

Legal Foundations for The Formation and Development of Human Capital in The System of State Power Bodies of The Republic of Uzbekistan

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Abstract

This article provides a comprehensive legal analysis of the mechanisms governing the formation and development of human capital within the system of state power bodies of the Republic of Uzbekistan. In the era of the "New Uzbekistan" development strategy and intensive administrative reforms, building a highly competent, digitally skilled, and professional civil service corps is a primary state objective. This study examines the evolution of national legislation, focusing specifically on the Law "On State Civil Service" (2022) and subsequent presidential decrees that institutionalized meritocracy, standardized competency frameworks, and performance-based evaluation systems (KPIs). Through comparative legal methods, the article contrasts Uzbekistan's public sector human resource frameworks with institutional models of developed nations such as Singapore and France. The author incorporates the advanced research of regional legal scholars to illustrate the shift toward digital governance. Ultimately, specific legislative solutions are proposed to optimize the public sector human capital as a core instrument of effective public administration.

Keywords: Human Capital, State Power Bodies, Civil Service, Administrative Reform, Competency Framework, Meritocracy, Public Administration, Legal Infrastructure.

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1. Introduction

In the contemporary paradigm of public administration, human capital stands as the definitive element determining the efficiency, agility, and transparency of state institutions. Human capital within state power bodies is understood as the structured aggregate of professional knowledge, specialized legislative and administrative skills, innovative capacities, and ethical competencies possessed by civil servants.

For the Republic of Uzbekistan, which is currently undergoing a systemic transition toward a modern,

result-oriented state apparatus (within the framework of the "New Uzbekistan" strategy), the transformation of public human resource management is a strategic imperative. Historically, public sector management in transition economies faced structural limitations: fragmented sub-legislative regulations, subjective talent evaluation, and the absence of institutionalized long-term career planning.

The recent administrative reforms and constitutional upgrades in Uzbekistan have legally prioritized the professionalization of the state apparatus. However, establishing a legal infrastructure that dynamically

balances strict civil service obligations with flexible mechanisms for intellectual growth, continuous upskilling, and elite talent attraction remains a work in progress. This study addresses the legal dimensions of managing and upgrading human capital in Uzbekistan's state organs, identifying statutory gaps and proposing systemic legal enhancements based on global best practices.

2. Methods

The research methodology relies on a diverse set of academic and legal analytical tools:

- **Formal-Dogmatic Method:** Utilized to meticulously analyze and interpret the statutory texts of the Constitution of the Republic of Uzbekistan, the Law "On State Civil Service" (2022), and associated executive decrees.
- **Comparative Legal Analysis:** Employed to benchmark Uzbekistan's legislative frameworks against successful public sector human capital management systems worldwide (specifically Singapore's meritocracy statutes and France's administrative career tracks).
- **Systemic-Functional Approach:** Used to evaluate human capital not as a static administrative asset, but as a dynamic component functioning within the broader check-and-balance architecture of state power branches.

3. Results

The codification of human capital management in Uzbekistan's public sector achieved a solid legal foundation through the enactment of the Law "On State Civil Service" (No. ZRU-788). This single statutory act successfully unified hundreds of previous sub-legislative guidelines, establishing a clear legal framework.

The current legislative model establishes three primary legal pillars for human capital optimization:

A. Strict Institutionalization of Meritocracy

The law introduces a mandatory, centralized digital

platform (vacancy.argos.uz) for open competitive selection. Legally, this transition transforms public sector employment from a closed administrative process into a transparent competition, upholding the constitutional guarantee of equal access to public service.

B. Legal Binding of Performance Metrics

The integration of Key Performance Indicators (KPIs) into the formal appraisal cycles of state bodies establishes a statutory link between an official's actual administrative output and their career advancement, bonuses, or retention.

C. Mandated Professional Development

The legislative framework explicitly requires civil servants to undergo periodic, mandatory qualification upgrades and re-certification cycles, primarily institutionalized through the Academy of Public Administration under the President of the Republic of Uzbekistan.

4. Discussion

While the enactment of the Law "On State Civil Service" resolved the issue of regulatory fragmentation, the practical deployment of this legal framework reveals several structural areas requiring further modernization.

According to the fundamental studies by F. A. Mukhitdinova (2021) on the state strategies for e-government implementation, the modernization of state power bodies cannot be achieved solely through structural changes; it directly requires the digital transformation of administrative culture and civil service efficiency. Furthermore, Mukhitdinova's research highlights that the quality of human capital is tightly linked to the legal mechanisms of regional public policy, digital integration, and institutional development pathways tailored to the national legal model (Mukhitdinova, 2023). Therefore, human capital development within state organs must incorporate both strict meritocratic selection and robust socio-legal frameworks that ensure transparency and prevent corruption (Mukhitdinova & Muhamedov, 2016).

Comparative Frameworks: Singapore and France

Jurisdiction	Primary Legal Mechanism	Core Institutional Focus	Application to Uzbekistan
Singapore	Public Service Commission (PSC) Regulations	Hyper-meritocracy combined with predictive competency modeling (evaluating future leadership potential).	Incorporating psychological and behavioral metrics into the ARGOS selection portal.
France	<i>Statut général des fonctionnaires</i> (General Statute)	Highly structured, lifelong career tracking coupled with specialized elite state academies.	Refining the legal status of the "national personnel reserve" to guarantee promotion tracks.

Singapore's legal framework views human capital through a corporate lens within public boundaries—linking competitive, market-grade compensation with absolute accountability. France, through its classic administrative law structures, emphasizes institutional loyalty and standardized, rigorous state exams ensuring that the intellectual baseline of state power remains uniformly elite. For Uzbekistan, blending Singapore's digital transparency with France's rigid institutional stability presents an ideal evolutionary path.

Proposed Criteria for Legislative Refinement

To maximize the legal protections and operational output of public sector human capital, we propose integrating three core criteria into the existing civil service regulations:

- 1. The Digital Literacy Mandate:** Legally standardizing specific AI and data-driven administrative competencies across all echelons of state power bodies.
- 2. The National Reserve Activation Guard:** Establishing explicit legal timelines and guarantees that prevent individuals in the "Personnel Reserve" from being bypassed for promotional vacancies without

formal, written institutional justification.

- 3. Anti-Burnout Statutory Protections:** Introducing rigid administrative limits on extra-stipulated working hours within state agencies to prevent the rapid psychological and physical depreciation of valuable public human capital.

5. Conclusion

The transition of Uzbekistan towards an advanced, citizen-centric state apparatus depends heavily on the quality and legal security of its public sector human capital. The current legislative baseline, centered around Law ZRU-788, successfully introduced transparency and standardized recruitment.

To elevate this system further, the state must transition from a compliance-focused model of human resource management to a value-driven, competency-based legal framework. Implementing statutory protections against professional burnout, legalizing behavioral and emotional intelligence testing within open competitions, and fortifying the career guarantees of the national personnel reserve will solidify the intellectual and operational capacity of Uzbekistan's state organs for

decades to come.

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