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PMF enters a New Era

Rapid evolution at the socio-economic level and the public sphere in the countries of the region have incited the major sponsor of this publication, EU, in cooperation with OECD, to reorient their efforts, focusing on candidate countries and readjusting the technical assistance programme. So, UNTC becomes the new relay for PMF in this common endeavor for public service modernization.

UNTC is a joint initiative of the Greek Government and the United Nations. Based in Thessaloniki, Greece aims to support public service modernization in CEE and the CIS countries through policy advice, information and vocational training. It also aspires to assist the countries concerned to join and participate in the activities of a UN global on-line programme for the conduct of a dialogue and the exchange of experience, data, ideas and expertise on the field of administrative reform.

The guiding principles of the new PMF publication remain the same as they were defined since its creation: establish and sustain a lively forum where public administration specialists, both practitioners and scholars, can exchange ideas and experiences and provide policy-makers with tools for effective and efficient policy development and implementation.

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The new UNTC editing team will do our best to continue the good work and facilitate a fruitful dialogue on modern Public Management in the region and beyond.
This article focuses on the main policy options and instruments to build up a civil service system. It reflects on the essential problems in need of being tackled and it takes stock from the experience accumulated by SIGMA while co-operating with Central and Eastern European Countries for almost ten years now.

**Building a Civil Service System**

by Francisco Cardona*

Debating about these issues can help make better policy decisions over options suitable for the specific social, economic and political reality of a country. These policy options are shaped as a range of feasible responses and specific country solutions to the problems under discussion and are formalised in a piece of legislation, i.e. in a Civil Service Act passed by Parliament.

**Objectives of a Civil Service Act**

The Civil Service Act is an instrument subservient to a range of policy objectives. These objectives can be divided into two categories, negative and positive, which form the two sides of the same coin. Negative objectives are meant to avert a number of undesired consequences. As an example we can cite the following negative consequences to be prevented and, conversely, the positive outcome to aspire to:

- **Politization**: Partisan involvement of civil servants leads to losing impartiality of public administration. Thus people’s trust in the state is diminished if not destroyed. A reasonably designed legal arrangement to promote the partisan political neutrality of civil servants should be an objective.
- **Corruption**: Unrestricted possibilities for public servants to be involved in economic activities, even if these are lawful, is conducive to merge public and private interest in managing public affairs, a situation where conflicts of interest tend to grow. Integrity of civil servants, and of politicians as well, is extremely necessary for good governance and for economic development.
- **Patronage**: the submission of public officials to a overlord diminishes their ability to serve the public interest at large. Impartiality of public decision-making and respect for the principle of legality are necessary and essential in a state under the rule of law.
- **Nepotism**: Holding positions in public service cannot be only a matter of belonging to a given ethnic group,
family or clan. Public offices are not the patrimony of a selected number of families. Merit and competition should be the bases for recruitment.

- **Lack of professionalism:** High quality and motivated civil servants are indispensable if the state has to adequately fulfill its mission at the service of the country. Alongside open competition based on merit, other elements help foster professionalism: training, transparent mechanisms for promotion and for assigning salaries, and a relatively acceptable level of remuneration that is affordable for the country, are required conditions upon which to build up a professional civil service. A set of duties and rights that take into account constitutional requirements on public administration are needed to raise professional standards. Clear lines of accountability reinforce not only the accountability of civil servants but also their professionalism.

- **Instability:** Keeping the public administration in a constant state of flux works against the reliability of the state and makes the public service unattractive for good and well-qualified individuals. In a democracy, the public administration should be stable and permanent as it guarantees the institutional continuity. A certain degree of tenure and employment guarantees for civil servants favor stability and professionalism.

- **Fragmentation:** Clearly established standards homogeneously enforced across all public administration settings are necessary. In order to achieve this a central capacity holding overall responsibility for the management, monitoring, and development of the civil service is necessary. Coteries in managing the civil service work against fairness and reliability of public administration as a whole and make the system little transparent. To foster a holistic vision on the long term is a requirement to building up the institutions of a state.

## Elements of the Civil Service System
The policy objectives to be attained by the Civil Service system imply a number of structural elements to decide upon:

- Delimitation of the scope of the civil service
- Classification of civil servants
- Bases for selection, recruitment and promotion
- Reasons and conditions for the termination of service
- Rights and duties of civil servants
- Improving qualifications, training and human resource development
- Salary structure
- General working conditions
- Incompatibilities
- Disciplinary provisions
- Management of the civil service
- Management of the transition

The appropriate treatment of these issues and finding feasible solutions to the problems they entail is a joint endeavour involving political vision and technical ability. Obviously, the solutions will be feasible only if they are appropriately adapted to the specific country reality, even if these solutions are meant to upgrade such a reality. It is necessary to take into account both the political constraints in presence and the requirements of sound technical formulations. This is why it is important to identify the main political and technical players to be involved in this effort and to design a methodology for their work that is both politically acceptable and technically realisable.

## The Act on Civil Service is at the Foundations of the System
A civil service law is not an employment law, i.e. a labour code, for public employees. A law on civil service is a public law. In other words, it shows a preoccupation for governance issues, as well as for constitutional and administrative law concerns. It is a public law defining responsibilities, liabilities, duties and rights of those who execute the powers of the state, manage public funds or provide the services of the state to the public. At the same time, it can set basic institutional arrangements to make sure that standards required from the civil service are homogeneously applied across the public administration as a whole. The Act on Civil Service is not meant to create better or privileged working conditions for state employees. Rights awarded to civil servants must correspond to the duties imposed upon them.

A law on civil service should contain all the defining elements of the system, but not regulated in a very detailed way. Details can be contingent and usually are left for secondary legislation to be issued by the government. Experience shows that details will have to be changed quite often while principles will remain. If details are regulated in the law they cannot be changed very easily because it is not the role of the parliament to discuss such details once and again. A civil service law should focus on five basic dimensions:

- **The constitutional dimension,** i.e. the establishment of the civil service as an institution of the state, executing the powers of the state, managing public funds, or providing services and constituting the administrative interface between the state and the public. In other words, to consider the civil service as an institution for governance. To cover this aspect the law has to provide for e.g. duties, responsibilities, accountability and disciplinary liability of civil servants in order to make their actions both predictable, ruled by law and open to be challenged before independent courts and to be scrutinised by relevant overseeing bodies. Within this aspect the law also needs to protect the professional independence of civil servants in relation to the political levels of government in order to safeguard a performance and decision-making free from unjustified influence of political and other interests. This independence is normally guaranteed by a combination of strict competition procedures for selection and appointments based on merit and a sufficient, although not necessarily absolute, job security. The professional independence is aimed at enhancing the aspect of the civil service as being committed and accountable to constitutional and administrative law mandates, even if this is to be combined by an adequate hierarchical subordina-
tion to the lawful government of the day. The civil service as a state institution is concerned with the fulfillment of the general interest of the country as defined by laws and by governmental policies. Clear separation between politics and administration is a part of this constitutional aspect of the civil service as politics and administration have different sources of legitimacy that should not be mixed up.

- **The dimension of professionalism**, which refers to the professional role and the professional quality of the individual civil servants. Under this aspect the law needs to define the principles of a human resource management system covering selection, recruitment and promotion as well as encouraging and retaining qualified civil servants. In relation to this aspect the law has to define necessary qualifications of civil servants and how requirements for civil service positions should be matched with the qualifications of individuals, according to a classification of civil service positions (or grades) defined by law. The law should also provide principles whereby to make it possible for civil servants to improve their qualifications and skills (usually through initial and in-service training, transfers and secondments). The law should define predictable career possibilities linked to training and good performance. One major reason for a civil service law is to safeguard a certain professional quality in all branches and levels of government subordinated to the law. The risk of politicization should be averted by sound regulations limiting reasonably the political involvement of civil servants. Integrity of civil servants should be promoted by setting up limits to their free involvement in economic activities that could raise conflicts of interest perturbing the necessary impartiality and correctness of public decision-making and actions.

- **The management co-ordination dimension**, i.e. the government is responsible for securing a management within all state institutions that will make civil servants perform well by safeguarding a harmonised management throughout the administration. The latter includes personnel policy-making, drafting of regulations as well as monitoring civil service management, staffing quality and personnel costs by a central management capacity. The law should in addition define the task of collecting and analysing of information on civil servants. The law should also provide for how decision-making in personnel matters should be done, which kind of consultations or procedures for shared decision-making should be used and how decisions in personnel matters can be challenged and incorrect decisions finally corrected. Also staff involvement in the decision-making could be seen as part of the management aspect. The notion of the civil service as a system shaping a state institution is diluted when every public agency or ministries perform as independent employers. In this case the governance aspects connected to the civil service is hampered.

- **The social dimension**, i.e. the rights of the civil servants corresponding to their duties, their integrity as well as their professional qualifications. The definition of rights and duties should show a commitment towards constitutional and public law requirements, and not simply a preoccupation for working discipline. In this dimension the law should provide for the right for civil servants to get a salary and possibly other kinds of benefits in order to make the civil service career attractive and to retain qualified civil servants. Staff involvement could be also seen as part of this aspect. The civil service law should provide for rights and benefits that should be specific for civil servants due to their specific role. These provisions need to be cost-estimated and affordable for the yearly state budget. The salary system should be outlined also in the law, by setting out its main components and the standard ratios among them. The law should also define the main disciplinary measures affecting civil servants. In any case, when defining rights, it is necessary to keep in mind that the primary purpose of a civil service law is not to unjustifiably improve the working conditions and benefits for civil servants.

- **The transitional dimension**, i.e. how current employees of the state should be able to qualify as civil servants under the new scheme and to what extent requirements applied to future civil servants should apply to current staff as well. In relation to this aspect, the law should clearly provide for how, and during which time period, existing employees will be able to qualify under the new scheme and what kind of support in terms of training and other development measures should be available for them to be able to do so. Provisions related to this aspect need also to be in balance with the yearly state budget as well as in balance with existing capacities to screen, train and select candidates, which could mean that only a specified number of employees would be able to make the transformation each year.

### The Act on Civil Service should define its scope

The scope of the civil service, i.e. the span of applicability of the law, needs to be determined as well as the relation between this law and other laws, especially statutes covering special branches of government such as Police, Border guards, etc and with the labour code. A decision is necessary as to whether or not to include local governments within the ambit of the law.

**Vertical scope**: where to draw the upper dividing line between politics and administration and the lower dividing line between civil servants and other public employees?

**Horizontal scope**: what institutions and bodies are to be included within the law on civil service and what institutions and bodies have to have specific statutes or simply be regulated by labour law?

**Material scope**: what matters affecting the civil service can be better (or are already) covered by other laws different from that on civil service e.g., pensions, working hours, holidays, etc.? To what extent should these laws be applicable to civil servants?

There are two basic options here. One is to prepare a civil service law applicable to every public official, including policemen, etc. If this option is chosen the law can only include basic principles and must be complemented by specific laws or regulations for the various branches of the administration that it will cover. Such a law can basically only define principles related to the constitutional aspects above. All other aspects above will have to be dealt with in specific laws and regulations for the various branches, but bearing in mind that the principles informing those statutes should remain compatible with the general principles of the law.

The other option is to prepare a civil service law only applica-
ble to the core administration and to keep the existing statutes for specific branches. In this case the law can and should regulate all five dimensions above.

Concerning the material scope, one option is to apply general legislation on pensions and labour related rights. Concerning the material scope, one option is to apply general legislation on pensions and labour related rights (number of working hours, number of holiday days, etc.) to the civil service. The question is to what extent rights (i.e. the social aspect above) should be specific for civil servants. Those rights should be regulated in the law while other rights could be regulated by cross-references to the labour code and other relevant legislation.

EU Member countries have adopted different solutions, usually rooted in the history of their respective states. There are countries whose civil services encompass every public employee as it is considered that every public employee is part of the executing machinery of the state (broad concept of civil service), whereas other countries have restricted the concept of civil service to the so-called “core public administration” (restricted concept of civil service).

In Central and Eastern European countries a dominant tendency is observable. Most countries are opting for a restricted notion of civil service whereby civil servants will be only those holding public authority or directly involved in policy making, law drafting or implementation of legislation. The main policy reason beneath this choice seems to be the processes of privatisation and restructuring of their public sectors. It is understood that many activities formerly carried out by the State or local governments are to be carried out in the future by the private sector. Downsizing or privatising former components of the public sector are thought to be easier if employees in non-core public administration activities are under labour law contracts. In addition, this option allows for bestowing more stability to the core functions of the state.

**Implementation issues deserve close attention**

The implementation of the law must be considered thoroughly and implementation financial costs must be estimated. Of special importance is the establishment of an institution or mechanisms for the management co-ordination dimension and provisions for the transition aspects.

Experience from many EU Member States shows the necessity to set up a centrally located management co-ordination capacity which will take responsibility for the implementation of the law and which will monitor its application in the various state institutions. This central capacity usually is either a ministry or a specific central office attached to the government.

Experience shows in Central and Eastern European countries that the law should not be implemented in a way that will automatically transform current public employees into civil servants. There must be some kind of qualification or selection procedure also for current employees. If not, the Civil Service Act will only increase costs without increasing quality in staffing and performance. The transitional provisions of the law should specify how current employees should be able to qualify and what kind of training they should have available during the transition period in order not only to be able to improve their qualifications but to develop a professional career within the civil service.

The law should contain a legal mandate for the government to regulate and implement it in detail via secondary legislation. A time frame as specific as possible should be set for the government to fulfil that legal mandate.

**The civil service is a sub-system within a broader administrative system**

The civil service works within a broader constitutional and administrative law context that is composed of a number of pieces of legislation. This context shapes the general administrative law framework in a country. Substantive and procedural administrative law provides for the necessary instruments making it possible the principle of administration through law. Independent courts able to review the legality of administrative actions and decisions should ensure compliance with this principle. The legal administrative system reinforces the accountability of civil servants.

In order to complete the administrative system, other actions, apart from drafting the civil service law, are also important and should be carried out either simultaneously or immediately after the enactment of the Law on Civil Service. For example, a General Law on Administrative Procedures would be a useful arrangement enabling the civil service and, in general, public institutions to operate under clear rules in their relationships among themselves and with the public at large. A Law regulating the Administrative Process, i.e. the ways and means for the judicial review of administrative actions and decisions to operate, would complete the minimal legal order needed to ensure the principle of the rule of law in public administration.

The Law on Administrative Process necessarily entails the creation of the State Judiciary as a State Power that is independent from the legislative and the executive. In addition to these important pieces of legislation, other basic legislative actions could also be envisaged, as for example, an Act on Public Procurement.

The aim is to complete a general legal administrative environment with a sufficient degree of legal certainty, and consequently a public administration governed by the rule of law as a condition for increasing its predictability and reducing arbitrariness. Finally, other accountability institutions should be set up. Ombudsmen, external and internal audit mechanisms and institutions are of utmost importance in order for the administrative system to function properly.

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The present paper to be addressed in the proposed thesis is about the Estonian politico-administrative culture, its reformed structural and functional legal organisation facilitating sustainable development, yet maintaining its national characteristics and also integrating the critically assessed experience of the European Union Member States. The analysis has to be based on a sound theoretical basis.

ESSENTIAL ISSUES OF POLITICO-ADMINISTRATIVE RELATIONS

The paper will give an overview of the community and na, as well as the mixed theories giving methodological support to the raised issue together with the theoretical background of the public-political administration needed for the selection and association with the socio-economic, political, cultural and other factors of the historical development, the comparative analysis of the political culture of the EU Member States and the outcome of the reforms carried out in those countries, the correlation between the relation of the state and the nation.

Contacts with the culture of public policy are a part of our every-day life. We come in touch with it through the writing media (newspapers and magazines), the showing media (television) or the speaking media (radio) or when seeking solutions to the problems arising in various institutions of the public sector.

What kind of criteria do we use to measure politicians’
behaviour at a certain moment and in a certain situation? I think that the criteria could, first and foremost, be decision-making and accountability both at the individual and collective level with the purpose of using good and new political culture.

The public sector plays a central role in the regulation of public life both when stable democracy is strengthened and during revolutionary phases of the society since it is the public sector which is the source and immediate basis of genuine power of the people.

The objective of the public sector is to make and implement decisions that represent different interests. The way of acting depends on the nature of these interests and the type of the relevant public institutions. In general, public institutions operate on the principle that politicians, bureaucrats and trained officials are elected to act in the interests of the people as their employers.

It is not for science to say what kind of policy is right and good. Politicians can say that, political analysis can say that, but the highest potentate – people, have to say it. Unfortunately, every analysis in itself is not yet science. A political analysis studying the logic of politics proceeds from its inherent values. It is important to know the forces and connections motivating people rather than the forms which the movement takes, in order to understand politics as a social process. Furthermore, the forms differ from country to country and they depend on the historical and political heritage of the society. possibility is to analyse politics and its instruments, i.e. political institutions from the historical point of view. Another possibility is to disclose character and orientation of value of politics.

Political ideas and theories are a part of political culture concerned with principles and ideas of organisation of social life. The connections of the principles and ideas depend on the type of culture and they have a recognised lasting system of concepts and laws. Transition from the ideas and theories of one type of culture to another means essential difficulties; such difficulties are partly linguistic but partly caused by context of social life in which those ideas or theories have emerged and evolved. Historically we can distinguish between 4 principal types of culture. Each of them has its own views on power, and on methods and purposes of using it. The 4 principal types of culture are the cultures of the Orient, ancient India, ancient China, and ancient Greek and Rome. We can consider ourselves the descendants of the latter.

We can point out three main reasons for carrying out a systematic comparison of public policies. One aim is to look for guidance in designing and implementing better and more successful policies. Another aim is to gain a deeper understanding of how government institutions and political processes operate when dealing with specific problems. The classical questions of politics are always the same: Who governs? How do they govern? What are the results for the lives and welfare of citizens? Knowing who votes or who is elected for office is not sufficient. It is necessary to know what people in the government and at its fringes are actually doing to make and remake public policies and to understand whether they do too much or too little, whether they fulfil their duties effectively and adequately or not, whether they serve the interests of the society and the people or not. The third reason for the comparison is the power of independence. If we consider a specific beginning of a political development, we always refer to certain factors. Closer influences consist of interdependence of the opinions of politicians, bureaucrats, interest groups and the public as well as the factors, which influence the policy of the beneficiaries and of all the others. Obviously, there are few people who are interested in the government for no particular reason. But almost everybody is interested in what and how the government does for him or her personally.

Political decision is an element of political process through which political choice is exercised. Political process works through decision-making and implementation of decisions. On the other hand, it is an expression of political will of decision makers. Since Aristotle, the sociological thought has been trying to understand how the way political decision-making has influenced the quality of authority and government.

The theory of decision distinguishes between three mechanisms or types of decision. Firstly, the oldest type is theoretical tradition treating decision as an appropriate and purposful choice between various possibilities of a rationally thinking and behaving decision maker. This decision maker proceeds from clear objectives, considering all advantages and disadvantages before making the best choice.

Another approach underlines the routine character of decisions made by the masses. It is due to the influence of mass psychology in passing decisions. The routin of organizations and their way of acting guarantees continuity of decisions and their implementation. The third theoretical tradition treats decisions as a result of political conflict and struggle. The decisions are made as a result of a compromise and are not necessarily the first choice of decision-makers. According to the theory decisions are influenced by the number of decision makers, their prestige, their responsibility, their values, their experience and also activities of pressure groups, public opinion and media.

The decisions made by the authorities can be divided into political and administrative decisions. As both types of decision are generally connected with politics, distinguishing between them is not so important in political practice. But from the point of view of science distinguishing between them is essential in order to explain the relation between administrative inertia and political management in evolution of society.
We can characterise the difference between the decisions as follows: political decisions so what we must do; administrative decisions show how to do it under the existing circumstances.

Administrative decisions generally mean making use of the existing regulations and laws. Political decisions, on the other hand, are aimed at creating new laws and regulations, as well as at interpreting the existing ones. For example, a minister in charge of any field passes mostly administrative decisions in his everyday work, but as a member of the government and a representative of a political party, he participates in political decision-making that determines the development of the state and society.

Selection of personnel in administrative machinery offers, for example, certain possibilities to demonstrate political preferences. Personnel policy as such should be considered an essential instrument of politics which, from the point of view of the public, is largely conducted behind the scenes. Behind the scenes activities usually remain incomprehensible and unknown for electors.

Political decisions are decisions of value; the criterion of objective probability does not apply to them. Everything worth to be an object of human aspirations is generally considered valuable. And as we know, the objects of human aspirations are different, often even contradictory. Therefore, we cannot talk about right or false politics in the absolute sense of the word, but only in a certain context of political objectives. Decision-makers regard as socially valuable everything that guarantees their existence, power and identity, and opens up possibilities of further evolution and improvement.

Although political decisions are decisions of value, it does not mean that politics exists more in the dream world than in reality. Political decisions are based on facts, their interpretation and analysis. Facts have to be objective and systematic. Such assumptions do not leave much room for pragmatism in politics; pragmatism is often considered the main characteristic of intelligent political behaviour. There is actually no farther social purpose to pragmatic politics that is striving for momentary benefits.

Political culture is manifested in the way of making and using political decisions. Political culture can be regarded as an indicator of quality of political process. The American political scientists G.Amond and S.Vebra defined political culture as a stereotype of orientation aimed at objectives of politics. Orientation is a tendency to, predisposition for or receptivity to any activity of a certain tendency. Such predisposition is determined by historical memory, traditions, motives, norms, emotions and symbols. There are two aspects to orientation: the cognitive aspect represented by knowledge of politics; and the emotional aspect that derives from emotional attitude to politics and its objectives. Thus, the general cultural phenomena molding political behaviour can be considered elements of political culture.

Political culture as a way of making and carrying out political decisions is closely connected with political regime. Autocratic, democratic or totalitarian exercise of power differentiates political regime from political culture. However, political culture is not limited to exercise of power but it is influenced by customs, decision-making mechanisms and procedures of society. Every state has its unique past and political development, which means that it has also its own special political culture. Political culture is like litmus showing political maturity of a state and nation, the quality of which we can identity as follows:

Firstly, conscious recognition of structures and laws of a political system – we know how the parliament functions and how laws come to be.

Secondly, accepting politics. We either agree with it or not. Agreement is an invisible part of every political system; without it the system is impossible.

Thirdly, behaviour expectation, i.e., what we expect from the system. People hold the government responsible for their activity and expect the promises to raise the quality of life to be kept.

In the sense of political awareness, political processes are changes in social consciousness which result in emergence and change in political self-definition of human beings, they become aware of their political interests, and which bring along change in correlation of political forces in society.

There is little room for free choice in politics. Human preferences and choices are influenced by social conditions that mold social and political choices of people. Active participation in political life increases in proportion with an increase in income and educational level; people’s interest, skills and possibilities to participate in politics depend on those factors. Behaviour and political choices of the electorate are also influenced by their attitudes to problems, politicians, and by their values and ideological preferences. Media, trying to influence behaviour of the electorate to their best knowledge, has its own effect.

During and after elections we often compare positions of a candidate or party on a given political issue with those of others. A comparison, in its turn enables a deeper understanding that could be gained only by looking at one aspect at a time. Clifford Geertz has said, “It is through comparison (and comparison of in comparables) that whatever heart we can get to, can actually be reached.” Comparing one situation with another, we gain a better understanding of our own situation, as well as of the options to obtain information and of obstructions we will face.

Is there a crisis of the behavioural culture of political power?

Does anyone remember having heard any politician sincerely say that a proposal, a decision or a statement of another party, however good and necessary, deserves recognition? I am afraid nobody does. A simple sentence of appreciation could sound as follows: “Although a member of the opposition, I would like to say that the coalition has solved the problem well and deserves to be congratulated.” This is the strength of parliamentary culture and conduct. It synthesises a common part from the opposite opinions of the interest groups, which is always wider than the opposites, and meets the expectations of the wider public and interests of the state.

In a real state, the strength of a state always depends on the continuous dialogue between people and the parliament elected by people. The dialogue must always be constructive and seri-
Economic, political and cultural interests compete when public opinion is formed; therefore, an important peculiarity of public opinion is that it is contradictory. This is, among other things, caused by the fact that information disseminated by the media is said to be complete and exhaustive. Therefore, information consumers tend to accept it without any analysis and on the ground of emotional suitability. This creates favourable conditions for formation of attitudes characterised by the lack of logical connection and by combination of contradictory positions or assessments. A human being with such an intellectual disposition is easily manipulated and succumbs easily to propaganda.

The development of the Estonian administrative structure has been a complicated process, the continuity of which was broken for 50 years by the Soviet Occupation of the Republic of Estonia in 1940. In the late 1980s, when the development of socio-political events confirmed an inevitable and irreversible process of desintegration of the Soviet Union as a totalitarian system, a historic opportunity presented itself to start preparations for re-establishing independence in Estonia and the administrative organisation of an independent state. That was the period when it became vital to study the historic legacy of the administrative system and its theoretical basis since the scholars studying the development and structure of the administrative system in different countries came to a unanimous conclusion that it has a rich historical background and its own national characteristics.

The administrative reform getting entangled in conceptual blind alleys has an influence on balanced relations between the central and local authorities within the public administration organisation; it diminishes the state’s administrative capacity and creates favourable conditions for dangerous tendencies of the people enstranging from the power of state. Also the experts assessing Estonia’s preparedness for integration into the European Union institutions have underlined the necessity to increase the state’s administrative capacity.

After a long period of interruption, Europe is returning to Estonia. This has been a steady movement resulting in the creation of a platform based on European traditions and values, well-functioning political and administrative institutions and the welfare of citizens. Cooperation based on equal opportunities will ensure for us participation in Europe’s decision-making structures.

The value of Europe lies in its diversity. When in Europe, not only geographically but also intellectually, we shall understand ourselves better. When intellectually in Europe, we shall have to communicate not only with those who are pleasant but also with those who are unpleasant, e.g. with public servants. Communication requires tolerance. Introversion – self-immersion – has been a more widespread quality in political culture than extroversion, i.e. orientation to others. We must change our way of thinking that is often dichotomous. Communication means taking others into consideration; it would certainly make us greater, more cultured and more intellectual.

The redistribution of assets has always and everywhere been a dirty business. A former official turns into a millionaire overnight. The press addresses them almost respectfully with a fancy title of corrupter instead of simply calling them thieves. This is how President Lennart Meri expressed the general public opinion in his Republic of Estonia 80th anniversary speech on February 24.

Presentation of information should be more civilised and respectful. Faux pas, scandals, catastrophes, deep bewilderment and stories of defending one’s “honour and dignity” in court are everyday reading of citizens. I would like to know what has led to this. The reason is the same old victories of one party and losses of the other in all those privatisation and swindling transactions.

Let us suppose the critic is right; that what he notices and thinks is true. A “stumbler’s” mistake catches the eye, and we cannot and must not approve of it. But do we have to announce it to the public? It is an essential question. Our personal relationship with society and our international reputation depend on it. The concepts of honour and dignity have dimmed in the Gentile world. Everyone must look for the criteria they assess their deeds against.

The European etiquette is based on Christian traditions and we belong to the European cultural environment. St. Matthew said that should your brother sin, you should reprove him in private (18,15). If it does not work then you must act differently.

Bureaucracy and loyalty are the traditions in public policy. The designation and implementation of public policy is not a fixed limited goal because in reality there is no perfect administration. Implementation is difficult because the results of the implementation processes are insecurity, uncertainty and disorder. In case of democratic governments, the implementation is based on the power granted to politicians and officials of the public sector, be the officials administrators or experts. Politicians and officials have to report on the policy to be carried out; this is the main restriction in the decision-makers’ and executors’ freedom of action set by their superiors, that is the citizens.

It is inherent to bureaucracy to limit administration to the implementation of certain rigid rules and to demand servile devotion to routine which only infuriates people and regularly postpones decision-making in the public sector. Bureaucracy is usually characterised by red tape, delays, postponements, unwillingness to bear responsibility and try something new. It certainly does not apply to all institutions and staff of the public sector but we feel danger here.

Loyalty in present-day seems to be quite an uncomfortable and reserved issue because generally it may mean any kind of loyalty, be it a simple feeling of loyalty to someone or something or communal radical fundamentalism that requires dogmatic obedience to serve the canonised/hallowed goals. Loyalty reflects a potential conflict with ethical values provided, of course, that there are general ethical principles/convictions/beliefs accepted by everyone. It
seems to me that beside the potential ethical conflicts the national culture plays an important and essential part in it.

Maybe we have to look for the reasons that influence the behaviour of officials in cultural traditions together with national characteristics. We can certainly be justifiably proud that we are one of the smallest nations in Europe who has established their own state; this is a sign of vitality and conservatism of a nation. On the other hand, our small size is in some respects dangerous because one million people is a critical number – the mutual relationships of people can become a hindrance for the development of the state. I know many people and many people know me. Above all, it concerns the decision-making level because idealistic leaders are needed to pass decisions that take public interests into consideration. One of the hindrances of idealistic government is unfortunately corporative society where the principle “everybody knows everybody” applies. Such inevitability alone makes increasingly high ethic demands on people involved in government – just governing should mean ignoring the pressure of connections and relationships. On the other hand, we can suppose that the small size of a nation is advantage to government since then the nation seems to be a family where an eye is kept on everyone. Yet, a million is a number in case of which family supervision or nepotism and favouritism – free competition on public posts does not apply. Ethic severity has to become a decisive criterion in society and a measure of each elected or nominated official.

Culture has developed in the long-term co-operation of man and the environment and involves knowledge, beliefs, works of art, codes, laws and customs that man acquires as a member of a certain society. In social sciences the term values is used to express general beliefs, which, in its turn, is an essential element of culture. Taking into account the values that operate in culture enables to predict the attitudes of people and obstacles in carrying out the chosen policy. The ways that individualism and collectivism manifest themselves in culture have been most researched areas in culture. In individualistic cultures the interests and needs of an individual are valued whereas in collective cultures subordinance to the group, inter-group harmony and belonging together are considered essential.

In most societies there exists a public culture which unites the interests and loyalty of smaller communities. This culture has a common language, borrowed slang, its own institutions of mass media, means of communication etc. At the same time the common public culture comprises certain prerequisites to all members of society.

Estonia is located between the East and the West and Estonian culture has been influenced alternately by both directions. A typical Estonian is usually characterised as being industrious, well-balanced and persistent. The research of values shows, however, that Estonians often take decisions that are based on emotions, rather than on rational considerations.

On the basis of RISC, a research of values widely used in Europe, the world of values of Estonians is more voluntaristic than the “Euro” average. It means that people are convinced that when they act the way they like, things will go as they want.

Attitudes and personality stereotypes play an essential role. The abstract elements of culture have an important role in the formation of human behaviour. Management and different management styles are influenced by the spectrum of national characteristics. Although the world is moving towards globalisation faster and faster and people are more and more influenced by mass culture, the role of national culture cannot be underestimated. It can be said that geographic proximity, a common religion, a similar language and close historical ties should form a uniform basis to a similar culture and, consequently, to similar thinking and behaviour.

Self-criticism, avoidance of irritating circumstances and stress, discretion, tolerance, constant studies of the culture, the history and language of the partner – all these things should be taken into account in the culture of the public policy.

Adoption and harmonization of legal acts is only one facet when it comes to real participation after accession. If the rules and regulations are not adequately enforced, neither the fulfilment of obligations, the administrative practices nor the management quality will reach the standards set for the rightful members of the EU.

Information must be easily accessible at each level, i.e. at the national, municipal and individual level. Co-operation between politicians, public servants and citizens in the near future will determine the ways of how we can take the best advantage of the opportunity offered to us by the EU.

The aim of the quality relations is to compare the cultural and behavioural traditions and values of people from different regions of the EU member states and candidate states, as well as the differences in political and public administration cultures in order to raise Estonia’s national adjustment capacity upon accession to the European Union. The comparative analysis points out the shortcomings of the Estonian political culture and suggests ways for their elimination.

The present study enables to point out the shortcomings in the political culture, thus increasing the awareness and improvement of the general norms of behaviour and ethics.

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Background: The preparation and execution of the budget for a government is a complex task, requiring the manipulation of large amounts of data: revenue and expenditure estimates, actual receipts and expenditures, commitments and so on. To handle these volumes of data, Ministries of Finance require experienced staff and good information technology systems.

THE ROLE OF INFORMATION TECHNOLOGY IN TREASURY MODERNISATION

In many instances, the Ministry of Finance must rely on legacy systems developed over a period of years to respond to ad hoc requirements, or designed to meet specific needs. These systems are typically based on paper records, or may merely be a computerised version of an inefficient manual system. They are usually labour intensive, difficult to maintain and are rarely capable of providing much more than basic accounting data. Even this may be too out-of-date to be of much value to the Ministry of Finance in its task of day-to-day financial management.

Treasury Modernisation

The transition to a market economy demands a much more active role from the Ministry of Finance than was the case previously. Within the Ministry of Finance, the primary role of a government treasury is to undertake the financial management of government operations as effectively and efficiently as possible. Ideally, the treasury would undertake:

- budget execution, including monitoring the operations of any extra-budgetary funds (including funds from the EC) and of subsidiary levels of government;
- cash management; including...
control of cash flows into and out of the Treasury Single Account (TSA), and ensuring the smooth financing of government expenditures;

- management of government debt and guarantees; and
- accounting and financial reporting to comply with statutory and international requirements.

Access to reliable, timely information on revenues and expenditures is therefore absolutely vital if the Ministry and the treasury are to play their roles effectively.

The solution to the information needs of the Ministry of Finance lies in the replacement of the multiplicity of individual systems by an integrated government budgeting and accounting system, or Treasury System.

These have been used in many OECD countries for some time and they have come to be seen as an essential tool for the Ministry of Finance/Treasury. The modern Treasury System has evolved to provide a sophisticated means for analysing revenues and expenditures, assisting with budget preparation and forecasting, managing cash and debt. The traditional functions of accounting, reporting and controlling government funds are also incorporated into the Treasury System.

**Advantages of a Government Treasury System**

A Government Treasury System (GTS) provides the following advantages for the Ministry of Finance:

- **The system integrates the budgeting, budget execution, reporting and analysis functions**
  All the main functions of the Ministry of Finance are integrated into a single system, allowing information from one function to be available to another, without the need for data to be entered more than once. The information is therefore more reliable (there is reduced scope for error) and more secure (it is easier to control access).

- **Information is available when needed**
  Data is entered at source and is instantly available to all relevant functions, by those areas of the Ministry of Finance that need the information.

- **Decisions can be made on the basis of information previously not available**
  Data is drawn from a variety of sources and integrated into the system. The information is both current and based on source data (it is accurate). Decisions can therefore be made on more broadly based information reflecting the current financial state.

- **Improved cash management**
  The GTS is designed to reflect the operations of the Treasury Single Account (TSA – the account into which all government revenues are paid, and from which all authorised expenditures are made). Other Government accounts may also be included. The system will allow more accurate forecasting of day-to-day expenditures and will facilitate matching of those expenditures with revenues. Typically, such systems improve the ability of the Ministry of Finance to manage the government’s cash holdings and help reduce wastage and needless borrowing, thus saving scarce financial resources.

- **Tighter control of expenditures**
  The system allows for the implementation of a range of control procedures to ensure that expenditures are in accordance with budgeted amounts. Commitment control (keeping track of amounts earmarked but not yet spent) is also possible. Detailed accounting and auditing records are maintained automatically.

- **Facilitation of budget development and revision**
  The GTS makes it easier to develop and revise budgets, prepare the necessary documents for the approval process and establish or amend expenditure limits for ministries and spending units.

- **Decentralisation/devolution of spending control to regional offices possible**
  The GTS allows expenditure control to be devolved to lower level units, if required.

The information systems infrastructure for the GTS would ensure that the broader objectives of managing the government’s finances — including improving control over execution of payments and collection of receipts — are achieved in an efficient and cost-effective manner. In order to achieve this, the system would have to ensure that data is collected which is timely, comprehensive, consistent, and reliable to:

- enable adequate management reporting at various levels of budget execution, support government-wide and spending agency policy decisions;
- support the preparation and execution of the budget, including preparation of draft Budget Laws (appropriations) and other documents required for the State Budget;
- facilitate the preparation of financial plans (including both expenditures and revenues) by spending units and the responsible Ministry;
- facilitate the preparation of financial statements and other financial reports;
- provide information to ministries and central agencies for budgeting, analysis, and financial control; and
- provide a complete audit trail of all relevant transactions.
The core of any GTS is a sophisticated accounting system. Computerised accounting software has been widely used in the commercial world for very many years. The accounting needs of governments have, particularly in recent years, been moving closer to standard commercial practice. Consequently, the use of modified commercial off-the-shelf software by the Ministry of Finance is now a viable option that can significantly reduce the acquisition cost and shorten the lead-time for the implementation of a GTS. This approach offers a cost-effective alternative to the development of a bespoke solution. For example, while it can take 4-5 years to develop an in-house solution, customisation of a commercial software package to meet the requirements of an individual Ministry of Finance might take 12-18 months, depending on the effort involved. A crucial aspect of implementing a GTS is to ensure that the implementation team has a good understanding of the Ministry of Finance’s specific requirements – experience solely in a commercial environment is insufficient, where, for example, expenditure controls tend to be more relaxed than in government.

**Overview of the GTS**

An efficient Government Treasury System provides comprehensive, timely and reliable financial information to the government decision making bodies, by implementing an integrated set of accounting and management information systems components. The precise components to be implemented will depend on a variety of factors, but would typically include:

- Treasury General Ledger;
- Budget Preparation System;
- Commitment System;
- Accounts Payable System;
- Revenue Management System (Accounts Receivable);
- Cash Management System;
- Debit Management System; and
- Asset Management System.

The Government Treasury System and its individual modules will provide a set of features and functionality which will ensure that the broader objectives of managing the government’s financial resources and improved control over execution of payments and collection of revenue are achieved in an effective and efficient manner. The GTS will provide adequate management reporting at various levels of budget execution, support government-wide policy decisions, assist in the preparation and execution of the budget, facilitate the preparation of financial statements and other financial reports for budgeting, analysis and financial control. It will also provide features designed to support internal control mechanisms consistent with those prescribed by INTOSAI1. Specifically, the GTS will facilitate:

- Prompt and proper recording of transactions and events;
- Authorization and execution of transactions and events only by specified users of the system;
- Separation of duties — the system will be capable of enforcing the separation of key duties such as authorizing, processing, recording and reviewing transactions and events between specified users of the system;
- Recording of an adequate audit trail for transactions and events.

These features are designed to provide management with a reasonable assurance that the Government’s resources are safeguarded against loss due to waste, abuse, mismanagement, errors, fraud and other irregularities. Whilst no system can provide categorical assurance that such losses will not occur, system features should support good internal control practices and assist in the detection of irregularities. Such features are standard in commercial accounting packages.

The implementation of a modern GTS is widely regarded as an essential requirement for good financial management by a Ministry of Finance. It should not, however, be seen as the sole requirement. Often, the GTS will require other internal systems to be streamlined or replaced; it will necessitate changes in many practices, both within the Ministry of Finance and spending agencies; and it will entail a significant training requirement. If both the government and the senior management of the Ministry of Finance strongly support better financial management within the public sector, the introduction of a GTS will be greatly eased and a smooth transition to the new system will be much more likely.

An integrated GTS does not necessarily assure effective and efficient management of government finances, but without one such an outcome is not possible.

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Reforming the Civil Service for Government Performance

UN Department of Economic and Social Affairs - Division for Public Economics and Public Administration
UN Thessaloniki Centre for Public Service Professionalism 2001

The author makes a comparison between the traditional definition of civil service and the new trends affected by globalization. Nowadays, many of the civil service reforming attempts in developing countries, have been donor – driven. Such donor is the World Bank, who supported a large number of projects in various countries, dealing with governance, administrative and civil service. The European Commission also advises applicant countries about reforms in order to enhance their administrative capacity:

**Criteria for a competent civil service are:**
- Merit based and neutral.
- Well structured, right sized and well paid
- Accountable, professional and relatively corruption free
- Relatively autonomous, responsive and representative and
- Well-trained, performance – oriented and relatively open.

**Preconditions for a successful civil service are:**
- Establishment of a national political system
- Establishment of a stable and working constitutional system
- A working economic system
- An understanding and unified elite for orderly change and
- An informed and enlighten electorate about administration and civil service

A.T. Rafiqr Rahman addresses many case studies from Uganda and Bangladesh to Argentina and Poland, focusing on the differences of each system, its weaknesses and the pros and cons of the reformation efforts. The Author quotes the resolution 50/225 of May 1996 of the United Nations on public administration and development, emphasizing the utmost goals of civil service reformation: “effectiveness of government requires an efficient and effective public administration in all countries that is responsive to the needs of the people, promotes social justice, ensures universal access to quality services and productive assets and creates an enabling environment for sustainable people – centered development.”

Diagnostic Study of Accounting & Auditing

Financial Management & Governance Issues in Selected Developing Member Countries

Philippines 2000
Asian Development Bank

The authors present seven reports about the ADB member countries of Cambodia, Mongolia, Pakistan, Papua New Guinea, People’s Republic of China, Uzbekistan and Vietnam. The individual country studies were undertaken between May and September 2000.

The authors pointed out that the purpose of this synthesis report, the individual reports and the study in general, are to:
- Provide reference materials for government officials, ADB officials, officials from other donor agencies, and other interested parties on financial management and governance.
- identify potential actions that the participating governments can take, in partnership with donor agencies where appropriate, to rectify weaknesses, and
- provide participating countries with a benchmark against which to measure their progress in improving financial management and government arrangements.

The approach of the subject starts with an evaluation of the international circumstances and the effect towards the countries of the study. It goes on to present a very useful political and economic background for each country. On the third chapter of the book entitled “selected issues on financial governance”, the analysis includes international guidelines and surveillance, international accounting standards, accounting standard-setting processes, international standards on auditing, responsibility for setting accounting standards, strength of the accounting profession, accounting education, and training and international public sector accounting standards.

When the analysis focuses on each of the seven countries, it is constituted of the following aspects: accounting and auditing the country, developments and challenges, professional infrastructure, accounting and auditing standards, education and training government budgeting and accounting, donor assistance, issues and recommendations. After identifying the gaps and weaknesses in every case, a separate action plan is given categorizing issues into two groups:
- those deficiencies that can only be resolved with external assistance and
- those without the need for external assistance.
The InfoCitizen Project

UNTC is a member of the InfoCitizen consortium funded under the 5th Framework Program of the European Commission.

InfoCitizen is a EU project aiming at establishing a common Enterprise Architecture for Public Administration among the participating countries.

Based on state-of-the-art technologies this application will focus on solving incompatibilities and complexities that exist today in the field.

To achieve this, InfoCitizen employs concepts from the fields of public administration, enterprise architectures and systems integration, generic process and data modeling and metadata standards (e.g. xml) in order to classify and organize information regarding important segments of the public sector in all participating countries.

This addressed domain for the InfoCitizen project is the achievement of a highly interoperable organisational model for the European Public Administrations and the development of the corresponding IT infrastructure, facilitating services at two levels:

- **the inter-Administration level** concerning communications and interactions between Public Administrations (A2A, i.e. Administration to Administration)
- **the Administration to Citizen level** concerning communications and interactions between Public Administrations and citizens (A2C, i.e. Administration to Citizen).

The project investigates and defines the most appropriate methods and approaches in order to add interoperability to both existing as well as new (types of) on line services for PAs.

This model will be tested in representative public administration agencies, and deployed on an Internet based information system that supports the above for all actors involved (citizens, administrations, private sector).

The Nispacee / UNTC Working Group for E-Government: Call for papers

United Nations Thessaloniki Centre (UNTC) in close collaboration with the Network of Institutes and Schools of Public Administration in Central and Eastern Europe (NISPAcee) coordinates a special working group on eGovernment that will present its work during the 10th NISPAcee annual conference in Cracow, Poland, April 25-27, 2002 (more info for the conference at http://www.nispa.sk).

The Working Group is open for academic scholars and PA practitioners with relevant work and/or experience from all over the world. The participation of individuals coming from Eastern European Countries and the CIS is strongly encouraged. Especially for participants from Balkan countries there will be a possibility for conference costs coverage.

The working group will continue its work after the conference and will be supported by UNTC. A selection of the submitted papers will additionally be published on a Public Management Forum (PMF) special issue dedicated to eGovernment.

**PAPERS**

Proposals of papers are invited to be submitted to the NISPAcee Secretariat on the above-described theme of research.

**How to apply**

Applicants are to submit:

- an abstract of a paper (maximum 2 pages)
- curriculum vitae
- contact information
- name of institution
- position within the institution
- address, tel, fax, e-mail

**DEADLINE for applications**

November 20, 2001

**SELECTION**

All applicants will be notified about the results of selection by the beginning of December 2001.

**CONTACT**

Interested applicants are kindly asked to submit the application documents to: Mr. Juraj Sklenar, NISPAcee Secretariat, Hanulova 5/B, P. O. Box 163, 840 02 Bratislava 42, Slovak Republic, phone/fax: +421-2-64285557, e-mail: juraj@nispa.sk
**UNTC Activities**

**E-seminar & E-conference**
UNTC in its attempt to exploit the new possibilities of communication and information sharing which are made available on the Internet and the new technologies, focuses its activities on this field and tests learning applications.

UNTC has successfully held two electronic on-line events in May. An e-seminar on the theme of “The quest for effective public administration in the era of e-government” on the 28th May and an e-conference on the theme of “Improving Public Policy and Public Administration in Transitional Countries” on the 29th May.

All the slides presented at the seminar and conference can be found on UNTC’s Web-page.

**First International Meeting of experts on “Local Government and Civil Protection”**
On Friday 21st September the First Meeting of Experts from Balkan countries on Local Government and Civil Protection was held at the premises of the United Nations Centre in Thessaloniki. Experts from six Balkan countries were invited to participate in this regional event, in order to exchange experience and promote dialogue and cooperation in the respective Public Administration (PA) fields.

**Meeting among Thessaloniki based Organizations for Southeastern Europe**
Under the initiative of the UNTC, the first meeting was held with International and Local Organizations based in Thessaloniki with interest and activities in the Balkans and Southeastern European countries.

15 organizations were present, among which:
- In line with the information and the ideas exchanged during the meeting, the UNTC has set out a program of bilateral contacts with the above mentioned organizations.

The UNTC (United Nations Thessaloniki Centre) has developed a web page to which anyone can have access at [www.untcentre.org](http://www.untcentre.org).

This page portrays the general image of the Centre looking at various events, activities and information such as on-going projects, meetings, training activities and publications.

The UNTC has begun functioning as an ORC (On Line Regional Centre), providing the Network with documents of Public Administration Organization and Reform in the region.

**“Reforming the Civil Service for Government Performance: an International Perspective”**
Within the frame of UNTC activities, the New York UNDESA staff prepared a book on “Reforming the Civil Service for Government Performance: an International Perspective”. (see book review)


In the framework of the Conference UNTC has organized a stand with on-line presentations of the UNPAN system, the Transitional P.A. Data base and Portal, CD-roms with e-training courses, reports, publications, etc. The stand, which has included a display of U.N. publications on public service professionalism and ethics, has been visited by several hundred of participants in the Conference. T. Tsekos, UNTC CTA, has addressed the IASIA Conference on e-Training and e-Government issues and programmes related with the Centre.

**THE SIGMA PROGRAMME RENEWED**

SIGMA was established in 1992 and is a joint initiative of the European Union and the OECD, principally financed by the EU. The initiative advises Central and Eastern European countries emerging from past communist regimes on improving public governance at the central government level.

Since 1 March 2001 SIGMA comprises two expert teams, which provide individually tailored services to 15 countries.

One team counsels the ten European Union candidate countries, focusing on financial control, external audit, civil service and administrative reform, and complementing the EU’s twinning programme. SIGMA’s “Candidate Country Team” serves Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

The other team works with countries in the Western Balkans to strengthen public institutions, giving particular emphasis to budget, treasury and taxes; financial control and external audit; and civil service and administrative reform. The “Western Balkans Team” advises Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, and the Federal Republic of Yugoslavia.

In all countries, SIGMA aims to:
- help build up indigenous capacities at the central governmental level to face the challenges of globalisation and of European Union integration plans; and
- support initiatives of the European Union and other donors to assist beneficiary countries in public administration reform.

In candidate countries, SIGMA:
- Supports their efforts to prepare themselves for EU membership, in particular in building up and strengthening their horizontal public administration systems so that they can transpose and apply the *acquis communautaire* in a reliable way and meet the Copenhagen and Madrid criteria for membership.
- Since 1999 assesses once a year their progress concerning reforms in the fields of civil service, internal control, external audit and public procurement, against EU widely accepted principles and standards.
- Since 2001 also assesses their legal and institutional arrangements and operational mechanisms to combat fraud in the use of public funds, in particular those funds awarded by the EU, and to protect the financial interests of the European Communities, in co-operation with the European Office for Combating Fraud (OLAF).

SIGMA is based at the OECD Head Quarters in Paris and can be reached at: sigma.contact@oecd.org