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Merit-based recruitment in the public sector: effectiveness and challenges

Huma Haider
Independent consultant
20 November 2019

Question

Please provide overview of literature on the use of merit-based recruitment reforms/processes as a strategy to address nepotism/corruption in the appointment of senior officials in the public sector and public enterprises. If possible, please cover the use of third party monitoring and public exposure of poor practice or nepotism in recruitment processes. The primary geographic focus should be the Balkans and Eastern Europe.

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1. Overview

The aim of a well-functioning recruitment and selection system is to screen and identify candidates with the skills, qualifications and professional competence to effectively perform senior civil servant tasks (Sigma, 2018a; Meyer-Sahling et al., 2015). This report looks at good practice and challenges in the adoption and implementation of merit-based recruitment in the public sector; and its effect on corruption and nepotism. It focuses on experiences from the civil service in the Western Balkans, while also drawing from other contexts. While there is a growing body of literature on merit-based recruitment and on their association with lower corruption and nepotism, there is very limited discussion on the use of third party monitoring. There is also limited discussion on gender issues in relation to meritocratic practices in the public sector.

In recent years, countries in the Western Balkans have taken various measures, such as reforming and adopting legislation, to increase the scope of merit-based recruitment procedures (Meyer-Sahling et al., 2019). There is still significant public perception, however, that political connections and nepotism often play important roles in getting jobs in the public sector in the region (Stojanović-Gajić, 2018). The implementation of current recruitment systems is subject to gaps and pockets of non-compliance, particularly in the case of recruitment into senior positions (Sigma, 2018a; Schuster, 2017; Meyer-Sahling et al., 2015).

Merit-based recruitment processes comprise three phases: (1.) application; (2.) assessment and selection; and (3.) final appointment.

Application: Recent research finds that **public vacancy announcements** are generally effective in increasing the transparency of recruitment processes and broadening the pool of potential applicants (Meyer-Sahling et al., 2018). E-recruitment mechanisms and social media tools have professionalised the application process in the Western Balkans and have the potential to continue to strengthen merit recruitment (Meyer-Sahling et al., 2019). The dense **regulation of job advertisement procedures** removes discretion over the contents of advertisements (Meyer-Sahling et al., 2015).

Assessment: Merit-based selection mechanisms include **competency frameworks** with well-defined assessment criteria that can be used to evaluate candidates in relation to job demands. Such frameworks are still largely absent in the Western Balkans or not yet applied, with the exception of Bosnia and Herzegovina (BiH) (Sigma, 2018a).

Examination systems are at the core of merit recruitment procedures, screening the competences of candidates and their suitability for employment (Sigma, 2018b; Meyer-Sahling et al., 2015). There is a strong relationship between formal examinations and the degree to which skills and merit determine who gets a job in the civil service (Sundell, 2014). Written testing, such as multiple choice tests, increases the transparency and credibility of the selection process (Sigma, 2018a; Sundell, 2014). Oral examinations (interviews) are common in the Western Balkans, but suffer from a lack of established standards and systematic criteria for conducting such interviews (Meyer-Sahling et al., 2015). Interview rating sheets can help to identify such criteria. Studies also suggest the recording of oral examinations can serve as a monitoring tool (Meyer-Sahling et al., 2019 and 2015). Challenges to the effectiveness of examination systems include: inadequate and inefficient testing systems; and the need for investment.

The quality of merit-based recruitment and selection depends in large part on competent **selection committees/commissions**, which are often used to ensure political impartiality and

objectivity in the recruitment process (Meyer-Sahling et al., 2019 and 2015; Sigma, 2018a). Their composition should exclude political positions and members. Members should receive appropriate training and be appointed for longer periods of time, preferably forming a permanent or at a minimum, semi-permanent commission (Sigma, 2018a; Meyer-Sahling et al., 2015). The inclusion of independent experts from academia and civil society organisations on selection commissions can help to strengthen external oversight and impartiality of recruitment procedures (Meyer-Sahling et al., 2019 and 2015).

Appointment: Some of the literature identifies the final appointment of candidates as the one phase in which politicians may play a role and where limited political discretion allowed (Sigma, 2018a). This may be through the final selection of a candidate from a pre-filtered list. If political discretion is too wide, however, this can undermine confidence in selection procedures (Sigma, 2018a).

Curbing corruption and nepotism

There is some limited but growing empirical evidence that meritocratic recruitment is associated with lower corruption, suggesting that merit curbs corruption (see Meyer-Sahling et al. 2018a; Borges et al., 2017). Various research finds that recruitment by oral and written examination (such as pool examinations in Albania and Kosovo) rather than by discretionary appointment, in particular, curbs corruption, nepotism and politicisation (Meyer-Sahling et al., 2019 and 2018; Pedersen and Johannsen, 2018; Oliveros and Schuster, 2017). Research also demonstrates that such meritocratic practices curb nepotism to an even greater degree than they reduce politicisation (Meyer-Sahling et al., 2019 and 2018).

Challenges

Politicisation: The persistence of political discretion in recruitment, selection and particularly appointment can override the principle of merit (Sigma, 2018a). Problems with politicisation have been mitigated with the adoption of pool recruitment procedures. Their institutional design and practice help reduce the potential for undue interference. This requires significant investment in implementation capacity (Meyer-Sahling et al., 2019 and 2015).

Risks of politicisation are particularly high when wide political discretion is allowed in final selection or appointment rules; and when temporary positions fall outside of regular recruitment processes. This is particularly problematic if they are purposely transitioned into permanent posts (Sigma, 2018a; Meyer-Sahling et al., 2015). During the appointment phase, it may be beneficial to make it obligatory for the civil service employer to choose one of the presented candidates (Sigma, 2018a). In the case of temporary employment, efforts could be made to recruit temporary staff only from within the existing civil service and/or subjecting temporary employment recruitment the same merit-based procedures. It is also important to engage in timely filling of positions such that the number of acting senior civil servants is kept to the minimum, and their terms strictly limited (Sigma, 2018a; Meyer-Sahling et al., 2015).

Representation: A recent study finds that workforce diversity and diversity management can be compatible with merit principles and merit-based practices (Park and Liang, 2019). Other country case studies find that merit systems can disadvantage certain segments of society (Demmke, 2018; Peters, 2018). Merit recruitment procedures tend to conflict with the requirements of ethnic representativeness in some Western Balkan states (Meyer-Sahling, 2012).

Studies also show that merit-based employment has failed to produce gender equity in the public sector. This is due in part to routine discrimination experienced by women, arising from implicit biases that affect perceptions, behaviours and decision-making (Folley and Williamson, 2018; UNDP, 2015). In recognition that such biases may undermine the fair and efficient functioning of meritocratic recruitment systems, bias training is a key aspect of diversity of inclusion strategies in some countries (Folley and Williamson, 2018).

Efficiency: The adoption of merit-based recruitment procedures can be burdensome and, in some cases, too costly. There are, for example, many steps that are required before an external advertisement is approved. In addition, complex examination systems may have to be administered for each competition (Meyer-Sahling et al., 2015).

Monitoring

Monitoring can be conducted by selection commissions; by personnel departments within recruiting institutions and by central management units; and by independent external experts from civil society organisations, academia and international organisations. If properly selected and trained, external experts on selection panels can play important watchdog roles during the oral and written examination and selection processes (Stojanović-Gajić, 2018; Meyer-Sahling et al., 2015). Research suggests that regular monitoring by civil society is associated with a better overall functioning of the recruitment procedure (Meyer-Sahling et al., 2015). It is also important to have the potential for sanctions in the event of non-compliance to encourage adherence to the requirements of meritocratic recruitment procedures (Meyer-Sahling et al., 2015).

2. Good practice and experience in merit-based recruitment

Changes in **legislation** in the past couple of decades in the Western Balkans and elsewhere have laid the **foundation for merit-based recruitment processes** in the civil service. In Kosovo, for example, only a minority of civil servants took written examinations prior to the 2019 Civil Service Act, whereas subsequent to the legislation, the majority of civil servants took a written examination (Meyer-Sahling et al., 2018d). In order to achieve progress in merit recruitment to the civil service, it is necessary to review and revise legal provisions that enable undue political influence on senior civil servants (Sigma, 2018a); and adopt necessary complementary legislation to establish merit recruitment procedures and to improve the quality of implementation (Meyer-Sahling et al., 2015).

The existence of formal legislation may be inadequate to achieve merit-based recruitment, however, in the absence of a strong rule of law (Schuster, 2017). Where patronage is common, the insufficiency of merit legislation is attributed in large part to the absence of adequate rule of law enabling incumbents to ignore merit laws. **Legal violations of merit laws tend to go unpunished, rendering them ineffective.** Implementation is also undermined by **capacity shortfalls** hindering implementation; and by political discretion and loopholes such as temporary contracts (Schuster, 2017). *For further discussion, see the section on Challenges.*

Recent findings from the Western Balkans demonstrate the **importance of investing in the capacity to implement merit procedures** subsequent to the adoption of relevant legislation (Meyer-Sahling et al., 2019). There has been a shift in the Western Balkans in the past few years from adopting and continuously revising civil service legislation to building the capacity to better implement merit-based recruitment and human resource management frameworks (Meyer-

Sahling et al., 2019). This includes through investments in e-recruitment mechanisms and training of members of selection commissions (Meyer-Sahling et al., 2019).

Merit-based recruitment processes comprise three phases: (1.) application; (2.) assessment and selection; and (3.) final appointment. These processes must be transparent, neutral and based on good human resource management practices (Sigma, 2018a).

Application

Merit-based application processes require: a competitive entry process; clear, non-discriminatory and relevant eligibility criteria; transparency; and simple, efficient application procedures (Sigma, 2018a). Recent research finds that **public vacancy announcements** are generally **effective in increasing the transparency of recruitment processes and broadening the pool of potential applicants** (Meyer-Sahling et al., 2018). Public advertising of senior civil servants, through various mediums, such as user-friendly websites and newspapers, signals openness and opportunities for equal access (Sigma, 2018a).

Progress in merit-based recruitment in the Western Balkans has been achieved with the implementation of initiatives to **enhance the efficiency and user-friendliness** of the application process. **E-recruitment mechanisms**, in particular, and **social media tools**, have professionalised the application process and have the potential to continue to strengthen merit recruitment (Meyer-Sahling et al., 2019). Across the Western Balkans, almost 90 per cent of vacancies are publicly advertised, in some cases, through digital technologies (Meyer-Sahling et al., 2019, 25). In Kosovo, 79 percent of civil servants learned about their first job in the civil service due to a public job advertisement (Meyer-Sahling et al., 2018d, 23).

Lessons from the region also suggest that **limiting the number of documents required for submission in the preliminary stages** of the application process can lessen its burden and encourage a wider pool of applicants (Sigma, 2018a). The user-friendliness of the recruitment procedure has been enhanced in Serbia and Montenegro by requiring only successful candidates to submit a full list of required documents, rather than every applicant (Meyer-Sahling et al., 2019).

In Albania, the Department of Public Administration invested in e-recruitment tools, whereby applicants can set up profiles online to which they can upload, edit and update their personal documentation. The Department also prepared online videos, which prospective candidates can use as tutorials to learn about civil service jobs and the application procedure; in addition to disseminating information in schools and universities. These initiatives are considered to have contributed to an increase in the number of applications in recent years, raising competitiveness and enhancing the potential for recruiting higher quality candidates (Meyer-Sahling et al., 2019).

In Bosnia and Herzegovina, the Civil Service Agency at the state level and in the Federation have also started to use social media tools to advertise job vacancies. This has helped to disseminate job vacancies to a wider pool of potential applicants, including young applicants who do not sufficiently engage with traditional media outlets (Meyer-Sahling et al., 2019 and 2015). Prior feedback from BiH and Montenegro suggests that advertisement on the websites of central agencies, employment portals and newspapers has been inadequate to reach a sufficient number of competent candidates (Meyer-Sahling et al., 2015). Research in Kosovo finds civil servants learned about job vacancies primarily through newspapers and the website of the institution that recruited them. Thus, in addition to relying on digital technologies, it is important to

continue to advertise jobs in newspaper outlets (Meyer-Sahling et al., 2018d). A survey conducted in Kosovo reveals that civil servants have increasingly, during the past couple of decades, learned about job opportunities in the civil service through public advertisements (Meyer-Sahling et al., 2018d).

Merit-based recruitment is also enhanced through dense regulation of job advertisement procedures. In North Macedonia, legislation prescribes the minimum number of outlets that needed to publish the job advertisement and criteria for selection. This includes both Macedonian and Albanian language newspapers. In Kosovo, they must be published in Albanian and Serbian (the two official languages) (Meyer-Sahling et al., 2015). Lack of discretion over the contents of advertisements also implies that it would be difficult for selection commissions to ‘tailor’ advertisements in a way that allows for non-merit based recruitment (Meyer-Sahling et al., 2015).

The importance of digital technologies has also been evident outside of the Western Balkans. In Georgia, for example, the civil service online recruitment portal, launched in 2011, has promoted open access to employment opportunities in the civil service. Information on vacancies in the civil service is posted on the website. It has widened public access to professional opportunities within the civil services, which was previously undermined by closed and nepotistic recruitment practices (UNDP, 2015).

Assessment

Competency frameworks

Merit-based selection mechanisms include competency frameworks with **well-defined assessment criteria that can be used to evaluate candidates in relation to job demands.** They should define the standards and competencies (e.g. communication skills, team work; leadership; planning; coordination etc.) and break them down into levels of accomplishment (Sigma, 2018a; Meyer-Sahling et al., 2015; UNDP, 2015). It is more difficult for a patron to insert a client into a job where knowledge and skill requirements are specified rather than where they are left vague (UNDP, 2015).

In the Western Balkans, there is frequently an absence of comprehensive competency frameworks that define expectations for senior civil servants and provide a relevant basis for testing candidates. They are either non-existent or not applied (Sigma, 2018a). The framework is the most advanced in Bosnia and Herzegovina, where the state has begun to introduce it. Serbia has designed an elaborate competency model for senior civil servants, but it has yet to be formally enforced. Other countries in the region are in the nascent phases of developing competency frameworks (Sigma, 2018a).

Competency frameworks should be available to selection committees. Without such guidelines, selection committees lack the benchmarks against which to assess candidates. In such situation, committees tend to focus more on examining candidates’ knowledge and experience, which is inadequate for selection to senior positions (Sigma, 2018a).

Formal examinations

Examination systems are at the core of merit recruitment and selection procedures. Their **purpose is to screen the competences of candidates and their suitability for employment** in the civil service (Sigma, 2018b; Meyer-Sahling et al., 2015). Written testing **increases the transparency and credibility of the selection process** and makes it possible to prove that the

best candidate was selected. It serves as a signal that recruitment and selection processes are professionally managed (Sigma, 2018a; Sundell, 2014). In addition, certain competencies are easier to check through written tests (Sigma, 2018a). Oral examinations should take the form of a structured interview (Sigma, 2018a). While it may be easier to assess certain competencies through oral methods and others through written examination, it is preferable to adopt a combination of different assessment methods (Sigma, 2018a).

A study on formal civil service examinations finds that there is a **strong relationship between formal examinations and the degree to which skills and merit determine who gets a job** in the public sector (Sundell, 2014). A comprehensive survey of civil servants in Africa, Asia, Eastern Europe and Latin America reveals that oral and written exams **curb nepotism and politicisation** (Meyer-Sahling et al., 2018). This, in turn, can improve public service motivation, performance and integrity of civil servants (Meyer-Sahling et al., 2018).

In the Western Balkans, **oral examinations** are generally required for permanent civil service positions (Sigma, 2018a). In Kosovo, 89 per cent of civil servants underwent a personal interview as part of their assessment for their first job in the civil service (Meyer-Sahling et al., 2018d, 23). Oral examination through interviews are undermined, however, by a **lack of established standards and systematic criteria** for conducting such interviews (Sigma, 2018a; Meyer-Sahling et al., 2015). Selection criteria needs to be clear and relevant. It is recommended that Civil Service Agencies introduce **interview rating sheets** that specify criteria against which candidates can be systematically evaluated (Meyer-Sahling et al., 2015). Studies also suggest the **recording of oral examinations** to serve as a monitoring tool and increase transparency in the recruitment process. This can strengthen the political impartiality and professional independence of selection commissions (Meyer-Sahling et al., 2019 and 2015). The introduction of competency-based interviews in Bosnia and Herzegovina has strengthened the merit principle and should be considered by other countries in the Western Balkans (Meyer-Sahling et al., 2019).

Written examinations are simple instruments that can be incorporated into planned law or secondary legislation (Meyer-Sahling et al., 2019). They can comprise of a range of different assessment methods. Multiple choice tests, which are efficient to administer, are popular for general knowledge tests or psychological, personality and intellectual capacity tests (Meyer-Sahling et al., 2015). In Kosovo, 49 per cent of civil servants passed a written examination before they were selected for their first job (Meyer-Sahling et al., 2018d, 23). Evidence from research on the impact of merit-based recruitment procedures finds that written examinations are **associated with less politicised and less nepotistic recruitment practices** (Meyer-Sahling et al., 2019). They thus carry more weight and have more effect in contexts where the general level of politicisation of recruitment and selection processes is high. Where politicisation is low, it may be less important to rely on such formalistic recruitment and selection mechanisms (Meyer-Sahling et al., 2018c).

Written examinations and oral interviews are currently basic components of merit recruitment required and practiced throughout the Western Balkans. Since 2015, there have been notable changes in the region, including the introduction of compulsory written entrance examinations for civil servants in Serbia and in Montenegro; and the introduction of **pool examinations** in Kosovo. This involves **centralised written and oral examinations** prior to the winning candidate being invited to select his or her most preferred position (Meyer-Sahling et al., 2019). The process of conducting both written examinations and interviews has also been adopted in Albania and North Macedonia (Meyer-Sahling et al., 2019). Evidence from Albania suggests that

pool examinations are associated with less politicisation and nepotism in recruitment, **strengthening the merit principle** (Meyer-Sahling et al., 2019).

There are various **challenges** to the adoption and improvement of examination systems relevant to countries in the Western Balkans. These include **inadequate testing systems; the need for investment; and inefficient systems**.

- **Testing systems may not be robust and rigorous enough** to screen for competence levels, as they often test the wrong kind of skills and knowledge, rather than the competencies needed for senior positions (Sigma, 2018a; Meyer-Sahling et al., 2015). General knowledge tests, for example, that rely on multiple choice questions reward candidates who are able to memorise factual knowledge and not necessarily the most competent candidates. Examinations may thus not test qualifications but can become a routine to legitimise recruitment into the permanent civil service (Meyer-Sahling et al., 2015). Pool examinations are considered to be a promising strategy to overcome this kind of problem (Meyer-Sahling et al., 2015).
- Pool examination processes **require a significant investment** in central management capacity, which will need to be built in order to achieve effective implementation (Meyer-Sahling et al., 2019). In Kosovo, the current focus should be on building capacity to implement the new pool examination procedure. This requires multiple steps that Albania has undergone over the years, including the design of written and oral examinations, the development of an electronic database of questions and guidelines for selection commission members to conduct the examinations (Meyer-Sahling et al., 2019). Other countries in the region also need to focus on developing the capacity to implement the examination procedure (Meyer-Sahling et al., 2019).
- Examination systems in the region can also be relatively **inefficient to manage**. The preparation of and marking of written examinations, often consisting of several elements, can produce considerable workloads for selection commissions (Meyer-Sahling et al., 2015). This is not only with regard to the Western Balkans, but generally. Critics of written examinations caution that they may too cumbersome, inefficient and unable to actually screen relevant skills and knowledge for jobs and careers in the civil service (Sundell, 2014). Such inefficiencies can be alleviated to some extent with the adoption of permanent commissions, as in Albania, to administer the pool examinations (Meyer-Sahling et al., 2015). In order to improve efficiency of the system, measures should be taken to delegate more aspects of the examination to central civil service management units and/or central training units (Meyer-Sahling et al., 2015).

The importance of examinations has also been evident outside of the Western Balkans. In Estonia, for example, statistical analysis suggests that an expansion of written examinations would have positive effects on the management of the public service (Meyer-Sahling et al., 2018b). Currently, while personal interviews are prevalent, written examinations are rarely required. When practiced, however, they are positively associated with lower nepotism and politicisation in recruitment, higher levels of public service motivation and lower propensity to bend rules. Similar effects can be identified for personal interviews (Meyer-Sahling et al., 2018; Sigma, 2018a).

Selection committees

The quality of merit-based recruitment and selection depends in large part on competent **selection committees**, which are often used to ensure political impartiality and objectivity in the

recruitment process (Sigma, 2018a; Meyer-Sahling et al., 2015). Improving the professionalism of selection committees is important for improving trust in the selection procedure (Sigma, 2018a).

Selection committees can reduce the role of personal connections in recruitment and selection processes, enhance the level of public service motivation and improve compliance with rules. Statistical analysis conducted in Estonia indicates that commissions have a positive effect on management outcomes (Meyer-Sahling et al., 2018b).

The composition of committees **should exclude political positions and members**. Members should also be **appointed for longer periods of time**, rather than on an ad hoc basis (Meyer-Sahling et al., 2015). A higher level of professionalism could be achieved by legally requiring the establishment of a **permanent (or at a minimum, a semi-permanent) selection committee**; increasing the powers of a central coordination body; and **training** members of selection committees with a variety of techniques, including case studies and essays (Sigma, 2018a).

The **formation of selection commissions is required and routinely complied with across the Western Balkans** for almost all categories of staff in the civil service. Commissions consist of three, four or five members and involve representatives from central management institutions and independent experts from outside the civil service to varying degrees (Meyer-Sahling et al., 2019 and 2015).

A regional study of the Western Balkans concluded that selection commissions represent one of the weakest links of the recruitment process, often argued to lack political impartiality and professional independence (Meyer-Sahling et al., 2015). Members of selection committees were often found to lack adequate expertise and professional selection skills to carry out their role (Sigma, 2018a; Meyer-Sahling et al., 2015).

The **problem of insufficient expertise is most relevant for ad hoc members** of commissions such as heads of departments and divisions, general directors and assistant ministers who are infrequently involved in the management merit recruitment processes. Regular commission members from central civil service management units and personnel units tend to be better informed about how to manage the recruitment procedure in practice. Permanent members of commissions, which have recently been established in Albania, tend to have greater degrees of expertise (Meyer-Sahling et al., 2015).

The **inclusion of independent experts from academia and civil society organisations on selection commissions is desirable** as a means to strengthen external oversight and impartiality of recruitment procedures (Meyer-Sahling et al., 2019 and 2015). However, they tend to lack adequate information with regard to the management of such procedures, which exacerbates problems with insufficient procedural knowledge itself (Meyer-Sahling et al., 2015). The selection and allocation of independent experts to selection commissions should be subject to relevant regulation (Meyer-Sahling et al., 2015).

The **absence of effective guidelines and training of commission members can undermine the implementation of revised merit-based recruitment procedures** (Meyer-Sahling et al., 2019 and 2015). Further efforts are necessary to strengthen the capacity of selection commissions to implement existing recruitment systems (Meyer-Sahling et al., 2019 and 2015). Measures to **improve the knowledge base through specialised training and guidance** in order to better manage procedures is necessary for both internal and external commission members (Meyer-Sahling et al., 2019; Sigma, 2018a; Meyer-Sahling et al., 2015). Such

measures include: guidelines for interviewers to the development of competency frameworks; evaluation criteria for examinations; the provision of rating sheets; and training designed to certify the members of selection commissions (Meyer-Sahling et al., 2015). **Training is especially important with regard to interviewing skills.** Commission members should also be encouraged, as part of training activities, to engage in deliberations and information sharing on recruitment procedures, their benefits, and aspects of implementation, such as the contents of inspection reports and external monitoring reports (Meyer-Sahling et al., 2015).

Since 2015, there have been positive developments in the Western Balkans in the **training of commission members and the regulation of the role of external experts** in the selection process. These efforts **have helped to professionalise the role of commissions** in the recruitment and selection process (Meyer-Sahling et al., 2019).

The Civil Service Agency at the level of BiH institutions, for example, trained 300 prospective commission members to support the implementation of the new methodology. The Federation of BiH is planning to train commission members to support the introduction of competency-based interviewing. While participation in training will become compulsory for appointments to selection commissions in BiH in the future, this has yet to be established in North Macedonia and Montenegro. While North Macedonia has developed a manual to guide commission members during their work, this has not been sufficient to adequately improve the level of knowledge and understanding of commission members (Meyer-Sahling et al., 2019). In Kosovo and Serbia, while training has not yet taken place, compulsory participation in training, including introduction to the competency framework, is planned as part of the new/amended civil service laws (Meyer-Sahling et al., 2019).

Elsewhere in Eastern Europe - Georgia, Moldova and Ukraine, there are also various issues with selection commissions. There is still not an adequate balance among insiders, outsiders, general experts and experts in the particular field of the vacancy to be filled, and human resource management experts. In many cases, insiders dominate the commission. Often the chair of the commission and its members are high-ranking officials of the same agency, which undermines the presence of an independent voice in the recruitment process (Parrado, 2014). **Special attention needs to be paid to the composition of the commission** and to clarifying the composition of selection commissions (Parrado, 2014; Meyer-Sahling et al., 2015). There are also problems with **inadequate knowledge** of commission members of competition procedures; **lack of training; unclear criteria of assessment; and the absence of monitoring** of selection practices and bias. All of this **allows for substantial discretionary power for managers** in interview processes (Parrado, 2014).

Appointment

Unlike the application and assessment phases, some of the literature identifies the appointment stage as the **one phase in which the role of politicians can be considered and limited political discretion allowed**, particularly in the context of new democracies (Sigma, 2018a). This may be through the **final selection of a candidate from a pre-filtered list**, in order to ensure political acceptance of senior civil servants. In some cases, however, final selection rules allow for too high a level of discretion. In Bosnia and Herzegovina, for example (at the level of the state and the Federation), any of the candidates proposed by a selection committee may be appointed (Sigma, 2018a). If political discretion is too wide, however, this can undermine confidence in selection procedures (Sigma, 2018a). *For further discussion, see the section on Challenges: appointment phase loophole.*

The right to appeal recruitment decisions is ensured in Western Balkan countries. Procedures vary across the region, however. In some countries, unsuccessful candidates can appeal to the courts, whereas in others it is possible to appeal to either an independent body or to a body created by the government before going to the courts (Sigma, 2018a).

Institutions and capacity

Countries that have achieved better results in their efforts to professionalise their civil service are often also the ones that have been most successful in strengthening their organisations in charge of ruling the civil service system (Olavarría-Gambi, 2019). This has been the case in Latin America – particularly in Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Mexico, Paraguay and Peru. Reforms have included the establishment of models for development career and human relations management and the creation of norms, rules and procedures for the recruitment, selection, training, performance evaluation, promotion, and compensations of public employees (Iacoviello and Strazza 2014).

Across the Western Balkans, it is evident that civil service reforms are increasingly shifting their focus from the revision and upgrading of institutional frameworks to developing measures to improve the capacity of key participants of the recruitment procedures to implement them. Countries have varying levels of capacity. Efforts should include sharing experience among countries in the region (Meyer-Sahling et al., 2019).

The capacity of recruiting institutions to implement recruitment processes is also influenced by the coordination between personnel departments and central civil service management units. In the absence of guidance and cooperative relations, it is difficult for personnel departments to effectively implement the procedure (Meyer-Sahling et al., 2015). A survey of the Western Balkans finds that recruiting institutions rate the quality of coordination highly and that Ministries of Public Administration are characterised by cooperative behaviour and mutual support (Meyer-Sahling et al., 2015).

3. Curbing corruption and nepotism

Corruption

The effects of meritocratic recruitment on corruption have yet to be rigorously studied. As such, there is **limited direct empirical evidence that links meritocratic recruitment and decreased corruption levels** (Borges et al., 2017). There is nonetheless **some growing empirical evidence that meritocratic recruitment is associated with lower corruption**, suggesting that merit curbs corruption (see Meyer-Sahling et al. 2018a).

Earlier studies on the effect of meritocracy on corruption are inconclusive, with some finding there is an effect and others finding it negligible. These differing results may be due to different datasets and methods (see Pedersen and Johannsen, 2018).

Comparative case study research has emphasized the role of meritocratic recruitment in reducing levels of corruption (see Rauch and Evans 2000; cited in Meyer-Sahling et al. 2018a; Borges et al., 2017; Meyer-Sahling and Mikkelsen, 2016; Dahlström et al. 2012). Various research finds that **recruitment by oral and written examination rather than by discretionary appointment, in particular, curbs politicisation and corruption** (Meyer-Sahling et al., 2018; Pedersen and Johannsen, 2018; Oliveros and Schuster, 2017).

Empirical assessments of meritocratic recruitment, drawing on surveys of bureaucratic structures in various developing countries finds correlation between reliance on meritocratic recruitment and lower levels of perceived corruption and wasteful government (see Borges et al., 2017; and Charron et al., 2016). There is an issue, however, of potential reverse causality (Borges et al., 2017).

The level of meritocracy is considered a strong predictor of corruption risks in European regions (Charron et al., 2016). **In contexts where politicisation and clientelism is rampant, public servants recruited and promoted on the basis of political criteria are likely to be more corrupt than when recruitment is merit-based** (Skendaj et al., 2019). A recent survey of central government officials in five Eastern European countries (Poland, Latvia, Croatia, Serbia, and Montenegro) confirms the negative effect of politicisation on curbing corruption; and the positive effect of civil servants recruited through merit rather than political connections on lowering the risks of corruption (Meyer-Sahling and Mikkelsen, 2016). In Macedonia and Serbia, the politicised police force is considered more corrupt and less capable of providing services and protection. They are also perceived by the public as less legitimate (Skendaj et al., 2019). A recent study of the civil service in the Dominican Republic finds that the use of merit examinations is associated with less clientelism, lower corruption and greater work motivation of public employees. The effects were stronger in the cases of lessening clientelism and corruption, with a weaker effect on work motivation (Oliveros and Schuster, 2017).

Meritocratic recruitment can reduce corruption by disconnecting the public employee from the political chain of command, protecting him or her from undue political pressure since he or she does not rely on political superiors for appointment (Meyer-Sahling et al. 2018a; Pedersen and Johannsen, 2018). Public servants recruited by merit rather than political criteria may be more likely to form a motivated, professional bureaucracy, with different interests from politicians. They may have a greater tendency to adhere to long-term incentives to work hard and prioritise welfare and to norms of integrity (Charron et al., 2016; see Oliveros and Schuster, 2017). In addition, merit-based recruitment **can shift accountability** and produce a bureaucracy whose interests diverge from those of politicians, allowing each group to hold the other to account (Dahlström et al. 2012).

Context is important in the degree to which meritocratic recruitment practices are effective. A recent study finds that managerial discretion over recruitment is associated with greater corruption in all surveyed developing countries, while having marginal effects in the surveyed OECD country (Schuster et al., forthcoming). These findings are attributed to weaker rule of law and lack of sanctions for 'unprincipled' bureaucrats in the non-OECD countries surveyed than in the surveyed OECD country (Schuster et al., forthcoming).

Nepotism

Nepotism (having personal connections inside the state) is more widespread than the presence of political connections. Both adversely affect the work motivation, job satisfaction, public service motivation, performance, integrity of civil servants and their willingness to behave impartially (Meyer-Sahling et al., 2018). In Kosovo, for example, 50 per cent of civil servants surveyed relied to some extent on help from family members, friends or other personal acquaintances to get their first job in the civil service; while 41 per cent relied to some extent on support from a party, politician or person with political links (Meyer-Sahling et al., 2018d, 23).

Evidence from research on recruitment demonstrates that **meritocratic practices, such as oral and written exams or public advertisements for positions, curb nepotism to an even greater degree than they reduce politicisation** (Meyer-Sahling et al., 2019 and 2018). In Albania, for example, pool examinations are associated with less politicised and less nepotistic recruitment and selection (Meyer-Sahling et al., 2019; Meyer-Sahling et al., 2018d). In Kosovo, while written examinations are found to have a relatively small effect on curbing nepotism and politicisation, public job advertisements in newspapers have a bigger effect (Meyer-Sahling et al., 2018d).

4. Challenges

Politicisation

While meritocratic recruitment is often aimed at stemming politicisation, the **biggest obstacle to introducing and implementing functioning merit-based recruitment is deep politicisation** of human resources management (Stojanović-Gajić, 2018). The establishment of a legal framework for meritocratic recruitment does not guarantee the achievement of merit outcomes if a culture of favouritism and political patronage is deeply entrenched (Meyer-Sahling et al., 2018c). In such contexts, politicians and political appointees often seek ways to circumvent the formal and political rules of the game. This may be by **influencing the appointment of selection commissions or leaking examination questions**, all of which undermine the principle of merit recruitment (Meyer-Sahling et al., 2018c). It is thus important to pay particular attention to the context and to the quality of implementation, which may need to be addressed (Meyer-Sahling et al., 2018c).

In the case of the Western Balkans, a recent review finds that despite progress with the implementation of merit-based recruitment procedures and investment in formal institutions and the capacity to implement such procedures, the importance of political support remains significant (Meyer-Sahling et al., 2019). While politicisation is most prevalent at the managerial level (25 per cent of civil servants for recruitment), it also occurs at the administrative support level (22 per cent) and technical-professional level (18 per cent) (Meyer-Sahling et al., 2018, 18-19). The opening or positions, the formation and operation of selection commissions, the setting of written examinations, the conduct of personal interviews and the final selection from lists of candidates are consistently subject to favouritism and bias (Meyer-Sahling et al., 2015).

The persistence of political discretion in recruitment, selection and particularly appointment can override the principle of merit (Sigma, 2018a). In contrast, in Kosovo, the insulation of the police from political interference of clientelist political parties has allowed for meritocratic recruitment and promotion (Skendaj et al., 2019). Citizens in Kosovo perceived the police to be more capable and legitimate and less corrupt (Skendaj et al., 2019).

Problems with **politicisation have been mitigated in Albania due in large part to the introduction of the pool recruitment procedure**. Its institutional design and practice helps reduce the potential for undue interference, but it requires significant investment in implementation capacity (Meyer-Sahling et al., 2019 and 2015). A centralised recruitment system does not, however, guarantee disconnection between loyalty and position (Pedersen and Johannsen, 2018). In Lithuania, for example, the introduction of a centralised recruitment system in 2013 was an attempt to enhance meritocratic employment, but centralisation can still be used politically (Pedersen and Johannsen, 2018).

In Latin America, efforts and general advances in setting meritocratic civil services systems lost priority in government agendas over time (Olavarría-Gambi, 2019). Although meritocratic norms were enacted, governments have in many cases established particular systems benefiting specific segments of public workers, limiting the scope of meritocratic rules. In addition, particular interests among politically active segments of public workers have refused to be ruled by meritocratic norms (Olavarría-Gambi, 2019).

Experiences in Latin America demonstrate the **need to reach extensive political consensus to support meritocratic reforms** (Olavarría-Gambi, 2019). **Public expectations is also a key variable** affecting the extent to which politicisation undermines public recruitment. If there is a strongly institutionalised commitment to the merit system, then attempting to expand patronage is unlikely to be well-received (Peters, 2018). Strong mechanisms of transparency, expanded practices of evaluation of public organisations, assessment of performances of public employees, alliances with the media, and the denunciation of political capture on public organizations are proven to help boost meritocracy in the civil service (see Olavarría-Gambi, 2019).

Appointment phase loophole

It is important to clearly define the limits of political discretion in the recruitment process (Sigma, 2018a). **Final selection or appointment rules often allow for wide political discretion**, particularly for senior civil service position, which ministers tend to use in practice. This **can overrule efforts to establish merit-based recruitment** and undermine credibility of the entire recruitment procedure. It can also result in the appointment of incompetent managers (Sigma, 2018a; Meyer-Sahling et al., 2015).

Politicisation of civil service recruitment remains evident across the Western Balkans (Meyer-Sahling et al., 2019). Examinations, which are a key component of meritocratic recruitment, are generally concluded with a ranking of candidates on a list. **Lack of respect for the outcomes of examinations can contribute to lack of trust** in the fairness of the examination system (Meyer-Sahling et al., 2015). In Albania, Kosovo and Republika Srpska (BiH), the top-ranked candidate is fairly consistently selected at the end of the process. This, however, is not the case in Montenegro, Serbia, Macedonia and the Federation (BiH) (Meyer-Sahling et al., 2015).

In Serbia and Bosnia and Herzegovina, ministers retain selection authority, which allows for political interference with recruitment and selection decisions (Meyer-Sahling et al., 2019). In Bosnia and Herzegovina, at the State and Federation level, any of the candidates proposed by a selection committee may be appointed (Sigma, 2018a). Similarly, in Serbia, there is a lack of obligation to appoint selected candidates. This has resulted in none of the shortlisted candidates being appointed in the vast majority of completed recruitment processes (Sigma, 2018a). In Montenegro, there is significant discretion of heads of authorities at the central and local levels not to employ the top-ranked candidate (Đurnić, 2017). Although authorities are only permitted to do so under exceptional cases, it has become a more common outcome in practice (Đurnić, 2017). It is estimated that the top-ranked candidate is not selected in more than 30 per cent of the cases, with inadequate justifications for the decision (Meyer-Sahling et al., 2015). Even in Kosovo, where legislation ensures that the minister can only appoint one of the highest-ranked candidates, there are examples of appointments to senior civil service positions that violate this requirement (Sigma, 2018a).

This loophole in the appointment phase is also found to be prevalent outside of the Western Balkans. In Armenia and Azerbaijan, for example, the head of the appointing authority is not

obliged to select the first candidate on the shortlist, and no justification is required for such a decision (Parrado, 2014). In Lithuania, while human resource management reforms centralised recruitment and introduces state examinations at the entry level that narrows down the base of selection, actual decisions remain at departmental and local levels (Johannsen et al., 2015).

Given continued discretion and politicisation in the appointment process in many contexts, it may be **beneficial to make it obligatory for the civil service employer to choose one of the presented candidates** (Sigma, 2018a). Good practice would be to allow the employer to choose among the two to three highest-ranked candidates, but this choice should be preceded by an interview and supported by written justification. This would allow for the political acceptance required, while ensuring greater transparency and professionalism of the recruitment process (Sigma, 2018a).

Temporary employment loophole

The credibility of merit recruitment procedures for senior civil servants can also be undermined by the exploitation of systems of temporary employment. It is **common for temporary positions to fall outside of regular merit recruitment procedures**, representing a growing risk of non-merit appointment on a short-term basis (Meyer-Sahling et al., 2019). For example, temporary positions do not need to be publicly advertised. While such systems are often praised for their flexibility, they allow for discretionary appointments. **Risks of politicisation are particularly high when temporary staff are purposely transitioned into permanent civil service jobs** (Meyer-Sahling et al., 2015).

In Serbia, North Macedonia and BiH, for example, the greatest barrier to reform is the appointment by politicians of temporary, ‘acting’ senior civil servants without any competitive procedures. Their movement into permanent civil service jobs undermines efforts to implement the selection procedure fairly and objectively (Sigma, 2018a; Meyer-Sahling et al., 2015). In the Federation (BiH), there are no legal restrictions on appointing acting senior civil servants (Sigma, 2018a). In Serbia, 55 per cent of surveyed institutions at the expert level indicate that temporary staff are often or always recruited into permanent civil service jobs. This is in contrast to 18 per cent in Albania (Meyer-Sahling et al., 2019, X). Further, in Albania, temporary staff are still to be chosen from the list of candidates who had passed the pool examination procedure but had not been offered a job (Meyer-Sahling et al., 2019).

There has recently been significant **changes in the appointment of temporary staff** in North Macedonia and Serbia, widening the application of merit recruitment procedures. In Serbia, the government changed regulations in 2018, requiring the same recruitment procedure for temporary staff as for permanent civil servants (Meyer-Sahling et al., 2019). The North Macedonian Government ended the practice of recruiting and managing temporary staff through external personnel agencies, which kept them outside the scope of the civil service law (Meyer-Sahling et al., 2019). In addition, implementation of regulations have made temporary appointments possible but only to replace permanent civil servants on a short-term basis and following the application of standard recruitment procedures. Nonetheless, in practice, research shows that temporary contract staff in North Macedonia are still not always fully included in the scope of merit procedures (Meyer-Sahling et al., 2019). In Montenegro, it remains possible for the heads of institutions to hire temporary staff for a limited period of time without competition, which allows for further discretionary appointments (Meyer-Sahling et al., 2019).

Efforts to formalise merit recruitment to the permanent civil service should pay particular attention to the regulation and monitoring of temporary employment with the aim of ensuring that it will no longer lead to negative side effects for recruitment into the permanent civil service (Meyer-Sahling et al., 2015). This could be by **recruiting temporary staff from only within the existing civil service and/or subjecting temporary employment to the same merit-based procedures**, such as compulsory advertising and examinations, as in the case of Albania (Sigma, 2018a; Meyer-Sahling et al., 2015). It is also important to **engage in timely filling of positions** such that the number of acting senior civil servants is kept to the minimum and their terms strictly limited (Sigma, 2018a). A good practice, for example, is to set a maximum, non-renewable period not exceeding six months for acting positions, in order to avoid having a permanent 'acting' official (Sigma, 2018a). Despite the existence of such a provision throughout the Western Balkans, however, the percentage of positions occupied by acting senior civil servants can be rather high (e.g. 60 per cent in Serbia) – demonstrating a discrepancy between regulations and their implementation (Sigma, 2018a, X).

Temporary employment is also an issue outside of the Western Balkans. In Georgia, for example, the practice of employing acting officials has been used as a tool to extend the contracts of persons who had been selected on a discretionary basis (Parrado, 2014). In Paraguay, merit laws have still left incumbents with 'formal political discretion' through reliance on temporary contracts (Schuster, 2017).

Representation

A professional civil service is further characterised by the equal treatment of the main relevant groups in the recruitment of civil servants (Parrado, 2014). Administrative bodies should ensure protection against discrimination with regard to applications to the civil service, in addition to those employed. Issues concerning religious and ethnic communities and gender balance are of common focus in considerations of equality (Parrado, 2014).

A recent study finds that **workforce diversity and diversity management can be compatible with merit principles and merit-based practices** in the broader context of human resource management (Park and Liang, 2019). Both are found to have independent positive impacts on the performance of civil servants (Park and Liang, 2019). This complementary relationship suggests that it is important to adopt managerial strategies and tactics that promote workforce demographic representation, improve diversity, and promote merit principles in the public sector (Park and Liang, 2019).

Other country case studies find that merit-based systems, and the adoption of formal examinations as a recruitment procedure, **can disadvantage some segments of society**, for example, some ethnic minorities and immigrants. It can also disadvantage groups particularly affected by rising levels of inequality and declines in social mobility (Demmke, 2018; Peters, 2018). In such cases, the ability to appoint members of the civil service can provide opportunities to include citizens from different backgrounds and to promote equality (Peters, 2018). Issues concerning religious and ethnic communities and gender balance are common topics on the equality agenda (Parrado, 2014). Research on Poland finds that patronage appointments may produce a more representative public sector than merit-based recruitment, which in turn, could create more trust and greater effectiveness (Peters, 2018).

Ethnic groups

Merit recruitment procedures tend to conflict with the requirements of ethnic representativeness in some Western Balkan states (Meyer-Sahling, 2012). Being a member of an ethnic group can be classified as a non-merit-based recruitment criterion, but may be desirable to enhance the social and ethnic representativeness of the civil service (Meyer-Sahling et al., 2019). This is particularly the case in North Macedonia and Bosnia and Herzegovina, while playing less of a role in Serbia, Montenegro, Kosovo, Croatia and Albania. In **BiH**, ethnic representativeness is part of the constitutional composition of the country and the state entities – and features in the Civil Service as a general principle that has to be respected (Meyer-Sahling et al., 2019). **Members of selection committees consider the ethnic distribution of their institutions** (Meyer-Sahling, 2012). In **North Macedonia**, the **proportion of ethnic minorities in state bodies is prescribed** by the 2001 Ohrid Agreements. While this policy **may be considered successful in promotion of social peace and integration, it appears to have allowed for politicisation** of the civil service (Meyer-Sahling, 2012; Risteska, 2012). Members of the minority ethnic group were not required to pass formal examinations, which were compulsory for the majority community. This allowed for a significant increase in the participation of ethnic Albanians in the civil service. This was not the case, however, for other minority groups (Risteska, 2012).

Gender

Proponents of merit argue that it gives everyone an equal chance to succeed and is the fairest way to build an effective bureaucracy (see Folley and Williamson, 2018). However, decades of **merit-based employment have failed to produce gender equity in the public sector**. This is considered to be due to routine discrimination experienced by women, arising from **implicit biases that affect perceptions, behaviours and decision-making** (Folley and Williamson, 2018; UNDP, 2015). A focus on merit portrays gender inequality as a product of individual-level circumstances, rather than the result of structural barriers or constraints (Folley and Williamson, 2018). While Armenia and Georgia have introduced projects to mainstream gender in the public sector, for example, the number of women in the civil service is still lower than that of men (Parrado, 2014). A study carried out in Indonesia finds that although women and men civil servants have the same capabilities and competencies, more men are occupying structural positions, particularly at upper levels (Krissetyanti et al., 2017).

When the bureaucracy is dominated by men who occupy high positions, the identification of merit will in turn be influenced to some degree by their gender characteristics (Krissetyanti et al., 2017). Research shows that women have less access to collective processes, such as business networks or mentorship from senior leaders. Those who are instead granted access to such networks and experiences retain the power to define merit, which influences recruitment processes (Folley and Williamson, 2018). As such, policies that are considered to be gender-neutral may lead to inequity against women (Krissetyanti et al., 2017).

In recognition that such biases may undermine the fair and efficient functioning of meritocratic recruitment systems, **bias training is a key aspect of diversity of inclusion strategies in some countries** (Folley and Williamson, 2018). Findings from a study of civil service professionalism in Armenia, Azerbaijan, Georgia, Moldova and the Ukraine suggest that a principle, not a rule, should establish that the composition of any administrative body in the civil service should be gender balanced and that the application of women for higher-level positions

should be encouraged. Positive, legally binding discrimination should be avoided, however (Parrado, 2014).

Particular sectors in the civil service experience greater discrepancies in gender balance. The police sector in the Western Balkans, for example, has faced challenges in attracting and retaining women and members of ethnic minorities in operational police jobs (Stojanović-Gajić, 2018).

Efficiency

The **adoption of merit-based recruitment procedures can be burdensome and, in some cases, too costly**. This is true of the application process in the Western Balkans (Sigma, 2018a). There are, for example, many steps that are required before an external advertisement is approved, extensive requirements to submit documentation for job applications, and complex examination systems that have to be administered for each competition (Meyer-Sahling et al., 2015). In Montenegro, for example, the recruitment procedure is considered to be too lengthy due to the need to advertise first inside the institution and then inside civil service before a public advertisement can be placed (Meyer-Sahling et al., 2015). Feedback from Serbia also reveals issues with burdensome application processes, with complex requirements for the submission of documentation. This is costly not only for applicants, but also for selection commissions, which have to screen the material (Meyer-Sahling et al., 2015).

Measures should be taken to improve the efficiency of recruitment processes by shortening and/or speeding up the approval of job openings, the sequence of internal and external competition procedures, and the procedure for the submission of documents for job applications (e.g. through the use of digital tools and/or by requiring documentation only from shortlisted candidates) (Meyer-Sahling et al., 2015).

5. Monitoring

Creating a professional civil service requires de-politicisation and greater transparency levels of recruitment procedures. This in turn requires some form of increased monitoring (Stojanović-Gajić, 2018). Monitoring can occur, for example, through the **appointment of independent, external experts from civil society, academia and international organisations on selection panels** (Stojanović-Gajić, 2018; Meyer-Sahling et al., 2015). If properly selected and trained, they could play important watchdog roles during the oral and written examination and selection processes (Meyer-Sahling et al., 2015).

Several countries in the Western Balkans have taken steps toward establishing a system of monitoring. During the recruitment procedure, there are several mechanisms through which monitoring can take place. This includes monitoring by selection commissions; by personnel departments within recruiting institutions and by central management units; and by independent external experts from civil society organisations, academia and international organisations. External monitoring remains at moderate if not low levels, however, across the region (Meyer-Sahling et al., 2015).

In Serbia and Republika Srpska, for example, monitoring is largely limited to the participation of a representative from the Human Resources Management Service and the Civil Service Agency in the interview process. In BiH and the Federation (BiH), selection commissions include civil servants from other institutions as experts, while in Montenegro, it involves experts from outside

the civil service. In Kosovo, external experts from academia and civil society organisations have a formal role in the selection of senior civil servants and are involved in the recruitment of General Secretaries (Meyer-Sahling et al., 2015).

While monitoring and inspections are routinely performed in the Western Balkans, their effectiveness is mixed at best (Meyer-Sahling et al., 2015). There appear to be an **absence of negative sanctions in the event of non-compliance** with the details of the recruitment procedure and/or the incorrect application. **Without oversight and potential sanctions, there are fewer incentives to comply** with the requirements of meritocratic recruitment procedures (Meyer-Sahling et al., 2015).

Research suggests that **regular monitoring by civil society is associated with a better overall functioning of the recruitment procedure** (Meyer-Sahling et al., 2015). Thus, in addition to strengthening internal monitoring systems and the application of sanctions, it is important to give greater consideration to the role of external actors as independent, external evaluators and qualified participants in the recruitment process. This includes civil society organisations, academia and international (Meyer-Sahling et al., 2015).

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Expert contributors

- Nicholas Charron (University of Gothenburg)
- Carl Dahlström (University of Gothenburg)
- Jan Meyer-Sahling (University of Nottingham)
- Christian Schuster (University College London)

Suggested citation

Haider, H. (2019). *Merit-based recruitment in the civil service: effectiveness and challenges*. K4D Helpdesk Report. Brighton, UK: Institute of Development Studies.

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