



ARTICLE INFO

Received: 11th January 2023

Accepted: 22th January 2023

Online: 23th January 2023

KEY WORDS

Republic of Uzbekistan, statehood, sovereignty, President, civil service, judiciary, local self-government.

THE EVOLUTION OF PUBLIC ADMINISTRATION IN THE POST SOVIET COUNTRIES AND REPUBLIC OF UZBEKISTAN

Olloyorov Doston Rustam o'g'li

Tashkent state university of oriental studies,
international policy 4st year student

<https://doi.org/10.5281/zenodo.7559480>

ABSTRACT

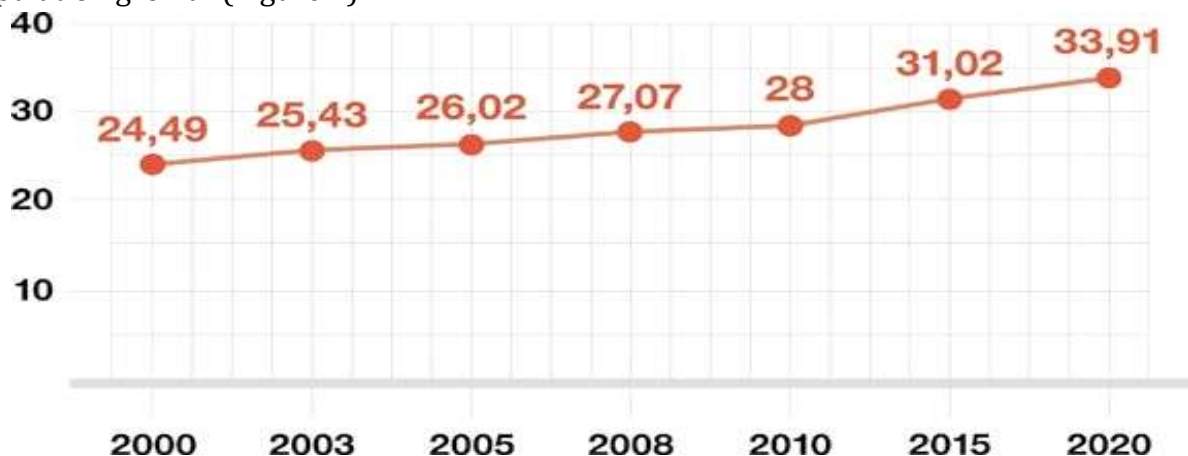
The focus of the essay is on the development of the Republic of Uzbekistan as a state since it proclaimed its sovereignty. It should be noted that the foundation of national statehood was established in a historically brief amount of time. The fundamental principles of this statehood are established by the Constitution of the Republic of Uzbekistan, which unambiguously enshrines the most crucial tenets of social and political organization. On the basis of this legal framework, the nation has undergone a significant administrative reform. State and economic management institutions have also undergone modernization and renewal, while municipal governments have undergone restructuring. In Uzbekistan, a number of regulatory legal acts have been adopted in response to the difficulties with the running of the public service system and approaches to fix them.

General characteristics of the country The Republic of Uzbekistan is a state in Central Asia. The official language is Uzbek. The Republic of Uzbekistan includes the Republic of Karakalpakstan (a sovereign republic consisting of Uzbekistan), 12 regions and the city of central subordination – Tashkent.

The history of statehood and the rights of the peoples inhabiting the territory of modern Uzbekistan has more than 3,000 years. The territory of Uzbekistan was part of ancient civilizations and empires: Bactria, Khorezm, Sogd, Parthia, Empire of Alexander the Great, The Greco-Bactrian Kingdom of Kushan; Arabs, Samanids, Karakhinids, Timurids dominated here, Tamerlane and his successors. In XVI–In the XVIII centuries, three states formed on the territory of Uzbekistan – Bukhara, Khiva and Kokand khanates. Parts of modern Uzbekistan since the 1860s became part of The Russian Empire. After the revolution of 1917 and the Civil War, Turkestan was formed here Autonomous Soviet Socialist Republic, Bukhara and Khorezm Soviet People's Republics. In 1924 in Central Asia a national-state demarcation was carried out. In accordance with this, the law on the formation of the Uzbek SSR was adopted. On February 13, 1925, the First Congress of Workers' Councils was held in Bukhara, where it was adopted Declaration on the formation of the Uzbek SSR and its entry into the USSR as a Union Republic.



At the extraordinary VI session of the Supreme Council of the UzSSR on August 31, 1991, Uzbekistan was proclaimed an independent State. The Uzbek SSR is renamed the Republic of Uzbekistan. The Supreme Council adopts the Constitutional the law "On the foundations of State independence of the Republic of Uzbekistan". December 29 In 1991, a national referendum was held, which confirmed the state independence. From the moment of gaining independence to the present, the Republic of Uzbekistan demonstrates a positive dynamics of population growth (Figure 1).



The State Committee of the Republic of Uzbekistan on Statistics. <https://stat.uz/uz/180-демография> официальная статистика-уж/6548-демография" официальная статистика-уж/6548-демография"- <https://stat.uz/uz/180-демография>" статистика официальная статистика-уж/6548-демография"- <https://stat.uz/uz/180-демография>" уж <https://stat.uz/uz/180-демография> демография.

According to the data of the State Statistics Committee of the Republic of Uzbekistan, from 2000 to 2020, the total population growth amounted to about 9.42 million people, or 36.18%. The economy of the Republic of Uzbekistan is actively It is developing, as evidenced by the stable growth of GDP per capita at purchasing power parity.

According to the IMF, from 1995 to 2019, the level of GDP at purchasing power parity in the Republic of Uzbekistan has grown more than six times compared to the initial period. A characteristic feature is the stability of the growth of this indicator in the period from 2010 to 2019, the level of GDP by PPP showed an average growth of 1% per year. In 2019, the volume of Uzbekistan's GDP at current prices amounted to 511.8 trillion soums. This is 5.6% more than in the previous year. The main share fell on the production of goods – 300.3 trillion soums. Next come the service sector (165 trillion soums) and net taxes on products (46.5 trillion soums). When calculated in US dollars at the average annual rate of the Central Bank, GDP for 2019 amounted to 57.9 billion (in 2018 it was 50.3 billion US dollars). The trade turnover of the Republic of Uzbekistan is characterized by the predominance of imports over exports.

Export volumes have generally positive dynamics. In 2014-2015, there was a slight decrease in the volume of trade, but by 2018 it had reached record volumes: 10.5 billion US dollars. The



largest share in the structure of Uzbekistan 's exports is gold, the volume of exports of which was in 2018, \$ 2.49 billion, or 23.6% of the total structure of the country's exports. The second largest export commodity is natural gas with an export volume of 2.45 billion US dollars, or 23.3% of exports. The third commodity in terms of exports is cotton; in 2018, Uzbekistan exported it in the amount of \$726 million, which is 6.9% of total exports. Uzbekistan ranks 14th in the world in natural gas production, third in the world in exports and sixth in cotton production, seventh in terms of uranium reserves (4% of the world's uranium reserves), Uzbekistan ranks fourth in total gold reserves, and seventh in terms of gold production. More than 2,700 deposits and promising ore occurrences of various minerals have been identified in the bowels of Uzbekistan, including about 100 types of mineral raw materials, of which more than 60 are already involved in production. More than 900 deposits have been explored, with proven reserves estimated at US\$ 970 billion. The total mineral resource potential is estimated at more than \$3.3 trillion.

The authorities of the Republic of Uzbekistan pay much attention to the formation of a positive image of the country. In June 2020, the Decree of the President of the Republic of Uzbekistan No. UP-6003 dated June 2, 2020 "On improving the position of the Republic of Uzbekistan in international ratings and indices, as well as the introduction of a new mechanism for systematic work with them in state bodies and organizations" came into force. According to this Decree, when The Ministry of Finance and the Ministry of Justice of the Republic of Uzbekistan have created specialized working groups to promote the country's position in international rankings 14 socio-economic and five political and legal. Uzbekistan's positions in international indices have positive dynamics. One of the most significant is the positive dynamics in terms of the Human Development Index HDI. The growth of this index indicates a gradual improvement in the quality of life of the country's citizens, in particular, an increase in life expectancy, the level of education and the general well-being of citizens.

Among the indicators characterizing the political and legal development of Uzbekistan, a special place is occupied by The Worldwide Governance Indicators, calculated by the World Bank and including indicators of government accountability and responsibility, political stability, public administration efficiency, public administration quality, the rule of law, as well as corruption control. Analyzing the dynamics of WGI indicators, it can be noted that the Republic has achieved the greatest success Uzbekistan has achieved in terms of maintaining the stability of the political system and the effectiveness of public administration. Moreover, this indicator showed quite rapid growth at the turn of 2013-2016 years. This dynamic is explained by the acceleration of administrative reform, as well as the active introduction of ICT in the activities of public authorities.

Dynamics of the indicator of political stability The Republic of Uzbekistan had a downward trend from 1996 to 2006. Such a period of instability can be explained by the long process of restructuring the political system, at this stage there was a serious imbalance of power – the fullness of which was concentrated in the hands of the president of the country. During this period, cardinal structural transformations of all branches of government are being carried out. However, since 2009, the dynamics of the index has become positive: at this stage, a deep reform of the country's public power system begins – a reflection of this trend was the Report



of the President of the Republic Uzbekistan dated November 12, 2010 "The concept of further deepening democratic reforms and the formation of civil society in the country".

The "Seven Actions Strategy" adopted in 2017 also supported this process. Uzbekistan is a party to numerous international treaties, action plans and conferences on sustainable development, including: the Declaration on Environment and Development, Agenda for the XXI Century, the UN Declaration on the Millennium Development Goals, the Bali Action Plan, etc. Uzbekistan is a member of the UN, has been a permanent member of the Shanghai Cooperation Organization (SCO) since 2001, and has been granted observer status in the Eurasian Economic Union since 2020. Administrative transformations in the Republic of Uzbekistan started from the first days of gaining state sovereignty. The scenario according to which the administrative reform of Uzbekistan developed largely repeated the experience of other former Soviet republics.

The main tasks for the newly independent state were the construction of a new system of public authorities necessary for its effective functioning in market conditions, strengthening and improving this system. The strategic goal was stated to be the construction of a state based on democratic principles, above all valuing democratic principles and personal freedoms of its citizens, their guarantee and protection. The first stage of administrative reform in Uzbekistan can be considered the construction of a new system of authorities that meets the needs of an independent state operating in a market economy. Until 1990, the republic operated 12 union-republican and four republican ministries and more than 30 other departments. At the turn of 1992-1993, some of them were abolished, and others were reorganized in order to better respond the demands of independent Uzbekistan. It is important to mention that the President of the Republic played a special role during this period Uzbekistan, which combined the role of the head of state and the actual head of the entire executive branch of government Chairman of the Cabinet of Ministers.

The State power at the local level has undergone significant changes. On September 2, 1993, the Law of the Republic of Uzbekistan No. 913-XII "On local Government" was adopted, which introduced a new law for republic Institute of khokims. According to this law, khokims were assigned the role of heads of executive power at the level of regions, districts or cities. At the same time, the kengashes of people's deputies of the appropriate level acted as representative authorities. According to the new law, the khokim of the region and the city of Tashkent are appointed by the decision of the President of the Republic of Uzbekistan and approved by the regional and city Kengash of people's deputies.⁵ Khokims of regions, districts and cities are appointed from among the deputies of the Kengash of People's Deputies of the appropriate level. At the same time, the Khokims regions and cities of Tashkent are accountable directly to the President of the Republic of Uzbekistan and the Kengash of People's Deputies, while the khokims of districts and cities of district subordination are accountable to the khokims of regions and districts, respectively. The khokim, as the head of the executive power, determines at the appropriate level the structure and staff of local executive authorities, the so-called khokimiyats. The proposal on the structure and staff of the khokimiyats should be agreed at the appropriate level. For regional executive authorities and the city of Tashkent requires coordination with the Cabinet Ministers of the Republic of Uzbekistan, as well as the



Kengash of People's Deputies. Coordination of the structure and staff of the khokimiyats of the district and city levels takes place at the level of the higher khokim.

It is noteworthy that the local level of government in the Republic of Uzbekistan was originally the state level, which included both the city and district levels of government. During the first years of independence, the status and concept of citizens' self-government bodies were not legislated in Uzbekistan, despite the fact that the right to self-government it was proclaimed by article 32 of the Constitution of the Republic of Uzbekistan. For the first time, the status of citizens' self-government was fixed by the Law of the Republic of Uzbekistan No. 758-I of April 14, 1999 "On citizens' self-government bodies". Article 3 of this law established the boundaries of local self-government at the level of settlements, villages, auls and mahallas of cities. A gathering of citizens of a village, aul or mahalla has been established as the predominant form of local self-government. The Law "On Citizens' Self-Government Bodies" partly regulates the structure of local self-government bodies created by a gathering of citizens: within the framework of the gathering, its chairman (aksakal), advisers to the chairman, as well as members of commissions on the main activities of the citizens' gathering should be elected.

The chairman of the citizens' meeting is elected for a term of two and a half years in agreement with the khokim of the corresponding city or district. Also, within the framework of the gathering, its own Kengash can be formed if the solution of individual issues requires collegial discussion. It should be abolished that citizens' self-government bodies are assigned issues related to the maintenance and improving the quality of life in a particular territory, solving some issues related to the improvement of territories, compliance with trade rules, education and observance of traditions. The financial basis of the activity of the citizens' gathering is the own funds of the participants of the gathering. The funds of self-government bodies must be kept in an independent account in a bank institution; they are used by them independently and are not subject to withdrawal.

Among other things, the gathering of citizens can exercise control over the activities of the khokimiyats on the ground, in particular: organizes public control over the expenditure of funds, compliance with laws and the execution of other legislative acts and its own decisions, and also creates audit commissions of citizens. Appeals of local self-government bodies are mandatory for consideration by state authorities. Disputes arising between local self-government bodies and state bodies are resolved in court.

The constitutional reform of 2002 became an important stage of administrative reform in the Republic of Uzbekistan years. January 27 at the initiative of the President of the Republic of Uzbekistan held a nationwide referendum, one of the issues of which was the transition of the Republic of Uzbekistan to a bicameral parliamentary system. At the beginning in 2005, the bicameral Oliy Majlis of the Republic of Uzbekistan was formed, the lower Legislative Chamber of which was formed on a permanent basis, and the upper chamber (Senate) became a representative body uniting local deputies Kengashev of People's Deputies.

A feature of the administrative reform in Uzbekistan at the turn of 1996-2005 is the desire to ensure maximum efficiency of public administration while preventing excessive expansion of the staff of civil servants. The first attempt to optimize the staff of the supreme executive authorities was made by I.A. Karimov as Chairman of the Cabinet of Ministers in 1996.



According to the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated November 26, 1996 No. 420 "On measures to improve the structure of management bodies and reduce the number of administrative and managerial personnel", ministries, state corporations, associations and departments were ordered to reduce the number of employees and reduce the number of deputies. At the same time, the annex to the Resolution also contained the norms of the maximum number of employees. They returned to a similar measure to reduce the number of employees in 2003. According to Resolution No. 5 of January 7, 2003, it was prescribed to reduce 1,494 employees of the central of the positions financed at the state expense, 23 employees from among the positions of deputy heads of republican ministries, state committees, departments and economic associations. But the administrative and managerial apparatus, financed by the self-supporting activities of associations, concerns, corporations and other economic entities, was subjected to the greatest reduction 88,237 employees were ordered to be reduced throughout the republic.

This approach has borne fruit. According to calculations made in 2004, there were only six officials per thousand inhabitants of Uzbekistan (for comparison: in Kazakhstan this figure was 19, in the Russian Federation – 22 officials per thousand inhabitants). In 2003, important changes occurred in determining the place of Government of the Republic of Uzbekistan. As part of the constitutional reform, the post of Chairman of the Cabinet of Ministers of the Republic of Uzbekistan, which was held by the President of the Republic, was abolished Uzbekistan. At the same time, the President no longer combined two positions the norm that the head of state is simultaneously the head of the executive branch, contained in Article 89 of the Constitution, was excluded from it the most important milestone on the way of reforming the state power of the Republic of Uzbekistan was the Concept of further deepening democratic reforms and the formation of civil society in the country, announced as part of the Report of the President of the Republic at a joint meeting of the Legislative Chamber and the Senate Oliy Majlis on December 12, 2010. The proposals made by the President marked the beginning of the stage of the most important democratic transformations of the state power of Uzbekistan. In particular, in this report, the President made a proposal to change the procedure for appointment to the post of Prime Minister of the country, outlined the need to reform the judicial and legal system and guarantees of legal protection of citizens of Uzbekistan.

Initially, the President of the Republic of Uzbekistan carried out the appointment and dismissal from office the Prime Minister, as well as his deputies and members Cabinet of Ministers of the Republic of Uzbekistan. In the context of the December report of the President, amendments to the Constitution were adopted in 2011, according to which the approval of the candidacy of the Prime Minister became the authority of the Chambers of the Oliy Majlis of the Republic of Uzbekistan while the President made a submission on the candidacy of the Prime Minister. Also, the President was assigned the right to appoint the head of the Accounting Chamber. Thanks to these changes, the political parties that are part of the Oliy Majlis have been given the opportunity to nominate the Prime Minister.

On April 16, 2014, amendments and additions were made to articles 32, 78, 93, 98, 103 and 117 of the Constitution of the Republic of Uzbekistan. As a result of these changes, the institutions of public and parliamentary control have been constitutionally consolidated.



Amendments to article 93 improve the mechanism for ensuring the constitutional principle of separation of powers and their effective interaction. According to the new interpretation of these articles, decisions on education and abolition ministries, state committees and other public administration bodies with subsequent submission of decrees on these issues for approval by the chambers the Oliy Majlis will be adopted by the President only on the proposal of the Cabinet of Ministers of the Republic of Uzbekistan.

Further development administrative reform the Republic of Uzbekistan received together with the publication of the Decree of the President of the Republic of Uzbekistan dated February 7, 2017 No. UP-4947 "On the strategy of actions for further development of the Republic of Uzbekistan" – "Strategies of five actions". The main message of this Decree was the need to rethink the accumulated experience of the country's development in order to develop new ideas and solutions. The main work was ordered to be carried out in five directions:

- Improvement of state and social construction (in particular, strengthening the role of parliament and political parties, reforming the public administration system, developing the organizational and legal foundations of the civil service).
- Ensuring the rule of law and further reform of the judicial and legal system.
- Development and liberalization of the economy.
- Development of the social sphere.
- Ensuring security, interethnic harmony and religious tolerance, implementing a balanced, mutually beneficial and constructive foreign policy. In the context of the main directions of work announced by the "Five Actions Strategy", the Decree of the President of the Republic of Uzbekistan dated February 21, 2017 was issued No. UP-4966 "On measures to radically improve the structure and increase the efficiency of activities the judicial system of the Republic of Uzbekistan". In the decree, the President noted the existing problem of duplication of powers of the highest judicial authorities – the Supreme Court and the Supreme Economic Court of the Republic of Uzbekistan, the irrational distribution of the official load, which is a consequence of the not quite adequate structure of the judicial system.

This Decree established the Supreme Judicial Council of the Republic of Uzbekistan, designed to assist in ensuring compliance with the constitutional principle of the independence of the judiciary in the Republic of Uzbekistan. As the main tasks of the council were defined:

- formation of the judicial corps on the basis of competitive selection of candidates for judicial positions, appointment of judges from among the most qualified and responsible specialists;
- taking measures to prevent violations of the inviolability of judges and interference in their activities;
- interaction with the media;
- preparation of proposals for further improvement of legislation in the judicial and legal sphere;
- consideration of issues of bringing judges to disciplinary responsibility.

This Presidential Decree introduced the concept and model structure of administrative courts specialized courts of regional, district and city levels, whose tasks would include the consideration of administrative disputes arising from public relations, as well as cases of administrative offenses. Another important change was the transformation of economic



courts into economic ones. Thus, the territorial judicial bodies have a clear specialization: economic, administrative, civil, military and criminal. In order to ensure the effective functioning of newly created and reformed courts. The decree also prescribed the expansion of the number of staff units – both the judiciary and administrative and managerial personnel. The changes set out in the Presidential Decree of February 21, 2017, were reflected in the amendments to the Constitution of the Republic of Uzbekistan of May 31 2017. The Law amended the articles 80, 81, 83, 93, 107, 110, 111, 112 Constitution of the Republic Uzbekistan, aimed at reforming the judicial system the country's systems. In accordance with these amendments the Supreme Economic Court and the Supreme Court of the Republic Uzbekistan was united into a single supreme judicial authority in the field of civil, criminal, administrative and economic proceedings the Supreme Court of the Republic of Uzbekistan. Within the framework of these amendments, economic and administrative courts were also formed.

Among other things, amendments were made to article 93 The Constitution of the Republic of Uzbekistan, in accordance with which a new procedure for the election of judges of the Constitutional Court was established. Members of the Constitutional The courts are elected by the Senate of the Oliy Majlis from among the persons recommended by the Supreme Judicial Council, including a representative from the Republic of Karakalpakstan. The powers of the Constitutional Court were also expanded.

In September 2017, in the Decree of the President of the Republic Uzbekistan. UP-5185 a detailed action plan for the implementation of administrative reform in Uzbekistan has been published. Like the previous amendments to the Constitution, this Decree was issued in the context of the main areas of reform listed in the "Strategy of Five Actions". The text of the Decree outlined a number of existing systemic problems that hinder the achievement of the goals of the "Five Action Strategy", in particular:

- declarative nature of the tasks assigned to individual executive authorities;
- inefficiency of the current system of coordination and control of the activities of executive authorities;
- lack of a clear delineation of the spheres of responsibility of executive authorities;
- excessive centralization of state functions and powers leads to a decrease in the role of local executive authorities;
- combination of state regulatory and economic functions by economic management bodies;
- underdevelopment of social and public-private partnerships, limiting the participation of NGOs and business entities in solving urgent socio-economic problems;
- insufficient openness and non-transparency of the activities of executive authorities, coupled with weak mechanisms of public control. The concept also included a list of specific tasks aimed at solving the problems identified in the text of the Decree. In terms of improving the institutional and organizational-legal foundations of the activities of public authorities, the text of the Concept defined the following key areas:
 - introduction of clear criteria and procedures for the creation and abolition of executive authorities, including territorial divisions, in order to prevent an unjustified increase in the staff of civil servants;



- optimization of the structure of executive bodies the authorities in order to eliminate the imbalance between the republican and territorial executive authorities and the rational distribution of resources between them;
- increasing the independence and responsibility of executive authorities and their leaders for the implementation of state policy;
- further implementation of the "Electronic Government" system and modern ICT in the activities of executive authorities;
- improvement of the system of public services (implementation of the "one window" principle, development of administrative regulations);
- development of the administrative justice system by improving the procedure for appealing decisions and actions of executive authorities. The concept also included a list of tasks aimed at improving the quality control of management decisions:
 - the introduction of an effective system of control over the activities of executive authorities was prescribed: "The Office of the President of the Republic of Uzbekistan Cabinet of Ministers – republican public administration bodies – structural and territorial divisions – local executive authorities";
 - drastic reduction of interdepartmental collegial bodies (commissions, councils, working groups, etc.);
 - increased initiative and strengthening of the role of territorial executive authorities in the formation of state and regional development programs;
 - introduction of a new system for evaluating the activities of executive authorities at all levels based on the achievement of target indicators;
 - implementation of the "smart regulation" model and standardized methodology for regulatory analysis the impact of the decisions taken, which provides for the prevention of the adoption of regulatory legal acts without a proper assessment of their impact;
 - improvement of regulatory instruments by transferring certain state functions to subjects of public control;
 - introduction of modern methods of work organization (quality management, indicative planning, outsourcing, crowdsourcing);
 - widespread introduction of modern forms of work with the public into the process of developing development programs and monitoring their implementation.

One of the most important points of the Concept of Administrative Reform was the requirement to develop a set of regulatory legal acts regulating public service issues. It is difficult to overestimate the importance of this point, since until 2017 there was no separate law regulating the civil service in the Republic of Uzbekistan. The introduction of this task into the Concept allowed us to begin systematic work on creating a coherent system of personnel selection for the civil service, ensuring transparency of its activities, and increasing productivity the work of civil servants together with the expansion of their social guarantees and the increase of the prestige of the civil service. The draft of this law was soon published on the portal regulation.gov.uz, which provided an opportunity for its public discussion.

Throughout the entire period of independence, the State system has undergone significant changes and continues to develop actively. Especially noticeable are the changes that occurred with the adoption of the "Five Actions Strategy", which allowed for a radical modernization of



the country's power structures. Have been achieved significant progress in ensuring the horizontal balance of the branches of state power: the role of the Oliy Majlis, endowed with new powers in the formation of the highest executive and judicial authorities, has significantly increased. The efficiency of the judicial system has significantly increased due to the optimization of the supreme judicial bodies and the introduction of a coherent structure of territorial courts based on specialization depending on the type of issues they consider. At the same time, the process of reforming the civil service system remains incomplete. The draft law on public service was submitted for public discussion back in 2017, but has not yet taken its final form. In part, such a delay is compensated by a multitude of by-laws designed to help solve the problems of training and selection of civil service personnel, nevertheless, without the presence of a system forming law, the process of reforming the civil service system cannot be considered complete.

References: