

**CONSTITUTIONAL BASES OF PUBLIC REPRESENTATIVES'  
PARTICIPATION IN LEGISLATION**

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The participation of the public representatives, in particular citizens, on the public administration and political fronts – is important in the formation of a sense of belonging to the affairs of the state.

According to the 36<sup>th</sup> article of the Constitution of the Republic of Uzbekistan, all citizens of the Republic of Uzbekistan shall have the right to participate in the management and administration of public and state affairs, both directly and through representation. They may exercise this right by way of self-government, referendums and democratic formation of state bodies, as well as public control over activities of state bodies.

The procedure of public control over activities of state bodies shall be defined by law<sup>i</sup>.

With the Constitution in the new edition, a new socio-political atmosphere was formed in Uzbekistan, the state took on tremendous socio-economic obligations to itself, the country declared itself as a social state. Completely new mechanisms for the protection of human rights and freedoms have been implemented. An effective new model of the organization of state power was introduced.

Citizens of the Republic of Uzbekistan with the right to vote, in the amount of at least one hundred thousand people, the Senate of the Oliy Majlis of the Republic of Uzbekistan, the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman), the Central Election Commission of the Republic of Uzbekistan shall have the right, in the manner of a legislative initiative, to submit



to the Legislative Chamber of the Oliy Majlis Republic of Uzbekistan legislative proposals<sup>ii</sup>.

The institute of public law-making initiative, as stipulated by the legislation of a number of foreign countries, assumes the existence of a draft signed by a certain number of citizens, which is required to be considered by Parliament. In this regard, the so-called "legislative initiative" differs from a public law-making initiative, which provides for an appeal in the media, at a rally, in a letter or otherwise by almost any person or group of persons to the legislative bodies of state power with a proposal to adopt a certain regulatory legal act, and in most cases a detailed draft is already contained as applications.

Currently, the public law-making initiative has been widely recognized in the USA, Germany, Switzerland, Italy, and Spain. This institution is also provided for by the constitutions of Poland, Slovenia, Romania, Latvia and Lithuania. Nevertheless, in a number of countries, the public law-making initiative has not found proper recognition. For example, in Italy, since 1947, only one law has been adopted in this order, although about 300 laws are adopted here annually<sup>iii</sup>.

Each country has its own requirements for the number of citizens involved in submitting a draft regulatory legal act to a legislative (representative) body, as well as an initiative group to nominate it. As a rule, this number corresponds to the number of signatures required to initiate a referendum.

The authenticity of the signatures of citizens required for the registration of the draft is subject to verification and is certified by authorized officials or a notary. The draft is then submitted to the legislative (representative) authority and reviewed by it in accordance with the usually established procedure.

“Citizens’ legislative proposal must justify the need to adopt a law in a specific area, make amendments, additions to current laws, find laws or parts of them out of place, and also contain information on the concept and expected results of the proposed law for adoption.

The following issues cannot be the subject of a legislative proposal to be introduced into the legislative chamber by the citizens of the Republic of Uzbekistan:



- 1) On the change of territorial integrity of the Republic of Uzbekistan;
- 2) on amnesty and pardon;
- 3) on the appointment and dismissal of officials.

When the legislative proposal is introduced into the legislative chamber by the citizens of the Republic of Uzbekistan, the following must be presented:

text of the legislative proposal;

signature sheets with the last name, first name, patronymic, date of birth, residence address, Series and number of passport or ID card of citizens of the Republic of Uzbekistan with the right to vote, not less than one hundred thousand, as well as the date of the signature entered by citizens of the Republic of Uzbekistan. In this case, the signatures should be distributed proportionally between citizens of the Republic of Uzbekistan living in at least eight territorial entities (regions), including the Republic of Karakalpakstan and the city of Tashkent, and the maximum deviation allowed in the number of signatures, as a rule, should not exceed ten percent;

information about the representative or group of Representatives who will participate in the consideration of the legislative proposal<sup>iv</sup>.

The constitutional strengthening of the right of citizens to introduce legislative proposals to the Legislative Chamber of the Oliy Majlis as a legislative initiative allows to expand the participation of citizens in the management of Public Affairs and strengthen public control, which, in turn, leads to an increase in the political activity of the people. It also serves to solve various socio-economic issues related to the constitutional rights of citizens themselves, to take appropriate initiative and to solve the problems of the population in a timely manner.

<sup>i</sup> National database of legislative data, 01.05.2023-y., 03/23/837/0241-son

<sup>ii</sup> Third part of Article 98 of the Constitution of the Republic of Uzbekistan

<sup>iii</sup> Руденко В. Н. Институт народной правотворческой инициативы: зарубежный опыт и его значение для Российской Федерации и ее субъектов // Научный ежегодник Института философии и права Уральского отделения Российской академии наук. 2001. № 2. С. 303-342.

<sup>iv</sup> Resolution of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan, approved by the decision of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan No. 2406-IV, adopted on August 9, 2022 REGULATION, article, 152-2. // <https://lex.uz/docs/-6205124>