

CHANGE IN FORMS OF GOVERNANCE: LESSONS FROM PUBLIC ADMINISTRATION IN THE KYRGYZ REPUBLIC

Prof. Dr. Almazbek A. Akmataliyev

Rector, Academy of Public Administration under the
President of the Kyrgyz Republic

Abstract: The text outlines the reasons and consequences of constitutional reforms in the organization of state power in the Kyrgyz Republic in 2021. After gaining independence, the Kyrgyz Republic tested various forms of governance—from presidential to parliamentary—and eventually returned to a presidential form of governance. The constitutional changes in the distribution of powers among the president, the legislative, and the executive branches of government are examined. In this context, strategies for modernizing the executive branch, along with the methods and tools used in the new socio-political reality, are discussed. The results of the transformation of the executive branch's work in ensuring sustainable socio-economic development of the country are also considered.

Keywords: Branches of State Power; Form of Government; Constitutional Reform; President; Public Administration; Development.

Introduction

In the post-Soviet countries following the collapse of the USSR, constitutional reforms were carried out, and various forms of governance were chosen: presidential, parliamentary, or different variants of mixed forms of government. In the CIS countries, the experience of foreign countries was used differently to establish the procedures for forming the highest institutions of state power, their responsibilities, and their interactions. In each state, the form of government acquired its unique characteristics, taking into account historical experience, the mentality and traditions of the people, the activity of political forces, and so on. The political elites and the peoples of these countries have had to adapt to entirely new socio-economic relations associated with the processes of forming relatively democratic political regimes, as well as an open and market-oriented economy [Nechkin, 2020].

The search for suitable forms of governance is primarily aimed at ensuring sustainable socio-economic development and economic growth. Overall, comparative analysis indicates that a country's economic development is only loosely dependent on its form of governance. Numerous internal and external factors influence this, including the strategic goals set by state authorities and their coordinated actions in priority areas of development.

The debates over the best model of government—whether presidential, parliamentary, or mixed—have been ongoing for many years. These discussions can be abstract, focusing on the search for the ideal form for all countries and peoples, or they may relate to a specific country, seeking a more effective form

compared to the existing one [Zaznaev, 2013, p. 200]. As I.A. Ilyin wrote, every nation deserves “its own, unique, individual form of government and constitution that is appropriate for it and only for it. There are no identical nations, and there should not be identical forms and constitutions. Blind borrowing and imitation are absurd, dangerous, and can be fatal” [Ilyin, 1991, p. 27].

In the search for an acceptable form of governance, Kyrgyzstan was no exception. Within a relatively short period, the development of Kyrgyz statehood can be divided into the following stages of governance:

- 1990–1993: The establishment of parliamentary-type institutions;
- 1993–1995: The formation of a presidential form of governance;
- 1996–2005: The consolidation of the presidential form of governance;
- 2005–2010: Continued presidential governance;
- 2010–2020: A period of presidential-parliamentary governance.

To assess the impact of different forms of governance on the effectiveness of the executive branch, an analysis was conducted on the changes that occurred in the context of the constitutional reforms in the Kyrgyz Republic in 2010 and 2021.

Since 2010, Kyrgyzstan operated under a parliamentary-presidential form of governance. The President of the Kyrgyz Republic was elected for a single 6-year term and had fewer powers in forming the government compared to the Jogorku Kenesh of the Kyrgyz Republic (the parliament). For instance, only the faction holding more than half of the parliamentary seats, or a coalition of factions including it, could nominate a candidate for the position of Prime Minister [Constitution of the Kyrgyz Republic, 2010].

The loss of parliamentary majority status by a coalition of factions led to the resignation of the government and the nomination of a new Prime Minister. This resulted in frequent changes in the composition of the government, including the Prime Minister. Such issues hindered the stable functioning of the executive branch, significantly impacting the speed and effectiveness of the decisions made by the government. This was particularly evident during the pandemic and post-pandemic periods.

The shortcomings of Kyrgyzstan’s system of governance and its inability to adequately respond to external and internal challenges led to a decline in the authority of state institutions within society. The political crisis of 2020, triggered by the authorities’ failure to conduct fair elections for the Jogorku Kenesh of the Kyrgyz Republic, acted as a catalyst for another change of power in the country.

The new political forces that came to power linked solving societal problems with strengthening state institutions and the need for constitutional changes in the Kyrgyz Republic. To address this, a constitutional referendum on changing the form of governance was held in January 2021. As a result, the citizens of Kyrgyzstan chose a presidential republic.

According to official data, 84.1% of voters supported the transition to a presidential form of governance [Results of the Referendum in the Kyrgyz

Republic, 2021].

According to the adopted Constitution, there has been a significant strengthening of presidential power. Specifically, the President gained the authority to determine the structure and appoint the members of the Cabinet of Ministers, as well as the heads of regional administrations [Constitution of the Kyrgyz Republic, 2021].

Significant changes occurred in the organization and functioning of the executive branch. According to the new Constitution, the Government was replaced by the Cabinet of Ministers, headed by the President. With the consent of the Jogorku Kenesh, the President appoints the Prime Minister, who also serves as the Head of the President's Administration. The structure and composition of the Cabinet of Ministers are determined by the President.

Changes also affected other branches of government. Previously, the Jogorku Kenesh was elected exclusively through party lists and consisted of 120 deputies. As a result, deputies were seen more as party appointees rather than directly elected representatives of the people, which led to a decline in the authority of the parliament from one convocation to the next. After 2021, the Jogorku Kenesh was restructured to include 90 deputies, with 54 elected from party lists and 36 from single-member districts. Additionally, a 30% quota for women was retained in the party lists. These changes aimed to enhance the level of popular representation in the country's parliament.

The constitutional changes also introduced a new institution of popular governance: the People's Kurultai. As a consultative public-representative assembly, it can provide recommendations to the President of the Kyrgyz Republic on public development directions and possesses the right of legislative initiative [Constitutional Law of the Kyrgyz Republic "On the People's Kurultai," 2023].

Thus, after 2020, Kyrgyzstan entered a new socio-political reality. In this context, it was necessary to develop a new vision for the country's further development, taking into account changes within the country, the region, and the world. Consequently, following the constitutional reform, President S. N. Japarov, as head of state and executive power, outlined the following priority tasks:

- Modernization of the executive branch;
- Uncompromising fight against corruption;
- New economic policy;
- Digitization of the public services system.

One of the significant steps taken was the adoption of the National Development Program of the Kyrgyz Republic until 2026. This program is viewed as a document that sets the guidelines for the entire system of state administration. It outlines a comprehensive set of measures across seven priority areas. The provisions of the Program form the basis for the activities of executive authorities at all levels.

As a result of implementing the Program, it is expected that the Kyrgyz Republic will improve its position in key international rankings and achieve significant

progress in the implementation of the UN Sustainable Development Goals by 2030.

As part of the modernization of the executive branch, new approaches to human resources policy have been outlined in the Presidential Decrees of the Kyrgyz Republic “On New State Human Resources Policy” and “On the Approval of the State Strategy for the Development and Formation of Human Resources in the Kyrgyz Republic for 2023-2025.” These approaches are aimed at ensuring equal access for citizens to state and municipal service, creating a talent pool for administrative and political positions, and including progressive youth alongside experienced professionals. The strategy includes improving the system of retraining and professional development, providing conditions for career growth within state and local government bodies, and reducing the risk of corruption in personnel decisions.

An administrative-territorial reform has been initiated aimed at consolidating rural municipalities, improving their infrastructure, and enhancing service delivery to the population. The Cabinet of Ministers has been tasked with creating a system of regional standards for the accessibility of engineering, communal, and social infrastructure based on population size and the type of settlements in the regions.

Given that corruption is one of the causes of inefficiency in the state apparatus, the new government of Kyrgyzstan has declared the fight against corruption as a top priority in its activities.

Alongside the modernization of the executive branch, a new economic policy was implemented. This policy manifested in the state’s efforts to stimulate the development of the real sector of the economy by setting priorities, creating a favorable institutional environment, attracting both external and internal investors, and financing numerous important projects, while simultaneously reducing business inspections.

The implementation of major infrastructure projects has begun, including the construction of the Kambar-Ata-1 hydropower plant, the railway connecting China, Kyrgyzstan, and Uzbekistan, among others. A significant event in the economy was the transition of the largest gold mining operation in Kyrgyzstan, Kumtor, into state ownership. The main economic goal remains the creation of jobs. In the coming years, Kyrgyzstan is expected to establish 100 large industrial enterprises to address this objective.

As a result, positive changes have been observed in the economy. According to the National Statistical Committee, real economic growth in 2022 was 4.8%. In 2023, Kyrgyzstan’s GDP exceeded 1 trillion som (approximately 11.8 billion USD), and the economy of the republic grew by 6% over the year.

- The consolidated budget of the country was:
- 2020: 248 billion som (3.1 billion USD)
- 2021: 313 billion som (3.1 billion USD)
- 2022: 443 billion som (5.4 billion USD)
- 2023: 574 billion som (6.6 billion USD)

All of this has allowed for increased investments in the social sector, including the construction of new schools, raising salaries for teachers, doctors, and other categories of workers, as well as increasing pensions and benefits by 50% to 100%.

In terms of the Sustainable Development Goals (SDGs) indicators for 2023, Kyrgyzstan ranked 45th. This is the best ranking among Central Asian countries.

Conclusion

In Kyrgyzstan, as in other CIS countries, modifications of classic models of governance evolved after gaining independence. After experimenting with various forms of governance, from presidential to parliamentary systems, the Kyrgyz Republic returned to a presidential form of governance following the 2021 constitutional reform. This shift resulted from the previous governance structure's inadequacy in aligning with historical experience, the mentality and traditions of the people, and its inability to address public issues timely and effectively, as well as to respond promptly to external and internal challenges.

As a result of the 2021 constitutional reform, Kyrgyzstan adopted a governance model that is atypical for CIS countries. This model is characterized by the unique role of the head of state—the President—who simultaneously leads the executive branch.

The constitutional reforms have impacted all branches of government in the Kyrgyz Republic, aiming to ensure their coordinated activity in addressing the priority tasks outlined in the National Development Program until 2026.

Following its modernization, the executive branch has become more compact and capable of making decisions more swiftly to ensure sustainable socio-economic development. This is evidenced by the positive trend in the key performance indicators of its activities.

Thus, despite the significant political events of 2020, Kyrgyzstan has successfully navigated the period of adapting its governance system to new challenges. The country is finding its path for development amidst emergencies and political upheavals occurring in the modern world.

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