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ARRANGEMENT OF THE NATIONAL SYSTEMS OF REGULATORY IMPACT ASSESSMENT: EXPERIENCE OF RUSSIA, KAZAKHSTAN, AND UZBEKISTAN

Abstract. The present research is aimed at comparative analysis of approaches to the arrangement of the national systems on the regulatory impact assessment in the post-Soviet countries – Russia, Kazakhstan, and Uzbekistan, revealing of existing problems in arranging the regulatory impact assessment in the mentioned countries, and formulating of the best practices in arranging the regulatory impact assessment to improve the activity and effectiveness of this institute.

The results of the research can be used by the state governmental bodies of Russia, Kazakhstan, and Uzbekistan, supranational structures of the Eurasian Economic Union to justify the most effective ways of adoption and implementation of the managerial decisions in the field of regulatory policy, to enhance the transparency of the state policy in the post-Soviet countries, and forming of the effective interaction model of the state, business, and civil society. Following the research results, the prospective trends of the national systems of the regulatory impact assessment development are suggested.

Key words: arrangement of the national systems of regulatory impact assessment, regulatory impact assessment, post-Soviet countries, comparative researches.

Introduction. Russia, Kazakhstan, and Uzbekistan are undertaking a large-scale modernization of methods and technologies of the governmental policy aimed at improving the activity and effectiveness of the governmental regulation. One of the key trends of modernization is introducing of institutes favoring the broadening of direct and back connections between the state, business, and civil society. One of such institutes is the regulatory impact assessment (hereinafter as RIA). The institute of regulatory impact assessment allows for the system approach to the processes of conducting, changing, and annulment of legal rules regulating the economic activity, and ensures, as consequence, significant improvement of quality of regulation and justification of changes in the rules and regulations of the economic activity. The introducing of the RIA transforms the content and forms of implementation of the most functions of the contemporary state, raises the analytical justification of the made decisions to the qualitatively new level, and stimulates the rationality of the whole governmental apparatus activity.

In this regard, especially interesting is a comparative estimation of approaches to the arrangement of the national systems of RIA applied in Russia, Kazakhstan, and Uzbekistan. The first steps on introducing RIA institute were made in Russia and Kazakhstan at the end of 90-s of the past century, and Uzbekistan made it a little later, in the beginning of the current century. However, it is already possible to indicate the high role of this institute in limiting the abundant regulation, increasing the transparency of the state policy.

The circumstances mentioned above have determined the topicality and practical relevance of the conducted research. The research is aimed at comparison of approaches to forming of the national systems of RIA in Kazakhstan, Russia, and Uzbekistan, revealing of problems and justification of recommendations for this institute development in the analyzed countries. The selection of the countries

was based on its high interest in modernizing the state policy, borrowing of the best managerial practices, and development of economic integration.

Methodology and methods of research. Methodology of the research is based on methods and approaches that can be conditionally divided into three groups. The first group forms the approaches to study the institutional bases to construct the national systems of the regulatory impact assessment. Here it is necessary to note the works by I.P. Sydorchyuk [1], V.D. Krivov, D.G. Vladimirov [2], A.Ye. Shastitko [3]. These works are especially important for forming of ideas on the role of RIA in the system of the state management, institutional bases of its forming (integrity of laws, traditions and sustainable practices of economic behavior), and priorities of the state regulatory policy.

The second group contains the works in which authors make the comparative researches of the national systems of regulatory impact assessment in foreign and adjacent countries. The important role for forming the criteria for comparison of the national systems of RIA have the proceedings by Oermann M. & Schulz W. [4], Marchewka-Bartkowiak K. [5]. For the analysis of the situation in the developing and post-social countries especially significant are the works by Kamkhaji, J. C., Ladegaard, P., & Lundkvist, P. [6], I.D. Turgel, A.Zh. Panzabekova [7], A.Ye. Golodnikova, D.B. Tsygankova [8], Shamkova Yu.V., Doroshenko S.V. [9]. The authors of these works underline that the problems of the national systems of RIA have a system character. To understand its reasons, it is important to study the existing practices of division of authority between the levels and branches of power, common vector of the state economic policy development, and interest of a definite country in modernizing of the state management.

Third group represents the works of authors analyzing the issues of forming and development of the national systems of RIA in individual countries on the post-Soviet territory. The known Kazakhstan researchers G.B. Kysykova, S. Akhmetzhanova, K. Kopeshova consider the organizational issues of the scientific expertise of laws and regulations draft projects [10] and issues of regulatory decisions quality improve [11]. The long-form comparative estimations of the TIA institute in Russia and Kazakhstan are described in the proceedings by I.Turgel, A.Panzabekova, N.Symanyuk [12], and I.Tyurgel, A.Panzabekova, Z.Satpayeva [13].

Along with this, the available researches do not have sufficient works describing the comparative analysis of the RIA national systems forming in the individual post-Soviet countries actively involved into the processes of economic integration. It also should be noted that there are almost no researches on the analysis of the situation in the field of the regulatory impact in Uzbekistan. Meanwhile, during the recent years the country has been actively modernized, it becomes open, and large efforts are directed into the reformation of the state management system. This research provides a step forward to solve the mentioned above problems.

The RIA national systems were compared by the following fields: *равнение национальных систем ОПВ* проведено по следующим направлениям:

1. They key stages of RIA introduction into the practice of the state and municipal administration
2. Factors characterizing the national system of the RIA organization
3. The management levels on which the RIA is implemented
4. Digital technologies in RIA organization

These trends were selected basing on approaches formulated to compare the national and regional institutes of RIA in the works by I.Rakhmeyeva [14] and M.Ni [15].

Introduction of the RIA institute into the system of the state and municipal administration. In Russia, the starting point for forming of a new system of assessment was 1997 when the government of the Russian Federation adopted a Decree #1009 “On Rules on preparing laws and regulations by federal bodies of the executive power and its state registration” dated August 13, 1997. These rules provided an opportunity to external experts to conduct work on preparing conclusions for laws and regulations of federal bodies of the executive power submitted for the state registration, and conditions of the forwarding of the regulations draft to the Ministry of Finances to estimate the budget consequences of its adoption [16]. It is also necessary to note the Decree of the Russian Federation government #260 dated June 1, 2004 “On the order of the Russian Federation government and provisions of the Executive Office of the Russian Federation Government” [17] that for the first time fixed the order according to which the legislative act drafts regulating the relations of the entrepreneurship activity entities or its relations with the State, and influencing on macro-economic indicators of the country development are forwarded to the Ministry of Economic Development and Trade of the Russian Federation for the approval.

Almost at the same time Kazakhstan also started forming of contemporary approaches to RIA (1997-1998). Here, the introduction of the impact assessment legislation started with adoption of the Law of the Republic of Kazakhstan #213 “On the laws and regulations” dated March 24, 1998 that fixed the main principles for the scientific expertise of the legislative acts drafts [18]. The formation of the methodical base of assessment started with the approval of the Decree of the government of the Republic of Kazakhstan #598 “On measures on improving the regulatory activity” dated May 30, 2002 (together with Rules of scientific expertise) [19]. These legislative acts not only determined an opportunity of scientific expertise, but described the process of scientific expertise of legislative acts (legal, criminal, linguistic, anti-corruption, and ecological).

In Uzbekistan, the preparation to the RIA system creation started in 2006. The Republican Coordination Council on stimulating and development of small and private entrepreneurship assigned to investigate an opportunity of introduction of such methods in Uzbekistan to improve the business environment. In 2008, the Cabinet Council of the Republic of Uzbekistan adopted a Decree “On measures on introducing the system of legislation acts assessment” to improve the system of development, adoption, and monitoring of the legislation acts implementation [20]. The same year, 8 pilot draft legislations were analyzed, and basing on the RIA procedures three of them were declined.

The terminology for indicating the assessment process differed in each country (table 1). Within this research the authors, in general case, use a term “Regulation impact assessment”.

Table 1 – Terminological approaches to characterize the regulation impact assessment

Country	Term
Russia	Regulatory impact assessment Оценка регулирующего воздействия
Kazakhstan	Until 2014 — Assessment of social and economic effects of laws; from 2015 — Analysis of regulatory impact (ARI) – an obligatory procedure for legislative acts in the field of entrepreneurship [21]
Uzbekistan	The system of legislation acts impact assessment (SLAIA)

The next stage is transfer to RIA on a permanent, system basis. At this stage, the detailed methodical directions are formed that not only describe the common schemes of RIA, but contain concrete directions, algorithms, formats of these procedures. The state authority bodies responsible for regulatory policy forming are established. In 2010, the Russian Federation government adopted a decree that fixed RIA on the legislative level [22], and a leading role in the field of RIA is assigned to the Ministry of Economic Development and Trade. In 2012-2013, the decree of the President of the Russian Federation #601 “On the main trends on improving a system of the state administration” dated 07.05.2012 [23] determined the main aspects of RIA and the main trends of this institute development for the mid-term perspective, and fixed the necessity of public discussion procedure of the legislative acts drafts and RIA results, and determines the RIA introduction on the level of the Russian Federation members from 2014, and local self-government authorities from 2015.

In Kazakhstan, the direct introduction of the RIA elements started in 2011 when the Rules of the scientific expertise was added with an obligation of the governmental body-developer to assess the social and economic consequences of the adopted legislation drafts. In addition, it was stipulated to conduct the scientific economic expertise of the draft laws of the Republic of Kazakhstan by an independent scientific organization, and its organizer was the Ministry of Economics and Budget Planning of the Republic of Kazakhstan. The practical guide for the RIA were the Methodical recommendations on estimating the social and economic consequences of the adopted legislation drafts action of 2011, the Concept of the state regulation of the entrepreneurship activity until 2020. The Concept assumed to create on a permanent bases until 2020 a centralized system of public analysis of the regulatory impact of the existing and newly introduced norms of laws and instruments of economic regulation and introduction on its basis the coordination of the legislation acts by the unions of private entrepreneurship entities acting within the adoption of these legal norms on the base of the international experience [24]. At the present time, in effect is the Law of the Republic of Kazakhstan #480-V “On legislative acts” dated April 6, 2016 that determines the peculiarities of development and adoption of the legislative acts related to the interests of the private entrepreneurship entities including the obligation of the bodies-developers to forward a draft

legislative act related to the interests of the private entrepreneurship entities to the accredited unions of the private entrepreneurship entities and the National chamber of entrepreneurs of the Republic of Kazakhstan to receive an expert approval and obligation to conduct the meetings of expert council if an expert approval on the legislative act requires corrections and requirement of such a meeting by a member of the expert council [25].

In Uzbekistan, the requirements on development of the RIA practice are fixed by a decree of the President of Uzbekistan #UP-4609 “On additional measures for further improvement of the investment climate and business environment in the Republic of Uzbekistan” dated April 7, 2014. [26]. Implementing the requirements of this decree, on December 2, 2014 the Cabinet council of the Republic of Uzbekistan adopted a decree #328 “On measures for introduction of a system of legislation acts impact on entrepreneurship activity”. This decree approves the Status on the order of impact assessment of the developed projects and adopted legislative acts through the United portal of interactive state services [27].

National systems of RIA arrangement. The specifics of the national system of RIA arrangement is determined by three main signs. First – selection of authorized body. Second – distribution of authorities between the authorized body and bodies-regulators.

There are several approaches to the selection of the authorized body. Within the first approach, a new specialized state body with corresponding functions can be established. This model, on the one hand, allows the authorized body for maximum concentration on the problems of RIA arrangement, and to find a solution for principal issues on enhancing the quality of the state regulation of economics. On the other hand, it makes the authorized body more politically vulnerable as it actually contradicts it to other elements of the state administration system.

Within the second approach the functions are laid on already existing body of the executive power. In this case it is important that during the difficult stage of the RIA national system establishment there is an opportunity to use knowledge, qualification and other resources of structures operating for a long time, the expenditures on introducing a new management instrument are optimized.

Within the third approach, the country may have no body responsible for the RIA arrangement in whole, but the conditions and order of the RIA are determined by the bodies – developers of legislative acts.

The analyzed countries have chosen the second approach. In Russia, since 2010, the authorized body in the field of RIA on the federal level is the Ministry of Economic Development of RF. In Kazakhstan it is the Ministry of the National Economics. In Uzbekistan it is the Ministry of Justice. These authorized bodies implement functions on elaborating the state policy and legislative regulation in the field of regulatory impact assessment.

Talking about distribution of authorities in the field of RIA, there are three most spread models - centralized, decentralized, and mixed. The model configuration is determined by power distribution between the body-regulator (developer of the legislative act) and authorized body on arranging two main processes: conduction of RIA with summary report preparation; quality control of conclusions.

The centralized model assumes the designation of an authorized body of the executive power responsible for preparation of conclusions regarding the RIA. The developers (regulators) forward to it the regulation drafts with corresponding documents on the base of which it makes the assessment. The centralized model helps to ensure the higher quality of RIA reports. However, the authorized body may have no specialists having enough expertise in different fields of economics for regulation of which this or that legislative act is prepared.

Within the decentralized model, the responsible for the RIA are bodies – developers of the draft legislative acts, and organizational and methodical support of the assessment process and quality control of conclusions is laid on the authorized body.

Under the mixed model, the functions are distributed in the way that the body-regulator and authorized body participate together in the RIA process, and the authorized body continues to be responsible for the final result – RIA quality. Sometimes, within the mixed model, under the authorized body there could be a coordination (or advisory) board. The coordination board usually discusses the issues regarding which more useful are collective decisions, for example, reasonability of the proposed regulation and necessity to develop a draft legislative act; necessity to implement the detailed regulation impact assessment etc.

In Russia, from 2010, there was the centralized model of RIA. The assessment was conducted directly by the Ministry of Economic Development of Russia. From July 1, 2013 there was a transfer to the decentralized model. The RIA reports are being prepared by the developers, federal bodies of the executive power. Most of the regions also apply the decentralized model, although it is not obligatory.

Kazakhstan also had a way from the centralized to decentralized model. First, the authorized body was the organizer of the scientific economic expertise of draft legislative acts. From 2011 more active became the role of bodies-regulators that earlier just actually waited for the expertise results. The regulators started preparing the Passports on assessing social and economic consequences of the adopted draft laws. And, finally, from 2016 the bodies-regulators prepare a report on the assessment that is forwarded to the authorized body.

It is more difficult to make conclusions on the model used in Uzbekistan. Formally, currently Uzbekistan is closer to the decentralized model. The legal department of the body-regulator has to make a legal expertise in three directions:

- Concordance with the Constitution and laws of the Republic of Uzbekistan, other legislative acts, rules of legislative technique, and justification and reasonability of reference rules application,
- Availability of provisions and norms creating conditions for corruption and other law infringements in the system of the state power and management bodies,
- Availability of provisions and norms introducing excessive administrative and other restrictions for entrepreneurship entities leading to the appearance of unfounded expenditures of entrepreneurship entities.

The Ministry of Justice receives a draft legislative act with expertise results of the body developer. In turn, the Ministry of Justice also examines the draft legislative act according to three criteria mentioned above. The scheme of power distribution between the body-regulator and authorized body is united on the state and regional levels [28].

However, in the open access there is no approved form of expert conclusion with a list of obligatory questions that could be used by a body-regulator and the Ministry of Justice. The conclusions are not published in the open access neither by a bode-regulator or an authorized body. That is why it is difficult to conclude on content concordance of legal expertise approval by the body regulator and authorized body.

In general view, the information on power distribution in the field of RIA in Russia, Kazakhstan, and Uzbekistan is shown in table 2.

Table 2 – Distribution of power regarding RIA

Country	Authorized state body	Model of power distribution	Possibility to choose a model of power distribution at the subnational level
Russia	Ministry of Economic development of RF	Decentralized (earlier – centralized). Currently, the centralized form, in some cases, is used during the introduction of new types of RIA.	yes
Kazakhstan	Ministry of the National Economics of the Republic of Kazakhstan (legal successor of the Ministry of Economics and Budget planning)	Decentralized (earlier - centralized)	yes
Uzbekistan	Ministry of Justice of the Republic of Uzbekistan	Formally decentralized*	no
*Insufficient information in open sources for final conclusion			

Levels of management at which RIA is conducted. From the view of the management level at which the assessment is made (table 3) the widest cover is observed in Russia. Here, RIA is conducted at all levels of management – state, regional, and local. In Russia, the process of RIA introduction into the activity of local self-government authorities started recently – from January 1, 2015 RIA is conducted by the capitals of Russian Federation members, from January 1, 2016 - urban districts and municipal regions,

from January 1, 2017 – settlements. At the end of 2015 it was decided that the Russian Federation member has a right to determine a list of municipal regions and urban districts in which the regulatory impact assessment is obligatory.

In Kazakhstan, the RIA procedure is conducted on the state and regional levels. According to the current legislation, the local representative and executive bodies forward the draft legislation acts related to the interests of entrepreneurs to the accredited associations of private entrepreneurship entities and to the National chamber of entrepreneurs with obligatory attachment of the explanatory note to receive the expert approval. However, it is necessary to note the lack of methodical provision of RIA procedures for the authority bodies of subnational level and formal approach to its implementation in regions. For the RIA development at the regional level, the training workshops aimed at explanation of conditions and requirements on RIA institute introduction into the practice of regional and local government bodies are held.

In Uzbekistan, the regulatory impact assessment is conducted on the state and regional levels. On the regional level in Uzbekistan, the RIA is implemented by the government executive power bodies at administrative divisions of the first grade – in 12 regions, 1 autonomous republic, and 1 city of central subordination.

The RIA is also developed on the supranational level. Russia and Kazakhstan are the initiators of establishment and active members of the Eurasian Economic Union. The Eurasian Economic Union (EAEU) is an international organization of economic integration that ensures free movement of goods and services, capital and labor force, implementation of the coordinated, agreed or uniform policy in economic sectors. The permanently active supranational regulating body of the EAEU is the Eurasian Economic Commission (EEC) that considers a wide range of issues of macroeconomic, customs, financial, currency, energy policy etc.

Considering the importance of the decisions made by the EEC for the development of economies of the EAEU member countries, from July 1, 2013 it applies RIA to draft decisions of the Eurasian Economic Commission. This refers to the drafts on the issues of customs legislation; state control, obligatory requirements to products, implementation of works and services; estimation of concordance and safety of production processes. These are also subjected to public discussion. This procedure is the main instrument of the interaction between the EEC and business community in the process of preparation of supranational regulatory decisions in the Eurasian Economic Union. So, the national regulatory policy of Kazakhstan and Russia is constructed considering not only the specifics and demands of the national states, but considering the priorities of political and economic integration of the EAEU member countries. The general view of the information on the levels of management at which RIA is implemented is shown in table 3.

Table 3 – Level of management at which the regulatory impact assessment is implemented

Country	Level of management			
	Supranational (EAEU)	National	Regional	Local
Russia	•	•	•	•
Kazakhstan	•	•	•	–
Uzbekistan	–	•	•	–

Digital technologies in RIA arrangement. Forming of the national RIA models is implemented not in isolation, but within the general logics of the state management systems basing on the application of new digital technologies. Russia, Kazakhstan, and Uzbekistan work actively on introducing digital technologies in the field of the state administration, denote the national priorities in digitization. Along with this, the degree of concretization of these priorities regarding RIA differs significantly. The Russian Federation has developed an individual federal project “Digital state administration” within the national program “Digital economics of the Russian Federation” [29]. It assumes the creation of the united national system of development and adoption of regulatory decisions in RF by 2024 covering all legal agents of the legislative initiative. The Republic of Kazakhstan has adopted the national program “Digital Kazakhstan” (2018-2022); one of its aims is “Transfer to digital state” [30]. This trend assumes the conceptual

transformation of the state functions into the infrastructure of services rendering to population and business. However, the subprogram does not present the concrete view of the regulatory policy under digitization. Uzbekistan currently discusses the Concept of the national strategy “Digital Uzbekistan 2030”. As the priority of the modernization of the state administration system it denotes the creation of the state administration system based on digital data [31].

Digitalization of the state administration field, in practice leads to redistribution of goal-setting functions in RIA. Now, formulating the strategic view of digitalization in RIA the authorized bodies must consider the positions of Ministries responsible for issues of digital development of economics and state in the analyzed countries. In Russia, it is the Ministry of digital development, communication and mass media (established in 2018 on the base of the Ministry of communication and mass media), in Kazakhstan – the Ministry of information and social development of the Republic of Kazakhstan (established by joining of the Ministry of social development and the Ministry of information and communication), in Uzbekistan – the Ministry for development of the information technologies and communications (established in 2015). All ministries were established on the base of already existing bodies of the executive power, but with significant broadening of authorities.

The most extensive and important example of RIA digitization is application of the official Internet-portals for placement of draft legislative acts and results of its public discussion. In Russia, the official Internet-portal www.regulation.gov.ru was run in 2012. In Kazakhstan, the Internet-portal <https://legalacts.egov.kz/> “Open legislative acts” for placement of draft legislative acts was run recently, in August 2018. In Uzbekistan, the first version of a service on discussing the draft legislative acts and estimation of the existing legislative acts affecting the entrepreneurship activity was run in 2015 on a united portal of interactive state services. Currently, In Uzbekistan, this function is implemented by the Internet-portal regulation.gov.uz

The created portals are aimed at providing the feedback with a user (comments, voting); form the public view regarding the advancement of this or that innovation in the field of legislative acts; accumulate the information base for the final reporting. The official Internet-portals are represented by user-friendly interfaces allowing a user to participate in discussion of interested projects, structure and generalize information on the current stage of the rule-making process.

In Russia, along with the federal portal, the important is the information and analytical portal www.orv.gov.ru. The portal presents the best practices in RIA, opinions of experts on discussing issues regarding the development of assessment, information and training materials, monthly and annual reports of the Ministry of Economic Development on RIA implementation. In 2019, a new information-analytical portal www.knd.ac.gov.ru was created. This portal accumulates the legislative information, opinions of experts and public discussions on conducting in Russia of so-called regulatory guillotine (large-scale review and cancellation of legislative acts having negative impact on general business climate and regulatory environment) [32]. The “guillotine” task is to create, in the fields of regulations, a new system of clear and exact requirements to economic entities, relieve the excessive administrative load on the entrepreneurship activity entities, and decrease the risks of damage of the defended values. Thus, the implementation of RIA called into existence the whole spectrum of digital services becoming a pilot version of digital platform accumulating the rule-making processes, selection of strategic priorities of development of RIA institute and discussion platform.

Conclusion. The conducted research allowed concluding the following:

1. Introduction of RIA institute into the system of the state and municipal administration in Russia and Kazakhstan started almost at the same time (1997 – 1998). Uzbekistan started this process a little later, in 2006 – 2008. The introduction of RIA started with the adoption of the legislative base that defined the order and conditions of RIA implementation in general sense. Then, the state elaborated more detailed procedure of RIA implementation by formulating definite algorithms, mechanisms of the regulatory policy fulfillment. At the same time, in Russia, unlike other two countries, this procedure is implemented even on the municipal level.

2. To estimate the national system of RIA the important issue is the structure of the authorized body. All three analyzed states have selected a strategy according to which the functions of the authorized body are implemented by already existing body of the executive power. In addition, there is an issue of power distribution between the authorized body and bodies-regulators (draft legislative acts developers). Depending on this, the centralized, decentralized, and mixed models are discussed. Russia and Kazakhstan

passed its way from centralized to decentralized system that shows the transformation of the regulatory policy. Currently, the reports on RIA implementation are prepared by the bodies-developers of RIA. The situation in Uzbekistan is more complex as it has less experience in RIA implementation. Formally, we can state that the system is also decentralized, but there is no enough information in the open sources to make such a conclusion.

3. Regarding the levels of RIA application, we note that the largest cover is in Russia. The RIA, here, is applied on federal, regional, and local levels, there is a legislative base describing in details the mechanisms of this procedure implementation on each level. In Kazakhstan and Uzbekistan, the RIA is implemented only on the national and regional levels. In addition, Kazakhstan and Russia construct the interaction within the supranational bodies. Thus, from July 1, 2013 the RIA was introduced for draft decisions of the Eurasian Economic Commission which activity is aimed at economic integration of the Eurasian region countries.

4. It is obvious that the digitalization penetrates to the sphere of the state administration. The President of the Russian Federation, in his Address to the Federal Assembly in 2019 has noted a necessity to adopt federal laws aimed at development of digital economics, and creation and introduction a digital platform operating in pilot mode to receive the addresses of the entrepreneurship activity entities if there is a pressure on them on the part of law-enforcement agencies [34]. The RIA system is not an exception. Russia, Kazakhstan, and Uzbekistan have developed and apply a legislative base on digitalization of the state administration. For RIA implementation they have created special service allowing discussing and assessing the draft legislation acts and receive a feedback. It is also possible to state that the indicated services are a base for accumulation of rule-making processes, determination of strategic trends of RIA, and represent a sort of discussion platform.

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РЕТТЕУШІЛІК ЫҚПАЛДЫ БАҒАЛАУДЫҢ ҰЛТТЫҚ ЖҮЙЕЛЕРІН ҰЙЫМДАСТЫРУ: РЕСЕЙ, ҚАЗАҚСТАН ЖӘНЕ ӨЗБЕКСТАН ТӘЖІРИБЕСІ

Аннотация. Зерттеу Кеңестен кейінгі кеңістіктегі мемлекеттердегі – Ресей, Қазақстан және Өзбекстандағы реттеушілік ықпалды бағалаудың ұлттық жүйелерін ұйымдастыру тәсілдеріне салыстырмалы талдау жүргізуге, аталған елдердегі реттеушілік ықпалды бағалауды ұйымдастырудың қолданыстағы мәселелерін анықтауға, сондай ақ осы институттың тиімділігі мен қолданымдылығын жоғарылату мақсатында оны ұйымдастырудың ең ұтымды тәжірибелерін қалыптастыруға бағытталған. Зерттеу жүргізу үшін тап осы мемлекеттерді таңдау кездейсоқ емес, өйткені бұл мемлекеттер Кеңестен кейінгі кеңістікте орналасқан және оларда мемлекеттік саясаттың транспаренттілігін жоғарылату мақсатында қабылданатын нормативтік-құқықтық актілерді кешенді бағалау тәжірибесі 90-жылдардың соңына дейін болмаған. Сондықтан реттеушілік ықпалды бағалаудың ұлттық жүйелерін қалыптастыру үдерісіне салыстырмалы талдау жүргізу ерекше өзекті мәселеге айналып отыр.

Зерттеу барысында әдістер кешені қолданылған, бұл әдістерді шартты түрде үш топқа топтастыруға болады: 1) реттеушілік ықпалды бағалаудың ұлттық жүйелерін құрудың институционалды тәсілдерін зерттеу әдістері; 2) алыс және жақын шет елдердегі реттеушілік ықпалды бағалаудың ұлттық жүйелерін компаративтік зерттеулер; 3) Кеңестен кейінгі кеңістіктегі жекелеген мемлекеттердегі реттеушілік ықпалды бағалаудың ұлттық жүйелерінің құрылуы мен дамуын талдау. Көрсетілген әдістемелік кешенді қолдау Ресей, Қазақстан және Өзбекстандағы реттеушілік ықпалды бағалауды іске асырудың барлық негізгі бағыттарын қамти отырып, реттеушілік ықпалды бағалаудың ұлттық жүйелеріне жүйелі түрде салыстырмалы талдау жүргізуге мүмкіндік берді. Одан басқа, қазіргі уақытта Кеңестен кейінгі кеңістіктегі жекелеген елдердегі реттеушілік ықпалды бағалаудың ұлттық жүйелерін зерттеуге арналған жұмыстар санының аз екендігін авторлар анықтаған. Осы зерттеу аясында көрсетілген мазмұнды мәселені шешуге талпыныс жасалған.

Зерттеу барысында компаративистік зерттеу жүргізу үшін авторлар төрт негізгі бағытты көрсеткен: мемлекеттік және муниципалдық басқару тәжірибесіне реттеушілік ықпалды бағалауды енгізудің шешуші кезеңдері; реттеушілік ықпалды бағалауды ұйымдастырудың ұлттық жүйелерін сипаттайтын факторлар; реттеушілік ықпалды бағалау іске асатын басқару деңгейлері; сондай ақ реттеушілік ықпалды бағалауды ұйымдастырудағы цифрлық технологиялар.

Зерттеу нәтижелері Ресей, Қазақстан және Өзбекстанның мемлекеттік билік органдары, Еуразиялық экономикалық одақтың ұлтүсті құрылымдарының реттеу саясаты аумағындағы басқару шешімдерін қабылдау және іске асырудың анағұрлым тиімді жолдарын негіздеу үшін, Кеңестен кейінгі кеңістіктегі елдердегі мемлекеттік саясаттың транспаренттілігін жоғарылату үшін, сонымен қатар, мемлекет, бизнес және азаматтық қоғамның өзара әрекеттесуінің тиімді үлгісін қалыптастыру барысында қолданылуы мүмкін. Зерттеу нәтижесінде реттеушілік ықпалды бағалаудың ұлттық жүйелерін дамытудың басым бағыттары ұсынылған.

Түйін сөздер: реттеушілік ықпалды бағалаудың ұлттық жүйелерін ұйымдастыру, реттеушілік ықпалды бағалау, Кеңестен кейінгі кеңістік, компаративтік зерттеулер.

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ОРГАНИЗАЦИЯ НАЦИОНАЛЬНЫХ СИСТЕМ ОЦЕНКИ РЕГУЛИРУЮЩЕГО ВОЗДЕЙСТВИЯ: ОПЫТ РОССИИ, КАЗАХСТАНА И УЗБЕКИСТАНА

Аннотация. Настоящее исследование направлено на проведение сравнительного анализа подходов к организации национальных систем оценки регулирующего воздействия в странах постсоветского пространства - России, Казахстане и Узбекистане, выявление существующих проблем в организации оценки регулирующего воздействия в указанных странах, а также формулирование лучших практик организации оценки регулирующего воздействия с целью повышения действенности и эффективности данного института. Выбор стран для проведения исследования не случаен, ведь данные государства представляют собой постсоветское пространство и до конца 90-х годов не имели опыта комплексной оценки принимаемых нормативных правовых актов в целях повышения транспарентности государственной политики. Именно поэтому особую актуальность приобретает проведение сравнительного анализа процесса формирования *национальных систем оценки регулирующего воздействия*.

Исследование проведено с использованием комплекса методов, которые условно можно подразделить на три группы: 1) способы изучения институциональных подходов к построению национальных систем оценки регулирующего воздействия; 2) компаративные исследования национальных систем оценки регулирующего воздействия в странах дальнего и ближнего зарубежья; 3) анализ становления и развития национальных систем ОРВ в отдельных странах постсоветского пространства. Использование указанного методологического комплекса позволило провести сравнительный анализ национальных систем оценки регулирующего воздействия системно, затрагивая все основные направления реализации ОРВ в России, Казахстане и Узбекистане. Кроме того, авторами было установлено, что в настоящее время представлено небольшое количество исследований, посвящённых национальным системам ОРВ в отдельных странах постсоветского пространства. В рамках данного исследования предпринята попытка решить обозначенную содержательную проблему.

В ходе исследования авторами обозначены четыре основные направления для проведения компаративистского исследования: ключевые этапы внедрения ОРВ в практику государственного и муниципального управления; факторы, характеризующие национальную систему организации ОРВ; уровни управления, на которых реализуется ОРВ, а также цифровые технологии в организации ОРВ.

Результаты исследования могут быть использованы органами государственной власти России, Казахстана и Узбекистана, наднациональными структурами Евразийского экономического союза для обоснования наиболее эффективных путей принятия и реализации управленческих решений в области регуляторной политики, повышения транспарентности государственной политики в странах постсоветского пространства, а также формирование эффективной модели взаимодействия государства, бизнеса и гражданского общества. По итогам исследования предложены перспективные направления развития национальных систем оценки регулирующего воздействия.

Ключевые слова: организация национальных систем оценки регулирующего воздействия, оценка регулирующего воздействия, постсоветское пространство, компаративные исследования.

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