

Public Service in Belarus: Current Situation and Prospects for Reforms

2023

Summary

The report analyzes the Belarusian public service system based on the “Principles of Public Administration” developed by SIGMA. The authors assess the public administration practices adopted in Belarus, drawing attention both to problematic areas and to successful practices that can be used as pillars for reforming the public administration system. The report also includes recommendations that can help take concrete actions to address some of the most important issues in public service development. The report is designed to foster dialogue on priority areas of public service reform.

INTRODUCTION

A public service - the people and institutions that implement public policy and are responsible for providing services to businesses and citizens - is one of the key components of public administration. A well-designed, compact, and professional public service allows for quality and efficient delivery of public services in a country. In contrast, an uncoordinated, unstable, and unprofessional public service undermines the entire system of public administration and impedes economic growth and the implementation of various state functions.

According to modern principles of public administration, public interests should prevail over private interests in the public service, regardless of the sphere.¹ The value basis of public administration reform is based on the concept of “good governance”, which includes the principles of *accountability, predictability, openness, transparency, etc.*² In the public service, principles of “good governance” imply that there should be a layer of administrative workers, professional public servants, engaged in the development and implementation of public policy under the direction of politicians, but without their unnecessary interference. To ensure the independence of a professional public service from political influence, the following conditions must be implemented: competitive and open recruitment and promotion based on merit, sufficient labor protection, competitive and transparent salaries, clearly defined rights and responsibilities of civil servants, prevention of discrimination and absence of corruption.

This report analyzes public service using the “Principles of Public Administration”³, developed by the Support for Improvement in Governance and Management Initiative (hereafter referred to as SIGMA).⁴ The principles of good governance are discussed in detail in the previous study,⁵ we will only name them: efficiency, effectiveness, reliability, accountability, predictability, openness, and transparency. Any public administration reforms must be based on broad *civic participation* in the decision-making process in order to influence the decisions of central and local authorities.⁶

According to the SIGMA principles, improving public administration practices is one of the key conditions for successful economic development and democratization of any country. To this end, public administration reform involves depoliticizing the public service, strengthening the autonomy of central and local governments, developing e-government,

¹ Hill, K. (Ed.) *The Principles of Public Administration: A Framework for ENP Countries*. Paris: SIGMA, 2015. P. 21

² Levi-Faur, D. (Ed.). *The Oxford handbook of governance*. Oxford University Press. 2012

³ Hill, K. (Ed.) *The Principles of Public Administration: A Framework for ENP Countries*. Paris: SIGMA, 2015.

⁴ SIGMA website: <https://www.sigmaweb.org>

⁵ BIPART. From State Administration to Public Administration: How Can Public Administration Assessment be Conducted in Belarus? 2022. https://sympa-by.eu/sites/default/files/library/reforma_gu_sigma.pdf

⁶ Respondents also discussed the connection between the government and citizens: “...we have a distinction, and a civil servant is not actually part of civil society, we don't have the implication that civil servants are part of civil society, but in fact they are part of civil society all over the world” (Interview 7).

increasing the transparency and accountability of public administration, and improving public financial management.⁷ In the area of public service, SIGMA suggests six principles, any of which can be analyzed by a number of indicators. In this report, each chapter opens with the definition of the SIGMA principles.

The quality of public administration can be assessed not only based on the principles of “good governance” mentioned above, but also from the perspective of “bad governance”.⁸ The symptoms of bad governance include *unrule of law*, widespread corruption, poor quality of state regulation, and ineffective government policies. Similar to a number of other post-Soviet countries, the quality of the Belarusian public administration system can be described precisely as “bad governance”. Poor public administration causes inefficiency, uncertainty, and corruption. They all lead to discontent, frustration, resistance, and protest of citizens against the state and its institutions. Poor public administration undermines the legitimacy of the government and can lead to the collapse of the state. The reasons for the emergence of “bad governance” in post-Soviet countries are connected with “state capture” from inside by a ruling group within the state apparatus and influential businessmen personally affiliated with the ruling group. A society with “bad governance” is characterized by “politicization of state and economic management, from mobilization of voters at enterprises to transformation of the state apparatus into a political machine to ensure voting in favor of ruling groups.”⁹ In such a state, rent extraction represents the main goal, and governance seeks to build a vertical hierarchy with a single decision-making center. No other political and economic actors outside this hierarchy have real autonomy. Business and citizens can enjoy formal institutions (the Constitution, courts, laws) to a certain extent, but only so long as they are not perceived as a threat to rent extraction and domination.

Another manifestation of “bad governance” is the inability to improve the quality of public administration and, in particular, the regular turnover of administrators and the dependence of career mobility on the achieved results of governance. In such systems, the career of an official is based not on efficiency, but on a demonstration of political loyalty. As a result, the state apparatus is incapable of implementing structural reforms aimed at increasing the efficiency of government. It lacks both technical competence and a vision of its mission.

The risks of “bad governance” include the reproduction of its mechanisms after the change of political regime. The capture of the state “from within” creates a state apparatus that seeks to establish and maintain socially inefficient rules of the game to preserve access to economic resources even when the leadership changes. Since this state apparatus is not confident about the duration of the political regime, it has strong incentives to plunder state

⁷ Analysis of the public finance system of Belarus according to the SIGMA methodology, see: BIPART. From State Administration to Public Administration: How Can Public Administration Assessment be Conducted in Belarus? 2022.

⁸ Gel'man, V. The Political Foundations of “Unworthy Governance” in Post-Soviet Eurasia: Sketches for a Research Agenda. Preprint Series. Center for Modernization Studies, No. M-49/16. Publishing house of the European University in St. Petersburg. St. Petersburg, 2016. https://eusp.org/sites/default/files/archive/M_center/M_49_16.pdf

⁹ Gelman, 2016.

resources, and a “vicious circle” emerges as a result. Even post-Soviet countries that were relatively successful in forming democratic institutions, such as Georgia, Ukraine, and Moldova, have not yet been able to completely build effective institutions of public administration, although they have advanced much further than Belarus in many areas.

As the formed system of public administration is not of high quality, the demand for a solution of this problem emerged within the Belarusian society. The demand for the rule of law; quality judicial institutions; a real, instead of rhetorical, overcoming of corruption; as well as civil control and transparency of public administration grew considerably.

In this report, we will attempt to assess the practices of public administration adopted in Belarus, drawing attention both to the problems and to the successful practices which can be used as pillars for reforming the system of public administration. The identification of problems is a prerequisite for the development of a reform program.

In the modern state, public service reform is based on the theory of organizational justice, which suggests that improving public service human resource management should focus on the implementation of fundamental principles of organizational justice.¹⁰ For the purposes of public administration, this implies political neutrality, impartiality, the importance of professionalism, accountability, and integrity in the performance of public service. Organizational justice encompasses all aspects of workplace behavior: supervisory attitudes, compensation, access to professional training, nondiscrimination, and career development. Job performance, organizational procedures, and forms of interaction with management are all components of an assessment of organizational justice. Accordingly, organizational justice reflects people's perceptions of how fair or unfair the formal processes and procedures of an organization are and how fairly or unfairly management interacts with them. This theory is reflected in SIGMA's human capital management principles.

To facilitate the interpretation of legal provisions, SIGMA recommends interviews or consultations with non-governmental organizations, academics, and other interested parties, as well as an analysis of relevant court cases and scholarly literature. Following these recommendations, several sources of information were used in the report:

1. Law No. 204-3 “On Public Service in the Republic of Belarus” of 14.06.2003 (hereinafter “the 2003 Law”), Law No. 175-3 “On Public Service” of 1.06.2022 (hereinafter “the 2022 Law”), other legislative and regulatory acts.
2. Scientific literature on public administration and international experience of public service reform.
3. Reports and reviews on the situation in the public service in Belarus.
4. Expert interviews. A total of 15 interviews with former public servants were conducted by the research team between May 11 and August 5, 2022. Three of them left public service before 2020; the rest left public service or were dismissed after August 2020.

¹⁰ Folger, R., & Cropanzano, R. Organizational Justice and Human Resource Management. Thousand Oaks: SAGE, 1998.

Most of the interviewees were former employees of various ministries. Several former representatives of regional authorities were also interviewed.¹¹ It is important to note that it was very difficult to find interviewees because of the sensitivity of the topic as well as security issues.

The structure of the report follows six basic principles of human resources management in public administration according to the SIGMA methodology. However, the study reveals other bottlenecks in the Belarusian public management, which cannot be structured according to the principles of best practices but are characteristic of the problem of bad governance and are described in the report. The report also contains recommendations that can help take concrete actions to address some of the most important issues in public service development. The report is designed to foster dialogue on priority areas of public service reform.

According to Article 1 of the Law “On Public Service” of 2022, “Public service is the professional activity of citizens of the Republic of Belarus who hold public positions which is carried out for the purpose of direct implementation of state power and (or) ensuring the implementation of the functions of state bodies or officials of the Republic of Belarus.” Article 2 of this law defines that “the system of public service includes the following types: public civil service; military service; service in paramilitary organizations”. Thus, the 2022 Law interprets the scope of public service broadly. This definition, however, contradicts international practice. Public service should not include elected and politically appointed officials. Military and law enforcement activities should also be treated separately. In this regard, this report defines public service in a narrow sense and covers only positions that constitute the core of the public service and are engaged in public administration in ministries, the diplomatic service, customs and tax authorities, and other bodies related to the government and the administration of the parliament, the president, and the prime minister.

¹¹ Oral speech is different from written speech, so we edited and shortened the remarks of experts, preserving as much as possible the essence of what was said.

CHAPTER 1: POLICY, REGULATORY AND INSTITUTIONAL FRAMEWORK FOR PUBLIC SERVICE

The first principle of SIGMA assumes that a political and legal basis for the public service is in place, a special public service management authority has been created, and an information system for human resource management has been developed and is operational.

PRINCIPLE 1: The policy and legal frameworks for a professional and coherent public service are in place; the institutional set-up enables consistent and effective human resource management practices across the public service

1. There is a defined policy for public service development in the framework of the relevant strategies (e.g. government programme, public administration reform strategy), with clear and coherent measures in place to support its implementation.
2. A legal framework regulates the public service; details are regulated in secondary regulation in order to allow flexibility of the system and adaptability to changing needs. The legislation is in line with administrative law principles such as lawfulness, reliability and predictability, absence of discrimination, openness and transparency, accountability, efficiency and effectiveness.
3. Public service regulations, particularly with regard to recruitment, promotion and dismissals, prevent direct or indirect unfair discrimination.
4. All decisions of the public employer related to the rights and legitimate interests of public servants or applicants to the public service are subject to legal remedies, including judicial control.
5. Political responsibility for the public service is clearly established. A central unit is established by law, be it a ministry, administrative agency or another entity, vested with horizontal powers to manage the public service across the public administration. This central unit should ensure that the same principles and management standards are uniformly applied throughout the public service as a whole.
6. A human resource management information system - ideally based on electronic interaction - supports strategic workforce planning, management, remuneration and monitoring of human resource management practices in the public service.
7. Professional and consistent human resource management services are ensured across the public service by sufficient capacity in all administrative bodies to manage the workforce and implement the public service legislation.
8. The legal framework is applied in practice.

As can be seen from this definition, human resources management and the development of a public service strategy, as well as the formation of an institutional structure and legal framework for public service, are key areas for improving the quality of public administration. Having a coherent human resource management strategy within the public service is seen as a prerequisite for successful, effective, and modern public administration.

The detailed description of this principle shows that the strategy of human resource development for the public service involves work in several areas: legislative and institutional support, information technologies, and a strategic approach to the entire system of public service.

Availability and adequacy of public service policies

The first principle of SIGMA stipulates that a specific public service development policy is designed for the public service system within appropriate strategies (e.g., government program, public administration reform strategy) that establish clear and coherent measures to support its implementation. Strategic goal-setting is necessary to build effective processes based on analysis and achieve public administration goals.

A strategy in a management system refers to one of several lines of behavior that an organization adopts and adheres to in order to achieve its goals. A strategy is a long-term plan for managing an organization's resources. A strategy is needed for the organization to perform its functions effectively and achieve its main goal with limited resources. Thus, strategic management involves:

- 1) defining a primary long-term goal;
- 2) defining a time horizon for achieving that goal;
- 3) systematically analyzing resources and the feasibility of achieving goals;
- 4) developing steps to achieve the primary goal; and
- 5) integrating efforts around achieving the primary goal.¹²

In public administration, the concept of strategy is sometimes used as a synonym for policy. At the same time, it is recognized that the concept of “policy” is more vague and weaker than a strategy. To summarize, for the purposes of public administration, a strategy would mean the existence of a clearly defined political goal.

The experts interviewed noted that Belarusian public service lacks any clear strategy.

Question: “How was it explained to you what the public service is, what strategy it has, if any, how it develops, in what direction, what it aims to achieve?”

“My understanding is that we have not had and still do not have a coherent system, which in itself is wrong, because if we treat the public service as this kind of coherent important complex mechanism for the functioning of the state, then perhaps we could imagine a situation where the public service becomes something unified from the beginning (that is, from entry into the public service) to the end.” (Interview 1)

“... There is a law on public service, there is employee assessment - we all know this [formal rules], we have to learn all these directives by heart and then during assessment tell how we should conduct. And as for how we [public servants] develop - who's going to talk to us about how we develop? No one will tell you how we develop. It's bad, I guess.” (Interview 11)

“... This system is only capable of reproducing itself. Therefore, it does not have much

¹² Shafritz, J. M., Russell, E. W., & Borick, C. P. Public Administration. New York: Pearson Longman, 2007.

of what you have called a strategy. Nor is there any understanding of why the state apparatus is necessary at all, of where it is headed. There is simply none. It is a mechanism that drifts with the current. Because [as soon as] you try to introduce some attributes of a competitive appointment to a position, not a formal one, but a real one, it will all start to fall apart.” (Interview 12)

The study was focused on examining the strategy for public service. When answering this question, the interviewees raised a more general problem - the lack of a global vision of development direction in all areas of public administration. They also noted that they lacked an understanding of the overall policy vision for their day-to-day work as well.

On the one hand, this situation can be explained by the political regime in the country. Public servants noted that all activities of the public service are oriented toward the interests of one person and do not adjust to the needs of society. There are no channels of feedback between the executive branch and society. But at the same time, former public servants recognize that the public service should not be politically motivated and that a strategy is necessary to have the freedom to make decisions to achieve goals.

Although there is no public service strategy in Belarus, some elements of public administration development are nevertheless included in the “National Strategy for Sustainable Socio-Economic Development of the Republic of Belarus for the period till 2030”. In particular, it includes measures to improve the effectiveness and transparency of public administration and provides for a transition to “scenario forecasting, indicative planning, coordination, monitoring and evaluation of performance”.¹³ But, as noted by respondents, the National Strategy for Sustainable Development, along with other strategies (e.g., the Strategy for Informatization Development, the Strategy for the Development of State Youth Policy) do not become meaningful documents for public servants. Public servants find them useless because they are based on poor analytics, use irrelevant indicators, and rely on outdated methodologies.

“The overall SER - Socio-Economic Development Strategy - is published for five years for the whole country. It establishes for some individual sectors, what is to be achieved in each sector. There is even a breakdown by indicators for five years, yes. But some kind [of strategy] of the public service... I didn't see that while I was working.” (Interview 13)

As another respondent noted, strategies are “put on the shelf” as soon as they are signed by authorities.

“All strategies and programs are no longer relevant once they are labeled “Approved” or “Agreed” at the top. After that, this document will hardly ever be executed, because no policies or strategies in Belarus are written for the purpose of becoming a guide in work. It is an entirely abstract piece that's just been written.” (Interview 12)

¹³ National Strategy for Sustainable Socio-Economic Development until 2030. 2017. C. 16. Available at the link: <https://economy.gov.by/uploads/files/NSUR2030/Natsionalnaja-strategija-ustojchivogo-sotsialno-ekonomicheskogo-razvitiya-Respubliki-Belarus-na-period-do-2030-goda.pdf>

Developing a quality strategy requires a thorough analysis of the current situation, access to precise statistics, systematic analysis of different types of data, and anticipation of future changes. As noted by the interviewees, there is virtually no analysis of the current situation, and the vision of a development goal is formed randomly. Development programs are written based on “previous period indicators” rather than on the real state of affairs. In addition to not contributing to economic and social development, this practice also demotivates workers and leads to burnout.

“As for the strategic directives - the Development Forecast of the Republic of Belarus for several years, or the Government Action Plan, or the National Sustainable Development Strategy - these are the most routine part and the least, let's say, creative. In fact, they rewrite it over and over again, from year to year, from five-year plan to five-year plan. One time [management recommended] taking a program from the 1970s as a source of inspiration... Many programs were drafted in the 1990s. And if you compare the programs of, say, 1993 and 2020, there are no breakthrough ideas other than digitalization.” (Interview 5)

“The program was developed similar to the previous one, just some [performance indicators] were changed a little bit, supplemented... The tricky part was that we have indicators. Such a good Soviet system - performance indicators. They were always given to us ... and it was very Soviet-like: the number of visitors, for example, should be increased by 5%, the amount of non-budgetary income - by 10%. Given that the demographic situation in the regions was deteriorating, these performance indicators were not feasible. Then we started to bargain with [name of state body]: ‘guys, let's get this out of the way’. We tried to remove the performance indicators from the program and introduce monitoring or something else as a performance evaluation. I just remember [last name]'s eyes when we were explaining it to him. He was like, how can you do without indicators?” (Interview 2)

“Rumors that [name of state body] is making a forecast based on a methodology from 1967 or 1957 are true, it's not an anecdote... We tell the department that works with that particular forecast: ‘colleagues, is it real?’ - They say, ‘Well, kind of...’. Really, nobody needs you there with your own ideas.” (Interview 13)

Having a strategy makes it easier to navigate the public administration system and brings meaning to the work of public servants. A strategy is a concrete and clear plan that defines the means necessary to achieve a goal and anticipated results. The absence of a strategic goal results in a situation in which other plans become vague and ineffective. Moreover, the lack of situational analysis results in either inadequate or inappropriate allocation of resources. Public servants lacking an understanding of their long-term goal face a high risk of professional burnout.

Quality of legislation

SIGMA says that public service legislation must define the scope of application of the law both horizontally (to have a clearly delineated list of institutions subject to the law) and vertically (a hierarchy of positions subject to the law must be defined). Such legislation is

evaluated in terms of clarity and transparency of its provisions, whether it is comprehensive (or fragmented) and consistent both within itself and with other legislative acts. Basic provisions on public service can be outlined in the Constitution, the law on public service, laws on special types of public service, and other laws and bylaws.

At first sight, the Belarusian legislation on public service meets these requirements. The legal foundations of public service are generally defined in the Constitution of the Republic of Belarus, the Law “On Public Service in the Republic of Belarus,” the Law “On Combating Corruption” and other legislative acts. The relations associated with public service, but not regulated by the Law on Public Service and other legislative acts, are subject to the provisions of labor, pension, and other legislation. The key primary legal act is the Law “On Public Service”. Right after the work on the study began, on June 1, 2022, a new Law “On Public Service” was adopted, which replaced the law of 2003. The main differences between the two laws are analyzed in the “Review of the Law of the Republic of Belarus “On Public Service”, published earlier.¹⁴ The changes are largely cosmetic in nature. Because of this, our interviewees were more able to comment on the 2003 law, as none of them had the chance to work under the 2022 law.

Former public servants were generally quite positive about the law “On Public Service”, noting its transparency, clarity, and coherence. But while the law itself is quite coherent, its features highlight the shortcomings of the entire legislative framework and the lack of coherence with other legal acts.

“As for the law on public service, in general, I think it is quite clearly written, we have laws that are written much more vaguely than this one. I am satisfied with everything in the public service law. Difficulties arose when this law had to be correlated with all the others, with the Labor Code, for example, with [agency-level regulations], and with anti-corruption laws. And that’s where all the problems really started. On the one hand, you have to follow all the management instructions, on the other hand, according to the Labor Code you are not supposed to work on a day off, and on the other hand, you still kind of have to work sometimes on weekends, and you’re kind of supposed to get paid. The correlation between the laws, the law on public service, [agency-level regulations], the Labor Code, the Tax Code, for example, caused, frankly, a lot of questions, which have not yet been resolved.” (Interview 10)

“I had to go deep into the main Law on Public Service once when I took the public service admission exam. And yes, I studied it then. I know that compliance with the law was monitored by the human resources department. This law did not hinder or help us. The second time in my life when I remembered the Law on Public Service was in August 2020, when I read what public servants are actually supposed to do. There were very nicely declared principles of public service, which, in fact, were absolutely not respected. The Law’s text was very polished.” (Interview 2)

At the same time, during the study, all respondents noted a discrepancy between the “law on paper” and the “law in action”. Although the laws are well written on paper, their

¹⁴ Review of the Law of the Republic of Belarus “On Public Service” (2022). Available at: <https://sympa-by.eu/ru/articles/opublikovan-yuridicheskiy-obzor-zakona-o-gosudarstvennoy-sluzhbe.html>

application in practice tends to be arbitrary and situational. However, in the Belarusian case, the discrepancy between the “law on paper” and the “law in action”, which can be also found in other legal systems, is not connected with traditions or informal practices which have developed in society, but which have not yet been formalized in writing as it sometimes happens in other legal systems. Our respondents explicitly linked the discrepancy between the “law on paper” and the “law in action” to the authoritarian style of governance that has emerged in the country.

This situation is defined in the literature as legal dualism or “rule by law” as opposed to “rule of law”¹⁵. The rule of law is a basic principle that must be applied at all levels of government. It implies a clear and predictable legal system based on respect for human rights, which ensures the unbiased application of laws by those in power. But in Belarus, the political rhetoric and legal consciousness interpret the “rule of law” not as a system based on respect for human rights, but as the supremacy of the letter of the law, the supremacy of statutory law. This is a formalist interpretation of legal acts, that is, “rule by law”. This ambiguity is partly due to a lack of consistency and clarity in the translation of legal terms such as “*rule of law*” in English, *Rechtstaat* in German, or *préminence du droit* in French, which have long been filled with transparent legal and philosophical content in democratic systems but are new to countries in transition.¹⁶ This vagueness of content allows politicians ignore basic rights by using rhetorical references to the law.

In the Belarusian public administration, there are often situations when the same norm is applied differently depending on who is subject to it. Thus, legal dualism manifests itself - a system in which there is simultaneously a normative and prerogative state. A “normative” state is one in which affairs are conducted in accordance with legal norms and due legal process.¹⁷ “Prerogative” state implies that only politically loyal citizens receive full legal protection. In some cases, the Belarusian legal system leaves room for a “normative” state. This may be reflected in the higher (compared to many other post-Soviet states) position in the Corruption Perception Index. But in a significant number of cases, norms are interpreted in accordance with politically desired results or applied to a certain category of persons, i.e. the law works as in a “prerogative” state. For some time, the balance had appeared to be in favor of the normative state, but over the past few years the prerogative state has come to the fore, drawing a clearer line between politically loyal and disloyal citizens, resulting in a growing dualism in the legal system, including the public service system.

Deviations from the rule of law imply a purely formal, legalistic approach, which an official's actions must only be authorized by law (rule by law). And then the legislator goes on and creates laws that deviate even further from basic human rights principles.

“I am being absolutely serious now: before 2020, in principle, what we had written normatively was in line with all the international practices, it was all good, but the problem

¹⁵ Hendley K. Legal Dualism as a Framework for Analyzing the Role of Law under Authoritarianism. Annual Review of Law and Social Science. 2022, 18(1), 1-16

¹⁶ Jurgens, E. The Principle of the Rule of Law. COE, 2007.

¹⁷ Fraenkel, E., & Meierhenrich, J. The Dual State: A Contribution to the Theory of Dictatorship. Oxford: Oxford University Press, 2017.

was with law enforcement. Now the problem is no longer just law enforcement. The problem of enforcement has remained and worsened, but the problem of law reform has additionally emerged, and not [only] law enforcement.” (Interview 7)

This is the case, for example, with the law “On Public Service”, issued in 2022. It introduces a fairly large number of changes formally, but at the same time does not assume a transition to modern trends, does not introduce an assessment of the effectiveness of public servants, and, on the contrary, enshrines in law the signs of an authoritarian bureaucracy.¹⁸

Availability of information system

The availability of a functional information database for the management of human resources in the public service is one of the indicators of the public service's development. A database of this type is required for strategic workforce planning, human resource management at all levels of government, and for obtaining necessary statistical information about the public service in real time.

There is a state register of public servants that could be considered such an information database, but it only governs the recruitment and dismissal of candidates for executive positions. According to Article 11 of the law “On Public Service”, “the personnel register is a system of accounting (a list) of managerial positions for which a special procedure of selection is established, including special requirements for business and personal qualities, as well as appointment (dismissal).”

The state agencies in the Republic of Belarus maintain the following personnel registers: register of the Head of State of the Republic of Belarus; of the Council of Ministers of the Republic of Belarus; of state agencies subordinate (accountable) to the President of the Republic of Belarus; of national-level government agencies; of regional, Minsk City, city (cities of regional subordination), district executive committees; and of local administrations of city districts.

It is hard to determine to say how personnel registers are managed in the aforementioned agencies, but it is clear that no unified personnel information system has been created in Belarus.

The main drawback of the current personnel registry is that it is not open to the public. Citizens cannot even obtain aggregated statistics on public service personnel, such as data on the public servants' categories, data on staff turnover, information on salaries, data on gender balance, statistics on training and attestations, and so on.

¹⁸ BIPART. Review of the Law of the Republic of Belarus “On Public Service” 2022

Establishing separate public service management body

The SIGMA principles call for the establishment of a central coordinating body responsible for public service management. This could be a separate ministry, an administrative agency, or another structure with the authority to manage the public service, capable of developing and implementing a human capital management strategy across the entire public administration system. This central authority should ensure that the same principles and standards of governance are applied uniformly throughout the public service as a whole.

Such a body could be tasked with providing information support and overall management of personnel selection and recruitment, performance evaluation, and public servant training.

During the interviews, the majority of experts were unable to assess the need for such a service. But several times the interviewees emphasized that the system of hiring for public service is special to each agency. And the rules adopted in one agency may differ from the rules and principles of recruitment and promotion in another. In addition, the absence of coordination body makes it difficult to rotate personnel, which was repeatedly emphasized in interviews. Finally, if its activities were made public, such a body would be an effective tool for combating corruption and increasing the professional mobility of public servants.

“If we take admission to the public service, there was the idea of creating a special mechanism such as commission or an agency - whatever you want to call it - i.e. an official state body that would select people for this public service: collect data on potential candidates, conduct examinations, enroll people in the public service, and assign them to various ministries and departments. And that's where I would see the point. And this body, this system would provide for both professional development and [analysis of] benchmarks and internal or external reporting, would engage in monitoring the effectiveness of the public service, promotion, punishment, encouragement, etc. Today this is all handled in a kind of departmental format: each department builds its own system for itself, and this, frankly speaking, does not rule out nepotism or the promotion of relatives, or the possibility of a decision being made on some corrupt grounds. As a result, people do not enter public service on merit, but rather through their personal networks. And accordingly, this departmental approach makes it impossible to implement any general principles of personnel selection and placement at the national level. That is why, from my point of view, this topic would be worth thinking about.” (Interview 1)

The key to establishing of a public service hiring commission should be its independence from the heads of agencies and the participation of civil society representatives in its work. Such an independent body is expected to maintain a personnel reserve, conduct examinations, and organize a competition to fill vacancies, and assign grades to public service employees. The formation of a more transparent, comprehensible, and accountable system of selection to the public service is necessary to overcome the problem of nepotism and improve the balance of human resources, as well as to increase the confidence of citizens and businesses in it.

A new law “On Public Service” was enacted in 2022. This law, however, did not intend to introduce the principles of modern public service management, but on the contrary,

consolidated authoritarian trends in public administration. While the modern state seeks to organize public administration based on the principles of accountability, openness, transparency, observance of human rights, efficiency of public administration, encouragement of initiative and professionalism, Belarusian law follows the opposite trends. In particular, the division between senior officials and subordinates is being strengthened and institutionalized, and restrictions are being introduced on the rights of public servants to privacy, protection of personal data, and freedom of opinion, beliefs, and their free expression. In addition, the new law assumes the convergence of the principles of civil and military service and their de facto unification into one system, as well as the introduction of the concept of work discipline, while excluding the principle of humanism and social justice. As a result, the functions of public servants are reduced to the strict compliance with regulations and orders, blocking the initiative, and decreasing trust in the public administration system.

The public service remains fragmented and lacking strategic purpose; different government agencies have adopted different policies for hiring public servants, there is no forecasting of public service personnel, and there is a lack of a sound information system and key statistical indicators for operational and strategic analysis.

CHAPTER 2. ADEQUACY AND CLARITY OF SCOPE OF PUBLIC SERVICE

The second principle of SIGMA is the separation of public service and political activity. Protection of public servants from political influence is one of the most sensitive and significant principles of governance in the public sector. It is crucial to ensure the independence of the public service from the political process in order to foster the conditions for a professional, effective, and sustainable bureaucracy.

The formation of a neutral political environment in public service is defined as appointments to public office and other personnel decisions regardless of an individual's party affiliation¹⁹. In the case of Belarus, where there is no real party representation in the legislature, politicization can be defined as loyalty to the current administration rather than affiliation with a certain party. The reliance on demonstrated loyalty in making personnel decisions appears to be widespread at all levels and in all spheres of public administration. The politicization of the public service manifests itself unevenly at different stages of the electoral cycle. In the pre-election period, the political factor can have a negative impact on the recruitment and promotion of personnel, on the climate in the team and the effectiveness of the government agency, on expectations regarding one's own career (expectation of a change in government in one direction or another can influence immediate managerial or corruption decisions).

PRINCIPLE 2: The scope of public service is adequate and clearly defined

1. The scope of applicability of the legal framework regulating the public service (e.g. law on public service, law on civil servants, laws on constitutional bodies, laws on special types of civil service) is clearly defined.
2. The definition of the horizontal scope of public service contains at least the positions with public authority to exercise powers conferred by public law and the general interests of the state /or in the following institutions:
 - ministries and administrative bodies reporting directly to minister or ministers;
 - administrations of the parliament and the head of state;
 - administrations of the parliament and the head of state not reporting to the government.
3. The vertical scope of public service clearly determines the upper government and lower political appointees, public servants and support staff.
4. The upper dividing line between public servants holding senior managerial positions in the public service and political appointees, who do not fall under the scope of the law on public service, is usually the level of secretary body general of the ministry and director general of the administrative body.
5. The material scope establishes all general provisions relevant to the employment relations of public servants and management of public service.
6. The material scope establishes all general provisions relevant to the employment relations of public servants and management of public service.

¹⁹ PMC. Political Influence Free Civil Service. 2021. P. 26.

In Belarus, not only are conditions not created to reduce the dependence of public servants from political influence, but this influence only increases over time. In particular, the following mechanisms of ideologization and politicization of the public service are particularly prevalent:

1. It is legally stipulated that a public servant must know the fundamentals of the Belarusian state ideology.²⁰
2. Public servants must subscribe to state-owned newspapers.
3. Public servants should contribute to government-organized nongovernmental organizations (GONGOs), such as OSVOD, Peace Foundation, and political parties, such as Belaya Rus.
4. Belarusian public servants are also tasked with the responsibility of ensuring the desired result in elections to various government bodies.
5. There is a principle of unconditional obedience to superior management demands.

“For example, back then we were told: you work in the public service and you have no right to refuse. You must subscribe to newspapers. You have no right to refuse because you are in the public service. Do you remember who pays your salary? Who is your employer? Here. You have to subscribe to newspapers, you have to participate in all events, you have to go outside once a week to clean up the area - well, that was later. You must go outside, you have to work after hours, you have to give money to OSVOD, to Peace Fund, to Red Cross, to Belaya Rus, to..., I don’t remember what else.” (Interview 3)

While some government agencies use direct threats or coercion to carry out ideologically colored actions, others use guilt or shame manipulation. This is possible if the team has a strong sense of unity and employees have a high level of conscience. Although such a strategy can bring quick results, in general it does not contribute to productivity and a sense of job satisfaction, because it has nothing to do with the direct job duties of the employee. The team spirit, while allowing this manipulative strategy to produce immediate results in terms of ideological education, is wasted and cannot work for more important tasks related directly to work duties.

“As for some ideological things there, I didn’t like a couple of things there. Mostly the director tried to protect us from that [ideological influence]. But there were a couple of times when they urged me, not threatened me, but rather, if I didn’t do something, then my boss would be in trouble and that it was very, very much necessary, otherwise I would set him up. Once I, let’s say, refused, but the second time I agreed, but over two and a half years I had such situations four or five times. It’s not very pleasant, it creates a nervous situation all the time.” (Interview 10)

After 2020, the criterion of loyalty and compliance with state ideology became a key factor for being in public service. Expressing disagreement with the election results or the

²⁰ Art. 11 of the Decision of the Ministry of Labor and Social Protection of the Republic of Belarus No. 135 of October 24, 2003 “On Approval of the Qualification Handbook “Government Positions of Public Servants.”

general political line means that a person “defames the honor and dignity of a public servant.” (Interview 11)

“The situation is different now. We are not talking about a situation of even relative normality when professional performance of duties was valued. Now [an employee] can come to work drunk and won't be fired because there is no one to replace him. But if his phone has Pahonia [protest symbol] on his avatar, he will be fired with a guarantee, no matter how valuable an employee he is. So, everything has changed, upside down. They don't need competent people; they need really loyal ones. And this is not just a trend now, it is a policy, because, paradoxically, in the current environment it is better to do something bad than to have a potentially disloyal person on the team.” (Interview 12)

Analysis shows that public servants understand to some extent the importance of politicization in public administration rejection, not only because it creates annoying inconveniences like the need to subscribe to state newspapers or participate in community service events, but also because the depoliticization of the daily work of public officials allows the balance and equilibrium of the state to be maintained. But this is only possible if the public service is staffed by highly professional people.

“If we talk about the future, I like the way the system has developed in Poland more or less. Of course, it is also not ideal in terms of the relationship between the professional bureaucracy and politicians, but, nevertheless, [there is] a division between those who represent political parties and those who are nonpartisan bureaucrats. Political positions are filled by those who represent one or another political party, that is, the director of a department represents the ruling party, and his two deputies are, so to speak, most often professional public servants who do not have any political preferences. So, we get a symbiosis where, in general, there are fluctuations around the political line from left to right, but, at the same time, there is independent continuity, and the system functions quite stably. There, the ratio of political arbitrariness, which can also happen, and professional bureaucracy is always in favor of the latter, that is, professional bureaucrats who do not let the system make decisions that are too ridiculous. We need to work out something similar: some kind of correct quantitative ratio of politicians and bureaucrats, which should get along with each other and move the state forward regardless of any political lines at a given moment. We, unfortunately, do not have politics right now. And many professional bureaucrats have also been washed out.” (Interview 12)

As we can see, Belarusian public servants lack an effective and well-organized mechanism of protection from political influence. Earlier it was enough to subscribe to state-owned newspapers and participate in state activities like volunteer cleanup days; however, today political dismissals have gained strength. Hiring for public service is also becoming increasingly politically biased. Depoliticizing the public service seems to be the very first and most urgent task of public service reform. Political influence over public servants will become more difficult to exercise if hiring and firing are significantly reformed.

Thus, one of the reform's main priorities should be to protect the public service from political influence.

CHAPTER 3. HUMAN RESOURCES IN ORGANIZATIONAL SUPPORT OF PUBLIC SERVICE

SIGMA's third principle relates to the management of human resources in the organization and sets forth rules for the recruitment and dismissal of public servants.

PRINCIPLE 3: The recruitment of public servants, **including those holding senior managerial positions**, is based on merit and equal treatment in all its phases; the criteria for demotion and termination are explicitly stipulated by law and limit discretion

1. The recruitment and selection process in public service, either external or internal and regardless of the category/class of public servants, is clearly based on merit, equal opportunity and competition. The public service law clearly establishes that any form of recruitment and selection not based on merit is considered legally invalid.
2. The legislation covers general criteria and detailed procedures related to recruitment and selection.
3. The recruitment and selection committees include persons with expertise and experience in assessing different sets of skills and competences of candidates for public service positions, with no political interference.
4. Protection against discrimination of persons applying for and those employed in public service positions is ensured by all administrative bodies in accordance with the principle of equal treatment. In the cases explicitly established in the law, comprehensive equitable representation is taken into account in the recruitment process.
5. The objective criteria for demotion of public servants and termination of the public service relationship are explicitly established in law.
6. Legislation related to recruitment to the public service is applied in practice.

A complete cycle of human resources management in the organization includes following elements: selecting the most competent professionals; having clear and transparent procedures for selecting and hiring employees; and absence of discrimination in hiring and career advancement.

Types of selection: meritocracy, co-optation, and nepotism

Recruitment involves the process of finding and hiring the most qualified candidate (inside or outside the organization) for a vacant position. The hiring process includes the following steps:

- 1) developing a vacancy based on an analysis of organizational needs and goals;
- 2) posting a job offer;
- 3) screening (checking documents, interviewing, checking information received, shortlisting); and
- 4) placement.

At the core of effective public service is a well-organized process for attracting, selecting, and hiring public servants based on individual strengths and merit. This approach to personnel recruitment is defined as meritocratic (merit-based), where people who are well-educated, competitively selected, and who have demonstrated their high level of competence by their professional merits are appointed to managerial positions. Meritocratic recruitment to the public service also serves to guarantee the public servants' independence from political leadership.

This approach to appointment should be distinguished from two other approaches to the recruitment of personnel for the public service - co-optation and nepotism.

Co-optation is a way of recruiting elites "from above" when the initiative to hire an employee comes from the head of an institution. Cooptation makes it possible to select a person who, on the one hand, is capable of performing work tasks and, on the other hand, is convenient and loyal to the system. This is a mechanism for "cultivating" elites, where those who control the appointment process can assess who is qualified to join the public service and who is not. This mechanism for recruiting public officials is neither good nor bad. Acquiring the necessary competencies takes time, and "apprenticeship" under the guidance of an experienced mentor is an integral part of the professional development process. The problem arises if only this mechanism is used to join the service, thereby closing off opportunities to exchange competencies from various fields of work.

Nepotism - another mechanism for recruiting to the public service - is the most corrupt and involves selecting employees among immediate friends and relatives and does not take into account the potential employees ability to carry out work tasks. For the system, this mechanism has certain advantages: it forms a system of trust and reduces the cost of control over an employee. Control is exercised not by managerial disciplinary practices, but by the social institution of family or friendship. On the other hand, this selection mechanism allows resources to be preserved within a narrow circle of people.

Pure types of appointment exist only in theory; in practice, multistage systems of selection are more common. To varying degrees, these systems may include, both meritocratic selection and co-optation/nepotism. The question of the system's effectiveness depends on the ratio that takes into account candidate's education and qualifications and the means of building credibility.

In Belarus, all selection mechanisms exist simultaneously. At the formal level, mechanisms of meritocratic selection, based on a combination of specialized education and competitive selection, have been developed. For example, the legislation on public service defines general criteria of professional aptitude and requires that in order to enter the public service, a candidate must undergo a competitive selection process, i.e., pass an exam, provide evidence of their educational level and their compliance with job requirements. In some cases, it is also required to provide a portfolio of implemented projects. We will discuss the extent to which competitive selection, examination, selection committee composition, and other procedures can currently meet the challenges of selecting the most qualified candidates for a position in the next chapter.

Meritocratic selection is more common when it comes to filling vacancies in entry-level positions. In such cases, the academic performance of a young professional, recommendations of an educational institution, and examination results are taken into account when recruiting for a position. In several cases, our respondents said that they were invited to participate in the competition through participation in student conferences, internships at a relevant government agency, or training in additional education programs. Here are a few examples:

“As for the lower positions, you look for them [candidates] wherever you want. Senior university students come to us for internships. You can, if you like someone, hire them, although this does not meet the requirements of the Public Service Law. [According to law,] you must have about three years of experience to be a leading specialist. But, in principle, if a very smart boy or girl comes along, it is possible to hire such an employee. It's pretty rare, though ... You search through everyone you know [...] and then take a resume from the HR department. You tell them you need a lawyer. They send you resumes. Then, when you have a certain number of them, you begin reading them carefully, inviting people to interviews, listening to them. I'll be honest, I've recruited a few people and I've never been able to do it properly, I just don't have that skill.” (Interview 5)

“I [from my training] got one day a newsletter saying that [name of government agency] needed a staff member. I was working at the time and I realized that I should probably change my job. [...] Anyway, my resume ended up in the HR department of [another government agency], they called me and invited me for an interview. I went to the head of the department, he turned out to be such a humorous person, we had a normal conversation. Then I was invited to an interview with the chief of the head office, and we also had a good talk. They told me: come work for us. I also had to pass the public service exam. I later figured out that this was a serious matter: some people were not hired because they didn't pass. But I found that out later. And that's how I got the job. I just never thought it would be possible to get in like that. Yeah, and I didn't even think about sending out a resume, I thought it was just a matter of pulling strings. ... And yes, the whole time [of my work] I was getting the question, “How did you get here?”, “Whose relative are you?” So, when I was telling this story, people looked at me like I was something very strange. I then actually realized that a lot of people were getting in through acquaintance, through patronage, etc.” (Interview 13)

More often than purely meritocratic recruitment, based on resumes, exams, and portfolios, there is a co-optational approach to public service recruitment.

Question: “You said you picked your own team, but from whom?”

“One deputy I had, he had worked at [name of government agency] for many, many years, he had a huge record of public service. He worked within the structure, but we knew each other, we communicated at work, and when I had a vacancy at the department, I invited him and he agreed, i.e., he was a person from [name of government agency]. Two more people, let's say, I also got my eye on in the process of work. One person was from [name of subordinate government agency]. I noticed her at one of the events. Colleagues pointed out that she was such a specialist [who could be hired]. I asked around, someone knew her before, someone worked for her, and also invited her, and she agreed.” (Interview 2)

Finally, interviewees mentioned that in hiring to the public service the practice of promoting someone's acquaintances or relatives and hiring by “pulling strings” is widespread.

Question: “How could people with no experience get to you?”

Answer: *“Probably through some acquaintances and recommendations.”*

Question: “Is that a common story? Or is it some kind of exceptional situation?”

Answer: *“No, not an exceptional situation. There were so many specialists who came for positions. And when promoted, there were also a lot of such examples, not by professional competencies, but by some personal connections. It's a very common phenomenon.” (Interview 2)*

“There is no unified system of recruitment. Today it is all decided in such a conventional branched format: each department or agency builds its own system, so neither nepotism, nor the promotion of relatives, nor the possibility of making a decision on some corrupt basis is ruled out. Then people do not get into public service by merit, but by virtue of connections. And, accordingly, this departmental approach does not make it possible to implement any general principles of recruitment and placement of personnel at the national level.” (Interview 1)

In contrast to best practices in public administration, Belarusian primary legislation, that is, the law “On Public Service”, does not explicitly and unambiguously state that recruitment to the public service must be based on meritocratic principles, and that any selection not based on personal merit and achievement is considered legally invalid. Rather, it is emphasized that different rules apply to the recruitment of junior and senior public servants. As a result, nonmeritocratic selection practices are common.

Selection and appointment criteria

The next SIGMA principle implies that clear criteria for job requirements, formulated responsibilities, and candidate qualifications should be developed and made publicly available. In theory, the usual elements of a job description include a mission and overall purpose, main duties and related tasks, level of responsibility, subordinate staff (if any), working conditions, and special requirements (education, work experience, and others).

Although the Belarusian law “On Public Service” (Art. 30) defines general qualification requirements for entering the public service, their wording is not able to fully ensure the quality of recruitment. This situation is shaped by two opposing trends.

First, there is virtually no secondary legislation that spells out clear procedures and minimum requirements for employees to be awarded a public servant grade, the criteria for professional suitability, the grading system, the content of examinations, and the composition of selection committees. The basic qualification requirements for a candidate for public service as set forth in the law “On Public Service” include requirements for:

- 1) education;
- 2) experience;
- 3) proficiency in state languages;
- 4) knowledge of the Constitution and legislative acts; and
- 5) other qualification requirements.

As we can see in the primary legislation, these requirements are spelled out as broadly as possible. The qualification handbook “State Positions of Public Servants”²¹, which came into force in 2003, also does not disclose requirements for positions, but only specifies general qualification requirements: usually it is a requirement for higher professional education in the field related to the position, or professional retraining for this position and length of service requirements. For executives, the length of service requirement is typically five to six years, and for specialists it is two years.

Secondly, the primary legislation, i.e. the Law “On Public Service”, has a provision stating that “a state body is obliged to request a reference with regard to a citizen applying for a public office in that state body in the cases and in the manner prescribed by the President of the Republic of Belarus” (Article 29, paragraph 5). Thus, only the president, rather than elaborate and public criteria and procedures, can determine by decree what criteria a candidate for office must ultimately meet.

Finally, the law includes a controversial provision that qualification characteristics for regular-level public servants are established by the Ministry of Labor and Social Protection, while such criteria are not established for the highest government positions of the Republic of Belarus and for the heads of state bodies. A similar exception is made with respect to the health requirements for candidates for the highest positions in the public service. In this wording, the Belarusian law “On Public Service” directly contradicts the SIGMA principles.

Due to the lack of certainty of administrative procedures in the recruitment process, the leadership of a respective state body has considerable discretion in formulating the selection criteria for the public service and can put them forward at their own discretion. As a rule, when there is a need to hire an employee, a manager formulates a list of requirements for a potential employee. These criteria for different positions are poorly differentiated by tasks and actual complexity. More often informal and personal characteristics of a candidate are taken into account according to the principle “we will get along/we won’t get along together.” As it was mentioned in the previous chapter, there is no unified selection system and, therefore, each agency and each department within an agency can put forward their own requirements to a candidate.

“If the selection is done directly by the human resources department... We are not talking now about appointments to the highest levels, rather we are saying that up to a certain level there is a formal selection. For higher positions, there is coordination at the highest

²¹ Decree of the Ministry of Labor and Social Protection of the Republic of Belarus № 135 of October 24, 2003 “On Approval of Qualification Handbook “State Positions of Public Servants.”

levels. For the position of head of department, deputy head, there is a need for coordination at various levels. So, if we talk about the preliminary stage of selection, it is conducted as in a regular organization, that is, a professional is selected for a particular area of work, and a pool of employees is formed in accordance with the criteria provided. Anyone with appropriate skills and qualifications can submit documents for the competition. That is, first a pool of applicants is formed, then certain parameters will determine the final pool - those who will participate in the competition or be presented to the committee (if it is a committee review). Then the committee members, who are representatives of the department that hires these employees, where they will work, will decide. In that case, in addition to purely formal parameters, general characteristics will be considered (at least I have always looked at this): competencies, a combination of personal characteristics, and how the person has already proven themselves, what they have achieved, what they want, what they see, and how they will be of use to the structural subdivision. Altogether, if there is a selection with clear formal requirements, [it is taken into account] by how many points the candidate meets the criteria. Who is more qualified. Most often, unfortunately, in addition to the formal, there are informal [criteria]. Someone may be given preference based on some parameters, or someone may be treated more strictly.” (Interview 9)

As with public service policies in general, as discussed in chapter one, and in private matters, such as hiring new employees, experts note a discrepancy between the “law on paper” and the “law in action:” *“I would say that a certain disadvantage [of the appointment system] is that there are a large number of prescribed formalities and a gap between legal formalities, that is, prescribed on paper, and their real enforcement in each of the units or areas of public service.” (Interview 9)*

“And formally, as I have already said, the system is spelled out, but, as has been said many times, the system is legally well spelled out - in terms of selection. At the moment, it still requires mandatory recommendations, which are taken by the people who make the recommendation. They are responsible for the person who is enrolled in the public service. Accordingly, there is both competitive selection among the various applicants, who must meet various requirements, formal and personal, and a guarantee of their compliance with the requirements that are imposed.” (Interview 1)

Thus, the selection process for the public service does not correspond to modern human resource management principles. First of all, the legally enshrined practice of appointing people to managerial positions outside the competition raises concerns. Managers, unlike regular-level public servants, are not subject to clear and legally established requirements for qualifications and professionalism, nor are they subject to relocation, dismissal, or the application of disciplinary measures. All these procedures are not governed the Labor Code of the Republic of Belarus, but rather by presidential decisions.

Personnel reserve (personnel plans) and promotion

The absence of a consistent policy in the field of human resources management is also evident in the formulation of staffing plans. The only website that explains how the database of potential candidates (“personnel reserve”) is formed and contains information on career

opportunities is the Ministry of Economics' website.

At current stage, such database of potential candidates does not meet the needs of the public service.

“The “personnel reserve” is formed for quite a high level, starting with the director of the department, deputy director of the department. The fact that someone is in the “personnel reserve” is usually a formality. That is, we must report to the Council of Ministers that our “personnel reserve” is filled for all positions. At the same time, I have seen cases where people have been in this kind of “personnel reserve” for almost 20 years, retire, and they have never been offered the position. As for employees at a lower level, you can look for them anywhere you want.” (Interview 5)

Staffing plans are necessary in order to meet short-term staffing needs. Staffing plans should include the current size, composition, and distribution of staff; organizational changes or other issues that have a direct impact on staff during the coming year; staffing needs projected for the year, including identification of vacancies to be filled.²²

“In my understanding, the “personnel reserve” is exactly what such an agency [central unit for public service] is supposed to form. The “personnel reserve” is formed according to some formal criteria: higher education, specialization, economics, law, foreign languages, some additional qualifications, that is, this “personnel reserve” can potentially include, as I understand it, anyone. The question is what to do next with this “personnel reserve”? Someone must work with it, must understand that this person could be useful in the future here, in this area. And the most important thing is that this agency must organize exams, and the exams for entry into the public service. Today they do exist, but they are held very formally. And just based on the results of the exams, the best ones should be selected, that is, during these exams, a person must prove themselves, show, prove their readiness, qualification to work in public service. And it is a very important task to conduct such examinations independently. Here it would be the very filter that could actively combat nepotism.” (Interview 1)

Competitive selection is one of the basic elements of meritocratic and non-discriminatory recruitment to the public service, that is, recruitment based on professional accomplishments and merit. Competitive selection makes it possible to form a professional, politically neutral, and effective state apparatus. Competitive selection also ensures equal opportunities for all citizens to enter the public service and reduces the level of corruption.

Although there is a system of competitive selection in Belarus, it is not mandatory for all candidates for public office to participate. Competitive selection is organized at the discretion of the head of a state body. Due to its optional nature, in the Belarusian context, competition and examination are perceived as an unfortunate formality that must be overcome in order to enter the public service.

Since the publication of the new law “On Public Service” in 2022, the government also

²² Hill, K.(ed.) Methodological Framework for the Principles of Public Administration : ENP Countries. May 2018.

updated bylaws that clarified various provisions of the new law. On August 31, 2022, the Regulation “On Conducting Competition for Public Civil Service Position” was approved. This law outlines the main procedural aspects of the competition for public service job. In particular, it details the procedure for forming a committee, which should include the deputy head of a state body (chairman), head of the HR department and other employees of a state body. The regulation also indicates that it is necessary to publish information about the vacancy, the list of documents to be submitted, and the decision-making procedure of the selection committee.

It is likely that with the new regulation, the competition will better fulfill its tasks of selecting personnel for the public service. Until now, the competition has not served its purposes for various reasons.

1. Public job announcements are not a de facto practice in Belarus. Information about vacancies is distributed, as a rule, only through the personal networks of the head of the unit where a vacancy appears. One can find a “vacancies” button on the websites of some ministries, but either there is no information under it, or there is a form, by completing which a candidate can get access to a newsletter with information about vacancies or closed competitions.
2. Criteria for competitive selection are often formulated not for the vacancy requirements, but for a certain candidate, so that he or she has a chance to get the required number of points while passing the competition.
3. The composition of the selection committee is also not public.
4. Evidence of loyalty becomes a key factor of the selection process. Loyalty is monitored in many ways, including written references, personal background checks, and even lie detector testing.

“They constantly talk about some kind of competitions to fill positions, but it is all nonsense, it does not work in reality. The way it works in Poland, for example: an announcement for filling public positions is published and basically, everyone can apply, [declare] that “I want to work for the state, I have sufficient competence, a good education.” Where in Belarus have there been any announcements about the need to fill some position? Most positions - they are filled in one way or another actually by acquaintance: I know Yanka Yanau, he seems to be a smart guy, so it’s probably worth hiring him... But now there is also an idea of these “funny” personal references. They used to exist before, but it was not brought to such an extreme, that you are completely responsible for the person for whom you signed a reference letter or gave a recommendation. This also, in general, limits the choice of potential candidates for a position. And, most importantly, instead of increasing responsibility for appointments, this approach actually institutionalizes nepotism: I will give a paper to someone I know, and I will not even risk my signature on someone I do not know. And so it turns out that the system artificially limits its own choice.” (Interview 12)

In most cases, in order to participate in the competition and to enter the public service, it is necessary to pass an exam. The exam is not required if a candidate for a vacancy comes by compulsory placement after graduation, or by assignment to work in state bodies, some

groups of specializations determined by the Council of Ministers of the Republic of Belarus, and it is also not required for people who have previously served in military service on military positions. One respondent was able to recall in detail the examination procedure. In his opinion, such an exam can perform an integrative function and help prepare for future service.

Here is a large fragment of an interview from which the entire public service recruitment procedure becomes clear:

“Yes, I took the exams. There is a basic exam for public servants, it is the same for everyone. It consists of 4 questions: one question on the Constitution, one question on the national economy, one question on combating corruption, and another question on the law on public service, on the rules, and so on. Basically, they send a list of questions and a preparation guide. The book, however, is very old, from 2008, so I had to double-check everything there... But in general, there are just questions about the Constitution: what this article is about, another one, the section about the parliament, what are the main provisions... On the law on public service, all the questions could be answered simply by the language of the law, so, in principle, this guide was not so good... The examination goes like this: 1) a committee is assembled, 2) this committee is chaired by the head of the [human resources] department; 3) the committee includes the heads of departments, the director of the department, the head of the information department are included. There are probably five people assembled, and you simply [answer] the question you pick, like at a university exam... The committee asked questions, even if you would write everything. ... As for the exam, it seems to me that it is generally useful, because when I started work, I knew the law on public service well, better than my colleagues who had worked for 15 years. It was very useful in terms of work, that you immediately understand roughly the structure of the government, especially in our country where there are many ministries, committees; who is higher, who is lower, who is parallel, who is on the side. Basically, for this kind of understanding and immersion, I think this exam was not bad... There was also one of the elements, the very first one, it was an interview with the head of the department himself, but he kind of just looks at what they call soft skills, an interview about how good, adequate a person you are. On the surface, it looks kind of good. On the other hand, you have to understand that if, say, the head of the department already likes you, then to a large extent all the other stages are already semiformal, if you do not blatantly fail, will not talk nonsense at the exam, then you will be hired.” (Interview 10)

In addition to the public service entrance exam, other tests may include a computer skills test, a foreign language proficiency test, an essay on the specialty field, and psychological testing.

“You take a computer skills exam, it's not very difficult. And there's also... there's a Ministry of Internal Affairs center, I think, where they test you for psychological stability, for reaction, where psychologists talk about how you tolerate stress, how high your IQ is. Anyway, the test lasts at least four hours, maybe more.” (Interview 15)

In addition, a loyalty test may be conducted during the various stages of the public service admission examinations. Yet, the respondents' individual experiences of respondents varied. Although many claimed that candidates who demonstrate loyalty to the current regime

have an advantage in the public service selection process, in some cases, respondents claimed that professionalism outweighed.

“Nowadays not everyone can get in, get a job. When you pass this exam, the top management invites you for a conversation, they ask all sorts of questions. For example, they want to hear how patriotic we are, that we want to work in the public service, because we want to be of great benefit to our homeland. Although, perhaps, there are such patriots in the capital, but in our city the vast majority went, of course, only for the salary, the salary was in the first place.” (Interview 4)

“When one becomes a public servant, one has to pass a public service exam. In addition to the exam, there were also psychological questionnaires. These were traditional HR questionnaires, on the ability to work in a team, on the ability to solve complex problems, on the attitude to employees, to subordinates, to management. No shade of... of patriotism - there was no such thing.” (Interview 5)

As mentioned above, a competition to fill a public servant position is not mandatory, but departmental regulations may stipulate that at least two people should apply for one position when holding a competition. However, it is not uncommon that these requirements are not met.

“But the most complicated part is when gathering a pool [of candidates]. There are times when a ready-made candidate [participates in the competition], when the competition is announced for a specific person, or a selection is made to meet requirements, but not for a specific task. [Human Resources] selects candidates from those in the “reserve”, or from those who have applied, or from those who they have managed to attract to participate. I was lucky, my employees met, to a large extent, both the criteria that I set out and the formal [requirements] at the final stage. When selection is done by the HR department, sometimes the pool is good, but it does not meet the objectives. I have not encountered this personally, but I know of situations where this was the case.” (Interview 9)

A multistage competitive selection process alone is no guarantee of hiring the most professional and motivated public servants. Nevertheless, a transparent selection system based on predetermined criteria increases the chances that public service candidates meet job requirements. Competitive selection is also necessary to attract talents from the external labor market, thereby expanding the set of competencies they possess. Organizing both internal and external competition for a position improves the quality of human capital in the public service.

Protection against discrimination

One of the indicators of progress in creating a diverse work environment is non-discrimination on any grounds. Anti-discrimination provisions are set forth in Article 28 of the law “On Public Service.”

“When entering public service, as well as during its course, any restrictions and (or) benefits based on gender, race, nationality, social origin, property status, place of residence,

attitude towards religion, beliefs, other circumstances not related to professional qualifications and not conditioned by the specifics of the work function or status of a public servant, as well as membership in political parties and other public associations, except as stipulated by the Constitution of the Republic of Belarus, are not permitted.”

Although the law prescribes equality for all groups when entering and passing through the public service, this equality is never achieved in practice. The main problem in public service in Belarus is gender inequality, which can be described by two metaphors: “sticky floor” and “glass ceiling.”

The first metaphor, “sticky floor,” refers to a discriminatory employment pattern that keeps a certain group of people at the bottom of the job scale. This practice of professional discrimination is most often encountered by women. This is a common situation in the Belarusian public administration, where women account for 69% of public servants but only 46% of all women hold any managerial positions²³. Often, women are not promoted above the position of chief specialist, and their careers stagnates at that level for many years.

The second metaphor, “glass ceiling,” describes another discriminatory barrier. It is the blocking of the promotion of women, who have already occupied sufficiently high positions in middle management, to the highest managerial positions. For example, in the Belarusian public service, only 13.7% of women are heads of organizations, while the share of male executives reaches 21.5%²⁴. Ultimately, both those who face the “sticky floor” and those who are confronted with the “glass ceiling” find it impossible to improve their situation.

Interviewees point out that this situation is not only unfair, but also reduces diversity of opinion and negatively affects interaction among colleagues.

“We need to remove conservatism, and to encourage gender equality in the ministries. There is something wrong in the human resources policy when we have some ministries where women prevail, and others where only man work. This creates some prejudices when working with each other.” (Interview 10)

“There are almost no women in leadership positions, and it's not because they are not competitive, or not talented enough. To be fair, you have to understand that not all women are willing to choose a career and give up their families... Women don't get to this stage unless they have some very serious career incentives and expectations. Plus, I know cases when, when selecting for a [executive] position, our women were cut off solely on the gender basis, because there will be a need to have a drink somewhere, or some tough action will be needed.” (Interview 15)

As we can see, women's chances of being hired into public administration are high, but the opportunities for career advancement are not.

²³ Labor and Employment in the Republic of Belarus. Statistical collection. Minsk, 2022. <https://www.belstat.gov.by/upload/iblock/c17/c1758aafc21ec069dafba92b27dea768.pdf>

²⁴ Labor and Employment, 2022.

Other forms of possible discrimination, such as those based on ethnicity, religion, or disability, were not mentioned by the experts, but this does not mean that these forms of discrimination do not exist in the Belarusian public service.

Gender discrimination, in addition to its ethical and professional dimensions, has another important implication for public administration. International studies, including those in non-democratic countries, show that increasing the proportion of women in public office significantly reduces the problem of corruption, both ordinary bribery and grand corruption.²⁵ In particular, a study of public procurement in Russia shows that, at the middle level of government, both men and women consider corruption to be evil, but at the top levels of government, negative attitudes toward corruption are found predominantly among women.²⁶ Researchers offer different explanations for women's lower propensity for corruption. They may be less inclined to risk their reputations and the positions they have achieved. Male counterparts may not trust female officials as partners in corrupt deals. Finally, it could simply be women's culturally internalized tendency to "play by the rules." Ultimately, the influence of gender on successful anti-corruption efforts is lower in non-democratic countries than in democracies. What matters more than gender is the creation of necessary institutional conditions for overcoming corruption. Nevertheless, this connection should not be overlooked either.

Thus, despite the existence of provisions in various legislative acts prohibiting discrimination and bias on any grounds, there are rules that are inconsistent with these requirements. More serious work and discussion of gender and other types of discrimination is needed as well as ensuring that different groups have equal access to services and employment.

As we can see, Belarus has not created system of selection and recruitment for the public service that is meritocratic and free from nepotism and other distortions. An effective system of personnel plan development has not been formed either. Formally, some elements of merit-based selection and protection from discrimination are enshrined in the legislation. In practice, these norms hardly fulfill their intended purposes.

²⁵ Dawson, S. Are women leaders less corrupt? No, but they shake things up. 2022. Available at: <https://www.reuters.com/article/us-women-leaders-corruption-idUSBRE8B306O20121204>

²⁶ Researchers from the National Research University of the Higher School of Economics: Only Female Public Servants Can Fight Corruption in Russia. Available at: <https://iq.hse.ru/news/496799277.html>

CHAPTER 4. COMPENSATION AND PROMOTION SYSTEM

Fair and transparent pay for public servants is at the core of SIGMA's fourth principle.

As mentioned above, the principles of SIGMA draw heavily on the theory of organizational justice.²⁷ Employees assess organizational justice on the basis of organizational procedures and interactions with management. Fair performance-based compensation and transparent appointment procedures are key factors in effective human resource management policies in the public service.

Organizational justice consists of three elements: distributive, procedural, and interactive justice. Distributive justice reflects employees' perceptions of how fairly rewards (salaries, bonuses, professional development opportunities) and sanctions are distributed, that is, how much the rewards reflect the performance of each employee. Procedural fairness refers to how fair and transparent the organization's decision-making processes are. If rules and norms are perceived as unfair, it demotivates employees. Finally, interactive justice is related to how a person is treated in the decision-making process, whether employers give adequate feedback, whether employees are treated with respect and dignity. Interactive justice, in some cases, is more important to employees than resource allocation or organizational procedures.

The fourth principle of SIGMA reflects the principle of fair remuneration. It assumes that wages are legally justified according to job grades. The wage system is supposed to be transparent, the procedures and criteria for remuneration of public servants are clearly defined, and the elements that make up a wage are defined. These elements are the base salary and various supplements to it. The supplements that are not included in the base salary are a variable part of the salary.

PRINCIPLE 4: The remuneration system of public servants is based on the job classification; it is fair and transparent

1. A fair and transparent system of remuneration, including salary classification based on the job classification system, the complete list of variable elements of salary, the proper relation between the fixed and variable salary, and detailed provisions, are established in legislation to ensure the coherence, fairness and transparency of the whole public service. The remuneration provisions are applied in practice.
2. Allowances and benefits in addition to the salary (e.g. family, rent, education, language allowance, benefits in case of sickness, maternity or work accident) are established in law to ensure the coherence of the whole public service and are applied in practice.
3. Equal pay for work of equal value is ensured; any type of discrimination related to gender in remuneration is avoided.
4. Managerial discretion in assigning different elements of salary, allowances and benefits to individual public servants is limited to ensure fairness, transparency and

²⁷ Folger, R., Cropanzano, R. *Organizational Justice and Human Resource Management*. Thousand Oaks: SAGE, 1998.

consistency of the total pay.

5. The remuneration system of public servants provides reasonable conditions for recruiting, motivating and retaining public servants with the required competencies.

Belarusian legislation only partially meets these criteria. The fixed part of the salary (base salary) is determined by the “Instruction on Procedure for Remuneration of Public Servants of State Bodies.”²⁸ The Instruction, in particular, establishes the coefficients by which the base salary is multiplied for different job posts. The coefficient ranges from 1.0 for public servants at the specialist level of city, rural and town executive committees to 6.7 for first deputy ministers of several key ministries and 6.2 for other ministries. The job coefficient for ministers is not spelled out in the instructions. The base salary is established by the president. On the other hand, experts noted that the current system of forming the variable part of the salary is not transparent and does not create necessary incentives to improve the quality of work. Public servants are also entitled to long-service bonuses (ranging from 10% of base salary for time served over 6 months to 40% of base salary for those who have completed more than 20 years of public service) and academic degrees (5% for a PhD degree, 10% for a post-doctoral degree).

Thus, the system of remuneration in public service in Belarus consists of constant and variable parts and can also consist of monetary and non-monetary incentives.

The fixed part of the remuneration consists of the base salary, the allowances described above, and a vacation allowance equal to two official salaries. The variable part consists of bonuses, payments from savings from vacant positions, and other means of financial incentives.

A previous study of the Belarusian public servant’s motivation system showed that only slightly more than half of the public servants stated that their salary correlates with the quality of their work. However, only immediate supervisors or organization heads assess efficiency, and only a few people noted that their performance is assessed by several people.²⁹ The fact that almost half of public servants do not see a link between their performance and remuneration indicates that the rules of financial incentives are not clear and transparent.

Salary of public servant depends on positions and grades; an increase in grade and/or position adds a certain amount to salary (about 100-300 rubles, i.e. 30-100 euro). Experts remark that salary is not very high immediately upon admission to the public service. But it generally provides a sufficient standard of living, especially outside the capital city Minsk or after a certain public servant class is reached.

“In general, we have poor funding for the public service. In fact, this is the case for all

²⁸ Instruction on Procedure for Remuneration of Labor of Public Servants of State Bodies. Decree of the Ministry of Labor and Social Protection of the Republic of Belarus of June 17, 2013 No. 56 “On Remuneration of Public Servants of State Bodies”.

²⁹ Ramasheuslaya, I., Rabava, N. (2020). What Governs Those Who Govern the State: Motivation of Public Servants In Numbers. https://sympa-by.eu/sites/default/files/library/brif_issledovaniya_motivacii_gosudarstvennyh_sluzhashchih_v_belarusi_opros_bipart.pdf

other budgetary organizations: doctors, teachers, cultural workers. Maybe the situation is a little better for top government employees. If you compare it to neighboring developed countries, what our public servants get is nothing.” (Interview 1)

One of the significant methods of public service job incentives is the assignment of public service grades, which simultaneously reflect both career advancement, salary increases, and increased access to non-monetary incentive tools. Assignment to a higher grade depends on tenure, staffing levels, and the decision of a higher authority.

The new law “On Public Service” introduces a class system with fewer categories (nine instead of twelve and the highest class consisting of three ranks). Under this law, as of January 1, 2023, grades will be assigned to current public civil servants and incoming public civil servants in accordance with:

- the registry for a public civil position;
- by equating or correlating the classes established in paragraph 2 of Decree No. 195, if the existing public servant class (class rank, personal rank, diplomatic rank, qualification class) is equated (correlated) to a higher class of public civil servant compared to the class defined in the register.³⁰

Assigning a class does not only imply a premium for class, which is established by the Instruction on Procedure for Remuneration of Labor and is based on the amount of the basic salary of a public servant (established by the president). A premium for difficulty and intensity of work is directly related to the class of the public servant. In addition, a class upgrade can increase access to other benefits, such as various housing benefits and subsidies. Public servants can be provided with funds for rent reimbursement,³¹ a government rental apartment, subsidized housing opportunities, and similar privileges. As a result, a higher grade, even if not associated with a transfer to another position, can increase the financial compensation of a public servant for his or her work. A promotion also raises the status of an official in the hierarchy and in the system of public administration, which can also be seen as an intangible form of encouragement.³²

“The longer you work, the more classes you get. Correspondingly, the job title grows, the salary grows, and some kind of allowance grows. Although we should make a reservation that some time ago public service was not the most attractive place for young people. That is because they were given a miserable salary at the start, and it was necessary to be very, very enthusiastic to rush to this service and consider that you got in a good place. As time passes, things change, opportunities grow accordingly, and I understand that the latest law, which has recently been published, probably tried to solve this problem, among other things.” (Interview 1)

³⁰ BIPART. Review of the Law of the Republic of Belarus “On Public Service” 2022.

³¹ Decree of the Council of Ministers of the Republic of Belarus of August 31, 2022 No. 571 "On Implementation of the Law of the Republic of Belarus of June 1, 2022 No. 175-Z "On Public Service".

³² Filipau, A. Incentive Mechanisms for Public Servants in Belarus: How to Combine the Incompatible? 2016.

The variable part of the salary consists of bonuses for some assignments and bonuses paid from the saved wage fund that depend on whether there are unfilled positions in the office/department/division. Other forms of financial incentives may also be used. Variable payments should have been the basis for performance-based payments, but in practice these payments are perceived by both public servants and supervisors not as an element of incentive, but as part of mandatory monthly payments whose purpose is to bring the monthly income of employees to an acceptable level.

“Let’s say, nationwide, a public servant’s salary wasn’t bad. You could, for example, afford going on vacation abroad. And, in principle, the basic needs could be covered easily. You did not have to think that you did not have enough money for food and clothes. By the way, there was a difference between the salaries of department heads and specialists, chief specialists, and that was a significant difference... People worked hard for me, we all worked the same, I kept thinking about how to compensate them their efforts, and I issued bonuses. Overall, basic needs were covered by the salary. Yes, that, by the way, was one of the reasons why you could still hold on.” (Interview 2)

“There were no particular rewards/punishments, nothing like that in [name of state body]. Yes, there were occasional bonuses, but it was the head of department who decided whom to award for what work and reported to the [state body’s] head quarterly. But usually, you can’t give bonuses to everyone. You have to choose: this time these people get a bonus, next time someone else... But lately, in 2021, we already had something like this: people who in 2020 signed [for oppositional candidate] were crossed off that list [of bonuses distribution]. That happened. Or, on the contrary, if they didn’t sign something.” (Interview 5)

In addition to remuneration, management may encourage employees in other ways: by expressing written appreciation, by putting on the honor board, by awarding a certificate of merit, by awarding a valuable gift or money, or by giving state awards. In most cases, the honorary way of encouragement is also accompanied by a monetary bonus.

We can conclude that the remuneration system in Belarus has several shortcomings. First, there is a significant difference between incentives for low- and middle-level public servants and for top-level employees. The 2022 Law on Public Service, like the previous one, does not provide serious incentives for low- and mid-level public servants, nor does it establish clear criteria for evaluating their performance. As a result, the public servant compensation system does not provide, as required by the SIGMA best practices, reasonable conditions for recruiting, motivating, and retaining public servants with required competencies.

“At least they don’t hit me”

Studies of the system of motivation of public servants in foreign countries show that material incentives are only one of the factors that motivate officials to work. While monetary remuneration and the possibility of predictable career advancement are certainly important factors for staying in office, public servants appreciate their work higher and are willing to put

more effort into it if the following conditions are met.³³

1. They appreciate the importance of their work, feel an opportunity to influence the well-being of society, have an idea of the expected results of their work, and are responsible for achieving them.
2. Public servants are given a certain flexibility and freedom of decision-making, there is no detailed regulation while main significant objectives are well formulated and defined.
3. Management is able to set certain performance standards and enforce them. A manager's ability to maintain an even relationship with his or her employees plays an important role in motivation, but the ability to maintain an even relationship with employees appears to be more essential to high motivation than a manager's ability to set certain standards for performance.

A high degree of specialization, standardization, and formalization of tasks, as well as a highly centralized decision-making process negatively affects public servants' motivation.

To a large extent, the Belarusian public service system relies on a system of sanctions at the expense of incentives for communication and motivation. Chapter 10 of the Law specifies the mechanisms of “negative” incentives. Some of these restrictions are defined quite clearly and can be connected with disciplinary infringements and violation of various restrictions established by law. Others are vague and imply punishment for misconduct incompatible with public service, that is, in reality, punishment is left to the discretion of superiors.

Many respondents in this study drew attention to the widespread system of negative incentives, which can be summarized as “at least they don't hit me.”

“If the management didn't criticize you - all was well, then. That's it. No more [incentives]. If they don't scold you from time to time, it means that everything is good. If they praise you on rare occasions, it's like a celebration. So, if you don't get “beaten up”, everything is good. If you were given a harsh treatment at a meeting, for example, it would be clear that something was wrong, to put it mildly. This is a principle of public service: if they don't kick you, you're fine.” (Interview 14)

“That's why in [name of state body] many things looked better than in other ministries, and because of the fact that the people who work there are demanded on job market. Most of them are very educated, talented, basically, they have it all. In other government agencies there was even a popular phrase: the best encouragement is the absence of punishment. And when you live in such a paradigm, then why strive for something, because they would always punish you, not encourage.” (Interview 15)

“When it comes to [top-office], yes, there is no praise. No matter what you do there, it's all bad. You can't be praised there, I guess.” (Interview 3)

³³ Filipau, 2016.

The everyday life of a Belarusian public servant is influenced by several other factors: the lack of understanding of the state development strategy, the absence of value-added goals to be achieved, the lack of opportunities to influence policy, and limited funding. The problem of the lack of a vision of development and, therefore, the lack of freedom of action, is pointed out by many interviewees.

“A democratic state adjusts to the needs of society, and so as soon as society sees that what is happening is not in their best interests, they change [the government]. We have no such feedback, so it all works for one citizen of Belarus. ... I probably wouldn't want the public service to become part of politics because the public service is still a tool that should ensure the effective work of all state institutions [...], so I see the public service as a tool, but one that must have enough freedom. And the people who work there must feel free to see the risks, analyze them, and offer different options for adapting to the situation or to change, to use some opportunities to do good for the country and for the people, so it would not be a rigid tool that only executes orders from the top down.” (Interview 15)

“I remember from my own experience that when I came to the public service with the idea that there were some opportunities there to do something cool, to support a project... And then that moment when I realized that my desires, I just don't have time to fulfill them, because a huge volume of some absolutely incongruous assignments that you cover, you're just an executor. Inside of some tasks, some assignments, you could somehow influence the solution of some issues. There were cases when tasks came in - I don't know who generated them. You get papers and you realize that guys, that's it, if we do that, then... Then a “creative” process began. I would say, I had a good team, and we would go like this: how do we close it, this task, so that it doesn't hurt a particular institution or so that people on the ground can execute it? The 5-year state programs were also developed, mainly formally and on the basis of previous plans. It was very difficult to bring something new to the table in addition to those activities that were planned [5 years ago]. It [innovations] was all very difficult to perceive. It was such a rigid, heavy, shall we say, machine. A system in which it was very tough to change anything significantly.” (Interview 2)

In addition to limited opportunities to influence public policy, direct management is also often unable to set performance standards and create a stimulating environment. As mentioned above, the quality of interaction between supervisor and subordinates, and the ability to set clear objectives are key to the motivation of public servants and their performance.

“The lack of transparency lies, in my opinion, in the subjectivity of many decisions. Let's say the boss, the head makes one decision or another. Yes, he may or may not consult with subordinates - that is his right, of course, he takes responsibility for himself. But still, when you work in small teams like ours, you need the boss to explain his decisions and these decisions need to be transparent: how he came to this, why this way and not that way.” (Interview 6)

Predictable career ladders that provide material and non-material rewards to public employees over the long term, along with meritocratic selection, are seen as one of the most important elements of public bureaucracies.

A job in public administration requires a high level of competence. The long-term prospect of rewarding career advancement can ultimately enhance qualifications. At the same time, the predictability of a career and the expectation of promotion based on performance can greatly reduce the appeal of one-time gains from corruption. Building an adequate system of remuneration and motivation makes it possible to retain and develop human resources working in the public administration system. Low wages, limited opportunities for career growth, mismatch of functions and remuneration lead to difficulties in retaining qualified personnel in the public service.

CHAPTER 5. PROFESSIONAL DEVELOPMENT OF PUBLIC SERVANTS

The fifth SIGMA principle relates to professional development. Professional development of public servants implies a well-thought-out system of professional development, regular performance evaluation and feedback, promotion based on objective criteria and achievements.

PRINCIPLE 5: The professional development of public servants is ensured; this includes regular training, fair performance appraisal, and mobility and promotion based on objective and transparent criteria and merit

1. Regular professional training is recognised as a right and duty of all public servants; a training mechanism provided with sufficient resources designs and delivers training programmes tailored to meet the training needs of specific target groups.
2. The principles and detailed provisions of performance appraisal are established in legislation to ensure the coherence of the whole public service. The performance appraisal of public servants is carried out regularly.
3. The mobility of public servants (secondment, temporary or mandatory transfer) is encouraged, established in legislation, based on objective and transparent criteria.
4. The functional promotion of public servants (on-the-job, horizontal and vertical promotion) is established in legislation, based on merit and objective and transparent criteria.
5. Provisions related to professional development are applied in practice.

Special training for public servants is a necessary element in the development of professionalism and competence of officials.

Continuous professional training and retraining serve several purposes. At the first stage, public servants must acquire necessary theoretical and practical skills needed to integrate into the public service system. These skills include knowledge of their rights and responsibilities, specialized professional training. Employees should participate in professional development programs as they develop their careers. Such training should also be a prerequisite for advancement in the public service. That is, a training program must meet the requirements for each level of public service.

Professional training

The main condition for professional development is an established and well-thought-out system of professional training. Many areas of public service require a large amount of competence, experience, and up-to-date knowledge. Since high-quality public administration is the foundation of social and economic growth of the country, employees engaged in this sphere should regularly receive new knowledge and skills to be able to apply them in their daily work.

Regular professional development is also one of the key elements of employee

motivation. Previous study of Belarusian public servants showed that perspectives for career advancement, participation in seminars, trainings and conferences motivate employees and are almost as important as monetary remuneration.³⁴

Although the system of professional training in the Belarusian public service system cannot be called perfect, the respondents usually noted that the courses and programs of professional training in which they participated generally met their objectives. First, all the experts stated that they regularly underwent professional training in one form or another. These could be training courses organized by third-party educational providers or by international organizations, as well as training courses organized as part of departmental professional training.

It is difficult to assess the consistency and quality of professional development programs. Some agencies provide well-thought-out, organized systems of professional training. Others transfer the responsibility for professional training to employees, who could request additional training if they needed to gain certain competences or knowledge. There were frequent situations when training organizations (often international) organized training proactively, within the framework of international technical assistance, and employees were able to improve their qualification within the framework of such assistance programs.

“At least in the agencies where I worked, training was necessary. A schedule is created annually and quarterly to improve the competencies of specialists, and these specialists must be sent [to improve their qualifications]. And if a manager, when scheduling employee training, assumes that the level of competence of his employees is not enough and, in some way, requires an improvement, then it makes it possible to send some people to one training, and others to another.” (Interview 9)

“Generally speaking, the human resources department should organize training for all employees - it is written in the Public Service Law that they should provide continuous professional training. In this case the professional training can be absolutely any kind of training. It can also include training at the Academy of Public Administration [under the Aegis of the President] ... and courses [of an international organization]. When I worked at [name of government agency], it was all very straightforward. Every three years they really had to send public servants to the Academy of Public Administration to improve their qualifications. They specially organized and arranged courses for them. And here, in [a state body] it was a different situation, because there were always a lot of such interactions with international organizations and all sorts of 2-3-day seminars, all of this also counted. There was no such systematic, consistent scheme for professional training.” (Interview 5)

“The training was just great, but it had nothing to do with [name of government agency] employees, in the sense that it was outsourced. Because I was not an expert in [a certain topic], but I needed to understand it, I needed to understand what it was. For this I had to get at least some retraining, and I took it at an outside organization. I also went to [country name]

³⁴ Ramasheuslaya, I., Rabava, N. What Governs Those Who Govern the State: Motivation of Public Servants In Numbers. BIPART, 2020. https://sympa-by.eu/sites/default/files/library/motivation_final_0.pdf

and took courses there related to [a certain topic]. These were all very good courses, but I emphasize that the instructors were not employees of [a state body]. There were no and there are no internal professional training courses in [the state body] at all... I can't say that it was, how can I say, a position of [the state body], that one should train one's employees. The main emphasis was always on work, that is, employees had to work, and the time was limited. And, accordingly, letting an employee go on a two-week course was something of an incentive, often as part of a vacation. Most often everything was paid by the host [training organization], but when it wasn't, sometimes [a government agency] paid something on its own, which is a problem for all organizations that don't have their own funds.” (Interview 7)

Due to the lack of funding, the number of public servants that could participate in professional development programs is always limited.

“I was sent [to courses organized by an international organization], I took online courses because it was relevant to my specialization. Our management, especially in the department, was very supportive of [providing opportunities to get advanced training] for young employee. The only thing was that they rotated, so to speak, when one person went to one seminar and another went to the next seminar, because usually one person from each ministry was sent, so there was some competition.” (Interview 10)

“We had good ties with our colleagues all the time. Historically, we went for training more than once, we had good partnerships with the training center in [name of EEU country], and we went there regularly. We often had two events a year, so we had very good contacts. As to foreign countries - yes, we had interactions more often at international conferences. There were quite a few of these events during the normal, pre-COVID period. And, as a rule, people went, somehow in shifts. That is, there was not such a thing that one attended all the events, we tried that each employee attended at least some of such events. Then the COVID period - and, accordingly, the interaction almost came to an end.” (Interview 14)

The quality of professional training courses was rated high by most respondents, although there were situations when instructor's competences did not fit the students' needs.

“... I liked the courses, there were wonderful instructors. It was obvious that these instructors, they somehow tuned us up, that something needed to be changed in our structure. Every time I came back from these courses, from the Academy of Public Administration, I was always inspired. Every time I wanted to move mountains, to do something like that. [...] Lately there were also paid courses at [name of government agency], so to say, that was different. The guys there are a little distant - celestial. We are on the earth, and they are celestials. And very often they did not explain, but more misled us with their questions. It was really hard for them. At lectures, we tried to ask a question at the end, and then the bell rang, and that was it, and the teacher hurried out the door, because they were afraid of our questions - it was obvious. We discussed the situation that these courses were useless, of course. But they were good in that you could afterwards contact one [of the teachers], tell your [working] situation, ask for clarification, for example, of some legislation, how to apply some norm. The good thing was that it made it possible [to get acquainted] and then directly address some problem [to qualified person].” (Interview 3)

Professional training programs help with the exchange of knowledge and the creation of horizontal connections, which is another significant task they solve.

Thus, the system of professional development has both advantages and disadvantages. On the one hand, professional development programs lack consistency and are not adequately funded. On the other hand, professional development programs cover almost all public servants in one way or another. As a result, professional development programs to some extent solves reach their goal - increasing the level of competence. Respondents rate training within the framework of international technical assistance more highly, whereas former public servants claim that field experts who conducted training sometimes lack the competence and skills to conduct such training.

Participation in professional development programs is an important element of public servants' long-term motivation.

Professional mobility

Professional mobility is one of the broadest and most complex issues in public service human resources management. Many public servants value job stability and a predictable career path. At the same time, such stability serves as a barrier to the development of both professionalism and career.

Professional mobility of public servants can take two forms: horizontal (rotation) and vertical (promotion/demotion). Transfers at the same level within one agency and between agencies are both examples of horizontal mobility include both.

Vertical mobility means promotion (demotion). An analysis of legislation and bylaws shows that procedural aspects of professional development are one of the weakest elements of the public service system. There is a fundamental gap, enshrined in legislation, between appointments to regular-level public service positions and to managerial positions.

As was already mentioned, there are no standard procedures of selection and appointment for those in leadership positions. Their appointment and reassignment are non-competitive and coordinated by decisions of the president. The evaluation of their performance depends more on the subjective evaluation of a small group of people rather than on objective performance indicators. This approach creates conditions to control these workers, deprive them of creativity and initiative, and greatly devalue professional achievements.

In practice, vertical mobility in the public service (except for managerial positions) is determined not so much by an employee's professional accomplishments as by staffing levels and the availability of the "right" connections. While professionalism and competencies may be considered in climbing the middle levels of the career ladder, oftentimes factors unrelated to professionalism take precedence.

"My boss says to me, 'It's okay, we'll try to promote you within a year.' We applied, and again the human resources department said: no, too early, why all of a sudden, you have

to work in that position for so many years, and he only works for six months... Again, if an employee is bad, no one will even bother, or the employee themselves, if they have good connections at the top. Of course, they can try it on their own, like over their bosses' heads, but it's risky. But in general, if you show results, if they see that you are trying, ... that you are effective, that you can do something, then, naturally, the motivation to promote you will be higher.” (Interview 15)

“So just like that, for example, you can't take one off and put one on. You wait purposefully until someone retires. Or until you finally decide to retire. There were a lot of retirees. They were always kept just in case of optimization. There were always a lot of pensioners, because nobody among young people wanted to join the public service. Initially, it appears that the salary there is not high, but then, as you get some seniority, some grade, then there was already some obvious money. And so... That's why there was not much competition.” (Interview 11)

“Career advancement... How can I put it? If you're someone's relative, it's easier for you, depending on what kind of relative you are. It once happened that an employee came in right after university and she began to move up the career ladder very quickly. Yes, she was smart, but she moved too fast. Then it turned out that one of her very close relatives was friends with [management position]. The rest stay, she is no different, but she had a very fast career growth. And in addition, it is also very desirable [to show] support for state ideology. Otherwise, you will be blocked from everything.” (Interview 13)

Horizontal mobility is also challenging. Departmental isolation leads to each government agency forming its own set of requirements for a particular position. While there is departmental and professional specificity, horizontal transfers and rotation of public servants between different government agencies could enrich jobs. But due to poor communication between agencies, such transfers are difficult. Within one agency, transfers (rotation) can be organized more easily, but even there, in many cases, there is no clearly defined procedure. At the same time, respondents emphasized the benefits of such transfers.

“The practice of rotation, in my opinion, is very useful. 3-4 years in the same role is enough. And changing jobs is beneficial, it gives you energy, shows where to go. For me, it has always been like a step forward, something new and interesting. I know people who have worked without job mobility all their lives, and they're fine. For me personally, the rotation helped me to keep my eyes open and to change things.” (Interview 6)

“I believe that rotation is necessary as a matter of principle, both horizontal and vertical. At least some minor rotation for an employee after three years is mandatory. Otherwise, the efficiency, I think, decreases. Rotation increases an employee's motivation, reduces burnout, and gives an opportunity to open up, to improve competences. I myself worked for a certain period of time without significant changes in the areas of activity and saw a downside. The second point: mobility can have a negative effect if it is made without prior or simultaneous improvement of competence, i.e., without compulsory training. When a competent specialist in one area, move to another not having received additional knowledge, it will reduce the effectiveness of a department as a whole. So, I'm generally in favor, but I

assume that the rotation must be prepared both at the competency level and at the level of additional selection and requirements.” (Interview 9)

As we can see, both institutionally and procedurally, professional development in the public service is difficult. Normatively, there are different requirements for regular-level public servants and for executive staff. This division leads to the fact that appointments to higher positions are exclusively political and imply not so much professionalism and knowledge of the specifics of work as full control by the country's leadership and readiness to carry out any assignments.

To summarize, it is important to recognize that public servants' professional development is fragmented. Professional development and performance evaluation are virtually not taken into account in the career advancement of public servants. Departmental fragmentation is evident in the practice of professional training, performance evaluation and promotion. When entering the public service, the candidate does not receive any special training. The preparation for the public service exam could be the only way of acquiring knowledge on public service. Since there is a large group of candidates for whom the exam is not mandatory, this tool can also not fully prepare a new employee for service. In some government agencies, professional development and certification programs are more systematic, while in others they are formal. The same problem exists with regard to the mobility of public servants. There is no procedural framework for mobility, no clear standards and guidelines for promotion. The lack of a coherent system of professional development, departmental fragmentation, subordination of personnel decisions to the staffing table, rather than to real public service needs, also hamper the effective operation of the public administration system.

CHAPTER 6. INTEGRITY IN PUBLIC SERVICE AND PREVENTION OF CORRUPTION

The sixth SIGMA principle discusses measures to combat corruption in the public service. Corruption has many manifestations, and it is incorrect to only associate corruption with bribery, as it is often perceived.

PRINCIPLE 6: Measures for promoting integrity, preventing corruption and ensuring discipline in the public service are in place

1. Effective and adequate legal provisions and institutional arrangements and tools exist to promote integrity and prevent corruption in the public service.
2. Corrupt behavior of public servants is criminalised in the Penal Code.
3. The main elements disciplinary procedure (including the presumption of innocence, proportionality between disciplinary sanction and violation of official duties, right to receive legal assistance, right to appeal, right to be heard during the appeal) and the main procedural steps (including initiation of the procedure, impartial investigation of facts, hearing of the public servant concerned, bodies involved in initiation of the procedure, decision and review) are established in law to ensure consistency across the public service.
4. A catalogue of disciplinary sanctions is established to ensure proportionality between the misconduct and respective sanction.
5. The right of the public servant to appeal against unfair disciplinary sanctions ensures that the decisions are legally predictable, impartial and free from political interference.
6. Provisions related to integrity, discipline and prevention of corruption are applied in practice.

According to the Belarusian legislation, low-level corruption, which includes giving and taking bribes, commercial bribery, and other forms of abuse of power, is a criminal offence. In addition, the state legislation contains a number of preventive measures that should deter corrupt behavior of public servants.

By focusing on the idea of everyday corruption Aliaksandr Lukashenka was able to win the presidency. Throughout his rule, his rhetoric is replete with anti-corruption claims. And although the government declares that the fight against corruption is one of its top priorities, political corruption of all kinds continues to spread, undermining the trust of citizens in the government and the state.

Corruption

In terms of street-level corruption, Belarus has long stood out compared to its closest neighbors. For example, in 2020, only Georgia (58 points and 45th place out of 180 countries), Armenia (49 points and 60th place) and Belarus (47 points and 63rd place out of 180 countries) scored above average - 43 points on the Corruption Perception Index. Other post-Soviet

countries ranked much lower on the Corruption Perceptions Index.³⁵ But by 2021, the Belarus index score had dropped to 41 points, which is below average. This downward movement effectively illustrates the limitations of the top-down model of fighting corruption. If the fight against corruption depends on the whims of an authoritarian leader or regime that restricts freedom of speech and access to justice and does not allow criticism, opposition, or political competition,³⁶ – in this case, the alleged successes of the fight against corruption are illusory, and the reputation of the country that successfully fights corruption is undermined.

The interviewees attributed low perceived level of corruption to the legal culture of the Belarusian people.

“I think that we have less corruption than Russia or Ukraine. That is, in principle, our people themselves are more law-abiding and more focused on compliance with some requirements. But on the other hand, we know about cases of corruption in various ministries and departments. This indicates that neither our anti-corruption laws, nor the requirements for public servants, are effective. There are opportunities for abuse, and if you want, you can find them in any place. And, accordingly, the public servant is always tempted, so to speak, to get involved in this game of corruption or not to get involved. Then it depends on specific circumstances, a specific position, a specific person.” (Interview 1)

Not every public servant position creates the potential for corruption. Former public servants have no doubt that corruption exists. Much of the daily work of public servants is not directly related to working with the public and business, so they have no opportunities for corruption in the ordinary sense of the word, that is for bribery. On the other hand, the complexity and multiplicity of procedures, the opacity of the decision-making process create conditions in which problems must be “solved,” that is, the use of personal connections and informal practices to achieve goals. These goals will not necessarily be of an illegitimate nature, although the use of connections for one’s own benefit is not excluded either.

“Corruption certainly exists. We would from time to time once a year receive a report from the General Prosecutor’s Office in each area, where all this was documented, there was information about certain situations in each industry, in each sphere. But I would not say that it is very much [present] in the Belarusian system...” (Interview 14)

“You see, it very much depends on where you work. In my job, I didn’t have any rights or opportunities that I could abuse in some way...” (Interview 5)

Anti-corruption legislation in Belarus has been developed and regulates in some detail the procedures and rules of conduct of public servants. The knowledge of legislation is considered a prerequisite for entry into the public service and is tested at an exam. The law “On Combating Corruption” contains a list of corrupt practices and introduces a norm of mandatory declaration of income of public servants and family members, as well as other

³⁵ Corruption Perception Index. 2021.

https://images.transparencycdn.org/images/CPI2020_Report_EN_0802-WEB-1.pdf

³⁶ Vrushji, J., Kukutschka, R.M.B. 2022. CPI 2021: Corruption, Human Rights and Democracy. Transparency International. <https://www.transparency.org/en/news/cpi-2021-corruption-human-rights-democracy>

restrictions. The obligation of a public official and a person seeking public office shall be formalized in writing by the human resources department of the relevant state agency.

“By the way, about the gifts. It says that we have no right to engage in any business activity, nor to accept any gifts of any amount or anything like that. But that’s what’s going on, that’s obvious.” (Interview 11)

“About corruption. We also had a commission, and the Law on Public Service [said] that we were not allowed to engage in entrepreneurial activities, and the value of a gift should not exceed some [maximum amount]... We knew about some restrictions, but we had no cases of violations, at least in my group of associates, I don’t remember any...” (Interview 2)

“I know, of course, that there are cases of public procurement using methods that are not entirely legal, but I have not come across them directly. That is, these stories are more distant from me, I know of their existence, I’ve been told such things, but these stories are not that common...” (Interview 5)

“Yes, recently we had a nationwide incident, there was a very serious scandal, the management was nearly fired - they barely managed to keep their jobs. There were all sorts of consequences: reprimands and other things, the head of the department was removed from his position, of course. One of our people is now in jail.” (Interview 4)

The main problem in Belarus is not routine bribery, but grand corruption, which is concentrated at the highest levels of power. Grand corruption is defined as high-level abuse of power, which benefits a small group of people and causes large-scale harm to people and society. This is how state capture occurs when powerful individuals or groups seize control of a country’s decision-making process and use corrupt means to circumvent justice.

As can be seen from the events of recent years, the vertical institutional relationships that have been built hardly encounter any legislative and judicial checks and balances. State control and close ties with individual business representatives contribute to the extraction of rents and worsen the business environment for people who do not have “proper connections.” This type of corruption is called cronyism (giving power advantages to friends and proxies). Unlike nepotism, which relies more on family ties, cronyism relies on friendly ties among politicians.

“I have always joked that I have nothing to be bribed for here, because I work with my colleagues from other departments... It [corruption] definitely exists. [Presidential] decrees are passed in which it is clearly seen that someone becomes privileged on the issue of paying taxes or allocating land or something else. And when half the language of such a document is ‘For Official Use Only,’ when an investment agreement is either not public or is also half confidential, then, accordingly, questions arise. These are logical conclusions: if something is not transparent, a person gets some preferences for it. Accordingly, I would say from my own impressions as a public servant and just as a Belarusian, that everyday corruption in our country is [not significant]... Then we face the fact that everything [on state level] is non-transparent, everything is without checks and balances, everything is based on the decision of

one person. Therefore, even if [a public official] is caught by hand for a bribe of \$2 million and, with the consent of the president, nobody initiates criminal prosecution, then whatever is written in the law, which in our country is not so bad, from the standpoint of international standards, if it does not work in practice, then it does not matter what it says in the law... The anti-corruption commissions that have been created under the agencies, they are, of course, of a nominal nature. In the absence of civil society, what representatives of civil society can be included in such commissions? Everything is intertwined here. There is no public control over the issues of corruption. There is internal control only over such everyday things, that some inspector does not take bribes. All corruption flows to a higher level, and it is already a national-level corruption.” (Interview 8)

“I would say that as far as the classic, cinematic understanding is concerned - the money was given and you push something, there's not very much of that. It's not very common. Many more issues, probably 90% of issues are resolved rather by personal connections or parallel connections, ministers knowing each other well and being able to do something [for each other], or a minister knowing someone and [doing something for him]. It's just not for money, but rather based on this kind of shared past, a favor for a favor.” (Interview 10)

“In essence, the pattern of building the public service, when an official has a lot of discretionary power, is one big serious corruption component. Another thing is that it is a widespread problem with the local executive branch, because they are more likely to distribute the benefits of the ground.” (Interview 12)

Although anti-corruption policy procedures are prescribed by law, they do not apply to the most powerful officials, and therefore grand corruption is the norm. But even if cases are brought against officials and businessmen, the investigation and judicial review of such cases is not impartial. In the absence of judicial independence and civil control, the fight against corruption remains only rhetoric rather than real action.

Absence of transparency

The basic organizational condition of cronyism is the absence of political procedures transparency. Respondents constantly brought up this peculiarity of the Belarusian political process. All programs and attempts to increase the transparency of administrative processes have been curtailed in recent years. Respondents said repeatedly from one interview to another that the number of documents marked “For Official Use Only” increases, and it becomes more difficult to obtain information which is directly connected with the performance of official duties.

“... Today, corruption is considered basically everything, from a chocolate bar to a bottle of cognac. Every action is seen as a bribe. This explains why, on the one hand, there is such strict formal control. On the other hand, if they [public servants] still do it, then it's not a chocolate bar, but thousands or tens of thousands, whichever one can. I guess we can talk about transparency here, because there is no transparency in our work and, consequently, it makes possible to make some forbidden, closed, not entirely public, and other decisions. I understand that the current situation of restricted information only contributes to this.”

(Interview 1)

Transparency in public service procedures and transparency in decision-making are necessary conditions for overcoming corruption. Transparency in the political process means the absence of secrecy, openness, and publicity of the activities of politicians, legislators, the judiciary and public servants. The Constitution upholds this universal principle of informational openness is enshrined in.

Transparency means openness and accessibility of legislation, including draft regulations, openness of statistics and other information about the activities of public authorities. Transparency of the public service implies both the possibility and the necessity of disclosing information about its activities, because it increases manageability. But the public should also have the opportunity to have access to information regarding the operation and results of the work of state bodies. A prerequisite for transparency is the existence of a quality information system covering all areas of public service.

“I should say that in recent years quite a lot has been done to establish an electronic document flow inside the public service. Basically, an internal system of communication and information dissemination, provision of data and creation of statistical databases has been created. Although data is currently closed for the general public, I think it is available for the public service... Although, as I understand it, the number of documents that are labeled “For Official Use Only” has increased... And the most sensitive things are still not in the realm of public scrutiny. Today there is an increasing number of such documents which also raises the big question of transparency of public service and that it should work in an open way. Public service should work for people, therefore, people should know what decisions are made and who gets what privileges. But in our country, all these things exist behind closed doors.”
(Interview 1)

The lack of public administration strategy, the need to work on immediate tasks, the provision of support only to certain sectors of business and individual enterprises at the expense of others provokes the practice of concealment and even falsification of real information.

“Believe me, it works like this: if we are instructed to ‘start the planting season!’ - we all start. If the order is ‘we lack something, let’s analyze the areas’ - we all begin to fake it all to what it was supposed to be. I mean to adjust the indicators. And then we start looking for who was to blame for that... [there were] emendations. So, it goes on at the district level, at the regional level, and then in general. And then we look for those responsible or assign them after all. So, the system, it seems to me, is the same everywhere. And then we do all this - we compile these summary indicators; we also hide them... But can you imagine, when you are sitting at a reception, and a person calls and says, ‘Can you tell me what the salaries in sales at that company are?’ - and I have no right to say that I signed a non-disclosure agreement. All information is marked ‘For Official Use Only.’” (Interview 11)

“I was saying, transparency [is not sufficient]. Somehow very often [there were situations] when we wanted to create more comfortable conditions for someone or support or help someone, they just covered it with ‘For Official Use Only’ or ‘Limited Use Document.’ It

gave preferences to some enterprises, but the rest of the business entities did not see this information.” (Interview 13)

To gain access to information, public officials themselves sometimes have to resort to a variety of tricks, such as the use of circumstantial data, studying judicial practices, or obtaining additional privileges for accessing information.

“I would add more transparency. Transparency, neither today, nor yesterday, ever [existed] in the public service. It is customary to label ‘For Official Use Only,’ to hide everything... I had the necessary level of access. But in general, there is a problem.” (Interview 7)

“I think that this is a common trend, when in general they hide the statistics from which one can draw unflattering conclusions for the regime publish only statistical data that can impress the public. I would probably put it this way. Because the opportunity [to make it public] is there but there is no desire ... We did not have direct access to the database, but our colleagues do, and they produce more extensive analysis on various issues. Therefore, if something was needed, we would find it out. In addition, on a specific request, if necessary, the management wrote to the same [higher authority], please provide statistics. The statistics could be provided in aggregated form, and we needed, say, a breakdown by some categories. Some of them [state agencies] provided [disaggregated data], some of them responded that such statistics are not maintained but can be done, say, manually in such a time frame, or that it is impossible to provide it.” (Interview 8)

“Most of the time I used to look [for information] this way: you take some basic document [normative act] and search in the legal database, and then you go through the cross-referenced documents. Now we have more closed documents that are not published anywhere. But even if there are no documents themselves, there will be law enforcement practice.” (Interview 9)

The interviewees’ propensity to discuss the absence of transparency both in the processes of decision-making and in the documents directly concerning their activity emphasize that the information scarcity is a serious problem in the Belarusian public service system. Experts connected this situation with two main factors: the necessity to “save face” in front of superior controllers and the corruption potential that lies in the concealment of information.

As in many other cases, the fight against corruption in Belarus is more successful on paper than in practice. The lack of transparency and accountability of government agencies constitute the major problem. Law enforcement practices of combating corruption are arbitrary and do not involve following any legitimate public procedures.

CONCLUSION

The economic well-being of a country is inextricably linked to the quality of public administration. Public and administrative organizations that are characterized by merit-based recruiting, predictable long-term career prospects, and the use of clear and transparent decision-making procedures are more effective in stimulating economic growth than others.³⁷

Numerous studies of public administration systems have demonstrated that all its elements are interconnected. Meritocratic selection based on training and competition fosters a competent state apparatus that shares organizational goals while also preventing any incentives for corruption. Predictable careers and the dependence of remuneration and career progression on results create incentives for professional development and, again, reduce incentives for corrupt behavior. All these components should be arranged with a clearly defined strategic goals or policies shared by all members of organization. Other institutions - an impartial and professional court, civic participation, and independent media control - shall support public administration system.

As it has been demonstrated, the SIGMA methodology offers a detailed operationalization of the requirements for building the public service based on the principles of good/proper governance. This report attempted to evaluate the Belarusian public service system along six parameters:

- 1) the presence of a strategic goal and a policy,
- 2) the adequacy and clarity of the public service,
- 3) selection and recruitment,
- 4) the remuneration system,
- 5) professional development, and
- 6) good conduct of public servants.

Some elements and requirements of SIGMA have already been implemented to varying degrees in the legislation on public service and related regulatory legal documents. However, a significant portion of the SIGMA principles of public administration are implemented only partially or are completely missing in the legislation, what contradicts the principles of good governance.

The disconnect between formal legal norms and their implementation in practice creates one the main concern. For example, despite the fact that the principles of meritocratic selection are prescribed by law, in reality, co-optation and nepotism are frequently used in recruitment. Despite the fact that legislation offers principles for developing a career in public service, remuneration remains uncompetitive for a long time and does not depend on the outcome. Despite the ongoing emphasis on moral behavior in leadership rhetoric, in practice, there are persistent cases of large-scale, non-punishable corruption among their allies. A

³⁷ Evans, P. and Rauch, J. E. Bureaucracy and Growth: A Cross-National Analysis of the Effects of “Weberian” State Structures on Economic Growth, *American Sociological Review*, 1999, 64(5).

detailed summary score for each element of SIGMA is presented in the appendix.

Another problem, as shown in the report, is that state policy and legislation in the field of public service contradict with the principles of good governance. For example, the current law defines the boundaries of public service too broadly, and as a result, employees of paramilitary services are now also considered public servants. Additionally, the legislation explicitly enshrines differing principles of selection and recruitment for regular-level and executive positions in the public service.

Thus, this report analyzes the current situation of the Belarusian public service system and shows that it has both strengths and weaknesses. This analysis is meant to support the development of a program of public service transformation based on European best practice principles.

RECOMMENDATIONS

Based on the examination of problems and achievements in the field of public service in Belarus and the responses of respondents, it is possible to identify several areas of public service reform.

Depolitization

1. A prerequisite for improving the quality of public administration is the depoliticization of the public service system. Depoliticization can and should concern both the state administration and the public service itself, and, in a broader sense, the entire political system. Depoliticization involves the implementation of a number of practical measures: the removal of political (elected) positions from the public service; selection, recruitment, and promotion to positions based on performance evaluations rather than on political loyalty; and the abandonment of coercive control over the process of public service appointments.
2. Broader processes of change are also important for depoliticization. The key is the reinstatement of the principle of separation of powers. In particular, there is a need for independent courts that can exercise control over the violation of principles and standards of conduct in public administration.
3. The availability of free mass media which performs the function of public control (watchdogging), including, among others, of public servants must be ensured.
4. It is necessary to reducing the size of the government sector and, consequently, reduce the number of ministries and agencies; optimize the functions of public servants; and abandon excessive regulation in all areas - from education to industrial production.

Human resources management

1. It is recommended that a body be established that will develop a balanced human resources policy and be capable of conducting competitive, merit-based hiring processes for all levels of public service positions, including the top positions.
2. It is vital to create a clear list of selection criteria for the public service and to carry out serious work with the database of potential candidates that will have a real, rather than formal, nature.
3. It is necessary to create a public commission for the selection to the public service. Modification of the public service exam format are also necessary. It must become a reliable tool for assessing candidates' qualifications and motivation for public service. Public service examinations must be administered by an independent institution and must be free from the protectionist practices that now exist.
4. In order to improve diversity of thought and lessen corruption at the highest levels of government, it is critical to create the environment that support overcoming gender discrimination and elevating women to top positions in the public service.
5. A body to conduct an external audit of functions and processes in the public service should be established. The results of audit will create the prerequisites for improving

the efficiency of its processes, as well as optimizing the functionality and number of public servants should be created.

Material incentives

1. The existing system of material incentives for public servants in Belarus is not capable of attracting young talented people. The increase in income occurs predominantly near the end of the career in the public service. Although the grade system largely ensures predictability in the public servants' career path, it needs to be adjusted to make the public service more attractive for young employees.
2. It is necessary to form a system of performance evaluation of public servants and develop a system of bonuses, which will be based on these results, and not depend on higher management.

Overcoming corruption

1. It is necessary to abandon the policy of the closure of information and the widespread practice of the "For Official Use Only" status for data that is used in the decision-making process and as a basis for public policy development. It is important to introduce the principles of transparency and openness of statistics, guideline documents and all information necessary for decision-making and ensuring accountability of public servants' actions.
2. It is important to achieve proportionality of misconduct and punishment. Currently, only low-level corruption is prosecuted; grand corruption of top officials remains unpunished.

Table. Assessment of the public service system according to SIGMA principles

	Advantages	Disadvantages
PRINCIPLE 1. The policy and legal frameworks are in place		
Establishing political responsibility for public service		There is no strategy and no clear public service policy. No coordinating body
Quality of the legal framework/secondary regulation in the public service		Legal dualism: formally some provisions are prescribed, in practice they are applied arbitrarily
Implementation and monitoring of public service policies		There is no policy and no one responsible for the implementation of public service policy
Judicial review of the rights of public servants		The courts are biased and not independent. Public servants cannot apply for reinstatement of their rights especially in the case of political termination
Central body for public service management		The public service is characterized by departmental fragmentation.
Availability of an information system for the public service	A database of potential candidates has been formed. But only for managerial positions	There is no centralized database. There is no way to get real-time statistics. No information about the structure of the public service
Professional human resource management		Legislation and the institutional organization of the public service does not comply with the principle of professional management
PRINCIPLE 2. Adequacy and clarity of public service		
Clarity in the legislative framework of the scope of public service methodology	Public service agencies are listed in Section 14 of the 2022 Law	
Adequacy of the horizontal scope of public service		The law adopts a broad definition of public service: paramilitary bodies are included, as well as political elected bodies
The vertical boundaries of the public service are defined (political appointees, public servants, and administrative	Reduction of public servants was carried out earlier, some employees were transferred to the administrative personnel group	Political appointees (deputies of all levels are classified as public servants with associated privileges)

personnel are separated)		
The law establishes all provisions relating to the employment relationship of public servants	The Law and the Labor Code regulate labor relations in sufficient detail	
PRINCIPLE 3. Selection and recruitment		
Meritocratic selection	Partially. Selection requirements do not cover candidates for executive positions	In reality, the principles of meritocratic selection are inferior to nepotism and co-optation
Legislative establishment of criteria and procedures related to recruitment and selection	Partially. The regulations for the competition have been published. Examination criteria are formulated	The requirement to publish vacancies is not met
A politically neutral and professional selection committee		Competition committees are not public
Protection from discrimination, comprehensive representation	The Law sets the standard for protection from discrimination	In practice, the requirement of comprehensive representation is not met. “Glass Ceiling”
Objective criteria for demotion	The Law prescribes the criteria for imposing official penalties	
PRINCIPLE 4. Remuneration		
Fair and transparent remuneration system, salary classification	Information about salaries and grade increments is published	Non-transparent system of additional payments (bonuses and other forms of material incentives)
Allowances, benefits and supplemental Payments	Types of benefits are prescribed by law	
Equal pay for work of equal value	No evidence to the contrary	
The discretion of supervisors in assigning salaries and benefits is limited		No, bonuses and other financial incentives are assigned by managers

Remuneration system provides reasonable conditions for recruitment, motivation and retention of employees	To a large extent. Not at the entry positions, but at the mid- and high-ranking positions.	Uniform remuneration in large cities and regions, which leads to different assessments of its sufficiency
PRINCIPLE 5. Professional development		
Regular professional training according to the needs of specific target groups	Regularity is ensured	Needs of target groups are met partially. This is also due to the limited training programs offered and the lack of resources to purchase necessary training programs
Public principles of performance evaluation. Regular performance evaluation of public servants	Certifications are conducted	The criteria for certification are not public
Mobility of public servants is encouraged	In individual agencies, but no systematic policy	The practice of rotation and mobility should be used more extensively
Promotion (vertical and horizontal) is based on merit		There are no clear standards and procedures for promotion
PRINCIPLE 6. Preventing corruption		
Effective and adequate legal provisions to prevent corruption	There is a law "On Prevention of Corruption," there are rules for publishing declarations	
Corrupt behavior is criminalized in the Criminal Code	Yes	
The basic elements of the disciplinary procedure are set forth in the law	The Law on Prevention of Corruption sets out the basic norms	
Proportionality between the misconduct and the punishment		None, since grand corruption is prosecuted arbitrarily
Right to appeal disciplinary sanctions	Exists formally	Not implemented in practice