

Competent State Bodies in Civil Service of the Republic of Uzbekistan

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Abstract: The article aims to analyze the state bodies and institutions involved in the staffing personnel for the state civil service. As a result of the research, these institutions were divided into 2 large groups: general authorized entities and special authorized entities. The main task of the specially authorized subjects is to provide personnel for the state civil service, while the general authorized subjects participate in the provision of personnel for the state civil service to a certain extent within the scope of their powers. This grouping can serve to improve the fundamental foundations of the science, the effectiveness of its study and research.

Keywords: public administration, public service, state civil service, public bodies, public servant, personnel.

Introduction.

The concept of "staffing personnel for the state civil service" is a structural element of human resources management in the state civil service. According to Uzbek scientists, "the principle (system) of staffing, according to its content, covers the implementation of organizational, educational, economic, managerial, social-psychological and other features aimed at satisfying the need of qualified personnel with a certain specialty of state bodies" [1]. According to political scientist O. Ibrohimov, "the new system of personnel policy is a set of principles, mechanisms and tools for selection, training and retraining of personnel" [2]. Thus, in the provision of personnel for the state civil service, personnel are trained, selected and assigned to certain positions. Retraining and upskilling of public civil servants is also an integral part of this process, and retrained and upskilling employees can occupy certain new positions or advance in the career ladder. The formation of a reserve of state civil servants and management personnel also plays an important role in the provision of personnel for the state civil service. Thus, "staffing personnel for the state civil service is a complex of training, selection and appointment of personnel for the state civil service, developing the competence of state civil servants, as well as forming their reserve". Institutions, bodies and agencies of state power participate in the organization and management of this process in accordance with the established procedure. As lawyer F.U. Yuldasheva rightly stated, "the management of the state civil service is not the activity of only one body, but it consists of a set of state power and management bodies aimed at organizing, providing, and improving the state civil service according to their tasks and functions" [3]. In our opinion, it is possible to analyze the entities participating in the provision of personnel for the state civil service by dividing them into general authorized and special authorized entities:

General authorized entities	Special authorized entities
<ul style="list-style-type: none"> ➤ President of the Republic of Uzbekistan, ➤ Oliy Majlis of the Republic of Uzbekistan, ➤ Cabinet of Ministers of the Republic of Uzbekistan, ➤ Ministry of Higher Education, Science and Innovation, ➤ Ministry of Employment and Poverty Reduction, 	<ul style="list-style-type: none"> ➤ The unit of the Advisor to the President of the Republic of Uzbekistan on issues of personnel policy in the Administration of the President of the Republic of Uzbekistan, ➤ Personnel Department of the Prime Minister's Secretariat of the Cabinet of Ministers,

➤ state bodies and agencies related to state civil service.	➤ Agency for the Development of Public Service, ➤ Academy of Public Administration, ➤ Organizational and control group in the management apparatus of regional, city (district) hokimiyats, ➤ personnel divisions of state bodies and agencies.
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Main body.

According to the content of the general authorized entities, they have wide tasks in other areas, and participation in the provision of personnel for the state civil service is one of its powers. The main task of special authorized entities is to organize and manage the staffing of the state civil service. That is, they are organized to implement the personnel policy and have the authority to do so. We will analyze each of these state bodies (institutes) below.

The President of the Republic of Uzbekistan has a number of important powers regarding the organization and management of the state civil service. Experts note that "the discretionary powers of the President of the Republic of Uzbekistan give him wide opportunities in managing the public service" [4]. In our opinion, the President of the Republic of Uzbekistan has powers in two directions regarding the state civil service.

First, the Constitution enumerates the powers of the President to present, appoint and dismiss candidates for public service positions. In particular, the President performs the duties of appointing and dismissing the highest-ranking civil servants, including members of the government, supreme commanders of the Armed Forces, the Prosecutor General, the chairman of the Accounts Chamber, hokims of regions and the city of Tashkent, as well as court chairmen and deputy chairmen. In addition, the President presents to the Parliament the candidates for the Chairman of the Senate, the Prime Minister, the Chairman of the Supreme Council of Judges, the Chairman of the Central Bank Board, as well as the members of the Constitutional Court and the Supreme Court [5]. It should be noted that today members of the government, hokims of regions and Tashkent city are considered state civil servants. Lawyer M. Mirakulov includes the appointment of high-ranking officials of state bodies by the President in the scope of the President's powers, which are carried out according to the appeals of other state bodies and officials [6].

Secondly, according to Article 6 of the Law "On State Civil Service", the President determines the priorities and organizational-legal mechanisms for improving the state civil service. [7].

The Oliy Majlis of the Republic of Uzbekistan is also a subject of general authority for the state civil service. The Parliament adopts laws related to the field, participates in the formation of the system of executive and judicial bodies, appointment and approval of civil servants of the state. Professor O.T. Khusanov emphasizes that "participation in the appointment and election of officials and members of state bodies is one of the main tasks of the Parliament in the system of state power" [8]. For example, the chambers of the Oliy Majlis have the authority to consider and approve the candidate of the Prime Minister. The law stipulates that both chambers of the Oliy Majlis can participate in the implementation of state civil service. In particular, according to the Constitution of the Republic of Uzbekistan, the Senate of the Oliy Majlis has the right to appoint diplomatic and other representatives of our country in foreign countries and to dismiss them from their positions, based on the proposal of the President [9].

According to the amendment to the Constitution of the Republic of Uzbekistan dated March 5, 2019, the deputies of the Legislative Chamber have the authority to review and approve candidates for

government membership upon the submission of the Prime Minister. According to the regulation, the candidates are sent for confirmation to the posts by the head of state only after they have been approved by the deputies [10].

It can be said that the Parliament plays an important role in the formation of the executive power, which implements the state civil service, based on the principle of "separation of powers and mutual restraint". As lawyer R.R. Khakimov correctly stated, "the participation of the legislative power in the formation of the executive power, in turn, does not mean the subordination of the executive power to the legislative power, but remains one of the unique means of ensuring balance between the powers" [11].

The Cabinet of Ministers also has certain powers to organize and manage the state civil service. In particular, according to the Constitution of the Republic of Uzbekistan and the Law "On the Cabinet of Ministers of the Republic of Uzbekistan", the Prime Minister has the right to submit a proposal to the President on the appointment and release of hokims of regions and the city of Tashkent [12].

The Cabinet of Ministers heads the state bodies in its system and appoints personnel to the positions of the state civil service within its powers. Lawyer B.B. Alimov, studying the relationship between the President and the Prime Minister, notes that "these two subjects of state power interact in the appointment and dismissal of officials in the executive power system, and the distribution of tasks between them" [13]. In addition, according to the Law "On State Civil Service", the Cabinet of Ministers ensures and approves the economic and financial mechanisms of the state civil service [14].

The higher education system is responsible for training personnel for both the private and public sectors, including the civil service. As a rule, higher education is required from personnel for admission to the state civil service. In the Republic of Uzbekistan, the **Ministry of Higher Education, Science and Innovation** implements a unified state policy aimed at training highly qualified personnel with modern knowledge and high moral and ethical qualities in the field of higher and secondary special, professional education [15]. Also, coordination of activities of all higher and secondary special and professional educational institutions, regardless of their departmental affiliation, is the main task of the ministry. For this reason, the Ministry of Higher Education, Science and Innovations is considered a general authorized entity that directly participates in the provision of personnel to the state civil service through all higher and secondary special and professional educational institutions. In addition, other educational state bodies, in particular, the Ministry of Preschool and School Education, do not directly train personnel for the civil service through their institutions, but they train personnel for the higher education system. Therefore, they can be considered as indirect subjects.

According to its function, the **Ministry of Employment and Poverty Reduction** of the Republic of Uzbekistan can be included among the general authorized entities. The Ministry carries out tasks such as employment of graduates of higher and secondary special educational institutions in accordance with their specializations, labor protection, professional and labor standards, ensuring compliance with gender equality, as well as in the private sector, as well as in the public sector, in particular, in the state civil service. In addition, the State Labor Inspectorate, which is a structural division of the Ministry, protects the labor rights of employees [16].

In addition, **state bodies and agencies** related to the state civil service can be considered as a subject with general competence. Because they take part in providing management apparatuses with qualified personnel to perform their functions, they participate in their selection, and they draw up employment contracts with the selected personnel and appoint them to positions.

Special authorized entities have a special place in the provision of personnel for the state civil service.

The concept of administrative reforms in the Republic of Uzbekistan, approved by the Decree of the President of the Republic of Uzbekistan No. 5185 of September 8, 2017, meant the establishment of a state body responsible for personnel policy [17]. It should be noted that in most countries, the implementation of public service is entrusted to a specific state body. Such state bodies are usually organized as a ministry, agency or department under the head of state or government:

Country	State body responsible for state personnel policy
USA	The U.S. Office of Personnel Management
United Kingdom	Civil Service Commission
France	Ministry of Public Sector Transformation and the Civil Service
Korea Republic	Ministry of Personnel Management
Malaysia	The Public Service Department
Singapore	Public Service Commission
Japan	National Personnel Authority
Kazakhstan	Agency of the Republic of Kazakhstan for Civil Service Affairs

Countries such as the USA, Great Britain, France, the Republic of Korea, Japan, Malaysia, and Singapore have made significant progress in terms of human capital, public administration, and public service efficiency. It can be said that one of the reasons for the achievements is the existence of state body responsible for state personnel policy. The reason is that the existence of such a state body leads to effective management of all organizational processes related to the public service. In this regard, attracting qualified personnel, especially young people and women to the public service, training and retraining them, forming a reserve of personnel for the public service, developing human resources in the public service, protecting the rights and interests of public servants, and achieving efficiency by evaluating their performance. It is important that a number of issues are managed by a single state body. For this purpose, on the initiative of the head of our country, on October 3, 2019, the **Agency for the Development of Public Service under the President of the Republic of Uzbekistan** was established and designated as the state body responsible for the state civil service. The agency reports directly to the head of state. The agency's organizational structure includes its central office, the "El-yurt umidi" Foundation, the Fund for the Development of Public Service and the Agency's branches [18].

It should be noted that a number of theoretical proposals were also taken into account when defining the tasks and functions of the Agency. Taking into account theoretical views of Uzbek scientists, the main tasks of the Agency were defined. Its powers are listed in Article 8 of the Law "On State Civil Service". It can be seen that these powers were formed based on the main tasks of the Agency listed in the Charter of the Agency for the Development of Public Service under the President of the Republic of Uzbekistan, approved by the Decree of the President of the Republic of Uzbekistan No. 4472 of October 3, 2019 [19]. In the Decree of the President of the Republic of Uzbekistan No. 6168 of February 11, 2021, one of the tasks of the Agency is defined as "supporting the organization of public servants and specialists to receive education in prestigious educational, scientific and other institutions abroad" [20]. It is appropriate that this function is also reflected in Article 8 of the Law as a competence of the Agency.

According to the Decree of the President of the Republic of Uzbekistan No. 5519 of August 26, 2018, "On the establishment of the Administration of the President of the Republic of Uzbekistan", the position of "Advisor to the President of the Republic of Uzbekistan on public service and personnel reserve issues" was introduced [21]. Today, this position is named **"Advisor to the President of the Republic of Uzbekistan on issues of personnel policy"** and at the same time he is the Director of the Agency for the Development of Public Service. It is this unit of the Presidential Administration that performs the main functions of regulating the civil service.

The Administration of the President of the Republic of Uzbekistan previously functioned as the Office of the President of the Republic of Uzbekistan, and Chapter 10 of the Presidential Decree No. 3161 "On Approval of the Regulations of the Office of the President of the Republic of Uzbekistan" adopted on July 28, 2017 is entitled "Procedure for Consideration of Personnel Issues". Personnel issues were dealt with by the Organizational Personnel Service of the Office [22].

The **Academy of Public Administration under the President of the Republic of Uzbekistan** plays an important role in providing the public service with management personnel. The Academy, which performs the task of training, retraining and professional development of management personnel, also performs the task of monitoring their professional growth [23]. The Academy also took part in the formation of the reserve of management personnel, the development and implementation of the system of certification of civil servants. Today, the Academy and its branches are considered a base institution for training not only management personnel, but also all state civil servants.

Although the **Personnel Department of the Prime Minister's Secretariat** is considered a functional structural department of the Cabinet of Ministers by its status, it is proposed to include it in a specially authorized entity. Because his entire activity is aimed at providing the system of the Cabinet of Ministers with qualified personnel. This department, firstly, prepares draft documents on the issues of appointing and dismissing the executive staff of state administration bodies in accordance with the approved nomenclature, and secondly, the current tasks such as filling the structural units of the Cabinet of Ministers with qualified personnel, forming their reserve, retraining and improving the skills of staff also implements issues [24].

Since the **Organizational and control group** in the management apparatus of regional, city (district) hokimiyats deal with issues of personnel policy in hokimiyats, they can also be recognized as a special authorized entity. The head of the organizational control group is appointed and dismissed by the decision of the hokim in agreement with the units of the Adviser to the President of the Republic of Uzbekistan on issues of public service, communication with the population and coordination of the activities of local authorities. The organizational and control group includes proposals for the retraining of management personnel, improving their qualifications, motivating them and applying disciplinary measures against them in the hokim's personnel policy for the hokim's consideration in the prescribed manner; implementation of a complex of personnel selection and appointment measures in accordance with the approved nomenclature of positions, organization of work on the formation of a reserve of management personnel; carries out the tasks of carrying out systematic monitoring of the activities of the management personnel of territorial units of state administration bodies [25].

In our opinion, **Personnel divisions of state bodies and agencies** related to the state civil service are also among the specially authorized subjects. Personnel departments carry out tasks such as selection of candidates, development of competence of employees.

Conclusion.

In conclusion, authorized entities participating in the field can be divided into general and special groups. The main task of the special authorized entities is to provide personnel for the state civil service, while the general authorized entities participate in the provision of personnel for the state civil service to a certain extent within the scope of their powers.

In the current period, the training, retraining, upgrading and formation of the reserve of state civil servants in Uzbekistan has entered a new stage. In this regard, the number of higher education institutions and training centers has increased significantly, and suitable personnel are being prepared for the state civil service. Nevertheless, it is necessary to further improve some features of these processes. In particular, it is desirable to reform the field of higher education in the training of

personnel for the state civil service, to introduce a unified system of retraining and upgrading the skills of state civil servants, to use effective mechanisms for the formation and use of the personnel reserve.

Today, a modern, open and transparent system of entering the state civil service has been created in our country. Now there are two different ways of entering the state civil service, depending on the job groups. When personnel are appointed to political group positions on the basis of special laws and presidential decisions, open elections are held for positions in management and auxiliary groups. Open competitions are also conducted in the form of internal and external competitions based on the characteristics of the position. In our opinion, there is a need to define uniform procedures for state civil admission, in particular, open elections, and to improve mechanisms for increasing its impartiality and efficiency.

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