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RELEVANCE OF DEVELOPING A CONCEPTUAL FRAMEWORK FOR THE MANAGEMENT OF STATE INSTITUTIONS

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Abstract. Given the growing importance of developing a conceptual framework, we conducted a study and examined the concept itself. The analysis makes it possible to evaluate the degree of development of the concept, as well as its role and relevance in achieving effective management of public institutions.

Keywords: government institutions, concept, assets, priority strategy, management, control.

The purpose of developing the Conceptual Framework for the Management of State Institutions is to define the main directions and priorities of state policy, and to determine the main goal, objectives, principles, subject of regulation, and directions for developing the draft Law of the Republic of Uzbekistan "On State Institutions" (hereinafter, the draft law). The need to develop the draft law stems from the significant role of state institutions in performing socially important functions and providing socially significant services in public administration, education, healthcare, science, culture, sports, social protection, and other fields.

The effectiveness of state institutions is directly linked to the quality and accessibility of public services, the efficiency of the use of budget funds, and the safekeeping and effective use of state property.

At the same time, individual issues concerning the legal status, financing, management, and use of property of state institutions are regulated by the Civil Code of the Republic of Uzbekistan, the Budget Code of the Republic of Uzbekistan, the Law of the Republic of Uzbekistan No. ZRU-821 of 9 March 2023 "On the Management of State Property," legislation on accounting, public procurement, and anti-corruption, as well as by sectoral and subordinate regulatory legal acts. However, while the current legislation contains the basic elements for regulating the activities of institutions, it does not establish a single comprehensive model for their creation, operation, management, financing, use of property, control, reorganization, and liquidation.

An analysis of the existing regulation of state institutions in countries such as Russia, the Republic of Kazakhstan, the Republic of Belarus, Georgia, Croatia, and Germany indicates the need to form a unified legislative basis for the activities of state institutions.

At the same time, the draft law should not replace the current norms of civil, budget, and property legislation, but should ensure their systemic interconnection by establishing a unified organizational and legal model of state institutions.

The key elements of the draft law should be: a clear legal status of the institution; justification for its creation and continued existence; delimitation of the powers of the participants in management; the state assignment and evaluation of results; transparent financing; effective management of state property; an electronic property passport; transparent mechanisms for lease and trust management; risk-based control; and a unified procedure for reorganization and liquidation.

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It should be noted that the Concept defines a strategy of action, representing a set of interrelated priorities for further development, on the basis of which the draft law is developed.

The process of market transformation in Uzbekistan has reached a point at which it has become necessary to revise the priorities and principles of state policy in the management of state institutions and to develop new approaches to implementing this policy in line with the changes in the country's economy in recent years.

In this regard, in our view, there is a need to adopt a special legislative act that will establish uniform basic rules for the functioning of state institutions and ensure the interconnection of civil-law, budgetary, property, and sectoral regulation. The draft law should regulate the life cycle of a state institution, from the justification for its creation to its reorganization or liquidation, while simultaneously ensuring the continuity of state functions and socially significant services.

The purpose of developing the Conceptual Framework for the Management of State Institutions is to define the main directions and priorities of state policy in the field of management of state institutions for the medium term, as well as the main directions for implementing this policy.

The development and adoption of the Conceptual Framework is relevant in that it could identify the most important priorities in the management of state institutions at the current stage of Uzbekistan's development, formulate generalized views on the issue, provide a tool for understanding the significance of the results achieved, and set the planning framework for developing the draft law "On State Institutions."

In recent years, Uzbekistan has carried out significant reforms, including the liberalization of a number of economic sectors and the improvement of conditions for the development of the private sector.

The key strategies in this area include measures to further reduce the dominance of state-owned enterprises in the economy, strengthen landowners' rights, deregulate the telecommunications sector and commodity trade, and reduce trade costs by improving logistics and transport connectivity. In addition, to create conditions for accelerating production growth and increasing productivity in various sectors of the economy, it is necessary to increase investment in developing the production capacity of the branches of the national economy.

Moreover, in recent years the republic has adopted a number of regulatory legal documents on the management of state assets, including the Law of the Republic of Uzbekistan "On the Management of State Property" and the Law "On the Privatization of State Property."

Currently, there are about 36,055 enterprises with state participation in the Republic of Uzbekistan, of which 244 are joint-stock companies, 152 are state enterprises, 1,521 are limited liability companies, and 34,138 are state institutions.

Of the 701 joint-stock companies existing in the republic, 38.5% (270) had a state share, with 80.3% of the total number of shares owned by the state, while just over 2% of the population owned shares.

In recent years, comprehensive measures have been approved aimed at reducing the state's participation in the economy, introducing modern principles of corporate governance at enterprises with state participation, and enhancing the priority role of private property and its reliable protection.

In particular, structural changes are being carried out in civil aviation, the energy sector, the mining and metallurgical industry, the electrical engineering industry, the road construction sector, the production of building materials, agriculture, and other sectors of the economy.

In our view, an analysis of the current system of managing state institutions allows us to

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conclude that work in this area has certain shortcomings.

The existing shortcomings in the public administration system do not allow for an adequate response to the growing demands of society, the resolution of accumulated problems, the advanced development of the economy, and, as a consequence, the achievement of the expected positive changes in the life of society.

In this regard, the formation of a conceptually new model of managing state institutions acquires particular importance. In our view, it is necessary to:

- establish uniform concepts, types, and legal features of state institutions;
- determine the grounds and procedure for the creation, reorganization, and liquidation of state institutions;
- establish uniform requirements for founding documents and the main areas of activity of institutions;
- delimit the powers of the owner of state property, the founder, the sectoral regulator, the authorized body for the management of state assets, and the head of the institution;
- define the legal foundations of the state assignment and the evaluation of the results of the institution's activities;
- establish general rules for the financing of state institutions and for their income-generating activities;
- determine the procedure for possession, use, and disposal of state property assigned to institutions;
- establish transparent rules for the lease and trust management of state property;
- establish requirements for reporting, control, transparency, and the accountability of heads and officials.

The draft law should be developed on the basis of the principle of systemic unity of legislation.

Adopting the Law will require analysis and, where necessary, amendments and additions to the Civil Code, the Budget Code, the Law "On the Management of State Property," as well as legislation on accounting, public procurement, anti-corruption, conflict of interest, and the relevant sectoral regulatory legal acts. At the same time, the new Law should not duplicate the provisions of civil, budget, and property legislation.

Implementing the above approaches will make it possible to improve the effectiveness of state institutions, ensure the safekeeping and effective use of state assets, increase the transparency and accountability of management, and at the same time ensure the quality and continuity of socially significant public services.

In this regard, we propose that, when developing the draft Law of the Republic of Uzbekistan "On State Institutions," the above proposals be taken into account and that it be prepared simultaneously with a financial and economic justification, a regulatory impact assessment, and drafts of the necessary amendments to the Civil Code, the Budget Code, the Law "On the Management of State Property," and other regulatory legal acts.

Achieving the goals and objectives outlined above requires rethinking the general approaches currently applied in managing state institutions and developing a new paradigm aimed at achieving the effectiveness of their management, which creates a need to improve its conceptual foundations. Therefore, the purpose of developing the Conceptual Framework for the Management of State Institutions is to define the main directions and priorities of state policy, and to determine the main goal, objectives, principles, subject of regulation, and directions for developing the draft Law of the Republic of Uzbekistan "On State Institutions."

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