



## ADVANCED PRACTICES IN PROVIDING PUBLIC SERVICES IN FOREIGN COUNTRIES

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### Abstract:

This article examines advanced practices in providing public services, comprehensively reviews the opinions of legal scholars who have conducted research in this area, and presents proposals and recommendations developed by the author.

**Keywords:** public services, culture, the West, authority, law.

It follows that citizens' rights and guarantees of their observance in relations with the state, as well as their participation in governance, transparency of administrative organizations, their responsiveness and accessibility to people, ease of access to information for citizens, and other issues are becoming increasingly relevant. In general, the partial revision of the basic principles of public service in the West in recent decades can be explained by the following main directions:

firstly, direct involvement in the preparation, adoption, and (or) implementation of decisions in the field of executive and directive activities of the state by type of work, in connection with which in a number of cases the indicated actions cause significant economic and other social consequences for the whole society or any part of it;

secondly, the existence of the right and opportunity for a public servant to act on behalf of a state body (and thus seemingly as the state itself) within the limits of their powers, representing the interests of the state;

thirdly, the combination of strictly regulated official procedural relations with a wide range of decision-making opportunities based on both the situation and the subjective interpretation of the legislative norms that guide it;

fourthly, (and not least in importance) belonging to a specific group with professional status, although consisting of representatives of different professions, united by the fact of working in state bodies. This implies that individuals belonging to this group possess certain state and governmental powers, thereby having significantly greater opportunities to influence the development of society's affairs and, consequently, bearing greater responsibility than most individuals with the same type of citizenship.

In our view, the main direction for improving the culture of public service today is its "spiritualization," that is, increasing attention to the moral and spiritual aspects of the behavior of public servants. For example, in many countries, there is a code of conduct for employees, which usually includes both legal and moral norms, or is being implemented. It is considered difficult for any administrative reform without a spiritual link to succeed.

In Bulgarian administrative law, the concept of "public service" is understood in the narrow sense of this word - as the performance of administrative and managerial functions in state institutions, that is, institutions that are located in the state budget. Modern concepts of public service are based on the relevant norms of the Constitution and the interpretations of

the Bulgarian Constitutional Court. The term "public service" is mentioned several times in the Bulgarian Constitution.[1] For example, Paragraph 2 of Article 65 states that "candidates for people's representation who are on public service cease this service after registration." Paragraph 1 of Article 68 states that "people's representatives cannot hold other public service," while paragraph 2 clarifies that "people's representatives appointed as ministers cease their representative powers during the term of their ministry."

In Germany, as in a number of other countries, a public service is called a "public" service if translated literally.[2] This concept encompasses all employees in state institutions. This includes not only employees of administrative bodies, but also teachers, preschool staff, professors and teachers of state universities, judges, ministers, members of the Federal Banking Directorate, as well as police officers, military personnel, railway employees, post officers, and others.

In France, all public servants of the state as a public legal entity are public servants of the state, working in legislative, executive, and judicial bodies both in the capital and abroad. In addition to the public service, a public service of local communities was established, which was separately established by the Act of 1984.[3]

The foundations of modern civil service in the United Kingdom were laid as early as 1850-70. At that time, open competitive examinations for entering the civil service were introduced, and the Civil Service Commission, independent of other administrative bodies, was established as the governing body of the civil service selection system.

In the United States, modern civil service began with the Civil Service Act of 1883. This document abolished the previous "prey" system, according to which the winning president could completely replace all officials.

In Japan, public service encompasses the administrative, diplomatic, and judicial spheres of public activity. Here, the category of civil servants includes not only officials in the literal sense of the word, but also employees of state-owned enterprises, employees of state railways, employees of television, state schools, military personnel of "self-defense forces," police officers.

The total number of people employed in the civil service is more than three million people, most of whom are workers and employees who do not have a clear opportunity to make managerial decisions.[6] The number of civil servants does not exceed ten thousand people.[7]

The civil service in Singapore was officially established in 1955, but in fact its history dates back to 1819 when Singapore was founded by the British. The acquisition of local self-government within the British colonial empire and the attainment of independence in 1965 did not have a significant impact on the establishment of the civil service.

Many countries have adopted laws aimed at regulating public-service relations. For example, Article 2 of the Law of the Russian Federation "On the Fundamentals of Public Service in the Russian Federation" of July 5, 1995, defines public service as professional activity carried out to ensure the powers of state bodies. It should be noted that official duties belong to a civil servant, not to the civil service. Here, one can see the peculiarity of the concept of public service.

According to Article 2 of the Law of the Republic of Belarus "On Public Service in the Republic of Belarus" dated June 14, 2003, the term "public service" refers to professional

activity aimed at the direct exercise of state power powers and (or) ensuring the performance of the functions of state bodies while holding a state position.

Article 1 of the Law of the Republic of Kazakhstan "On Public Service" of July 23, 1999, states that public service is the activity of public servants in state bodies to perform official duties aimed at fulfilling the tasks and functions of state power.[8]

According to the Law of the Kyrgyz Republic "On Public Service" of August 11, 2004, public service is an activity of public servants in state bodies carried out on a professional basis and aimed at fulfilling the tasks, functions and powers of power established by the Constitution and other regulatory documents.

Based on the content of legislative acts, the legislation of some countries defines the state service as a professional activity aimed at fulfilling the tasks and functions of the state (state bodies) by a person holding a certain position in a state body. Legal literature also provides for several specific features aimed at revealing the essence and content of public service.

According to the results of the analysis of best practices in the field of public services, Estonia is a country that deserves special recognition in this regard. In particular, as the study results show, the "e-Residence" electronic citizenship platform has been introduced in Estonia, and applications and complaints on citizenship issues are accepted through this system. In particular, a person can form appeals on citizenship issues by visiting the website <https://e-residence.pro/er/create> through the internet. An electronic registration system was also established for the examination to determine the level of proficiency in the Constitution and the state language.[10]

In the far western world, the powers of handling civil cases are somewhat differently distributed. For example, in Bulgaria, citizenship concerns the President and the Ministry of Justice, while in Greece these powers belong to the mayor, self-governing bodies and the Ministry of Internal Affairs. In Austria, the federal government and the Ministry of Internal Affairs, in Canada, the State Secretariat, which includes the Bureau of Citizenship, in Australia, the Department of Immigration and Inter-Ethnic Relations, and in the United States, courts are recognized as competent bodies in this area. In China, the powers under consideration were transferred to the Ministries of Public Security and State Security.[11] In Turkey, the powers on issues related to citizenship are shared between the Cabinet of Ministers, the Ministries of Interior, Foreign Affairs and Justice.[12]

The experience of Kazakhstan on the issue under analysis (Article 496) [13] shows that the illegal use of the citizenship passport and identity document of the Republic of Kazakhstan by persons who have lost the citizenship of Kazakhstan and the failure of persons who have acquired the citizenship of another state to report this fact to the competent state bodies within the prescribed period entails administrative liability.

Russian legislation (Article 19.8.3 of the Code of Administrative Offenses of the Russian Federation) [14] establishes administrative liability for failure to report or provide false information about acquiring citizenship of a foreign state or obtaining a residence permit.

According to the Administrative Code of Armenia (Articles 195 (1), 195 (2)), a) if a citizen resides abroad for more than 6 months and does not inform the Armenian MFA (consular institutions) about this, he is fined 50% of the minimum wage or one-time; b) if he does not inform the Armenian government about the acquisition of citizenship of a foreign state, he is fined 50 times the minimum wage.[15]

### References:

- 1.Қаранг: Конституция Республики Болгария 1971 года (с поправками - SG. 29 от 1990 г.) -[http://bulgaris.ru/AGP ogosslužbe](http://bulgaris.ru/AGP%20ogosslužbe).
- 2.Қаранг: Зуммер Р., Пюлер К.-П. Правовые основы государственной службы в ФРГ. – Мюнхен, Брюль, 2001.
- 3.Қаранг: Государственная служба и государственные служащие во Франции. – М.: 1994. С.85.
- 4.Қаранг: О местных органах самоуправления Великобритании– М.: 1985с. 59-86.
- 5.Қаранг: Kahn R. et al. Americans Love Their Bureaucrats//Bureaucratic Power in National Policy Making. Boston, 1986.
- 6.Қаранг: Statistical Handbook of Japan- 1996. P.146
- 7.Қаранг: Kubota A. The Political Influence of the Japanese Higher civil service// Japan Quarterly – Tokyo. V.28.1981. № 1 P.46.
- 8.Қаранг: Россия Федерацияси, Беларусь Республикаси, Қирғизистон Республикаси ва Қозоғистон Республикаси қонун ҳужжатлари [www.consultant.ru](http://www.consultant.ru) сайтидан олинган.
- 9.e-Residence — электронное «гражданство» Эстонии // URL: <https://e-residence.pro/> (мурожаат вақти: 14.12.2021).
- 10.Услуги и формы для гражданина // URL: <https://www.eesti.ee/rus/uslugi/grazhdanin> (мурожаат вақти: 14.12.2021).
- 11.Ванюшин Я.Л. Современная система органов, ведающих делами о Российском гражданстве // Вестник ЮУрГУ. — № 13. — 2006. — С. 210.
- 12.Ганиева С. Основания приобретения гражданства Турецкой Республики // Журнал «Правоведение». — 2016. — № 2 (325). — С. 186–188.
- 13.Кодекс Республики Казахстан об административных правонарушениях от 5 июля 2014 года № 235-V (с изменениями и дополнениями по состоянию на 10.02.2017) // URL: [https://online.zakon.kz/Document/?doc\\_id=31577399#pos=0;0](https://online.zakon.kz/Document/?doc_id=31577399#pos=0;0) (мурожаат вақти: 12.12.2021).
- 14.Кодекс Российской Федерации об административных правонарушениях от 30 декабря 2001 года N 195-ФЗ // URL: <http://zakonbase.ru/koap/> (мурожаат вақти: 12.12.2021).
- 15.Оганисян М.С. Получение, приобретение гражданства и двойного гражданства Республики Армения // Вестник Кемеровского государственного университета. — 2010. — № 1. — Б. 155.