

فريق البحث

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Questions :

- 1. What is civil Service System?**
- 2. What constitutes it?**
- 3. Who is civil servant and Who is not?**
- 4. Who is the employer?**
- 5. What are the main weaknesses of both:**
 - a. The legal framework .**
 - b. The Institutional framework?**
- 6. Recommendations ...**

Background

- **Ottoman** 'till 1917
- **British** 'till 1948
- **Jordanian** 'till 1967
- **Egyptian** 'till 1967
- **Israeli** 'till 1994
- **Palestinian** 'till Now

**Complex Legacy of Laws and
Administration**

Two Phases :

I. 1994 – 2000:

- Unsystematic (the Founding of the PA).**
- No clear legal and institutional framework.**
- Massive growth of the system.**
- Establishment of a huge number of public institutions.**
- Weakness of merit – based practices.**
- Politicization of public employment.**

2. 2000 – till now:

- **Intifada.**
- **Establishment of legal and institutional frameworks.**
- **Adoption of the Basic Law 2003.**
- **Civil Service Law in 2005.**
- **Executive Regulations in 2005.**
- **Rapid change of government.**
- **Reform initiatives.**

#. of Employees and Wage Bill in PS

<u>Yr</u>	<u># of employees</u>	<u>wage bill in USD</u>
• 1996	73,620	403
• 1998	91,000	501
• 2000	115,000	562
• 2002	125,000	642
• 2004	33,106	868
• <u>2006</u>	162,283	1,392

Comparison in Size of CS

<u>Cntry</u>	<u># of C Servts</u>	<u>% CS to PE</u>	<u>%CS to Pop</u>
• Plsn	82,000	50%	2 %
• Jrdn	90,000	60%	2.2 %
• Lbn	139,000		2.5 %
• Ltva	30,000		

Definition:

- The Basic Law maintains that: “the police, security services and local government are not civil servants”.
 - Civil Service Law maintains: “CSS covers everyone on the PA payroll”.
- = The payroll definition is too wide and, since it covers everyone, it is clearly inappropriate.

Who is responsible for the system?

The Board of Ministers (or Cabinet).

Supervising CS affairs, Issuing Regulations & decisions.

Ministries and Agencies.

Developing organizational structure, personnel management, staff development, productivity.

General Personnel Council (GPC).

The Law is not clear, but de facto it grants itself: oversight, provision of central services, coordination and advisory functions.

One system or subsystems?

- **Social services (education & health) over 80% of the total number.**
- **Foreign Service (diplomatic domain)**

This issue must be discussed in terms of

- a) resources**
- b) legal concerns**
- c) institutional arrangement**

Weaknesses

- ***Legal framework:***

- 1. Disharmony of laws: Some laws contradict each others. {the Basic Law, the Civil Service Law, and the Executive Regulations}** for example: the GPC
- 2. Lack of laws for some categories, such as senior positions and political appointees.**

3. Unclarity of laws: Laws are generally unclear on:

A- whether the existing regime of laws enhances a career or position based C S System?

B- who is responsible for the management of the Civil Service System?

Recommendations

- Changing or upgrading the legal framework, especially the CSL.
 - Emphases on guiding principles and harmony.
 - Clarify who is a civil servant, the employer, who is responsible.
- Changing or upgrading the Institutional framework.
 - Separate political appointees from the CSS
 - Civil Service Commission (Higher Council)
 - Founding subsystem