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**TRANSFORMATION AND RENEWAL OF THE FUNCTIONS OF THE  
REPUBLIC OF UZBEKISTAN IN THE FORMATION OF CIVIL SOCIETY  
AND THE CONSTRUCTION OF A LEGAL DEMOCRATIC STATE,  
STUDYING THE EXPERIENCE OF FOREIGN COUNTRIES**

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**ABSTRACT**

*In this article analyzed transformation and renewal of the functions of the republic of Uzbekistan in the formation of civil society and the construction of a legal democratic state, studying the experience of foreign countries. In addition, author of this article illustrates history of civil society development in Uzbekistan and Uzbekistan in the process of forming an active civil society. Moreover in this article analyzed trends in the development of civil society in the country and features of political processes through the prism of the participation of civil society institutions in them. As a result of this analyze author give a several suggestion and recommendations for the development of citizen society in Uzbekistan.*

**Keywords.** Transformation, renewal of the functions, Uzbekistan, civil society, history of civil society, trends in the development of civil society.

**АННОТАЦИЯ**

*В данной статье проанализировано преобразование и обновление функций Республики Узбекистан в формировании гражданского общества и строительстве правового демократического государства с изучением опыта зарубежных стран. Кроме того, автор данной статьи иллюстрирует историю развития гражданского общества в Узбекистане и Узбекистан в процессе формирования активного гражданского общества. Кроме того, в данной статье проанализированы тенденции развития гражданского общества в стране и особенности политических процессов через призму участия в них институтов гражданского общества. В результате этого анализа автор дает ряд предложений и рекомендаций по развитию гражданского общества в Узбекистане.*

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*Ключевые слова. Трансформация, обновление функций, Узбекистан, гражданское общество, история гражданского общества, тенденции развития гражданского общества.*

## **INTRODUCTION**

Civil society in Uzbekistan is primarily associated with the mahalla, a system of local self-government historically established in Central Asia. The mahalla system in Uzbekistan is the most important institution of local self-government, which plays a significant role in the socio-economic development of the country. Mahalla is an organization created on the initiative of citizens, responsible for providing assistance to community members and conducting other social work (conflict resolution, general community issues, and others). The activities of this organization are carried out within the framework of the "Law on Citizens' Self-Government Bodies", adopted in 1999. Today, the concept of civil society in Uzbekistan is much broader than the traditional "mahalla" system and includes the private sector, public initiatives, state initiatives, political parties, and other subjects of civil society.

In a broad sense, civil society began to develop in 1991-1995. Among the first non-governmental non-profit organizations (NGOs) established during this period were the Association of Businesswomen of Uzbekistan "Tadbirkor Ayol" (the organization's offices operate in Tashkent and all regions of the republic), the Association of Pediatric Doctors (Bukhara), "Persistent" (Nukus), the Association of Accountants and Auditors (Tashkent), Women's Resource Center (Tashkent) and "CRIDI" (Tashkent).[1, 25p]

The Government also supported the creation of NGOs. In order to support women's initiatives, the Women's Committee of Uzbekistan was established. The Kamolot Foundation has been established for the development of youth; the international non-governmental charitable foundation "Soglom Avlod Uchun" is working on children's health issues; the international environmental foundation "Ecosan" is considering environmental issues. The Mahalla Foundation works at the community level, and the Chamber of Commerce and Industry of the Republic of Uzbekistan is working to support local entrepreneurs.

In the second half of the 90s, support for civil society initiatives in Uzbekistan began to be provided by international organizations, including NGOs and development institutions, including the United States Agency for International Development (USAID), the United States Peace Corps, the United Nations Development Program (UNDP), Oxfam NOVIB, the European Union Technical

Assistance Program for countries CIS (TACIS), the Konrad Adenauer Foundation, the International Center for Non-Profit Law (ICNL) and the Organization for Security and Co-operation in Europe (OSCE). Later, the World Bank and the Asian Development Bank began their activities in the country in support of improving the welfare of the population.[2, 35-48p]

There are a large number of women's NGOs operating in Uzbekistan. Most of them were created in 1995-1996. At that time, organizations such as the Tashkent Center for Women Leaders, the Association of Women Veterans, the Samarkand Trust Center "Sabr" and others were established. By the end of 2001, there were 98 women's NGOs. With the support of international organizations, the heads of NGOs of Uzbekistan visited countries such as the USA, Poland, Germany and the United Kingdom in order to study the international experience of NGO activities, and also participated in various international conferences, seminars and meetings.[3, 78p]

## **DISCUSSION AND RESULTS**

Uzbekistan in the process of forming an active civil society

The theory and practice of building a democratic rule of law is directly related to the formation and level of development of civil society. In modern Uzbekistan, the processes of democratization and modernization are considered in close connection with the activation of civil society institutions.

In less than 5 years that have passed since the election of the President of the Republic of Uzbekistan in December 2016, the country and society have been moving forward dynamically, confidently overcoming the accumulated unresolved problems over the previous years of independent development.[4-5, 80p]

Democratic principles of state authorities and civil society institutions in modern Uzbekistan.

According to Article 7 of the Constitution of the Republic of Uzbekistan, "the people are the only source of State power. State power in the Republic of Uzbekistan is exercised in the interests of the people ..." In recent years, an effective and stable system has been formed in Uzbekistan, ensuring the supremacy of the Constitution and laws, in which neither the people serve state bodies, but state bodies serve the people. [6-8, 25p] It is with the approval of this principle that the formation of an active civil society can be counted. In order to implement this provision of the Constitution, the Supreme power has taken large-scale and extraordinary actions to comply with the rule of law, establish legal order, deeply reform the entire law enforcement and judicial system, and actively develop civil society.

In confirmation of what has been said, an excerpt from an article by the Spanish national online publication Diario Arbat should be cited, where it says that "after Shavkat Mirziyoyev became head of state, he identified the formation of a strong civil society as one of the most important tasks."

This is evidenced by the Decree signed by the President of the Republic of Uzbekistan dated March 4, 2021 "On approval of the Concept of Civil Society Development in 2021-2025" with a detailed Roadmap of concrete actions. The Decree contains provisions on the support of non-governmental non-profit organizations and other civil society institutions, on strengthening social partnership between civil society institutions and state bodies, on the implementation of effective public control, as well as on improving the legal framework governing this area. [9, 15p]

Currently, democracy in the new Uzbekistan means not only democracy with secured freedoms, rights and legitimate interests of citizens, but also the consistent implementation of their guarantees. This implies the establishment of an effective system of public control by civil society institutions, primarily the media, Internet resources, bloggers and NGOs. It is only through the interaction of civil society institutions with state authorities that it is possible to ensure a decent quality of life for people, the rights and freedoms of citizens. [10, 25p]

A significant event in 2020 was the fact that Uzbekistan was elected a member of the UN Human Rights Council. This became possible as a result of the ongoing reforms in the country to form a rule of law and civil society.

The relationship between civil society institutions and public authorities within the framework of the classical model in Uzbekistan is carried out according to the following basic principles:

- civil society appeals to the State with its initiatives that require support;
- the state studies civil initiatives, supports and approves them;
- the State provides material, moral, and informational support to civil society institutions.

Historically, the institution of civil society in Uzbekistan is the mahalla, a self-governing body of citizens. This institution of civil society has passed a long test of time and in fact proved the necessity of its existence as an important link between society and the state. The mahalla is in demand today more than ever for its powerful potential for civic engagement. It is no coincidence that all the trips of the head of the country to the regions include mandatory visits to mahallas, not according to a pre-prepared program, but impromptu. Such meetings, an open dialogue in one or another

mahalla make it possible to identify problems that take place almost throughout the republic. [11-13, 32p]

The Mahalla, as an institution of civil society in Uzbekistan, is currently undergoing its new revival, as it finds solid support from state authorities, the media and the business community.

In the process of forming an active civil society, a special role is assigned to the Oliy Majlis of the Republic of Uzbekistan (Parliament) and the kengashes of people's deputies of all levels. Currently, the activities of representative bodies of state power are aimed at close cooperation with civil society institutions, both in the development of legislative acts and in the discussion of pressing problems in the regional context. The Head of State demands constant and steady interaction of deputies at all levels with civil society institutions. The head of the country has set a task for both members of the government and deputies of the Parliament of the republic to spend the main time of their work in the regions, districts and mahallas. Currently, this work on the part of state bodies in cooperation with civil society institutions: political parties, mahallas, mass media, trade unions and other civil society structures has sharply raised the degree of public confidence in state bodies. [14, 25p]

#### **Trends in the development of civil society in the country**

Trends in the development of civil society in the country pose the task of partnership of state bodies with civil society institutions. The legal basis and guarantee of the formation of civil society is the Constitution, the Laws of the Republic of Uzbekistan "On public Control", "On non-governmental non-profit organizations", "On mass media", "On public-private partnership", "On openness of the activities of public authorities and management", "On appeals of individuals and legal entities" as well as Presidential Decrees "On measures to radically increase the role of civil society institutions in the process of democratic renewal of the country", "On additional measures to ensure the openness of the activities of state bodies and organizations, as well as on the effective implementation of public control", "On the approval of the concept of civil society development in 2021-2025". [15, 85p] Thus, the listed normative legal acts allow us to identify the main trends in the formation of an active civil society, which include the following tasks:

- strengthening the legal foundations of the concepts of "civil society" and "civil society institutions" and improving their organizational and legal forms;
- development of criteria and methodology for evaluating the activities of civil society institutions, taking into account their contribution to the solution of socio-economic issues and the development of society;

- revision of legislative acts on the activities of mass media, journalists and bloggers, their unification into a legislative act of direct action;
- transfer of all public services between non-governmental non-profit organizations and the registration authority in electronic form;
- creation of analytical, scientific and educational laboratories (think tanks) for scientific and theoretical study of civil society, constant analysis of its development;
- conducting applied and fundamental research on the development of civil society and organizing retraining and advanced training courses for representatives of non-governmental non-profit organizations and other civil society institutions.
- simplification of procedures and elimination of bureaucratic barriers related to registration of civil society institutions and receipt of funds from foreign sources;
- analysis and generalization of the Declaration on Human Rights Defenders and other international documents, as well as improvement on their basis of the legal framework for the activities of human rights defenders.

Special attention at the present stage of the development of civil society is given to such an important institution as public control. In the absence of public control by society, public authorities do not always perform their duties in good faith and effectively. That is why the creation of effective mechanisms for public control over the activities of public authorities and management remains an urgent task in the field of the development of civil institutions. [16-21, 65p]

It is also noteworthy that a system is currently being created in the country aimed at implementing appropriate monitoring and public control by civil society institutions over the activities and quality of work of law enforcement agencies. This immediately affected the mood of the citizens of Uzbekistan. Over the past 4 years, the number of complaints and statements addressed to these structures has sharply decreased.

### **Features of political processes through the prism of the participation of civil society institutions in them.**

Every year new public organizations appear in Uzbekistan due to the fact that the government has created a favorable basis for this process. The appearance of each organization is not accidental. One of the most common reasons, as already mentioned, is to protect the interests of citizens.

All non-governmental non-profit organizations can be considered as human rights NGOs, because according to the Law of the Republic of Uzbekistan "On non-

governmental non-profit organizations" one of their main tasks is the protection of human rights and democratic values.

Created everywhere on the initiative of the head of the country, the people's, virtual reception rooms of the President, and then the Prime Minister and all heads of ministries and departments give the expected results. For four years, about 5 million citizens of the Republic of Uzbekistan have applied to these reception offices with complaints, suggestions and appeals. At the request of the head of state, no statement, complaint or appeal should be ignored by the authorities. [22, 15p] This strict requirement is under the personal control of the head of the country, more than 80% of the appeals were fair and found their solution. This example is a clear indicator of the improvement of the system of citizens' appeals to protect their rights, freedoms and legitimate interests, contributes to the increase of political and civic activity of the population of Uzbekistan.

In turn, it should be noted that life itself today in the new Uzbekistan puts forward new and new requirements for constant monitoring of existing problems, both at the local, regional and state levels, deputies today are learning to work and think in a new way. The content of democracy is the work of the entire deputy corps in electoral districts with its voters, it serves as a link between the legislative activity of the parliament and the electorate in the process of making new and important socio-political decisions. At the same time, it will create a system of bilateral accountability, bring Parliament closer to the people, and serve to ensure justice and the rule of law. Society is gradually getting rid of the system that has been in effect for many years, when the government thought and decided for the people, today the situation in the country is dramatically changing, when the supreme power requires initiatives from below. In this connection, the role of civil society institutions is immeasurably increasing. We have openly declared our commitment to democracy and respect for human rights, in this regard, it is important for us to study the experience of developed democratic states with a strong civil society. Today, dozens of representative offices of international organizations, various foundations, and mass media have resumed their work in the country after a long break. The Head of State paid special attention to the problem of interaction of national civil society institutions with international non-governmental organizations.

**Changing and updating the functions of the Republic of Uzbekistan in the formation of civil society and the construction of a democratic state governed by the rule of law.**

Based on the results of a comprehensive study of topical issues of concern to the population and entrepreneurs, an analysis of current legislation, law enforcement practice and best foreign experience, as well as a broad public discussion, an Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017-2021 provides for:

- improvement of state and public construction aimed at further strengthening the role of parliament and political parties in deepening democratic reforms and modernization of the country, reforming the public administration system, developing the organizational and legal foundations of public service, improving the "Electronic Government" system, improving the quality and efficiency of public services, practical implementation of public control mechanisms, strengthening the role of institutions civil society and mass media;

- ensuring the rule of law and further reform of the judicial and legal system aimed at strengthening the true independence of the judiciary and guarantees of reliable protection of citizens' rights and freedoms, improving administrative, criminal, civil and economic legislation, increasing the effectiveness of the crime prevention and crime prevention system, full implementation of the principle of adversarial proceedings, improving the system of legal assistance and legal services;

- development and liberalization of the economy aimed at further strengthening macroeconomic stability and maintaining high economic growth rates, increasing its competitiveness, modernization and intensive development of agriculture, continuation of institutional and structural reforms to reduce the presence of the state in the economy, further strengthening the protection of the rights and priority role of private property, stimulating the development of small business and private entrepreneurship, comprehensive and balanced socio-economic development of regions, districts and cities, active attraction of foreign investments in the economic sectors and regions of the country by improving the investment climate;

- the development of the social sphere aimed at consistently increasing employment and real incomes of the population, improving the system of social protection and health protection of citizens, increasing the socio-political activity of women, the implementation of targeted programs for the construction of affordable housing, the development and modernization of road transport, engineering, communication and social infrastructure, the development of education, culture, science, literature, art and sports, improvement of the state youth policy;

- ensuring security, interethnic harmony and religious tolerance, implementing a balanced, mutually beneficial and constructive foreign policy aimed at strengthening



the independence and sovereignty of the state, creating a belt of security, stability and good neighborliness around Uzbekistan, strengthening the country's international image. [23, 84p]

## **CONCLUSION**

Today, the new Uzbekistan is of particular interest to the world community in connection with the ongoing systemic modernization of society.

For Uzbekistan, 2021 is a year of important political events. The 30th anniversary of state independence will be widely celebrated on the first of September, national elections of the President of the Republic of Uzbekistan will be held on October 24, in connection with which the role of civil society institutions such as political parties, social movements, mahallas, mass media, various foundations, etc. is dramatically increasing. The participation of civil society institutions in the election campaign can be regarded as the result of purposeful work of society and the state to increase the political activity of citizens. Holding elections on a multiparty basis, with the broad participation of all political forces, social strata of society, with the participation of observers of international organizations, must meet democratic standards is very relevant. In the conditions of modernization of Uzbekistan, this event will have great political significance as a factor in the formation of an active civil society.

It is worth noting that today, more than ever, national Internet resources and international social networks are filled with discussions of important political, socio-economic, legal and other issues aimed at building a democratic rule of law state and civil society in the Republic of Uzbekistan.

The formation of an active civil society will give a powerful impetus to the implementation of these reforms aimed at significantly improving the quality of life of citizens, reliable protection of rights, freedoms and their legitimate interests.

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