

*RETROSPECTIVE*

**ROADMAP FOR EXCELLENCE:  
ENHANCING CIVIL SERVICE THROUGH MERIT AND REFORM**

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**ABSTRACT**

This article examines the effectiveness of civil service reforms, focusing on performance-based assessment and payment systems while integrating international best practices. It explores constitutional guarantees, the role of meritocracy, and the balance between political and career civil servants. The article proposes reforms to enhance transparency, merit-based recruitment, and institutional stability while preventing political interference in administrative functions. It advocates for a clearer separation of political and career civil servants, improved hiring practices, and performance-based incentives. Ultimately, the study provides actionable recommendations for achieving a modern, efficient, and accountable civil service aligned with democratic governance and international standards.

The study highlights global examples, from the U.S. and U.K. to Singapore and Mexico, illustrating different approaches to managing civil servants' neutrality and responsiveness.

*Keywords:* *civil service reform, meritocracy, performance-based assessment, political civil servants, accountability, good governance.*

**INTRODUCTION**

Civil service reform has been a central theme in governance discourse worldwide as governments strive to enhance public administration efficiency, transparency, and accountability. Many states have transitioned from traditional bureaucratic models to performance-based frameworks to ensure that civil servants contribute effectively to policy implementation and service delivery.

Any public administration or civil service “must be governed by the democratic values and principles enshrined in the Constitution,” states South African high law, emphasising the special legal status and significance of the civil service. The Constitution of the Republic of Ireland is even more explicit; it summarises the relationship between politics and civil service, with ministers providing authority and civil servants delivering expertise fearlessly, critically, and honestly. Constitutional law in Belgium, France, Italy, South Korea, Mexico, Poland, the United Kingdom, and the United States of America guides the civil service by the principle of serving the general public rather than declared partisan goals. The legal provisions across all other European Union countries, as well as most OECD democracies outside the EU, are similar. Likewise, the constitutional law of Kazakhstan recognises and praises a non-partisan and professional civil service.

Once the principle is established, any other provision must fit within the requirements and limits of constitutional law. The state functions effectively only if this requirement is met since it ensures

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constitutional order, predictability, and institutional stability. For the purposes of this article, it is essential to highlight that states have developed all necessary policies and regulations regarding partisanship and political interference, as well as a clear and complete separation between the political and career-based civil service. In addition to legislation, there is also strong cultural or customary support for the rule of law.

Kazakhstan, undergoing significant transformation, has sought to reform its civil service to meet the goals outlined in the "Plan of Nation – 100 Concrete Steps." This paper examines Kazakhstan's civil service reform efforts, particularly performance-based assessment and pay systems. Drawing from international best practices, it identifies strengths, challenges, and areas for improvement. By comparing various models across the globe—such as those in the U.S., U.K., Singapore, and Mexico—this study provides insights into how Kazakhstan can refine its civil service framework while maintaining democratic governance principles. The paper concludes with recommendations for policy adjustments to strengthen meritocracy, reduce political interference, and ensure accountability.

Governance and efficiency of civil service systems are pivotal to a state's effective functioning. These systems are not merely administrative frameworks but the backbone of governmental operations, influencing policy implementation and the overall quality of public service. Civil service systems worldwide serve as the bridge between elected officials and the public, ensuring that the policies devised by elected bodies are executed efficiently and effectively. A civil service system's effectiveness directly impacts the government's ability to deliver public goods, manage resources, and uphold the principles of transparency and accountability essential for democratic governance. These reforms are largely also about fostering a culture of integrity and accountability that aligns with international standards.

In post-Soviet states, the fundamental transformation of the civil service system from loyalty to a communist party apparatus to a career-oriented service has been a critical aspect of the nations' post-independence modernisation efforts. Kazakhstan is no exception to the rule. Like many other countries, the civil service system undergoes continuous scrutiny and reform to meet the evolving needs of its people and align with global best practices in governance. The government's commitment to reforming the civil service must be driven by the understanding that a robust, meritocratic, and transparent civil service is essential for development and prosperity. This includes introducing new technologies, restructuring administrative processes, implementing advanced training programmes, and continuing career education for civil servants, among others.

One of the hallmark initiatives in Kazakhstan's civil service reform is the "Plan of Nation – 100 Concrete Steps," a strategic plan outlining ambitious reforms designed to fundamentally transform administrative processes, enhance civil servants' professional capacity, and improve the transparency of the civil service. This plan reflects a comprehensive approach, drawing from successful models worldwide to develop a resilient and responsive civil service. Despite these significant strides, Kazakhstan's civil service system faces ongoing challenges. These include the need for better alignment between civil servants' skills and the demands of their positions, integrating international best practices into local contexts, and reducing bureaucratic barriers to efficient public service delivery. Furthermore, the delineation between career civil servants and political appointees remains contentious, with ongoing debates about the best approaches to balancing professional expertise and political oversight.

As Kazakhstan continues to navigate these challenges, the evolution of its civil service will be critical in determining the country's path toward a more efficient and prosperous society. The government's ability to implement effective reforms will shape the state's administrative capabilities and its relationship with the citizens it serves. By enhancing the civil service's accountability and efficiency, Kazakhstan can build greater trust with its population, encourage more active civic engagement, and contribute to a more robust democratic framework.

The subsequent sections of this article will delve deeper into these aspects, thoroughly examining the existing civil service structures, identifying the key challenges faced, and suggesting strategic reforms to improve the system's overall effectiveness and alignment with international norms. Through this analysis, we aim to contribute to the ongoing discussion on public administration reform in Kazakhstan, providing insights that could guide future policies and reforms.

## **CORE CONCEPTS**

### **Meritocracy – basis for contemporary Civil Service**

The strength of public administration lies in a meritocratic and competence-based system. This is a fundamental principle in the legislation of nearly all democratic nations. Meritocracy refers to the rule of those who deserve it. It functions in countries and societies where social position and status are attained exclusively through competition, personal ability, and demonstrated competencies. In a meritocratic civil service, there is no place for inherited status or the application of arbitrary criteria that disregard the rule of law or the principles of fairness and equality. These principles should uniformly apply to all appointment stages, promotion, transfer, bonuses, or dismissal.

More specifically, meritocracy in the civil service refers to a system of appointing and promoting personnel based on their abilities, talents, and achievements rather than on factors unrelated to job performance, such as political affiliations, nepotism, or other subjective criteria. The significance of meritocracy lies in its ability to create a competent, efficient, and professional civil service that serves the public good effectively and fairly. It promotes equal opportunity, ensuring that all individuals have a fair chance to contribute to and advance within the public sector based on their skills and hard work. Moreover, a meritocratic civil service enhances public trust and confidence in the government by reducing the risks of corruption and inefficiency often linked to patronage and biased appointments.

As stated above, meritocracy begins with acquiring social status or position solely through competition and demonstrated personal merits. Professionalism and merits, along with political responsiveness, established the Political Civil Service as a bridge between administration and politics. It is well-known that political civil servants can perform their job best when there is a certain equality between the two in terms of expertise and professional experience. There is no reason why political responsiveness, which is often lacking in the daily work of career officials, cannot be ensured by utilising both political commitment and merits when selecting staff for specific policy programmes.

This is why prioritising meritocracy, transparency, equality, and accountability should not be viewed as mere symbolic concepts, even in political appointments. A civil service based on competitive and equal opportunities in its totality is the only system capable of addressing the

complex issues of today's world. By strengthening a competency-based approach within the civil service, we aim to create a system where everyone is treated equally and where benefits and profits are attributed objectively. Equality and fairness demand that these principles apply to all public administration, regardless of the career status or political affiliation of civil servants. They are both public servants, funded by the state budget. When a country confronts terrorism or a flood, whether it involves implementing public schooling or health initiatives, it is essential that all participants in delivering services to citizens possess specialised skills, sufficient experience, and strong professional ethics.

In this regard, the civil service of Kazakhstan should be evaluated positively, as it does not differentiate between career and political service based on those principles. However, some legal procedures and regulations create grounds for unfair treatment and favouritism, which need to be changed. Later, in the recommendations section, you will find detailed analyses and suggestions. Here is a more comprehensive list of values and principles that guide civil service. Once again, these are the principles against which every public job needs to be periodically tested, and where career paths and party lines coincide:

- High standard of professional ethics
- Efficiency
- Effectiveness
- Progress orientation
- Impartially and fairness in service delivery
- Receptiveness
- Accountability
- Transparency

Thus, the first layer (political) of performance assessment should be implemented with periodic (biannual or annual) appraisal of the performance of all civil servants (career and political) against the values and principles listed above in this chapter.

### **Neutral Competence vs. Responsive Competence: cases of controversy**

A case of controversy emerged during President G.W. Bush's administration when loyalty was prioritised over merit in hiring decisions. Consequently, the number of political appointees increased, and career officials were sidelined from decision-making. As one high-ranking official remarked, career employees were "indifferent or hostile to presidential goals due to their professional and ideological biases". Thus, the approach shifted, and all management techniques of a politicised presidency were implemented. As a result, in most cases, political appointees changed not only the direction of the agency but also significantly altered the organisation's capacity to perform its essential duties. The infamous story of Hurricane Katrina comes to mind when discussing President Bush's personnel management policy. There was much speculation when a congressional report was released in 2006 and explicitly claimed that (quoted):

1. Long-term warnings went unheeded, and government officials failed to fulfill their responsibilities in preparing for a predicted catastrophe;
2. Government officials took insufficient actions or made poor decisions in the days immediately before and after landfall;

3. Systems on which officials relied to support their response efforts failed, and government officials at all levels failed to provide effective leadership.

What is significant about the report for our study is the conclusion made by the former director of the Federal Emergency Management Agency (FEMA), who claimed that the failures occurred due to the “impact of having political appointees in the high ranks of FEMA ... in the senior ranks of FEMA, there was nobody who even knew FEMA’s history, much less understood the profession and the dynamics and the roles and responsibilities of the states and local governments”.

The UK’s Prime Minister, Margaret Thatcher, criticised the "unresponsive civil service" as the main threat to necessary policy changes. In response, she introduced a new approach, and, through the Next Steps programmes, initiated agencies outside the traditional civil service. Consequently, most chief executives were hired outside the civil service, and top positions were filled similarly. The Next Steps programmes and the rise of think tanks broke the monopoly of career bureaucrats over policy issues and eased long-term tensions between the two.

In another part of the world, we are witnessing different types of diversions from the system. **Singapore** serves as an intriguing example of the Westminster model of a fully career civil service, where merit, effectiveness, ethics, and discipline form the foundation for career development. At the same time, once hired, each civil servant undergoes several on-the-job training phases aimed at “correcting their political attitudes and teaching loyalty and obedience to the ruling party”. We must remember that Singapore is a one-party state, and regardless of strict professional, ethical, and merit-based requirements, Singapore’s public administration functions as part of the party apparatus, reflecting the country's specific character.

**Mexico** offers us a rather contrasting experience. There, we have observed a successful transformation from a system that was predominantly designed for one-party rule, where public administration and the party were effectively merged, to a professional, competition-based public service. During the reform, approximately 42 thousand bureaucrats were granted tenure and opportunities for career development. The number of political appointees was reduced to just a few hundred. When discussing a fully professional, neutral civil service, one cannot avoid recalling the experiences of countries with Weberian-style setups, where neutrality and loyalty to the government often resulted in the same men and women crafting responses and speeches for parliaments or the public at large on completely contradictory policies with equal commitment. The infamous case of the UK’s shift from Nationalisation to Privatisation of ports comes to mind first. Weber’s theoretical model of “**neutral competence**”, sometimes regarded as the ideal civil service, did not prove to be particularly effective in practice. For many, what Max Weber considered “ideal” was perceived as political immorality. This is why PM Thatcher’s initiative was successfully implemented, replacing the ideology of “neutral competence” with institutionalising “**responsive competence**”.

Countries have various laws, constitutional provisions, and regulations that outline the roles and functions of the civil service, along with the principles guiding its actions. These laws rule out any interference, pressure, or manipulation by politicians, and in most states, civil servants’ jobs are well protected by law. For instance, a provision under **German** civil service law states that civil

servants have tenure for life and may only be removed from their positions against their will upon reaching retirement age or due to unfitness for service due to criminal charges.

However, even in Germany and elsewhere, it is evident that legal regulations alone are insufficient for establishing a genuinely nonpartisan, professional, and effective civil service. The system operates optimally when mutual trust and a shared understanding of each party's needs exist. In such an environment, neither party perceives the other as an obstacle to the development or implementation of change.

### **“Conservative” Civil Service vs. “Moving Things Forward”**

A broad consensus exists regarding the essential role of political engagement in public service for the effective operation of a democratic state. Without political input in the administration of daily state affairs, it becomes exceedingly challenging to provide appropriate guidance and fulfil electoral commitments. The presence of a political voice and leadership within the workplace enhances the decision-making capabilities of public administration. It facilitates the implementation of policies for which citizens have cast their votes. Concurrently, the career bureaucracy is integral to ensuring the effective delivery of policy decisions and their daily execution. It is paramount to delineate these roles clearly, thereby establishing an accurate balance of responsibilities and duties.

Each state formulates its distinct approach to achieve equilibrium between two factions: the impartial and non-partisan, somewhat “conservative” civil service, and the representatives of elected political forces, who ensure the strategic and political vision necessary for “moving things forward”. In this context, it is imperative to prevent institutional arrangements wherein a nation is governed either by a self-serving civil service that is unresponsive to political commitments or by over-politicised executives, who may become subservient to their political benefactors, prioritising party interests and loyalty over adherence to the law.

To achieve this aim, the law must unequivocally define the roles of political civil servants, elucidating their powers, the legitimacy of such powers, and the available accountability mechanisms applicable at each level of the political civil service. It is essential for the law to be precise regarding the accountability relations, to inform the design of effective management and assessment systems. Simultaneously, while acknowledging the significance of political guidance and policymaking, specific rules must be strictly adhered to concerning the limitations of political engagement. Most nations have established these regulations within the framework of administrative law. This process is reciprocal; there are legally defined administrative boundaries as well as regulated constraints on the political activities of civil servants. For example, in the United States, the United Kingdom, and Germany, civil servants are prohibited from standing for national elections or holding elected office. The restrictions in the UK are particularly stringent; civil servants are barred from assuming any official capacity within a political party or voicing political opinions. In the United States, civil servants are also prohibited from receiving political donations and may only engage in administrative work for political campaigns outside of official hours. Similar restrictions are present in countries such as South Korea, Poland, Italy, and New Zealand. Across these jurisdictions, it is a mandatory practice that political civil servants transition with the change of their appointing authority, whether that be a minister or another politically elected official.

The foremost challenge in evaluating Kazakhstan's legislative framework regarding political civil service lies in the absence of a clear demarcation between career and political civil service. In subsequent sections, we will elaborate on the system's deficiencies, but it is noteworthy at this juncture that the distinctions between these two categories are vague, thereby increasing the potential for unnecessary interference with the professional development of career civil servants.

## THE ROLE OF POLITICAL CIVIL SERVANTS

Establishing a non-partisan civil service represents a significant challenge and opportunity for any government, particularly in states navigating substantial political transformations away from a one-party authoritarian regime. This endeavour is critical for fostering institutional democracy and continuity. The transition experienced by Central and Eastern European democracies during the shift from the Warsaw Pact to the European Union exemplifies this process. However, the transformation has been fraught with difficulties, as no universal model or specific European Union directive governing the redistribution of power, authority, and responsibilities between civil servants and political executives exists. Consequently, each state constructs its public administration management framework tailored to its foundational principles, constitutional arrangements, and core values. It is essential to recognise that the civil service is not merely a binary choice between professional career staff and political representatives. Governments require both professional civil servants and politically appointed representatives who maintain confidence and trust within the civil service. This duality is particularly advantageous and critical during periods of transition. To prevent confusion and ensure full transparency, a system of politically responsible civil service has been established. This system is articulated in laws and regulations, and the clear legal delineation between career civil servants and political appointees places the latter under heightened public scrutiny.

To foster purposeful cooperation, political appointees serve a bridging function between the realms of politics and administration. In matters of foreign or domestic policy, for instance, they are often perceived and evaluated as agents of the government due to their unique status. It is only through a truly balanced system that both exceptional professional services and political responsiveness can be achieved. This politically responsive professional service is essential for enacting necessary change and progress within states.

Another universally recognised principle is the transparency of the system wherein political civil servants are explicitly identified as such and are closely aligned with their appointing authority. Consequently, they assume their positions with the elected government and vacate them alongside the change in government. It is noteworthy that the layers of political civil service vary across different countries; nonetheless, several key points must be clarified.

First of all, starting with the top government jobs, most countries **do not** include ministers or MPs on that list. This is true for all European states, the US, and other democracies. Members of government or parliament, elected representatives of any regional level, mayors, elected governors, etc., are politicians, carrying political accountability to their electorates. Their duties and responsibilities are normally defined by the constitution.

Some countries have different legal practices. For instance, in the Philippines, high-ranking government officials are integrated within the civil service framework. However, it is essential to note that the law delineates a clear distinction between career and non-career civil service

positions. Non-career civil service roles in the Philippines include Cabinet Secretaries, Governors, Mayors, Members of the House of Representatives, Senators, Councillors, and Private Secretaries, among others. Conversely, South Korean legislation identifies approximately 90 positions as non-career civil service roles, within a larger framework of over 6,000 total positions in public administration.

In contrast, Singapore and Hong Kong exemplify scenarios wherein all principal officials are encompassed by civil service legislation. It is important to acknowledge that these jurisdictions operate under a one-party system, wherein the civil service functions as an integral component of the party apparatus. This structure is characterised by professionalism and a career-oriented framework, devoid of political appointees, with all personnel participating in a competitive, merit-based recruitment process.

Secondly, a distinct layer that typically undergoes separate legislative procedures pertains to career diplomats, military personnel, police officers, prosecutors, and judges. This group is not encompassed within the general civil service or the more politically inclined civil service roster. Civil service laws across European nations uniformly make explicit references and delineate the status, responsibilities, evaluation mechanisms, and career trajectories of the aforementioned officials through specialised legislation. They do not fall under general regulations or principles, operating instead within an entirely professional context in which any political affiliations might arise only in exceptional circumstances—specifically regarding ambassadors.

The architecture of the civil service in South Korea warrants particular attention in this context. There, the career civil service is segmented into three distinct categories: General, Special, and Technical Skills Service. The Special Service category encompasses Public Prosecutors, the Foreign Service, the Police, the Fire Service, the Educational Service, and even Judges. Its own legislation governs each of these Special categories, as it is anticipated that their employment, classification, and remuneration will differ from those of the general service due to the unique nature of their roles.

Third layer appointees serve as the chief civil service officers when considering the role of a Director-General, Secretary-General, or Permanent Secretary (titles vary across different countries). This role is characterised by political neutrality and a career-oriented approach, as the individual is responsible for overseeing the career civil service within the country. The establishment of this position is intended explicitly for the leadership of the career service and is distinct from political appointments.

However, there exist diversions in the regulations governing appointment processes and authoritative powers. In some nation-states, this role is situated within the Prime Minister's or President's office, whereas, in others, the offices of Director-General or Permanent Secretaries are present in each governmental ministry. A pertinent example is the United Kingdom, where each ministerial department is headed by its most senior official, known as the Permanent Secretary. This official is tasked with the comprehensive management of the department, overseeing the work of individual policy directorates as well.

In the Irish system, the Secretary-General is appointed by the independent Top Level Appointment Committee (TLAC), which proposes three candidates to the relevant ministry for

government consideration. Candidates typically emerge from a non-partisan and professional civil service background, although the ultimate decision lies with the political leadership.

A similar structure is observed in New Zealand, where the independent State Services Commissioner announces civil service job vacancies, including those for chief executives. An exclusive commission, established by the State Services Commissioner, manages the selection process and presents candidates for approval to the Governor-General following consultations with the respective minister. In accordance with practices observed in the UK and Australia, the state services commissioner—an independent and apolitical entity—bears the responsibility for the performance management of chief executives. This entails a formal annual appraisal based on performance expectations agreed upon at the beginning of each year, with ministerial consultations occurring throughout the process, yet the final authority rests with the state services commissioner.

In Japan, there exists a distinct experience, highlighted by the unique role of non-political deputy ministers who are tasked with similar functions. Despite this divergence, a common observation across all democratic nations is the prevalence of non-partisanship coupled with inadequate professional criteria employed during the selection process. Furthermore, a critical element is enforcing a high standard of non-interference after individuals are appointed, designed to ensure, in alignment with Irish law, that “the ethos and values of the civil service are upheld, particularly its independence in providing frank and fearless advice”.

The situation in Poland closely parallels that of New Zealand. The position of General Director, a chief administrative role (level 1), is filled through a competitive recruitment process, predominantly accessible to senior career public servants. However, the law permits the head of the Public Service Bureau to grant exceptions in cases where outside candidates exhibit exceptional competence and qualifications. Following the jury's evaluation, the appointment is subject to the prime minister's decision, necessitating consultations with the relevant Minister before finalising the ruling. The Prime Minister retains the authority to reject the appointment, necessitating the initiation of the entire process anew. A similar protocol is observed in Latvia; however, in this instance, the Minister assumes the responsibility for the appointment rather than the Prime Minister. This arrangement is characterised as a hybrid system, mirroring the Belgian model, wherein professionalism and political considerations converge to facilitate balanced decision-making. Thus, in both the Polish and Belgian contexts, appointments are technically non-political, despite the influence of political considerations.

When evaluating the system in Kazakhstan, informed by these experiences, it emerges as distinctly original. The hybrid system instituted by law and subsequent legislation in Kazakhstan bears no comparable framework in any EU or OECD nation. For example, within the Kazakhstani context, government members are classified as civil servants. This categorisation sets them apart from counterparts in European countries and resembles the South Korean model. Yet, it is notable that the legal framework does not acknowledge a non-career trajectory for these positions.

According to the presidential decree concerning “assessment rules for political civil service”, even members of the Constitutional Council—an institution analogous to constitutional courts in other nations, empowered to interpret the constitution—are categorised as part of the political civil service. This classification extends to the Human Rights Defender, the Chairman of the High

Council of Justice, the General Prosecutor, the Chairman of the National Bank, members of the diplomatic corps, as well as personnel within the national audit service. A comprehensive discussion of this matter will be undertaken in a subsequent section addressing Constitutional Legitimacy.

The intricacy of the reform process, coupled with the challenges associated with the interplay between politics and administration, accounts for the absence of a definitive blueprint for the management of political civil service, encompassing performance-based assessment tools or methodologies designed to ensure accountability. The Kazakhstani system exhibits high complexity, necessitating a nuanced understanding of existing realities. However, it is paramount to maintain a robust equilibrium to facilitate effective governance and democratic management of state affairs, thus ensuring the successful and sustainable execution of any reform initiatives. Therefore, observing and integrating specific patterns of status differentiation, along with accountability mechanisms observed in democracies, could significantly contribute to advancing this objective.

### **Appointments / Selection – First step for the assessment of Political Civil Servants**

- **Constitutional Legitimacy**

In the realm of public service, one can typically categorise jobs into three distinct types. Firstly, there are positions endowed with constitutional legitimacy and protection. These include independent institutions established by the constitution that form an integral part of the constitutional order of the state. Such positions may be politically appointed or elected by the majority in parliament; however, once appointed, they are insulated from political interference and can only be dismissed through impeachment procedures. Examples include judges of the Supreme Court, judges or members of the Constitutional Court or Council, the Human Rights Defender (or Ombudsman), members of Central Audit Agencies responsible for overseeing budget expenditures, members of the Board of the National or Central Bank, as well as the General Prosecutor and, where applicable, members of the Board of the General Prosecutor.

Secondly, there are high political positions that entail accountability to the electorate and are protected by law and the constitution. For instance, as stipulated in the German constitution, “members of the Bundestag shall not be bound by any order or instruction and shall act according to their conscience”, thus prohibiting the imperative mandate in all democracies. This principle applies to all offices elected by popular vote. It is important to note that ministers do not automatically fall into this category, as they can be dismissed without explanation by the head of the Cabinet or the executive branch. Nevertheless, their roles are inherently political, and in many European countries, ministers simultaneously hold seats in parliament, which underscores their importance.

Thirdly, civil service jobs can be differentiated into Career and Non-Career sub-categories, but collectively, these roles aim to ensure the efficient and effective delivery of services and policies to the citizens of a given state.

The constitutional or institutional legitimacy of a position inherently implies a corresponding framework of accountability. For instance, when Human Rights defenders or members of State Audit Chambers, as well as the National Bank, are elected by parliament, their legitimacy sources

necessitate accountability to parliament. Consequently, they should comply with the requirement to submit annual reports or any form of assessment of their work, which must be presented, discussed, and evaluated by parliament. Furthermore, the nature of their functions and the constitutional legitimacy ensures that their job security is anchored by the impeachment process.

Upon reviewing the legislative framework in Kazakhstan, one observes a rather controversial scenario wherein members of the Audit Committee, appointed by chambers of parliament, are evaluated and assessed by the Head of the Administration of the President of the Republic. Such provisions are inconsistent with international practices and the established norms of good governance.

### **Prerequisites for Accountability**

The highest standard for accountable public administration is exemplified by the constitutionally granted oversight powers of parliaments. Depending on the extent to which parliament controls the executive, the accountability provisions for political civil servants vary significantly.

In the U.S., more than a thousand political appointees undergo Senate scrutiny in public hearings. The Senate's authority over executive appointments and its oversight powers represent the best example of how a constitutional system can ensure high professionalism and transparency and hold executive officials accountable. Countries have sought alternative methods to reconcile political loyalty with professionalism when hiring personnel in systems where the appointment process is less transparent and pluralistic. Examples from Belgium, the Baltic states, and others will be discussed later.

To emphasise the issue, an effective and responsive civil service requires harmonising political loyalty with expertise and professional ethics. In the case of Kazakhstan, there is a lack of public scrutiny or accountability guarantees for political civil servants who do not operate in a transparent, fair, or competitive environment. The entire system is overshadowed by the powers of the presidential administration, which serves as the principal assessing authority over representatives of any branch of government, including the judiciary. While loyalty is essential for achieving the political and policy objectives for which people voted, it is in the best interest of those same people to have decisions made in the most efficient, professional, and transparent manner. This includes respecting the fundamental principles of separation of powers and instituting proper checks and balances to ensure sound administration under the rule of law.

### **Assessment Begins with Hiring in Hybrid Systems**

Considering the factors mentioned above during the hiring process, it is imperative to ensure they are adequately reflected in the relevant legislation. Despite a nearly universally accepted principle of non-partisanship among states, this principle is not always strictly adhered to in practice. The adherence to laws and regulations, as opposed to party affiliations, constitutes a fundamental aspect of Kazakhstan's legal framework. Article 4 of the law governing public service explicitly mandates that no political organisations be established within state agencies, nor should the decisions of public servants be contingent upon the resolutions of any political party.

Nevertheless, a thorough examination of the laws and practices in various countries reveals that political influence in the appointment and dismissal processes is significant. For instance, in the United States and Sweden, virtually all appointments—whether political or within the career

service—are made by elected officials. This is similarly true in Italy at nearly all levels, whereas in New Zealand and Denmark, such appointments are limited predominantly to the upper echelons of government. It is noteworthy that Swedish law explicitly requires that appointments be based on objective criteria, such as skills and merits. While political involvement in appointments does not necessarily equate to party loyalty, it has been demonstrated, particularly during the Bush administration, that presidents can fully exercise their appointment powers when deemed necessary.

The most effective systems are characterised by what is known as the Hybrid Model, wherein administrative selection criteria are integrated with political considerations. A notable example of this model is found in Belgium, where the federal government, including the staff of political cabinets, is appointed utilising a hybrid system. Under this system, the Bureau for the Selection of Federal Administration (SEJOR) evaluates candidates based on merit and experience, generating a shortlist from which the Minister makes the final selection. SEJOR assembles a professional jury comprising senior career civil servants and technical experts from both the public and private sectors. This jury employs various standards and methodologies to assess the applicants, evaluating their knowledge and experience, and engages in complex decision-making processes to establish the shortlist. In prior discussions, we have elucidated the appointment systems of various other countries, which exhibit a similar commitment to integrating professional staff into public service through clearly defined systems of checks and balances, independent selection councils, and political leadership.

### **The Specific Nature of Political Civil Service**

In democratic regimes, political appointees bear a greater level of responsibility compared to typical career civil servants. The scrutiny and oversight of their activities are both more stringent and public in nature. Consequently, it is arguably inequitable to assess the performance of the two groups on the same basis. However, it remains imperative that all public officials are subjected to scrutiny and held accountable, albeit through mechanisms and tools that are appropriately tailored to each category.

To ensure a fair assessment system, several critical factors must be explicitly defined:

1. What are the objectives and intended outcomes of the assessment and evaluation process?
2. Is the assessment conducted for the purpose of promotion, benefits, transfer to more appropriate roles, career advancement, or merely to gauge the success of implemented programmes, or does it serve multiple objectives?
3. What oversight mechanisms are established in either scenario, both prior to occupying the position and during the execution of duties?
4. Does the political civil servant participate in decision-making processes?
5. Are there any social benefits, including budgetary programmes, that extend to political appointees and their family members?

In recent years, numerous governments have initiated reforms affecting public servants; however, the primary focus of such reforms has been on career civil servants, as opposed to political appointees. Various objective justifications exist for this approach, yet it remains essential that no public employee escapes accountability. Additionally, it is crucial to delineate from the outset that

the tools and mechanisms used for performance assessment must differ, given that the goals and outcomes of these evaluations are inherently distinct.

In Kazakhstan, the legal framework explicitly states that the objectives of the performance assessment include promotion, awarding bonuses, facilitating training opportunities, transfers, demotion, or dismissal. This approach is quite universal. Nevertheless, Kazakhstan faces a more profound challenge than some other nations discussed, as legal clarity concerning most of the questions posed at the beginning of this section is either lacking or unconventional.

## **SOME RECOMMENDATIONS FOR A BETTER CIVIL SERVICE**

### **Adherence to the Constitutional Values**

High Political Officials are evaluated against the constitutional principles in place. Listed above are compulsory clauses, but also examples. We can similarly use the right to trade unions, right to be part of a strikes or demonstrations, freedom of speech, etc. I would recommend having a 360-evaluation process, where everybody evaluates the policy choices or decisions made on a daily basis.

- Evaluation forms to be filled by all employees twice a year (confidential).
- Evaluation forms are available for customers, if it is a Service-providing agency, at all times.
- Electronic evaluation forms are available at all times; questions must determine one cause only – whether decision-making was guided by the adherence to constitutional principles. For instance:
  - No staff-related policies or daily decisions are gender, religion or otherwise bias;
  - No staff-related decisions are made due to the opinions expressed by employees while exercising their freedom of speech or expression;
  - No decisions are made due to once membership to one or another trade union;
  - No service delivery decisions are guided by party loyalty, gender, ethnicity, religious or other favouritism principles; etc.
- Evaluation team needs to look through all policy decisions, as well as any other action of an official under evaluation while exercising his/her powers and check against the constitutional values.

### **Adherence to anti-corruption measures introduced by the state**

It is absolutely essential that high political officials are evaluated against the anti-corruption measures introduced by the state. Evaluation is expected to check all available information as to the observance to those policies. One of the most effective instruments to fight corruption is the **Free Access to Information and implementation of the full-scale Open Governance policies**. So, evaluation is done over performance on those matters:

- How accessible is the information for public?
- How much new technologies are used for transparency purposes?
- How accessible is the public official himself?
- What is the response rate to FOI requests?
- What is the response rate to complaints and claims?

- How well grounded are those responses?
- How substantial are the legally binding annual reports to the appointing / approving authorities?
- How much the recommendations or initiatives of the appointing authority are taken on board?
- Are there any public participation / discussion mechanisms / formats available?
- Is there any format for public hearings? Are they held?
- What is the interaction rate with the customers and how much their opinions are considered, integrated into policy agenda, etc.

Similarly, it is crucial to evaluate political officials on the bases of their **responsiveness**. So, here evaluation needs to concentrate on the issues of:

- Responsiveness to public scrutiny. How a political official handled a public / media outbreak related to him/her or his /her agency.
- How much public moral and institutional/professional ethics are integrated into daily work and business of the agency.
- What is the level of financial scrutiny of the politically appointed official under evaluation.
- What is the level of financial scrutiny of the agency she/he is heading: procurement rules, conflict of interest rules.
- Other issues depend on the priorities of the anti-corruption policies and action plans of a given country.

### **Evaluation of the Political civil servants under the layer three**

Here, we have two options available, but using any of those, there is a necessity to change existing legal regulations.

Evaluation and assessment of the third layer political civil servants is to be conducted according to the rules applicable to civil service grade "A" employees. Though, due to the specific character of the appointment, there will be differences.

To make sure that the system works and brings positive results, there needs to be changes to the existing laws. We need to have new rules introduced by law for the third layer of PSC hiring:

- Qualification requirements;
- Work experience requirements;
- Pre-hiring scrutiny / apprenticeship;
- Age requirements, etc.

If there is any transfer to be possible, the rules need to be similar for all civil service employees, no privileges granted:

- No arbitrary transfers from political to civil service job to be allowed by law,
- unless hiring and qualification requirements applied are similar.

Law needs to clearly define whether political appointees leave their positions immediately as their appointing authority leaves the position or stay.

- Normally, in any democracy they leave.

- If they stay it does not leave a room for a new e.g., Minister to bring his own advisers as those jobs are already full.
- System is doomed for malfunction.

The law should say that PCS leave together with the change of their appointing authority. If they wish to continue with the civil service, all the rules of procurement, transfer, etc, relevant to career CS apply to them inevitably.

The evaluation and assessment of third-layer political civil servants is done according to the rules applicable to higher political appointees. They remain outside the system of career civil service at all times and leave automatically with the withdrawal of their appointing official.

I would recommend using the first model, when the system of CS grade "A" is applicable for the political appointees of the third layer. Accordingly, they are given a chance of integration into the career civil service upon their desire and if they comply with the appropriate merits and qualification requirements.

### **Who is in charge of evaluation?**

High Political Officials are normally evaluated by their superior / appointing agency. It does not necessarily mean that all the members of the evaluation team essentially need to be employees of that agency. I would recommend arranging for mixed groups of evaluators, that providing the chance for a professional HR perspective, as well as independent, fresh ideas to the process. So, if there is the presidential administration evaluating an official, it will be perfect to have a team composed of representatives of the administration, civil service administration, state audit council, internal audit department of the relevant agency and independent, outside system experts. Same will be true for all other institutions.

Though there two other alternatives available worldwide.

1. When all evaluations are done unified by the Public Service Administration / or its equivalent in a given country with the influx of independent experts;
2. When evaluation process is totally disintegrated and is done by internal evaluation offices. Though this might be totally irrelevant for our purposes as internal evaluation office is subordinate to a minister and his / her deputies, so will not be really objective eye for our purposes.

So, it is totally your decision from basically two options available to conduct evaluation with the lead of: (1) appointing authority (President, PM, Parliament), or (2) civil service administration.

### **Bonuses, Awards**

Basic principles to be observed:

- ⇒ Every employee, whether politically appointed or career, gets a salary for a job he or she is assigned and contracted to do. So, if evaluation proves a job well done, it only proves the proper and effective spending of budgetary funds on the personnel;
- ⇒ Bonus needs to be paid **transparently and predictably**. It is critically important that all employees are on equal footing. When it comes to financial incentives employees are

most sensitive to fair and equally applicable rules and we need to remember that while decision-making.

So, when issuing a bonus, European democracies use several models:

1. One model is that civil servants need to be rewarded for measurable, tangible achievements or difference they've made by their work. those are:
  - overtime,
  - work on weekends,
  - work on public holidays,
  - work done under the life-threatening conditions,
  - special initiative, original proposal/idea that better served the goals of the organisation and has been implemented/used.
2. Another model is using bonus systems as a reward on special holidays:
  - professional day (e.g., for doctors, or teachers, firemen, etc.), or
  - most significant religious holiday, or
  - national day; etc.

Here Bonus goes to the entire agency, but under the condition, that agencies evaluation was positive and was recommended for a special, one-time bonus. This approach helps the teamwork, when all employees know that everybody's success is the guarantee for an annual bonus.

3. Third model, and particularly interesting for our purposes and for the cases of the independent institutions is the one used in the UK, when each Department/ministry/agency can define its own rules and regulations for bonus/award system within the margins of law and policy guidelines set by the Senior Civil Service Bureau. It is important that their integrity not be jeopardised by the executive decisions.
4. Fourth model will be using one-time bonus for special accusations, that is the wedding, or childbirth or death in a family. Again, these bonus goes only under the circumstances, that employee was on a positive evaluation track and does not serve the punishment.

There is no prohibition for mixing those four models in any combination or using all of them.

## CONCLUSION

Kazakhstan's civil service reform presents an opportunity to modernise governance by integrating best practices from global models. The need for a clearer **separation of political and career civil service**, the **implementation of merit-based selection processes**, and **stronger accountability mechanisms** remains urgent. Drawing from international experiences, Kazakhstan can enhance transparency, reduce political interference, and establish a performance-driven bureaucracy aligned with democratic governance principles.

While **political responsiveness** remains crucial for ensuring policy implementation, unchecked political influence can undermine administrative efficiency. Thus, a **balanced approach**, integrating **performance-based pay, meritocracy, and oversight mechanisms**, can foster a more competent and accountable civil service. Future research should explore citizen engagement in civil service assessments and the long-term impact of performance-based pay systems on institutional stability.

By adopting these recommendations, Kazakhstan can transition toward a **modern, efficient, and accountable public administration**, capable of delivering high-quality services to its citizens while adhering to democratic principles.