



A Modern Civil Servant - A Reformer of Society Development

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Abstract: *This article provides basic information about the adoption, purpose and content of the Law of the Republic of Uzbekistan dated August 8, 2022 No. 788 "On State Civil Service", currently state support is a comprehensive reform that contributes to the development of this society.*

Keywords: *Public service, public servant, occupational competency, code of ethics of public servants, development of human resources, Key Performance Indicators (KPI), national base of employees, rotation (of the public servants), vacancies.*

In our country, systematic work is being carried out to ensure human rights, strengthen the accountability and openness of state bodies, and increase the role of civil society institutions, mass media, and the political activity of the population and public associations.

In order to further improve the well-being of our people on the principle of "for human dignity" in the following years, with a deep analysis of the complex processes of the world level and the results of the progress of our country, to transform sectors of the economy and to establish priorities of reforms aimed at the rapid development of entrepreneurship, unconditional — Decree of the new Uzbek development strategy PD-60 for 2026 was adopted¹.

On August 8, the President of the Republic of Uzbekistan Shavkat Mirziyoyev signed the law "On State Civil Service"². The President signed a document defining the legal status of more than 118,000 state civil servants working in state bodies and organizations and legally regulating their activities based on uniform rules.

A few days before the signing of the law, that is, on August 4, a video selector meeting was held under the chairmanship of the President on measures to improve the effectiveness of the public service and management, in which the heads of state bodies and organizations, and local state authorities took part.

At this meeting, the Head of State touched on the priority directions of civil service reform, noted that this issue has been postponed for almost 30 years, and emphasized that this Law was prepared on the basis of two years of in-depth discussions involving local and foreign experts.

Adoption of this Law is a normative legal document that has been eagerly awaited for almost 30 years, will make life easier for 35 million people, and will directly affect their mood.

In the process of developing the law, foreign experience and opinions of international experts were relied upon. In particular: the legislation of Japan, USA, Great Britain, Germany, France, China, Bulgaria, Latvia, Poland, Estonia, CIS countries and other countries was analyzed; It was

¹ O'zbekiston Respublikasi Prezidentining 28.01.2022 yildagi "2022 — 2026 yillarga mo'ljallangan Yangi O'zbekistonning taraqqiyot strategiyasi to'g'risida"gi PF-60-son Farmoni.

² O'zbekiston respublikasining 08.08.2022 yildagi "Davlat fuqarolik xizmati to'g'risida"gi O'RQ-788-son qonuni.



improved based on the conclusions of the United Nations Development Program, the Organization for Security and Cooperation in Europe, the German Society for International Cooperation, the World Bank, and the International Labor Organization.

The law consists of 10 chapters and 64 articles, which will enter into force 3 months after its publication in the press.

The concept of public civil service is "a type of public service, which represents the paid professional activity of citizens of the Republic of Uzbekistan to ensure the implementation of the powers of state bodies in the positions of public civil service³".

The law applies to the activities of state civil servants in positions included in the state register of state civil service positions. He is the president, deputies of the Legislative Chamber, members of the Senate, deputies of the Karakalpakstan Dzhokorg Council and other local state authorities, employees of the upper and lower chambers, members of the Central Election Commission, judges and employees of the judicial system, members of the Central Bank Board, prosecutor's office, internal affairs, defense work, emergency situations, those serving in the National Guard, the State Customs Committee and the bodies of the State Customs Service, including military personnel, and in addition, it does not apply to the activities of technical, production and service employees of state bodies.

The main principles of the state civil service are as follows:

- ✓ Unity and stability of the state civil service system;
- ✓ legality;
- ✓ fairness;
- ✓ serving the people;
- ✓ responsibility of state bodies and officials to society and citizens;
- ✓ priority of human rights, freedoms and legal interests;
- ✓ openness and transparency;
- ✓ impartiality, professionalism and competence;
- ✓ equal rights of citizens of Uzbekistan in entering the state civil service;
- ✓ legal and social protection of state civil servants.

The state civil service system is the only organizational and legal system for centrally selecting, accounting, placing state civil servants, paying them for their work, improving their professional competence, and promoting them by position.

In accordance with the law, the State Civil Service Development Agency under the President is designated as a special authorized body in the field of state civil service. Within the scope of his powers, he coordinates the activities of state agencies in the field of personnel policy, organizes the selection of personnel for public service on the basis of a competition, introduces a system of indicators (key indicators) for evaluating the efficiency of civil servants and analyzes their results, studies public opinion and forms an open rating of the heads of state bodies. participates. Also, the agency provides assistance in protecting the rights and legal interests of civil servants and in creating appropriate conditions for their work and social protection.

Status, rights, obligations, and limitations A citizen of Uzbekistan has the legal status of a state civil servant from the moment he is appointed to a position in the state civil service, and loses it upon termination of the state civil servant's activity. Additional rights, obligations and restrictions

³ O'zbekiston respublikasining 08.08.2022 yildagi "Davlat fuqarolik xizmati to'g'risida"gi O'RQ-788-son qonuni.



related to the legal status of civil servants belonging to the political group of SCS positions are determined by separate legislation.

A state civil servant has the following rights:

- to receive wages on time and in full in accordance with the nature and complexity of the duties assigned to him, the quantity and quality of the work performed;
- incentives for professional competences and special services;
- regular training at the expense of funds of the state body and other funds not prohibited by law;
- making changes to the labor contract and canceling the contract in accordance with the procedure and conditions established by the labor legislation;
- get acquainted with the job instructions and other documents that determine their professional powers, service obligations and responsibilities;
- having a workplace that complies with labor protection requirements;
- refusal to fulfill illegal assignments and demands of the management of the state body;
- Provision of state protection in case of reporting the facts of corruption offenses in SCS;
- that his honor, dignity and business reputation are respected by the management of the state body and other officials.

The state civil servant is obliged to:

- Compliance with the Constitution and other documents;
- faithfully fulfill one's service obligations, comply with the rules of etiquette established by the state body, the procedure for working with information related to the service, as well as other rules related to public civil service;
- to avoid conflicts of interest, to be impartial and impartial;
- to refrain from actions (inaction) that may bring down the authority of the state body or raise doubts about its conscientious performance of its service obligations, including any form of discrimination, partiality or special treatment towards someone while performing its service obligations;
- not to use one's official position for personal or other illegal purposes, as well as not to allow illegal influence on one's official activities, activities of state bodies, their officials and citizens;
- compliance with the requirements for the protection of information constituting state secrets or other secrets protected by law. as well as not to disclose this information received during the performance of his service obligations, including not to disclose after the end of the work of the state civil servant;
- to submit a declaration of income and property within the terms and procedure established by law;
- to ensure the preservation of state property, to use entrusted state property only for service purposes;
- to improve his professional competence regularly.

The law also sets restrictions on the state civil service. Accordingly, SCS is not entitled to:

- ✓ with persons who are closely related or related by god (parents, brothers, sisters, sons, daughters, spouses, as well as parents, brothers, sisters and children of spouses) to serve



- together in exactly one state, if their service together means that one of them is directly subordinated to the other or occupying a state civil service position under his control, except for the cases stipulated by the legislation;
- ✓ engage in paid activities other than pedagogical, scientific and creative activities, with the exception of the cases provided for by the laws of Uzbekistan and presidential decrees;
 - ✓ engage in business activities;
 - ✓ to organize entities of entrepreneurial activity, to be their founder (participant), to perform organizational-management, administrative-economic tasks in the entity of entrepreneurial activity, with the exception of the cases of ownership of freely circulating shares of joint-stock companies within the requirements established by law;
 - ✓ to receive shares, stakes and shares in organizations that are under the control of the state body he serves or have relations and interests with, directly or through representatives;
 - ✓ to receive any rewards, benefits or gifts from them in exchange for performing or not performing their service powers in the interests of individuals and legal entities;
 - ✓ to acquire the citizenship of a foreign country;
 - ✓ to use benefits, preferences or advantages provided for by law in connection with their service position;
 - ✓ To open and own accounts outside the territory of Uzbekistan, to own real estate and other property, as well as accounts opened for the purpose of education, internship and medical services in a foreign country, as well as property received and disclosed before entering the state civil service exception;
 - ✓ to exercise its powers in the interests of political parties, other public associations and their bodies.

The procedure for suspending entrepreneurial activity after a person engaged in entrepreneurial activity is accepted into the state service is determined by legal documents. The list of types of paid activities that SCS cannot engage in is determined by the specially authorized state bodies in the field of combating corruption and the state civil service. Failure to comply with the specified restrictions is grounds for disciplinary and other liability against DFX.

The law defines the responsibility of the state civil servant: illegal actions (inaction) of the SCS, as well as improper performance of official duties, are grounds for liability in accordance with the law.

A natural or legal person who believes that the actions (inaction) of SCS have caused a violation of his rights, freedoms and legal interests has the right to appeal to a higher authority or court against such actions (inaction). Damage caused to individuals and legal entities due to illegal actions (inaction) of SCS shall be compensated by the state body in accordance with the law, and this damage shall be recovered from the guilty SCS. Damage caused by the SCS as a result of the execution of the illegal assignment of the head of the state body or officials shall be compensated by the state body in accordance with the procedure established by the law. The amount of damage will be recovered from the head of the state body or official who gave the illegal assignment in a recourse procedure.

The law also provides for measures to prevent corruption in the field of public civil service. Among them are compliance with SCS rules of ethical behavior, creation of organizational and legal frameworks for prevention and resolution of SCS conflicts of interest, determination of procedures for receiving and presenting gifts for public services, provision of SCS social protection, material support and incentives.



According to the law: "A civil servant of the state is obliged to have an intolerant attitude towards corruption and to prevent actions (inaction) that may lead to corruption."

If SCS has information about the facts of corruption, it must take necessary measures to prevent corruption, including immediately reporting to a high-ranking state body (official) or a state body specially authorized to fight corruption, or contact a law enforcement agency. SCS who report corruption will be under state protection.

The rules of ethical behavior of civil servants are determined by law. Based on the rules, each state body approves the internal rules of ethical behavior, taking into account the specific characteristics of the activity. They should have:

- mutual ethical relations between leaders, subordinates and other civil servants of the state;
- Actions (inaction) that may damage the business reputation of SCS and the reputation of the civil service of the state;
- Basic rules of behavior of SCS on duty and off duty.

Violation of the SCS code of conduct is grounds for disciplinary and other disciplinary action in accordance with the law.

The document also mentions the conditions for dealing with gifts in the civil service of the state. Property of material value given free of charge to SCS (members of his family) or service rendered to SCS (members of his family) gratuitously is considered a gift. "It is prohibited to receive any kind of gifts from civil servants in return for performing or not performing their duties for the benefit of individuals and legal entities. This excludes gifts received by a state civil servant for special services based on the relevant decision of the state body, as well as gifts received as a result of awards for achievements in competitions and contests, state holidays, celebrated dates and other official events⁴. Civil servants of the SCS may receive gifts during business trips, as well as in connection with international and other official events.

The value of the gift that can be received by SCS for business trips, international and other official events, as well as the procedure for its disposal is determined by the state body specially authorized to fight against corruption.

According to the law, a conflict of interest is when the personal (direct or indirect) interest of a public civil servant affects or may affect the proper performance of his/her official duties, and when a conflict arises or arises between the personal interest and rights, legal interests of citizens, society, or a state body. is a possible situation.

"In the event of a conflict of interest, a state civil servant must immediately notify his head or a higher authority in writing. The head of a state authority or a higher authority that receives information about the existence of a conflict of interest must take timely measures to eliminate this conflict⁵". The procedure for preventing and resolving conflicts of interest is determined by law.

In addition, SCS is required by law to submit a declaration of income and assets within the specified time and procedure. The state register of civil service positions is approved by the President of Uzbekistan and maintained by a specially authorized state body. The state register of SCS positions, as well as amendments and additions to it, are published on the official website of the specially authorized state body.

⁴ O'zbekiston respublikasining 08.08.2022 yildagi "Davlat fuqarolik xizmati to'g'risida"gi O'RQ-788-son qonuni.

⁵ Ўзбекистон республикасининг 08.08.2022 йилдаги "Давлат фуқаролик хизмати тўғрисида"ги ЎРҚ-788-сон қонуни.



The state registry of SCS positions will consist of groups and categories of state civil service positions, unified and classified according to qualification requirements, as well as qualification levels of state civil service positions based on the level of the body (national, republican, regional and district).

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The state register of civil service positions is approved by the President and maintained by the Civil Service Development Agency.

Public civil service positions consist of political, administrative and auxiliary job groups. The positions belonging to these groups are determined in the state register of positions of the State civil service.

The procedure for appointing and dismissing state civil servants belonging to a political group is determined by a separate law and presidential decrees. The state civil service positions for which the competition will be held and the procedure for conducting the competition shall be determined by the President.

The positions related to management and auxiliary groups are appointed on the basis of competition (internal and external) and dismissed by the head of the state body.

Based on the groups and categories of positions, the following qualification levels are awarded:

Position groups	Job categories	Qualification levels
Political	Executive personnel	Senior consultant Level 1 Consultant Level 2 consultant Level 3 consultant
Management	Management personnel	1st rank servant 2nd level servant 3rd level servant
Assistant	Specialists	4th level servant 5th level servant 6th level servant

Qualification levels are awarded in a consistent order, upon obtaining a higher education and certain work experience, a certificate of completion of advanced training courses, and a positive conclusion of the qualification commission.

The procedure for awarding qualifications to state civil servants is determined by the President.

In order to ensure the stability and quality of the leadership personnel in the state civil service, the National Personnel Reserve is maintained.

National personnel reserve is a system of centralized selection, training, retraining and continuous improvement of state civil servants in order to fill management positions with qualified personnel.

Managers who achieved high results were tested for their knowledge level, psychological condition and organizational skills and were included in the National Personnel Reserve. In order to prepare the reservists for leadership, programs such as "School of Governors" are introduced.



As part of the "School of Governors" program, reservists are trained in modern management, work as doubles for ministers and governors, participate in the preparation of projects aimed at solving real problems, and improve their skills in developed foreign countries. The formation and management of the national personnel reserve is carried out by the State Service Development Agency in the order determined by the President.

Entry into the civil service of the state is carried out by appointment on the basis of competition.

As an experiment, 911,000 candidates took part in the competitions held in 70 ministries, agencies and hokimitas, and as a result, more than 35,000 local citizens were hired.

Citizens who know the state language, meet the relevant qualification requirements and other requirements for holding the positions of the state civil service are admitted to the state civil service. Therefore, the law stipulates the conditions of non-admission to the state civil service.

The term of public civil service covers the period from the moment of appointment to the date of termination of the activity of the civil servant.

Performance evaluation is a system of evaluating the performance of a civil servant based on the most important indicators in order to motivate him and ensure that he is promoted on the basis of objective and fair criteria.

Currently, the performance of district (city) deputy mayors and sector heads is being evaluated as an experiment.

Service promotion is the appointment of a civil servant to a higher position or a higher level of qualification based on the efficiency of the service activity due to continuous improvement of his professional competence.

Rotation - transferring with one's consent to another position equal to the one held in order to develop personal and professional qualities, increase efficiency, create a reserve of managerial personnel, and prevent corruption risks.

The procedure for rotation, the list of positions that must be rotated, and the period of stay in the positions to be rotated are determined by the President.

Continuous improvement of professional competence - retraining, professional development and independent education in order to acquire the knowledge, skills and qualifications necessary for the effective functioning of a civil servant.

It is not a right of a state civil servant to regularly develop his professional competences, but also a service obligation. By law, improving the qualifications of employees and developing their professional qualities is the main and important factor in their growth in the ranks of the service. The procedure for continuously improving the professional competence of civil servants is determined by the President.

The law stipulates the legal basis of the activity of the State civil servant, the procedure for payment of wages, incentive measures, disciplinary punishment, and social protection of the State civil servant.

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1. O'zbekiston Respublikasi Prezidentining 28.01.2022 yildagi "2022 — 2026 yillarga mo'ljallangan Yangi O'zbekistonning taraqqiyot strategiyasi to'g'risida"gi PF-60-son Farmoni.
2. O'zbekiston Respublikasining 08.08.2022 yildagi "Davlat fuqarolik xizmati to'g'risida"gi O'RQ-788-son qonuni.