

COUNTRY PROFILE

Republic of Tajikistan

I. BACKGROUND

Area:	142,000 sq. km
Population:	8,296,000 (January 2015)
GDP:	USD 9.24 billion (2014)
GNI per capita:	USD 1306.6 (2013)
HDI:	0.624; ranked 129 out of 188 countries (2014)
Life expectancy at birth:	69.4 years
Mean years of schooling:	10.4

Source: UNDP HDI; World Bank (2015)

a. Indicators on Quality of Public Service:

Indicator	2000	2005	2010	2013	2014
Government effectiveness	8.8	14.1	19.1	14.4	22.6
Regulatory quality	13.2	14.2	16.7	14.8	15.9
Rule of Law	5.3	16.3	11.8	10.0	15.4
Control of corruption	9.3	13.2	8.6	10.0	14.4

Source: World Bank (2015)

b. Political and Administrative Structure

Tajikistan is a presidential republic. According to the Constitution, the President is the Head of State and the Head of Government. The bicameral legislature (*Majlisi Oli*) consists of a lower chamber *Majlis Namoyandagon* (Chamber of Representatives) and a higher chamber *Majlis Milli* (National Council).

The Judicial branch consists of the Constitutional Court, the Supreme Court, the High Economic Court, the Military Court and the Court of the *Gorno Badakhshanska* Oblast, Oblast Courts, the Court of Dushanbe City and district courts. The Prosecutor-General is responsible for the proper execution of the law and reports to the President and Parliament.

The President, *Emomali Rakhmon*, was elected in 1994 through a national referendum that was also conducted for the adoption of the Constitution. In 2006, he was re-elected for another 7-year term, and, in 2013, he was re-elected once again receiving 84 per cent of the popular vote. The last parliamentary elections took place in 2015. The People's Democratic Party (PDP), which is headed by the President, received 72 per cent of the votes. In total, 5 political parties are represented in the current Parliament. According to the OSCE, the 2010 elections were the third multi-party elections since 1997. It was noted that the Central Election Commission did not fully adhere to the principles of transparency and accountability during these elections.

Central executive authorities are established and dissolved by the President of the Republic and the Government. State power on the regional level, consists of representative and executive bodies. They ensure the observance and implementation of the Constitution, of the laws, decrees of *Majlisi Oli*, the acts of the President or the Government of the Republic.

The composition, powers and activities of local government are regulated by constitutional law. Likewise with the town and village levels (*Jamoat*), which are regulated by law. Local government in Tajikistan includes the *Gorno-Badakhshan* Autonomous Oblast, the *Sogd* and *Khatlon* oblasts, the city of Dushanbe, and 68 cities and districts.

II. CIVIL SERVICE PROFILE

a. Legal basis of the civil service

As in other parts of the Soviet Union, Tajikistan did not have a specific law to regulate the civil service. Civil servants' recruitment procedures were determined by provisions in the Constitution, the Law on the Council of Ministers and other government regulations. Accordingly, the Law "On Civil Service"¹, adopted on 5 March 2007, began a new phase of civil service reform. This Law provides an organizational and legal basis of the civil service and determines the legal status and social guarantees of civil servants. The civil service system includes: [i] the state civil service; [ii] the civil service in the law enforcement agencies; and [iii] the state military service.

b. Definition of civil servant

In accordance with Article 1 of the Law "On Civil Service," civil servants must be citizens of Tajikistan. They hold a paid state position and exercise authority by state power delegated to them. Civil servants are divided into political and administrative officers. There are no categories for political civil servants, while administrative civil servants are classified into 8 categories – the highest category and categories from 1 through 7.

c. Civil servants' profile

Eligibility criteria

According to Article 11 of the Law on Civil Service, candidates applying for civil service positions should possess a higher and medium-level professional education, according to the category and level of specialisation of the civil service position for which they have applied. Professional experience or civil service work experience, military service record is also required for these posts. Candidates should also possess knowledge of the national legislation and be fluent in Tajik. Candidates must meet all the requirements of the Law. They cannot be younger than 18 years of age. Retirement age for female civil servants is 58 and for male civil servants 63 years. The Management of a public body, in consultation with the competent civil service authority, may

¹ Law "On Civil Service," 2007, http://www.ahd.tj/images/doc/Zakon_OGS.docx

decide to extend the terms of service for those who have reached the age limit, for up to two years. In such cases, a new short-term employment contract is signed with the civil servant.

Total number of civil servants

The total number of civil servants is 20 352 or 0.25% of the population and 0.4% of the workforce (July 2015).

Gender and age distribution of civil service

Of the total number of civil servants (20,352), 76% are male and 24% female. The number of civil servants under the age of 35 years is 43.2%. The age distribution of civil servants is as follows: 18.3% from 18 to 28 years 18.3%; 24.9% from 29 to 35 years; 25.4% from 36 to 45 years 25.4%; 26.5% from 46 to 58 years 26.5%; 4.5% from 58 to 63 years 4.5%; and 0.2% from 63 years and above.

d. Civil servants' remuneration structure

The remuneration structure of civil servants is determined by the "Unified Tariff Wage of Civil Servants of the Government" approved by Presidential Decree No 923, in 2010. Remuneration consists of a basic salary and a qualification increment calculated on the basis of an officer's class, grade, number of working years, honours and awards received and academic accomplishments. Additional compensation may also be received for the execution of important work and for taking on the work of other employees in their absence². There are eight vertical categories of administrative positions with a 22% difference in remuneration between categories. There are also 14 horizontal steps with a 5% difference in remuneration between steps. Minimum salary for civil servants is determined by the President of the Republic. According to the Government Decree No 371 of 2013, the monthly base salary for administrative positions of the highest, first, second, third and fourth categories of state bodies, local executive bodies and town and village governments was 405 somoni (USD 85 approximately). For administrative positions of the fifth, sixth, seventh categories of the same agencies, the salary was 450 somoni (USD 95 approximately).

III. BODY RESPONSIBLE FOR HR POLICY AND IMPLEMENTATION

The body responsible for HR policy formulation and implementation in the civil service is the Agency for Civil Service under the President of the Republic. Initially established, in 2001, as the Department of State Service under the President of the Republic, it was subsequently transformed into an Agency, in 2013. The legal authority of the Civil Service Agency is based on: the Constitution; the Law "On Civil Service"; the Regulation "On the Agency for Civil Service under the President of the Republic of Tajikistan"; other legal acts of the Republic; and international treaties and agreements that have been ratified by Tajikistan.

According to Article 18 of the Law "On Civil Service", vacant administrative positions in the public service are filled on a competitive basis. Competitive procedures are defined by the "Regulations on the Competitive Procedures for Vacant Administrative Civil Service Positions", as approved by Presidential Decree No 659, on 20 May 2009.

² Decree of the President of the Republic of Tajikistan "On Measures to Improve the Social Protection of the Population, an Increase in the Current Salaries of Civil Servants, Employees of Budgetary Institutions and Organizations, Pensions and Scholarships Sizes", http://base.spinform.ru/show_doc.fwx?rgn=31892

a. Organisation of the selection and recruitment process in civil service

Recruitment for the administrative civil service except for the highest category positions is competition-based³. Civil servants can participate in a competition irrespective of what position they may hold at the time of application. A competition may be conducted either through a documents' review process, for vacant posts in the highest, the first and the second categories of the civil service or through competition with probation period, for vacant posts in the third and fourth categories of the civil service.

Competitive examinations are held by decision of the responsible state body or official. The Competition Commission is the decision-making entity responsible for the selection and recruitment process. The documents' review process is organized by the Competition Commission, which evaluates the candidates in terms of their education qualifications, work experience in the civil service, other attributes, recommendations received, test results and other documentation in support of their application, submitted at the request of the interested state bodies. The Competition Commission is also responsible for the competition with probation process. In this case, eligible candidates are recruited on the condition that they will be on probation for a certain time period and that they will undergo training for the relevant civil service positions they have been hired to fill. In both cases, successful candidates are informed of the Commission's decision, in writing, within one month from the competition completion date. Decisions of the Competition Commission may be appealed in court.

b. Promotion process in the civil service

The promotion of civil servants is based on merit, talent, professional level, education and other qualification requirements (Article 7 of the Law on Civil Service). Inclusion in the State Personnel Roster is the way for promotion. The Roster includes civil servants who have attained higher qualifications or have successfully completed training, hold the relevant qualification rank and have been recommended for promotion based on their attestation results (Article 26, Law on Civil Service).

c. Performance appraisal, training and career development

Performance Appraisal:

The "Rules on the Conduct of the Performance Appraisal"⁴ for civil servants regulate the process for performance appraisal of administrative civil servants. The performance of political civil servants, administrative civil servants of the highest category, administrative civil servants who have been in their position less than 6 months and of civil servants who have reached retirement age is not subject to an assessment. Performance appraisal is conducted through a procedure, which includes performance-related data collection and assessment of the positive and negative aspects of a civil servant's performance. The appraisal takes place every year, in December, according to a schedule approved by the Head of the state body. The appraisal is performed by the Head of the relevant division, while the performance appraisal of the Heads of divisions is performed by their direct supervisor. While civil servants are assessed, they prepare a record for

³ According to the Law on Civil Service, information about the date, place and conditions of competitions *may be* published in print.

⁴ Rules of the Performance Appraisal Conduct approved by the President Decree No 1018 in 2011, <http://www.ahd.tj/images/doc/PRVAAR.doc>

the reporting period. Then, their supervisor completes a Performance Appraisal Worksheet Form, based on the civil servants' records⁵.

Training and Career Development:

According to Article 12 of the Civil Service Law, civil servants undergo training to increase their qualifications in order to be promoted. The organisation responsible for training and advanced training of civil servants is the Institute for Advanced Training of Civil Servants. It was founded in 2002. In 2009, it was transformed into the Institute of Public Administration under the President of the Republic of Tajikistan. To date, the Institute has identified key areas for training courses, retraining and professional enhancement of civil servants and thematic training. It has also developed training programmes and modules for civil servants, as well as a new theory and methodology for their professional enhancement. Furthermore, the Institute has developed different types of training programmes, as well as recommendations and guidelines focusing, in particular, on improving methods and techniques in public administration.

IV. ETHICS AND ANTI-CORRUPTION STRUCTURES

The Agency for State Financial Control and the Fight against Corruption of the Republic of Tajikistan is a specialized body responsible for the prevention, detection, investigation and prosecution of corruption-related offences, as well as for audits of state finances. The Agency was established in 2007. As of 2013, the Agency has conducted around 5,500 inspections and financial audits of ministries and departments. Funded by international financial institutions, as well as other entities, these revealed financial damages worth more than 514.8 million somoni (USD 100+ million at the 2013 exchange rate). Half of this amount was recovered and returned to the state budget⁶. However, it appears that the Agency has not exercised the balance of its assigned functions adequately (OECD, 2014)⁷.

A positive step towards combatting corruption was the Establishment of the National Anti-Corruption Council, in 2010, and the creation of public commissions tasked with the prevention of corruption in some local governments. This initiative encouraged the wider involvement of civil society in the anti-corruption drive. However, operational capacity of these newly created entities requires further improvement, if they are to become real tools for civil society interventions in the anti-corruption effort (OECD, 2014).

Several Codes of Ethics for Civil Servants were adopted in 2004, 2010 and 2015. The latest is the "Code of Ethics of a Civil Servant of the Republic of Tajikistan"⁸. This encompasses a set of norms, principles and rules for the on- and off-duty conduct of Tajik civil servants. This new Code of Ethics has taken into account the recommendations of international organisations, including those of the OECD. For instance, the new Code has introduced fundamental principles of the public service and detailed definitions on the expected ethical conduct of civil servants. Following the OECD recommendations, ministries and departments have developed special codes of ethics for jobs exposed to greater corruption risks, namely those of the police, prosecutors, taxation and customs agencies and border guard officers.

⁵ Annex to the Rules of the Performance Appraisal Conduct.

⁶ "Combating Corruption," information from the website of the Agency, <http://anticorruption.tj/page?cat=10>

⁷ Anti-corruption Reforms in Tajikistan. Round 3 Monitoring of the Istanbul Anti-Corruption Action Plan. 2014 Report. <http://www.oecd.org/corruption/acn/Tajikistan-3rd-Round-Monitoring-Report-ENG.pdf>

⁸ Code of Ethics of a Civil Servant of the Republic of Tajikistan, 3 December 2015, <http://cis-legislation.com/document.fwx?rgn=81279>

Commissions on Ethics are established in all state bodies. They are assigned to monitor adherence to the Code of Ethics. However, the fact that these commissions are established at the departmental level, by decision of the Head of a state authority challenges their effectiveness, since a Head of a state authority can reject the Commissions' decisions unilaterally. Furthermore, absence of a higher authority overseeing civil service ethics allows for ineffective coordination and monitoring activities of the subordinate Ethics Commissions. It diminishes the possibility for proper ethical conduct monitoring of political public servants and members of the Government (OECD, 2014)⁹.

V. CIVIL SERVICE REFORMS: PAST, CURRENT AND PLANNED

a. Past reforms

The "Strategy for Reforming the Public Administration System of the Republic of Tajikistan for 2006–2015" was adopted in 2006 in order to ensure for a systematic approach to the reform process. The Strategy identified the following priority areas:

- Increase the efficiency of the management of national development;
- Increase the efficiency of public finance management;
- Modernize the civil service;
- Develop the regional government administration.

Measures implemented aimed at creating a modern and professional public service include:

- Creation and updating of a register or roster of civil servants;
- Development of draft regulations for the implementation of the Law "On civil service";
- Development of the "Concept of Personnel Policy";
- Introduction of a new order for competitive recruitment in filling vacant administrative posts in the public service;
- Development and introduction of a new order on civil servants' attestation;
- Conclusion of the initial phase of pay reform in the public sector;
- Development and approval of job descriptions for every position in the public service;
- Organization of public service management training in higher education institutions around the country;
- Introduction of special programmes for the accelerated career advancement for young public servants, who demonstrate abilities and promise;
- Creation of information systems for public service management;
- Improvement of the Code of Ethics for civil servants;
- Development of programmes to combat bureaucratic attitudes in government.

The "Programme of Civil Service Reform in Tajikistan" was approved by the Government of the Republic in 2007¹⁰, in order to implement activities purporting to create the appropriate legal and organisational conditions for the development of a professional civil service in Tajikistan. The Action Matrix attached to this public service reform programme covered: [i] a set of measures aimed at creating a regulatory and legal framework for a modern professional civil service; [ii] the development of a unified policy of human resources management in public administration; [iii] improvement of the remuneration system and of labour-social protection legislation for civil servants; [iv] introduction of modern information technologies to state administration by utilising an electronic document management system and other e-government applications; [v]

⁹ Anti-corruption Reforms in Tajikistan. Round 3 Monitoring of the Istanbul Anti-Corruption Action Plan. 2014 Report. <http://www.oecd.org/corruption/acn/Tajikistan-3rd-Round-Monitoring-Report-ENG.pdf>

¹⁰ Decision No 448, 31 August 2007.

development and capacity building of a Training Institute for civil servants; and [vi] creation of the necessary institutional arrangements for the implementation of reforms.

b. Current Reforms

On-going reforms continued and are further elaborated during this current period. Public administration capacity has been strengthened through the design and implementation of a new approach to capacity development, informed by lessons learned. This new approach was piloted by the Civil Service Agency. It has aimed to assist the Agency in streamlining its business processes and human resources management practices – including merit-based recruitment and performance appraisal – and in enhancing its IT capacity. Furthermore, the new Public Financial Management Modernization Project will assist the Information and Communications Technology (ICT) Centre, under the Executive Office of the President to select, prioritize, redesign and implement a number of public administration services and to improve the access to services by citizens, through electronic means¹¹.

E-Government:

Development of e-government is framed in the “Concept of Establishing Electronic Government”¹². Outcomes of the previous two stages of reform - 2012-2013 and 2013-2015 have included the following: [i] the introduction of the Unified Network of Information Technologies; [ii] the launching of the legal database “Adlia”; and [iii] the establishment of an electronic document management mechanism. During the current period (2015-2020), automation of public service provision processes is planned. In this context, a government portal and an e-governance gateway will be developed to integrate existing information systems. Furthermore, the “National Programme for the Computerisation of Central and Local Authorities, Bodies of Local Self-Government in Towns and Villages (2012 – 2015)” is being developed. According to this programme, all public servants should have access to computers and the number of public servants with access to Internet in central and local authorities should be doubled by 2021. Additionally, the number of internet users among public servants in local government bodies in towns and villages should grow by 14-fold, during the same period. It is hoped that the introduction and integration of e-government in public administration will promote the creation of a more transparent governance system and contribute to corruption prevention efforts.

c. Planned Reforms

According to the Division for the Reform of the Central Public Administration of the State Chancellery, the following steps will be taken in the coming period:

- Increase efficiency in combating corruption in the public service;
- Improve gender policy in the civil service;
- Improve the attestation mechanism of civil servants by testing;
- Improve the mechanisms for the establishment and use of the personnel roster / reserve;
- Develop educational programmes for civil servants in the personnel reserve;
- Develop a performance-based pay system and improved social protection for civil servants;
- Improve mechanisms for non-financial motivation of civil servants;

¹¹ The World Bank Group – Tajikistan. Partnership Programme Snapshot,
<http://www.worldbank.org/content/dam/Worldbank/document/Tajikistan-Snapshot.pdf>

¹² Concept of the Formation of Electronic Government in the Republic of Tajikistan, 2011,
<http://www.ahd.tj/images/doc/Konsepsii%20electron-pravil.doc>

- Improve the mechanism for income tax and assets declarations for civil servants, taking into account the envisioned transition to electronic systems, in the near future.

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