will start in this autumn in co-operation with foreign experts. Special attention is drawn to the areas indicated in the opinion as more problematic ones.

PMF: *What are the main challenges confronting the Government in its efforts to reform the public administration and improve administrative capacity to apply the acquis?*

Hololei: There are many challenges to be

met in reforming the public administration, but among the most important ones is to combine the overall reform of the public administration with pre-accession needs. This includes limiting the total number of civil servants, while at the same time expanding their number in areas needed for the EU accession process and functioning of all aspects of the single market. It is also challenging to find competent specialists and to motivate them to work and stay in the public sector.

PMF: *What can central and eastern European countries aspiring to EU membership learn from each other in the field of public administration?*

Hololei: The exchange of information is very important here. Many of the problems are similar, and many have been faced already by some countries. So by exchanging information, one can learn from the other.

PMF: *What are your Government's priorities for public administration reform in light of the avis?*

Hololei: It is too early to say because we have not yet been able to conduct a thorough analysis of the opinion. But the shortcomings listed in the opinion will be reflected in the Government Activity Plan for joining the European Union being prepared for 1998. The priorities will be decided during the preparation of the work plan during the autumn of 1997. ♦

*Henrik Hololei may be reached in Tallinn at tel: (372) 631.67.21; fax: (372) 631.67.24; e-mail: henrik@wp.rk.ee. He provided his answers to PMF's questions on 30 July 1997. For a Polish view of the avis' assessment of the Polish public administration's ability to apply the *acquis communautaire*, see page 10.*

Central and Eastern European Supreme Audit Institutions Prepare for

by Pawel Banas

The European Commission has taken an increasingly active interest in the effectiveness of control measures applied by Member States to Community funds. It seems likely that the Commission will continue to prescribe control and audit procedures for Member States, and require them to observe certain minimum standards in so doing. The supreme audit institutions of EU applicant countries will have to exert a great effort to familiarise themselves with EC rules of auditing, and to develop the linguistic, audit and accounting skills of their staff. Below, Pawel Banas of Poland's Supreme Chamber of Audit offers his views on the main findings of an ongoing SIGMA study on external auditing in the European Union. He is participating in the reference group overseeing the study.

Efforts to join the European Union perfectly illustrate the process of change in the traditional culture of public administrations in Central and Eastern Europe. The region's countries inherited legal systems and state institutions with particular practices and civil servants accustomed to their ways of working. These habits must now change, at least to an extent which makes it possible to co-operate with counterparts in EU Member States and at the European Commission. Central and eastern European supreme audit institutions (SAIs) are not immune to this need for change.

A forthcoming SIGMA report on the effects of EU accession on external auditing sums up the lessons learned by European Union SAI's during and after their own accession. This publication, SIGMA Paper No. 20, *Effects of European Union Accession: Part II, External Audit*, is scheduled for release by October 1997. (A parallel publication SIGMA Paper No. 19, *Effects of European Union Accession: Part I, Budgeting and Financial Control*, will be published simultaneously.)

Representatives of SAI's in seven EU Member States have been participating in the study leading to the forthcoming report, which will include their written contributions. In general, these individuals have not reported systemic or methodological revolutions in state audit practices as a result of EU membership. Rather, they have tended to cite changes in attitudes, the training of staff, and, occasionally, the internal structure of institutions. Officials from audit institutions in three Visegrád countries -- the Czech Republic, Hungary and Poland -- are participating in the study's reference group, but are not contributing text to the reports.

The SAI's have reported that their EU-related activities have focused on new types of financial streams (such as certain EU funds and the GNP-based contribution), and changes in direction of flows of some older financial streams (such as the VAT and custom duties contributions). The institutions also have invested energy into strengthening co-operation with the European Court of Auditors (ECA), the European Commission, and the Contact Committee (comprising heads of all EU SAI's).

Human and Financial Resources

Almost all SAI's have signalled difficulties in the human resources area, including inadequate staff knowledge of foreign languages. If auditors cannot speak fluent English or French, they cannot communicate effectively with the ECA or other national SAI's. If they cannot read English, they are not able to audit adequately European projects implemented by their own government administration, because the implementing unit communicates with the European Commission in English, and the working papers are most often in this language.

No SAI participating in the study has cited a dramatic increase of its budget to accommodate work related to EU accession. Most SAI's have underlined that they began preparations for the changes related to EU accession *too late*.

The Polish Adviser to Parliament

The role of the SAI can be particularly important during the period of the accession process when the administration makes moves to change its traditional behaviours in several areas, and when completely new forms of activity arise. For example, Poland's SAI has been examining arrangements made by the government administration for EU accession (modifications to law, training, co-ordination), and the use of European assistance to Poland (mainly Phare funds).

As the institutional adviser to Parliament -- and source of independent monitoring, opinions and assessments for the Government -- the Polish SAI has had a continual impact on improvement in these areas. Yet completing this work is not easy and is costly in terms of time and resources. The Polish SAI's evaluation of governmental management of European affairs has had a parallel in Hungary, where the Hungarian SAI has travelled the same *terra incognita*. Both audit offices are likely to have work connected with the European Commission's *avis* questionnaires, especially as it concerns government internal control systems.

Conclusions

The SIGMA-led study thus far has revealed that:

- state auditing is crucial as part of the process of EU accession;
- the role of auditing in this process depends substantially on early preparations, including language training, and change

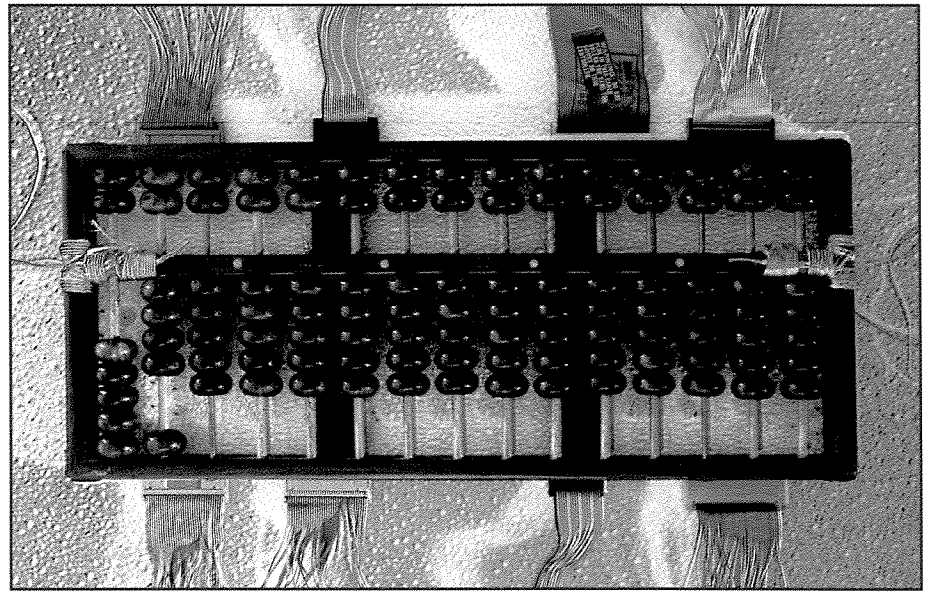
EU Membership

away from purely domestic-oriented attitudes; and

- neither special resources nor broad changes in law are needed in the audit area.

The consequence of insufficient and tardy preparations may be sombre for central and eastern European SAI's. However, reflection on how the SAI's should change themselves will be made easier due to SIGMA's initiative. The big question for applicant country SAI's is: "will the decision-makers find enough energy to delve deeper into important details and learn how to manage the change related to the EU accession?"

It would be difficult to deny that the present applicant countries have a much



The Image Bank/Daniel Cox

longer distance to travel than any of the previous ones. Central and eastern European budgeting systems still require substantial improvements to be more effective. Governmental internal control systems need a much higher profile, and

many civil servants need to attend language classes. All of this makes the task more demanding. ♦

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European Audit Bodies Report Their Experiences

At the request of finance ministry and audit institution officials in central and eastern European countries, SIGMA launched the study on "Effects of EU Accession on Budgeting, Financial Control and External Auditing" in late 1996. The study aims to provide transition countries with practical ideas on how to adapt their budgeting, financial control and external audit systems to EU requirements and standards.

The study supplies information on how a diverse group of seven EU Member States have adjusted their legislation, administration, systems and procedures to the demands of the Union. In the process, it sheds light on the difficulties current Member States have encountered, as well as on the lessons they have learned. Such experiences are helping to identify the management challenges facing central and

eastern European countries in the fields of budgeting, financial control and audit.

A reference group is overseeing the study's research and analysis. Representatives of Austria, the Czech Republic, Denmark, Finland, France, Hungary, Poland, Portugal, Sweden and the United Kingdom have participated. Public servants linked to finance ministries in the participating EU Member States have submitted papers focusing on these countries' budgeting and financial control systems; and officials from the European Commission have provided papers on financial control and audit in the European Union and the management of agricultural guarantee operations in Member States.

Supreme audit institution officials have submitted papers on external audit. The country papers on external audit address general aspects of the development of audit in

Europe; development of audit standards; use of liaison groups and sub-groups; certification of EAGGF accounts; and relations and experiences with the European Court of Auditors.

All of the papers have been prepared in a personal capacity and do not represent the views of the authors' employers. The country papers on budgeting and financial control will be published in one volume, and those related to external auditing in another. Summary chapters introduce both volumes, which will be released as part of the SIGMA Papers series in English and French this autumn. SIGMA also is providing limited financing to the translation of the texts into central and eastern European languages. ♦

For more information on the study, the resulting publications, and SIGMA advisory services in the subject areas covered by the study, contact Kjell Larsson at tel: (33.1) 45.24.13.73; fax: (33.1) 45.24.13.00; e-mail: sigma.contact@oecd.org.

EU Integration and Civil Service Reform

by Professor Jacques Ziller

Joining the European Union implies a range of changes to the public services of applicant countries. In particular, these countries will have to modify the rules, attitudes, and training practices within their public administration to prepare civil servants for the expectations and obligations of EU membership.

Adoption of European Union Member States' norms of democracy, the rule of law and market economy is bound to have an impact on civil services of new entrants into the Union. Further, these norms are at the background of possible assessments of their civil services by the European Commission.

In this context, neutrality of the civil service will be particularly stressed. Neutrality implies a set of standards in attitudes towards the public whereby such traits as personal relations, political views, religious beliefs, philosophical opinions, ethnic positions, and gender differences may not be taken into account by civil servants in carrying out their duties.

In the framework of the Union, Member States are obliged to enforce the prohibition against discrimination on grounds of nationality. In addition, civil servants in national administrations must leave aside their personal opinions, including political ones related to European integration, when applying EC law.

Implementation Capacities

The Commission has for some time indicated that it intends to look not only at the "paperwork" completed to adapt legislation to European norms, but also

at the capabilities for implementation of common policies and enforcement of EC law in candidate states. The impact of the market economy on the work, organisation and functioning of the civil service is likely to increase, and probably will do so in a way which will be more and more common across EU Member States. The importance of a good civil service in international competition is nowadays recognised by governments and international institutions and particularly by the European institutions.

"...training for participation in the decision-making process and the implementation of EC directives, regulations and programmes has to be fostered..."

Improving the quality of the civil service with a view to avoiding mismanagement and enhancing service orientation and efficiency is seen as one way of making European countries more competitive in attracting foreign investment and in providing domestic enterprises with a business-friendly climate.

Indeed, this will become one of the main instruments for national governments to support business, since it is one of the rare actions which can have a positive impact but which cannot be considered as "aid granted by the state," something forbidden by the EC Treaty.

Training and Mobility

EU accession will have an impact on the civil services of applicant countries not only because of the consequences attached to belonging to the group of nations which share a common approach to values such as democracy, the rule of law and market economy. It also will

have a more direct impact in at least three areas where careful and early preparation is needed.

First, the civil services of candidate countries will have to prepare for the free movement of labour forces for certain functions within the public administration. They also will have to specify which positions or careers in the civil service will be reserved for their own nationals, and will have to create systems for mutual recognition of professional qualifications.

Second, candidate countries need to adapt civil service lateral mobility, promotion, social protection and retirement for possible mobility with the public services of other EU Member States and European institutions. As these are areas where the *acquis communautaire* is limited, the countries should insist during enlargement negotiations on participating in the EU mutual information process among civil services, as well as in meetings of the ministers in charge of the civil service.

Finally, training for participation in the decision-making process and the implementation of EC directives, regulations and programmes has to be fostered and accelerated especially in the framework of technical assistance. ♦

Jacques Ziller, Professor, the Université de Paris 1 (Panthéon-Sorbonne), may be reached in care of the university, at 12, place du Panthéon, 75005 Paris, France. See also "Training for European Integration" in PMF, Vol. I, No. 2, 1995, and SIGMA Papers: No. 1: Top Management Service in Central Government, 1995, and SIGMA Papers: No 3: Training Civil Servants for Internationalisation, 1996.

Dutch Support Examination of Enlargement's Impact on Governance

by Jos van der Steen

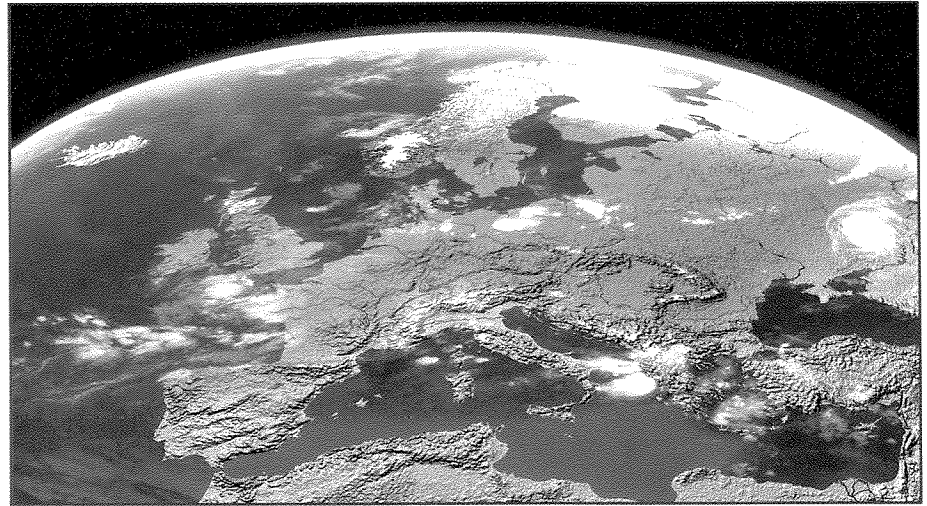
On 29 and 30 May, some 200 public servants, policy-makers, and representatives of inter-governmental organisations from across Europe gathered in Rotterdam to deliberate the implications of European Union enlargement for the quality of government and the public administration. The conference organiser, Jos van der Steen, reports on the event.

The Netherlands EU Presidency organised this event to initiate a process of building consensus on the vital characteristics of governance required for EU Membership. At present, there is a great divergence of administrative systems and practices in EU Member States, and no firm criteria against which administrative performance can be judged. Nonetheless, there is growing awareness of the need in the pre-accession phase to focus not only on market-related issues, but also on capacities to govern and implement EU legislation.

The Rotterdam conference aimed to create a platform for direct, open and informal dialogue between current and future Member States on the main problems to be addressed and actions to be taken in the years to come. The programme outcomes, it was hoped, could be used as input for technical assistance programmes as well as possible follow-up initiatives undertaken by other EU Presidencies.

Supporters and Speakers

The EC financed a major portion of the conference, and a variety of domestic and inter-governmental organisations, such as the Council of Europe and the Organisation for Security and Co-operation in Europe, participated in programme preparations and agenda. SIGMA experts contributed from the conceptual phase onwards, and helped to shape the conference form and content. Keynote speakers -- including Dutch Deputy Prime Minister and Minister for the Interior Hans Dijkstal and Deputy Director-General of the European Commission (DG1A),



PIX/Bill Brooks

François Lamoureux -- elucidated conference themes from various perspectives.

The conference comprised four workshops which provided the opportunity for in-depth discussion on specialised themes: Reliable Administration, Local and Regional Government, Cultural Diversity, and Environmental Policy. Jacques Fournier, Member of the French *Conseil d'Etat*, and Senior Counsellor at SIGMA, presented a detailed paper drafted by SIGMA for the workshop on Reliable Administration. This paper had a great impact not only on the workshop's discussion, but on the final conclusions of the conference.

Professor Arie van der Zwan served as the General Rapporteur. His Report of the conference conclusions identified four objectives for reform in the area of "Central Organisation and Decision-making" in Western Europe as well as Central and Eastern Europe. These included ensuring:

- a legal system guaranteeing the right to the people to elect those in power; the separation of powers; human rights; and the rule of law;
- a government organisation providing for effective co-ordination among the ministries and a sound link with budgeting;
- procedures to ensure a co-ordinated policy-making and implementing process including procedures for producing laws and regulations; and
- a public sector which, in the areas in which it operates, is given specific tasks to fulfil with a

degree of management autonomy.

The Rapporteur's Report also identified a number of enabling actions to support objectives such as those cited above. For the national governments of EU applicant countries, the Report cited three actions: 1) set up governance reform capacities at political and technical levels capable of developing and implementing governance reform policies, and using effectively assistance to governance reform; 2) commit budget and political resources to governance reform; and 3) set up a public governance reform review process (eg annual reports to parliament, audit reports and national surveys).

Follow-up Action Encouraged

Participants agreed that the conference served a useful purpose. Discussion in the workshops was animated and characterised by frankness and a sincere will to come to terms on the issues at stake. Conclusions, papers and keynote speeches can be obtained from the Netherlands Ministry of the Interior, which welcomes ideas for follow-up activities. To stimulate this process, and to elicit comments from institutions and individuals interested in governance issues in Europe, the Rapporteur's Report has been made available on the Internet at: <http://www.erasmusforum.nl/projects/governance/index.html>. It also may be obtained at the address below. ♦

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Capable Public Administrations Essential to Fulfilling European A

On 16 July, the European Commission presented its opinion (avis) on the applications for membership by ten central and eastern European countries. Each country avis is divided into four parts, one of which assesses the country's administrative and legal capacity to apply the *aquis communautaire*, the body of EU law. The following article presents the views of the European Commission on the criteria used in the formulation of the avis, and on plans for reinforcing the pre-accession strategy, particularly with regard to "institution building."

In establishing its *avis* on the applications for membership of the ten associated central and eastern European countries (Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia), the European Commission used the criteria laid down by the Copenhagen European Council in June 1993. These criteria specified that the applicant country must have:

- achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- a functioning market economy, as well as the capacity to cope with competitive pressure and market forces within the EU;
- the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.

In May 1995, the European Commission released the White Paper on "Preparation of the Associated Countries of Central and Eastern Europe into the Internal Market of the Union." The White Paper defines key measures in each sector of the internal market and suggests a sequence in which the approximation of legislation should be tackled. It cautions, however, that "...a merely formal transposition of legislation will not be enough



to achieve the desired economic impact or to ensure that the internal market functions effectively after further enlargement. Accordingly, equal importance is attached to the establishment of adequate structures for implementation and enforcement, which may be the more difficult task."

The Madrid European Council (December 1995) referred to the need, in the context of the pre-accession strategy, "to create the conditions for the gradual, harmonious integration of the applicant countries, particularly through the development of the market economy; the adjustment of their administrative structure; and the creation of a stable economic and monetary environment."

On the basis of a comprehensive evaluation of the extent to which the ten applicant countries meet the above criteria, the Commission recommended that accession negotiations start with Hungary, Poland, Estonia, the Czech Republic and Slovenia. In light of its analysis and of their respective merits, the Commission considers that these countries could be in a position to

satisfy all the conditions of membership in the medium term if they maintain and strongly sustain their preparation efforts.

The Commission underlines that a decision to open accession negotiations simultaneously with these countries does not necessarily imply that they will be concluded simultaneously. The conclusion of accession negotiations will depend in large part on the accomplishment of the further efforts required from each applicant country in the respective opinions.

In December 1997, the European Council is expected to consider the Commission's recommendations.

Reinforcing the Pre-Accession Strategy

At the request of the Dublin European Council at the end of last year, the Commission proposes to reinforce the pre-accession strategy for applicant countries. This strategy applies to *all ten* applicant countries and aims to offer a coherent programme to prepare them for accession. This reinforced pre-accession strategy comprises two new

irations

features which will guarantee a higher degree of consistency between the preparations for accession and the negotiation itself:

- bringing together within a single framework (the Accession partnerships), which nevertheless takes account of the requirements of each applicant country, all the resources and forms of assistance available for facilitating the adoption of the Community *acquis* and disciplines; and
- extending the participation of applicant countries in Community programmes and mechanisms to apply the *acquis*.

The adoption of the *acquis* forms the basis of any accession, and the pre-accession strategy will contribute towards solving the main problems identified in each *avis*. In addition to those questions which are specific to each applicant, the Commission's analyses have

revealed two types of horizontal requirements: the need to 1) reinforce the institutional and administrative capacity of the applicant ("institution building"), and 2) bring enterprises into line with Community standards.

With regard to the first point, the Madrid European Council emphasised that applicant countries' institutional and administrative capacity to implement the *acquis* is a key problem in the enlargement preparations. They must be helped to set up institutions and administrations capable of establishing and effectively implementing Community legislation.

Efforts will focus on training specialists in the following fields in particular: law, customs, public accounts, budgetary control, environment, telecommunications, veterinary and phytosanitary inspections, technical

controls, statistics and energy. Applicant countries should be helped to develop their own capacity for dealing with justice and home affairs (combating illegal immigrations, drug-trafficking, international crime, etc). In addition, the Union must establish close co-operation in the nuclear-energy field with the countries concerned and their safety authorities to assist them in introducing appropriate safety standards as soon as possible.

Programmes for the long-term secondment to applicant countries of experts from the administrations of the Member States will be drawn up for each applicant in light of the needs identified, particularly in the Commission's opinions. ♦

This article is based on European Commission documents 97/7 (Brussels, 15/07/97) and 97/9 (Strasbourg/Brussels, 16/07/1997). See also page 15.

Officials to Compare Notes on European Integration and Administrative Reform

by Michal Ben-Gera

Over the past few months, SIGMA has been making preparations, in collaboration with officials from the EU Phare, the Government of Greece, and central and eastern European countries, to hold a multi-country seminar in Athens this autumn on European integration and its relation to public administration reform.

In July 1995, SIGMA organised a multi-country seminar on European integration in Natolin, Poland, for top government officials from central and eastern European countries and counterparts from a number of EU Member States. Since then, central and eastern European countries have put in place new structures and procedures for the management of European integration, and the European Commission has now issued the

avis which, among other things, highlights the need for strengthening administrative capacities in applicant countries. Thus, the time is ripe for a second meeting on this subject to provide an occasion for central and eastern European countries to examine recent developments, and discuss plans and preparations for the pre-accession process.

The seminar will focus on two related themes: the management and co-ordination of the process of European integration; and the relationship between European integration and public administration reform. The seminar will include presentations of a number of general papers; a panel of senior negotiators who represented Austria, Finland and Greece when those countries acceded to the EU; addresses on

EU preparations for negotiations; and exchanges of information among public administration practitioners from EU Members and central and eastern European countries.

The Greek National Centre of Public Administration and the Ministry of the Interior, Public Administration and Decentralisation will host the meeting, scheduled to take place in Athens on 8-10 October 1997. Each country participating in SIGMA's work has been asked to nominate three officials to attend the seminar, including the senior official responsible for European integration, and the senior official responsible for public administration reform. ♦

Michal Ben-Gera, SIGMA Advisor for Management of Policy-Making, may be reached in Paris at tel: (33.1) 45.24.13.98; fax: (33.1) 45.24.13.00. See also the article on page 7.

Poland Prepares the Public Service and Policy-Making System for

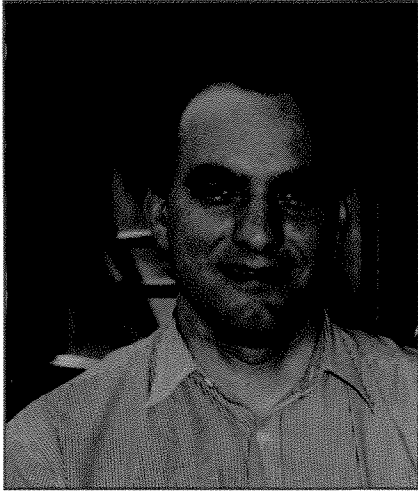


Photo: J. Pietras

Jaroslaw Pietras

Poland has undertaken a number of actions to modernise the institutions of the state and enhance the calibre of civil servants. The far-reaching State Economic Administration (SEA) reform plan, implemented within the past year, redistributed powers and restructured ministries to improve public administration's performance. In the following interview, Jaroslaw Pietras, Under-Secretary of State in the Polish Office of the Committee for European Integration, reports on the country's priorities for enhancing the administration's capacity to meet the demands of European Union accession.

PMF: The European Commission *avis* states in part that "significant weaknesses are...noticeable" in the Polish public administration as exemplified by "widespread tax evasion, and in inadequate enforcement mechanisms, in areas such as health, safety and the environment." What do you think of the Commission's assessment of Poland's administrative capacity to apply the *acquis communautaire*?

Pietras: It's not only the *avis* but also earlier documents that have indicated

that implementation and the ability to enforce European legislation are vital for future Polish membership in the European Union. And in a number of areas there are still plenty of things to be done.

At the earliest stage, the Polish administration concentrated on approximation of legislation and then creation of institutions that would be able to implement it. This process of building institutions is much more difficult because it is not only related to employment of people in these institutions, but also to gaining experience. This requires some time.

In a number of areas, like customs administration, we have already gained significant experience. In some other areas, further development is needed, particularly where a law compatible with European Union law is not fully in place. Thus, the process will continue and I would indicate that in the assessment of the Commission, as expressed in the *avis*, Poland will be able in the medium term -- meaning approximately five years -- to meet European standards.

It is not only in applicant countries, but also in Member States, that implementation sometimes meets difficulties. Therefore I would not worry about the ability of the Polish administration to make progress. The *avis* is helpful in indicating that in these areas we should pay particular attention to implementation and enforcement, not only simple transposition of law.

PMF: The *avis* also states that "the civil service is... understaffed at the policy level but overstaffed at the level of

routine administration. There is a great problem in recruiting and retaining high-quality young staff with language skills for the key work on the integration with the EU and other bodies." What is the Government doing to ensure professionalism of the public service and to ensure retaining of high quality staff within the public service?

Pietras: The *avis* rightly indicates the weakness of the Polish administration saying that recruitment is quite insufficient and the inflow of well-qualified staff is too small. The problem is how to ensure proper staffing. In general terms, the Polish central public administration is quite small compared with those European Union Member States that I know.

The major problem is related to competition from the private sector which offers much better conditions for young well-educated people making it much more difficult to attract well-qualified staff to work in the administration. It is changing slowly because a job in the administration normally means long-term involvement, more secure work, and ability to gain experience which is quite unique. But, on the other hand, competition by the private sector remains very significant.

So one thing that could be done -- and attention is being paid to this -- is to train those who are already in the administration, and here there are plenty of opportunities for people to upgrade their abilities. There are similar opportunities for training offered to newcomers. But this is still not enough because needs are great and resources are limited. We obviously rely on domestic resources

the Challenge of European Integration

and also on foreign assistance particularly by institutions that could offer such training. SIGMA, among other donors, plays a role in this respect by showing what kind of changes could be considered in the administration.

An additional thing is that we are still working within the former structure and, to a certain extent, philosophy of doing things. The process of European integration, the preparation for membership, creates a new situation -- a totally different situation -- because it means that we have to co-operate much more strongly in a horizontal manner between various departments, and to break down some divisions that existed before in order to successfully implement European Union laws. For example, in environmental protection, you have to have co-operation with the Ministry of Transport, the Ministry of Justice and other ministries.

PMF: What are the main challenges confronting the Government in its effort to reform the public administration and to improve the administrative capacity in light of the avis?

Pietras: There is one major challenge facing the Polish administration. There is change of such a scope that it is difficult to imagine. The change of nearly everything. The law has changed, as have institutions, the way in which these institutions operate, and the relationship between the administration and the institutions and people within it. Thus, you have to adjust to new circumstances.

Things cannot continue in a traditional manner because the traditional manner was related to a very different system, a *totally* different system.

The challenge is to make these adjustments in an environment in which changes happen nearly every day. One of the problems is related to the alignment of Polish law with the European Union. Every day, laws are changed and regulations are implemented, forcing institutions to catch up. This process was easier in countries that became Members of the European Union at an earlier time because they already had most of the regulations in place, and the volume of change was much smaller.

Every day, laws are changed and regulations are implemented, forcing institutions to catch up. This process was easier in countries that became Members of the European Union at an earlier time because they already had most of the regulations in place, and the volume of change was much smaller.

There is also one advantage. Because things have to be changed anyhow, everyone understands that the legal system will have to be changed in a certain way. So there is a better understanding in the public at large of the fact that the administration is going to change. But in the meantime it appears that all weaknesses are very easily exposed because it's much easier to see that institutions are not capable of carrying out the duties that are imposed on them.

To meet this challenge, you have to first master the process of putting a whole new legal system, a proper sequence of changes, into the law to avoid inconsistencies between various parts of the law. Then you have to

slowly build institutions which can co-operate with one another and which are able to fully utilise recently introduced changes.

I know of cases in Poland, and also in some other countries, where a law is adopted by the Parliament, and then nothing follows because there is no one to really put life into the law and no institution to put into practice what has been adopted in the legal system. But even the creation of the institution is not enough because you have to have a procedure that is well-known.

For example, and in response to your first question here, you may have a tax law in place, but then you have to create tax offices, and those who pay taxes have to fully understand the law and changes to it. Also, they have to follow procedures and behave in a

manner supporting a relatively smooth implementation of the principles, etc. Tax evasion might be also related to the fact that those who are to pay taxes are often not well-informed, and base their knowledge on what was valid a year ago but is no longer in place. ♦

Jaroslav Pietras may be reached in Warsaw at tel: (48.22) 694.75.17; fax: (48.22) 694.69.88. SIGMA Administrator Judyta Fiedin conducted the interview in Paris on 18 August 1997. For an Estonian view of the avis' assessment of the ability of Estonia's public administration to apply the *acquis communautaire*, see page 3.

Public Administration in the News

Sofia Plans for the Coming Years

The Bulgarian Government has issued its Programme for the period 1997-2001. The part of the Programme dealing with central administrative reform calls for continued modernisation of the state administration, including the establishment of an integrated public sector information system. Other specific changes include improving the organisation of the Council of Ministers; passing laws on the civil service to regulate positions and qualifications; upgrading the staffing of the administration; approximating legislation with that of the European Union; and ensuring active parliamentary control over the Government. Leading officials of the Government, including Deputy Prime Minister Vesselin Metodiev, are personally involved in reform of the administration. Source: Government of Bulgaria.

Lithuania Releases Reform Plan

The Ministry of Public Administration Reforms and Local Authorities has issued "Directions of Public Administration Reform Policy in 1997-1999". The Policy's stated main goals are to ensure the transparency of public administration, and improve public administration to make it adequate for the requirements of the transition period and long-term social, economic and political priorities. Specific tasks include unifying the public administration's institutional set-up (while separating policy-making structures from policy-implementing

ones); rationalising the structures of central government while taking into consideration their goals and tasks, and the character of decisions being made; decentralising the public administration; raising the performance of civil servants; and reducing administration expenditures. Source: Government of Lithuania.

Anti-Corruption Law in Poland

The *Sejm* has approved a law limiting the business activities of people in public office, including the President, Prime Minister, *Sejm* and Senate speakers, heads of the chancelleries of both houses of Parliament, the head of the President's Chancellery, chairmen of the Central Auditing Office and National Bank, justices of the Constitutional Tribunal, and officials at the central and local government level. These people will not be allowed to sit on management and supervisory boards or auditing commissions of companies subject to commercial law, nor on the management boards of foundations involved in business activities.

All those covered by the law will have to submit statements to their supervisors or the chief justice about their property and their spouses' property. There also will be unclassified registers run by the State Election Committee in which officials will have to register all gifts over a specified amount, as well as travel paid

for by any organisations other than their direct employers. Source: *The Warsaw Voice*.

Estonian Commission to Consider Administrative Reform

The Estonian Government has formed a five-member commission, headed by Prime Minister Mart Siimann, to consider a proposal for administrative reform. In January, Economy Minister Jaak Leimann, Transport and Communications Minister Raivo Vare, and Finance Minister Mart Opmann had proposed reducing the number of parliamentary deputies from 101 to 71, merging several ministries, and having only four local governments. Estimates show that the reform would save approximately \$36 million per year. Source: ETA via RFE/RL.

Judicial Reform in Hungary

A law passed by Parliament during the summer authorises the creation of a Court of Appeal and National Judicial Council guaranteeing the independence of the courts from the Government. Source: RFE/RL.

*"It doesn't matter what you do,
it only matters what you say you've done and what you're going to do."*

from "Dilbert's Laws of Work," <http://www.mtsac.edu/~rlee/dilbert.html>

Government Compensation Programmes

New Strategies for Public Pay, edited by Howard Risher and Charles H. Fay

Success of public sector organisations depends on employee satisfaction and motivation to improve performance. *New Strategies for Public Pay* addresses one of the strongest motivators -- compensation. The book cites plans which have proven successful in the private sector and at the same time are well-suited for government entities. The editors, Howard Risher and Charles H. Fay, boast many years of hands-on experience in compensation systems and other human resource subjects, and currently teach at major American universities.

New Strategies is neither an academic text nor a "how-to" manual. Rather, it has been developed as a resource for anyone who may be asked to play a role in rethinking a pay programme. The goal is to balance the more conceptual and strategic side of

programme planning with adequate coverage of programme design issues. In this regard, the book may be useful at both the policy level and the programme administration level.

The book comprises three parts entitled, "Understanding Salary Management," "Linking Pay to Performance," and "Public Compensation in Unionized and International Contexts." Fourteen chapters offer expert analyses of specific programmes in areas such as merit pay, competency-based pay and gainsharing. For the most part, the analyses are provided by experts in U.S. public sector human resource management.

New Strategies introduces a range of alternative pay schemes that shows public sector managers how

they can set standards that match the particular needs of individual organisations; stimulate desired new behaviours necessary to overcome "business as usual" mentalities and the fear of change; and energise employees and provide a fresh incentive for continuing improved performance.

In sum, *New Strategies* proposes a practical framework for planning compensation programmes to help create more efficient, flexible and responsive public organisations. ♦

New Strategies for Public Pay, 340 pages, ISBN 0-7879-0826-6, 1997. To order: Josey-Bass, Inc., 350 Sansome St., San Francisco, CA 94104, USA; Internet: <http://www.joseybass.com>.

INBOX:



A COMPENDIUM OF RECENT PUBLICATIONS AND ARTICLES

Note: All publications below are available in English unless otherwise noted.

From SIGMA

SIGMA Policy Brief No. 1: *Anatomy of the Expenditure Budget*, 1997, 8 pages. French version forthcoming.

SIGMA Policy Brief No. 2: *Civil Service Pension Schemes*, 1997, 8 pages. French version forthcoming.

SIGMA Papers: No. 15: *Checklist on Law Drafting and Regulatory Management in Central and Eastern Europe* (previously referred to as *Checklist on Law Drafting Procedures and Techniques*), 1997, 29 pages. French version forthcoming.

SIGMA Papers: No. 16: *Public Service Training Systems in OECD Countries*, 1997, 21 pages. French version forthcoming.

To order: SIGMA Information Services, SIGMA-OECD, 2, rue André-Pascal, 75775 Paris Cedex 16, France. Tel: (33.1) 45.24.13.16; fax (33.1) 45.24.13.00; e-mail: sigma.contact@oecd.org.

From PUMA

Benchmarking: Evaluation and Strategic Management in the Public Sector, 1997, 122 pages. Also in French.

To order: OECD Publications Service, 2, rue André-Pascal, 75775 Paris Cedex 16, France. Tel: (33.1) 49.10.42.83; fax: (33.1) 49.10.42.76; e-mail: compte.pubsinq@oecd.org.

OTHER PUBLICATIONS

CHRISTENSEN, Jørgen G. "Interpreting Administrative Change: Bureaucratic Self-Interest and Institutional Inheritance in Government", *Governance*, Vol. 10, No. 2, April 1997, pp 143-174.

Democracy and Civil Society in the Balkans (report of an international conference organised by the Association for Democracy in the Balkans, 29-31 March 1996), 1997.

To order: Paratiritis, 30 Grigoriou E Str., Thessaloniki, Greece; tel: (30.31) 31.05.06.

IONESCU, Rodica. "Government and Civil Society Partnerships Promote Social Dialogue in Romania," *Partnership* (World Bank/EDI), Spring/Summer 1997, pp 5 and 11.

PAUTOLA, Niina. "Towards European Union Eastern Enlargement: Progress and Problems in Pre-Accession," *Review of Economies in Transition* (Bank of Finland), No. 6, 1997, pp 5-21.

"Reasons to be Venal: Can Governments Reduce Corruption by Paying More to Public Servants?" *The Economist*, 16 August 1997, page 68.

ROOT, Hilton L. *Small Countries, Big Lessons: Governance and the Rise of East Asia*, 1996, 246 pages.

To order: Oxford U. Press (China), Ltd., 18/F Warwick, Taikoo Place, 979 King's Rd., Quarry Bay, Hong Kong, China.

The Citizen Comes First in Europe: Modernisation of the Public Service



by Pavel Černoč



Courtesy Photo

Pavel Černoč

Like other central and eastern European countries, the Czech Republic confronts the need to reform its public administration to, inter alia, prepare for negotiations with -- and accession to -- the European Union. Pavel Černoč of the European Commission Delegation to the Czech Republic elaborated on this subject in an article published on 28 June this year in the leading Czech daily Lidové Noviny. The following edited translation of that article presents his personal views.

In the European Union, rising unemployment rates, growing state deficits, the need for more economic efficiency and the internationalisation of domestic policy represent strong incentives for a change in public administration, its overall relation to the economy and position in society.

It is no secret that the present state of the Czech public service could not only endanger the expected negotiations on the accession of the Czech Republic to the European Union, but also, as pointed out by

leading economic experts in Europe, could endanger the success of the Czech economic reforms.

In a number of countries, programmes for the modernisation and reform of the public service have already been launched. Although these programmes might often be of a different nature, with a nationally specific character and be undermined by different political interests, they nevertheless have a lot of common features. Reforms focus for instance on raising the effectiveness of tax expenditure on the public service, the development of flexible management, the delegation of decision-making powers to lower levels of hierarchy, changes of attitudes in the public service, etc.

The reforms' major common denominator is the development of an approach which puts citizens first and which defines the work of an office or institution as provision of quality services to the public. The functioning of public institutions therefore does not remain a mere question of hierarchical structures, but becomes much more a result-oriented issue.

The introduction of new initiatives requires financial and human resources, which are often scarce. In this respect the Czech Republic is in a rather favourable position. The Czech socio-economic reforms are taking place with considerable success; and the financial and human resources necessary for reforming the public sector are, generally speaking, being developed.

This process is supported from other sides as well. Public administration

reform represents one of the main priorities of the pre-accession strategy of the European Union for the central and eastern European countries. Thus, there is considerable financial aid available from the Phare Programme of the European Union. The present challenge is to use these funds properly and not to let them lie around idly.

"The reforms' major common denominator is the development of an approach which puts citizens first and which defines the work of an office or institution as provision of quality services to the public."

It is evident that visible change will require a longer time, maybe even some years. The main issue is to place the process of public administration reform on a solid basis. This is particularly important because political support and the sympathy of the public is often influenced by short-term interests; and the issue of public administration reform is then not perceived as a priority.

The European Commission considers it its priority to support financially the conceptual co-operation in this field between the Czech Republic and the EU Member States. Plentiful experience from these countries can then help to avoid "reinventing the wheel". ♦

Pavel Černoč serves as Programme Officer for Human Resource Development Programmes at the Delegation of the European Commission in Prague. He may be contacted at the Delegation, Pod Hradbami 17, CZ-16000 Prague 6, Czech Republic, tel: (420.2) 243.128.35, fax: (420.2) 243.128.50, email: euphare@mbox.vol.cz. For another view on Czech administrative reform, see also page 10, PMF, Vol. I, No. 4, 1995.

Phare Takes Prominent Role in Pre-Accession Phase

"Agenda 2000," the European Commission's official communication on EU expansion, identifies a big role for Phare in the preparation of applicant countries during the pre-accession process

The pre-accession strategy to prepare applicant countries for EU membership will bring together the different forms of support provided by the Union in a single framework, the Accession Partnerships. These will be agreed with all applicants and will include a clear work programme and timetable. This process will also allow the applicants to familiarise themselves with the functioning of the policies and procedures of the EU, and to participate in its programmes.

Two priorities common to all applicants are the strengthening of administrations and institutions, and the strengthening of investment in industry and infrastructure.

Phare, the EU's aid programme to Central and Eastern Europe, was recently reoriented towards these objectives and will continue to operate as an accession tool. In addition, new forms of aid may be provided within the current financial perspective and resources could be mobilised from international financial institutions.

Bringing together different forms of EU support, total pre-accession assistance proposed for the period 2000-2006 totals ECU 21 000 million (at constant 1997 prices), including ECU 3 500 million for structural assistance in agriculture, ECU 7 000 million under the Cohesion Fund, and about ECU 10 500 million from Phare.

As budgetary resources will be very limited compared with the needs, the solution is not to promise new budgetary appropriations but to organise the Union's response in a more co-ordinated manner by combining and interlinking the forms of assistance and instruments available.

Phare's Objectives

The new Phare Programme is, and will remain, the main instrument. On the basis of new guidelines adopted by the European Commission, the Phare Programme will have the objective of preparing applicant countries for accession by focusing the assistance it provides on the two key priorities involved in the adoption of the Community *acquis*: institution-building and the financing of investment projects, which will account for 30 per cent and 70 per cent respectively of its budget for the applicant countries.

With financial resources which will grow until the end of 1999 under the current financial perspective -- and which should increase after the year 2000 -- Phare's effectiveness will be strengthened by reformed administration methods. These will include: concentration of projects on the *acquis* implementation priorities programmed by the Accession Partnerships; improved budgetary implementation; a radical increase in the size of projects; and continued decentralisation of management in favour of the recipient countries.

As the applicant countries start irreversibly to adopt the Community *acquis*, it will be necessary to increase the assistance provided by the Union with regard to approximation of laws. It is also logical, without waiting for the accession date, to involve the applicant countries in Community programmes and the machinery for applying the *acquis* as soon as they have transposed the latter, sector by sector. ♦

This article is based on the European Commission documents 97/7 (Brussels, 15/07/97) and 97/19 (Strasbourg/Brussels, 16/07/97). For further information on Phare, contact the Phare Information Office in Brussels at tel: (32.2) 299.14.44; fax: (32.2) 299.17.77.

➤ *continued from p.1*

The simultaneous process of transition and of preparation for accession creates an additional burden on the administrative capacities of candidates from Central and Eastern Europe. Compared with Austria, Finland or Sweden -- which entered the Union together in 1995 -- the latest wave of applicants has to travel a greater distance from their starting position to achieve the conditions that will make membership possible.

Also, since the 1980s, when Greece, Portugal and Spain joined the Union, the *acquis* has become significantly larger and continues to grow. The growing body of EU law adds significantly to the workload of preparing for accession, at times straining the capacity of central and eastern European administrations to manage the formulation, approval, implementation and control of policy and legislation.

Moreover, the *acquis* is not static, and applying the *acquis* of today is not sufficient. Aspiring EU Members must organise their administrations so as to be able to fulfil an evolving *acquis* when they accede to the Union. This is why the emphasis on building capacities, itself a dynamic concept, is so important. ♦

Editor-in-Chief

SIGMA

SIGMA -- Support for Improvement in Governance and Management in Central and Eastern European Countries -- is a joint initiative of the OECD Centre for Co-operation with the Economies in Transition and the European Union Phare Programme. The initiative supports public administration reform efforts in thirteen countries in transition, and is mostly financed by Phare. The Organisation for Economic Co-operation and Development is an intergovernmental organisation of 29 democracies with advanced market economies. The Centre channels the Organisation's advice and assistance over a wide range of economic issues to reforming countries in Central and Eastern Europe and the former Soviet Union. Phare provides grant financing to support its partner countries in Central and Eastern Europe to the stage where they are ready to assume the obligations of membership of the European Union.

Phare and SIGMA serve the same countries: Albania, Bosnia-Herzegovina, Bulgaria, the Czech Republic, Estonia, the Former Yugoslav Republic of Macedonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

Established in 1992, SIGMA works within the OECD's Public Management Service, which provides information and expert analysis on public management to policy-makers and facilitates contact and exchange of experience amongst public sector managers. SIGMA offers beneficiary countries access to a network of experienced public administrators, comparative information, and technical knowledge connected with the Public Management Service.

SIGMA aims to:

- assist beneficiary countries in their search for good governance to improve administrative efficiency and promote adherence of public sector staff to democratic values, ethics and respect of the rule of law;
- help build up indigenous capacities at the central governmental level to face the challenges of internationalisation and of European Union integration plans; and
- support initiatives of the European Union and other donors to assist beneficiary countries in public administration reform and contribute to co-ordination of donor activities.

Throughout its work, the initiative places a high priority on facilitating co-operation among governments. This practice includes providing logistical support to the formation of networks of public administration practitioners in Central and Eastern Europe, and between these practitioners and their counterparts in other democracies.

SIGMA works in five technical areas: the Reform of Public Institutions, Management of Policy-making, Expenditure Management, Management of the Public Service, and Administrative Oversight. In addition, an Information Services Unit disseminates published and on-line materials on public management topics.

ON THE AGENDA



Upcoming Programmes

22-28 September 1997, Budapest, Hungary. "INTOSAI Conference on Internal Control and Internal Audit." Contact: Peter Gantner, Senior Counselor, Head of the Department for International Relations, State Audit Office, H-1052 Budapest, Apaczai Csere Janos u. 10, Budapest, Hungary. Tel. (36.1) 118.8641; fax: (36.1) 138.4398; e-mail: jimhmltn@patriot.net. In English.

23-26 September 1997, Maastricht, the Netherlands. "Committees and Comitology in the EC." Contact: EIPA, POB 1229, 6201 BE Maastricht, the Netherlands. Fax: (31.43) 329.62.96. In English and French.

6-10 October 1997, Schwerin, Germany. Seminar on "The Rule of Law in a Democratic Society." Sponsored by the Center for Civic Education (CCE) and the Bundeszentrale für politische Bildung. Contact: John Hale, CCE, 5146 Douglas Fir Rd., Calabasas, CA 91392-1467, USA. Tel: (1.818) 591.93.21; e-mail: center4civ@aol.com. In English.

17-21 November 1997, Maastricht, the Netherlands. Seminar on "European Negotiations." Contact: EIPA, POB 1229, 6201 BE Maastricht, the Netherlands. Fax: (31.43) 329.62.96. In English and French.

27-28 November 1997, Maastricht, the Netherlands. Colloquium on "Managing the New Treaty on European Union: Coping with Flexibility and Legitimacy." Contact: Dr. Monica den Boer, EIPA, POB 1229, 6201 BE Maastricht, the Netherlands. Fax: (31.43) 329.62.96. In English and French.

Please note that not all of the programmes included in this calendar are open to every public administration practitioner or the general public. Details are provided directly by the organiser, who may be contacted for further information. If your organisation is planning an event of interest to Public Management Forum readers, please send details to the editors (address on page 2).