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THE FORMATION AND LEGAL-INSTITUTIONAL DEVELOPMENT OF THE PUBLIC SERVICE DELIVERY SYSTEM IN UZBEKISTAN

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Abstract

One of the key areas of the reforms being implemented in Uzbekistan is the improvement of public administration, ensuring the rule of law, and the reliable protection of human rights and interests. In this context, particular importance is attached to organizing the activities of public authorities in accordance with the needs of the population and creating favorable conditions for citizens and business entities.

Within the framework of these reforms, improving the quality, promptness, and accessibility of public services has become one of the priority areas for enhancing public administration. This is because citizens and entrepreneurs often experience the practical results of the activities of public authorities directly in the process of receiving public services. Therefore, organizing public services in a simple, transparent, and user-friendly manner constitutes an important indicator of the effectiveness of public administration.

In this regard, the development of the “e-government” system has significantly transformed the methods of public service delivery. The introduction of modern information and communication technologies has made it possible to access certain services electronically without directly visiting a public authority. As a



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result, a system of electronic public services based on remote service delivery has emerged and continues to develop consistently.

The introduction of electronic public services primarily makes it possible to reduce the time and costs incurred by citizens and business entities, minimize excessive paperwork and inter-agency applications, and simplify access to services. At the same time, electronic systems facilitate improved data exchange among public authorities, monitoring of service delivery processes, and greater transparency and efficiency in the activities of public bodies.

From this perspective, it would be incorrect to understand the digitalization of public services merely as the conversion of traditional services into electronic form. Its essential substance lies in revising public service delivery processes, reducing unnecessary administrative procedures, and organizing services on the basis of the needs of citizens and entrepreneurs.

Since their establishment, public services in Uzbekistan have passed through a number of stages of development. In our view, it is appropriate, for analytical purposes, to divide the development of Uzbekistan's public service system into five principal stages:

the first stage — the period in which the departmental model of public services was formed;

the second stage — the introduction of the “one-stop shop” principle and the development of a service system oriented toward business entities;

the third stage — the establishment of a universal national system of public services and Public Service Centers;

the fourth stage — the digitalization of public services, simplification of administrative procedures, and transition to integrated services;

the fifth stage — the transition to a human-centered model of proactive, composite, and data-driven public services. This division into stages is not



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intended as a rigid normative periodization; rather, it may be regarded as the author's analytical approach designed to provide a scholarly explanation of the institutional and functional changes that have occurred in the public service system.

During the early years of independence, public services had not yet developed as a unified institutional system and were delivered primarily on the basis of a departmental model. Under this model, citizens were required to identify the competent public authority themselves, collect documents and information from various agencies, and interact separately with several public bodies in order to obtain the required service. Consequently, a substantial part of the burden of inter-agency coordination fell upon the citizen. The shortcomings of this model subsequently provided an important institutional basis for the emergence of the principles of the “one-stop shop” and “documents move, not citizens” in public service delivery.

Another important period in the modernization of public services was the development of e-government infrastructure. Law of the Republic of Uzbekistan No. O'RQ-395 of 9 December 2015 “On Electronic Government” [1] is one of the principal normative legal acts that comprehensively regulated relations in the field of e-government. The Law legally defined electronic public services, e-government information systems and resources, inter-agency electronic interaction, and the powers of public authorities in the field of e-government. The conceptual significance of this Law for public services lies in the fact that it legally consolidated the possibility of receiving services through electronic channels rather than exclusively through direct interaction with a public authority. At the same time, the introduction of e-government is not limited merely to placing public services on the Internet. The substance of the Law created a legal basis for establishing electronic interaction among the information systems of



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public authorities and for developing a unified system of electronic public services.

In these processes, the Single Interactive Public Services Portal was also developed progressively as an institutional platform for electronic public services. Resolution No. 728 of the Cabinet of Ministers of the Republic of Uzbekistan dated 15 September 2017 “On Measures to Improve the Procedure for the Provision of Electronic Public Services through the Single Interactive Public Services Portal of the Republic of Uzbekistan” approved the Regulation governing the operation of the Single Interactive Public Services Portal [2]. From this perspective, the e-government system may be regarded as the essential digital infrastructural foundation for the subsequent transformation of public services.

The next stage, representing one of the fundamental institutional shifts in the organization of public services, was the introduction of the “one-stop shop” principle. Initially, this mechanism was developed primarily for the provision of public services to business entities. Beginning on 1 January 2016, unified centers were established to provide public services to business entities under the “one-stop shop” principle. The activities of these centers were aimed at reducing the need for business entities to apply separately to different public authorities and at enabling them to obtain public services through a single point of contact. The principal institutional innovation of the “one-stop shop” model was that citizens or business entities were no longer expected to deal directly with the internal inter-agency relations of public authorities.

Whereas the previous model followed the sequence “applicant → agency 1 → agency 2 → agency 3 → result,” the “one-stop shop” model introduced the sequence “applicant → single center → inter-agency cooperation → result.” This transformation brought about a fundamental methodological change in public service delivery. As a result, the burden arising from the internal organizational



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complexity of the state gradually began to shift from the service recipient to the service delivery system.

From 1 February 2017, the “one-stop shop” centers were transferred from the structures of district and city khokimiyats (local administrations) to the jurisdiction of the Ministry of Justice of the Republic of Uzbekistan. The introduction of this system made it possible to establish a vertically integrated management structure and to organize the activities of the centers more effectively, as the number of services provided through the centers increased to 33 during this period. This change may be regarded as one of the starting points in the formation of the institutional role of justice authorities in the field of public services. In our view, the transfer of the “one-stop shop” centers to the system of justice authorities was not an incidental organizational change. Simplifying public service processes is not merely an organizational or technical matter; it is also closely connected with identifying excessive legal requirements, revising administrative regulations, and coordinating the powers of public authorities.

It may be argued that a genuinely modern institutional model of public services was created in Uzbekistan in 2017–2018. The legal foundations for this model were Presidential Decree No. PF–5278 of 12 December 2017 “On Measures to Fundamentally Reform the National System for the Provision of Public Services to the Population” [3] and Presidential Resolution No. PQ–3430 of 12 December 2017 “On Organizing the Activities of the Public Services Agency under the Ministry of Justice of the Republic of Uzbekistan” [4]. As a result of these reforms, the “one-stop shop” centers were transformed into Public Service Centers; the scope of services was expanded beyond business entities to cover a broad range of individuals and legal entities; and a vertically integrated system for coordinating and monitoring public services was established. An important conceptual innovation of this stage was the introduction of the principle



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“documents move, not citizens,” under which information already held by public authorities is to be obtained through inter-agency information exchange rather than being resubmitted by citizens. In our view, this principle, which is close to the international “Once Only” approach, created an important institutional basis for reducing the administrative burden on citizens and transitioning public services toward a citizen-centered model.

Another important element in the institutional development of the public service system was the introduction of administrative regulations, which played a significant role in standardizing service delivery procedures and ensuring procedural certainty. The clear specification of the competent authority, application procedure, required documents, service delivery period, fees, service outcome, and grounds for refusal serves to limit excessive discretion on the part of officials. However, the mere existence of a regulation does not automatically make a service simple and convenient, since excessive requirements and procedural stages contained in such regulations may simply standardize bureaucratic processes. Therefore, in our view, administrative regulations should be regularly assessed not only through legal review but also from the perspectives of administrative burden and service design.

A further important step in the development of public service delivery was taken on 8 January 2018 with the adoption of Law of the Republic of Uzbekistan No. O‘RQ-457 “On Administrative Procedures,” which created an important legal foundation for regulating administrative relations between public authorities, citizens, and business entities. The Law establishes general rules for the consideration of administrative cases by public authorities, the adoption of administrative acts, and the performance of other administrative actions. In the process of providing public services, a competent public authority may likewise adopt decisions or perform certain administrative actions affecting the rights and



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legitimate interests of an individual. Therefore, the fundamental rules and principles of administrative procedures are also of major importance in public service delivery. The principal objective is not merely to provide a public service quickly and conveniently, but also to ensure that a lawful and reasoned decision is adopted while respecting the rights of the service recipient. In particular, requirements such as legality, proportionality, reliability, the opportunity to be heard, openness, transparency, and comprehensibility serve to protect an individual's rights and interests in relations with public authorities.

For example, where the provision of a public service is refused, the person concerned should be entitled to know the reasons for that decision, present his or her views and evidence, and appeal the decision in accordance with the procedure established by law. This ensures that a public service is not only organizationally convenient but also legally fair.

From this perspective, the development of the public service system in Uzbekistan may be viewed along two interconnected dimensions. On the one hand, service delivery processes are being simplified through the digitalization of public services, the reduction of excessive documentation and procedures, and the development of inter-agency electronic cooperation. On the other hand, mechanisms for safeguarding the administrative-procedural rights and legitimate interests of service recipients in decision-making by public authorities are being strengthened.

The next important stage in the development of public services is associated with Presidential Decree No. PF-113 of 20 April 2022 "On Additional Measures to Simplify the Provision of Public Services, Reduce Bureaucratic Barriers, and Develop the National Public Service Delivery System." On its basis, the National Strategy for 2022–2026 was approved, elevating reforms in this field to the level of a long-term and systematic policy. The introduction of the Mobile-ID system



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under the Decree expanded opportunities for remote access to services and digital identification of individuals. In our view, the principal feature of this stage is that it is not limited to converting the service itself into electronic form, but is also aimed at digitalizing supporting processes such as identification, consent, inter-agency information exchange, payment, and receipt of the service outcome. This constitutes an important institutional prerequisite for the transition from electronic services to fully digital public services.

One of the most important legal instruments that shaped the current institutional model of the public service system in Uzbekistan is Presidential Decree No. PF–5278 of 12 December 2017 “On Measures to Fundamentally Reform the National System for the Provision of Public Services to the Population.”

Under this Decree, the public service system was transformed from a narrow model oriented toward business entities into a universal system serving a broad range of individuals and legal entities.

From 1 January 2018, the “one-stop shop” centers were transformed into Public Service Centers. The official source of the President also notes that this transformation was carried out pursuant to the Decree of 12 December 2017.

Furthermore, pursuant to Presidential Resolution No. PQ–3430 of 12 December 2017, the Public Services Agency under the Ministry of Justice and its territorial structures were established. The Resolution defined the organizational structures of the Agency’s central office and territorial departments.

This institutional change may be assessed from the following three perspectives. First, a vertically integrated system for managing public services was established. Second, the function of coordinating and monitoring service delivery was assigned to a specially authorized body.

Third, public service delivery evolved from an internal function of public authorities into a distinct object of professional management.



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For this reason, the reforms of 2017–2018 may be characterized as a stage of institutionalization in the history of public services in Uzbekistan.

The Formation of the “Documents Move, Not Citizens” Principle

One of the most important conceptual aspects of Decree No. PF–5278 was the advancement of the principle “documents move, not citizens” in the provision of public services.

According to this principle, the service recipient should not personally carry out the process of exchanging information among public authorities; instead, the competent public authorities should independently obtain the necessary documents and information within the framework of inter-agency cooperation.

In our view, this rule represents a conceptual approach close to the national model of the contemporary international “Once Only” principle.

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