

## CIVIL SOCIETY INSTITUTIONS IN THE REPUBLIC OF UZBEKISTAN: DEVELOPMENT PROSPECTS

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### ABSTRACT

*The article analyzes the creation of the Public Chamber, its tasks in supporting the development of civil society institutions in Uzbekistan, the large-scale socio-political, socio-economic, judicial, legal, democratic reforms and transformations carried out in the country.*

**KEYWORDS:** *Public Chamber, Civil Society, Uzbekistan, Development, Society.*

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### INTRODUCTION

Recently, significant measures have been taken in Uzbekistan to increase the level of social partnership between the state, society and citizens, the role and importance, social activity of non-governmental non-profit organizations (NGOs) and other civil society institutions in the implementation of democratic transformations in all spheres of society and the state.

An analysis of the legislation shows that public relations in society related to the activities of NGOs and the implementation of social partnership in society are regulated by more than 200 legal acts aimed at improving the efficiency of non-governmental non-profit organizations.

At the same time, the state of affairs in this area indicates the presence of some serious problems that prevent the active participation of non-governmental non-profit organizations in the ongoing large-scale reforms, raising the political culture, legal awareness of citizens, satisfying their spiritual and other non-material needs, and creating the necessary institutional base for their full support [2].

Modern civil society in Uzbekistan is undergoing changes that affect both the practical aspects of our life and the conceptual provisions of the development of society. There is a rethinking of many values, one of which is a social partnership. In modern conditions, there is a need to create a new model of interaction between the state and society. Due to the noted circumstances, the problem of social partnership is put forward among the priority areas of the theory and practice of social management.

Based on the fact that the currently functioning civil society institutions play an important role in protecting the rights and legitimate interests of individuals and legal entities, democratic values, achieving social, cultural and educational goals, there is a need for further development and improvement of the country's legislation in this area.

The adoption of the Decree of the President of the Republic of Uzbekistan "On measures to radically increase the role of civil society institutions in the process of democratic renewal of the country" is a turning point in the development of the processes of deepening socio-political and socio-economic reforms in the country and creates<sup>1</sup> appropriate conditions for the full-fledged activities of the parties involved in the creation social partnership, in the formation of an atmosphere of mutual understanding, harmony, cohesion and stability in society [5].

The adopted Decree of the head of our state provided for the creation of an Advisory Council for the development of civil society under the President of the Republic of Uzbekistan, which would be responsible for establishing a systematic and effective dialogue between the state and civil society institutions, developing proposals for determining strategic directions and forming a national model for the development of civil society.

This council was supposed to discuss topical issues, further development of civil society, with further informing the President of the Republic of Uzbekistan about the state and development trends in this sector.

Experts and prominent representatives of civil society involved in the work of this body would prepare proposals and developments on organizing effective interaction between state bodies and civil society institutions, measures to support and encourage their activities;

Fundamental and applied research covering the development of civil society, organizing a systematic study, generalization and analysis of public opinion on state policy in the field of civil society development and its practical results will be the focus of this advisory body.

The Advisory Council for the Development of Civil Society would systematically make proposals to the head of state on improving the activities of civil society institutions, implementing social partnership and public control, creating favourable conditions for expanding their participation in public activities, developing indicators for assessing the development of civil society, the level of interaction between its institutions with state bodies, to prepare periodic and special reports on their basis, including alternative ones.

Foreign practice in the development of civil society suggests that the development of market relations in the economy, the formation of its diversity, the emergence and growth of a layer of active entrepreneurs, owners require new approaches to the formation and implementation of social partnership [3].

Historical analysis shows that a certain trend can be traced to the development of the social partnership. The objective and subjective prerequisites for its emergence originated in the 19th century, when professional and business unions firmly entered life, and the state was forced to become an arbiter in conflicts between labour and capital. But the very phenomenon of social partnership, sometimes under other names, was established ideologically and practically, primarily under the influence of the upheavals of the first half of the 20th century (Russia, USA, Germany, Turkey, France, Italy, Spain, etc.).

The emergence of the social partnership was also facilitated by the complication of the social structure of society in developed countries, where, due to the increased general level of well-being, the number of owners increased, representing the interests of a large number of small,

medium-sized investors who entrusted them with the management of their property. The position of small businesses has strengthened; their role in the economy has increased. Significantly increased the number and increased the role of employees working in both state and non-state organizations and institutions. In the 20th century, a "middle class" was formed, which was fundamentally interested in strengthening socio-economic stability in their country and eliminating signs of social cataclysms in society [1].

Thus, in the modern development of mankind, there is a tendency towards a broad interpretation of social partnership as one of the ways of cooperation between various sectors of society, and the emphasis is placed on the non-profit sector.

However, we should not forget that traditionally, social partnership means, first of all, relations in the social and labour sphere between employees and employers, which are formed with the active participation of the state. The social partnership means cooperation between employers and trade unions in improving employment conditions and ensuring the right of employees to participate in resolving issues related to the activities of the organization.

The modern social partnership that exists in developed democratic countries (USA, Canada, Great Britain, EU countries, Japan, etc.) is generally based on compromise, the development of an optimal formula for mutually acceptable conditions that take into account the interests of various socio-political and economic forces in society. The practice of putting forward demands that could undermine the position of employers and employees is a thing of the past. This can be seen especially clearly in Germany, where trade unions, which have significant and institutionalized experience of cooperation with business, make significant concessions in defending the interests of workers, realizing the need to modernize production and major structural changes in the economy. Of course, there are quite deep traditions of social partnership in the world, which must be studied constantly.

We can say that the Decree "On the establishment of the Public Chamber under the President of the Republic of Uzbekistan" is a timely document for organizing the further development of social partnership in the country, creating an atmosphere of harmony and cohesion in society, the practical embodiment of the ideas of ensuring the interests of citizens in everyday activities, protecting labour rights and freedoms a person, providing conditions for effective and mutually beneficial cooperation between citizens, entrepreneurs and the state, a reliable barrier for the prevention of social upheavals through the preventive implementation of public control [6].

Moreover, its adoption answers many emerging issues of modern society, which is undergoing profound changes affecting both the practical aspects of our life and the conceptual provisions of the country's national legislation.

Types of control legal activity can be distinguished depending on many criteria (reasons). The most significant is the division of control activities depending on: from the controlling subject (activities of state and non-state organizations, etc.); legal force of the legal act on which control powers are based; areas of activity of various independent bodies; object of control; sectoral affiliation of controlled legal relations; level of control legal activity and other criteria.

At the same time, one should proceed from the fact that, firstly, control legal activity is an independent type of legal activity, and secondly, it complements other types of legal activity. Hence, the result of control legal activity will not control over the actions of controlled entities as

an end in itself, but an increase in the efficiency and quality of their work in fulfilling the social tasks assigned to them and the functions assigned to them, and on this basis - more complete satisfaction of the needs and interests (general social, group and individual). It is necessary to investigate the correlation of control legal activity with law-making, law enforcement (including operational-executive and law enforcement), coordination and other types of legal activity. For the Public Chamber under the President of the Republic of Uzbekistan, legal control activities are aimed at checking the degree of compliance with legal requirements by controlled entities and suppression of an offence, which ultimately should lead to an increase in the efficiency of all types of legal activities. The increase in the degree of compliance with the requirements of laws in the Republic of Uzbekistan by the regulated bodies, thanks to the legal control activities of the Public Chamber under the President of the Republic of Uzbekistan, will ensure an increase in the strength of the mechanism of legal regulation by society and the state by effectively resolving emerging problems and satisfying the legitimate interests and rights of citizens. Therefore, we must consider public control as a legal control activity, which is an autonomous, specific activity that has become isolated in the process of division of labour and specialization in management, fulfilling special goals and tasks, serving as a way to combine rule-making, law enforcement, coordination and systematization of the actions of various subjects of law.

If we turn to foreign experience in the organization and activities of the Civic Chamber of the Russian Federation, it should be noted that this chamber was formed in accordance with the Federal Law of the Russian Federation "On the Civic Chamber of the Russian Federation" dated April 4, 2005 No. 32. According to the Law, the Civic Chamber is elected every two of the year and carries out the interaction of citizens with state authorities and local self-government in order to take into account the needs and interests of citizens, protect their rights and freedoms in the formation and implementation of state policy, as well as in order to exercise public control over the activities of government bodies [4].

The formation of the Public Chamber took place in three stages. At the first stage, the President of the Russian Federation, based on the results of consultations with public associations and other organizations, turned to 42 Russian citizens who have special merits to the state and society with a request to take part in the work of the Public Chamber, after written confirmation of their consent to this work, their candidacies were approved Decree of the President. At the second stage, 42 approved candidates were selected by another 42 representatives who expressed a desire to include their representatives in the Chamber, from all-Russian public organizations. At the third stage, the elected members of the Civic Chamber formed seven initiative groups (according to the number of federal districts) to prepare meetings in the constituent entities of the Russian Federation and conferences in federal districts. From each federal district, six candidates were preliminarily elected from the submitted candidates determined at conferences in the federal districts. After that, 84 previously elected members of the Chamber elected 42 more representatives from regional and interregional associations.

The tasks of the Public Chamber include conducting an examination of draft federal laws and draft laws of the constituent entities of the Russian Federation, public control over the activities of the government of the Russian Federation, federal executive authorities, executive authorities of the constituent entities of the Russian Federation and local governments, as well as monitoring the observance of freedom of speech in the media and developing recommendations on these and other issues.

Thus, having considered the Federal Law "On the Public Chamber of the Russian Federation", it can be stated that the created structure is an independent public institution, one of the main tasks of which is "accumulation and generalization of public proposals that will be sent to the president for consideration." Also, one of the important functions of the chamber is to work to strengthen the position of civil society as a whole, in this regard, members of the Public Chamber must annually submit a report on the state of civil society in the Russian Federation [8].

The tasks of the Public Council of the Republic of Armenia include: organizing public hearings or discussions on issues of public interest, as well as those related to the most important areas of public life, conducting a public examination of existing laws and other legal acts, state programs, strategies, concepts and their drafts and giving opinions, including proposals for amendments and additions to them.

The Public Chamber consists of 45 members. Any person who has reached the age of 25, has served the Republic of Armenia, has a reputation in the society or his professional field, as well as any person who has the skills necessary to perform the tasks assigned to the Public Council, can become a member of the council. The 15 members of the chamber are appointed by the Government, 30 - elected from among representatives of local governments, relevant non-governmental organizations, national organizations of creative unions, student organizations, media, veterans' associations, scientific organizations, consumer protection associations, business and industrial associations, religious organizations.

Finnish Civil Society Policy Advisory Council. The Council is to promote and cooperate interaction between civil society and public authorities; monitor changes in the working environment of civil society; put forward initiatives, proposals and opinions for the development of areas related to the politics of civil society; assessment of NGO strategy, ministries and practice of public consultations; presentation of initiatives in the national and international policy of NGOs; initiating research and development, promoting research activities and using research results, and disseminating the results of projects and research.

People's Political Consultative Council of the People's Republic of China The Council is a constitutional advisory body serving as a platform for the democratic participation of civil society institutions in public affairs. The range of tasks includes political consultation of the country's leadership and the exercise of democratic control; organization of the activities of the various parties, organizations and representatives of various nationalities and public circles included in the Council for participation in the political life of the country.

Thus, based on the experience of exercising public control in the Russian Federation, the Republic of Armenia, Finland and the People's Republic of China, we can confidently use this experience in the work of the Public Chamber under the President of the Republic of Uzbekistan, the legal basis of which can also serve as the Law of the Republic of Uzbekistan "On the Introduction amendments and additions to some legislative acts of the Republic of Uzbekistan aimed at strengthening public control", adopted on August 29, 2019, under No.ZRU-559 and providing for public control in the field of denationalization and privatization; in the field of quality and food safety; protection and use of flora and fauna; in the field of protection, breeding, reproduction, restoration, increase in productivity and use of forests; in the field of radiation safety; in the field of mental health care; in the use of budgetary allocations, funds from extra-budgetary funds of budgetary organizations, held competitions (tenders) and



delivery of purchased goods, posted by ministries, departments, state trust funds and other managers of budgetary funds on their official websites.

Thus, the Civic Chamber assists in enhancing the participation of citizens in the affairs of the state and society, as well as in the introduction of modern mechanisms of public-private partnership.

The Public Chamber consists of 50 members working on a voluntary basis, its composition is formed in the following order:

- 18 members are appointed by the President;
- 18 members are selected from candidates submitted by NGOs, the media and members of the general public;
- 14 members are representatives of regional public chambers.

The Regional Public Chamber consists of 21 voluntary members and is formed from representatives of NGOs operating in the regions, academia, the media and the general public.

The term of office of members of the Public Chamber and regional public chambers is 3 years.

The Presidential Decree abolished the Advisory Council for the Development of Civil Society under the President and the Center for the Development of Civil Society. Also, the web portal "Meningfikrim" was transferred to the jurisdiction of the Public Chamber.

If we point to the duties of the Public Chamber, then this body: annually submits to the President and the chambers of the OliyMajlis an annual national report on the state and trends in the development of civil society; considers proposals for amendments and amendments to the Constitution, draft regulations on the most pressing issues of the country's socio-economic life and of particular interest to the public; has the right to send a request to state bodies and organizations demanding that they provide reasonable explanations or state their point of view on the implementation of laws, state programs in various fields, as well as on other important issues within their jurisdiction.

The chairman of the Public Chamber is equal in status to a minister, the first deputy and deputy chairmen are equal to the first deputy minister and deputy ministers, respectively.

One of the most important initiatives of the 2020 Address of the President of the Republic of Uzbekistan Shavkat Mirziyoyev to the Oliy Majlis was associated with the idea of creating a Public Chamber in our country. On April 16 of this year, the Decree of the President of Uzbekistan on the establishment of such a body was adopted.

In our opinion, the Civic Chamber will play a positive role in the development of democracy, in protecting the rights and interests of citizens and improving the socio-economic conditions of public life in our country.

In a word, the Public Chamber is a completely new institution that will be an important institution in ensuring the consistent development of civil society in our country, enhancing the prestige and role of the population, non-governmental organizations and other institutions of civil society in governance. Public and state affairs.

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