

# МЕМЛЕКЕТТІК БАСҚАРУ ЖӘНЕ СЫБАЙЛАС ЖЕМҚОРЛЫҚҚА ҚАРСЫ ІС-ҚИМЫЛ: АҚИҚАТЫ МЕН ЖАҢА ТЕГЕУРІНДЕРІ PUBLIC ADMINISTRATION AND PREVENTION OF CORRUPTION: REALITIES AND NEW CHALLENGES ГОСУДАРСТВЕННОЕ УПРАВЛЕНИЕ И ПРОТИВОДЕЙСТВИЕ КОРРУПЦИИ: РЕАЛИИ И НОВЫЕ ВЫЗОВЫ

## APPROACHES TO COMPREHENSIVE ASSESSMENT OF CIVIL SERVANTS' PERSONAL AND PROFESSIONAL QUALITIES IN THE REPUBLIC OF BELARUS

**Abstract.** Head of the Belarusian state has repeatedly pointed out objectives on improving efficiency of the state apparatus, promoting prestige of civil service and making requirements to civil servants more rigorous. President's stand is that the state apparatus, including both central and local governments, should be staffed with committed and ingenious people able to perform well under pressure. Thus, it is equally important both to develop a holistic code of conduct for civil servants and create a tool for carrying out comprehensive assessment of their performance.

In Belarus requirements to personal and professional skills of civil servants are laid down in the legislative framework. It encompasses regulations of different legal effect that can be divided into two types – general and focused. General regulations target a whole spectrum of civil servants' responsibilities, including proper execution of their duties, meeting quality requirements to delivering public services upon request of citizens or legal bodies, anti-corruption behavior, etc. Focused regulations, on the other hand, set forth a list of civil servants' personal and professional skills, and define criteria to their assessment, as well as determine performance efficiency indicators for certain state bodies. For example, effective and proper use of allocated budget resources, reliable public procurement, absence of outstanding debts at subordinate institutions etc. serve as general indicators of public bodies' efficiency.

In assessing personal merits of civil servants, their performance as incumbents at certain civil service posts is considered alongside their personal and professional skills. The laws stipulate the following key personal and professional skill-sets of civil servants and executive officials in particular: professional competences, moral qualities, intellectual abilities, leadership skills, psycho-physiological personality traits, and communicative and cultural intelligence.

Together with the mentioned requirements, a great focus in Belarus is drawn to inculcating anti-corruption attitudes in civil servants' behavior. As was pointed out by President Lukashenko: "Belarus should become a role-model in how one can and should fight against corruption. We have been waging a continuous and systemic campaign against this evil". Anti-corruption commissions, established by the Council of Ministers of the Republic of Belarus, have taken effort on encouraging intolerance to corrupt practices and building anti-corruption capacities of public administrators and officials whose work is fraught with risks of corruption. In the modern environment ICT knowledge and skills also play an important role in assessing personal and professional skills. With regard to this, it is recommended to introduce ICT proficiency as a qualifying requirement for executive posts in public office.

In this perspective, it is recommended to expand the list of requirements to professional and personal skills of civil servants and decision-makers, as well as develop a comprehensive assessment system in line with the specific scope of their activities and implement an annual assessment mechanism which would open avenues for engaging citizens, businesses and civil society in the procedure.

**Key words:** civil service, civil servants' personal and professional qualities, performance assessment of public officials, counter-corruption effort, Republic of Belarus.

**Аңдатпа.** Белорусь мемлекетінің басшысы мемлекеттік аппараттың тиімділігін арттыру, мемлекеттік қызметтің беделін көтеру және мемлекеттік қызметшілерге қойылатын талаптарды арттыру мақсаттарын бірнеше мәрте атап өтті. Президент ұстанымы мемлекеттік аппарат, оның ішінде биліктің орталық және жергілікті органдары адал және парасатты, мықты қысым жасауға қабілетті адамдармен жасақталуы тиіс дегенге негізделген. Осылайша, мемлекеттік қызметшілер үшін мінез-құлықтың толыққанды кодексін әзірлеумен қатар, олардың тиімділігін жан-жақты бағалау үшін құралдар жасау да маңызды.

Белорусь Республикасында заңнамалық базада мемлекеттік қызметшілердің жеке және кәсіби дағдыларына қойылатын талаптар белгіленген. Ол жалпы және фокустанған деп екі түрге бөлуге болатын түрлі заңдық әсердің қағидаларын қамтиды. Жалпы ережелер мемлекеттік қызметшілердің міндеттерін дұрыс орындауын, азаматтар немесе заңды тұлғалардың сұрауы бойынша мемлекеттік қызметтерді көрсету үшін сапаға қойылатын талаптарды сақтауын, сыбайлас жемқорлыққа қарсы мінез-құлық және т.б. қоса алғанда, олардың міндеттерінің толық спектрін қамтиды. Сондай-ақ фокустанған ережелер мемлекеттік қызметшілердің жеке және кәсіби дағдыларының тізімін белгілейді, олардың бағалау критерийлерін және кейбір мемлекеттік органдар жұмысының тиімділік көрсеткіштерін айқындайды. Мысалы, бөлінген бюджет ресурстарын тиімді және дұрыс қолдану, сенімді мемлекеттік сатып алу, ведомстволық бағынышты мекемелерде өтелмеген қарыздардың болмауы мемлекеттік органдар тиімділігінің жалпы көрсеткіші ретінде қызмет етеді.

Мемлекеттік қызметшілердің жеке жетістіктерін бағалау кезінде олардың белгілі бір азаматтық қызметтің лауазымдарында лауазымды тұлғалар ретіндегі жұмысы олардың жеке және кәсіби дағдыларымен қатар қарастырылады. Заң мемлекеттік қызметшілер мен атқарушы лауазымды тұлғалардың келесі негізгі жеке және кәсіби дағдыларын қарастырады, атап айтқанда: кәсіби құзыреттер, моральдік қасиеттер, зияткерлік қабілеттер, көшбасшылық дағдылар, тұлғаның психофизикалық ерекшеліктері, коммуникативтік және мәдени шолу.

Жоғарыда аталған талаптармен қатар, Беларусь Республикасында мемлекеттік қызметшілердің мінез-құлығына сыбайлас жемқорлыққа қарсы стандарттарды енгізуге үлкен назар аударылады. Президент Лукашенко: «Беларусь Республикасы жемқорлықпен күресуде басқа елдер үшін үлгі болуы тиіс. Біз жемқорлыққа қарсы үздіксіз және жүйелі науқанды жүргізудеміз. Беларусь Республикасының Министрлер Кеңесімен жемқорлықпен күрес бойынша комиссия құрылды, қызметі жемқорлық тәуекелдерімен байланысты мемлекеттік әкімшілер мен шенеуніктердің әлеуетін нығайту және жемқорлыққа төзбеушілікті ынталандыру бойынша шаралар қабылданды. Қазіргі ортада АКТ саласындағы білім мен дағды да жеке және кәсіби дағдыларды бағалауда маңызды рөл ойнайды. Осыған байланысты, АКТ саласындағы білімді мемлекеттік қызметшілер үшін біліктілік талабы ретінде енгізу ұсынылады.

Осындай перспективада шешім қабылдайтын мемлекеттік қызметшілер мен тұлғалардың кәсіби және жеке дағдыларына қойылатын талаптар тізімін кеңейту, сондай-ақ өз қызметінің нақты саласына сәйкес кешенді бағалау жүйесін әзірлеу мен рәсімдерге азаматтарды, кәсіпорындар мен азаматтық қоғамды тарту үшін мүмкіндіктер ашатын бағалаудың жыл сайынғы тетігін енгізу ұсынылады.

**Тірек сөздер:** мемлекеттік қызмет, мемлекеттік қызметшілердің жеке және кәсіби қасиеттері, мемлекеттік лауазымды тұлғалардың тиімділігін бағалау, сыбайлас жемқорлықпен күрес, Беларусь Республикасы.

**Аннотация.** Глава белорусского государства неоднократно указывал на цели повышения эффективности государственного аппарата, повышения престижа государственной службы и повышения требований к государственным служащим. Позиция президента заключается в том, что государственный аппарат, в том числе центральные и местные органы власти, должен укомплектоваться честными и добропорядочными людьми, способными оказывать сильное давление. Таким образом, одинаково важно как разработать целостный кодекс поведения для государственных служащих, так и создать инструмент для всесторонней оценки их эффективности.

В Республике Беларусь установлены требования к личным и профессиональным навыкам государственных служащих в законодательной базе. Он охватывает правила различного юридического эффекта, которые можно разделить на два типа - общие и сфокусированные. Общие положения охватывают целый спектр обязанностей государственных служащих, включая надлежащее выполнение их обязанностей, соблюдение требований к качеству для предоставления государственных услуг по запросу граждан или юридических лиц, антикоррупционное поведение и т.д. Сфокусированные положения, с другой стороны, устанавливают перечень личных и профессиональных навыков государственных служащих, определяют критерии их оценки, а также показатели эффективности работы некоторых государственных органов. Например, эффективное и правильное использование выделенных бюджетных ресурсов, надежные государственные закупки, отсутствие непогашенных долгов в подведомственных учреждениях служат в качестве общих показателей эффективности государственных органов.

При оценке личных достижений государственных служащих их работа в качестве должностных лиц на определенных должностях гражданской службы рассматривается наряду с их личными и профессиональными навыками. Законы предусматривают следующие ключевые персональные и профессиональные навыки государственных служащих и исполнительных должностных лиц, в частности: профессиональные компетенции, моральные качества, интеллектуальные способности, лидерские навыки, психофизиологические черты личности, коммуникативную и культурную разведку.

Вместе с указанными требованиями большое внимание в Республике Беларусь уделяется внедрению антикоррупционных стандартов в поведении государственных служащих. Как отметил президент Лукашенко: «Республика Беларусь должна стать образцом для других стран в борьбе с коррупцией. Мы проводим непрерывную и системную кампанию против этого коррупции. Комиссии по борьбе с коррупцией, учрежденные Советом Министров Республики Беларусь, предприняли усилия по поощрению нетерпимости к коррупции и укреплению потенциала государственных администраторов и чиновников, чья деятельность чревата рисками коррупции. В современной среде знания и навыки в области ИКТ также играют важную роль в оценке личных и профессиональных навыков. В связи с этим рекомендуется ввести знания в области ИКТ в качестве квалификационного требования для государственных служащих.

В этой перспективе рекомендуется расширить перечень требований к профессиональным и личностным навыкам государственных служащих и лиц, принимающих решения, а также разработать комплексную систему оценки в соответствии с конкретной сферой своей деятельности и внедрить ежегодный механизм оценки, который откроет возможности для привлечения граждан, предприятий и гражданского общества к процедуре.

**Ключевые слова:** государственная служба, личные и профессиональные качества государственных служащих, оценка эффективности государственных должностных лиц, борьба с коррупцией, Республика Беларусь.

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The machinery of government effectiveness hinges not only upon civil servants' qualifications but their personal and professional characteristics as well. Public officials may meet qualification requirements without having necessary moral and other qualities to perform well their duties.

There is no scientific consensus on the set of civil servants' personal and professional qualities and their assessment criteria and methods. For instance, J.L.Perry examines the difference between motivation of civil servants and other people. The author suggests a scale to measure public service motivation (1996). N.S.Pryazhnikov and E.Y.Pryazhnikova point to such personal qualities as emotional resistance, feistiness, anxiety, communicability, intellect, motivational sphere, proneness to conflict, behavior, diligence, etc. (2005). With consideration of a wide spectrum of personal and professional qualities of an employee, E.A.Mogilevkin assumes that the employing organisation should define its own sets according to its agenda. The researcher drew up a profile of personal and professional qualities of an employee at

a for-profit organisation with a focus on growth, including starting up new branches (2006). P.Petrou, A.Kouvonen & M.Karanika-Murray devoted their paper to personal qualities of civil servants, which are associated with the perceived lack of reciprocity and emotional exhaustion (2011). T.Christensen & P.Lægreid considers the relationship between performance of civil servants and their accountability in terms of administrative reforms (2015).

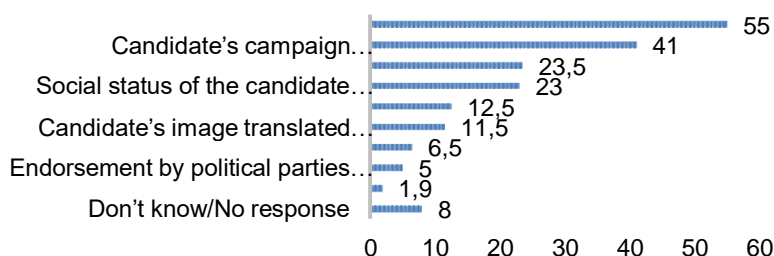
Other concepts, apart from personal and professional qualities, are used in the academic literature. Thus, Sh.Khahharov examines supra-occupational competences which encompass a set of personal qualities, internal positions, predispositions, motives and values that an individual possesses and that form his/her internal self-organisation structure. The author singles out the following types of supra-occupational competences: personal, cognitive, communicative, creative, and cultural (2014). N.Ryzhkova has followed upon the given direction and developed a basic model of personal competences (Table) (2014).

**Table.** Model of basic personal competences

Type of potential in the core of a competence	Competences found in each component of the potential
Intellectual	Innovativeness, novelty
	Decision-making
	Work with data
Volitional	Goal attainment
	Self-regulation and stamina
	Initiative and determination
Communicative	Communicability
	Confidence
	Positive attitude towards others
Focus	Constructive energy
	Focus on development
	Constructive attitude towards oneself

The importance of personal and professional qualities of public officials can be illustrated on the following case on deputies of local Councils. The research conducted by the Information Analytical Centre of the Administration of the President of the Republic of Belarus revealed the data on public

opinion polls conducted on the elections to local deputy councils of the 27<sup>th</sup> convocation. The respondents prioritized personal qualities and reputation of the candidates over other factors for winning the vote to the local deputy councils (Figure 1) (Derbin, 2015).



**Figure 1.** Factors Determining Election Results (by percentage of the interviewees)

This is a rather expected standpoint. Citizens pay a lot of attention to assessing personalities of civil servants as they engage in regular contact with them on vital issues. Civil servants epitomize the state for the citizens and therefore, they prioritize such

qualities as politeness, appropriateness, goodwill and availability.

Various forms and methods are applied, inter alia, reports, questionnaires, group discussions, role plays, tests, to perform the assessment of civil servants, including their personal and professional

qualities. The following two major approaches are defined in the result of the systemic analysis of the whole assessment tool-set – comprehensive assessment and self-assessment.

Russia, where a large part of the existing forms and methods of civil servants' assessment are practiced, can be showcased as an example of comprehensive assessment that includes personal and professional qualities (Ministry of Labour and Social Protection of the Russian Federation, 2013).

Self-assessment gained ground in the EU where a web-site has been developed by means of which citizens (including candidates to public office) can create documents to present information about their qualifications and skills in a clear and concise manner. Curriculum Vitae and Language Passport are among such documents and are intended for employers and educational institutions. Apart from qualifications and work experience, personal skills are mentioned in the CV, where the applicant's language proficiency, communication skills, organizational skills, job-related skills and digital competence are indicated. Personal skills are proved by the context-based evidence, described by the applicant, or documents, if available (Europass).

In this light a number of conclusions can be drawn. First and foremost, all concepts – *personal and professional qualities* and their close counterparts *supra-occupational competencies* and *personal competencies* – find their place in the science. However, there is no commonly agreed opinion as to the required set of civil servants' personal and professional qualities. Moreover, components of such sets can vary depending on the agenda and specific activities of this or that public agency (organisation). Secondly, it is important to consider the substantial difference between the mentioned qualities and occupational qualifications when drawing comparisons. Occupational qualifications are for the most part documented in education certificates, while the same cannot often be done with regard to personal and professional qualities that are primarily conditioned by individual's personality. At the same time, work experience, social environment, and specific goals and demands define the development of both occupational qualifications and personal and professional qualities. Thirdly, personal and professional qualities can be assessed by means of various forms and methods, including self-assessment. And more importantly – they can be rated directly by the citizens.

Considering the fact that the legislation determines the status of civil servants, it is equally important to analyse to what extent it reflects on their personal and professional qualities. The analysis of laws and regulations related to this field has demonstrated that the above mentioned issues are governed by the Parliament, Head of the state and the Council of Ministers as well as at the level of central government, executive bodies and regulatory authorities.

The main legal instrument, utilized in the sphere, is the Law of the Republic of Belarus of June 14, 2003, No.204-3 "On Civil Service in the Republic of Belarus" (hereinafter referred to as the Law on Civil Service). The mentioned law does not define requisite personal and professional qualities of a civil servant. However, it anchors some of their elements alongside with blanket rules referring to other legal acts where such requirements are to be found.

According to the Law on Civil Service, article 21, paragraph 1, subparagraph 6, a civil servant shall "comply with the culture of interaction as well as other norms of the professional ethic". The culture of interaction as well as professional ethic norms are not related to some kind of a qualification but belong to the personality realm, and thus fall within the purview of personal and professional qualities, such as politeness and emotional stability, for example. As it is stated in the article 25, paragraph 5, of the same law, "if necessary, a public authority can rightfully request information characterizing an individual, contending for a public position in this authority, from his/her former employer". The purpose of such requests of references is to acquire additional information, besides the data provided in education certificates and work records. Personal references generally address such qualities of an individual as his/her commitment, responsibility, communicability and diligence. There are no specific requirements as to the content of a reference letter.

The entry requirements for civil service are listed in the Law on Civil Service, article 26, paragraph 1. It specifies, inter alia, such requirements as appropriate education, required job experience, proficiency in the official languages and knowledge of the legislation. At the same time paragraph 2, article 26 of the same Law states that other qualification requirements can be provided in other legal acts.

Among such acts, Qualifications Directory "Civil Service Positions" is applied, the second paragraph of which provides among other things regulations on the qualification requirements to civil servants. According to part 3, paragraph 1, of the given Directory "civil service implies effective performance in public office by means of not only utilizing special knowledge and skills but also possessing a certain set of personal, professional and moral qualities that are of critical importance for successful execution of duties and responsibilities assumed by civil servants".

However, the Qualifications Directory does not further elaborate on the set of personal, professional and moral qualities of civil servants. It is assumed that these qualities are listed in paragraph 12 of the mentioned document, where it is claimed that a civil servant should:

possess: organizational skills (exercise efficient time management; organize work of subordinates and articulate tasks before them in a precise manner; coordinate, supervise and monitor activities of the subordinates, and efficiently delegate authority, rights and duties to them); ability to assign



roles to their staff with regard to their qualification potential and professional qualities; create a healthy social and psychological environment among the staff by exerting a certain behavioral pattern and managerial style; sense of intense responsibility for high-quality and timely performance of duties; necessary moral ethical qualities, emotional stability, sense of tact and amicable attitude when interacting with citizens and settling their personal requests;

demonstrate: self-discipline and diligence; initiative and independence in work; novelty, intrinsic motivation for new and more effective forms of action; readiness to take on additional responsibilities, when necessary; sense of responsibility for the decisions made; firm standpoints and boldness; ability to make prompt decisions in the changing social economic, political and work environment;

Be able: to articulate thoughts in an oral or written form in a concise, evidence-based, precise and logically structured manner; perform work correspondence.

The Law on Civil Service, article 28, paragraph 1, stipulates the procedure of competitive selection for civil service while paragraph 8 gives reference to the Regulations on organizing competition for a public position. According to paragraph 16 of the named Regulations the selection jury may choose an interview, test, practical assignment, etc. to assess personal and professional qualities of candidates to a public position.

In compliance with the Law on Civil Service, article 36, paragraph 1, civil servants are subject to assessment so that their work practices, level of professional knowledge, legal culture, and career perspectives can be reasonably assessed. When comparing provisions of the two legal documents and taking into account the concept of “legal culture”, it should be noted that on the one hand, this category is included in the set of personal and professional qualities while, on the other hand, it functions in its own independent capacity. However, terminological discrepancy engenders practical challenges, and even more so when we read the Law on Civil Service, article 13, paragraph 4, part 1, which states that in case a civil servant breaches professional ethic, he/she may be downgraded (however, reduction to a lower rank can be imposed by no more than one grade). Therefore, unification of approaches to understanding professional ethic, legal culture as well as personal and professional qualities may become a real step forward towards providing their integrated and objective assessment.

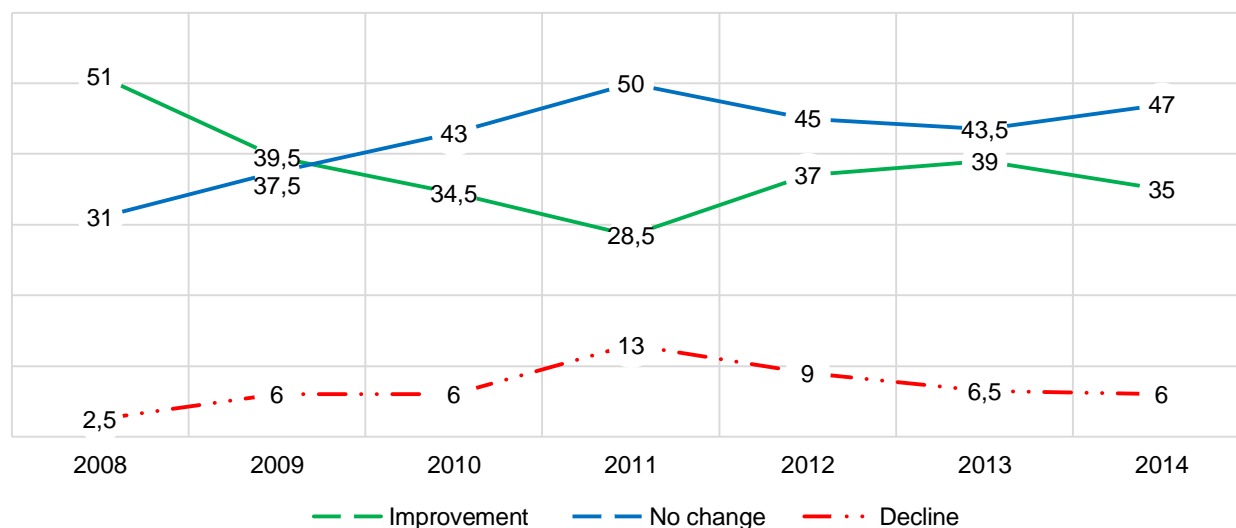
It is necessary to mention the Decree of the Council of Ministers of the Republic of Belarus of June 25, 2004, No.759, where criteria are laid down for

assessing performance of executive personnel at central governments and other public bodies reporting to the Council of Ministers, as well as at regional and Minsk municipal executive committees. The mentioned criteria were developed to achieve forecast parameters of the social economic development of Belarus as well as implement President's Decree of March 11, 2004, No.1 “On measures to reinforce social security and discipline”.

Requirements to personal and professional qualities of executive personnel are mentioned among these criteria. According to appendix 3 to the named Decree the following blocks are recommended as major benchmarks in the assessment of personal and professional qualities of executive personnel: professional qualities; moral qualities; intellectual skills; leadership; psychophysiological personality traits; communicative and cultural personality traits; organizational skills. For example, it is suggested to relate professional qualities to performance efficiency rates as well as the quality of executed tasks and individual assignments. The list of moral qualities includes honesty, dedication, perseverance in executing decisions, firm standpoints, etc. It may be emphasized, however, that personal and professional qualities mentioned in the given document are not requisite for all civil servants. For instance, specialists, prosecutors, judges, deputies, etc. are not subject to these criteria.

The discussed Decree laid the groundwork for counterpart documents to be developed by central government agencies and local executive and regulative authorities, such as, for example, the Decree of the Ministry of Architecture and Construction of the Republic of Belarus of April 19, 2005 No. 15 “On assessment criteria of performance of executive personnel at organisations reporting to the Ministry of Architecture and Construction of the Republic of Belarus”.

All the above named tools had substantial implications – the fact testified in the public opinion polls held by the Informational Analytical Centre of the Administration of the President of the Republic of Belarus among regional residents (Figure 2). Positive dynamics is traced in the public assessment of the G2C style, forms and methods practiced at public authorities (Derbin, 2015).



**Figure 2.** Transformation dynamics of the G2C style, forms and methods (percentage of the interviewees)

It is notable that alongside with the following concepts – ‘qualification requirements’, ‘professional and personal qualities’, ‘professional ethic’, ‘legal culture’ – new criteria were introduced for assessing executive personnel at public agencies and organisations referred to as ‘key performance indicators’. Thus, the Decree of the Council of Ministers of the Republic of Belarus of December 24, 2015, No.1085 “On implementation of the 2016 agenda for social and economic development of the Republic of Belarus” sets target indicators in the commissioned national programmes for 2016 adopted by the Council of Ministers as key performance indicators of executive personnel at national public agencies and organisations reporting to the Council of Ministers.

On the other hand, according to the President’s Decree of February 23, 2016, No.78 “On measures to enhance efficiency of the social economic sphere of Belarus”, paragraph 4, subparagraph 4.1, the following major criteria shall guide the assessment of personnel performance efficiency:

Prime Minister of the Republic of Belarus and his/her Senior Deputy are assessed according to the progress achieved in macroeconomic stability and effective management of the government’s foreign debt;

executive staff at central government agencies are assessed by volume of foreign direct investments attracted to a certain field and rational import substitution;

chairs of regional executive committees and Minsk municipal committee are assessed by volumes of foreign direct investments attracted to the region, rational import substitution, export growth and diversification, and creation of new jobs.

Personal and professional qualities determine key performance indicators for the most part as well as performance efficiency in a particular field. Therefore, it is important to systematize all the existing assessment criteria as well as unify the

approaches to their understanding and utilize an integrated assessment of civil servants.

Several conclusions were drawn in the result of the technical analysis. First, requirements to personal and professional qualities of civil servants, including executive personnel, are captured in the legislation. Second, the concepts ‘personal and professional qualities’, ‘professional ethic’, ‘legal culture’, ‘key performance indicators’ are not defined in the Law on Civil Service. Third, the assessment of personal and professional qualities is legally regulated at the levels of entry to the civil service and tenure of public office, while during the tenure period this assessment is related mainly to attestation. Personal and professional qualities of an incumbent public official are assessed mainly in the form of reference letters.

As was already mentioned, in certain cases personal and professional qualities are not distinguished from moral qualities. Nonetheless, in the authors’ opinion, moral behavior of civil servants deserves to be researched in its own right and should be studied as a critical component of the anticorruption effort. Moral norms are fragmentarily mentioned in a range of legal regulations at different legislative levels – for example, the Constitution of the Republic of Belarus, the Law on Civil Service, the Law of the Republic of Belarus of July 15, 2015, No.305-3 “On fight against corruption”, the Decree of the President of the Republic of Belarus of March 14, 2005, No.122 “ On procedure of attestation of executive personnel at public agencies and organisations, whose positions are included in the staff roster of the Head of state of the Republic of Belarus”, Directive of the President of the Republic of Belarus of December 27, 2006, No.2 “On red tape reduction of the machinery of government and improving quality of the population’s well-being”, Decree of the President of the Republic of Belarus of December 15, 2014, No.5 “On reinforcement of requirements to executive personnel and staff at

organisations”, Regulation of the Council of Ministers of the Republic of Belarus of June 25, 2004, No.759.

At the same time, in the absence of a holistic approach the development of common requirements to the public administration personnel management cannot be furthered. There are certain legal gaps withholding application of legislative norms in civil service practices. In particular, the Law on Civil Service, article 21, paragraph 1, subparagraph 6, states that civil servants shall comply with the professional ethic. However, as was already mentioned, the legislation does not stipulate norms related to what is considered to be professional ethic or the rules it is subject to. Absence of clarity in this field does not allow to appropriately implement the legislation and creates ground for misapplication of the law.

In this regard, international experience and anticorruption practices in particular, point to the relevance of common requirements in the given area that need to be developed to avoid major risks and hazards for the society’s stability and security. The Article 8 of the UN Convention against Corruption adopted by the UN General Assembly on October 31, 2003, and signed by the Republic of Belarus in New York on April 28, 2004, rules that in order to fight corruption each member-state shall promote, inter alia, integrity, honesty and responsibility among its public officials, in accordance with the fundamental principles of its legal system.

In particular, each state party shall endeavour to apply, within its own institutional and legal systems, codes or standards of conduct for the correct, honourable and proper performance of public functions. For this purposes the UN developed the International Code of Conduct for Public Officials (adopted in New York on December 12, 1996, by the resolution 51/59 at the 82 plenary session of the 51 session of the UN General Assembly of December 12, 1996). The mentioned International Code sets only 11 articles that are divided into the following 6 units: 1) general principles; 2) conflict of interest and disqualification; 3) disclosure of assets; 4) acceptance of gifts or other favours; 5) confidential information; 6) political activity.

Respective regulations have been worked out in more detail by the Council of Europe. In particular, the Committee of Ministers of the Council of Europe adopted at its 106<sup>th</sup> Session on May 11, 2000, Recommendation No.R (2000) 10 on codes of conduct for public officials that laid the groundwork for the Model Code. The Committee of Ministers of the Council of Europe recommended that the governments of member states of the Council of Europe develop and adopt, subject to national law and the principles of public administration, codes of conduct for public officials based on the Model Code. The model code of conduct for public officials was developed by the Multidisciplinary Group on Corruption as part of the effort within the Programme of Action against Corruption. Initially the code targeted only the member states of the Council of

Europe, but later on the word “European” was excluded from its title to motivate other countries to reform their public service in accordance with the European standards. The code specifically stipulates that the public administration has a duty to inform public officials about the code’s provisions that shall form part of the regulations governing the employment of public officials from the moment they certify that they have been informed about it. Moreover, the code’s provisions shall form part of the terms of employment of the public official and breach of them may result in disciplinary action. Apart from that, the public official who negotiates terms of employment should include in them a provision to the effect that the code is to be observed and would form part of such terms.

The importance of the professional ethic for public officials is reinforced by the present-day progress of Belarus as a sovereign independent state. The development of the Code of Ethics for Public Officials of the Republic of Belarus was defined as the priority of the public administration personnel policy in the Concept of the National Personnel Policy of the Republic of Belarus adopted by the Decree of the President of the Republic of Belarus of July 18, 2001, No.399.

In the course of the next decade several such samples of the ethical code for public officials were drafted. However, due to the indeterminacy of the legal object and imprecision of approaches to interpreting rules of conduct as ethical norms, no decision was reached on the issue.

According to the analysis of the law enforcement practices, as of the beginning of 2016, ethical codes (rules, standards of conduct) were adopted by at least 22 public authorities and organisations, including Minsk Municipal Executive Committee, Ministry for Taxes and Levies of the Republic of Belarus, the State Inspectorate on Wildlife Protection under the President of the Republic of Belarus and other.

Criteria for assessing progress of public agencies and organisations in fighting corruption and economic crimes were developed to give objective appraisal and improve performance of the given institutions in the respective field and adopted by the joint resolution of the General Prosecutor’s Office of the Republic of Belarus, Council of Ministers of the Republic of Belarus, the State Control Committee of the Republic of Belarus and the Investigation Committee of the Republic of Belarus of December 30, 2014, No.30/1257/2/260.

Among such criteria for assessing performance of public agencies engaged in action against corruption and economic crimes, the following can be mentioned: number of public officials brought to administrative or disciplinary responsibility for corruption and economic misdemeanors, number of public officials dismissed for corruption and economic misdemeanors, level of public trust to public officials at a certain agency (results of public surveys, monitorings, polls, etc., number of justified complaints

against action and decision by the given agency). The whole structure is subject to assessment. However, the mentioned indicators would not be feasible without meaningful effort exerted by both executive officials and staffers. The mentioned legal instrument sets additional provisions on introduction of amendments to the civil service legislation and development of approaches to the assessment of public officials.

Thus, approaches to the assessment of public officials in terms of their personal and professional qualities, compliance with ethical rules and codes of conduct, and knowledge of legal culture, are anchored in the legislation of the Republic of Belarus. Apart from that, considerable effort was invested to develop and adopt ethical codes for public officials. It is to be followed by legislative amendments to the effect that the assessment cohorts will be specified, assessment criteria systematized, integrated assessment promoted and Codes of Conduct for Public Officials drafted.

### **Conclusions**

The following recommendations are offered for the improvement of civil service.

It is recommended to draw a distinction between the performance assessment criteria of a public agency and those of executive personnel and staffers, and defining such criteria with consideration to the quality of public services provided.

It is also deemed well-grounded to amend the Law of the Republic of Belarus of June 14, 2003, "On civil service in the Republic of Belarus" to the effect that annual assessment of public officials' performance is conducted, their personal and professional qualities are advanced and the moral dimension of the civil service is reinforced.

It is considered important that amendments should be introduced to the resolution of the Council of Ministers of the Republic of Belarus of June 25, 2004, No.759 "On criteria for assessing performance of executive personnel at national public administration agencies and other public organisations within the purview of the Government of the Republic of Belarus, regional executive committees and Minsk Municipal Executive Committee" to the effect that the criteria laid down in other legal documents are systematized in the framework of this document.

It is deemed well-grounded to draft a legal instrument at the level of the Head of state "On assessing performance of civil servants", which will lay down the provisions for annual assessment of occupational and supra-occupational competencies (professional and personal qualities) of civil servants and engage citizens, businesses and civic society

institutions in the assessment by using web-sites of public agencies to this end.

It is also advisable that Methodological recommendations on the assessment of personal and professional qualities of civil servants are drawn up and adopted alongwith the provisions on assessment criteria, their characteristics, fixed set of personal and professional qualities in accordance with the level of the position occupied by an individual, and principles for conducting this kind of assessment. It is expected that the development of the Methodological recommendations for assessing performance of public officials will enable the accomplishment of the following:

- development of mechanisms for tracking on a regular basis and adjusting the progress of public officials;

- improvement of the system of planning and distribution of duties;

- creation of an efficient system for motivating civil servants and rewarding them for high performance;

- outlining trajectories for personal and professional advancement and career development of public officials;

- prompt prevention of conflict situations and securing feedback from public officials;

- promotion of evidence-based decision-making and improvement of its quality;

- development of life-long education programmes for public officials addressing the current challenges and demands; and so on.

Moreover, the outcomes of the regular comprehensive assessment should guide personnel decisions, including those taken during the following procedures: competition for vacant public positions; inclusion to the personnel reserve roster; attestation; qualification examinations; career planning.

Finally, it is necessary that standard Codes of Conduct for Public Officials with consideration of the international standards and best practices are developed and adopted, and a list of personal and professional qualities of civil servants alongwith ethical rules, anti-corruption measures, guidelines for creating and managing ethical commissions, and other, are included within the framework of the Rules. Counterpart codes of conduct may be utilized at the local level with consideration to the specific agenda and practices of local governments.

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## ФОРМИРОВАНИЕ АНТИКОРРУПЦИОННЫХ КОМПЕТЕНЦИЙ У АДМИНИСТРАТИВНО-УПРАВЛЕНЧЕСКИХ РАБОТНИКОВ ВУЗА В ЦЕЛЯХ ПРОТИВОДЕЙСТВИЯ КОРРУПЦИИ В ОБРАЗОВАТЕЛЬНОЙ СРЕДЕ

**Аннотация.** Статья посвящена актуальной на сегодняшний день проблеме поиска механизмов противодействия коррупции в образовательной среде высшей школы. В качестве такого механизма автор рассматривает необходимость повышения профессиональных компетенций административно-управленческих работников вуза в области предупреждения и противодействия коррупции в образовательном учреждении. С этой целью была разработана программа курса «Методическая система подготовки административно-управленческих работников к реализации антикоррупционной политики в вузе». Цель программы: формирование у слушателей знаний особенностей антикоррупционной политики в образовательных учреждениях Республики Казахстан и зарубежных странах, закономерностей формирования, реализации и обеспечения антикоррупционной программы в вузе.

**Ключевые слова:** образование, антикоррупционное образование, антикоррупционная культура, формирование.

**Аңдатпа.** Мақалада бүгінгі күні жоғары оқу орнының білім беру өрісінде сыбайлас жемқорлыққа қарсы іс-қимыл тетіктерін іздеу мәселесі талқыланды. Осындай тетік ретінде автор білім беру мекемелерінде сыбайлас жемқорлықтың алдын алу және оған қарсы іс-қимыл жасау саласында ЖОО әкімшілік-басқарушы қызметкерлерінің кәсіби құзыреттерін көтеру қажеттілігін қарастырады. Осы мақсатта «ЖОО-да сыбайлас жемқорлыққа қарсы саясатты жүзеге асыруға әкімшілік-басқарушы қызметкерлерді дайындаудың әдістемелік жүйесі» курсының бағдарламасы әзірленді. Бағдарлама мақсаты: тыңдаушыларда Қазақстан Республикасы мен шет елдердің білім беру мекемелерінде сыбайлас жемқорлыққа қарсы саясаттың ерекшеліктері, қалыптастыру заңдылықтары, ЖОО-да сыбайлас жемқорлыққа қарсы бағдарламаны жүзеге асыру және қамтамасыз ету туралы білімді қалыптастыру.

**Тіпек сөздер:** білім беру, сыбайлас жемқорлыққа қарсы білім беру, жемқорлыққа қарсы мәдениет, қалыптастыру.

**Abstract.** The article is devoted to the actual problem of finding mechanisms for the prevention of corruption in the educational environment of higher education. As such a mechanism, the author considers the need to enhance the professional competencies of administrative and managerial staff of the university in preventing and countering corruption in an educational institution. To this end, the program of the course "Methodological system of training administrative and managerial staff for the implementation of anti-corruption policy in the university" was developed. The purpose of the