



THEORETICAL AND LEGAL ANALYSIS OF GOVERNMENT POWERS AND PROSPECTS FOR THEIR IMPROVEMENT

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Abstract: This article, based on the status of Karakalpakstan and the principle of separation of powers in Karakalpakstan into legislative, executive, and judicial branches, as well as taking into account the best practices of foreign countries, proposes to define the constitutional powers of the government of Karakalpakstan (excluding the powers of the Chairman of the government) in the Basic Law of Karakalpakstan and to improve the legal mechanism for implementing the constitutional powers of the government.

Keywords: "Sovereign Karakalpakstan within independent Uzbekistan," "State power bodies of the Republic of Karakalpakstan," "Government of the Republic of Karakalpakstan and its constitutional and legal powers."

As is known, the Constitution and legislative acts of the Republic of Karakalpakstan define the powers of the government of the republic and the Chairman of the government. Based on the specifics of these powers, we can conditionally categorize them as follows:

I. Powers of the Government in the sphere of public administration:

Firstly, to develop the draft republican budget and submit it for approval to the Jokargy Kenes, to adopt generally binding subsidiary legislation to ensure the implementation of the Constitution and legislative acts, to exercise legislative initiative in the Jokargy Kenes, and to establish a government office for the effective implementation of government activities;

Secondly, to submit proposals to the Jokargy Kenes on the formation, reorganization, or dissolution of the central and other executive bodies of the Republic of Karakalpakstan, to approve the Regulations governing the activities of these bodies, to approve the number of employees in their central offices and members of the Board, and to improve the composition of governing bodies in the prescribed manner;

Thirdly, the Chairman of the government submits proposals to the Jokargy Kenes, and during sessions to the Presidium of the Jokargy Kenes, for the appointment and dismissal of deputy chairmen and members of the government, and to the Chairman of the Jokargy Kenes - the Head of the Republic of Karakalpakstan - for the appointment and dismissal of district and city khokims. The government appoints and dismisses ministers, deputy chairmen of state committees, heads of governing bodies and their deputies;

Fourthly, to oversee the activities of city and district khokimiyats, in particular, to determine their composition and structure, and to monitor the execution of the republican budget;

Fifthly, to organize effective interaction between executive bodies, resolve disputes arising between them, suspend or cancel the implementation of normative legal acts of these bodies that contradict legislation, establish commissions and other working bodies within the government and determine their activities;

Sixthly, to manage the activities of the permanent mission ensuring relations between the government of the Republic of Uzbekistan and the government of the Republic of Karakalpakstan and the governing bodies within them, and so on.

II. Powers of the Government in the sphere of management of the republic's economy and development of entrepreneurship:

Firstly, within its competence, it manages the republic's economy, social and cultural spheres, approves the main indicators of socio-economic development of cities and districts, determines the amount of funds allocated to governing bodies and other agencies at the expense of the republican budget, and also ensures the harmonization and equality of all forms of ownership in the republic;

secondly, demonopolization of the economy, creation of the necessary conditions for free entrepreneurship based on legal mechanisms of the market economy;

thirdly, the formation of the republic's economy, the coordination of the activities of governing bodies in this area, etc.

III. Powers of the Government in the financial, credit, monetary, tax, and banking systems:

firstly, the implementation of work to strengthen the monetary and credit system in the republic, the development of measures for the established guarantees of the level of economic security;

secondly, exercises control over the activities of governing bodies for the execution of the republican budget, determines the procedure for the formation and use of funds of their targeted funds, submits reports on the execution of the republican budget for approval to the Jokargy Kenes, etc.

IV. Powers of the Government in the sphere of protection of the rights, freedoms, and legitimate interests of citizens and ensuring their safety:

Ensuring state security, protecting the state borders of Uzbekistan, state interests and public order, ensuring the rights of citizens to work, their social protection, improving the social security system, conducting environmental protection measures jointly with state bodies, as well as implementing large environmental programs of international and inter-republican significance and developing measures to eliminate the consequences of major accidents and natural disasters, etc.

V. Hukumatning respublika ijtimoiy sohasini boshqarishdagi vakolatlari:

Respublika ijtimoiy sohasida davlat siyosatini vakolati doirasida amalga oshirishi, ushbu sohani rivojlantirishda kompleks chora-tadbirlarni ishlab chiqishi, shuningdek, fan va texnikani rivojlantirish, tabiiy resurslardan oqilona foydalanish, ularni muhofaza qilishda chora-tadbirlarni belgilashi hamda sog'liqni saqlash, xalq ta'limi va boshqa ijtimoiy yo'nalishlarga doir sohalarni rivojlantirish bo'yicha ishlarni amalga oshirish hamda madaniyatni rivojlantirishga ko'maklashish va hokazo.

VI. Powers of the Government in the sphere of foreign policy activities:

Determining measures for the implementation of intergovernmental agreements and treaties in accordance with the laws of Uzbekistan and Karakalpakstan, exercising leadership in cooperation activities with state bodies of the republic in foreign economic, scientific-technical, and cultural spheres.

As a result of the legal analysis of these powers, we can note the following scientific conclusions:

1. The broad and multifaceted powers of the government and the Prime Minister in the state apparatus system of the Republic of Karakalpakstan;
2. The Government encompasses several governing bodies and, by coordinating their activities, manages and controls their operations, as well as organizes effective cooperation between them;
3. Responsibility for realizing the rights, freedoms, and legitimate interests of citizens of the Republic of Karakalpakstan, as well as creating the necessary conditions for their future well-being;
4. Accountability to the people for developing relevant sectors of the republic, forming the budget system and effectively organizing its implementation, and accountability to the Jokargy Kenes for these activities;
5. The Government, all executive bodies, and their officials are responsible for fundamentally improving lawmaking and legislative initiative activities by conducting regular critical monitoring based on the intensification of globalization and competition on a global scale, and the growing demands and needs of the people from year to year.

Here we will briefly analyze the experiences of foreign countries. In particular, the government is responsible for developing and ensuring the implementation of the main directions of the state's socio-economic policy, its defense capability, security, maintenance of public order, appointing and dismissing heads of central executive bodies not included in the government [2], implementing the state's domestic and foreign policy, protecting state sovereignty and territorial integrity, defending the constitutional order, strengthening defense capabilities, national security and law enforcement, as well as conducting foreign economic activities [3], pursuing a unified state financial, economic, credit and tax policy, managing state property, ensuring defense, national security and foreign policy [4], developing and implementing the main directions of domestic and foreign policy [5], managing the ministries and other central executive bodies within the government [6], comprehensive socio-economic development of the country, managing foreign economic relations, forming and leading executive bodies [7], with the consent of the Head of the Republic, forming executive bodies, making changes to the composition of the government, forming other executive bodies and carrying out foreign economic activities [8].

It is known that in government activities, the Chairman, possessing broad powers, is considered a political representative to a certain extent in implementing state policy and public administration. Therefore, in the experience of foreign countries, particularly in some Federative states, this role is held by the President (Argentina), Federal Chancellor (Germany) or Chairman of the Federal Government (Russia); in independent states - the President (Turkmenistan, Georgia, Haiti, Zambia), Prime Minister (France, Kazakhstan, Belarus, Kyrgyzstan, Tajikistan, Azerbaijan, Armenia, Moldova, Ukraine) or Chairman of the Government (Spain); in republics within independent states - the Head of the Republic (Buryatia, Tuva, Altai), Prime Minister (Tatarstan, Bashkortostan, Adygea) or Chairman of the Government (Dagestan, Ingushetia, Komi).

In sovereign Karakalpakstan, which is part of independent Uzbekistan, the Chairman of the government holds a special position in the activities of the Council of Ministers [9]. Specifically, the Chairman of the Council of Ministers has the authority to submit proposals to the Jokargy Kenes, or during sessions to the Presidium of the Jokargy Kenes, on the appointment and dismissal of Deputy Prime Ministers and other government members; to

distribute powers among Deputy Prime Ministers with the approval of the government Presidium; to submit proposals on the formation or abolition of ministries and other state bodies; to submit proposals to the Chairman of the Jokargy Kenes - the Head of the Republic of Karakalpakstan on the appointment and dismissal of city and district khokims; to preside over meetings of the government and its Presidium; to adopt bylaws on issues not requiring consideration at government meetings; and to ensure collegiality in government activities [10].

As is known, the constitutions of most foreign countries enshrine specific powers of the government (excluding the powers of the Prime Minister). In particular, we can note the constitutions of France (Articles 20-23), Germany (Articles 62-82), Italy (Articles 92-96), Spain (Articles 97-102), China (Article 89), Russia (Article 114), Kazakhstan (Article 66), Kyrgyzstan (Article 88), Turkmenistan (Article 75), Belarus (Article 107), Azerbaijan (Article 119), Armenia (Article 89), Ukraine (Article 116) and Tatarstan (Article 102), Bashkortostan (Article 96), Dagestan (Article 88), Buryatia (Article 93), Ingushetia (Article 87), Adygea (Article 87), Altai (Article 121) and a number of other states within the Russian Federation. This, in turn, allows us to recognize that the principle of separation of powers in these states is constitutionally and legally enshrined, and the specific powers of the government are defined by constitutional provisions. When analyzing the Constitution of the Republic of Karakalpakstan in this area, some legal gaps are revealed that require amendments and additions. In particular, although the principle of separation of powers is established in the Constitution of the Republic of Karakalpakstan (Article 11), the special powers of the government of the Republic of Karakalpakstan (except for the powers of the Prime Minister) are not yet regulated by constitutional provisions in the Basic Law.

Based on the analysis of legislative acts and the status of sovereign Karakalpakstan [11], as well as the division of power in the system of the state apparatus of Karakalpakstan into legislative, executive, and judicial branches, and taking into account some foreign experience (Kazakhstan, Kyrgyzstan, Turkmenistan, Azerbaijan, Tatarstan, Bashkortostan, Dagestan, Buryatia, Ingushetia, Adygea, Altai), we believe that the powers of the Council of Ministers and the Chairman of the Council of Ministers should be regulated by separate constitutional provisions in the Constitution of the Republic of Karakalpakstan.

In addition, when analyzing the legal procedure for exercising the powers of the government in the Constitution, we see that there are provisions requiring amendments and additions. For example, in part "third" of Article 89 of the Constitution, there is a provision stating that "the Council of Ministers of the Republic of Karakalpakstan resigns its powers before the newly elected Jokargy Kenes of the Republic of Karakalpakstan." We believe that this provision does not fully constitutionally and legally regulate the legal procedure for the government to exercise its powers. The question naturally arises: by the end of the elections to the Jokargy Kenes, by which representatives of state power will the powers of the Council of Ministers be exercised?

We believe that this, in turn, "requires amendments and additions to the third part of Article 89 of the Constitution, and also creates a legal basis for further clarification of the legal procedure for exercising constitutional powers by the Council of Ministers."

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