

COUNTRY PROFILE

Republic of Belarus

I. BACKGROUND

Area:	207,600 sq. km
Population:	9,500,000 (2016)
GDP:	USD 54.61 billion (2015)
GNI per capita (Atlas method):	USD 6,460 (2015)
HDI:	0.798; ranked 50 out of 188 countries (2014)
Life expectancy at birth:	72.15 years (2014)
Mean years of schooling:	12

Source: UNDP HDI; World Bank (2015)

a. Indicators on Quality of Public Service:

Indicator	2000	2005	2010	2013	2014
Government effectiveness	28.29	12.20	11.00	17.70	35.10
Regulatory quality	5.39	5.88	11.48	14.35	13.94
Rule of Law	17.70	10.53	15.17	20.38	22.60
Control of corruption	37.07	19.51	27.14	37.80	47.60

Source: World Bank (2015)

b. Political and Administrative Structure

The Republic of Belarus is a unitary, democratic, welfare state based on the rule of law. The Government of the Republic exercises supreme control and absolute authority over its territory and implements an independent domestic and foreign policy. The Constitution of the Republic was adopted in 1994. It was amended by national referenda on 24 November 1996 and 17 October 2004, respectively.

Belarus is a presidential republic. The President of the Republic is the Head of State, the guarantor of the Constitution of the Republic and the rights and freedom of its citizens. The President personifies the unity of the nation; he guarantees the implementation of domestic and foreign policy and represents the Republic in its relations with other states or with international organizations. Furthermore, the President takes measures to protect the sovereignty of the Republic, its national security and territorial integrity. One of the main functions vested in the President is to ensure political and economic stability in the country. The President enjoys immunity; his honour and dignity are protected by law. He is elected directly by the people for a 5-year term in office based on universal, free, equal and direct suffrage.

Legislative power is exercised by a bicameral parliament – the National Assembly of the Republic of Belarus. The lower chamber is the House of Representatives. The upper is the Council of the Republic. Members of Parliament are elected to serve a 4-year term. The House of Representatives consists of 110 members, who are elected in their constituencies and represent the interests of the citizens. Public organizations, working teams and citizens of the Republic have the right to nominate candidates for deputies' position. Every citizen of the Republic, who is at least 21 years old is eligible to become a deputy of the House of Representatives.

The Council of the Republic is the chamber of territorial representation. It consists of 64 members representing every oblast and the city of Minsk (eight from each), who are elected by secret vote by the local councils of deputies. The procedure of forming the Council of the Republic combines elements of election and appointment. Eight members of the Council of the Republic are appointed by the President. A citizen of the Republic of Belarus aged, 30 or more, who has lived in the region or Minsk City for at least five years may become a member of the Council of the Republic.

The right of legislative initiatives is vested in the President, members of the House of Representatives, members of the Council of the Republic, the Government and citizens eligible to vote¹. It is exercised through the House of Representatives.

The main functions of the Parliament of the Republic are:

- Law-making;
- Adoption of the government budget;
- Participation in the composition of the executive and judicial powers;
- Exercise of control and audit functions; and
- Foreign policy activities.

The executive power in the country is exercised by the Government – the Council of Ministers of the Republic – which is the central body of state administration. The Prime Minister is the head of government. The Government is accountable to the President and responsible to the Parliament of the Republic for its activities. The Government relinquishes powers to the President-elect of the Republic.

The judicial power in the Republic of Belarus is vested in the courts. The judicial system is based on the principles of territorial delineation and specialization. The judicial system consists of the Constitutional Court and a system of courts of general jurisdiction. Review of the constitutionality of normative acts is exercised by the Constitutional Court of the Republic. The Supreme Court is

¹ In this case, at least 50,000 signatures are required.

the leading court of general jurisdiction and the supreme judicial body which handles civil, criminal, administrative and economic cases.

Citizens' voice and opinion at the local government level is heard through the local councils of deputies, executive and administrative bodies, self-government bodies, referenda, assemblies and other forms of direct participation in state and public affairs.

II. CIVIL SERVICE PROFILE

a. Legal basis of the civil service

1. Constitution of the Republic of Belarus;
2. The Law on Civil Service in the Republic of Belarus (Law No 204-3, 14.06.2003);
3. Decree of the President of the Republic of Belarus No 705, 30.11.2006 (amended on 23.01.2009) "On the monthly salaries of certain categories of public servants" (with the "Regulations on the procedure for appointment and payment of monthly salaries for certain categories of public servants");
4. Decree of the President of the Republic of Belarus No 217, 07.05.2007 (amended on 24.01.2014) "On the commissions for the designation of classes of civil servants";
5. Decree of the President of the Republic of Belarus No 489, 06.11.2003 (amended on 29.11.2013) "On approval of the provision for holding attestation of civil servants";
6. Decree of the President of the Republic of Belarus No 58, 09.02.2004 (amended on 25.07.2013) "On the correlation of classes of civil servants and public positions";
7. Decree of the President of the Republic of Belarus No 94, 22.02.2012 "On assignment of classes of civil servants";
8. Decree of the President of the Republic of Belarus No 139, 17.03.2005 (amended on 24.01.2014) "On approval of the provision of qualifying examination for first-time applicants to the civil service";
9. Resolution of the Council of Ministers of the Republic of Belarus No 1271, 07.10.2003 (amended 04.06.2014) "On approval of the resolution on procedure and conditions for concluding contracts with civil servants and repealing certain decisions of the Council of Ministers of the Republic of Belarus";
10. Resolution of the Council of Ministers of the Republic of Belarus No 564, 28.06.2013 (amended on 31.12.2013) "On the correlation of classes of civil servants and civil service positions in the republican organizations of public administration, local government and self-government";
11. Resolution of the Council of Ministers of the Republic of Belarus No 565, 28.06.2013 (amended on 28.11.2014) "On the correlation of classes of civil servants and civil service positions in some government bodies and public organizations";
12. Resolution of the Council of Ministers of the Republic of Belarus No 1321, 21.10.2004 (amended on 05.06.2012) "On approval of the provision about the commission for the designation of classes of civil servants of republican bodies of public administration";
13. Resolution of the Council of Ministers of the Republic of Belarus No 821, 22.06.2011 (amended on 16.05.2014) "On some issues of distribution, redistribution, job placement, the subsequent job placement of graduates, the reimbursement of funds spent by the state on their training and the targeted training of specialists, workers, employees";
14. Resolution of the Ministry of Labour and Social Protection of the Republic of Belarus No 135, 24.10.2003 (amended on 26.05.2011) "On approval of the qualifying directory" "State positions of civil servants";
15. Decree of the Ministry of Education of the Republic of Belarus No 13, 28.03.2013 (amended on 25.08.2014) "On approval of the educational standards of training of managerial staff and specialists";

D

16. Resolution of the Council of Ministers of the Republic of Belarus No 1732, 26.12.2011 (amended on 23.04.2015) "On approval of the Model provision on anti-corruption"; and others.

b. Definition of civil servant

According to Article 5 of the Law “On Civil Service in the Republic of Belarus”, a civil servant is a citizen of the Republic of Belarus, who holds a state position in the manner prescribed by law and who displays adequate skills in performing his/her duties for a financial reward from the national or local budgets or other sources of financing provided by the law.

The status of civil servants includes basic institutional characteristics. The legal status of a civil servant consists of such elements as: [i] responsibilities; [ii] rights; [iii] restrictions; [iv] guarantee; [v] material provision; and [vi] responsibilities of civil servants. The above elements are organically linked, because only together they form the real status of a civil servant.

c. Civil servants’ profile

Total number of civil servants

During the period of 2003–2009, the total number of civil servants in Belarus was about 50,000. However, in 2013 the Government introduced measures to reduce the number of civil servants by 25%. As of 2016, the total number of civil servants in Belarus is about 40,000².

Number of civil servants as proportion of the total population and of the labour force

The number of civil servants as a proportion of the total population is about 0.42%. The total number of the work force in the Republic of Belarus is 4,496,000 (2015). The number of civil servants in proportion to the work force is about 1.0%.

Gender and age distribution of civil service

The total number of male civil servants is 14,856 and of female is 34,470. The gender and age distribution of civil servants is presented in the table below:

Table 29: Gender and Age Distribution of the Belarussian Civil Service

	Age range				
	up to 29	30 to 39	40-49	50-59	60 +
Total number of civil servants	7,866	14,636	13,884	11,798	1,142
% of total	15,9%	29,7%	28,2%	23,9%	2,3%
Male	2,410	4,369	3,538	3,788	751
% of total	16,2%	29,4%	23,8%	25,5%	5,1%
Female	5,456	10,267	10,346	8,010	391
% of total	15,8%	29,8%	30,0%	23,3%	1,1%

² <http://www.sb.by/obshchestvo/article/ne-kolichestvom-a-kachestvom-17092014.html>

The average age of a Belarussian civil servant is around 41 years. Furthermore, one in six civil servants are under 30 years old. 70% of all civil servants are women (according to 2014 data). However, only few of them occupy high decision-making positions. Female civil servants occupy executive or line management positions in government departments predominantly. Thus, except for the Ministry of Labour and Social Welfare, men occupy all positions of heads of ministry. In addition, among 90 deputy ministers only 12 are women, a mere 13.3% of the total³. However, the Government is active on achieving gender equality. For this reason, educational programmes, including a Master's Degree Programme in Women's Leadership and a 2-week programme for women public administration officials and teachers, as well as projects through which the factors that encourage women's participation in public life are fully funded by the State.

d. Civil servants' remuneration structure

The remuneration structure of the civil service is directly controlled by the Government. The Government sets wage targets for all sectors of the economy. This means that it is the key driver determining growth of salaries in the civil service of Belarus. Remuneration levels are determined by the position of a civil servant, his/her grade and length of service. However, the minimum monthly wage administratively set is 2,300,000 BYR (USD 115 approximately)⁴. The average monthly salary of 7,211,918 BYR (USD 358 approximately) in the civil service sector does not significantly differ from the average in the country. This is 7,094,521 BYR (USD 353 approximately). However, it varies across the country, where in some regions like Minsk, civil servants are paid 22% more than the rest of the country. In 2009, civil servants in Belarus were well paid by comparison with other sectors of the economy. Their salary was among the highest in the country along with those in the financial sector. However, in 2013, the situation changed drastically as salaries of civil servants were reduced due to the crisis of 2011. It is worth noting that after the crisis, people preferred to work in the private sector as salaries of line managers were higher and workload was lower. By 2014 this situation was reversed but mostly because of reduction of staff in the civil service sector⁵.

III. BODY RESPONSIBLE FOR HR POLICY AND IMPLEMENTATION

There is no special agency responsible for the development and implementation of policy on personnel management for the civil service in the Republic of Belarus. Currently, the functions of public service management are dispersed among several government agencies and officials. These include the President of the Republic, the Parliament, the Council of Ministers and the Presidential Administration. However, the primary body carrying out activities related to state personnel policy, as well as ensuring the promotion of the Belarussian overarching goals and monitoring of the decisions of the President of the Republic, is the Administration of the President.

IV. CIVIL SERVICE REFORMS: PAST, CURRENT AND PLANNED

a. Past reforms

³ Despite the predominance of female civil servants in the civil service, they are less likely to hold a leading position. See also http://www.unwomen.org/~media/Headquarters/Attachments/Sections/CSW/59/National_reviews/Belarus_review_Beijing20.pdf

⁴ International Monetary Fund, (2014). *Republic of Belarus*. Selected Issues. IMF.

⁵ It is worth mentioning that rapid increases of monthly salaries in all sectors of the Belarussian economy initiated by the government has been the key reason for high inflation and perpetuation of the economic crisis. The annual inflation rate between 2010 and 2013 was almost 4%. As a result, the government has been criticized for short-sighted policy implementation that led to the crisis in 2011 (<http://belarusinfocus.info/forprint/5946>).

Amendments to the Constitution, adopted in 1996, have completed the process of institutionalising government bodies and forming a coherent system of law in accordance with national priorities in various fields. A series of laws were prepared and adopted to regulate a wide range of social issues. In the period from 1996 to 2005 more than 40 laws were adopted, most of which had no equivalents in the domestic legal system, previously.

In recent years, law enforcement and the judicial systems of the Republic have undergone a number of consistent reforms aimed at optimising their structures and improving the quality of their work. The latest wave of reforms began in 2011 with the creation of a single mechanism for preliminary investigations – the Investigative Committee of the Republic of Belarus. The Committee was established jointly with the investigative unit of the Prosecutor's Office and the financial investigation departments of the Police and the State Control Committee.

Judicial reforms, which took place during the latter part of 2013 and the first half of 2014, resulted in the merger of the administrative and financial units of the courts. Concurrently, military courts were abolished. Furthermore, the authority for organizational, material, technical and personnel matters and monitoring compliance with the courts' decisions were transferred to the Supreme Court from the Ministry of Justice. The main objectives of these reforms were to establish a system of uniform interpretation and application of the law by the courts, improve access to justice and create the conditions for the more effective protection of the rights of citizens and private companies.

The Law "On constitutional procedures" (enacted 8 January 2014) was a major step in adhering to provisions in the Constitution. Through this law, the principles and general rules of constitutional procedures were developed and the procedural order of the Constitutional Court were regulated in detail. This included the implementation of mandatory preliminary review of the constitutionality of laws passed by Parliament before they were signed by the Head of State. Additionally, the legal enforcement and the legal consequences of the Constitutional Court's decisions were clearly defined. Furthermore, important work on de-bureaucratising the civil service was carried out. De-bureaucratisation aimed at eliminating unnecessary administrative barriers to simplify interactions between public authorities and citizens and to improve the quality of services provided to citizens. The first and most important step in the direction of de-bureaucratisation was a speech by the Head of State on 17 November 2004, during the signing ceremony for approving the results of the national referendum of 17 October 2004. The key theme of this speech – which became the basis of a new course of social development – was the idea of building a country for all the people. The objectives were to liberate the individual and provide decent living conditions, thus allowing individuals to enjoy their rights by de-bureaucratising the work of government bodies.

The President acknowledged the necessity for government bodies to work with citizens through the "one stop shop" facility. In order to improve service delivery by government agencies, he proposed a series of measures, including the widespread introduction of notebooks for comments and suggestions⁶ from citizens, simplification of public services delivery, reduction in document flows and the elimination of duplication in administrative processes.

⁶ An effective tool in establishing better relationships between the government and society to increase the involvement of citizens in public affairs was a book of comments and suggestions for citizens introduced by Presidential Decree No 2 (14 January 2005) "On improvement of work with population" (hereinafter - the Decree No 2) in all government organisations.

This policy decision required government agencies and organisations to make this notebook available to citizens upon request. This should facilitate the timely consideration of appeals providing, at the same time, a substantive justification for rejection, in writing, if necessary. Thus, the Presidential Decree No 2 created a tool for citizens to hold public agencies accountable for their activities and actions. The simultaneous introduction of the notion of “administrative responsibility” for violation of administrative requirements in dispensing public services to citizens and business provided a guarantee for the effectiveness of such a tool.

De-bureaucratisation of the public sector has been elevated to one of the most important areas of public policy, since 2014. As a part of this trend, regulations have been adopted to ensure the availability of solutions for the day-to-day issues of citizens, delivered in a simplified and efficient manner. The drive for de-bureaucratization of government organisations is reflected in a special legal act approved by the Head of State: Directive No 2 of the President of the Republic of Belarus (27 December 2006) "On measures to further de-bureaucratisation of the government organisations and to improve the quality of life support of the population" (hereinafter "the Directive"). This document consolidated the efforts of public bodies, public associations and Belarussian citizens towards eradicating adverse practices in interactions between citizens and government agencies. The Directive has changed the way the public authorities work. It has triggered the review of the working hours of government and, in particular, the working hours of personnel engaged in accommodating citizens, issuing certificates and other documents. The purpose was to ensure that these were convenient time for the population⁷. Another important element of the Directive was that it took into consideration the best interests of citizens, with respect to the ambiguity of requirements in the laws and other legal documents, while a government organisation makes a decision on the services requested. The principle of putting citizens first has gradually become a legal precedent. It is reflected in many other legislative acts.

Great importance has been placed on the improvement of legislation regulating citizens' and legal entities' appeals. Another milestone is the Law of the Republic of Belarus of 18 July 2011 "On appeals of citizens and legal entities", which entered into force on 22 January 2012 and introduced electronic appeals for a more efficient communication of citizens with government entities.

Legislation on regulation of public services was also introduced along with the legislation on appeals of citizens and legal entities. The Law of the Republic "On the fundamentals of public service" (28 October 2008), which comprehensively regulates the sequence of actions of public officials in their interactions with citizens and organizations in providing public services played a key role in this respect. This Law excluded departmental and limited local rule-making in administrative procedures both for citizens and legal entities. It also established the rights and duties of participants, set requirements for the submission and consideration of appeals, the adoption of administrative decisions and further defined the mechanism of appeal against the execution of such decisions.

The value of this legislation on administrative procedures is the availability of lists of public services provided to individuals and legal entities. These lists are complex legal acts, which contain information about the organization to which a citizen applies for an administrative procedure, the documents that should be submitted, the timing of completion, the validity of documents issued

⁷ Reception of citizens, on week days, starts no later than at 8 am and ends no earlier than 8 pm. Such work is also carried out on Saturdays and (or) Sundays, if it is necessary, considering the amount and character of applications for services received.

and the fees that should be paid. Such detailed lists were first approved by Decree No 152 of the President of the Republic on 16 March 2006. Their publication was preceded by intensive work intended to reduce and simplify procedures, to minimise the number of documents a citizen should submit and related steps for completing an administrative procedure. Preparatory work also included the optimisation and streamlining of functions of government agencies in order to enhance their performance.

For the first time, the Decree allowed citizens to have access to information on the availability of public services in a systematic way, as well as to information about documents and (or) other information they have to provide when applying to a government agency for a service. This has been a first attempt to regulate relationships between the state and its citizens in post-Soviet states. Thus, opportunities for officials to dictate their own informal "rules of the game" have been limited and citizens are provided with a "guide" containing information on the methods and order of application, thus safeguarding their rights and legitimate interests. A new list of administrative procedures for citizens' affairs was approved by Presidential Decree No 200 "On administrative procedures undertaken by government agencies and other organizations on appeals of citizens" (26 April 2010).

Overall, the outcome of the reforms undertaken in 2013 were the optimization of structures and functions of public organizations leading to the creation of a more compact, manageable and effective state administration. Implementation of Presidential Decree No 168 "On measures to optimize the system of government bodies and other government organizations, as well as the number of their employees" (12 April 2013) led to a substantial reduction of the number of employees in the civil service (25% on average).

b. Current reforms

The Presidential Administration continues to work on de-bureaucratisation of the state administration. The Presidential Administration and subordinate organizations are monitoring compliance to legislation on a regular basis. Furthermore, sociological surveys are conducted to record the citizens' views on the reforms that have been implemented in this field. The survey results, along with monitoring measures are utilised in the elimination of shortcomings aiming at the further improvement of the quality of public services provided by public bodies to citizens.

Following an initiative of the Presidential Administration on 23 March 2015, the Head of the State issued Decree No 135, which approved a new version of the Directive. According to this Decree, the process of de-bureaucratisation was expanded to cover not only public agencies but also all organizations interacting with citizens. A key feature of this new Directive is that priority has been placed on resolving problems that confront the population, focusing at the local level. In this regard, enhancement of the quality of public services has become a most important task of local governments and their administrations. Thus, local governments (*oblispolkoms*) and the Minsk City Hall were assigned the provision of different services that are on demand by citizens, including paid services (e.g. rental equipment for agriculture and construction). Furthermore, priority was given to ensuring proper functioning of organizations that provide housing and communal services to the population.

Additionally, in order to improve the transparency of state bodies in responding to citizens' initiatives and complaints, the new version of the Directive obliged the heads of central government agencies and local authorities (and their deputies) to accept citizens in person from

8am to 1pm every Wednesday, as well as to receive direct phone calls from 9am to midday every Saturday.

c. Planned reforms

As far as the future direction of reforms in Belarus is concerned, de-bureaucratisation of its public sector remains a priority area. This encompasses continuous improvements of forms and methods for their implementation. Further de-bureaucratisation measures include the following:

1. **Improvement of the structure and functions of government bodies:** In this case, the reforms are not about reduction of government organizations or mergers. Rather, what is considered necessary is to analyse management activities, to eliminate any unnecessary duplication of functions or transfer to commercial organizations and to make changes in the evaluation criteria for government agencies performance⁸.
2. **Introduction of modern information technologies:** Effective implementation of state functions is not possible without widespread introduction of information technologies and development of e-government. A whole range of existing telecommunications and electronic means of transmission of information should be utilised to provide citizens with comprehensive information about administrative procedures, requirements and benefits derived through the application of the "one stop shop" services principle.
3. **Maximizing access and availability of public services to the public:** There are many different government bodies, which provide public services in Belarus. This requires citizens to be able to find the necessary information, namely the location of the organization, timetable to get an appointment. These tasks are time-consuming and cumbersome. Such burdens may be eliminated through the establishment of multifunctional centres (one stop shops) allowing citizens to receive a multitude of public services at one place.

⁸ Assessment of state organisations should be conducted by citizens and not by higher government bodies, based on a predetermined set of key performance indicators.