

# **FORMATION AND DEVELOPMENT OF CIVIL SOCIETY IN UZBEKISTAN**

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## **Abstract**

The article reveals the evolution of the formation of civil society, its legal foundations, its active participation in the life of society and the state. The most fundamental and main advantages of civil society are these divine blessings - freedom and independence, as well as their implementation without any obstacles. This has been achieved in Uzbekistan over the years of independence. This is evident in the growth of political consciousness and legal culture of citizens.

**Keywords:** Rule of law, state power, democracy, citizens, civil society, civil society institutions, decentralization, state, self-government, mass media, non-governmental non-profit organizations, mass movements. exact.

## **Introduction**

As a result of state support for civil society institutions and the measures taken, further improvement of the regulatory framework that provides legal guarantees for the activities of non-governmental non-profit organizations and meets modern democratic requirements and international standards. In this regard, a number of laws, decrees and resolutions of the President of the Republic of Uzbekistan, and resolutions of justice bodies adopted in recent years are commented on.

The roots of the views on civil society go back to the research of the philosophers of the ancient world. The first views on civil society are set forth in Aristotle's work Politics. In his opinion, in order for a person to live freely and independently, the priority of laws must be ensured in society. In fact, in ancient Greek society, the family, human faith, education, culture, art, and in general all spheres of life were politicized. During this period, each individual could not imagine himself without society. The goals of harmonizing relations between society and the state, civil relations and political relations put on the agenda the problems of ensuring the rule of law in the life of the state and society. Of course, it is impossible to protect the freedom of citizens and their legitimate interests without ensuring the rule of law.

## **The Main Part**

The most fundamental and primary interests of citizens are freedom and independence, which are a divine gift, and their unhindered realization, or, in political terms, this means a deep and comprehensive democratization of all aspects of society.

On the one hand, civil society facilitates the management of the state and its bodies due to the high political and legal culture of its members, and on the other hand, it ensures the active participation of the public in large-scale managerial and political activities.

In addition, the experience of building a rule-of-law state and civil society has proved that for a creative approach to work, proper organization of production, production of high-quality products based on the most advanced innovative technologies, and maintaining genuine socio-political stability, every member of society must be free and independent, both legally and in fact.

It is known that not only the power of the state structure, but also the strength of the society formed in a given country, plays a crucial role in determining the position of any country in time and space. In this sense, the concept of "From a strong state to a strong civil society" proclaimed in our statehood does not at all mean the weakening of the state. On the contrary, strengthening the State, making proper use of its power and building a strong civil society are our main tasks in the future.

The formation and development of civil society institutions in Uzbekistan can be roughly divided into the following stages: **The first stage — 1991-2000.** The formation and development of civil society institutions in Uzbekistan can be roughly divided into the following stages: The first stage — 1991-2000. During this period, a number of laws and regulatory legal documents were adopted, which formed the legal basis of a democratic State governed by the rule of law and a free civil society. At this stage, the Constitution of the Republic of Uzbekistan (December 8, 1992), the Laws of the Republic of Uzbekistan "On Public Associations" (1991), "On Citizens' self-government Bodies" (1992), "On Political Parties" (1996), "On non-governmental non-profit organizations" (1999) were adopted. The Constitution plays a leading role in this. **Article 69** of the Basic Law states that civil society is based on civil society institutions, including public associations and other non-governmental non-profit organizations, citizens' self-government bodies, and the mass media. The activities of civil society institutions are carried out in accordance with the law [1]. Chapter XIII of the Constitution is entitled "Institutions of civil society." The chapter establishes the legal status of civil society institutions and constitutional norms aimed at ensuring their real and sustainable development. The legal foundations of the organization and activities of civil society institutions were also recognized, and the principles of interaction with government agencies were consolidated. The Law of the Republic of Uzbekistan "On Public Associations", adopted in 1991, for the first time gave a legal definition of the institution of a public association, as well as defined the procedure for its organization, the scope of its rights and obligations. The law establishes the procedure for the creation of any public organization in the prescribed forms on the initiative of at least ten citizens [2].

The law "On Political Parties" laid the foundation for a multiparty system in the republic, it was introduced into the activities of the Oliy Majlis of the Republic of Uzbekistan, regional, district (city) Kengashes of people's deputies, and the formation of factions of political parties and party groups in government bodies was established. The participation of political parties

in the development of laws and decision-making was ensured through party factions in the Oliy Majlis and party groups in local Kengashes.

Thus, as a result of the reforms carried out in the sphere of state and public administration during this period, the legal foundations of a democratic rule-of-law state and a free civil society were formed in the republic, and citizens' participation in state and public administration was established.

**The second stage is 2000-2010.** At this stage, based on the accumulated experience of state and public administration in the country, reforms aimed at modernizing and reforming the political and economic life of the country, state and public administration, and ensuring broad citizen participation in state and public administration were continued. These include the Constitutional Law "On the results of the referendum and the foundations of the organization of State Power" (2002), "On guarantees of the activities of non-governmental non-profit organizations" (2007), "On the renewal and further democratization of Public administration, strengthening the role of political parties in the modernization of the country" (2007), the Laws of the Republic of Uzbekistan, the Decree The President of the Republic of Uzbekistan "On the Program for the implementation of the goals and objectives of democratization and renewal of society, reform and modernization of the country" (2005), The resolutions "On measures to promote the development of civil society institutions in Uzbekistan" (2005) and the Cabinet of Ministers Resolution "On the procedure for State financing of the activities of political parties provided for in their Charters" (2005), the resolutions "On the procedure for State support of the activities of non-governmental non-profit organizations" (2007) play an important role. These regulatory legal acts have brought the relationship between civil society institutions and public authorities to a new level.

In particular, it has become important for political parties to include their programmatic goals and objectives in laws passed by Parliament, as well as to provide financial support for their active participation in the political life of society. In addition, the recognition of political parties as the only entity nominating candidates for the country's parliament, presidential and local council elections marked the beginning of a new era in their lives.

The third stage is 2010-2016. Currently, the "Concept of further deepening democratic reforms and development of civil society in the country" adopted by the Oliy Majlis of the Republic of Uzbekistan (November 12, 2010) plays an important role in the further democratization of state and public administration and the development of civil society institutions in the country. This document has become Uzbekistan's practical strategy for achieving lofty goals in the short and long term to build a democratic, rule-of-law state and a free civil society.

The concept notes that in recent years, a wide network of civil society institutions has been formed, which have become an important factor in protecting democratic values, human rights and freedoms, interests, and providing citizens with the opportunity to realize their potential. It is recognized that conditions are being created to increase their socio-economic activity, political and legal culture, and that they contribute to ensuring balance interests in society. It was also noted that it is necessary to adopt a number of legal documents aimed at increasing the transparency and effectiveness of ongoing reforms for the further development of civil

society institutions. In particular, the implementation of socio-economic development programs adopted in the country, ensuring the rights and freedoms of various segments of the population. [3].

The Law of the Republic of Uzbekistan "On Social Partnership", which was proposed to be adopted within the framework of the concept, was adopted on September 25, 2014. The Law legally regulates such important issues as ensuring employment, promoting employment, further development of small businesses and private entrepreneurship, protecting the environment and public health, providing social support, as well as the role of non-governmental non-profit organizations in this area.

The Institute of Social Partnership is one of the important components of civil society, designed to ensure joint cooperation between the state and civil society institutions in solving problems in the political, socio-economic, spiritual and cultural spheres that arise in the life of the state and society.

The law defines the basic principles of social partnership, subjects of social partnership, spheres and forms of social partnership, in particular, article 3 of the law states that "social partnership is the development by government agencies, non-governmental non-profit organizations and other institutions of civil society of programs for socio-economic development of the country, including interaction in the development and implementation of sectoral and territorial programs, as well as regulatory legal acts and other decisions affecting the rights and legitimate interests of citizens." The subjects of social partnership are government agencies, non-governmental non-profit organizations and other institutions of civil society.

Social partnership provides social protection and support for the population, increasing its social activity; ensuring employment, developing small businesses and private entrepreneurship, farming; protecting the environment, public health and making decisions about a healthy lifestyle; forming a mature and healthy young generation in all respects, transferring knowledge to young people, their moral and moral education and professional orientation; protecting motherhood and childhood, as well as women's rights, ensuring their full participation in the socio-political, economic and cultural life of the country, forming a healthy family; developing science, education, information, culture and sports; increasing legal knowledge, legal awareness and legal culture of the population, strengthening the foundations of civil society and a democratic rule of law; strengthening the ideas of interethnic, intercultural and civil harmony, the revival and preservation of centuries-old, traditional spiritual, ethical, historical and cultural values; It is carried out in such areas as consumer protection and the formation of an intolerant attitude towards corruption in society [4].

Work within the framework of social partnership is carried out mainly within the framework of a tripartite social partnership between the State, employers and trade unions. This is evidenced by the General Agreement on Socio-Economic Issues, which is signed every two years between the Cabinet of Ministers of the Republic of Uzbekistan, the Council of the Federation of Trade Unions of Uzbekistan and the Chamber of Commerce and Industry of Uzbekistan. The General Agreement covers issues such as the socio-economic development of

the country, payment of wages, employment, occupational safety and health, spiritual and educational work, as well as the protection of the health of workers and their families [5].

In accordance with the amendments made to the Law of the Republic of Uzbekistan "On Citizens' Self-Government" in a new edition (April 22, 2013), it was established that citizens' self-government bodies should exercise public control in cooperation with the media, non-governmental non-profit organizations and other institutions of civil society, and state bodies should assist them in this and to take timely measures on their appeals in accordance with the legislation [6]. The Law of the Republic of Uzbekistan "On Ecology", adopted in 2013, empowers non-governmental non-profit organizations to participate in environmental protection issues and strengthen public control over the state of the environment [7].

Over the years of independence, efforts aimed at strengthening the role and importance of non-governmental non-profit organizations and other civil society institutions in the process of democratic renewal of our country, as well as solving the most important socio-economic problems of citizens, have led to the free and sustainable development of non-governmental non-profit organizations in the country. As of January 1, 1991, there were 95 non-governmental non-profit organizations operating in our republic, by 2010 their number was 5,103, in 2016 - 8,417, and in 2018 - 9,200 [8].

Over the past period, organizations supporting and encouraging non-governmental non-profit organizations have also been created, including the National Association of Non-Governmental Non-Profit Organizations of Uzbekistan, the Public Foundation for the Support of Non-Governmental Non-Profit Organizations and Other Civil Society Institutions under the Oliy Majlis of the Republic of Uzbekistan, and the Independent Institute for Monitoring the Formation of Civil Society. These organizations, in turn, provide support and assistance in the establishment and development of non-governmental non-profit organizations and other civil society institutions.

In ensuring the financial stability of civil society institutions, funds allocated annually from the State budget through the Public Fund for the Support of Non-Governmental Non-Profit Organizations and Other Civil Society Institutions under the Oliy Majlis of the Republic of Uzbekistan are of great importance. Since its creation (2008), the public fund has allocated more than 60 billion rubles from the state budget. The sums of funds provided on a competitive basis are about 1.5 thousand. non-governmental non-profit organizations and mass media in the form of subsidies, grants and government orders. In 2017, 12 billion soums were allocated from the state budget for these purposes, and in 2018 – 15 billion soums. These funds are aimed at improving the financial situation of NGOs and other civil society institutions.

The fourth stage is the years after 2017, which have entered our new history under the name "New Uzbekistan". The document that defined the specifics of this period and the main directions of Uzbekistan's development is the Strategy of Action on five priority areas of development of the Republic of Uzbekistan for 2017-2021, approved by Decree of the President of the Republic of Uzbekistan Shavkat Mirziyoyev, which sets out a number of tasks to ensure the broad participation of civil society institutions in the democratization of the country and the reform of state and public administration [9].

Based on the action strategy, about 10 regulatory legal documents have been adopted so far aimed at enhancing the role of non-governmental non-profit organizations and other civil society institutions in the management of State and public affairs. In particular, the Law of the Republic of Uzbekistan "On Public Control" was adopted (April 12, 2018), In accordance with the Law "On Amendments and Additions to certain Legislative Acts of the Republic of Uzbekistan", adopted on April 18, 2018, the following laws were amended: "On freedom of conscience and religious organizations", "On Based on the needs of the time, appropriate amendments and additions have been made to the Laws of the Republic of Uzbekistan "On Mass Media" and "On Principles and Guarantees of Freedom of Information".

In addition, decrees of President Shavkat Mirziyoyev dated December 28, 2016 "On measures to further improve the activities of the Nuroniy Fund for Social Support of Veterans of Uzbekistan", dated February 3, 2017 "On further improvement of the Mahalla Institute", on July 5, 2017, a resolution "On improving the effectiveness of state youth policy and supporting the activities of the Youth Union of Uzbekistan" was adopted.", and on February 2, 2018, a resolution was adopted "On measures to radically improve activities in the field of women's support and strengthening the institution of the family", Decrees "On additional measures to organize the activities of the Chamber of Commerce and Industry of the Republic of Uzbekistan" dated June 19, 2017 and "On measures to enhance the role of civil society institutions in the process of democratic renewal of the country" dated May 4, 2018 were adopted. These regulatory documents serve as the legal basis for consistent and comprehensive reforms aimed at radically improving the activities of non-governmental non-profit organizations at a new stage of development in Uzbekistan.

The Law of the Republic of Uzbekistan "On Public Control", adopted on the basis of the requirements of the Strategy of Action on five priority areas of development of the Republic of Uzbekistan in 2017-2021, is aimed at regulating relations in the field of organization and implementation of public control over the activities of government bodies and their officials, according to which the subjects of public control are citizens of Uzbekistan, citizens' self-government bodies, non-governmental organizations. non-profit organizations and mass media.

The objects of public control are decisions taken by state bodies and their officials, the fulfillment of the requirements of legal acts, the fulfillment of tasks related to public interests, and activities related to the provision of public services. Article 6 of the law defines the forms of public control, including "appeals and requests to government agencies; participation in public meetings of government agencies; public discussion; public hearings; public expertise; public opinion polling; such instructions as hearing reports and messages from government officials by citizens' self-governing bodies [10].

In the new period of Uzbekistan's development, ensuring the active participation of non-governmental non-profit organizations and other civil society institutions in the large-scale reforms being implemented in the country, improving the political culture and legal awareness of citizens, and meeting their spiritual and other non-material needs The Decree of the President of the Republic of Uzbekistan "On measures to enhance the role of civil society institutions in

the process of democratic renewal of the country", adopted on May 4, 2018, opened up wide opportunities. The Decree established the Advisory Council for the Development of Civil Society under the President of the Republic of Uzbekistan. The objectives of the Advisory Council were to establish a systematic dialogue between civil society institutions, form a national model for the development of civil society, develop mechanisms for interaction between government authorities and civil society institutions, as well as indicators for assessing the level of such interaction.

Based on the decree, a number of benefits were provided for the further development of civil society institutions, their economic support, and social protection of persons working in non-governmental non-profit organizations. Starting from June 1, 2018, non-governmental non-profit organizations will be able to freely use funds and other resources received from foreign organizations and citizens. The single tax rate previously paid by non-governmental non-profit organizations has been reduced from 25 to 15 percent, and the amount allocated for organizing their activities has been increased from 20 to 30 percent.

Due to the lack of a clear mechanism for monitoring non-governmental non-profit organizations by government agencies, according to the current regulation, their activities are monitored by bodies that control their activities at different times and in different forms, which hindered the normal functioning of non-governmental non-profit organizations. To prevent this, the Decree assigns the Ministry of Justice the responsibility to develop an order defining the types, timing and frequency of monitoring and studying the activities of non-governmental non-profit organizations.

For failure to submit reports of non-governmental non-profit organizations within the prescribed period, a fine of up to 500 thousand soums and registration authorities of up to 5 million soums has been imposed by the state tax service. However, non-governmental non-profit organizations have limited financial resources, and fines put them in a difficult financial situation. In this regard, the Decree instructed the Ministry of Justice, together with interested ministries and departments, to make proposals to simplify the forms of reporting and the procedure for its submission by non-governmental non-profit organizations, as well as to reduce administrative fines for violations of the law.

In addition, the Presidential Decree establishes a procedure for taking into account the interests of non-governmental non-profit organizations in the rule-making process, according to which draft regulations affecting their rights and legitimate interests are subject to mandatory review and adoption in coordination with the National Association of Non-Governmental Non-Profit Organizations of Uzbekistan.

It is worth noting that most non-governmental non-profit organizations did not have their own permanent premises or operated in rented premises. The decree obliges the relevant departments and structures of non-governmental non-profit organizations operating in the regions of the Republic of Karakalpakstan, the regions and the city of Tashkent to create "Houses of non-governmental non-profit organizations" in empty or inefficiently used buildings of state ownership and place non-governmental non-profit organizations in these buildings without paying rent.

The decree establishes an order aimed at enhancing the role of local representative bodies in ensuring the rights and legitimate interests of non-governmental non-profit organizations. - Jokargy Kengesi of the Republic of Karakalpakstan, Kengeses of people's deputies of regions, districts and cities, cities and districts of Tashkent, as well as Kengeses of non-governmental non-profit organizations, and established the procedure for creating permanent commissions on the development of other civil society institutions, the development of activities of non-governmental non-profit organizations, the organization of hearings of heads of government agencies on issues related to the protection of their rights and freedoms. legitimate interests [11].

In addition, the Decree obliges the Chairman of the Council of Ministers of the Republic of Karakalpakstan, the khokims of the regions and the city of Tashkent to organize the formation of non-governmental non-profit organizations under the Jokargy Kengesi of the Republic of Karakalpakstan, regional and city Kengesi of people's deputies within two months, and they were instructed to organize funds to support other civil society institutions. The necessary funds for these purposes are planned to be allocated from local budgets starting in 2019.

### **Conclusion**

The legislative acts and other normative legal acts adopted in our country during the years of independence, ensuring the formation and development of non-governmental non-profit organizations and other civil society institutions, have contributed to further improvement of their activities, this will dramatically increase the role and importance of civil society institutions in the comprehensive and accelerated development of the country, strengthen their interaction with public authorities and management as well as gradually implement the priorities outlined in the development strategy.

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