

THEORETICAL AND PRACTICAL ASPECTS OF PUBLIC PARTICIPATION IN LEGISLATIVE ACTIVITY IN UZBEKISTAN

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Annotation: This thesis is devoted to the public participation in the process of legislative activity, in which the documents adopted in this area are analyzed. Moreover, theoretical and practical aspects of public participation in legislative activity in Uzbekistan was described.

Key words: legislative activity, citizens, “regulation.gov.uz”, the portal of “mening fikrim”, the referendum, legislative initiative the Legislative Chamber of the Oliy Majlis.

The real goal of the large-scale constitutional reforms carried out in Uzbekistan is to realize the will of the people, their dreams, ensure their rights and freedom and, ultimately, glorify human dignity, relieve its burden, improve life, bring the principle of social justice to life.

Increasing the role of public by expanding their participation in the legislation is one of the important aspects of these goals.

In order to improve the legal provision of the reforms carried out, as well as to ensure in every possible way the rights, freedoms and legitimate interests of citizens, ensure the guarantees, protection and support of business entities, fully take into account their opinions and form a systematized legislative framework aimed at the comprehensive realization of the principle of “human interests-above all” under the decree of the President of the Republic of Uzbekistan dated August 8, 2018 No.5505 the “Concept of improving the legislative activity” was approvedⁱ.

The decree of the President of the Republic of Uzbekistan “On additional measures to further improve the role of laws in the regulation of social relations and the quality of the norm creativity process” dated February 19, 2024 was adoptedⁱⁱ.

The President of the Republic of Uzbekistan Shavkat Mirziyoyev also addressed this issue, stressing that *“The process of lawmaking should be aimed primarily at solving the pressing problems of our society, at alleviating the burden of our people.”*ⁱⁱⁱ

To analyze the participation of public representatives in the process of legislative activity, it is primarily advisable to comment on the concepts of “legislative activity” and “public representatives”.

Legislative activity is a clearly targeted activity of an authorized state body, aimed at the development and adoption of laws. This activity is a creative process, in which the will of the people is determined, formulated and, in the prescribed manner, elevated to the level of law. Activities related to law and lawmaking have played an important role in all stages of the development of society.

Who is included in the “public representatives”?

According to the third article of law “On public control” “Citizens of the Republic of Uzbekistan, citizens’ self-government bodies, as well as non-profit organizations registered in the manner prescribed by legislation, media are subjects of public control.

Public control can also be exercised by community boards, commissions, and other community organizational structures in accordance with legislation”^{iv}.

The legislative process in the Republic of Uzbekistan consists of the following stages:

- Legislative initiative;
- Acceptance for consideration and discussion of the project;
- Enactment and approval of laws;
- Signing and promulgating laws.

Until April 30, 2023, when the Constitution of the Republic of Uzbekistan was adopted, representatives of the public could only participate in second stage, the adoption for consideration and the discussion of the project.

At this stage, public participation can be divided into several types:

1. Portal of public discussion of projects of normative legal acts of citizens - “regulation.gov.uz”. In this process projects of regulatory legal acts are placed by the author in the procedure established by the legislation for conducting public discussion on the regulatory legal acts projects discussion portal.

Citizens have right to make their own comments and suggestions on each regulatory legal act placed for discussion in Portal of public discussion of projects of normative legal acts - “regulation.gov.uz”

2. Electronic presentation of collective citizen initiatives (web portal – “My opinion”). Paragraph 34 of the State program, approved by the decree of the President of the Republic of Uzbekistan No. 5308 of January 22, 2018, established the implementation of the procedure for electronic collective appeal to the chambers of the Supreme Assembly of the Republic of Uzbekistan, the regional, district and city councils of people's deputies through the special web portal “my opinion”.

The web portal “My opinion” was created in order to expand the opportunities of citizens in our country to participate in the management of society and state affairs, to ensure the openness of the activities of representative bodies of state power, to ensure the viability and effectiveness of the laws being adopted.

3. According to the law of the Republic of Uzbekistan “On the referendum of the Republic of Uzbekistan”, the referendum of the Republic of Uzbekistan is a nationwide vote of citizens on the most important issues of society and state life for the purpose of making laws and other decisions of the Republic of Uzbekistan.

The President of the Republic of Uzbekistan Shavkat Mirziyoyev, in a speech at a meeting with members of the Constitutional Commission on June 20, 2022, proposed “*to introduce the Institute of legislative proposals into the Constitution. Through this rule, the people gain the right to take direct initiative. No fewer than 100,000 citizens would have the opportunity to include their legislative proposals in the House of Commons*”^v.

Article 98 of the Constitution of the Republic of Uzbekistan established that citizens of the Republic of Uzbekistan who have the right to vote, not less than one hundred thousand people, are entitled to include legislative proposals in the Legislative Chamber of the Supreme Assembly of the Republic of Uzbekistan in the legislative initiative.

The proposals made by citizens to Parliament for the improvement of legislation are mainly related to the legal relations that they face directly in social life. This plays an important role in solving the most acute and systemic problems in society, which are

necessary for legal regulation, on the principle of "society – reform initiator", eliminating legal "loopholes". In addition, these proposals are also important for members of Parliament to effectively implement legislative creativity, and ultimately for the adoption of popular laws.

ⁱ National database of legislative data, 30.04.2021., 06/21/6218/0398 // <https://lex.uz/docs/-3858817#-3861999>

ⁱⁱ National database of legislative data, 25.06.2024., 07/24/231/0445.

ⁱⁱⁱ https://uza.uz/oz/posts/qonun-ijodkorligi-jarayoni-xalqimizning-ogirini-yengil-qilishga-qaratilishi-kerakligi-takidlandi_658232

^{iv} National database of legislative data, 21.04.2021., 03/21/683/0375.

^v https://uza.uz/oz/posts/endilikda-fuqarolar-ham-qonun-tashabbuskori-bolishi-mumkin_469777