

ADMINISTRATIVE AND LEGAL REGULATION OF THE SOCIAL AND POLITICAL SPHERE IN THE REPUBLIC OF UZBEKISTAN: CURRENT STATE AND PROSPECTS FOR DEVELOPMENT

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Abstract

The article studies the peculiarities of administrative and legal regulation of social and political sphere in the Republic of Uzbekistan in the context of ongoing reforms. It analyzes the normative-legal bases of functioning of social and political institutions, mechanisms of state management in these spheres, as well as modern trends of their transformation. Special attention is paid to the role of administrative law in ensuring social rights of citizens and development of democratic institutions in the conditions of modernization of Uzbek society.

Keywords: Administrative law, Uzbekistan, social sphere, political system, public administration, social rights, democratization, legal reforms.

Introduction

Administrative and legal regulation of social and political sphere is a system of legal norms that determine the order of organization and functioning of state management in the field of social relations and political activity¹. In the conditions of modern development of the Republic of Uzbekistan, this sphere is undergoing cardinal changes associated with the democratization of social and political life and modernization of the system of social services.

The relevance of the study is conditioned by the large-scale reforms carried out in Uzbekistan since 2016, which have affected all spheres of public administration. The Strategy of Action on Five Priority Areas of Development of the Republic of Uzbekistan in 2017-2021², and then the Strategy of Development of New Uzbekistan for 2022-2026³ defined new approaches to the organization of public administration of social and political spheres.

Constitutional bases of administrative-legal regulation

Principles of the social state

The Constitution of the Republic of Uzbekistan in the wording of April 30, 2023⁴ enshrines the principles of the social state, which determine the main directions of administrative and legal regulation of the social sphere. Article 13 proclaims: "Democracy in the Republic of Uzbekistan is based on universal human principles, according to which the highest value is the human being, his or her life, freedom, honor, dignity and other inalienable rights"⁵.

Article 37 of the Constitution guarantees the right to social protection: "Citizens have the right to social security in old age, in case of illness, disability, loss of breadwinner and in other cases provided for by law"⁶. These constitutional principles are developed in the sectoral legislation regulating social relations.



Political and legal foundations of democratization

The constitutional reforms of 2023 significantly updated Uzbekistan's political and legal system. New institutions were introduced: the Constitutional Court (Article 108), the Commissioner for Human Rights (Ombudsman) of the Oliy Majlis (Article 75), and the Parliament's powers of control over the executive power were expanded.⁷ The Constitutional reforms of 2023 significantly updated the political and legal system of Uzbekistan.

Article 57 of the Constitution guarantees freedom of association: "Citizens have the right to associate in political parties, trade unions and other public associations, and to participate in mass movements"⁸. This creates a constitutional basis for the development of multi-party and civil society institutions.

Legal and regulatory framework for administrative regulation

Social legislation

The legal regulation of the social sphere in Uzbekistan is carried out by a set of laws:

The Social Protection of Persons with Disabilities Act of November 18, 2020⁹ defines the basis of State policy on the social protection of persons with disabilities, mechanisms for ensuring their rights and creating a barrier-free environment.

The Law "On State Benefits for Families with Children" of May 4, 2000 (as amended on September 26, 2022)¹⁰ establishes the system of state benefits and the procedure for their assignment.

The Law "On Pension Provision of Citizens" of September 5, 1993 (amended on September 9, 2021)¹¹ regulates the pension system and the procedure for awarding pensions of various types.

The Law "On Social Partnership" of May 18, 2023¹² creates a legal framework for cooperation between the state, employers and trade unions in addressing social and labor issues.

Legislation on the political sphere

The **Electoral Code** of June 25, 2019¹³ comprehensively regulates electoral relations, establishes democratic principles of elections, the rights of voters and candidates.

The Law "On Political Parties" of December 26, 1996 (as amended on August 3, 2019)¹⁴ defines the legal basis for the establishment and activities of political parties and simplifies the procedures for their registration.

The Law on Non-Governmental Non-Profit Organizations of April 14, 1999 (as amended on October 16, 2019)¹⁵ liberalizes the conditions for the establishment and functioning of NGOs, which contributes to the development of civil society.

System of public administration bodies

Social management bodies

The system of state management of the social sphere includes:

Ministry of Health - implements state policy in the field of public health protection, organization of medical care, drug supply¹⁶.

The Ministry of Preschool and School Education (established in 2022 by splitting the Ministry of National Education)¹⁷ - implements the state policy on preschool and general secondary education.

Ministry of Higher Education, Science and Innovation - manages the higher education system and scientific activities¹⁸.



Ministry of Employment and Poverty Reduction (established in 2020)¹⁹ - implements employment, social protection and poverty reduction policies.

Agency for Social Development under the Ministry of Finance²⁰ - coordinates the implementation of social programs and social infrastructure development projects.

Special role of the mahalla in social governance

A unique feature of the Uzbek model is the institution of mahalla - a body of self-government of citizens. The Law "On Self-Government of Citizens" of April 14, 1999 (as amended on May 26, 2021)²¹ defines a mahalla as a self-governing body that performs important social functions:

- issuance of certificates on family composition, place of residence;
- assistance in processing social benefits and allowances;
- organization of public works and beautification;
- Resolution of family and neighborhood conflicts;
- support for socially vulnerable groups of the population.

Administrative and legal regulation of the social sphere

Social security system

Administrative and legal regulation of social security includes:

Pension provision. It is administered by the Pensions Agency under the Ministry of Employment and Poverty Reduction²². The following types of pensions are established:

- retirement pensions (men - 60 years, women - 55 years);
- disability pensions;
- survivor pensions;
- social pensions.

Social benefits system. Includes:

- maternity allowance;
- child care allowance until the child reaches the age of two;
- Monthly allowance for children up to 14 years of age from low-income families;
- temporary disability benefits.

Targeted social assistance. Since 2018, a system of targeted social assistance based on need criteria²³ has been introduced. Assistance is provided to families with an average per capita income below the minimum wage.

Administrative procedures in the social sphere

The Presidential Decree "On measures to radically improve the system of social support of the population" of December 7, 2022²⁴ defined new approaches to the provision of social services:

- the "one-stop shop" principle when applying for social services;
- interdepartmental electronic interaction without the applicant's participation;
- Proactive assignment of benefits based on available data;
- digitalization of procedures for assignment and payment of benefits.

Administrative and legal regulation of the political sphere

Electoral system and electoral process

Uzbekistan's electoral system is based on the principles of universal, equal and direct suffrage by secret ballot. The 2019 Electoral Code introduced significant democratic changes:

- Reducing the age limit for candidates for deputies to the Legislative Chamber from 25 to 21 years of age;



- simplification of nomination procedures;
- Enhancing international surveillance capabilities;
- introduction of elements of a proportional electoral system²⁵.

The Central Election Commission carries out general management of the preparation and conduct of elections, ensures uniform application of election legislation²⁶.

Multiparty system

Reforming party legislation promoted the development of multi-partyism:

- Reducing the party membership requirement from 20,000 to 5,000 members;
- Simplification of the registration procedure for political parties;
- Elimination of the mandatory representation requirement in all regions of the country²⁷.

Conclusion

The administrative and legal regulation of the social and political sphere in Uzbekistan is undergoing active transformation. The reforms under way are contributing to the democratization of social and political life, the modernization of the social services system and the development of civil society institutions. The main achievements of the reforms are: constitutional consolidation of democratic principles of state structure, liberalization of political and public space, digitalization of public services, creation of effective mechanisms of social protection of the population.

Further development of administrative and legal regulation should be aimed at systematization of administrative legislation, improvement of administrative procedures, strengthening of legal guarantees of protection of citizens' rights, development of institutions of the rule of law.

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