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**«PROMOTION OF WOMEN TO CIVIL SERVICE AND POLITICS»
(under the support of the Swedish Agency for International Development/SIDA)**

**GENDER ANALYSIS OF THE CIVIL SERVICE
IN THE KYRGYZ REPUBLIC**

In view of international and national commitments of the Kyrgyz Republic in respect of achieving gender equality at the decision making level, in 2007 the Administration of the President of the Kyrgyz Republic jointly with United Nations Development Program launched the project “Promotion of women in civil service and politics”, supported by Swedish International Development Agency (SIDA).

An important component of this project was the study “Gender analysis of the civil service in the Kyrgyz Republic”.

The objectives of this study were focused on detection of gender equality and its supporting mechanisms in the agencies of public administration; the analysis of formal and informal obstacles for the process of promoting gender-sensitive policy; review of the needs of responsible agencies for the improved efficiency of gender policy in the civil service.

The practical objective of the study was the development of recommendations to formulate comprehensive gender approach in the implementation of human resource policy in public administration agencies on the basis of substantial, structural and institutional changes in their activity, including the Civil Service Agency, the institute of state secretaries and human resource structures of public administration agencies. In the long-term perspective it is expected that the findings of the study will contribute to the introduction of changes in normative regulations, formulation of management standards, organizational and personnel culture, sensitive to equality issues as well as development of educational systems.

The findings of the study will be of interest to a wide range of readers: the representatives of national institutional machinery on gender policy, experts in the civil service reform, gender focal points in ministries and agencies, activists from gender and women’s NGOs, political parties, students as well as other interested parties.

The study was conducted at the request of the Presidential Administration of the Kyrgyz Republic and the Government Office of the Kyrgyz Republic by experts Mrs. Anara Moldosheva and Mrs. Marina Glushkova with the support from UNDP Democratic Governance Programme.

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The views expressed in the present publication reflect the opinions of authors and do not necessarily coincide with the position of UNDP in Kyrgyzstan.

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List of Abbreviations

CSAKR	Civil Service Agency of the Kyrgyz Republic
CS	Civil Service
CDS	Country Development Strategy for the years 2007–2010
DESPKRPO	Department for Economic and Social Policy of the Presidential Administration of the KR
DPKR	Decree of the President of the Kyrgyz Republic
ILO	International Labour Organization
IHE	Institution of Higher Education
KR	Kyrgyz Republic
LG	Local Governments
LR	Legal Regulations
MAWRPI	Ministry of Agriculture, Water Resources and Processing Industry of the Kyrgyz Republic
MCI	Ministry of Culture and Information of the Kyrgyz Republic
MES	Ministry of Education and Science of the Kyrgyz Republic
MEDT	Ministry of Economic Development and Trade of the Kyrgyz Republic
MES	Ministry of Emergency Situations of the Kyrgyz Republic
MFA	Ministry of Foreign Affairs of the Kyrgyz Republic
MF	Ministry of Finances of the Kyrgyz Republic
MJ	Ministry of Justice of the Kyrgyz Republic
MLSD	Ministry of Labour and Social Development of the Kyrgyz Republic
MTC	Ministry of Transport and Communications of the Kyrgyz Republic
NAC	National Attestation Commission of the Kyrgyz Republic
NAPGB	National Action Plan for Gender Balance in the Kyrgyz Republic
NGO	Non-Governmental Organization
NSC	National Statistical Committee of the Kyrgyz Republic
PAO	Public Administration Organs
PA	Public Associations
PKR	Parliament of the Kyrgyz Republic
SAPEF	State Agency for the Protection of the Environment and Forestry under the Government of the Kyrgyz Republic
SIDA	Swedish International Development Agency
STI	State Tax Inspection
UNDP	United Nations Development Programme
UNO	United Nations Organization

Introduction

This report on the research “Gender Analysis of the civil service” has been prepared as part of the project ‘Promotion of women in civil services and politics’ that is currently implemented by the joint efforts of the Presidential Administration of the KR and the UNDP under the support of the Swedish Agency for International Development (SIDA).

The urgency of this research, first of all, refers to the primary document 'Country Development Strategy 2007-2010' that determines a mid-term vision of Kyrgyzstan and considers public management as one of key areas for the country's development. The process includes the establishment of a system that would provide effective public services to its citizens and would be as much as possible professional, transparent, and accountable. The CDS considers the gender equality principle in the public management system as one of the key conditions to set up such a system.¹ The implementation of related actions assumes the availability of wide research resources that would allow, amongst other things, the distinctions between opportunities for women and men to be revealed and analyzed and would also use mechanisms to maintain equality, first and foremost in the public service system.²

Another important condition for reforming the public management sector is the necessity to increase the efficiency of the executive bodies by clarifying their authority and clearly separating and distributing the duties for the implementation of a gender policy in the public management bodies and their structural divisions according to the legislatively determined goals and objectives.

The creation of a general frame concept for the development of the public service in view of gender equality is considered a basic political condition. An important role in the conceptual study of gender issues for the public service lies with the working body of the National Council on Women, Family Affairs and Gender Development,³ which makes all the necessary arrangements to determine and analyze the gender equality policy and to ensure its implementation in the country.

On a national level, it is the KR Civil Service Agency that is the key player in the above process by being the central body that develops and implements a state policy on public services, increases the efficiency of public service management and attracts professionals. The capacity of Civil Service Agency concerning the promotion of gender equality in public service bodies is connected to its functions of developing and adopting unified rules that would be mandatory to the state public management bodies when organizing competitions, rotating and making their staff redundant. The Civil Service Agency's authorities include appointments, rotation, and dismissal of civil servants from the top and main public (administrative) positions and human resources departments of the public bodies.⁴ Therefore, specific authorities, functions, and tasks related to the development and implementation of a gender equality policy could become one of the most important steps for increasing gender-sensitive management in the public management bodies. Human resources departments serve as the first-step direct promoters of this Civil Service Agency's policy in the civil service units.

¹ KR Presidential Decree on Country Development Strategy No. 249, May 16 2007.

² The research is focused on the Public Service and does not relate to the Municipal one.

³ Since May 2008 this function has been executed by the Department for Social Development of the Office of the KR Government (The Decree of the President «On Introduction of Amendments and Addendums to Certain Decisions of the KR President» from 7-th of May 2008, № 158). Within the period from May 2007 till May 2008, the Department of Economic and Social Policy of the President's Office was a working organ of the National Council on Women, Family Affairs and Gender Development (on the basis of the Decree of the KR President «On Introduction of Amendments and Addendums to the Decree of the President of KR "On Approval of the Provision and Content of the National Council on Women, Family Affairs and Gender Development" under the President of KR» from 13-th February 2006» dated by 25 May 2007, № 269).

⁴ Regulations on the KR Civil Service Agency. Civil Service Council's Resolution No.1, October 28, 2004.

In general, changes to the public management system for the implementation of a gender policy should include a minimum of three areas: *contents, structure, and institutional arena*. Here, the specific agenda has to be based on the following questions:

- *Contents*. What is gender equality and what should be recognized as discrimination in the public service? What are the standards for gender-sensitive management in the public management bodies? What competence level (knowledge and skills) is necessary to assess the development and recognize the causes of effective and ineffective management and also make decisions about gender equality in public management bodies? What is the gender component in the information and training programmes for developing the potential of civil servants?
- *Structural and institutional areas*. What management levels or structures in public management bodies should ensure the implementation and supervision of the observance of gender equality? What interaction procedure can assure the sustainability and continuity of the implementation of a gender approach in the public management bodies? What strategic documents, regulations, and resources should protect the work of the public management bodies? What educational infrastructure should ensure the continuous process of developing the potential of civil servants in terms of gender development? What is the Civil Service Agency's practical role in ensuring gender equality in public management bodies?

The questions put thus have laid down a basis for defining the goals and objectives of the present research. The research objective for the pilot ministries and departments was to reveal and make a comparative analysis of:

- Gender inequality and the mechanisms that support it in the public management bodies
- Obstacles (formal and informal) for promoting a gender-sensitive policy in the public management bodies;
- The need for public management bodies to create a more efficient gender policy

This research involved the ministries and departments (including the Civil Service Agency), which had experienced the gender analysis process at different times.

The practical research task was to elaborate recommendations on how to develop a complex gender approach within the human resources policy in public management bodies on the basis of contents, structural, and institutional changes to their work, including the human resources departments of the Civil Service Agency and other bodies. In the long-term prospect it is supposed that the research results will promote changes to regulations, the development of management standards, an organizational and human resources culture that are sensitive to gender equality, and the development of related training systems.

Justification of the research approach. Data on men/ women in the Kyrgyz public service shows a gender asymmetry. For example, as regards civil servants from October 1, 2006⁵, in the state governing bodies, women occupied ten percent of the top, 34.5 % of the chief, 39 % of the senior, and 45 % of the low-ranking positions of the total amounts. For the same period, women were only in three of the public management bodies from the thirty three governing ones with the top positions (i.e. about ten percent)⁶. Women occupied eighteen percent of all political and special positions and forty two percent of the administrative ones.⁷ Data by political post group has not

⁵ «KR women and men», National Statistics. - Bishkek, 2007, p. 90–91.

⁶ Research authors' calculation based on *KR Women and Men* publication. – Bishkek, 2007.– p. 90–91.

⁷ “KR women and men”, National Statistics. - Bishkek, 2007.– p. 92.

been published and this is a problem both for the current monitoring and an analysis of the occurring changes.⁸

Within the activities aimed at gender equality in the system of the public management, initiatives for gender analysis in the public management bodies have been repeatedly carried out. For the last eight years there have been seven gender-oriented research projects in various ministries and departments of the KR, in which questions have been asked about human resources and programme policies. The Research projects were done on the initiative of the Secretariat of the National Council on Women, Family Affairs and Gender Development within the KR Presidential Decree on the National Action Plan on Gender Equality in the KR for 2002-2006 and under the support of international and public organizations. Up to the present time a gender analysis, based on inter-sectoral arrangements between the State, the international agencies and public organizations, has been carried out in:⁹

- KR Interior Ministry, 2000–2001;
- KR Ministry of Agriculture, Water Resources and Processing Industry, 2001–2002;
- KR Ministry of Education and Culture, 2002–2003;
- KR Ministry of Labor and Social Protection, 2003–2004;
- KR Ministry of Economy and Finance, 2005–2007;
- KR Civil Service Agency, 2006–2007;
- State Environment and Forestry Agency within the KR Government, 2006–2007.

The subject and methods of the gender research in the public management bodies have been developed and more attention has been paid not only to the contents and specificity of the gender policy to be implemented by a related state body. The new situations arising in the ministries and departments have actually become one of the analysis areas. Use of qualitative analysis methods (in-depth interviews, drawing up of examples) has allowed a number of characteristics to be revealed, which have caused the asymmetry between the representation of women and men in the public management bodies and has enabled recommendations to be made concerning several prominent aspects of gender policy.¹⁰ Firstly, there was an obvious necessity to elaborate a **general frame programme on how to reach equality** in the civil service, to create conditions for an increase in gender sensitivity and to inform civil servants respectively. Secondly, the **introduction of special measures to support vulnerable groups at all stages of work**, i.e. *recruitment, the improvement of professional skills and promotion*, were considered actual tasks. The recommendations gave special attention to the necessity for creating conditions to combine family and working duties.

A part of practical recommendations have been introduced in the work of the state structures. Among the last changes it is necessary to note the importance of active discussion and the working out of

⁸ The research used data both from the National Statistics and data from the work sectors (Civil Service Agency). From 2007 onwards, the Civil Service Agency was given the main responsibility for collecting statistical data concerning public service bodies. To date, a statistic draft form has been developed and is currently under discussion. The National Statistics' data includes information from October 2006. Since 2006, data on gender representation has been collected in accordance with the New Public Service Position Register.

⁹ The mentioned names of the public management service bodies correspond to the periods when the research was done. Later, some changes took place: According to the KR Law on KR Governmental Structure No.12, February 6 2007, the KR Ministry of Education and Culture was reorganized into the KR Ministry of Education and Science and the KR Ministry of Culture and Information, the KR Ministry of Labour and Social Protection to the KR Ministry of Labour and Social Development, the KR Ministry of Economy and Finance to the KR Ministry of Finance and the KR Ministry of Economic Development and Trade.

¹⁰ The mini-survey «Gender Analysis of personnel policy in Kyrgyzstan at the example of the Ministry of Economy and Finances of KR». The Agency for Social Technologies commissioned by the Secretariat of the National Council on Women, Family Affairs and Gender Development under the President of KR, UNDP in Kyrgyzstan, 2005–2006.

gender-sensitive statistical forms for the public management bodies. These forms will have data by sex concerning the representation at various levels as regards decision-making, salaries, opportunities for improving professional skills, promotion, awards, and incentives.

At the same time, in most cases the implementation of the recommendations was inconsistent and, therefore the situation is far from having all the effective results. A gender-insensitive approach in staff selection is widespread. And on the whole, the question remains open of the development and implementation of any policy based on recommendations resulting from research in the public service.

In connection with this, the research has also included a meta-analysis of previous reviews, which was supplemented with previously inaccessible data, from in-depth situation studies carried out by five state structures.¹¹ Also an analysis has been made of the changes, which have occurred in these ministries and departments from the time of the previous research. Carrying out this research has enabled the restrictions for the introduction of mechanisms aimed at achieving gender equality in the public service to be revealed. (*See Annex 1. Analysis procedure*).

Another important task of the analysis was to find a way to ensure the institutional maintenance of gender equality (taking into account formal and informal aspects), including the study of legal documents that regulate recruitment, improvement of professional skills, promotion, and conditions for combining family and working responsibilities.

The following has been used as *research tools*: expert interviews (thirty one people: Heads; those responsible for the implementation of various aspects of the gender policy; experts at various levels),¹² an analysis of legal documents and statistical data, and preparing examples.

Gender disaggregated statistic data are presented in the report taking into account the changes to the KR Public Position Registers (data until April 2005 according to the KR Presidential Decree No. 167, July 3, 2000; from May 2005 until August 2007 according to the KR Presidential Decree No.130, April 21, 2005; from September 2007 to present according to the KR Presidential Decree No. 385, August 27, 2007).

Report structure. The report consists of four main chapters:

Chapter One ‘*Review of previous experience in gender analysis*’ contains a general description of the main goals and results of the previous gender analysis experience in public management bodies as well as an assessment of the structural and institutional opportunities to maintain gender equality in public management bodies based on pilot ministries and departments.

Chapter Two ‘*Gender representation in public management bodies: actual situation*’ gives a comparative analysis of the situation concerning the representation of women and men at various position levels in public management bodies.

Chapter Three ‘*Gender analysis of public service bodies’ institutional basis*’ presents an analysis of the existing procedures (formal and informal) that regulates recruitment, the improvement of professional skills, promotion, and conditions for combining family and working responsibilities, and how it influence women’s and men’s men positions.

Chapter Four presents *conclusions and recommendations* taking into account the specific responsibilities of various parties for the implementation of a gender equality policy in public

¹¹ The secondary analysis was directed at the results of investigations, undertaken at the CSAKR, MES KR, MLSD KR, MF KR, SAEPP under the Government of the KR.

¹² See: *Annex 2. Participants of interview*

management bodies, including the Government Office, the Civil Service Agency, the ministries, and departments.

Gender Approach concepts and Arguments

Gender – is the attained, socially determined behavior of people of different sex and the socio-cultural differences between women and men; roles and attributes that are not «natural» or biologically predetermined, but developed by norms and traditions; this is subject to change in the course of time and depends on a cultural context. The present picture of gender relationship is that as a rule a woman and her experience, due to the inherent female reproductive role, has a lesser socio-cultural meaning, which is followed by less access to power and other resources in comparison with men.

Discrimination – rules and actions, which limit individuals and groups from accessing resources and sources of income available to others. *Direct discrimination* includes a less favorable attitude to someone due to certain features (for example: sexual, age, racial, religious, ancestry, nationality and disability), in comparison with those, who do not have these features and are in the same circumstances. An example of direct discrimination is when a woman is not given employment because she may probably at some time later take a maternity leave. *Indirect discrimination* includes creating conditions or requirements, which reduce the possibilities for candidates without any reason for it. An example of indirect discrimination could be requiring a person to permanently work. A woman is much more likely to refuse this kind of job than a man.

Gender Discrimination in the Human Resources Policy of the Public Administration System – inequality in the status of public servants on the basis of belonging to a certain sex. Gender discrimination can manifest itself in unequal remuneration, in the recruitment procedure or in career promotion. The horizontal and vertical segregations in the public administration bodies are at the same time both a consequence and a factor of gender discrimination.

Horizontal Gender Segregation (sectoral and professional) – the uneven distribution of men and women according to profession and sectors of economy. For example, the current situation in the PAOs is characterized by horizontal segregation of women in the social sphere: Education, social protection, etc.

Vertical Gender Segregation – the uneven distribution of men and women in the hierarchy of positions (women occupy positions characterized by a lower status and for which lower qualifications are required). For example, women constitute only ten percent of the highest positions in the public administration departments of the KR, whereas there are more than fifty percent in junior positions.

Gender Approach – an attribute of the political culture of active representative democracy, the essence of which is to take into account the interests of both social-sexual groups of society. In the public administration departments a gender approach means the acknowledgement and acceptance of the following statements:

- Socio-cultural (gender) differences between women men can be both opportunities, and restrictions when recruiting or promoting civil servants
- Gender relations are relations of authority, and they influence the work of PAOs and their

institutional structure

- The current or future policy of a PAO has a direct influence on the kind of gender relations in the PAO, whether there are equal rights or discrimination and this will be reflected in the service beneficiaries from the point of view of access, effectiveness, etc
- It is necessary to take targeted action on the alignment and expansion of opportunities for women and men (including defining a network structures and developing mechanisms of decision-making and the organizational-administrative procedures on the basis of an analysis of statistics, the training of responsible people, the expertise of policies and maintenance according to resources and budgetary allocations)
- Activation of the democratic managerial procedures aimed at achieving equality is necessary

Advantages of the Introduction of a Gender Approaches in the PAOs

1. Strengthening the legitimacy of the public administration by means of supporting the prestige of power, which carries out international and national duties
2. Expanding the capacity and competence of the civil service by attracting new human and social capital in consequence of the expansion of opportunities for women and men
3. Improvement in the quality of state services by democratic methods in the administration aimed at diverse interests of society. The level of assent in society, the presence of overall aims and the degree of trust people in the authorities depends on how far the system of the government is capable of recognizing, seeing and working with different dimensions of variety (gender, ethnic, age, etc.).

CHAPTER 1. The introduction of gender approaches in public administration (review of previous experience on gender analysis in public administration organs)

The present Chapter presents the results of five of seven research projects that were done at different times for the following public management bodies:

- KR Ministry of Education and Culture, 2002–2003;¹³
- KR Ministry of Labor and Social Protection, 2003–2004;¹⁴
- KR Ministry of Economy and Finance, 2005–2007;¹⁵
- KR Civil Service Agency, 2006–2007;
- State Environment and Forestry Agency within the KR Government, 2006–2007.

The basic part of the research relates to an analysis of the gender situation in these structures. One of the research tasks was the representation of women and men among the management and the other staff. A special project on the study of the personnel policy was carried out on the basis of the KR Ministry of Economics and Finance.

These research projects in the public service were initiated as part of the of KR Presidential Decrees on performing National Programs and action plans for achieving gender equality under the support of international and public organizations. The periodicity of these research projects correspond to the three stages of gender policy development based on the adoption of special programmes:

- *First step* – implementation of “Ayalzat” National Program¹⁶;
- *Second step* – implementation of the National Action Plan on Achieving Gender Equality in the KR for 2002–2006 (further ‘NAP’)¹⁷;
- *Third step* – implementation of the National Action Plan on Achieving Gender Equality in 2007–2010¹⁸.

This review describes the research results concerning the implementation of the National Action Plan for 2002-2006, and a comparative analysis of the actual personnel policies in the target ministries.

¹³ In correspondence with the Law of KR «On Structure of the KR Government» from February 6 2007, № 12, - the Ministry of Education and Culture (MEC) was reorganized into the Ministry of Education and Science of the KR and the Ministry of Culture and Information of the KR (MCI). The situation at the MES was considered in this current survey.

¹⁴ In correspondence with the Law of the KR “On the Structure of the KR Government” from the February 6, 2007, № 12, the Ministry of Labour and Social Provision (MLSP) of the KR was reorganized to the Ministry of Labour and Social Development of the KR (MLSD).

¹⁵ In correspondence with the Law of the KR “On the Structure of the KR Government” from the February 6, 2007 № 12, the Ministry of Economy and Finance of the KR (MEF) was reorganized to the Ministry of Finances of the KR (MF) and the Ministry of Economic Development and Trade of the KR. The situation in the MF KR was taken into account in the current survey.

¹⁶ KR Presidential Decree on the Framework of “Ayalzat” National Programme No. 94, March 6 1996.

¹⁷ KR Presidential Decree on the National Action Plan on Achieving Gender Equality in the KR for 2002–2006 No. 52, March 2 2002.

¹⁸ KR Presidential Decree on the National Action Plan on Achieving Gender Equality in the KR for 2007–2011, No. 369, August 20 2007.

Main conclusions and recommendations of the previous research:

The research has revealed a *quantitative gender* imbalance in all the analyzed public management bodies with a specific division as regards positions and occupations: There were more women in the Ministry of Labour and Social Development and more men in the Ministry of Finance (especially in the top positions). On average the general ratio of women/ men representation in public management bodies was 40/60 in 2002-2006 accordingly.¹⁹ At the same time, this ratio significantly changed in case of top positions towards a prevalence of men, including the social ministries as well (*Annex 3. Information about pilot Public Administration Organs*).

Assessing the situation, many staff from the investigated ministries held the opinion that there was no discrimination and consequently no special attention needed to be paid to the gender aspects of the personnel structure as *'the main components in their work relate to professional competence'*. It is remarkable that such an opinion in the social ministries was supported with following arguments: *"the gender question is not relevant for us ... women make up the majority of our staff"*.

As a rule, "gender issues" in public management bodies were mostly tackled for the preparation of half-yearly and yearly department reports on the implementation of the KR Presidential Decree on the National Action Plan, which served as a basis for the adoption of the related KR Governmental Resolution.²⁰ In this a system for the implementation of gender policy was developed at national and local levels. It included the establishment of special structures and separate positions in charge of developing the corresponding branch, departmental, and regional policies and their implementation, monitoring, and amendments. As this activity quite often passed formally without the necessary participation of those concerned (staff meetings, trade unions), the expected practical influence in practice was minimal and the only result was just reports submitted to the KR Presidential Administration and KR Governmental Office.

In general, two blocks of questions have been noted as a result of the research (2002-2007):

- ***Lack of knowledge and understanding of gender problems*** (including existing conceptual bases and documents of international and domestic laws, requirements of the KR state gender policy, specific gender issues for each ministry's field of activity) which have caused a low level of gender sensitivity and the domination of a traditional assessment of aspects of staff in the gender policy;
- ***Absence of general strategy and implementation and control mechanisms*** for the introduction of gender approaches in the work of each public management body.

The basic part of the recommendations from the research concerned the necessity of carrying out some actions.

Concerning strategic planning:

- to develop a general strategy for the introduction of gender approaches
- to include the task of monitoring the implementation of gender approaches (with focus on responsibility and monitoring the participants, maintaining the results, working out the indicators and assessment mechanisms of an estimation.) in the departmental action plans

Concerning the contents of activities:

¹⁹ 'KR Women and Men' publication, National Statistics, p.27.

²⁰ KR Governmental Resolution on Approval of Measures for the Implementation of the KR Presidential Decree on the National Action Plan on Achieving Gender Equality in the KR For 2002–2006 and its Implementation Action Matrix No. 395, June 21 2002.

- to review and assess women/ men representation in all the subordinated institutions and the central subdivision
- to increase civil servants' potential
- to make gender expert's examinations and auditing of the ministries and subordinated institutions, and current projects and programmes
- to create a National Personnel Reserve according to gender policy standards.

Concerning institutional process:

- to appoint those responsible for gender policy implementation in structural units all over the country
- to make changes and amendments to internal departmental instructions and regulations with the purpose of following state gender policy
- to supply departments and units with related legal reference materials and information resources.

Proceeding from the purposes of the present report, it is especially important to maintain the conclusions and recommendations resulting from an analysis of the personnel in the KR Ministry of Economy and Finance as well as from an assessment of the Civil Service Agency. Based on the research in the KR Ministry of Economy and Finance, other facts and mechanisms of personnel inequality in public management bodies have been revealed in addition to the vertical (position) and horizontal segregation:

- age "backlog" among women in managerial positions which is mostly explained by taking care of children and only after that having the possibility of career development
- distinction between women and men in marital status. Among the ministry's female employees, the amount of single or divorced staff or those without any children was several times higher among female than male workers.
- limited access for women to refresher courses (especially prestigious ones);
- an insensitive policy and practice concerning combining career and family responsibilities;
- old standards and prejudice when explaining the current situation, such as the difference between women and men is because women do not take initiatives and a woman's key role is in the family. It is thought in the same way that women have more managerial and analytic potential and that politics is traditionally a male task.

The recommendations are focused on the necessity to adopt special measures to support the under represented sex. In particular, it is recommended to try to achieve a balanced candidate list for competitions and to introduce positive special treatment for the under represented sex (not only for recruitment but for refresher courses and other training as well). Additionally, the recommendations refer to carrying out a support policy for staff with family responsibilities (flexible working hours, special rooms for nursing mothers etc.).²¹

The Civil Service Agency. The Civil Service Agency is a central body that has been established to ensure a unified policy in the public service sector and to coordinate the activities of the KR public bodies in this sector. It has a special place among the ministries and departments

²¹ Manual for Gender Approach Integration to the Activities of the KR Ministry of Labour and Social Protection. Approved by the order of the KR Ministry of Labor and Social Protection No. 30, March 27, 2003. Secretariat of the National Council on Women, Family Affairs and Gender Development within the KR President, KR Ministry of Labour and Social Protection, UNDP, Bishkek, 2003.

- Mini research 'Gender Analysis of Personnel Policy in Kyrgyzstan based on the KR Ministry of Economy and Finance', Social Technologies Agency by order of the Secretariat of the National Council on Women, Family Affairs and Gender Development within the KR President, KR Ministry of Labor and Social Protection and UNDP in Kyrgyzstan, 2005–2006.

targeted in this research. Thus, the research made in 2006–2007,²² has revealed the following in addition to general displays of gender inequality in the Agency's personnel policy itself and the work of the Agency;

- legal and other regulations the Agency develops, are gender-neutral and they need to comply with international documents and national legal and other regulations;
- the Agency's staff has limited access to gender policy information and training which creates difficulties in making effective decisions aimed at the integration of a gender approach in public service activities.

As recommendations to change the situation, it was suggested to:

- develop and implement actions for reaching a gender balance at decision-making levels in the Civil Service Agency and the public service sector in general, including special actions for assuring additional training for vulnerable groups (e.g. to introduce a quota system in the National Personnel Reserve);
- contribute to the introduction of a gender training programme in the Civil Service Agency on all the levels, including mandatory refresher courses for all the Agency's staff;
- include gender matters in qualifying evaluations and competitions for civil servant positions as well as to introduce a requirement for gender competence in managerial positions in the public service.

Current situation in the investigated institutions

First of all, it is important to note that all the institutions where the research working group went, were very friendly and showed a big interest in the research. Most of the interviewees referred to those responsible for gender issues, managers, and staff at various levels. Results of interviews and consultations have shown a certain place for gender issues in the institutions' work, which enabled gender analysis and monitoring to be conducted. The survey shows that the research, which used qualitative methods and where the staff was involved in analyzing the results (e.g., the methodology 'twelve steps of gender-oriented' analysis in the Ministry of Labour in 2003, an analysis of gender procedures in the Ministry of Finance in 2005-2007), are very efficient in terms of a gender sustainable discussion in the institutions.

It should be pointed out that in the social public administration organs, such as the Ministry of Education and Science and the Ministry of Labour and Social Development, gender sensitivity level is higher and, therefore, there are more favorable conditions for promoting gender approach. The development of manuals on the integration of a gender approach in the ministries' work during the project implementation also contributed to this process (thus, the manual in the Ministry of Labour and Social Development was approved by the Minister). As well, the above ministries have a wide network of staff responsible for gender issues among their permanent employees on the level of central, regional, and local departments (e.g. the Ministry of Labour and Social Development has more than thirty staff in charge).

In general, the public management bodies' action plans related to the implementation of the National Action Plan have already been adjusted to the gender process. Those departments, which passed the gender analysis in 2007, e.g. the State Environment Agency, included their recommendations in their plans for 2007-2010. There is a practice of including gender approach

²² Report on the Research 'Gender Analysis of the Civil Service Agency' and 'Manual on Gender Approach Integration to the Activities of Civil Service Agency', Public Association 'Center for Assistance to Women', by order of the Secretariat of the National Council on Women, Family Affairs and Gender Development with the KR President within the joint project of KR Presidential Administration and UNDP Democratic Governance Program, 2006–2007.

activities in the departmental regulations and duties of those responsible for gender issues. Besides, in connection with the implementation of CDS 2007-2010 which foresees improvements in state governance, the institutions have new possibilities of attracting means from the State and donor organizations to increase their efficiency and to develop themselves. For example, projects of the ILO, World Bank, Asian Development Bank, UNDP, Swiss Agency for Development and Cooperation, Viennese Institute Association, German Entrepreneurship Unit etc. are actively working in this direction. All of them serve as a potential platform for introducing principles and specific mechanisms of gender-sensitive management for their partners (*See Annex 4. International experience of gender equality in public administration organs*).

Among the important changes it is necessary to note the Civil Service Agency's initiative to gather and analyze gender-separated data as regards public management bodies. So, according to the KR Statistic Programme for 2007,²³ the Public Service Agency planned to carry out a survey²⁴ to estimate the number of workers in public management bodies according to sex, experience, age, education, nationality, and salary. This should be done at the republican, regional, and regional (city) levels (*See Annex 5. Statistic form No. 1-GOS*). It was planned to take reports from state bodies and further process and analyze the received data.

At the same time, the current survey provides a basis to talk about the existing obstacles, which complicate the implementation of those recommendations which have been suggested by pilot PAOs on the results of the previous gender assessments.

- *First*, there is a lack of knowledge and analytical skills for the development of a realistic policy and its procedures. The responsible people and structures practically have no opportunity to improve anything on a system basis. This process is limited to separate workshops which are conducted as part of the projects implemented with the support of the international organizations as a rule.
- *Second*, in most cases, the process of policy development runs on formal lines and is limited by the definition of a set of department actions, preceded from the NAPGB. As a result, very few people in the ministries and agencies, except the ones responsible for gender, are aware of the planned actions. Though the reports on the implementation of the NAPGB are submitted to high authorities (The Administration of the President of KR and the Prime Minister's Office of the KR) on a regular basis, there is no practice of a discussion of these reports directly in a collective format with the employees. "Gender issues" have few chances to be transferred into concrete actions covering the real interests and rights of employees.
- *Third*, the basic way of implementing the gender policy in the ministries and agencies is through projects supported by the international organizations. There are no developed mechanisms for the institutionalization of outputs of project activity (regulations, budget financing, duplicating of results, etc.). It is indicated that in the ministries and agencies where gender analysis has been carried out before, the employees had difficulties to name the qualitative changes which could be related to the impact of the projects implemented with the support of the international organizations. At the same time, according to experts, the complexity with the institutionalization of a gender policy is linked with the continuous process of re-structuring in the PAOs. For example, the status and structure of the State AEP have passed radical changes four times since 1999, and MLSD now represents several independent state bodies - the Ministry of Labour and Social Development of the KR, the State committee of the KR on Migration and Employment and, the State agency on vocational training under the Government of the KR.

²³ Resolution of the KR Government from 21 November 2006, № 809.

²⁴ As from January 1 2008.

- *Fourth*, the function of the practical introduction of a gender policy in the PAOs, is as a rule assigned to a single expert who also has other types of work, gender incompetence and a limited impact on decision-making, and does not carry out his duties effectively. Sometimes, the assignment of responsible persons often happens without official approval and a definition of the concrete obligations and rights from both parties: Managements and the responsible person him/herself. But even if done formally, the process of assigning responsible people is not accompanied by the provision of performance of these duties with the necessary rules and instructions, training, mechanisms of assessment for efficiency and other resources. In this situation the appointed responsible persons have to seek informal help from more skilled employees. As a result, on one hand the position of a responsible person for the gender issue is at least not prestigious and traditionally "female", on the other hand – a position of competition between employees for the donor resources allocated for "gender" (participation in seminars, in projects, etc.). Thus the existing practice does not provide the necessary continuity, formation of institutional memory for the introduction of an equality policy on the level of the ministries and the agencies. The area of responsible persons for the implementation of the gender policy, assumes the overall genderization of the ministry's activity, and practically does not cover the necessary issues of personnel development.
- *Fifth*, the results of the analyzed documents and expert consultations show that despite the presence of frame documents²⁵ and institutional mechanisms, the functions of the state bodies related to the process of the promotion of an equality policy in the PAOs are not fully defined. Nowadays, there is no precise vision of the standards which, from the point of view of **equality and diversity**, have to be developed in the state bodies of Kyrgyzstan and which should have a strict follow up. At the same time, on this background there is a minimization of the obligations for the introduction of an equality policy in the ministries and agencies in the area of personnel development as it is difficult to monitor the output and as a result to conduct the necessary control.

The lessons learned

Based on the analysis of the examples of the introduction of a gender approach, including the use of various tools for gender analysis in the public service, some lessons may have been identified.

- The difficulties of an effective introduction of a gender approach on the level of some ministries and agencies are the result of insufficient understanding (and/or the insufficiency of conditions for the formation of the necessary understanding) of what a democratic public services, the wide-scale reforming of which should be carried out according to the new edition of the Constitution of the KR within the framework of the CDS on specified functional lines. The lack of conceptual understanding as a follow up of the principles of equality including gender is linked to this new role of the PAOs, leading to the transfer of gender issues into a minor category.
- A conceptual study of the system of gender management assuming the development of a network of responsible persons, mechanisms of gender analysis, gender training, and gender expertise in public service on the level of ministries and agencies is practically impossible. In the current system of PAOs, the conceptual part of the policy of equality and diversity has to be developed on the level of President's Administration and Parliament of the KR. Its attachment to the gender area should be solved at the level of the working body of the National Council of

²⁵ PD KR *On Measures on Improvement of Gender Policy*, # 136 of 20.03.06; Law of the KR *On the New Wording of the Election Code in the Kyrgyz Republic* # 158, of 23.10.07; Law of the KR *On State Guarantees of Equal Rights and Equal Opportunities for Men and Women*, # 184, of 04.08.08.

Women, Family Affairs and Gender Development (the Division of Social Development of the Government Office of the KR), and the procedural part of the system of requirements in the system of public service should be formed within the framework of the functions of the CSAKR.

- Despite the success of some projects on gender analysis in the PAOs (related to the development of a network of responsible persons for gender issues, the actualization of new gender issues, the formation of personnel statistics on sex division), experience shows that if projects on gender analysis are formed externally (promoted by donors and, the women's organizations) without the practical participation of heads and employees of the PAOs as active subjects of this analysis, it is extremely complicated to generate a gender action plan, which is valuable, divided on all levels and significant from the point of view of protecting the interests of the civil servants.
- Discussion of gender problems in the PAOs meets with resistance as a rule if the gender theme is discussed in the categories of discrimination, segregation and so on. While transforming the problems into the area of applied (work) and social problems (work conditions, career, combination of family and work duties and, health protection), almost everyone recognizes the inequality and infringement of rights.
- Stability of discussion on gender equality and practical steps for the introduction of a gender approach in the PAOs mainly depend on the support and incentives (training, technical support, rewards, etc.) provided for the employees responsible for the solution of gender issues.

CHAPTER 2. Gender Representation in the State Organs: The Actual Situation

Vertical and horizontal segregation. According to the data of October 2006, there are 15 364 people employed in the public service in Kyrgyzstan. The number of civil servants has been gradually reduced and in December 2007, there were 12 074 of them²⁶. Thus the share of women in the public sector has not considerably changed and is about forty two percent. In comparison with regional and local administrations, the ratio of civil servants in the central state bodies is closer to a gender balance.

Out of thirty three considered state bodies, the relative balance was observed in twenty four percent of cases, and the prevalence of men in PAOs is noted almost twice more often than women (sixteen cases against nine accordingly)²⁷. Disproportions are seen in the State Customs Inspectorate under the MF, in the State Commission on Religion Affairs, in the MAWR&PI etc., where the share of women is less than thirty percent. Women have dominated over the men in the State Commission on Drug Control, NSC, NAC, MJ, and men - in the Ministry of Foreign Affairs, the State Tax Inspectorate, the Ministry of Emergency Situations, MTC and the Parliament of the KR (see Table. 2.1).

Table 2.1. Distribution of PAO by the extent of gender balance among employees
(Data of the NSC KR at October 1, 2006)

Indicators	Disproportion with prevalence of women	Imbalance with prevalence of women	Relative Balance	Imbalance with Prevalence of Men	Disproportion with Prevalence of Men
Ratio of women and men	Women more 70 %	Women from 55 to 70%	The share of women and men - 50 ± 5 %	Men from 55 up to 70 %	Men more than 70 %
In total PAO	3	6	8	10	6
The most indicative examples	State commission on control of drugs – 78 %	MJ – 67 %	MEF (53 and 47 %)	MFA – 67 %	SCI – 84 %
	NSC – 72 %	MH – 66 %	MITT (49 and 51 %)	STI – 66 %	SCRA – 83 %
	NAC – 71 %	SCME – 64 %	SCPM (48 and 52 %)	MES – 65 %	MAWR&PI – 81 %
		Const. Court – 62 %	Ombudsman Office (49 и 51 %)	MT&C – 63 %	Chamber of Account – 78%
				Parliament of the KR – 61 %	Prosecution Office – 76 %

²⁶ There were 12,834 posts. These data do not include the oblast, raion and community administrations, as well as military forces and militia.

²⁷ In collection “Women and Men in the KR”, NSC, Bishkek, 2007, names of PB are mentioned in accordance with currently invalid Law of the KR *On Structure of the Government of KR*, of September 27, 2005, #153. In accordance with Article 1 of the existing Law of the KR *On Structure of the Government of the KR*, of December 27, 2007, # 176 the new structure of the Government of KR is approved.

				SCAC – 60 %	President's Administration of the KR, Prime-Minister's Office – 75 %
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There is also vertical segregation inside the ministries, agencies and other PAOs: Women are better represented in the administrative positions, except for at the top, whereas there are more men in the political and top administrative positions - (Table 2.2.). It is necessary to note, that the most significant political decisions are made at exactly these levels.

In 2006, women occupied eighteen percent of positions on the level of political and special positions, and in 2007 - twenty six percent²⁸. The representation of women in the top administrative positions has increased from ten up to seventeen percent of cases. A relative gender balance was observed in 2007 in junior and middle administrative positions.

Table 2.2. Representation of women and men on different positions in the state bodies

		According to NSC ²⁹ From 01.10.2006.		According to CSAKR ³⁰ From 01.01.2008	
		Women	Men	Women	Men
Political and Special Positions	%	18	82	26	74
	quantity	107	484	213	602
Administrative Positions					
Top	%	10	90	17	83
Main	%	34	66	32	68
Senior	%	39	61	43	57
Junior	%	45	55	43	57
Total	quantity	6151	8622	6265	8703
	%	42	58	42	58

It is necessary to note, that at present, according to the PD of the KR No 385, dated August 27 2007 , the new Register of the state positions and the number of political and special positions has increased for more than a quarter during the considered period . It is important to note, that for the period of 2007-2008, the number of women has considerably increased in political positions. First of all, this is caused by an increased level of representation of women in the new structure of the Kyrgyz Parliament (due to the quota of seats in the Party lists)³¹, and also the appointment of women to positions of ministers and special positions.

²⁸ According to Decree of acting President of the KR *On Approval of the Register of Public Posts of the KR*, if April 21, 2005, # 130 (become invalid in accordance with Decree of President of the KR, of August 27, 2007, # 385) 4 groups of political posts were established. First group – highest posts of the Highest bodies of executive, legislative and judicial power (President, Toraga of Jogorku Kenesh (Speaker of the Parliament), Ombudsman, Prime Minister, Chairman of the Constitutional Court, Chairman of the Supreme Court). Second group – deputy heads of Highest bodies of executive, legislative and judicial power; members of the Government of the KR, heads of the Central public bodies, local (oblast) state administrations. Groups 3 and 4 represent the level of directors and deputies of PB, deputy heads of state administrations.

²⁹ Source: NSC, bull. «Women and men of the KR», page. 92.

³⁰ Source: Data are provided by PB upon request of DESP PA KR and ACS in November 2007.

³¹ According to Art. 72 of the Law of the KR *On New Wording of the Code of Election of the KR*, of October 23, 2007, # 158, in establishment of a list of candidates the political party should consider representation of no more than seventy

The situation in the targeted PAOs of the current survey can be a demonstration of the representation of women and men (Table 2.3):

- Among fifteen political positions women filled four (twenty five percent), thus two positions out of the four political positions related to the social ministries – the ME&S and the MLSD. There are no women in the top administrative positions (state -secretary).
- At the main administrative position level in ME&S, CSAKR and SAEP&F, the share of women is almost twice less in comparison with their representation in PAO data, while in ML&SD the ratio of women and men in these positions reflects the gender structure in the ministry as a whole. In MES, - sixty four percent of women, - thirty percent of them have taken the top administrative positions; there are forty four percent in CSAKR and twenty one percent, in SAEP&F - forty four percent and twenty five percent accordingly. In ML&SD, the top administrative positions are occupied by sixty one percent of women, and their total representation in the ministry is sixty three percent.
- There is a very unbalanced situation in the representation in the ME&S. The total number of women- employees of the ministry exceeds the number of employees-men by almost twice, but the ratio of women to men in the top administrative positions is thirty/seventy in the favour of the men, and the prevalence of junior positions is eighty one/nineteen in favour of women. Meanwhile, as the results of the expert interviews have shown, there is proof of the opinion that the gender issue is not important .for the ME&S and the ML&SD as well as for the PAOs, where women prevail in the structure of civil servants.
- There is a quantitative gender balance on the level of the senior positions in CSAKR and ML&SD; in junior - in MF and SAEP&F.
- Among the employees of the technical divisions for the majority of the studied state structures (the divisions which have provided the profile divisions: financial and economic, procurement, the international cooperation, etc.) there is a prevalence of men. In spite of the fact that the CSAKR is the structure responsible for the democratization processes of the government, the situation in the Agency as a whole does not differ from the general picture of gender representation in the PAOs.

Table 2.3. Examples of representation of women and men in the central offices of the surveyed ministries and agencies

		CSAKR		MF		ML&SD		ME&S		SAEP&F	
		wo- men	men	wo- men	men	wo- men	men	wo- men	men	wo- men	men
Politi- cal posi- tions ³²		-	100	33,3	66,7	66,7	33,3	100	-	-	100
	Qua-ty	-	2	1*	3	2	1	2*	-	-	3
Administrative Positions											
Top	%	-	100	-	100	-	100	-	100	-	100
Main	%	21	79	40	60	61	49	30	70	25	75
Senior	%	51	49	66	44	53	47	65	35	75	25
Junior	%	-	-	45	55	73	27	81	19	47	53
Total	%	44	56	54	46	63	37	64	36	44	56

per cent of persons of one gender, and the difference in rotation in the lists of candidates of women and men nominated from the political parties should not exceed three positions.

³² Data as of 01.01.08 according to ACS

	Qua-ty	32	41	143	124	52	31	41	23	38	49
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Source: Data is given to PAO upon request of DESP PO KR and CSAKR in November, 2007

* At the beginning of 2008 women became ministers.

Wages. Vertical segregation is one of the main reasons in the difference in payment between women and men. Due to the low representation of women in supervising positions of all levels, in general the average salaries of men are higher than average salaries of women. Differentiation in payment is also affected by horizontal segregation. Both of the factors form an overall picture of a firm gap between "female" and "male" salaries, thus it is necessary to note the trend of increasing the disproportion (Table. 2.4).

Table 2.4. The share of average wages of women to average wages of men (*in percent*)

	1998	1999	2000	2001	2002	2003	2004	2005	2006
Kyrgyz Republic	72,3	64,2	67,6	63,1	64,9	64,1	66,6	62,5	65,8

Source: NSC, 2007

The efforts of the research group to conduct a comparative analysis of the salaries between the ministries during the given research was not successful as annual forms of the statistic reporting for the PAOs do not provide gender -disaggregated data on the salaries of the civil servants. At the moment data is available only for the general salary fund and the separation of salaries stipulated for civil servants is without a sex division. As a result, the data received from the PAOs, represented not the nominal size of salaries (the rate and extra expenses minus the taxes), but the data was calculated in different way. In some cases the base rate without the deduction of taxes was considered; in others the rate in view of a class grade, the length of service, departmental extra expenses with the deduction of taxes, etc., which has prevented a make correct comparison of the received information.

Meanwhile, due to the essential increase in the salaries of civil servants (from January 1 2008), there has been an influx of men into not only the traditionally "male" ministries and agencies, but also into sectors of PAOs, which were considered earlier as "female". For example, there has been an increase in the number of men by forty percent in the structure of one of the departments of the ML&SD in only the first months of 2008. Thus before the increase of payment, the positions occupied nowadays by men were vacant for a long time, not because of the absence of applicants (on the whole for the period of 2003 to 2007 the share of men in ML&SD has grown from twenty four up to thirty seven percent accordingly³³).

Thus, on the one hand, it is possible to maintain that in the PAOs the total ratio of women and men among civil servants corresponds to the current obligations of equal representation of women and men at decision-making levels (according to national normative legal documents, not less than thirty percent of vacancies should be occupied by representatives of the under represented sex)³⁴. On the other hand, in the PAOs there is an obvious gender imbalance on the basis of horizontal and vertical segregation.

³³ Collection "Women and Men of the KR». – NSC, 2003–2007.

³⁴ See Law of the KR *On Principles of State Guarantees of Gender Equality*, of March 12, 2003, # 60; Decrees of President of the KR *On Approval of the Strategy of Development of the Country for 2007–2010*, of May 16, 2007, # 249; *On the National Action on Achieving Gender Equality in the KR for 2002–2006*, of March 2, 2002, # 52; *On the National Action Plan on Achieving Gender Equality in the KR for 2007–2010*, of August 20, 2007, # 369, *On Measures to Improve Gender Policy*, of March 20, 2006, # 136.

CHAPTER 3. The gender analysis of the institutional basis of the organization of administrative public service: rules and procedures³⁵

Employment

Normative and legal basis: In the KR, the employment for public service is conducted through competitive process of hiring. According to the Law No 114 of the KR "On public service" dated August 11, 2004, CSAKR coordinates the work of the state bodies on selection of candidates for the public service and renders the methodological help. The Law of the KR No 60 "On the basis of the state guarantees for provision of gender equality" dated March 12, 2003, forbids submitting announcements on the employment, intended for one sex.

Procedures

The order of carrying out the competition on filling of vacant administrative state position is presented on Fig. 3.1.

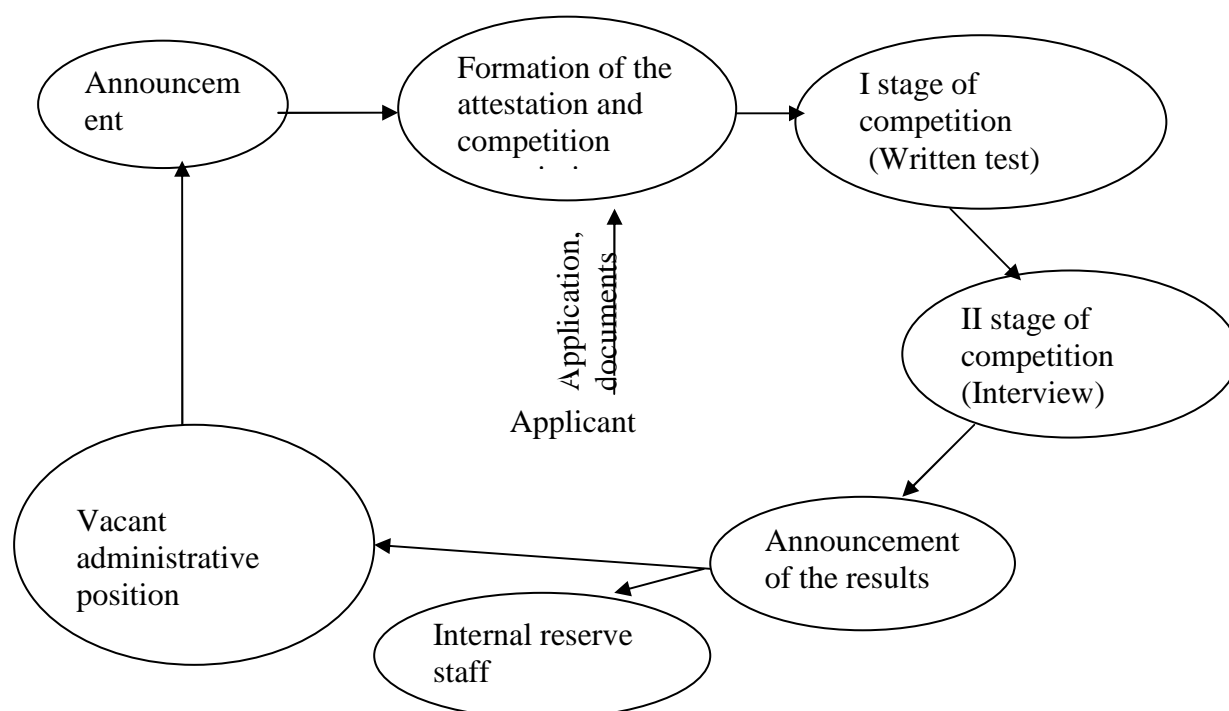


Figure. 3.1. The order of conducting the competition on filling of vacant administrative state position

On the basis of the Law No 114 "On public service" dated August 11, 2004, the competition first of all is conducted among the individuals registered in the internal reserve of the staff. *The access of women-state employees to an internal reserve of the staff can be limited by the principles and procedures of carrying out the internal competition and attestation which mainly depend on the level of internal organizational culture of the institution, gender sensitivity and the competence, and also on the coordinated interaction of State-secretaries and heads of the state bodies.*

³⁵ The analysis was held only for the administrative posts.

If internal competition did not take place, nominees from the National reserve of the staff are involved into competition, which is formed of candidates on public service out of young candidates just graduated and those who has remained unemployed.

According to CSAKR, there are 98 state employees and 68 graduates of high schools in the National reserve of the staff as of 01.01.08. Among the staff enlisted in the National reserve, there are 43 percent of women (33 % among the state employees, and 59 % among the graduates of high schools).

254 state employees and 184 graduates of high schools have participated in the competitions conducted by CSAKR in 2007, out of which women composed 31 and 51 percent accordingly.

At present, out of 18 appointed reserved staff 5 are women (28 %).

In case of no suitable candidates in the National reserve, the open competition is held and there is an opportunity to submit applications for other participants. The information on vacant administrative positions is sent to CSAKR from the State-secretary of the state body who is obliged to inform on occurrence of vacancy within three-days. In the state bodies where there is no State-secretary, this task is assigned to the heads of the OGU office.

At the first stage of selection the applicants have written test to be passed. To provide the impartiality and transparency of competition procedures, CSAKR uses the method of coding of applicants' surnames, i.e., applicants pass all procedures as impersonal, which reduce the opportunity for the members of the commission to influence on the results of competition. Such approach was applied at selection of the staff in CSAKR, Government Office of the KR, and competitive selection of State-secretaries of the state bodies and now is widely used by all state bodies.

The other practice which can promote increase of transparency of test selection procedures CSAKR considers is the development of the Testing Center and development of electronic tests. *At the moment, the problem is in the absence of developed specifications of the professional competence of the state employees linked to the issues of provision of equal access, management of diversity, etc., that influences on content of the tests and evaluation system.*

The second stage of selection is the interview conducted by the attestation and competition commission, quantitative and personal structure, terms and operating procedure of which are approved by the head of the state body that is making decision on assignment for the position. The structure of the commission should include the State-secretary or the head of the administration, the head of personnel division and other responsible persons. Thus, independent experts, representatives of professional, public associations can be invited for participation in the commission.

CSAKR, using an opportunity to involve the independent experts in the attestation-competitive commission included the representatives of the World Bank, Administration of President of the KR, Government Office of the KR, Academy of management under the President of the KR, etc., in its structure. The representatives of the Coalition «For democracy and civil society» and Remedial center «Citizens against corruption» were involved as observers into the work of the attestation-competitive commission.

The gender composition of the commissions is not regulated by the normative documents when established, and more often the gender balance is not followed up, while the presence of gender balance of the commissions is the important criteria of involving women into decision-making.

Women are presented in a various degree in the attestation and competition commissions of the pilot PAOs (Tab. 3.2). According to the opinion of CSAKR employees, the insignificant number of the women involved into the work of commissions is related to the reason that in most of the cases men take positions out of which the commission is formed according to the Regulation.

Table 3.2. Gender structure of the attestation-competitive commissions in pilot PAOs (2006-2007)

	Quantity		%	
	Women	Men	Women	Men
ML&SD	4	3	57	43
ME&S	2	7	22	78
MF	3	6	33	67
CSAKR	2	5	29	71
SAEP&F	3	10	23	77

Source: Data are given by pilot PAO.

It is necessary to note, that women who have not been trained on increase of gender sensitivity, as well as men, tend to accept prejudiced to the selection of women for the highest positions. There is a wide popular mistake that woman is the automatically sensitive sort, and men are not. Both men, and women in our society are learned to behave according to the gender expectations and norms, and the majority needs help to see and understand these norms and existing structural barriers.

At the result of the first stage of competition, the attestation-competitive commission conducts interview of the short listed candidates and prepares the decisions or recommendations on the most fitting nominees, being guided by following criteria:³⁶

- an estimation of conformity by education;
- a level of professional skills and skills;
- knowledge of foreign experience of the organization of public service;
- presence of analytical abilities;
- computer skills;
- experience of development and application of normative legal acts;
- ability to implement the tasks under the project without additional training;
- communication skills;
- result oriented;
- logic;
- argumentativeness;
- the general culture.

There are no special measures stipulated on increase of quantity of representatives of one of the sexes in the case of gender misbalance in state structure, in procedures of employment. No conditions specified guaranteeing obligatory consideration of candidates of men as well as women, and also the regulations identifying gender balance and gender experience of the commission on hiring are not there.

Thus state employees quite often refer to that women do not show activity during the competitions, do not submit applications, and also do not have appropriate experience. For

³⁶ The method of counting scores for written tests and interviews when conducting competitive selection of candidates for vacant administrative positions.

example, it is linked to the competitions on filling of vacant positions of State-secretaries. Such situation should not become an "eternal" explanation for misbalance and impossibility to influence on the situation. It is necessary to understand the reason for that and to take additional efforts on attraction of representatives of insufficiently presented sex to competition, carrying out awareness activity, correcting the work conditions, promoting new images of state employees, reducing structural barriers in professional career for women and men as a whole.

There are frequent cases when during the interview women are asked discriminating questions about the opportunity to combine family duties with service.³⁷ Thus the members of the commission do not see any discrimination in such approach, and explain their behavior as care of women. It is obviously necessary to work permanently with members of the attestation-competitive commission. In particular, instructing on equality of opportunities, qualification of questions, and discussion of procedure of competition can become a part of activity of State-secretary for PAO, and CSAKR can represent itself as the developer of corresponding instructions and conduct the explanatory work.

It is necessary to note, that during the interview the commission has no data on gender balance or misbalance in the state body. It does not try to consider this factor when decision-making upon other equal characteristics of the applicants. Probably, it would be reasonable to introduce into the regulation on the work of competition and attestation commission, a paragraph on the responsibility of the State-secretary for preparation of the information for the commission session on gender balance in the department, and curators (mentors) tasks from CSAKR - monitoring and fixing of the fact of acquaintance of the commission with the given document.

The final decision on employment based on recommendations of the commission is taken by the head of PAO in which the competition is held. *In this view, it is necessary to note the opportunity of occurrence of conflict of interests in this situation and to coordinate the LR, regulating the authorities and areas of responsibility of the first manager and the State-secretary.*

There are following tendencies possible to monitor at the results of participation of women and men in competitive procedures on the sample of surveyed during the preparation of the report of the ministries and agencies (see Tab. 3.1):

- The share of the women, submitted applications for the vacant state positions, considerably varies in conformity with the developed division of spheres of work on "female" and "male".
- Competition among women and men (on a ratio of the submitted applications and the accepted employees is not identical: the competition for women is higher in CSAKR and MF though they are less of them among applicants for filling the position.
- As a rule, women are employed often in the sectors, traditionally considered "female", and, accordingly, men - in "male" and "balanced" PAO .

³⁷ For example, in September 2007 when approving the candidate for the position of the Chairman of the Central Commission on Elections and Referenda of the KR, deputies of the JK of the KR asked a female candidate questions related to her marital status and inquired whether her family would agree if she work overtime and go on business trips, which is specific of this public body's activity.

Table 3.1. Recruitment on the basis of competitive selection procedures of employees among sampled ministries and agencies from 1/1/2006 to 11/1/2007

	CSAKR		MF		ML&SD		ME&S		SAEP&F	
	Wo-men.	Men	Wo-men.	Men	Wo-men.	Men	Wo-men.	Men	Wo-men.	Men
Quantity of the submitted applications on vacant state positions	99 (40 %)	146 (60 %)	125 (42 %)	175 (58 %)	92 (52 %)	84 (48 %)	26 (57 %)	20 (43 %)	1 (7 %)	14 (93 %)
Quantity of the hired employees by results of competition	37 (38 %)	60 (62 %)	29 (34 %)	56 (66 %)	28 (53 %)	25 (47 %)	14 (61 %)	9 (39 %)	1 (20 %)	4 (80 %)
Number of applicants for a vacancy among persons of the corresponding sex	2,7	2,4	4,3	3,1	3,3	3,4	1,9	2,2	1	3,5

Source: Data is provided by the PAO upon the request of DESP PA KR and CSAKR in November, 2007

There is a significant imbalance in SAEPF in the quantity of applications submitted by women and men (1 to 14). As a result of competition, one woman who has submitted the application and four men were hired. All other vacancies were filled hors concours. Thus 22 persons have been appointed in the agency, on each of categories of administrative positions (principles, seniors and juniors), out of them men have been appointed more than 2 times more than women (10, 4, 2 persons against 4, 2 and 0 person).

The important factor to change the situation is the opportunity of the appeal of the taken decisions on personnel assignments. For 2007 in CSAKR, 5 out of 70 received written applications and complaints of citizens are related to infringements of rules of competitive selection, and six - with issues on employment.

There is no analysis of complaints on gender signs conducted in CSAKR, also is not recorded data about cases of sexual discrimination at employment. It, not in the last instance, can be connected with ignorance by candidates of the issue and comments of members of the competitive commission can be considered as discrimination and to be appealed against in the administrative and judicial order.

Conclusions

1. Concrete tools of definition of discrimination and incentive for its overcoming are not developed; the employer himself interprets a situation, gives value judgment and makes decision.³⁸ Members of the competitive commission do not see any discrimination in questions about the opportunity to combine family duties with service. They explain such

³⁸ Certain categories are listed in the Law of the KR "On Principles of State Guarantees Ensuring Gender Equality" and the Decree No369 of the President of the KR "On National Action Plan on Reaching Gender Equality in the Kyrgyz Republic for 2007-2010" dated 20 August 2007. However, these concepts are poorly operationalized taking into account functions, powers and everyday practices in PB.

approach as care of women. Candidates, as a rule, do not know that the certain questions and comments of members of the competitive commission can be considered as discrimination and can be appealed against in the administrative and judicial order.³⁹ The analysis of complaint on cases of discrimination, including on sexual sign is not conducted when hiring in CSAKR.

2. The formal neutrality of mechanisms and criteria of selection of civil servants does not consider number of factors reproducing gender asymmetry in the bodies of public service. There are no special measures specified on increase of quantity of representatives of one of the sexes in case of gender misbalance in the state structure, in procedures of employment. There are no conditions stipulated guaranteeing gender balance and gender experience of the commission on hiring.
3. Three-level system (internal competition - competition of candidates from the National reserve - the open competition) of carrying out the competitive selection supports the developed situation gender misbalance in PAO.
4. When carrying out the competitions and attestation, the attestation and competitive commission has no data on gender balance or misbalance in the state body, and does not try to consider this factor at other equal characteristics of the applicants.
5. The Internal organizational culture in PAO, as a rule, does not differ by sufficient level of gender sensitivity and competence. *When taking the final decision on employment, the commission and the head, first of all, pay attention to what area has the subordinate to work in, and are based thus on subjective and stereotypic view about "female" and "male" areas and positions, but not on professional qualities of the competitor.*
6. On the background of the widespread stereotypes - "upbringing (education) of children is, first of all, female function", "family duties are obstacle for career", potential opportunities for career growth of men are estimated as higher, irrespective of an actual marital status.
7. Criteria of the professional competence of the state employees linked with the issues of maintenance of equal access, management of diversity, etc., are not developed now and influence on the content of tests and systems of estimation when evaluating the knowledge of candidates.

Recommendations⁴⁰

- To develop and submit the proposals on tasks and functions for consideration of National Council sessions on women issues, families and gender development under the President of the KR, providing formation of the state gender policy in the organizations of civil service, mechanisms of coordination and monitoring.
- In rules and procedures at a level of hiring CSAKR it is expedient to provide the following:

³⁹ This is a generally known case (in September 2007) when approving the candidate for the position of the Chairman of the Central Commission on Elections and Referenda of the KR, deputies of the JK of the KR asked a female candidate questions related to her marital status and inquired whether her family would agree if she work overtime and go on business trips, which is specific of this public body's activity.

⁴⁰ The above principles, criteria and mechanisms may be developed by ACS within the UNDP project "Promotion of Women to Civil Service and politics" in partnership with the Department of Social Development of the Office of the Government of the KR.

- To reconsider the principles of formation of reserve lists and terms of selection, meaning that criteria of selection should reflect specificity of female professional biographies and opportunities of women should be supported by special measures;
 - To develop gender-sensitive criteria of the professional competence of members of the competitive commission;
 - To generate mechanisms of provision of increase for gender sensitivity and competence of members of the attestation-competitive commissions.
- The CSAKR shall raise the transparency of procedures of hiring the public service. For example, to make results of tests and reports accessible for any citizen or to provide audio or video-recording of process of interview with candidates, that further can be used for proving that interview is lead properly.
 - The division of social development of the Governmental office of the KR and CSAKR shall develop operational concepts about discrimination in the area of gender equality and to prepare instructions for curators (mentors) from CSAKR and State-secretaries of PAOs in their work with members of the attestation-competitive commission.
 - To develop and introduce into the activity of CSAKR the tests providing definition of gender competence of state employees, and first of all, State-secretaries.
 - CSAKR shall improve the knowledge of candidates about opportunities on the appeal of selection results in case of discrimination. It is necessary to inform candidates, whom he or she can complain to and within what period.
 - It is important for CSAKR to develop and conduct special campaigns and consultations on informing candidates, reserve staff about their rights, the responsibility - as potential civil servants - concerning gender issues, and problems which can arise at the stage of hiring.
 - Considering structural barriers at hiring of employees for the top administrative positions, it is important for CSAKR to think over the awareness actions on involving into the competition of people not fully presented sex (one of information resources for this purpose can be the magazine "Civil service and career").

Advanced training

Situation

Data on the advanced training received during research, testify to following tendencies:

- The opportunity of state employees to improve the qualification depends at the great extend on their own personal initiative, social communications, the previous experience of interaction with the international organizations, etc.
- In general, the picture looks like gender-balanced: out of 5 514 persons having had the opportunity to improve qualification on-job, 53 percent are women, and more than 50 percent out of 1 961 of state employees improved the qualification outside of the KR were women.
- On the other hand, behind a safe picture there is a specific situation in different PAOs (see Tab. 3.3):
 - For example, access to training outside of the KR in CSAKR is essentially below for women: basically men (90 %) are sent to the developed countries, thus, often time they are the same people. Probably, it is due to the low representation of women on political and main administrative positions in this PAO.
 - If to compare data on advanced training and a ratio of women and men in the concrete ministry or department, the first visible sight of the balance, will be relative. For example, in ME&S, there are 2/3 of women working there, but the real opportunities to improve qualification are higher for men.

As for the target training courses and seminars which are organized at the level of PAO, employees of some Ministries Agencies recognized complexity of being listed as the participants and non-transparent procedures of selection of candidates. Thus it was important which countries the study tours is planned, it is more complicated to travel to foreign countries.

- Women have less opportunity than the men to improve qualification for more than three months that can be caused by system of family duties. *The positive example can be the cooperation between CSAKR and Japanese center for the international Cooperation in the implementation of the project which annually provides the opportunity for 20 state and municipal employees of the KR to attend a long-term training at the universities of Japan with the subsequent right of reception of Master degree. Terms and conditions of training provide the opportunity of joint residing with family in the place of training.*

As of March, 2008 20 scholars are trained in Japan, 8 of them are women (40 %). Out of 85 state and municipal employees, submitted applications for participation in this project for 2008, 35 are make women (41, 1 %). On the results of three selection rounds, 29 candidates have successfully passed the last stage, 9 of them are women (31 %). The information about an opportunity to participate in the project is widely disseminated in PAOs and is accessible for state employees, at least, in the central offices.

Table 3.3. Data on advanced training of employees of the central offices of the surveyed ministries and agencies from 1/1/2006 to 11/1/2007

Duration of advanced training		CSAKR		MF		ML&SD		ME&S		SAEP&F	
		Wo-men.	men	Wo-men.	men	Wo-men.	men	Wo-men.	men	Wo-men.	men
Short-term (till 15 дней)	%	43	57		49			35	34	-	-
Intermediate term (from 25 days till 3 months)	%	15	85	60	40	50	50	-	1	-	-
Long-term (more than three months)	%	-	100	33	67	-	-	-	-	100	-
Total	qua-ty	8	20	47	45	1	1	35	35	1	-
	%	29	71	51	49	50	50	50	50	100	-

Source: Data is provided by the PAO upon the request of DESP PA KR and CSAKR in November, 2007

Legal basis

Programs of training and improvement of professional skills of state employees are developed on the basis of needs of the state bodies independently conducting the analysis and submitting the offers in CSAKR taking into account the volume of the budget, stipulated for these purposes according to the national legislation. According to legislation of the KR, state employees pass the advanced training as required, but not less than once in five years.

Article 21 of the Law of KR No 114 "On public service" dated August 11, 2004 defines the CSAKR as the single customer of educational programs and institutions on the competitive basis and establishes the minimum threshold of state financing aimed on training (“... *not less than one percent* of the funds stipulated for financing of activity of the state bodies”), defines the opportunity to attract other funds which are not restricted by legislation of the KR.

*During interview, the issue of state financing for advanced training of state employees was mentioned, but, as a rule, with expression of regret about inefficiency of the rate fixed in the Law. Expert estimations are also supported by the analysis of the budget of the pilot ministries and agencies. When forming the budget based on the needs for training, each ministry and department within the limits of line (per item) budgeting and according to economic classification of expenses⁴¹ should include **into the sub-item 22154**, the expenses for training of civil servants, including on gender equality⁴². In the surveyed Ministries & Agencies the expenses for training of civil servants on the issues of gender equality were not planned for today or have been redistributed on other items so that the educational actions have not been held.*

Procedures

There are no specially developed rules, regulations, strategy and plans of improvement of advanced training for the state employees. In most cases in PAO, the decision is made under the initiative of the person, or it is made by the head on the basis of non-objective reasons.

Data on advanced training and retraining are considered during the competition for including into the National reserve, during attestation, when delivering the promotion examinations on awarding the class grade (they consider the themes, country and terms of training). However this information is descriptive and does not influence on the final score received by the state employee. So, monitoring the real improvement of professional skills influence on the career growth of state employees is not obviously possible, as well as to estimate the ratio of the opportunity of advanced training of professional skills in different segments of management system; between various official levels.

There were proposals during the interview on necessity of standardization and centralization of basic course, lasting from 72 to 100 hours, at the end of which there will be certificates of the state format issued. The state employee having this certificate will gain additional scores when passing the competition, attestation, etc.

Services of additional education and advanced training are provided by the various organizations, thus any coordination in absence of strategy and plans is not seen. Now CSAKR, Academy of management under the President of the KR supported by the WB, develop strategy of training of state employees for five years and it is expedient for gender experts to join the discussion of it.

The role of Academy of management under the President of the KR in the issues of advanced training is emphasized by employees CSAKR as insufficient. Initial specificity of this top

⁴¹ Instruction on application of Classification of houses, Departmental classification, Economic classification of expenses and Classification of transactions with assets and liabilities approved by order of the Ministry of Finance of the KR, of December 27, 2006, # 240-P, registered with the Ministry of Justice of the KR on January 11, 2007, registration number 4-07.

⁴² Expense item 2215 “Purchase of other services”, includes 6 sub-items, including sub-item 22154 “Training of civil servants”.

establishment is lost; basically the Academy is focused on preparation of bachelors and masters of corresponding specialties. It is obviously important to make more detail analysis of the situation and to determine the reasons of such status of issues (lack of coordination, distribution of resources, etc.)

In surveyed PAOs the gender issues are not included in curricula of courses and on-job training programs, training related to gender problems are not institutionalized. Gender training of civil servants is conducted on an irregular basis, frequently under the initiative of the international or local public organizations. *Thus, beside the introduction courses increasing sensitivity, there is the necessity for the help such as transfer of principles of gender equality into functional tasks and duties of employees of different divisions and units, preparation of regulations and the methodological recommendations promoting the decision of such problems, etc.*

The employees of the division working with reserve and improvement of professional skills of CSAKR are interested in definition of needs of reserve staff and carrying out of their training. The gender subject is equally considered by them as the component of education, especially, if it will help them to conceive as in practice within the framework of the functional duties to work with this theme.

When assessing the activity during attestation and promotion examination, the competence of the state employee in the issues of a gender problems (and wider - issues of diversity management) is not considered and it is not marked by any incentive scores. Thus the given competence can be evaluated as component of already available parameters, for example, such as «the knowledge of the legislation», «ability to operate the personnel», etc., but at the same time, it is also possible to introduce the new complex parameter (for example, «the common organizational culture» or more specific «poly-cultural competence»).

Conclusions

- When there is no strategy, rules and the precise plan of advanced training as a whole, and also individual plans of professional growth of employees in personnel service, it is inconvenient to regulate the situation in system of advanced training.
- There is no monitoring of the situation of career growth of state employees in general, especially it relates to the analysis of opportunities of women to improve qualification and to pass retraining in view of the over loading of family duties.
- Assessing the knowledge necessary for state employee on the issues related to gender problems, and their introduction into the system of obligatory or additional attestation - qualification parameters will create incentives for development and implementation of policy of the equal rights, will allow systematically monitor the developing situation.
- In surveyed PAOs; the gender issues are not included in curricula and on-job training programs. Training on gender problems is not institutionalized and also conducted irregularly, frequently only under the initiative of the international or local public organizations.

Recommendations

- The presented data of the survey group do not allow to fully defining: whether there is the opportunity to improve qualification for all employees or some of them have the advantage; as connected with the position. In the further work under statistical account of CSAKR should provide an opportunity to collect such data, allowing evaluating equal access of state employees to programs of advanced training, including for all women and men.
- CSAKR and Academy of management under the President of the KR, during the development of Strategy for training of state employees for five years shall discuss the

issues of subjects and the status of programs of advanced training, planning of increase of qualifying opportunities of employees. It is expedient to develop an individual profile (portfolio) in which the tasks of advanced training will be reflected on one hand, and on another - the concrete history of training of the employee.

- Development of the complex program of advanced training by joint efforts of CSAKR, the various educational centers, programs of the international organizations, gender experts will allow to integrate the gender issues (and also questions of diversity in a more comprehensive sense) into the system of advanced training and to fix them institutionally. The training of trainers and advisers in state structures and especially in CSAKR plays the important role.

Promotion. Positive and negative incentives

Situation

The trend is as follows: young women get junior administrative positions more often than men, thus their career develops not as successfully as career of men, which is meant by (both men, and women) birth of children and overload of household obligations.

There is no fixed plan of promotion of civil servants on a career ladder, and essential distinctions between sexes are observed in the way the career grows. The women, occupying senior and the main administrative positions, reach them at later age, than men (see Table. 3.4.). For example, in ML&SD the woman holding the position of the deputy minister at the period of survey was nine years elder than her colleague - the man.

Table 3.4. The average age of women and men on political and administrative positions in the surveyed ministries and agencies for the period from 01.01.06. to 01.11.07.

	CSAKR		MF		ML&SD		ME&S		SAEP&F	
	Wo-men	men	Wo-men	men	Wo-men	men	Wo-men	men	Wo-men	men
Political position										
Minister				43	58					
Deputy minister				39	59	50	42	50		
The top administrative position										
The State - secretary		53		35		40		52		51
The main administrative position										
Director		58								57
Deputy director		54								53
The adviser of minister				41		25		39		
The assistant to minister				26				24		
The head of department	-	46	40	38	43	51		47	50,5	45

-										
The deputy head of department					37	55		50	49	30
Manager of division	45	38	42	36	49		45	52		45
Manager of the unit			39	26	55		41			
The senior administrative position										
The senior expert	35	37	44	37	42	41	40	43	42	40
The leading expert	36	37								
The expert	32	28								

Source: Data is given by PAO at the request of DESP of the PA KR and CSAKR in November, 2007

The men – managers of divisions and units, as a rule, are younger for 6-10 years than the women colleagues. At the level of senior and leading experts there is a minimal difference in the age: the men replacing the above-named positions are younger than the colleagues - women for the average of four years.

The results of the promotion for state employees by the example of attestation in 2006-2007, it is possible to observe the results of promotion of state employees by the example of the data presented by MLSD (see Tab. 3.5)⁴³. Out of the employees at junior administrative positions, promotion is recommended for women is almost three times more, than for men. However, this picture varies already at the level of the senior positions. As a result, the gender disbalance at the level of seniors and leading positions are supported by the mechanism of attestation. *In this view, it is expedient to study materials of attestation and conduct the score analysis of component blocks (a professional knowledge, the responsibility and sense of duty, independence in decision-making, etc.). In the future, it is necessary to make the similar information as the point of the report on results of carrying out of attestation in each PAO.*

⁴³ Unfortunately, similar data were not provided by other pilot PB. According the data by SAEPPF on promotion of civil servants, filling the administrative posts in the state body, no personnel review and qualifications were held in the period from 2006 to 2007. Therefore, no ranks were assigned (first and consecutive).

Table 3.5. Data on promotion of civil employees of the MLSD filling the administrative positions in the state body within 2006-2007

Administrative positions	Subject to attestation		Certified		Fitting the positions		Sent for repeated attestation in 6 months		Recommended for promotion		Not matching the positions held			
	M	W	M	W	M	W	M	W	M	W	M	W		
Principles	11	6	11	6	11	6	11	6			1			
Seniors	85	71	85	71	84	71	84	71	1		6	3		
Juniors	122	201	122	201	122	201	122	201			7	19		
Total:	218	278	218	278	217	278	217	278	1		14	22		

Source: Data is given by PAO at the request of DESP of the PA KR and CSAKR in November, 2007

According to the results of the conducted attestation, the class grades (for the first time and next) are awarded to 48 women and 33 men.

Data about awards and encouragements (see Table 3.6) as a whole, also more likely illustrate the domination of men at reception of the top awards, namely awards and medals. Other kinds of encouragements reflect the specific situation in the ministry or agency.

Table 3.6. Data on awards and rewards for employees of the surveyed ministries and agencies for the period of 01.01.06 - 01.11.07 г.*

Types of awards, reward	CSAKR		MF		ML&SD **		ME&S		SAEP&F	
	Wo-men.	men	Wo-men.	men	Wo-men.	men	Wo-men.	men	Wo-men.	men
Medal «Dank»					1	2			–	1
Award «Manas of III degree»					1	1			–	1
Honorary title «the Deserved worker ... »			2	–	3				1	2
Certificate of honor of KR			7	–	6	7			3	8
Breastplate «the Excellent ... »			11	8	59	31	–	1		
The certificate of honor of the Ministry			9	4	231	99	1	1		
Monetary compensation	2						49	41		
Total	2	–	29	12	301	140	50	43	4	12

Source: Data is given by PAO at the request of DESP of the PA KR and CSAKR in November, 2007

* It is possible that data is presented on different formats.

** ML&SD KR - data is presented in view of territorial divisions.

Data on official penalties do not allow making unequivocal conclusions on gender balance or misbalancing (see Tab. 3.7).

Table 3.7. Data on official penalties of employees of the surveyed ministries and agencies for the period of 01.01.06 - 01.11.07

Type of awards, rewards	CSAKR		MF		ML&SD		ME&S		SAEP&F	
	Wo-men.	men	Wo-men.	men	Wo-men.	men	Wo-men.	men	Wo-men.	men
Total	–	–	10	17	3	1	9	7	–	–

Source: Data is given by PAO at the request of DESP of the PA KR and CSAKR in November, 2007

Rules and procedures

Promotion is carried out on the basis of regulations On the Order of assignment of class grades, the Order of carrying out of attestation and the Order of carrying out the promotion examinations of civil servants.

The direct special measures directed on observance of gender balance in the system of public service and the further strengthening of the role of women in the political, social and economic life are the following current Decrees of President of the KR:

- «On the further improvement of personnel policy on attraction of women-leaders to the state governance of the KR » No 240, dated August 27, 2002 (orders to Government of the KR to introduce the practice of obligatory attraction of women for the position of deputies to heads of local state administrations and LSGB, and as the additional measure - to make changes to the list of staff of divisions for some of the state administrations and LSGB due to the increase of the number of units of deputies to heads to assign women for them);
- «On measures of improvement of gender policy »No 136 dated March 20, 2006 (defines the minimal quota of persons of different sex in PAO and LSGB including on supervising positions - not less than 30 percent; orders to heads of PAO and LSGB to provide equal conditions and equal opportunities of participation of persons of different sex at carrying out of competitions on filling the vacancies in the state and municipal service).

It is necessary to note that, when considering the complaints which have been sent to CSAKR in 2007 upon results of the attestation, there were facts of infringement of the established procedures:

- *members of attestation commission (heads of the medium level) due to personal hostility underestimated the scores and therefore could not prove low marks;*
- *the part of employees has not been informed about the scores put by the head whereas, according to procedures of attestation, such data should be give in due time for the attested so that in case of disagreement the interested party could protest the decision of the commission.*

To prevent the infringements, CSAKR conducts the explanatory work (in process of receipt of appeals), and now prepares the amendments into the Regulation on attestation, allowing to lower the level of subjectivity at definition of estimations of attestation.

The Regulation on attestation stipulates, that pregnant women and the employees who are on child care leave, possess the right to not pass the next attestation if they have not expressed such desire.⁴⁴

The important role during promotion of civil servants is played by State-secretaries of the state bodies and heads of the administration having the right to submit for consideration of the head by results of attestation, the motivated submissions on promotion of the civil servant for the position, assignment of the next class grade for them, inclusion in the internal reserve of the staff for promotion on a higher position. Accordingly this opportunity also should be supported by control mechanisms at the level of gender approaches of Agency⁴⁵.

The disciplinary responsibility and encouragement of civil servants are defined by the Law of the KR No 114 "On public service", dated August 11, 2004. Encouragements are applied by the head having power to appoint the state employee on the position under own initiative or on presentation of the State-secretary of the state body.

Conclusions

- Feedback from the contribution to advanced training for women--employees is less, in comparison with men:
 - Essential distinctions are observed during the career growth of representatives of different sexual groups. Among the employees filling the junior administrative positions, women are recommended for promotion more than men, but already at the level of the senior positions the picture radically varies.
 - For succeeding women, achievement of the high ranks takes longer period (even deducting the time of maternity leaves). The same rule is observed for the women who do not have families.
- There is no fixed plan of promotion of civil servants on a career ladder. Thus essential distinctions are observed in career growth of representatives of different sex and age groups.

Recommendations

- The Department of social development of Government Office of the KR as the working body of National Council on women, family affairs and gender development shall initiate the carrying out of the factorial analysis of the reasons of slower promotion of women on official steps, on the basis of results of attestation. Following the results of the analysis shall generate proposals on necessary actions. In the future it is expedient to make the similar information as paragraph of the report on outputs of carried out of attestation in CSAKR and each PAO.
- To develop strategy of use of positive incentives as motivating factors for promotion on a service ladder.
- By the decision of National Council on women, family affairs and gender development shall recommend CSAKR, in partnership with the Ministries & Agencies, discuss the Regulation on attestation for gender equation and make changes.
- CSAKR, the Division of social development of the Government Office of the KR, Academy of management under the President of KR, supported by experts on gender issues shall define the requirements of volume of knowledge necessary for state employee on gender issues and introduce them into the system of obligatory or additional attestation and qualification

⁴⁴ Please, see details in Civil Service NLA collection, Part 2, at 40.

⁴⁵ *Ibid.*, at 44.

parameters. It will create additional incentive for development and implementation of policy of the equal rights and will allow monitoring the situation on the regular basis.

Redundancy and Dismissal

Situation

Broken-down by gender data on civil servants redundancy are not gathered on a regular statistical base. The attempt to analyze which groups proved to be the most vulnerable to reduction in the course of administrative reform implementation and what their further fate is, failed due to the lack of the required statistics. A reporting form №1-Gos introduced by CSAKR may offer such opportunity, though this reporting form does not record the age of the employee dismissed and consequently it is impossible to identify more precisely the vulnerable age groups for women and men.

In the course of the interview some instances of unjustified, unfair dismissal (according to the respondents) of the women who returned to work after the maternity leave were noted. The decisions, while, were made in contradiction with the LR, but through the proposal to retire “on their own free will”. In some cases the problem was resolved due to the high level professional skills of women-public employees.

At present the redundancy and reorganization issues are regulated by the Competitive Selection Division of CSAKR. As of today the results of complaint analysis broken-down by gender have not yet been obtained. “Professional skills” are considered to be the main reason of staff reduction. The CSAKR data do not allow viewing unambiguously who more frequently faces with inequitable attitude in the questions under consideration, but the examples given below more often concern the women.

In 2007 CSAKR received seventy written applications and complaints. The analysis of applications and complaints has shown that generally they are related to the unjustified dismissals, disagreement with the position proposed due to the results of reorganization, the decisions of attestation/certification committee of the government agencies without participation of CSAKR, with job placement, unlawful acts of heads of governmental bodies, labor disputes, and awarding class ranks.

In particular, violation of part 4 of Article 137 of the Labor Code of the KR (preserving the job place of employees who are on maternity leave) was inspected with the visit to STI of Panfilov rayon. Based on the facts proven in the course of the inspection CSAKR has sent a letter to STI under the Government of the KR with the demand to take adequate measures for elimination of detected breaches.

Based on the claim on wrongful dismissal from the employee of Public Administration of Talas oblast, an inspection was carried out and as a result the employee was re-employed.

As per the letter of the Deputy of the Parliament (MP) of the third convocation and internal report of CSAKR staff on violation of the law on civil service by the Minister of Health of the KR the inspection was conducted. As a response to the proven facts the letter with a recommendation to take adequate measures with respect the Minister of Health was sent to the Prime-Minister of the KR.

The information on wrongful dismissal stated in the claim of the employee of MES was verified. Based on the facts proven in the course of the inspection CSAKR has sent to MES recommendations to revoke the decisions taken in violation of the law. Fulfillment of recommendations was suspended awaiting results of the trial where the applicant has registered a claim on restoration on work (re-employment).

The reorganization of governmental bodies is a complex process. In order to prevent the situations with violation of public employees' rights, in 2007 CSAKR sent to PAO instructional and practical information which regulates the procedure of reorganization within the framework of the legislation of the KR, as well as it carries out explanatory work on the matter with local public administrations and territorial representative offices of the Agency.

Legal Framework Rules and Procedures

- Redundancy of Civil Servants (Public Officers)

Since August 2004 to present time (May, 2008) the legal aspects of a civil servant in liquidation (reorganization) of a government body, redundancy of its staff are regulated by Article 31 of the Law of the KR "On Civil Service" dated August 11, 2004 № 114. In line with the above mentioned Article a civil servant may be dismissed from the position at the initiation of a government body's administration in 12 different cases, including reorganization or liquidation of a government body and *reduction of the public administrative job, position held*.

At the same time there is a direct authority delegated to the CSAKR that raises the status and broadens the power of CSAKR and according to which reorganization, liquidation of a government body or change in the number of staff at own initiate leading to redundancy of administrative jobs in a government body is permissible only with agreement of the Agency.

Dismissal of a civil official due to the reorganization or liquidation of the government body or reduction in the staff number of the government body is allowed only in cases when it is impossible to transfer a government official to other position with his or her consent.

Apart from that, there is another new norm introduced according to which in case of reorganization or liquidation of a government body *or reduction in the staff number* dismissal of a government official is possible during the period of his/her temporary disability and the during the period of leave.

Guarantee for the civil servant under the circumstances of liquidation (reorganization) of the government body, *reduction of its staff number* is regulated by Article 47 of the existing law. Government official should be offered another job in the context of corresponding category of positions given his/her profession and qualification. In case of the absence of a vacancy with the agreement of the civil servant he/she should offered another position of the lower category preserving the average salary paid at the previous work for the whole period of time working in the new position. In case of refusal from the proposed position the government official will be discharged.

In case of dismissal due to the liquidation, reorganization or *staff redundancy* and refusal to accept the proposed new position, a civil servant will be paid a severance benefit⁴⁶ and average salary as per the rate of the previously occupied position, which is calculated based on the last five years of service as a civil servant.

It should be noted that the guarantee provided to a civil servant in case of liquidation (reorganization) of the government body, *reduction of its staff members* is extended in the existing Law. Thus, the innovation in the new Law as compared to the previous Law is a new norm introduced according to which a person discharged due to the redundancy of the civil service may

⁴⁶ This norm as before does not spread on the civil servants at the pension age.

be sent for retraining to secure his/her job placement in the state enterprises, institutions and in the private sector at by his/her consent.

Also, among other new things there is new norm introduced which stipulates inclusion of a civil servant who is being discharged (or dismissed) from the civil service due to liquidation, reorganization or *redundancy*, to the list of the reserve officers, from where he/she has a right to be appointed to a vacant position in the civil service.

- Dismissal

The existing Law of the KR “On Civil Service” of August 11, 2004 № 114 envisages a significantly expanded and detailed list of grounds (rationale) to discontinue the work in the civil service. A civil servant can be dismissed from the position held in 10 cases *at the initiative of the government body*. The service in the Government body can be discontinued *due to a number of circumstances that do not depend on the will of the parties*, including the refusal of a civil servant to continue the work under the new conditions of labor.

Dismissal of a government official at the initiative of the administration of the government body is executed with agreement of the State-Secretary after fulfilling the relevant procedures in accordance with the Law of the KR “On Civil Service” of August 11, 2004 № 114. In case of disagreement of the State secretary with the dismissal of the civil servant, the head of the administration of the government body does not have any right to fire the civil servant. The State secretary has the right to appeal this decision and take to the Council. The decision made by the Council is irrevocable.

Dismissal of a civil servant at the initiative of the government body (except for dismissal due to reorganization or liquidation of a government body or reduction of the staff of the state body, if it is impossible to transfer a civil servant to another position/job with his/her consent) during his/her temporary disability and during the leave is impermissible.

The change of the persons holding political public positions in the government bodies is not a ground for dismissal, demotion, rotation and attestation of the civil servants that hold executive positions.

The heads and state secretaries of the government bodies are obliged to secure the enforcement of the civil servants’ rights stipulated by the Law.

Conclusions and Recommendations

- Broken-down by gender data on redundancy and dismissal of the civil servants are not captured on a regular statistical basis, therefore, the additional efforts are required to collect the statistical material and analyze the situation with regard to the redundancy and dismissal of the government officials.
- Recommend the CSAKR to prepare a memorandum report for the Council for Civil Service, the National Council for Women, Family and Gender Development and its Working Group on the basis of the statistical data and analysis of the complaints submitted to the Agency taking into consideration the gender factor and recommendations on improvement of the practice in the redundancy and dismissal issues.
- CSAKR should initiate and the National Statistics Committee of the KR and the Ministry of Justice should approve the amendments and addenda to the statistical form № 1–GOS given the

possibility of getting the broken-down by gender data on redundancy and dismissal of the civil servants on a mandatory basis from the PAO.

- The National Council for Women, Family and Gender development Affairs should recommend the CSAKR and the NSC to include the gender broken-down data on redundancy and dismissal of the civil servants into the list of mandatory reporting indicators for PAO.

Combining Family and Office Duties

Situation

The situation with the marital status of the civil servants of the KR is similar to the situation in most of the other CIS countries. 56 percent of women and 85 percent of men are married, more than the fourth of women are unmarried – 27 percent, 12 percent of men are unmarried. No principle differences in different segments of the civil service were marked.

The survey of the PAO has shown the similar situation (see table 3.8):

- Prevailing number of the single officers are women. The number of the unmarried men in the civil services of PAO are at least twice less than the women.
- There are no male government officials among the divorced or widowed.
- The number of the married men in the PAO, which are traditionally considered to be “men’s), exceeds two times the number of the married women, while in such “female” ministries like MLSD and MES their number is at the level of the number of the married women or lower than the number of the married women.
- Single men prevail in the younger age groups (up to 30 year old), while there are unmarried women among the age of 40 and 45.

Table 3.8. Data on marital status of the Ministries and Agencies under survey as of 01.11.07

Marital status	CSAKR		MF		MLSD		MEC		SAPEF	
	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male
Single / not married	10	7	48	38	12	7	13	4	11	1
Divorced	6	1	19	3	2	-	9	-	3	-
Widow /Widower	1	-	3	-	3	-	3	-	3	-
Total unmarried	17	8	70	41	17	7	25	4	17	1
Married	15	33	73	83	38	23	16	18	21	48

Source: Data is presented by the PAO at the request of DESP KR and CSAKR in November 2007.

The women with successful career development divorce frequently due to the conflict rising in two social spheres: work and family, which assumes that a woman is responsible for major part of housework. While the work at PAO holding certain positions require non-standard employment with open-end work day. The duration of the working week and day is officially standardized and in compliance with the legislation of the KR. However, the nature of this type of work requires working on Saturdays, being on duty on weekend and holidays, and if needed to work additional time lengthening the working hours, thus, has an adverse impact on the possibility for a women to fulfill her assumed responsibilities before the family avoiding conflicts. Many of the respondents have noted this situation.

Another wide-spread opinion including among the women is the need to define the priority between the family and a career when start working for the government body. The context of such point of view is that the civil service and family obligations compete with each other. A woman and her family should understand the whole range of responsibility undertaken when the decision is made in favor of career development. It should also be noted that the government structure itself is considered to a neutral and isolated instance with respect to the family affairs. Such position justifies the situation with gender balance in personnel administration and allows the people responsible for this area to produce corresponding negative stereotypes, attitudes and actions.

The Law of the KR “On State Guarantees for Ensuring Gender Equality” of March 12, 2003 № 60 includes the articles obliging the employers to provide opportunities to combine the labor with the family obligations. However, the concrete mechanisms for execution of these norms established both by the state and the employers are not prescribed.⁴⁷ The *category “persons with family and household duties’ introduced in the legislation allowed 60 men- staff members of the government bodies to take a child-care leave (5,5 %).*

The analysis of the data in the pilot agencies for the last two years (2006–2007) shows that the leave for up to 3 years is most frequently used. In majority of the case this leave is taken by the women. Only in the Ministry of Finance of the KR three cases, when the men fulfilled such family obligations up to one and 3 years were observed (see table 3.9).

Table 3.9 Data on use of the maternity (child-care) leave by the staff of the ministries and agencies under survey for the period 01.01.06 through 01.11.07

Duration of Maternity Leave	CSAKR		MoF		MLSD		MES		SAPEF	
	Fe-male.	Male	Fe-male	Male	Fe-male	Male	Fe-male	Male	Fe-male	Male
Up to 3 years	1		11	1	2	-	2	-	5	-
To 2 years	1		1	-		-	-	-	-	-
Up to 1 year	1		2	2	1	-	2	-	-	-
Up to 4 months	-		-	-	1	-	-	-	-	-
Total	3	-	14	3	4	-	4	-	5	-

Source: Data is provided by the PAO at the request of DESP of OP and APSI in November 2007

Women and their families are guided by the economic expediency and go for significant reduction of pre-delivery and post delivery leave in the situations when they (women) hold rather high positions, have high salary or involved by the international organizations in the project implementation. The way out of such situation is reallocation of the family responsibilities, when a man or other relatives take care of a child, but such facts are very few.

Nursing mothers have the right to work according to the flexible schedule. The transfer to the new regime of work should be officially registered and approved by the management. *However, these women use these opportunities rarely and prefer as in other cases to resolve the*

⁴⁷ At present the President of the KR submitted the draft law of the KR “On equal rights and opportunities for men and women” to the Parliament of the KR for consideration. This draft Law significantly widens the provisions regulating the gender situation in the labor market. For example, supplementary articles on choice of labor activity, on guarantees of equal rights in case of dismissal of employees, on prevention and suppression of gender based harassment in the labor sphere and responsibility for gender discrimination and etc.

problems unofficially with the direct supervisor or the colleges in case of having the family problems.

The persons with family duties and housework have the right to take the child – care leave. This opportunity is practically used only by women. The survey in the Ministry of Finance of the KR showed that during two and half years the men took the leave to look after the sick children only four times.

Opportunities of trade unions and collective agreements as a rule are not sufficiently used. The gender issues are not considered by the trade unions in the PAO. There are some precedents of changes of a collective agreement providing aid to the employees, creating certain conditions for those who study to get the second high education (a paid leave), day off on September 1 for women who have children of primary school age and etc. Nevertheless, such decision making is always related with, first of all, personality of the CEO, secondly, with a presence of a bold and initiative person who knows the rules and opportunities of the collective agreement, and not the systemic work of the management and trade unions to identify the needs of the collective and collect their proposals. In very exceptional cases the persons responsible for gender issues may act as initiators of such processes. This fact needs more detailed consideration as these specialists have undergone corresponding training, but either they cannot or are not interested in introducing this approach directly in their PAO with respect to their employees.

Specific instruments for determination of discrimination and incentives for its overcoming are not developed. An employer interprets the situation, makes subjective appraisals and takes decisions on his own. And though some categories are specified in the Law of the KR “On fundamental principles of state guarantees of ensuring gender equality” from March 12, 2003 #60 and the Decree of the President of the KR “On national action plan on achievement of gender equality in the KR for 2007–2010” from August 20, 2007 #369, these conceptions are poorly implemented in the PAO’s day-to-day activity to use them with respect its employees and existing special-purpose possibilities of its use for one or another category of employees.

Public servants who, for example, are on maternity or parental leave have priority right to training. It should be noted that ensuring of such a right demands solution of specific problem: such as: when it is convenient for a person with family and house-hold duties to attend career development (qualification upgrading) courses, how long the training should last, and if there is any use in dividing basic training course for 72-100 hours into a number of separate sections and etc. Answers to these questions and organizational measures undertaken in future will help to turn abstract rights into real opportunities.

A number of similar questions arise in case of employees with family and house-hold duties who have small children. Household problems which limit the opportunities of these persons should not be solved only by the person himself and his family, but may successfully be regulated within the relevant state policy and strategies of the public authorities at initiative of personnel management (HR) offices.

Conclusions

- Stereotypes in relation to combining family and house-hold and employment duties are common both among men and women, both among senior managers and subordinates.
- Some of possibilities of combining house-hold and employment duties are specified in the legislation of the KR. Herewith, the means of ensuring of such rights are not adequately worked out, the constraints connected with children and household activities and etc. are ignored.

- Specified in the legislation norm of presence and segregation of house-hold duties irrespective of sex (group of “persons with house-hold duties”) is poorly spread in the information field and is little used by men.
- Institutions and tools which are designed to protect and promote the rights of working men and women (trade unions, collective bargaining agreements) are insufficiently used. Combining house-hold and employment duties is generally achieved through the use simple contracts and informal relationships between employees and their direct supervisors.

Recommendations

- Tripartite partners (Government, PAO, trade unions, employers) should develop specific tools to exercise the rights facilitating the possibility to combine house-hold and employment duties.
- To use the capacity of the collective agreement and trade unions for the improvement of the possibility to combine the household and employment duties. For this purpose, it is necessary to conduct training among the representatives of trade union committees in PAO by helping them to understand the gender topics concerning its goals, tasks, functions and activity in this direction. Such work can be carried out both by the gender local points, gender NGOs and central staff of public servant’s trade unions.
- The Department for social development of the KR President Office with the assistance of NGOs and donor organizations should develop and carry on an information campaign on promotion of opportunities of all family members to exercise the right of paternal leave. A special; attention should be given to promotion of experience of men who look after small children.

Final conclusions and recommendations

As the examples presented in this report and the lessons learned from other similar surveys have shown, the problems related to establishment of gender equality in the PAO have a systemic (structural) character. While in majority of case the existing traditional approaches in the PAO activity turn out to be insensitive to the interests of diversity, including the gender issues. Changing the situation requires the search for relevant solutions. This search lies in the overall public administration modernization, changing its concept as a system meeting the current requirements of the country's development, formation of corresponding organizational practice and culture enabling the system of civil service to be flexible and sensitive to the needs of the internal and external environment. Thus, the changes related to the elimination of the gender discrimination in PAO should be built in wider processes of civil service reforming.

Among the tasks in this direction it is important to identify such questions as "how to ensure the effective models and manage changes?", "who is the subject of the required civil service modernization and what are their roles/functions?" It seems that nobody will be satisfied with a traditional answer on use of the administrative resources to introduce the new approaches. Frequent changes in the PAO structure and staff turnover impede formation of a strong core of administrative managers. It is difficult to implement the required changes in PAO only through direct administrative methods as the structure of the public administration has large a adaptive capacity to imitate the changes, including the changes in compliance with the priorities of the international organizations to utilize the funds.

As the point is the system changes (changing priorities, procedures, rules, culture and etc.), it is obvious that this process should be secured at all levels – employees, structural units and a civil service system I as a whole. At the same time it is necessary to keep in mind that the real changes related to the removal of the system barriers depend first of all on the decisions made at the central level of power, which legitimates the tasks and defines the mechanism of providing resources to the process (conceptual – notions, interpretation; legal -norms, procedures; informational – development, training; financial; control systems and etc.).

The accelerators of the process of changes at the political level is the President's Office, Government of the KR and Government Office of the KR, Parliament of the KR and office of the Parliament of the KR. The General Concept (view) defining the key priorities, principles and tasks of the gender sensitive (family friendly) public administration and the mechanism of building in this concept in the main country development strategies should be formed at this level.

It is expedient that the Government of the KR jointly with the Council for Civil Services, CSAKR, and Council for Women, Family affairs and Gender Development develops a mechanism of putting orders for conducting surveys of the public administration enabling to detect and analyze the differences between the opportunities of women and men. It is also needed to envisage the mechanism of ensuring equality, first of all within the civil service system.

The task on transferring the gender sensitive concept of public administration to the concrete procedures is within the CSAKR competence. The function of CSAKR is related on one hand with definition of the strategy and on the other hand with implementation of the process of changes, which stipulates coordination of stakeholders, creation of required expert and project groups on development of concrete polices, instruments of changes (training, methods of analysis, solution technologies) and carry out general communicative measures providing information on the course of the achieved changes.

The main directions of the work of CSAKR assume:

- Harmonization of the national legal framework and procedure issues given the objectives of the equal opportunities.⁴⁸
- Development and introduction of measures aimed at achieving the gender balance at the decision-making level in the CSAKR and in the civil service system as a whole, including the special measures on providing additional training for the vulnerable groups.
- Determination of the standards of the gender sensitive civil service system and the relevant levels of competency on gender issues of both a civil servant in general and the responsible staff of the personnel department within the framework of the training strategy development and preparation of the civil servants.
- Inclusion of gender topics to the list of questions for contest based selection and attestation of government officials as well as introduction of requirements on competency of the executive staff on gender matters in the documents regulating the activity of the civil service system.
- Introduction of gender training programs in the CSAKR at all levels, including the mandatory courses and qualification raising programs for the staff of the Agency focused on promotion of the equal rights and opportunities policy and integration of a gender approach in the activity of the civil service.

The next group of the persons responsible for implementation is presented by the state-secretaries, heads of the administrative office as well as the personnel departments at the level of ministries and agencies. It is necessary to provide the representatives of this group by the informational, educational, analytical, methodological, instructive materials and to include them in the activity on promotion of the equal rights policy. Besides, it is necessary to develop and stipulate the mechanisms of responsibility for implementation of the set tasks.

The important agents of changes are the public institutions, in particular, trade union of civil servants, NGO, independent network of monitoring and evaluation that can be involved in lobbying the interests of the groups, which are not adequately represented to carry out the informational and educational measures, and conduct independent evaluation of the situation.

A special place is given to the international organizations that are implementing the projects on support to the reforms of the public service, strengthening the capacity of the civil servants and facilitating expansion of women's opportunities. Coordination of the international organizations' activity, development of the strategy to promote the principles of equality and equal opportunities will contribute to increasing the efficiency of the work in this area.

In general, speaking about managing the process of changes in the civil service, including aimed at eliminating the gender discrimination, it deems to be expedient to create a network (alliance, council or etc.) with participation of all stakeholders, which to begin with would assume the responsibility for the development of the strategy of changes. It is also expedient to create pilot innovation platforms on the basis of the government bodies to test the educational technologies and models for managing changes.

⁴⁸ For detailed recommendations see the corresponding section on recruitment of the government officials, qualification raising and etc.

**Outline of Analysis of Changes in Gender Equality Policy Implementation
in Pilot Public Administration Bodies**

1. Subject of previous survey.
2. Goals and Survey Questions
3. Methodology and Tools of Survey.
4. Representation of women and men in staff composition.
5. Problem Serious (Set) (given the discrimination issues)
6. Recommendations based on the results of the previous surveys.
7. Practical solutions (what and at what level was approved).
8. Implementation of decisions (what has changed in the institution).
9. Difficulties and obstacles in implementation of the recommendations and decisions.

The analysis was conducted based on the results of the interview with the PAO staff and the data received from the corresponding ministries and agencies.

Participants of Interview

State Agency for Civil Service Affairs ant of the KR. 15 staff members have been interviewed, of which 8 women and 7 men:

- Head of Departments – 3,
- Heads of Divisions – 4,
- Chief and Lead Specialists – 8.

Ministry of Finance of the KR. 8 staff members have been interviewed, of which 5 women and 3 men:

- Head of Department – 1,
- Heads of Divisions – 2,
- Chief and Lead Specialists – 5.

Ministry of Education of the KR. 4 staff members have been interviewed, of which 3 women and 1 man:

- Head of Department – 1,
- Head of Unit – 1,
- Chief and Lead Specialists – 2.

Ministry of Labor and Social development of the KR. 2 staff members have been interviewed, of which 2 women:

- Head of Divisions – 1,
- Chief and Lead Specialists – 1.

State Agency for Protection of Environment and Forestry under the Government of the Kyrgyz Republic. 2 staff members have been interviewed, of which 1 woman and 1 man:

- State- secretary – 1,
- Chief and Lead Specialists – 1.

Information on Gender Situation in Pilot Public Administration Organs⁴⁹

The Civil Service Agency of the Kyrgyz Republic

Representation of Men and Women

Staff of the agency consists of 72 people, of which 30 (41.6 %) women and 42 (58.4 %) men. Absolute lack of gender balance is observed at the top management (executive) level of the Agency, which is represented only by men. The highest level, where the women are represented is the head of the Division and Deputy Head of the Regional Representation Office.

The women in the Agency are mainly concentrated on the senior administrative officer positions and the positions of the leading specialist. The share of the women in further promoted positions is incommensurably less than the share of men.

Hiring (Employment)

Hiring and promotion in the civil service positions in the Agency are carried out in line with the Law of the Kyrgyz Republic “On Civil Service” of August 11, 2004 № 114 and based on the professional qualities, experience of the personnel, his/her capacity for work and interest in career growth. That is, during the contest based selection for the vacant positions in the Agency the sex of an applicant should not matter.

Nevertheless, the commission members asked questions to the applicants-women unlike the men, about the family (marital) status, presence of small children or plans about having babies in the nearest future. The women who had successfully passed the selection process for the vacant positions in the Agency are confident that their verbal assurance of the absence of such intentions played not the last role in their appointment, selection to the new positions.

Qualification Upgrading – Professional Development

For the period under the survey 21 officers of the CSAKR – 29.2 percent of the total staff of the Agency have been on business trips abroad, participated in the seminars, trainings, conferences and training courses. The majority of the staff sent to training is men (18 people or 43 percent of the total number of the male staff) while the same indicator for the female staff makes 10 percent. It should also be noted that one and the same men went on the business trips abroad.⁵⁰

Marital status and presence of children are of importance in defining the candidate to be sent to study tour (training course): mainly the male staff was sent to the long term training courses (the duration of one-two, half year or several months (12 men and 2 women).

⁴⁹ Data is given as of the time of conducting the survey (2007).

⁵⁰ It should be noted that the organizers of the training set strict criteria and requirements to the participants of the courses varying from knowledge of the language to the age and sex. Therefore, the further analysis of the information should be made given the fact of meeting of the requirements by the candidates – the requirement to the knowledge of the language in which the training is held, the status of the event, area of responsibility, functional duties – the area of training and expected feedback etc.

With respect to the targeted training courses and seminars that are organized the Agency level, many people recognized the difficulty of being included in the list, lack of transparency in selecting the candidates. Mainly the men – 90 percent go to the prestigious business trips abroad.

As the women in the executive (management) positions in the Agency are represented less than the men it is necessary to strive to provide them opportunities for retraining and qualification upgrading. The gender analysis of the staff composition sent for the professional development, taking into consideration the gender aspects in forming the composition of the delegation for participation in the study tours and training programs should be institutionally established.

Lack of preferential opportunities for mothers to raise their professional qualification is also in the list of the reasons reducing the competitiveness in the professional capacity of women – civil servants. The interview with staff members of different ranks showed that very few people of both at the level of managers and implementers are aware about the provision of the Law of the KR “On Civil Service” of August 11, 2004, № 114 stipulating a priority right of the government officials on maternity or parental leave to training.

Promotion (advance in office), Positive and Negative Incentives

In addition to the special requirements there are such criteria needed to be met for promotion: the professional experience, diploma and certificates on qualification upgrading, knowledge of foreign languages and computer.

During the period in question no incentives and administrative sanctions on the Agency’s employees were used.

Combining Family (houshold) and Office Duties

For the absolute majority of men – the Agency’s employees the marital status is not an obstacle to career development, on the contrary, it is an attribute of man’s wellbeing and success. The major part of the men has children. Only 7 men are single. These are mainly young people who have just started their career in the Agency. While the share of women with unmarried or divorced status is high in the Agency – 56.7 percent, in other words more than half of the female employees. The similar situation is observed for all women of all age categories: under 30 years old – 4 women; under 35 years old – 6; under 40 – 1, above 45 years old – 4.

During the period in question 3 staff members - women of the Agency were on maternity leave.

Ministry of Finance of the Kyrgyz Republic

Gender Representation

Men and women are represented in the staff composition of the Ministry almost on parity principles: 143 women (53.5 %) and 124 men (46.4 %) work as civil servants. However, the men and women are not equally presented in different structural units of the Ministry. The biggest misbalance is observed:

- In favor of men: in the executive management of the Ministry 7 people – all are men; in the Financial Control Department - 14 men and only 2 women; Logistics Department 13 men and 2 women;

- In favor of women: in the Financial Planning Division, Personnel and Record Management and Control Division – 100 percent are women.

The disbalance was also observed in consideration of the gender issues in the hierarchy of job positions. In general, the more men hold the executive positions than the women (37 men and 31 women). In relation to the total number of the women in the ministry the women – executive managers make 21.7 per cent and the men – executive managers – 29.8 percent of the total number of male employees. The highest positions where the women are represented equally with the men are the head of the divisions or units. At the next level - Heads of Departments the women are twice less than the men and there are no women among the Directors Departments.

Professional Development (Qualification Upgrading)

Out of 92 personnel of the Ministry promoted over the period of October 1, 2006 through November 1, 2007 45 men and 47 women had undergone retraining and qualification upgrading.

Promotion (advance in office), Positive and Negative Incentives

Regularity of unequal cost of time spent for career promotion for women and men has been observed in all the ministries and agencies at all levels. The professional competency of the women, which is measured by the educational level and length of the years of service in the specialized area, in most of the cases is even higher than of the men. In other words the sex of men has a significant impact on the speed of promotion, proving more advantages. Taking into account the systemic character of this hidden discrimination towards women it is required to undertake special measures to prevent it and equalize the opportunities for the career development, growth for the employees of both sex.

Comparative analysis of incentives and administrative punishment with respect to the employees of the Ministry over the period of January 1, 2006 through November 1, 2007 has shown that in general, the number of women that received incentives in the Ministry is slightly more than the men.

Combining Family and Office Duties

Almost half of the female personnel of the Ministry have the status of unmarried or divorced (70 people), while this is characteristic to the women of all age groups: from 30 years old – 30 women; above 45 year old– 28 women.

For the period in question 14 female employees and 3 male employees of the Ministry took the maternity leave. Most frequently the women use the leave for 3 years (about 80 percent of all cases).

Ministry of Labor and Social Development of the KR

Gender Representation

In general, the misbalance in the Ministry of Labor is observed toward the prevalence of women: out of 84 personnel⁵¹ the women made 60.7 percent (51 people) and 39.3 percent - men (33 people).⁵² Only in two out of fourteen structural departments of the MLSD the number of men

⁵¹ Staffing table (structure) envisages 92 people; as of the period of the survey - 31.12.07 there were 8 vacant positions in the MLSD.

⁵² № 9/5516 of December 31, 2007 – MLSD's response to the request of the Department for Economic and Social Policy of the KR President Office carried out to monitor the implementation of the Decree of the President of the KR

exceeds the number of women: in the Information Technologies Department and Internal Control and Audit Department. The situation has somewhat improved compared with the previous survey results. For example, in 2003 the share of women in the former then the Ministry of Labor and Social Development of the KR made 76.2 percent while men – 23.8 percent.⁵³

In considering the distribution of the employees by sex from the position status standpoint it turned out that there is a gender balance at the political position and senior executive level: the position of the minister is held by a woman, the state secretary is a man, out of two deputy ministers – one man and one woman.

The position of directors, heads of departments and their deputies (11 to 3) are principally held by men. And starting from the position of the head of the Division, unit and lower the share of women significantly exceeds the number of men. In general there are more men than women at the executive management level (4 and 2).

Thus, despite the aggregate formal compliance of the men and women ratio among the Ministry's personnel with the Decree of the President of the KR "On measures of improving the gender policy" of March 20, 2006 № 136 (which states that not less than 30 percent of the staff should be from the less represented sex), it is obvious that there is a gender misbalance and horizontal and vertical asymmetry at the breakdown by the level of the positions held.

The traditional the age dependence of the job position was detected in the MLSD at the Deputy Ministers level, where the women holding this position at that time was 9 year older than her college – the man. At the same time, the men – heads of departments and their deputies are 8-12 older than their colleges –women. HThere is a minimal age difference at the level of chief and leading specialists : the men holding the above-sated positions are 1-3 years younger than their colleges- women.

Recruitment Hiring

The composition of the attestation commission has a gender balance (3 men and 4 women). There is no considerable asymmetry in the number of filed applications from men and women (84 – men and 92 women). The contest was 3 candidates for a position, women were selected somewhat more often: about one fourth of the men applied and less than fourth of the women were selected by the results of the contest. Women made 52.8 percent of hired. As a result the existing gender misbalance in the ministry with predominance of women has increased.

Professional Development

In accordance with the data on the professional development (qualification upgrading) of the MLSD staff as of 31.12.07 the situation with refresher training courses in the country is the same for men and women: neither men nor women went to these courses. The opportunity to participate in the medium term training courses abroad (from 15 days to 3 months) (in Japan) was provided to 1 man.

Career development, positive and negative incentives

"On measures of improving gender policy" of March 20, 2006 / Questionnaire with description of the current situation on representation of women and men in the government bodies and local governments.

⁵³ Women and men of the KR, collection of gender broken-down statistics, NSC KR, Population Fund UNDP, Bishkek, 2003, page 75.

According to the data provided by the MLSD on promotion of public servants who hold administrative positions in PAO, attestation of personnel was held 6 times. Based on the results of the attestation the class ranks were not awarded (for the first time and regular) to 48 women and 33 men.

Judging by the provided data on rewards and pay-offs women are promoted and punished more often than men (301 rewards and 3 disciplinary sanctions versus 140 rewards and 1 disciplinary sanction). This is probably connected with their numerical superiority in the given PAO.

Combining Family and Office Duties

In all the positions the matrimonial status of women exceeds the men in numbers:

- in the MLSF the number of unmarried women practically exceeds twice the number of unmarried men (12 and 7 people accordingly);
- among the divorced and widowed – only women (2 and 3 people);
- 17 women and 7 men are not married. All the single men are at the age of under 30, whereas there are unmarried among the women at the age of 40 and 45;
- women also prevail among the married (38 people); married men – 23 people.

The men in the MLSD do not use the opportunity provided by the legislation to take a child-care leave. 4 women used this opportunity: two of them up to 3 years, 1 – up to 1 year and 1 – 4 months.

It should be noted that in the course of the repeatedly conducted during the period in question restructuring, reorganization and separation of the Ministry of Labor and Social Protection of the KR into several independent PAO (Ministry of Labor and Social Development, State Committee for Migration and Employment, State Agency for Vocational Education under the Government of the KR) the institutional memory (core) in terms of the gender policy system and principles was lost and the previously trained staff transferred to different PAO.

Ministry of Education and Science of the Kyrgyz Republic

Gender Representation

On the whole, there is a misbalance with predominance of women in the Ministry, practically 2/3 of employees are women. This situation has changed little as compared with previous surveys. The share of women in the former Ministry of Education and Culture of the KR was 68.6 %.

Close examination shows a picture consisting of different fragments:

- Men are dominating at top-managerial positions at the ratio 4:1;
- Equal representation of men and women can be observed in three out of five infrastructural and non-core⁵⁴ divisions;
- In administrative divisions which directly manage different levels of education, the share of women is twice as much than of men.

⁵⁴ Professional occupations which are not directly connected with education: lawyers, economists, managers etc., and in which there is no misbalance in staff training system and in direct field of activity.

Thus, although formal analysis bears evidence of accordance to the Decree of the President of the KR “On measures on improvement of gender policy” # 136 from 20 March 2006, the real range of problems becomes clear in a disaggregated approach.

Horizontal asymmetry in MEC is accompanied with strongly pronounced vertical misbalance. The number of men at senior, top and political positions is twice as much than the number of women-senior executives.

Incidental for other governmental bodies regularity that women holding senior administrative posts are twice elder than their colleagues-men is not proved by the collected data, but to a larger extent it is connected with the fact that women practically do not hold such posts in the ministry. At the same time, for junior and senior positions the lagging of average age among women range from 3 to 15 years.

Hiring (Employment)

In the composition of the attestation commission men are predominating. There is no considerable asymmetry in the number of filed applications from men and women. The contest was 2 candidates for a position, women were selected somewhat more often: less than a half of men and more than a half of women were selected by the results of the contest (61% of hired are women). Consequently, the existing situation with the gender balance in the ministry is enhanced.

In 2007 altogether 25 vacancies were announced twice. 7 men applied for positions of head of administration and director of department, 3 of them were hired. 12 men and 25 women applied for positions of senior, leading and junior specialists, approximately half of them was hired - 6 men and 14 women.

Professional development

Data on professional development of the Ministry’s employees from 01.01.06 to 01.11.07 both by duration and by categories of countries speak about almost equal in absolute expression number of women and men who have the opportunity to additional education. But in view of the fact that 2/3 of ministry's employees are women this ratio does not seem to be perfect.

Career development, positive and negative incentives

The evaluation of employees was not carried out in connection with the reorganization of the ministry but it was planned for February 2008. One woman and one man were awarded class ranks.

Due to the fact that the number of men in the ministry is considerably lower and the number of case of receiving money reward by men and women differs little, men receive such a common reward comparatively more often. Administrative sanctions are used somewhat often towards women, but this apparently is connected with their numerical domination in the ministry.

Combining house-hold duties (family responsibilities) and employment duties

54% of men and 39% of women are married, while there are no divorcees among men and 9 divorcees among women. The number of single women is three times as much than the number of single men.

Men in MES do not take an opportunity to take the maternity leave. 4 women took the offered opportunity: two – when children attain 1 year and two –3 years.

Gender Representation

In general, there is a misbalance in SAPEF with predominance of men who are by 11 people more than women (49 versus 38). Situation with the representation of women is somewhat improved as compared to the period when the survey was conducted in the Agency (2006–2007): the number of men holding positions of top and middle management was 2,4 times higher than the number of women, among 28 top and middle managers only 6 were women (or 26%).

Mainly men are holding positions from director of the Agency to the deputy heads of departments (political, superior and main administrative). There is an equal number of men and women among heads of departments in management structure and department managers, as well as among the specialists of the 1st category; and there is a slight numerical superiority of women at the level of main specialists. There is a considerable misbalance at the level of key specialists, where the number of men is almost twice as much than the number of women.

Women who hold senior administrative positions are older than their colleagues-men: at the level of heads of departments the disparity in age is 5,5 years, deputy heads of department – 19 years, key and main specialists – 2-5 years. Inconsiderable age-related preponderance of men (2 years) can be observed only at the level of specialists.

Hiring (Employment)

In the composition of the attestation commission the men are predominating (10 to 3). There is a considerable asymmetry in the number of filed applications from women and men (1 to 14). The contest was 3 applicants per vacancy. Only one woman who had filed application for admission was employed in SAPEF based on the results of the contest.

Other vacancies were filled without a competition. Hereby, 22 persons were hired by the Agency; the number of men hired for such categories of administrative positions as principal, senior and associate was twice as much than the number of women (10, 4, 2 men versus 4, 2 and 0 women).

Professional development

Data on professional development of the Agency's employees from 01.01.06 to 01.11.07 show that only one woman among all the employees of the given PAO has been afforded an opportunity to obtain additional education in the long-term courses (more than 3 months) abroad (in Japan).

According to the data provided by SAPEF no professional training for the reservists of the given PAO was conducted in 2006–2007.

Career development, positive and negative incentives

According to the data provided by SAPEF on promotion of public servants who hold administrative positions in PAO, no personnel certification or qualifying examinations were held during the period from 2006 to 2007. Accordingly, the class ranks were not awarded (for the first time and regular).

Judging by the provided data on rewards and pay-offs men are promoted and rewarded more often than women (12 rewards versus 4). This is probably connected with their numerical superiority in the given PAO. Administrative sanctions are not practiced in the Agency.

Combining house-hold duties (family responsibilities) and employment duties

30,4% of women and 69,6% of men are married. The number of single women (11 persons) is almost exceed by 91% the number of single men (1 person). There are only women among divorced and widowed (3 women in each category). Women constitute the overwhelming majority among celibates (17 of 18 persons). The only celibate man at the age under 30 years old, while single women represent the whole number of age categories: 5 women – under 30 years old, 3 women –up to 35 years old, 7 women – up to 40 years old and 3 women – above 45 years old.

Men employed in SAPEF do not take an opportunity to take the parental (child-care) leave according to the legislation. 5 women took the offered opportunity, while the duration of maternity leave of all of them made 3 years.

Comments on gender reporting in the pilot public administration organs

The data provided at the request of DESPKRPO and CSAKR in November 2007 and given in the tables mismatch at times because different tables were prepared over different periods. Many tables contain only primary data which do not allow to identify immediately the situation and define the trends. It is probably necessary to recommend CSAKR to improve reporting forms and prepair for the employees of personnel management (HR) offices and accounting departments an instructive letter on filling data and their further analysis for their use in the implementation of gender policy.

International Experience of Gender Equality Promotion in Public Administration

Hiring procedure like a civil service structure has its own peculiarities and varies from country to country. However, there are some common denominators, which could be treated as standards. The main thing in the hiring procedure is the principle of non-admission of discrimination and universal equal access to the civil service or to the public employment based on the professional qualities irrespective of the race, nationality, origin, religion or political views.

Discrimination in hiring due to different reasons is a significant problem, which should be systematically focused on. *Direct discrimination* includes less favorable treatment under equal conditions with other applicants to the same job position due to some characteristic features (for example, sex, age, race, religion, origin, nationality, disability). An example of direct discrimination can be a refusal to provide a job to a woman, because she may take a maternity leave. *Indirect discrimination* includes creation of such conditions or setting requirements that decrease the opportunities of the applicant without any justifications.

In hiring the gender discrimination (discrimination against a human being or a group on the basis of sex) often creates a certain problem. Gender discrimination can be either intentional or systemic. *Intentional discrimination* is classified in cases of preconceived attitude of employers to women based on the assumption that the women are not capable to perform certain types of work due to assumed physiological or psychological differences or presumption and that a woman can cause additional difficulties to an employer. A *systemic discrimination* is to a greater extent unintentional and refers to the organization and culture that create obstacles to women in applying for a job, which is traditionally considered to be masculine or study in this field. Thus, discrimination not only limits the vertical mobility of women (career promotion) in the institution, but it may also affect their opportunity to access to the job positions, where the men dominate and the sectors of economy as trade, technology and scientific-research spheres (horizontal segregation).

Anti - Discriminatory Measures in Civil Service Employment

As a step towards achieving the gender equality in the labor market, many countries passed the legislation on gender equality and the laws prohibiting discrimination in the area of employment by sex. There is a growing recognition of the fact that the discrimination is first of all, a systemic and unintentional and in order to stop and prevent it in future it is required to take measures that will go beyond the legal prohibitions. With this purpose many countries have introduced the *policy of equal opportunities* in hiring aimed at stopping and prevention of the sex discrimination in employment (or based on other factors like age or nationality). There are two possible approaches in implementing of such policy.

The first approach is principle of *equal opportunities*. The policy proceeding from this approach may include hiring and training of women and the additional measures streamlining the combination (reconciliation) of family and professional duties, for example, providing the leave to the citizens with the family and household duties (parents and other relatives – grandfathers, grandmothers and etc. fiduciary), a flexible work schedule and etc.

The second approach – *a principle of equal results (outcome)*. This policy which is sometimes called special measures by the experts or positive actions and usually presents temporary measures aimed at removing the impact of the previous discrimination. This policy

assumes that it is difficult to achieve equal opportunities if some groups enter the labor market having unequal starting opportunities due to the previous, historical discrimination. As soon as the consequences of the past discrimination is corrected and the target groups are presented in the institution in equal proportion the special measures should be removed. An example of such special measure is a system of quotas. Introduction of a quota system for women is a qualitative transfer to the policy of precise goals and means and is rather effective. At the same time, quotas lead to the serious issues and in some cases to a strong resistance.⁵⁵

The Canadian Law on equal employment obliges the public and private sectors of the federal employers to analyze their labor force, develop relevant action plans on employment and submit annual report on representation of the certain groups in their labor force. Instead of quotas the employers are obliged to establish *quantitative targets and take measures to achieve them.* They are also obliged to establish the *schedule* of achieving goals, control and monitor and evaluate the results. The Canadian Commission for Human Rights is authorized to control the compliance of employers with their action plan on employment. The audit of the Commission is based on "negotiations and persuasion dictated by the guiding principles of the law and the lengthy experience of the Commission to agree the obligations where it is possible. If this process is not implemented then the Commission can write a conclusion and any party may go to the court to settle the disputable issues".

In many countries the policy of equal opportunities in employment is recently introduced and its results are not thoroughly studied. However, there some facts in the United States, where there are positive actions have been in place for three decades, which demonstrates that such policy has increased the employment of women and income and reduced the staff turnover.

In the Republic of Ireland the goal of the gender equality is to ensure that one third of the positions in the key medium management level (at the level of heads of the CEO) are held by women. Setting of such goal enables to increase the number of women that can apply for higher executive management positions. In 1997, the women held 24 percent of positions of the deputy CEO. At present this indicator is at the level of 32 percent. Promoting the equal opportunities in employment in Ireland is supported by the practical guidelines and procedural code developed by the Ministry of Finance in cooperation with the trade unions. These documents describe the rights and obligations of all the personnel and assist in implementing the policy.

Another form of the policy of equal opportunities in employment is the support provided to the less represented groups or sex. Inadequately represented group or sex is encouraged to apply for the job position. During the contest based consideration of applicants, if two or more applicants have equal qualification, an applicant from the less represented group or sex is selected. Support is often reflected in the vacancy announcements, where the preference given to the socially vulnerable group or less represented is specified. The countries with totalitarian history or the history of ethnic tense relations have strict instructions guaranteeing equal access to the civil service. Sometimes this includes quotas based on the ethnic, religion or tribal affiliation or regulation of the equality of applicants is subject to consideration of the Employment and Decision-Making Commission.

In addition to the special measures there are other methods of contracting the employment discrimination. One of them is – discrimination *awareness raising* of those who are involved in the

⁵⁵ The opponents of the special measures admit that they are based on collectivism and are another form of discrimination; therefore it increases the probability of refusing to hire the competent applicants due to belonging to a specific group. Apart from that, it is believed that the special measures depreciate the achievements of the people, who are selected thanks to belonging to a certain group, but not due to their qualification.

selection process. This includes understanding of the basis of the discrimination and also the available special measures to facilitate equality in the civil service. Employment Service should be familiar with the basis of the gender discrimination and the norms and concepts created by the gender stereotypes. The means of achieving the awareness is training on the gender sensibility issues and providing experts in hiring process, especially at the stage of interviewing. However, knowing does not automatically mean obligations and therefore the understanding is frequently supplemented with some types of special measures. It is important to note that the special measures without proper understanding by those who are to use them, most often brings to disappointment and mistakes. For example, when the Employment Agency encourages women to apply for job, despite the presence of the gender balance, this may lead to the situation when the institution, where the women dominate supports hiring of more women.

The main problem in restricting the discrimination in the hiring process is to disclose favoritism of applicants representing a certain social group or the sex. Favoritism includes nepotism, bribery patronage and prejudice with regard to certain groups or the sex. Bureaucratic prejudgment inevitably stimulates the subjectivism and discrimination and therefore transparency of the hiring procedure and the responsibility are of extremely importance. In order to increase the transparency the PAO often have the legislation in terms of providing access to the information and openness of the civil service.

In some countries, for example, the Scandinavian countries, all the results of testing and minutes of the hiring process are the *public documents* accessible to any citizen. In other countries the interview is video taped or audio recorded. These records later may be used to determine if the interview was properly conducted.

Accountability can be achieved when the decision-making persons in employment bear responsibility for their actions and accountable to the administrative and judiciary court. All the applicants should have the opportunity to appeal against any actions or decisions to the higher instances. These are the Councils for complaints on hiring procedure or the Agencies, ministries. Any decision in its turn should be subject to appeal at the court. The applicants should be informed how and whom they can submit complaints and during what period. This information should be in all the decisions that are sent to the applicants.