
FORMATION OF THE LEGAL BASIS OF PUBLIC CONTROL IN THE REPUBLIC OF UZBEKISTAN

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ABSTRACT

This article describes in detail the formation of the legal framework of public control in Uzbekistan after the independence of the Republic of Uzbekistan, the activities of public control, relevant legal norms and their implementation in practice.

KEYWORDS: *society, democracy, rule of law, law, civil society, public scrutiny.*

INTRODUCTION

From the first days of independence, Uzbekistan has set itself the goal of building a democratic civil society and a gradual transition to a market economy. The beginning of political and economic reforms necessitated the formation of public control. Because public oversight is one of the most important institutions of civil society.

During the period of independence, one or another of the rules for the exercise of public control over civil society institutions in various areas has been reflected in more than 40 regulations. The Constitution of the Republic of Uzbekistan and national legislation strengthen the priority rules for public oversight. In particular, Articles 2, 35 and 60 of the Constitution of the Republic of Uzbekistan strengthen some provisions of civil society institutions and the exercise of public control over citizens.

Public oversight is a mechanism for the application and implementation of laws and decisions of public authorities in the person of individual citizens and through civil society institutions, as well as the evaluation of the results of these processes. [1]

The current experience of developed countries proves that for the effective functioning of public authorities in today's civil society and the rule of law, their activities must be under public control. Therefore, for the effective use of this mechanism, Uzbekistan from the first years of independence has followed the path of forming its legal framework. Weak public scrutiny is common in countries in transition. So, first of all, it was necessary to form the legal basis of public control. During the period of independence, one or another of the rules on the exercise of public control over civil society institutions in various areas has been reflected in more than 40 normative documents.

The Constitution of the Republic of Uzbekistan and national legislation do not strengthen the priority rules for public oversight. The Constitution of the Republic of Uzbekistan, which is the basis of all existing laws, resolutions and orders, enshrines the essence of civil society institutions and public control over citizens in a number of its legal norms.(Article 32)

Citizens of the Republic of Uzbekistan have the right to participate in the management of public and state affairs directly and through their representatives. Such participation is achieved through self-government, referendums and the democratic organization of state bodies, as well as the development and improvement of public control over the activities of state bodies. The procedure

for exercising public control over the activities of state bodies shall be established by law. (Article 58)

The state ensures the observance of the rights and legitimate interests of public associations, creates equal legal opportunities for them to participate in public life. Interference of state bodies and officials in the activities of public associations, as well as interference of public associations in the activities of state bodies and officials is not allowed. (Article 59)

Trade unions represent and protect the socio-economic rights and interests of employees. Membership in trade unions is voluntary. (Article 60) Political parties represent the political will of various classes and groups and participate in the formation of state power through their democratically elected representatives. Political parties shall report to the OliyMajlis or a body it represents on the sources of funding for their activities in accordance with the established procedure. [2]

Also, the Law of the Republic of Uzbekistan "On citizens' self-government bodies", "On trade unions, guarantees of their rights and activities", "On public associations in the Republic of Uzbekistan" The Law on Citizens' Appeals and a number of other laws include legal norms on participation in the exercise of public control by citizens' self-government bodies and non-governmental organizations. These legal norms have been strengthened by law, and to date, the decrees of the President and the Cabinet of Ministers of the Republic of Uzbekistan have created such conditions as state support, the establishment of preferential tax payments, strengthening the material and technical base.

At the same time, Article 7 of the law establishes the following rules regarding the user of information and his rights: The user of information is an individual or legal entity that seeks information about the activities of public authorities and administration. The user of the information has the following rights:

Receive and disseminate reliable information on the activities of public authorities and administration; To request information on the activities of public authorities and administration, provided for in Article 5 of this Law, directly or through their representatives; Refusal to receive information on the activities of public authorities and administration;

The user of the information may have other rights under the law. Of course, this law has played an important role in the formation of public control in the country and the development of the legal culture of citizens. Activists of the media, entrepreneurs, and non-governmental organizations in the country not only defended their rights based on this law, but also became aware of the democratic values inherent in civil society, and their civic positions began to take shape.

The adoption of the Law on Environmental Control by the country's parliament on December 27, 2013, which provides a legal framework based on the experience of national and developed countries in the field of nature protection legislation. Article 4 of the law defines the main tasks of environmental control as: prevention, detection and suppression of violations of the legislation in the field of environmental protection and rational use of natural resources; to monitor the state of the environment, to identify situations that may lead to environmental pollution, misuse of natural resources, and threaten the lives and health of citizens;

- Determine the compliance of the planned or ongoing economic and other activities with environmental requirements;
- Ensure the observance of the rights and legitimate interests of legal entities and individuals in the field of environmental protection and rational use of natural resources, the fulfillment of their obligations;

Informing government agencies and other organizations and citizens about changes in the environment, its forecast status, use of natural resources and appropriate measures taken;

- Increasing the effectiveness of nature protection activities and ensuring the participation of citizens' self-government bodies, non-governmental non-profit organizations and citizens in the implementation of state environmental programs and other environmental programs.

The law also defines the types of environmental control - state, departmental, industrial public environmental control, the order and method of its implementation, the forms of registration and implementation of control results. The rights and obligations of state bodies, as well as non-governmental non-profit organizations, citizens' self-government bodies and citizens were expressed.

The law defines civil society institutions and citizens as subjects of public environmental control, and the coordination of public environmental control is entrusted to citizens' self-government bodies. Article 15 of the law defines the powers of citizens' self-government bodies in the field of environmental control as follows:

Public oversight in civil society is the process of enforcing the law by citizens, civil society institutions, the media, political parties, public associations, and trade unions to ensure that they perform their duties responsibly and, as a result, are qualified and effective in society. control and inspection of the activities of public authorities and local governments in order to enforce governance. In today's modern, developed countries, public scrutiny forces the executive and other branches of government to abide by the law and to exercise their rights and powers competently. As mentioned above, the weak state of public control can be seen in the results of scientific research in countries that are in transition.

We can see this process in the example of Uzbekistan in the first years of independence. Between 1991 and 2015, the conditions were created for the formation and development of public control in the country. Public scrutiny has begun to emerge as an element of citizen legal culture.

However, the activities of the Institute of Public Oversight have shown their resources since 2017 the beginning of a radical turning point in the reform of society. The adoption in Uzbekistan of the "Strategy of Actions on the five priority areas of development of the Republic of Uzbekistan for 2017-2021" was a major step in the legal formation and development of public control.

In particular, the Law on Public Oversight, adopted on April 12, 2018, was the most important basis for the development of civil society. The law sets out the following basic principles of public control: the supremacy of the rights, freedoms and legitimate interests of citizens; voluntary participation in the exercise of public control; transparency and openness of public control; legality of subjects of public control; independence of subjects of public control in state bodies; objectivity and objectivity of subjects of public control, reliability of results of public control.

According to the law, public control is carried out in the following forms: appeals and inquiries to government agencies; public discussion; public hearing; public monitoring; public monitoring; study of public opinion; hearing reports of citizens' self-government bodies, heads of executive bodies and other organizations.

The Law on Public Oversight has been an important event in raising the prestige and status of public oversight in Uzbekistan. Current laws, presidential decrees, the Strategy of Action and other legal norms aimed at developing public control serve as a legal basis for the development of civil society in the country, which in turn ensures the socio-political participation of citizens in public administration. In particular, the application and practical implementation of the principle of the President of the Republic of Uzbekistan Sh. M.Mirziyoyev "The people should serve our people, not government agencies" [3], led to the modernization of government agencies and the

creation of a legal framework.

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