

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

Indicators on Quality of Public Service¹:

Indicator ²	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

Political and Administrative Structure

Tajikistan is a presidential republic. According to the Constitution, the President is the Head of State and the Head of the Government. There is a two-chamber Parliament (Majlisi Oli) in the country which consists of the lower chamber Majlis Namayandagon (Chamber of representatives) and the higher chamber Majlis Milli (National Council).

The Judicial branch of power is represented by 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 control over the execution of law and reports to the President and the Parliament.

¹ Percentile ranks indicate the percentage of countries worldwide that rank lower than the indicated country, so that higher values indicate better governance scores.

² *Government effectiveness* captures perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies. *Regulatory quality* captures perceptions of the ability of the government to formulate and implement sound policies and regulations that permit and promote private sector development. *Rule of law* captures perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence. *Control of corruption* captures perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as "capture" of the state by elites and private interests.

The President, Emomali Rakhmon, was elected in 1994 through a national referendum that was conducted along with 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 votes.

Last Parliamentary elections took place in 2015. As a result, the People's Democratic Party (PDP), which is headed by the President received 72 per cent of votes. In total, 5 political parties have been elected into the Parliament. According to the OSCE report, the 2010 elections were the third multi-partisan elections in Tajikistan since 1997. At the same time, it was noted that during the elections, the Central Election Commission did not fully adhere to the principles of transparency and accountability.

The central executive authorities are established and dissolved by the President of the Republic and the Government. State power at the regional level consists of representative and executive bodies that act within their powers. They provide implementation of the Constitution, laws, decrees of Majlisi Oli, and acts of the President and the Government of the Republic.

The procedure of formation, powers and activities of local government are regulated by constitutional law. Local government is carried out at the level of towns and villages; the order of formation, powers and activities of the Jamoat towns and villages are regulated by law. Tajikistan consists of 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

In the Soviet Union, including Tajikistan, there was no specific law on civil service. The procedure of recruitment of civil servants was determined by the Constitution, the Law on the Council of Ministers, and other government regulations.

The Constitution laid the legal basis for the civil service. In this regard, the Law "On civil service"³ adopted on 5 March 2007 began a new phase of civil service reform. This Law determines the organizational and legal basis of the civil service, and the legal status and social guarantees of civil servants of the Republic of Tajikistan.

The civil service system of the Republic of Tajikistan includes:

- a. The state civil service;
- b. The civil service of law enforcement agencies; and
- c. The State military service.

b. Definition of civil servant

In accordance with Article 1 of the Law "On civil service," a civil servant is a citizen of Tajikistan holding a paid state position of the civil service on a professional basis to ensure

³ Law "On Civil Service," 2007, http://www.ahd.tj/images/doc/Zakon_OGS.docx

implementation of authority by the individuals holding state positions of state power, as well as implementation of public bodies' competencies.

Civil servants are divided into political and administrative ones. 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 have higher and medium-level professional education - given the category and specialization of state positions for civil servants - have overall professional experience and civil service work experience, military service work record for the posts requiring to have it according to the legislation, knowledge of the national legislation, and speak fluent Tajik.

The candidates have to meet the requirements of the Law and be no younger than 18 years old. The age limit for staying with the civil service for women is 58 years and for men 63 years. The public body management in coordination with the civil service authorized body may extend the civil service term for civil servants, who have reached the limit age, up to two years. In such cases, a 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 per cent of the population and 0.4 percent of the workforce (July 2015).

Gender and age distribution of civil service

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

Civil servants' remuneration structure

Remuneration structure of civil servants is determined in the Unified Tariff Wage of Civil Servants of Government, approved by the Decree No. 923 of the President in 2010, and it consists of a basic rate and a qualification increase based on class grade, working years, honours and awards, and academic achievements. Salary increases may also apply for implementation of important work and work of other employees in case of their absence.⁴

⁴ 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.spininform.ru/show_doc.fwx?rgn=31892

Vertically there are eight categories of administrative positions; the difference between each category, i.e., wage increase in each category is 22%. Horizontally there are 14 steps and the difference between steps is 5% increase in wages.

The size of the base salary for civil servants is determined by the President of the Republic of Tajikistan. According to the Government decree No. 371 of 2013, the size of a base salary at the administrative positions of the highest, first, second, third, fourth categories of state bodies, local executive bodies of state power, governments towns and villages is 405 somoni, which was approx. 85 USD in 2013 and for administrative positions of the fifth, sixth, seventh categories of the same agencies listed is 450 somoni, which was around 95 USD in 2013.

III. BODY RESPONSIBLE FOR HR POLICY AND IMPLEMENTATION

The body responsible for HR policy and implementation in the civil service of Tajikistan is the Agency for Civil Service under the President of the Republic of Tajikistan. It was initially established as the Department of State Service under the President of the Republic of Tajikistan in 2007 and it was subsequently transformed into the Agency, in 2013.

The Civil Service Agency operates on the basis of the Constitution, the Law "On civil service", the Regulation on the Agency for Civil Service under the President of the Republic of Tajikistan and other normative legal acts of the Republic of Tajikistan and international legal acts recognized by Tajikistan.

According to Article 18 of the Law "On civil service", vacant public office administrative position in public service are filled on a competitive basis. Competition procedure is defined by the "Regulations on the procedure of the competition for vacant administrative civil service positions" approved by a Decree (№659) of the President of the Republic of Tajikistan on 20 May 2009.

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

Recruitment for the administrative civil service (except for the highest category positions) shall be competition-based. The competition is held among eligible candidates. Civil servants can participate in the competition no matter what positions they hold at the moment. The competition can be conducted in the form of documents review competition (for vacant posts in the highest, the first and the second categories of the civil service) or competition with probation (for vacant posts in the third, the fourth categories of the civil service).

Competitions are held by the decision of a responsible state body or official. The Competition Commission is a decision-making body in the appointment of civil servants.

The documents review competition is organized by the Competition Commission, which evaluates candidates by their education, work experience in civil service and other spheres, as well as recommendations, test results and other documents, submitted by the request of the relevant state bodies.

Competition with probation is conducted by the Competition Commission. It may include probationary working period, training at the relevant civil service positions.

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

Each participant is informed about the decision in written form within one month from the competition date. Decisions of the Competition Commission can be appealed in court.

b. *Promotion process in civil service*

Career promotion of civil servants is based upon merit, talent, professional level, and qualification requirements (Article 7, Law on Civil Service). One of the channels for promotion is being enlisted in the State Personnel Reserve, which includes civil servants who raised their qualification or passed trainings, holding relevant qualification rank and recommended to be promoted as a result of attestation (Article 26, Law on Civil Service).

c. *Performance appraisal, training, and career development*

Performance Appraisal. Rules of the Performance Appraisal Conduct⁵ of a civil servant of the Republic of Tajikistan regulate mechanism of the performance appraisal of administrative civil servants. The performance of political civil servants, administrative civil servants of the highest category, administrative civil servants who have worked to that moment less than 6 months, and of the civil servants who reached the retirement age is not subject to assessment.

Performance appraisal is conducted through regular control over the process of civil service implementation, data collection on performance, and assessment of positive and negative aspects of the civil servants' performance.

Performance appraisal is conducted every year in December according to the schedule approved by the head of a state body. Performance appraisal of a civil servant is conducted by the head of a relevant division, while the appraisal of the head of the division is conducted by his/her direct supervisor.

When a civil servant is being assessed, he/she prepares a results report for the reporting period and his/her supervisor completes a Performance Appraisal Worksheet Form (Annex to the Rules of the Performance Appraisal Conduct) based on this report.

Training and Career Development. According to Article 12 of the Law on Civil Service, in order to be promoted, to rise in level of qualification or to achieve any other another qualification, state servants of the Republic are assigned to certain training.

The body responsible for retraining and advanced training of civil servants is the Institute for Advanced Training of Civil Servants 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 identified the key areas for training courses, retraining and professional

⁵ Rules of the Performance Appraisal Conduct approved by the President Decree No. 1018 in 2011, <http://www.ahd.tj/images/doc/PRVAAR.doc>

enhancement of civil servants, and thematic plans; elaborated programmes and training modules for civil servants; and developed a new methodological and theoretical basis for professional enhancement of civil servants.

In relation to the training of civil servants, the Institute is developing different types of training programme, and recommendations and guidelines, with particular attention given to improving methods and techniques of modern public administration.

IV. ETHICS AND ANTI-CORRUPTION STRUCTURES

The Agency for State Financial Control and Fight with Corruption of the Republic of Tajikistan is the specialized body aiming to prevent, suppress and detect corruption offenses, inquire and investigate corruption crimes, as well as to conduct state financial control. It was established in 2007 and as of 2013, the Agency had conducted around 5500 inspections and financial audits of ministries and departments, control centres, funded by international financial institutions, government entities, and other entities and institutions revealed the financial damages worth more than 514.8 million somoni, which is over 100 million USD (2013 exchange rate). Half of this amount was reimbursed to the state budget.⁶ However, according to the OECD, compared to other functions of the Agency – financial control and detection and pre-trial investigation of corruption and tax-related offences – these functions were developing quite slowly and still account for the smallest part of the Agency’s resources⁷.

Establishment of the National Council to Combat corruption in 2010 and set up of public commissions on prevention of corruption in some bodies of local self-governance is a recognised as positive step in widening the scope of involvement of civil society in the anti-corruption measures. Nevertheless, according to the OECD, functioning of these newly created entities requires further improvement if they are to become real tools for wider involvement of the civil society in anti-corruption measures undertaken in the country.⁸

There were several Codes of Ethics of Civil Servants adopted in 2004, 2010 and 2015. The latest one – the Code of Ethics of a Civil Servant of the Republic of Tajikistan was adopted on 3 December 2015.⁹ It encompasses set of norms, principles and rules of office and off-duty behavior of Tajik civil servants. It can be concluded based on the comparison with the previous versions that the new Code of Ethics was developed taking into account recommendations of international organisations, including the OECD. Thus, for instance, the new Code introduces fundamental principles of the public service, as well as detailed definitions of expected ethical conduct from civil servants. Reflecting the OECD recommendations, along with this Code common to all civil servants, ministries of Tajikistan and departments have developed special

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 Ibid.

⁹ Code of Ethics of a Civil Servant of the Republic of Tajikistan, 3 December 2015, <http://cis-legislation.com/document.fwx?rgn=81279>

codes of ethics for jobs exposed to greater corruption risks, such as police, tax, customs and border guard officers, prosecutors, etc.

Control over observance of the requirements of the Code of Ethics is performed by the Commissions on Ethics which are established in all state bodies. However, according to the OECD, the fact that these commissions are of departmental nature and established by a decision of the head of the state authority, who can reject a decision of the commission on ethics and take a decision unilaterally, challenges the effectiveness of the Commissions on Ethics and practicality of their establishment. Also absence of the authorized body on service ethics which would have coordinated and controlled activities of the subordinated commissions on ethics also challenges possibility to perform monitoring and control over conduct of political public servants and members of the Government.¹⁰

V. CIVIL SERVICE REFORMS: PAST, CURRENT AND PLANNED

a. Past reforms

To ensure a systematic approach to the process of reform, the Strategy of Reforming the Public Administration System of the Republic of Tajikistan for 2006 – 2015 was adopted in 2006.

The Strategy identified the following priority areas:

- to increase the efficiency of management of national development;
- to increase the efficiency of public finance management;
- to modernize the civil service;
- to develop the administrative territorial administration.

There were implemented measures aimed at creating a modern, professional public service:

- Creation of a register of civil servants and its regular update;
- Development of draft regulations for the implementation of the Law "On civil service";
- Development of the Concept of the Personnel Policy of the Republic of Tajikistan;
- The introduction of a new order of the competition for vacant administrative posts in the public service;
- Development and introduction of a new order of civil servants attestation;
- The first phase of the pay reform in the public sector;
- Development and approval of job descriptions for each position of the public service;
- the organization of training in the field of public service management in higher education institutions of the country;
- Introduction of special programs for accelerated career advancement for young public servants, showing special abilities;
- Creation of information system of public service management;
- Improvement of the Code of Ethics of civil servants;
- The development of programs to combat bureaucratic attitude in government.

¹⁰ 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>

In order to implement these strategies and concepts and to create optimal organizational and legal conditions for the development of a professional civil service of the decision of the Government of the Republic of Tajikistan on August 31, 2007, №448 approved "The Program of Civil Service Reform in Tajikistan."

Action Matrix attached to the public service reform program, covered a set of measures aimed at creating a regulatory and legal framework of modern professional civil service, the development of a unified policy of human resources management in public administration, improving the system of remuneration of labor and social protection of civil servants, introduction of modern information technologies through the state apparatus with the transition to electronic document management, "e-government", development and capacity-building Training Institute of civil servants, as well as institutional arrangements for the implementation of reforms.

b. Current Reforms

Past reforms were continued and elaborated into the currently implemented reforms. Public administration capacity is being strengthened by the design and implementation of a new approach to capacity development, informed by lessons learned from the past decade of World Bank-financed initiatives. The new approach, piloted with the Civil Service Agency, aims to assist the agency in streamlining its business processes and human resource practices (including merit-based recruitment and performance appraisal) and in augmenting its IT capacity. The new Public Financial Management Modernization Project will assist the Information and Communications Technology (ICT) Center under the Executive Office of the President, tasked with leading e-Governance initiatives, to select, prioritize, redesign, and implement a number of public administration services and processes through electronic channels to improve access to services for citizens.¹¹

E-Government. Development of e-Government is framed within the Concept of Formation of the Electronic Government.¹² As a result of the previous two stages (2012-2013 and 2013-2015) the Unified Network of Information Technologies was introduced, the legal database "Adlia" has been launched, and electronic document turnover mechanisms were established.

At the current stage, which is to be implemented in the period of 2015-2020, the automation of the process of providing public services is stipulated. The government portal and e-government gateway for the integration of information systems are to be developed.

Further modernization is achieved owing to the National Program of Computerization of Central and Local Authorities, Bodies of Local Self-Government in Towns and Villages in 2012 – 2015. Pursuant to this program, by 2021 all public servants should have access to computers, and the number of public servants at central and local authorities with access to the Internet should double by 2015 compared to 2011, and the number of internet users among public

¹¹ The World Bank Group – Tajikistan. Partnership Program 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>

servants at bodies of local self-government in towns and villages over the same period should grow 14 times.

The e-government in the Republic of Tajikistan is expected to facilitate a more transparent governance system and a standing and dynamic corruption prevention mechanism.

c. Planned Reforms

According to the Civil Service Agency of Tajikistan, the following steps are to be taken in the coming period:

- To increase the efficiency of combating corruption in the public service;
- Improvement of gender policy in the civil service;
- Improvement of the mechanism of civil servants attestation by testing;
- Effective improvement of the mechanism of formation and use of personnel reserve;
- Development of educational programs for the personnel reserve of state bodies;
- Development of the performance-based pay system and social protection improvement of civil servants;
- Improvement of the mechanism of non-financial motivation of civil servants;
- Improvement of the application mechanism of income tax declarations and declarations of the property status of civil servants, taking into account the transition to electronic format of the declaration in the future.

References:

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

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

The Regional Hub of Civil Service in Astana (ACSH), an initiative of the Government of Kazakhstan and the United Nations Development Programme, was established in March 2013, when representatives of 25 countries, as well as of 5 international organisations, unanimously adopted the ACSH's Founding Declaration. The ACSH is a multilateral institutional platform for the continuous exchange of knowledge and experience in the field of civil service development, aiming to stimulate civil service transformation through fostering partnerships, capacity building and peer-to-peer learning development activities, and by disseminating innovative approaches to civil service reform, through evidence-based solutions, informed by a comprehensive research and policy agenda. It has financial and institutional support from the Government of Kazakhstan, and backing of the UNDP as the key implementing partner. The geographical range of the participating countries – currently encompassing 34 countries – stretches from North America and Europe through the CIS, Central Asia and Caucasus to ASEAN countries, which demonstrates that partnerships for civil service excellence are a constant and universal need for all nations.

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