Institutional Continuity and Change: The Development of Social Services for Children in Post-Soviet Kazakhstan

Introduction

Since the disintegration of the Soviet Union in 1991, Kazakhstan, a newly independent Central Asian state, has gone through unprecedented changes in all spheres of social life. The country inherited from the Soviet Union its planned command economy, a centralized one-party political system, and a massive public welfare system. Over the past twenty years, a multitude of economic, political, and social welfare reforms have been introduced, incrementally changing the architecture of welfare provision in this society. Welfare reform and the development of social services in post-Soviet Kazakhstan have been interlinked with two important sociohistorical processes: the emergence of nongovernmental organizations (NGOs) and international involvement in post-Soviet social policy. Supported by technical and financial resources from transnational organizations, NGOs became involved in the provision of social services, either replacing the state in some areas or creating new domains of services.

Concerned with continuity and change in post-Soviet welfare institutions, this paper examines the case of transformation of social care for children in post-Soviet Kazakhstan. Two arguments are proposed. First, the transformation of the child welfare system is a function of relations among organizational actors whose behaviors are constrained and enabled by the broader legal/regulatory environment. Second, the post-Soviet child welfare transformation, shaped by Soviet institutional legacies, is the interplay of multiple incremental changes and institutional resilience. Tracking the evolution of the child welfare diamond for over two decades of post-Soviet reform, I examine how shifting power relations among the state, NGOs, and transnational organizations have shaped the policy process and outcomes for social care for children.

The paper is organized in four parts. I begin by outlining my theoretical framework, which integrates historical institutionalism with its interest in institutional continuity and change and a modified
welfare diamond model. The second part of the paper provides an overview of the Soviet approach to child welfare and the socioeconomic context for the study. The third part reports key research findings, focusing on the evolution of the welfare diamond in the area of social care for children. The final section summarizes the key characteristics of the child welfare transformation in post-Soviet Kazakhstan and discusses inclusion/exclusion as part of the social policy process.

Theoretical framework

This study utilizes a multidimensional theoretical framework drawn upon three approaches: welfare diamond, transnational perspective, and historical institutionalism. Welfare diamond conceptualizes welfare provision in terms of four sectors of the society: the state, the market, family, and nonprofit/nongovernmental/voluntary sector (Razavi, 2007; Evers, 1995). This conceptual framework seeks to inscribe “the role and responsibilities as well as governance arrangements that are used to design and implement relationships among family, market, community and the state” (Jenson, 2004, p.3). Welfare diamond is a particularly useful approach for this study because the key characteristic of the post-Soviet welfare transformation is the shift from the state welfare system toward multi-sectoral provision of welfare, shared by the state, family, newborn NGOs, and the emerging market. In other words, the post-socialist welfare transformation can be described as the development of the welfare diamond.

Most studies employ welfare diamond as a framework for the study of national welfare institutions. However, in post-Soviet and post-socialist countries, transnational actors have played a prominent role in directing and shaping social policy through the provision of foreign aid (Deacon, 1997). For this study, a transnational dimension was added to the welfare diamond in order examine the influence of transnational actors on national social policy in Kazakhstan. In this approach I follow Inglot (2008), whose argument about social policy in Europe can be extended to post-Soviet states: “In contemporary Europe as a whole, and in post-communist Europe in particular, we are seeing not so much a displacement of domestics actors by the transnational ones, but a measurable increase in the quantity and quality of interactions between the two” (p.28).

Apart from welfare diamond, this study utilizes a historical institutionalist perspective, a stream of research that applies a historical approach to the study of institutions. From this perspective,
institutions are “the formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity or political economy” (Hall & Taylor, 1996). Central to historical institutionalist scholarship is the question of the relationship between institutional continuity and change (Streeck & Thelen, 2005). I draw upon the argument developed by Streeck and Thelen (2005) that incremental change can lead to institutional transformation. They identify five types of incremental institutional transformation: (1) displacement, which refers to the rise of subordinate institutions to replace the dominant one; (2) layering, which is defined as creating new institutions in addition to existing ones; (3) drift, a process of institutions’ losing significance due to inadequate maintenance; (4) conversion, that is, remodelling of institutions; and (5) gradual breakdown, which refers to institutions’ dying out (p. 57). This typology was used as guidance in examining institutional change as a historical process that intertwines with institutional continuity.

To summarize, the study of the transformation of social care for children in post-Soviet Kazakhstan applies a multidisciplinary conceptual framework drawn upon welfare diamond, a transnational approach, and historical institutionalism. Organizational actors involved in the child welfare policy process and social service provision constitute organizational fields that are examined through a lens of welfare diamond (Figure 1). The market was excluded from this study based on the assumption that governmental and NGOs’ free-of-charge services constitute the domain of services for families and children in need of public support, while for-profit services are accessible for better-off families.

In addition, this paper employs Hilary Silver’s (1994) three paradigms of exclusion—solidarity, specialization, and monopoly—to the analysis of child welfare transformation in post-Soviet Kazakhstan. Based on the notion of social cohesion and moral responsibility, the solidarity paradigm

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1 This model is a modification of the care diamond by Razavi, (2007, p.21)
views exclusion as dissolution of ties between an individual and society and translates into universal, redistributive social programs. Within the specialization paradigm, which draws upon the notion of diversity of groups in the society, exclusion is viewed as discrimination. The specialization paradigm translates into differentiated, specialized, targeted services. The monopoly paradigm contends that exclusion is an outcome of one group’s monopoly on welfare, which creates barriers for other groups to access societal resources. In social policy, this paradigm translates into full participation and fulfillment of social rights.

Research Design & Method

The question that has driven this study is how institutions change. Specifically, I seek to examine (a) the effects of the institutional environment on behaviors of (trans)national state and non-state organizational actors and (b) the effects of behaviors of organizational actors on the change in child welfare institutions in post-Soviet Kazakhstan. In addition, this analysis looks into the shifts of inclusion-exclusion paradigms as part of child welfare transformation.

This study utilizes case-study research design (Yin, 2003). The case for this study is a mix of national and transnational organizations involved in child welfare reform in Kazakhstan. These organizations are examined in relation to relevant regulatory and policy frameworks (both domestic and transnational). For the organizational and institutional analysis, two types of data were used: 30 semi-structured key informant interviews conducted over the summer of 2012 in Kazakhstan and various written texts (e.g., legal/regulatory documents, organizational and program documents, research reports, and media documents).

Soviet Approach to Social Care for Children

The Soviet child welfare system can be divided into three components: state transfers to families; social services for children; and state children’s residential institutions. In the late 1980s, state transfers to families included full pay maternity leaves, child birth allowances, paid childcare leaves in case of child sickness, pensions for widows and children to compensate for the loss of a breadwinner, and allowances to children whose parents avoided paying alimonies. Families with children had access to public social services (often tied to workplace) provided through a wide network of nurseries and
kindergartens, pioneer summer camps and recreation/resorts. Universal in nature, these services were not designed to meet needs of specific populations.

The main approach of the Soviet state to dealing with families in need of special support or families failing to provide care were children’s residential institutions. Established in the 1920s as an emergency response to the mass-scale problem of homeless children and as an embodiment of the state caring for its children, the system of children’s residential institutions had developed into a complex network of specialized facilities (Kostina, 2003; Zezina, 2000). By the late 1980s, not only did children’s institutions become the last resort, but also “recourse to institutional placement was by far the most common response by the state in the former USSR for orphaned, abandoned and neglected children as well as for children with disabilities. The system was conceived in such a way as to validate the child’s absence from the family environment rather than to facilitate, where possible, his or her return” (UNICEF, 2004).

Kazakhstan has a variety of residential institutions for children\(^2\), such as: infant houses; orphanages and boarding schools for children deprived of family care; family-type orphanages; children’s villages and youth homes; special correctional institutions for children with disabilities; general type boarding schools; boarding schools of healthcare type for children with TB infection; boarding schools for children with deviant behaviors; near-school boarding institutions for children from remote rural areas and poor families; and shelters (centers for temporary isolation and rehabilitation of unattended children). The governance of child welfare is also rooted in the Soviet welfare system. Responsibilities for children are divided among four national agencies. The Ministry of Education and Science (MoESc) is responsible for all levels of education and oversees children’s residential institutions for children deprived of family care. The Ministry of Labour and Social Protection (MoLSP) is responsible for the provision of care to children with disabilities and oversees residential institutions for children with special needs. The Ministry of Health (MoH) is responsible for maternal and child health care and oversees maternity wards, children’s hospitals, and infant homes. The Ministry of Internal Affairs (MoIA) is responsible for identifying street children, abandoned, abused children, and children in

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\(^2\) Most of institutions were inherited from the Soviet system, but some (e.g., children’s villages) were introduced in the 1990s.
conflict with law. This Ministry oversees special correctional institutions for children in conflict with law and was responsible for children’s shelters\(^3\).

**Post-Soviet Socioeconomic Context and the Family: Increased Burden, Reduced Public Support**

In the 1990s, structural transformation and economic crisis caused dramatic changes in the living conditions and welfare of people in Kazakhstan (See Table 1). Economic crises deteriorated the main source of income—employment. The contraction of GDP by almost 40% in 1996 (as compared to GDP in 1989) caused a fall in real wages by 50% (World Bank, 1998) and a spike of unemployment. More than a third of the country’s population (35%) in 1996 had incomes below the state-defined subsistence minimum of approximately US$70 per capita per month. While the scope of poverty increased, poverty struck different societal groups unequally. In addition to ‘old’ categories of the poor, the ‘new poor’ emerged, such as low-paid and low-skilled workers (in rural areas and in the public sector), the unemployed, especially young people, families with many children/large households, people with disabilities; also, there was an increase in female poverty and regional inequality (Falkingham, 1999; Ruminska-Zimny, 1997; World Bank, 2004).

### Table 1. Dynamics of human development and social indicators in Kazakhstan, 1990-2010

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<tr>
<td><strong>HDI</strong></td>
<td>.848</td>
<td>.636</td>
<td>.657</td>
<td>.714</td>
<td>.740</td>
</tr>
<tr>
<td>Rank on the HDI scale</td>
<td>53</td>
<td>100</td>
<td></td>
<td>68</td>
<td></td>
</tr>
<tr>
<td><strong>Unemployment rate, %</strong></td>
<td>11.0</td>
<td>12.8</td>
<td>8.1</td>
<td>5.8</td>
<td></td>
</tr>
<tr>
<td><strong>Poverty rate</strong></td>
<td>15.0</td>
<td>31.8</td>
<td>31.6</td>
<td>8.2 (2009)</td>
<td></td>
</tr>
<tr>
<td><strong>Inequality</strong></td>
<td>.276 (1989)</td>
<td>0.359 (2003)</td>
<td>0.420 (2009)</td>
<td>0.359 (2009)</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:** * Share of population with income below the subsistence level (%).
** Distribution of earnings (Gini index)


Economic crisis and poverty had a grave impact on the family and demographic situation in Kazakhstan (Table 2). Families with children faced increased pressure to provide necessary care to their children, especially

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\(^3\) In 2010 children’s shelters were handed over to the MoESc.
families with children with special needs, families with many children, and single-parent families. The number of children deprived of family care was steadily growing, reaching 88,000 in 1999 (NRFWS, 2000), including 30% of children whose parents deceased and 70% of so called ‘social orphans’ (children whose parents are alive but failed to provide care). The number of children abandoned by their parents, including newborn babies left in maternity wards, almost doubled (2,630 in 1998, and 4098 in 1999). Out of 88,000 children deprived of parents, 84% were cared by other family members or adopted, while the rest of children were placed in children’s residential institutions. The adoption rate decreased by half (5,448 children were adopted in 1998, 2,807 in 1999).

After a decade of economic depression, Kazakhstan’s economy began to recover in the 2000s. The welfare of people as reflected in human development indicators started to improve in the mid-2000s but still has not reached the pre-transition level (Table 1). Rates of unemployment and poverty have been relatively high until recently, although figures improved in the late 2000s. Income inequality appears to have stabilized in the late 2000s. Life expectancy has gradually growing but is yet to reach the pre-transition level. Other demographic indicators (e.g., fertility, birth and death rates) have been slowly improving (Table 2).

Table 2. Selected demographic indicators in Kazakhstan, 1990-2010

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<tbody>
<tr>
<td>Total population (in 1,000s)</td>
<td>16,298</td>
<td>15,676</td>
<td>14,902</td>
<td>15,075</td>
<td>16,205</td>
</tr>
<tr>
<td>Number of children (million)</td>
<td>6.066</td>
<td>5.604</td>
<td>5.053</td>
<td>4.660</td>
<td>4.786</td>
</tr>
<tr>
<td>Female life expectancy at birth (years)</td>
<td>72.7</td>
<td>69.7</td>
<td>71.1</td>
<td>71.8</td>
<td>73.3</td>
</tr>
<tr>
<td>Male life expectancy at birth (years)</td>
<td>63.2</td>
<td>58.0</td>
<td>60.2</td>
<td>60.3</td>
<td>63.5</td>
</tr>
<tr>
<td>Crude birth rate (live births per 1,000)</td>
<td>22.2</td>
<td>16.3</td>
<td>14.9</td>
<td>18.4</td>
<td>22.5</td>
</tr>
<tr>
<td>Crude death rate (per 1,000)</td>
<td>7.9</td>
<td>10.7</td>
<td>10.1</td>
<td>10.4</td>
<td>8.9</td>
</tr>
<tr>
<td>Fertility rate (live births per woman aged 15-49)</td>
<td>2.76</td>
<td>2.05</td>
<td>1.85</td>
<td>2.25</td>
<td>2.59</td>
</tr>
<tr>
<td>General divorce rate (per 100 marriages)</td>
<td>26.4</td>
<td>39.5</td>
<td>30.1</td>
<td>26.3</td>
<td>28.4</td>
</tr>
<tr>
<td>Non-marital births to mothers under age 20 (as per cent of live births to mothers under age 20)</td>
<td>29.0</td>
<td>33.5</td>
<td>46.5</td>
<td>46.1</td>
<td>41.0</td>
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State: From Retraction to Control

The government priority in the 1990s was the stabilization of the economy and balancing the budget by introducing structural reforms, while the purpose of welfare reform was to reduce public expenditures on welfare, health care, and education (Table 3). In 1996, real public expenditures on education were 28% of the 1991 level; similarly, real public expenditures on health care in 1997 reached only 35% of the 1991 level (Falkingham, 1999). Drastic reductions in public spending on education in the 1990s hit preschool education most severely, and seven out of eight child care facilities were closed (UNESCO, 2011). Consequently, in 1998, children’s enrollment in preschool education dropped to 11% of the 1990 level (ibid.). The government closed many facilities providing after-school education and extracurricular activities, and only 7.5% of children had access to these facilities in 2000 (NRFWS, 2000). Access to special education suffered, too. In 2001, when special education was provided to children with disabilities in 37 special correctional pre-school organizations and 180 special groups within general child care facilities, only 21.5% of children in need had access to special pre-school education, while 43,000 children with special needs had not access to special pre-school education (First National CRC report, 2001).

Table 3. Public expenditure on social sectors, 1990–2009

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<tr>
<td>Total government expenditure (% of GDP), including:</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>(a) Social insurance &amp; social security</td>
<td>3.9</td>
<td>0.8</td>
<td>5.9</td>
<td>4.5</td>
<td>3.9</td>
<td>4.4</td>
</tr>
<tr>
<td>(b) Education</td>
<td>5.9</td>
<td>4.5</td>
<td>2.77</td>
<td>2.3</td>
<td>2.8</td>
<td>3.9</td>
</tr>
<tr>
<td>(c) Health</td>
<td>2.9</td>
<td>3.0</td>
<td>1.73</td>
<td>2.5</td>
<td>3.4</td>
<td>4.5</td>
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Although a number of legislative and regulatory acts in the area of child welfare were adopted in the 1990s, they were mostly declarative in nature and did not change the provision of welfare for children. Kazakhstan ratified the Convention on the Rights of the Child (CRC) in 1992. Also, the first Constitution of the Republic of Kazakhstan (1993) and soon after the second Constitution (1995) stated key
principles of a new nation-state, including those related to child protection, health care, and education. In addition, the Law on Marriage and Family (1998) and the Law on Education (1999) laid out general principles concerning families, parenting rights and responsibilities, and education. Furthermore, the Law on State Social Assistance in the Case of Disability, Loss of Breadwinner, and Old Age were adopted in 1997 to provide minimum income support for selected populations.

While universal welfare programs such as public education, health care, and child care, were severely cut, children’s residential institutions survived economic crisis and budget cuts. Although the birth rate and the number of children were dropping, the number of institutions and the number of children in institutions had increased in the 1990s. The number of residential institutions for children without parents increased by 50% between 1990 (41 children’s homes and boarding schools accommodating 4,700 children) and 1999 (65 institutions accommodating 10,961 children) (NRFWS, 2000). As the National Report on the Summit on Children (2000) stated, “this is the only network within the system of primary and secondary education that has not been optimized [cut]”. In the 2000s, the number of children in residential institutions continued to grow until mid-2000s and then stabilized (Table 4).

Table 4. Children in residential care, at the end of the year (in 1,000s)

<table>
<thead>
<tr>
<th>Year</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
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<tbody>
<tr>
<td></td>
<td>58.0</td>
<td>67.2</td>
<td>69.2</td>
<td>76.2</td>
<td>82.5</td>
<td>87.0</td>
<td>84.6</td>
<td>79.5</td>
<td>79.0</td>
<td>82.9</td>
<td>78.5</td>
<td>77.4</td>
</tr>
</tbody>
</table>


There was a sign of intentions to reform Soviet children’s residential institutions. In 1993, SOS Kinderdorf International, an international nonprofit organization whose headquarters are in Austria, came to Kazakhstan invited by Kazakhstan’s First Lady, Sara Nazarbayeva, who founded the Children’s Charitable Fund ‘Bobek’ in 1992 and was involved in charitable activities for children. SOS Kinderdorf developed several program modalities, among them the best known is children’s villages—small family-type children’s residential institutions in which a woman caregiver (SOS-Mom) lives with several children deprived of parents. Since 1997, SOS Kinderdorf has opened three SOS children’s villages and several youth homes in Kazakhstan. Children’s villages were promoted as a better, advanced option for children without parents as compared with Soviet-type children’s institutions. Better funded by the state, children’s villages were built as exemplary facilities and provided better living conditions and services to children (First Alternative CRC Report, 2001). In 2000, the government
adopted the Law On Family-Type Children’s Villages and Youth Homes, which stated the goal of “gradual transformation of children’s homes into children’s villages». Six governmental children’s villages modelled after SOS villages were opened. But government-run children’s villages provided lower level of care to children than SOS facilities, and the plan to replace children’s residential institutions with children’s villages has not realized⁴.

Another alternative to children’s residential institutions, *patronat* (foster care), introduced in 1999, is a family-care option for children without parents, based on a contract between an adult caregiver and the state. Patronat did not take off until 2004 when state funding was allocated and 2,800 children were taken into patronat families. Since then, the number of children in patronat families has not grown and sustained at the level of approximately 2,000 (MoESc data, 2012).

In the 2000s, social welfare shifted from the periphery to the center of official and public discourse, and children became one of the primary target populations. Several regulations and state programs concerning children were adopted in the 2000s. First, the Law on Social, Medical and Pedagogical Correctional Support to Children with Special Needs (2002) led to the development of the governmental institutional network responsible for early detection and correction/treatment of disabilities in children. The system included homecare departments at the local level and consultations and rehab centers at the municipal, district, and provincial level. Although the Law has improved access to medical and social services for children with special needs, there have been issues with its implementation. Similarly to the Soviet welfare provision, the system of social, medical and pedagogical correctional support for children with special needs utilizes a primarily medical approach to care. Service providers lack skills, knowledge, and professional capacity to provide quality services to children with special needs. Overall, the new support system was designed as a supplement to the existing system and has not changed the existing child welfare system.

Another important legal act was the Law on the Rights of the Child adopted in 2004. The Law declared the state protection of the rights of children in line with the CRC but made no attempt to change the institutional child welfare provision and rather just re-instated existing principles. Meanwhile, there was growing awareness among policy actors, including the state, NGOs and UNICEF, that child welfare reforms stumbled because of the division of labour among government Ministries and the lack of

⁴ As of 2012, there were only 7 state children’s villages in 2012 and 3 SOS villages in Kazakhstan.
coordination among them. Since all four Ministries had equal level of authority, none of them could take on a role in coordinating and directing policy reform (First Alternative CRC Report, 2001). The National Commission on Family and Women Affairs created by the government of Kazakhstan in 1998 with the goal of advancing gender equality was also envisioned to direct child welfare reform. But these hopes did not realize, as the Commission had small staff, small budget, and little authority over other agencies. Another additional body was the Council on Youth Affairs, established in 2000 under the Government of Kazakhstan, which played not more than a consulting and advisory role.

With support from UNICEF, the government created an inter-agency National Coordination Group on the Rights of the Child in 2003 consisting of representatives of government and NGOs. The group improved communication among agencies and engaged them in child welfare reform but had no formal authority. In 2006, the government created the Committee for the Protection of the Rights of the Child—a special body under the MoESc with a task to coordinate the governance of children’s affairs; the Committee a year later was supplemented by a network of subordinate Departments on the Rights of the Child under respective regional administrations in all regions of the country. However, the issues with governance persisted. Although the child’s rights Committee was assigned the responsibility for coordination, it was not given the authority required to execute coordinating functions. While the new body was created, the roles and functions of existing agencies have not been amended. As new layers of institutions have been added, the core principles of child welfare governance have not changed.

Another important development for child welfare reform was the introduction of the Law on State Social Contracting in 2005, an institutional mechanism for state funding of NGO providers of social services, as an attempt to discontinue NGOs’ reliance on foreign resources (Ovcharenko, 2006). The Law provides a list of NGOs’ activities that can be funded under this mechanism, such as education, science, information, sport, health care, environmental protection, youth policy and children’s initiatives, gender issues, support to vulnerable populations, support for children without parents, children in single-parent and big families, and others. The state has allocated significant funds via this mechanism (see Table 5). However, there have been obstacles to accessing these resources due to internal flaws of the Law and flawed practices of its implementation. As a result, state social contracting has not produced the results that were expected: NGOs have not received reliable source
of funding; the state was not able to end NGOs’ reliance on foreign funding and build state-NGO partnership; and social services provided by NGOs have been unreliable (more on that in the NGOs section of this paper).

Table 5. Funding (in million KZT, 150 KZT=$US1) allocated to NGOs under the State Social Contracting in Kazakhstan in 2006-2011.

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<tr>
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<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
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<th>2010</th>
<th>2011</th>
<th>2012</th>
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<tr>
<td></td>
<td>59.7</td>
<td>317.7</td>
<td>453</td>
<td>891</td>
<td>1,231</td>
<td>2,500</td>
<td>3,000</td>
<td>4,700</td>
</tr>
</tbody>
</table>

Source: USAID NGO Sustainability Report 2010; Civil Alliance of Kazakhstan, 2011; Ministry of Culture, 2012 National Report on NGOs.

Another law adopted in 2008, the Law on Special Social Services, was intended to bring about a major change in the provision of welfare. This Law regulates the provision of social services to individuals and families in ten types of a ‘difficult living situation’ (five of them are children-only categories): orphan children; children deprived of parental care; children deprived of supervision, including deviant behaviors; limited capacity of early psychophysical development of children from birth to three years of age; stable functional impairment due to physical and mental [dis]ability; impaired functions due to socially significant illnesses and diseases that pose a threat to others; inability to care for themselves due to old age, illness or disability; abuse that has led to social maladaptation and social deprivation; homelessness; being released from prison; and being under supervision of the probation services of the criminal inspection\(^5\). The Law allows for the state funding of social services provided by governmental organizations and NGOs through the state social contracting mechanism. Responsibility for special social services was divided among three national agencies—the MoLSP, MoH, and MoESc—in line with their current responsibilities as well as regional departments of state administrations.

The Law on Special Social Services differs in several significant ways from earlier legal acts. First, the law outlines social services as a new domain within the existing welfare system. Second, the law identifies categories of beneficiaries that are new to the welfare provision. Third, the law includes governmental organizations, NGOs, and commercial organizations into the broad category of social service providers. Fourth, the law provides a framework for social work as a new profession/occupation that provides social services. At the same time, the Law on Special Social

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\(^5\) the last type was added in 2012
Services has not eliminated or replaced other legislative acts that regulate NGOs’ activities. Quite the opposite, this law complements and builds on existing legislative frameworks, most importantly, the Law on state social contracting.

The Law on Special Social Services provided an overarching legal framework, and responsible Ministries were expected to develop supplementary regulations (service standards, facility and staff requirements, budget estimates) to secure government funding. Three years later, the only agency that has done the work was the MoLSP, which developed standards for the provision of special social services for the Ministry’s traditional populations: children with disabilities, adults with disabilities, and the elderly in residential institutions. Therefore, out of various categories of children, the only population of children that has benefited from social policy reform was children with disabilities (in new language, children with special needs). The standards had been approved by the central Government of Kazakhstan, and unprecedented funding was allocated to government children’s residential institutions.

Government homecare departments, previously underfunded, have also been financed to provide homecare to children with special needs. However, the provision of homecare suffers from the lack of educated and qualified staff, absence of job instructions for homecare, and an overall lack of understanding of the concept of home-based social services. Further, children’s residential institutions were encouraged to open daycare departments with the purpose of gradual transformation of residential institutions into community-based centers that would provide social services to children living at home. Yet, by 2012, few institutions had opened daycare departments, although it was reported that this initiative enabled some parents to bring their children home. Thus, the Law on Special Social Services has yet to realize its potential to cause a major change in child welfare provision.

Transnational Actors: From Abundance to Retrenchment

After the disintegration of the Soviet Union, Kazakhstan positioned itself as a ‘Eurasian space’ that is, a country “uniquely situated geographically between East and West, between Europe and Asia, and between Islam and Christendom” (Schatz, 2006, p.274) and launched a multi-vector foreign policy, which involves cooperation and negotiation with major states that have competing interests in Kazakhstan (Blank, 2007). Kazakhstan joined the United Nations and many other bi-lateral and
multilateral organizations and alliances. As a result of this international cooperation, Kazakhstan has received a considerable amount of foreign aid (Table 6). Starting as early as 1992, various international and supranational organizations opened offices in the region/country and have been actively engaged in policy reforms in Kazakhstan. To give grants to organizations/individuals in Kazakhstan, TOs are required to be included in the list of grant-giving international organizations compiled and updated by the government of Kazakhstan.

Table 6. Official Development Assistance \(^7\) [ODA] received by Kazakhstan, 1991-2011.

<table>
<thead>
<tr>
<th>Year</th>
<th>Net ODA (million current US$)</th>
<th>Net ODA per capita (current US$)</th>
<th>Net ODA (% of central government expense)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1991</td>
<td>111.5</td>
<td>6.78</td>
<td>1.12</td>
</tr>
<tr>
<td>1995</td>
<td>64.83</td>
<td>4.09</td>
<td>0.67</td>
</tr>
<tr>
<td>2000</td>
<td>189.19</td>
<td>12.71</td>
<td>7.54</td>
</tr>
<tr>
<td>2005</td>
<td>228.88</td>
<td>15.11</td>
<td>2.19</td>
</tr>
<tr>
<td>2010</td>
<td>223.93</td>
<td>13.72</td>
<td>0.93</td>
</tr>
</tbody>
</table>


Transnational organizations (TOs) involved in reforming social policies in Kazakhstan represent a heterogeneous group which encompasses supranational organizations (e.g., World Bank, International Monetary Fund [IMF], United Nations [UN] agencies), foreign governments’ agencies (the United States Agency for International Development [USAID], UK Department for International Development [DFID], German Society for International Cooperation [GIZ], Japan International Cooperation Agency [JICA]), and international philanthropic foundations and NGOs (e.g., Open Society International [OSI] and Soros Foundation-Kazakhstan [SFK], Eurasia Foundation, Counterpart International, International Center for Not-for-Profit Law [ICNL]).

TOs that have influenced child welfare policy can be divided into three categories. The first category includes organizations whose primary target populations are children and youth (e.g., UNICEF, Bota

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\(^6\) The latest version of the list contains 164 organizations, including 53 international/multilateral organizations, 31 foreign governments’ organizations, and 80 nongovernmental organizations (mainly international, except for two national NGOs – Soros Foundation and Bota Foundation.

\(^7\) Official Development Assistance (ODA) refers to “government aid designed to promote the economic development and welfare of developing countries” (OECD DAC). Foreign aid has been provided through a variety of activities such as “projects and programmes, cash transfers, deliveries of goods, training courses, research projects, debt relief operations and contributions to non-governmental organizations (OECD, 2011).
Foundation). The second category is made up by TOs for whom children constitute a sub-population within the primary target population (migrants for IOM, refugees for UNHCR, child health for WHO, child labour for ILO-IPEC, etc). The third category is made up by TOs that have influenced child welfare reform indirectly, by engaging in political reform or supporting civil society (e.g., USAID, US Embassy).

Table 7 shows selected TOs that have influenced child welfare reform in Kazakhstan directly or indirectly.

Table 7. Selected TOs Influencing Child Welfare Reform

<table>
<thead>
<tr>
<th>Brief description of organization’s goals</th>
<th>Country projects/activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNICEF (the UN Children’s Fund)</td>
<td>Child welfare policy reform in a number of priority areas, including de-institutionalization of children, inclusive education and mainstreaming children with special needs in the society, health and social services for youth and children</td>
</tr>
<tr>
<td>International Labour Organization’s International Programme on the Elimination of Child Labour (ILO-IPEC)</td>
<td>Since 2005, ILO-IPEC has implemented a Central Asia-based project on the elimination of the worst forms of child labour</td>
</tr>
<tr>
<td>Open Society International and Soros Foundation Kazakhstan (SFK)</td>
<td>Educational programs, promoting the concept of inclusive and student-centered education; NGO support; legal/institutional reform.</td>
</tr>
<tr>
<td>UNDP</td>
<td>Economic and social development, poverty reduction, governance, NGO support, environmental programs</td>
</tr>
<tr>
<td>USAID</td>
<td>Economic reforms, health care reform, public health issues, education, democracy (NGO and media support), and humanitarian assistance</td>
</tr>
<tr>
<td>US Embassy</td>
<td>Small grants program supports various projects in the areas of children’s rights, prevention of violence and discrimination against women, NGOs’ training, human rights, and seminars on religious extremism and tolerance.</td>
</tr>
<tr>
<td>EU</td>
<td>Technical assistance to the government including institutional reform, support for the private sector and economic development, social issues, environment and nuclear safety.</td>
</tr>
<tr>
<td>Bota Foundation</td>
<td>Grants to NGOs for the provision of social services to children; educational grants to students; conditional cash assistance to poor families</td>
</tr>
</tbody>
</table>
This analysis points to two phases in TOs’ involvement in Kazakhstan. The first phase, which started in 1991 and lasted until the early 2000s, was characterized by an influx of TOs to Kazakhstan. During this phase, foreign aid emphasized economic reform to support the market development and political reform to support democratic institutions and civil society, operationalized as domestic (national and local) NGOs. Social policy reform per se was in the periphery of donors’ agendas, but many child-protecting NGOs were able to access grants provided mostly by TOs who did not specifically target children.

The second phase in the provision of foreign aid to Kazakhstan began in the early 2000s, although the change became apparent in the mid-2000s. This phase was marked by the shift in the foreign aid discourse from market liberalization and democratization/civil society toward ‘structural measures’ and ‘good governance’ (Ebrahim, 2005). This shift required greater cooperation with the state but NGOs remained important partners within the ‘good governance’ framework. The second feature of foreign aid in the 2000s is the reduction of support to NGOs due to a number of factors.

The third feature of this phase is the establishment in 2008 of the Bota Foundation, a major donor agency that has had a strong influence on the development of the child welfare field. The Bota Foundation is a unique development aid enterprise designed as an institutional mechanism for repatriating $USD84 million, disputed and frozen in Swiss bank accounts. The government of three concerned states—Kazakhstan, the U.S. and Switzerland—signed an MOU; the World Bank oversaw the creation of the organization, and two U.S. NGOs—IREX and Save the Children—partnered to oversee the design and administration of the Bota Foundation (IREX, 2010). Following a special Decree of the Prime Minister of Kazakhstan in 2009, the foundation was registered as a Kazakhstani NGO and was included in the official list of international grant-giving organizations.

The mission of the Bota Foundation is “to improve the lives of children, youth and their families suffering from poverty in Kazakhstan through investment in their health, education and social welfare” (Bota Foundation, 2013). The Foundation runs three program components: conditional cash assistance to poor families; educational scholarships to poor gifted students, and grants to domestic and international NGOs to provide social services to children and youth. The social service component

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8 Several factors may have contributed to the contraction of resources provided to NGOs: changes in donors’ interests in the region; talks about country’s ‘graduation’ from aid; Kazakhstan’s becoming the middle-income country; and shifts in donor composition in Kazakhstan.
supports NGOs in four areas: pre-school education for children from poor families and children with special needs; supports to youth development and risk prevention; services for children with special needs; and support for children and youth in difficult living situation (orphans, unattended and neglected children, homeless children, children suffering from abuse and violence, etc.).

Grant-making policies and practices of the Bota Foundation need to be discussed, as they differ from policies of TOs and the state. The grant competition is announced annually; the selection criteria are clear and do not change; both established and new organizations can get support; and the Foundation supports ongoing activities and expansion of services. The Bota Foundation combines the organizational features of NGOs and TOs, but serves as an ‘ideal’ funding agency, seemingly free of the deficiencies of TOs’ and state mechanisms of funding NGOs. Unlike state bureaucrats, the Bota Foundation’s procedures are transparent and reliable, with clear goals and priorities. Unlike TOs, the Bota Foundation’s grant program fosters the uninterrupted, continuous social service provision. However, an intrinsic problem built in this organization since its inception is that it is bound to expire as soon as the money that started the foundation has been spent (the expected year of termination is 2014).

**NGOs: From Partners of Transnational Organizations to Partners of the State**

The emergence and development of the third sector, nongovernmental and nonprofit, is a critical element of the post-Soviet transformation of the country’s social and political landscape. In 1991, Kazakhstan adopted the Law on Public Associations that provided a legal framework for forming public associations, including political parties, unions, mass movements, and NGOs. The key principle declared by this Law, as well as by the first Constitution of independent Kazakhstan (1993) was the separation of the state from public associations. In the early 1990s, approximately 400 NGOs were formed, most of them focusing on human rights and democratic reforms, and by the mid-1990s the number of registered NGOs had reached 1,600 (ADB, 2010). The explosion of NGOs was directly linked to financial and technical assistance provided by TOs. Some newborn NGOs were focusing on political issues, such as elections, media, and democracy, while others were concerned with new and old social issues, such as child welfare, environment, youth development, people with disabilities, etc.
Child-protecting NGOs were founded as early as 1992 as a grass-root response to an increased vulnerability of families and children due to economic hardships and the lack of state support. Child-protecting NGOs have different histories, objectives, target populations, and approaches. To show the variation among these organizations, I provide brief histories of four child-protecting NGOs that have played a major role in shaping social policy.

Kenes Centre is a community-based NGO established in Almaty in 1992 with the goal of protecting rights of children with disabilities. The leader of the organizations, Mayra Suleeva, is a specialist on special education for children with severe disabilities (defectologist, in Soviet classification of occupations) and had worked in this capacity in a local special education school. Seeing children having been expelled from the school as ‘uneducable’ and sent out to residential institutions, Mayra Suleeva started Kenes as a daycare centre to provide comprehensive special education to children with special needs. Kenes employs a range of specialists: psychologists, defectologists, ergotherapists, physical therapists, vocational therapists, and social workers. The Center developed curriculum on individualized educational and rehab programs for children and provides training to specialists. The Center has recently integrated child care groups for regular kids and children with special needs.

SATR was established in 1992 as a Republican research and practice centre for social adaption and occupational rehabilitation of children with developmental problems. As a governmental organization, SATR was underfunded and struggled to achieve its objectives. In 1996, on the basis of the centre, SATR was registered as a public association (an NGO), a strategy that enabled the organization to access non-state funding. The SATR applies a medical approach to provide community-based special education and rehabilitation services to children with special needs by a specialist of the centre. SATR also conducts research, provides continuing education for special education specialists, and runs a hearing aid laboratory and aid appliances service centre.

ARDI (Association of parents of children with disabilities) was established in December 1991 by the parents of children with special needs to provide support to families and children. In the 1990s, ARDI focused on providing humanitarian assistance and raising public awareness on the issue. ARDI organized fund-raising media campaigns, brought medical specialists from Russia to Kazakhstan to examine and treat children with disabilities, reached out to international charity organizations to provide children with wheelchairs, advocated on behalf of families to help them to access social housing, cooperated with various international organizations and government agencies to provide home care and cash assistance to the most vulnerable children, etc. in 2004, ARDI opened a daycare center for children; since 2009, ARDI has received state funds under the state social contracting mechanism.
The Women’s League of Creative Initiative (WLCI) was founded in 1994 by women of creative professions (artists, journalists, musicians) to support each other and disadvantaged women. In 2000, the organization became involved in protecting children without parents and supporting family forms of caring for children (i.e., foster care, adoption, guardianship). WLCI conducted legal and regulatory analyses and policy recommendations, provided legal and social support to parents who want to adopt a child, trained professionals who work with children without parents. WLCI has become a major force in shaping social policy on deinstitutionalization.

Despite variations in goals and approaches, child-protecting NGOs have several common characteristics. First, child-protecting NGOs created in the 1990s were not donor-driven initiatives because children were not at the centre of agenda of TOs or state agenda. Child-protecting NGOs were often started by urban, middle-age, educated and Russian-speaking women (e.g., teachers, journalists, artists, doctors) whose concerns for children grew from their professional or personal/parental experiences. NGOs began by organizing activities that required no funding apart from NGO volunteer work. Many organizations reached out to private companies that provided mostly in-kind contributions, one-time gifts, support of events, etc. However, private resources were not sufficient to support continuous activities in the country with no experience of private sponsorship. Next, accessing government funding was not possible because legal regulations adopted by post-Soviet Kazakhstan specifically prohibited state funding of activities of public associations. Therefore, the only resources NGOs could access in the 1990s were foreign aid, and foreign aid has fundamentally shaped NGOs.

Through grants and training, TOs have shaped NGOs as professional nonprofit organizations existing in the West (Aksartova, 2005). Foreign funds were provided to NGOs in the form of grants, typically, on a competitive basis and on certain conditions reflecting the TOs’ priorities, goals, and approaches. In order to access foreign grants, NGOs have to meet certain minimum organizational requirements (e.g., being registered as a legal entity in Kazakhstan; a mission statement which is in line with the donor’s objectives; proper management structures; a bank account and accounting procedures; an office and necessary staff). TOs’ grant-giving criteria often include experience in the field and with the target population, experience in building partnerships with the government, and experience in implementing donor-funded programs. To access grants, NGOs have acquired certain procedural, often tacit, knowledge and skills, such as capacity to write a grant application, knowledge about donors and TOs and their granting procedures, fluency in donors/TOs’ operational language.
TOs’ policies and practices in supporting NGOs have shaped NGOs’ activities as programs or projects. NGOs’ programs/projects have several characteristics: they are time bound; they offer something new; they have clear and measurable goals and objectives; they include activities that should be directly linked to results; they aim at specific target populations and stakeholders; they include monitoring/evaluation to test if the program/project has reached the expected results; and funds are usually given to support the project implementation, not the organization.

Working within the program/project framework has important implications for the provision of social services by NGOs. First, the short-term duration of programs/projects is justified from the donor’s perspective of limited resources but counteracts the idea of social services that need to be provided on a continuous basis. Second, setting achievable goals counteracts a longer perspective of desirable change that can take years and decades to achieve, as both TOs and NGOs know well. Third, TOs’ preference for new programs that introduce a novel intervention or address a new issue led to the neglect of ongoing, less exciting activities, such as social services. Fourth, as a rule, grants were restricted to expenses required for program implementation and excluded overhead costs necessary for the support of the organization\(^9\) (e.g., office, equipment, support staff, staff training, staff benefits). As a result of the lack of organizational support, NGO were struggling to maintain operations, keep an office, prevent skilled staff from leaving, and provide services, especially at times when they had no project/program running.

Despite the limitations of foreign aid provided by TOs, in the 1990s child-protecting NGOs were able to access foreign aid to support their activities. In the conditions of relatively abundant foreign funding aiming to promote human rights, democracy, and civil society, child-protecting NGOs accessed grants often employing human rights, civil society, gender equality frameworks to frame their activities and legitimize their claims. In other words, domestic NGOs used the political language of protection of human (women’s and children’s) rights to design and implement social programs/projects addressing the needs of families and children\(^{10}\). To secure their operations NGOs sought to diversify their

\(^9\) Such restrictions have been quite common in grants provided to domestic NGOs. However, grants to international NGOs typically include overhead expenses that the recipient organization can spend on organizational support and development.

\(^{10}\) One NGO’s mission illustrates the point: “To create conditions for the promotion of democratic reforms and the development of a comprehensive system of protection of the rights of women and children in Kazakhstan by supporting the joint effort and cooperation between the state and the civil society”. Another organization’s mission: “To shape the
resources and often ran several projects/programs funded by different donors simultaneously. While NGOs in Kazakhstan were often criticized for ‘running after money’, this analysis indicates that they often used different grants to run complementary projects that compensate for the fragmentation and short-term duration of their activities shaped by donors’ programmatic frameworks. Most child-protecting NGOs that I interviewed are committed to their objectives. They appear to be reluctant to simply shift from one issue to another and often maintained activities even after foreign funds were not available, by doing volunteer work, keeping the minimum level of activities, and channeling funds from other sources, including engagement in for-profit activities. However, the ability of NGOs to maintain services without a continuous flow of resources has been limited.

In the 2000s, the development of NGOs was marked by the shift in their relationships with TOs and the state. The reduction in foreign aid provided to NGOs (both in the amount of grants and training/capacity building activities) created a sense of a scarce resource environment and increased competition for resources. At the same time, the state approach to NGOs shifted from detachment to engagement as part of the overall agenda of political consolidation. The new political agenda of the state identified NGOs as actors that play an important social role by addressing social issues and whose activities should be supported by the state. In the 2000s, NGOs have become increasingly involved in policy consultations and policy reform as partners of the state. For instance, three NGOs—the Confederation of NGOs in Kazakhstan, Diabetic Association of the Republic of Kazakhstan, and Consumers Rights Protection League--became members of the National Council, the advisory board of the President (ADB, 2010). NGOs have become active members of public councils affiliated with regional/local state administrations, as well as various working groups created for the revision of legislation or drafting policy documents.

As discussed earlier in this paper, the Law on State Social Contracting (2005) created a mechanism for state funding of NGOs. However, the implementation of the Law has been marked with multiple issues due to flaws in the law itself and due to corruptions practices or manipulation of the Law (Ovcharenko, 2006). The flaws in the Law stem from the fact that it was modeled after the Law on state procurement. State procurement rules (e.g., the open tender procedure, multiple competing providers, preference for the lowest price, transfer of funds after the project’s completion, short-term
funding cycle) were a poor fit for funding NGOs’ social services (Ovcharenko, 2006). Similarly to TOs, the state put restrictions on different types of expenses under the state social contract (e.g., the salaries’ share of the budget, the purchase of equipment, and organizational support). The calls for bids were developed by state authorities with little consultation with NGOs and communities, and a substantial share of topics for bids were propagandist or event-focused. In addition, NGOs faced issues with the lack of transparency and corruption practices of the implementation of the Law11 (Ovcharenko, 2006; USAID NGO Sustainability report, 2010). As a result, the Law on state social contracting has had limited effect on the provision of social services by NGOs.

The Law on Special Social Services (2008) improved access to state funding for some NGOs. Several child-protecting NGOs have received state funding for the provision of community-based social services for children with disabilities and their families. However, access to state funding is still problematic, as NGOs have to go through the state social contracting process. Moreover, NGOs that work with children with special needs and have expertise in the area struggle to meet the government standards for the provision of social services (e.g., building/ facilities, license, staff). The establishment of the Bota foundation in 2008 might be viewed a solution to the issue of access to funding for child-protecting NGOs. But, paradoxically, when the Bota foundation started its funding activities in 2009, the major issue was the lack of NGOs that have the capacity to provide social services for children.

Conclusion

This paper examined the case of transformation of social care for children in post-Soviet Kazakhstan. At the center of the post-Soviet welfare transformation is the shift from state-centered welfare system to the open to transnational influences welfare diamond. This analysis developed two main arguments. First, the transformation of the child welfare system is a function of relations among (trans)national organizational actors whose behaviors are constrained and enabled by the broader legal/regulatory environment. My second argument is that the post-Soviet child welfare transformation, shaped by Soviet institutional legacies, is an interplay of multiple incremental changes and institutional resilience.

11 In 2011, as a result of NGOs’ advocacy, several amendments were made to the Law, which included few NGOs’ proposals, with the exception of a vague possibility of long-term social contracts.
Tracking the evolution of the child welfare diamond for over two decades of post-Soviet reform, I identified two distinct phases. During the first phase (1991-early 2000s) the state and TOs focused on political and economic reforms, putting social policy aside. Child-protecting NGOs grew out of citizens’ concerns about vulnerable children and the lack of public support. During this phase, the state was detached from NGOs’ development, while NGOs were under the influence of TOs. Newborn NGOs have developed as flexible organizations, open to new ideas, capable of understanding TOs’ programmatic language and translating imported ideas into the local context. Thus, NGOs have acquired features that allowed them to navigate the dynamic donor environment and to access foreign aid. At the same time, the same practices that were essential to their survival have impeded their ability to provide continuous, reliable social services to their populations.

The second phase in the transformation of the child welfare diamond (early 2000s-ongoing) was characterized by the rising importance of social policy and child welfare in the official discourse. Within the new political agenda of the government, NGOs were valued for their roles in addressing social issues. While foreign support to NGOs was declining, the state created institutional mechanisms for state funding of NGOs’ activities. However, few child-protecting NGOs were successful in utilizing state resources due to the flaws in the state social contracting mechanism and NGO’s limited capacity to provide social services. The emergence of the Bota Foundation in 2008 as a major donor in the area of child welfare might have corrected some issues with access to funding but this organization, similarly to other TOs, faces sustainability issues. While organizations within the welfare diamond are interdependent, their policies/practices shaped by the historically contingent legal/regulatory constraints have created an institutional environment that unintentionally impedes the development of sustainable and reliable social services for children.

Social services for children is a new modality, which was absent in the Soviet child welfare system, and an alternative to the Soviet reliance on children’s residential institutions. The attempts to introduce social services in the post-Soviet Kazakhstan have stumbled. NGOs struggle to provide social services, while services provided by reformed state institutions suffer from the lack of experience, formalism, and confusion about new responsibilities. At the same time, the child welfare system showed remarkable resilience, mostly by creating new layers of institutions without changing its core.

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12 Soviet ideology denied social issues and the need for social services/social work.
institutions. ‘Old’ alternative forms of care (e.g., adoption, guardianship) and newly introduced options (e.g., children’s villages, patronat) have not challenged the dominance of children’s residential institutions. Under the new socioeconomic conditions, children’s residential institutions continued to be used as an almost universal response to children’s and family needs.

Finally, Silver’s (1994) three paradigms of exclusion offer an additional dimension to the analysis of the post-Soviet child welfare transformation. From this perspective, Soviet social welfare can be described as a solidarity-based system provided solely by the state, while the post-Soviet shift toward specialization involves cuts in universal welfare programs and the recognition of specific populations of beneficiaries. This analysis indicates that the process of reforming social care for children required redefining of target populations and resolving the issues of inclusion/exclusion. Child protection was viewed as a moral responsibility in the Soviet Union and in independent Kazakhstan. However, children are not a homogeneous population, and new categories of children as a target of social policy have been created since the country’s independence. Not only do ‘new’ categories differ from ‘old’ ones, they are incongruent with the traditional division of labour among state agencies, raising questions about who should be responsible for ‘new’ categories of children. As this analysis shows, ‘old’ categories of children that are congruent with Ministerial areas of responsibility have benefited from social policy reform. Therefore, the resolving of inclusion/exclusion issues in the post-Soviet era of child welfare has been shaped by the legacies of Soviet institutional configurations.
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