
**LIABILITY OF GOVERNMENT IN PUBLIC ADMINISTRATION: EXPERIENCE
OF FOREIGN COUNTRIES**

Turdiev Khayitjon Usmonkul ugli

Independent Researcher of Tashkent state law university, Phd in law

E-mail: x.turdiev@tsul.uz

Liability of the government to the parliament is the accountability of the executive power to the parliament in the implementation of the powers established by law in the system of separation of powers, and the constitutional obligation of the members of the government to respond individually and collegially through various legal instruments for their ruling activities.

In the constitutional law of foreign countries, the responsibility of the government can be divided into collective and individual types. In Great Britain, the accountability of the government to the Parliament was formed earlier. The liability of the cabinet members to the parliament was shown in such a way that if the policy of the cabinet members was not approved by the general chamber, they had to resign [1].

In modern democracies, especially in countries with parliamentary and mixed forms of government, the government is accountable to the legislature. For example, ministers can be brought to court on the initiative of the parliament (France, Finland, Romania, Thailand). If there is immunity of members of the executive power, it is deprived by the parliament. In Germany and Italy, such cases are considered by the constitutional court [2].

The institution of a vote of no confidence is a legal instrument of collective responsibility of the government in foreign countries. According to the Constitution of Germany the Bundestag may express its lack of confidence in the Federal Chancellor only by electing a successor by the vote of a majority of its Members and requesting the Federal President to dismiss the Federal Chancellor. The Federal President must comply with the request and appoint the person elected. According to the Italian Constitution, a resolution of no confidence must be signed by 1/10 of the deputies of the chamber [3]. A similar situation can be seen in the French Constitution. In Czech law, the process is a bit more complicated, requiring a vote of at least 50 MPs for a motion of no confidence in the government and more than half of the total number of MPs to pass it [4].

According to russian scientist A.Kerimov, the liability of the government before the parliament and the right to vote of no confidence in it will give the following positive results: 1) the head of the government becomes an independent political figure and takes his place in the system of state power, gaining the confidence of the parliament; 2) the government's responsibility will increase, the government will be accountable to both the president and the parliament, which will effectively affect its performance; 3) such a situation will have a positive effect on the president's activity, and he will have a prime minister who has gained the confidence of

the parliament, as a result, conflicts between the parliament-government-president are avoided, and the president exercises general leadership over the executive power [5].

German law provides for a "constructive vote of no confidence". (German: konstruktives Misstrauensvotum) is a variation on the motion of no confidence that allows a parliament to withdraw confidence from a head of government only if there is a positive majority for a prospective successor. The principle is intended to ensure governments' stability by making sure that a replacement has enough parliamentary support to govern. A parliamentary majority is not enough for the government to resign. In this case, a new prime minister candidate should be elected by the parliament. In the legislation of many countries, there is a time gap between the resolution of censure adopted by the deputies and the resulting vote of no confidence in the parliament.

For example, in France - two days, in Italy - three days and in Spain - five days. During this period, the government tries to influence the parliament through mutual negotiations.

According to Article 74 of the Austrian Constitution, if the National Council withdraws its confidence from the National Government or from individual members thereof, by express resolution, the Federal Government or the concerned Federal Minister, shall be removed from office. According to Article 76, members of the Federal Government are accountable to the National Council, and the National Council can indict them. (*for the adoption of a resolution, with which an indictment (Anklage) is initiated in accordance with Article 142, the presence of more than one-half of the members is required.*)

In the CIS countries, in particular, according to the Constitution of, the Republic of Kazakhstan, deputies of the Chamber of Deputies, with a two-thirds vote, appeal to the President to dismiss the government members if their performance is unsatisfactory. In this case, if the head of state rejects the appeal, six months after the first appeal, with the vote of two-thirds of the total number of deputies, he can repeatedly raise the issue of the resignation of the government member before the president. In such a case, the President shall dismiss the member of the government from his position [6].

According to the legislation of the Republic of Uzbekistan, there are two types of measures against the government - personal and collective responsibility [7].

We can see the personal responsibility of the Prime Minister and members of the government in the following. First, according to the Constitution of the Republic of Uzbekistan, The Prime Minister of the Republic of Uzbekistan shall organize and direct the activity of the Cabinet of Ministers, bear a personal responsibility for the efficiency of its work. The personal responsibility of the Prime Minister before the Parliament is that Legislative Chamber has the right to express a vote of no confidence against the Prime Minister. Also in the Law "On the Cabinet of Ministers of the Republic of Uzbekistan" determined that The chambers of the Oliy Majlis of the Republic of Uzbekistan may hear information from an individual member of the

Cabinet of Ministers on the activities of the state administration body headed by him and, if necessary, submit a proposal for his resignation to the President of the Republic of Uzbekistan. Secondly, the collective responsibility of the government will be manifested in the resignation of the entire Cabinet of Ministers of the Republic of Uzbekistan along with the Prime Minister in case of a vote of no confidence in the Prime Minister.

Expressing a vote of no confidence in the Prime Minister of the Republic of Uzbekistan is a result of unsatisfactory assessment of the activities of the Cabinet of Ministers by the Parliament. In order to ensure the stability of the government's activities, the procedure for expressing a vote of no confidence is becoming relatively complicated in world practice today. It should be noted that a vote of no confidence only leads to political responsibility and does not constitute a basis for the government's liability before the court.

To sum up, today it is time to further improve the institution of parliamentary control over the activities of the executive power and increase the liability of the government. In this regard, it is expedient to improve the legal basis of the institution of the vote of no confidence, which controls the responsibility of the government, taking into account the experience of advanced foreign countries. Also, in order to upgrade the individual liability of the members of the Cabinet of Ministers, it is necessary to increase the efficiency of the institution of parliamentary oversight.

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