
Public Control as a Sphere of Activity of NGOs in Uzbekistan

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Abstract: The ongoing changes in the new Uzbekistan have affected all areas of public life. The formation and building of a strong civil society and the state is carried out by creating a full-fledged condition for the life of all institutions of civil society, primarily such important organizations as the mahalla, the media and political parties. Public control, and the level of civic participation required for this, in the majority of citizens depend on the mentality and public consciousness of the country's population. In this regard, in the study of various aspects of the development of public control in Uzbekistan, a special place is occupied by the study of social attitudes and expectations of the citizens themselves, their level of knowledge and understanding of the strategic goal that our state sets for itself. The article presents the results of a study that studied the opinion of specialists working in this field, the degree of their understanding of the concept of "public control", the perception of a new concept by specialists. The opinion of representatives of citizens' self-government bodies was studied regarding the understanding of the term "public control" and the degree of its perception, identification of the main types and methods of public control used by mahallas, measures taken to implement public control on the ground.

Keywords: Public Control, Non-Governmental Non-Profit Organizations, Civil Society, Democracy, Civil Institutions, Media, Political Parties

1. Introduction

In Uzbekistan, mahalla is considered a homeland within a homeland. The created legislative, regulatory and legal framework is aimed at the comprehensive implementation of the functional duties of employees of citizens' self-government bodies.

A large number of top-level events are being organized aimed at enhancing the role of the mahalla in the socio-political, economic, cultural and legislative spheres of the country's life.

Comprehensive development of the individual does not just belong to the national interests of any developed state, but in many respects expresses and ensures the implementation of the priority areas of the socio-political and socio-economic development of the country [9].

Thus, for this purpose, the Independent Institute for Monitoring the Formation of Civil Society (hereinafter referred to as NIMFOGO) organized a sociological survey "Public control is an important factor in the formation of civil

society" among representatives of self-government bodies of citizens from all regions of the country.

The purpose of this study was to study the opinions of specialists working in this field. The degree of their understanding of the concept of "public control", the perception of the new concept by specialists, familiarity with the "Concept for further deepening democratic reforms and the formation of civil society in the country" adopted on November 12, 2010.

In order to study the features of public control from the point of view of representatives of citizens' self-government bodies, the role and place of the mahalla in its implementation, as well as to identify existing problems in this direction, in 2012 NIMFOGO conducted a survey on the topic: "Public control is an important factor in the formation of civil society".

The objectives of the study were:

- 1) studying the opinion of representatives of citizens' self-government bodies regarding the understanding of the term "public control" and the degree of their perception

of this concept,

- 2) - identification of the main types and methods of public control used by mahallas,
- 3) measures taken to implement public control on the ground,
- 4) to identify the main obstacles preventing representatives of the mahalla from conducting public control,
- 5) development of proposals and recommendations on strengthening the role of the mahalla in the implementation of public control and regarding the draft law "On Public Control" being developed.

The survey was conducted among representatives of self-government bodies of citizens of Uzbekistan in all regions of the country, including the Republic of Karakalpakstan and Tashkent. A total of 140 respondents were interviewed, 10 people from each region of the country.

In the course of the study, it was revealed that under "public control" most of the respondents understand control by public associations and civil society institutions over the activities of state authorities and administration (50.7%).

At the same time, 7.1% of respondents believe that "public control" is one of the forms of social control exercised by the general public on the implementation of laws, 33.6% - the exercise of control by citizens over the activities of public authorities and administration, 8, 6% - inspection, monitoring and control by non-governmental non-profit organizations regarding the activities of state authorities and administration.

The same question was asked to media representatives, 54.3% of them answered - "control by public associations and civil society institutions over the activities of state authorities and administration", 28.5% of respondents believe that "one of the forms of social control carried out by the general public on the implementation of laws", 25.7% of respondents answered this question that "the exercise of control by citizens over the activities of public authorities and administration", 2.9% of respondents believe that "conducting inspections, monitoring and control by non-governmental non-profit organizations regarding the activities of state authorities and administration" (21.3%).

It should be noted that such a survey was also conducted among representatives of the non-governmental sector, and during the study it was revealed that the respondents have a certain understanding of public control, speaking about the role of civil society institutions in its implementation. Thus, by "public control" the majority understand control by public associations and civil society institutions over the activities of state authorities and administration (47%).

To the question "In the course of your activities, were you a witness in the exercise of public control?" the respondents answered as follows: 47.1% of the respondents were directly involved in the implementation of public control. And, 22.9% of the respondents were witnesses, but did not participate in this process themselves, 7.9% of the respondents generally observed from the outside, and in relation to 3.6% of the respondents public control was carried out. 14.3% did not witness such a phenomenon at all. 4.3% of respondents did not

answer this question.

The subjects of public control are predominantly self-governing bodies of citizens (57.9%). In particular, when answering the question: "Who, in your opinion, exercises public control?" respondents answered, all institutions of civil society (48.6%), public associations (43.6%), non-governmental non-profit organizations (24.2%), mass media (32.9%), citizens (38.6%), political parties (26.4%), deputies of the Oliy Majlis (10%), Parliament (4.3%).

2. The Relationship of NGOs and Public Control in the Context of Reforms in Uzbekistan

The current level of civic consciousness, determined by such factors as the attitude of the population to national and democratic values, the political activity of citizens, has a significant impact on the interaction between the state and civil society. Continuing the course towards the purposeful formation of self-consciousness and thinking of people in the direction of raising the current level of their civil self-consciousness contributes to broad support for the progressive advancement of Uzbekistan along the path of deepening the reform and modernization of the country.

Therefore, in the context of strengthening the dialogue between the state and society, the importance of strengthening public partnership, the issues of a comprehensive study of public control and civil consciousness of the population, ways, further ways of its formation and improvement are of particular relevance.

In a study conducted by NIMFOGO back in 2012, it was revealed that, according to the majority of representatives of non-governmental organizations, non-governmental non-profit organizations have the right to exercise public control and are one of its subjects. In particular, 74.2% of respondents answered positively to the question "Do non-governmental non-profit organizations have the authority to exercise public control?" At the same time, 14.2% of survey participants believe that NGOs do not have such powers.

The subjects of public control are predominantly civil society institutions. For example, when answering the question: "Who, in your opinion, exercises public control?" respondents answered, all institutions of civil society (61.4%), public associations (60.7%), non-governmental non-profit organizations (59.2%), mass media (52.8%), citizens (42.1%), political parties (40.7%), deputies of the Oliy Majlis (16.4%), Parliament (10.7%).

It should be noted that the construction in Uzbekistan of a democratic legal state with a steadily developing economy, where the main value is a person, his rights, interests and freedom, has acquired an irreversible and progressive character. There are real results of the first priority direction of improving state and social construction, aimed at strengthening the role of parliament and political parties in deepening democratic reforms and modernizing the country, reforming the public administration system, developing the

organizational and legal foundations of the civil service, improving the Electronic Government system, improving the quality of and efficiency of public services, practical implementation of public control mechanisms, strengthening the role of civil society institutions and the media.

Civil society as a system of non-political public relations, manifested through voluntarily formed associations and organizations of citizens, legally protected from direct interference by the state authorities, performs important functions in society. It forms civic virtues, creates structures of civic involvement, civic solidarity, trust and tolerance [1].

At the same time, civil society itself, in accordance with the chosen course of the new Uzbekistan, can be understood as a free and independent, democratic state based on a market economy, with a strong social policy aimed at protecting the interests of the people.

An analysis of various scientific sources shows that civic consciousness is generally understood as a person's awareness of himself as a citizen of his country and as a member of civil society, his rights and obligations, involvement in socio-political events, the presence of a sense of responsibility for the future of his homeland.

At the same time, a large place in these processes is occupied by the presence of an effective system for the formation of such an understanding of one's place in social relations among a wide range of the country's population, which acts as a platform for the civic consciousness of the individual. This system is the result of the socialization of the individual, a process in which, in several stages, under the influence, first of all, of the type of family relations, and then of relations with others, a certain picture of the world around, awareness of one's political orientation is formed.

The civic consciousness of a politically socialized and conscious individual is a psychological sense of his duties, his role in the political process. It has a set of knowledge adequate to the political time and space, when and where it exists. The structure of his consciousness is dominated by rational thinking, which regulates irrational-emotional impulses, does not allow "anti-civilian" elements (the manifestation of radical political thoughts and behavior) to spill out.

On the other hand, one of the results of a person's civic self-awareness can be a non-political awareness of his essence, independence from the state. The subject of civil society may not participate in politics, but he is politically socialized, the development of his self-awareness has passed the stage of political awareness.

It should be noted the principle of democracy, which is one of the basic principles enshrined in Article 32 of the Constitution of the Republic of Uzbekistan, according to which citizens have the right to participate in managing the affairs of society and the state. One of the forms of such participation is the exercise of public control over the activities of state bodies. In addition, one of the directions of the Concept of administrative reform in the Republic of Uzbekistan is the improvement of regulatory instruments by transferring certain state functions to subjects of public control [8].

The President of the Republic of Uzbekistan Shavkat Mirziyoyev, at a solemn meeting dedicated to the 27th anniversary of the adoption of the Constitution of the Republic of Uzbekistan, identified the tasks of ensuring the rule of law and strengthening public control as one of the priority areas for building a democratic rule of law, a free and just society.

In achieving the supremacy of the Constitution and laws, there is no more effective means than public control [2]. The President of Uzbekistan notes: "The great ancient Greek philosopher Plato wrote: "If the people feel the need for laws and carefully study them, it benefits them. Otherwise, it is impossible to achieve the results to which the laws are aimed.

Ensuring the rule of law can be achieved when the people themselves are intolerant of its violations, directly assessing the actions of officials, learning to freely express their opinion.

An important step in the development of the activities of NGOs, strengthening their role in the processes of democratic renewal of society and modernization of the country, solving urgent problems of protecting the environment and protecting public health was the creation in August 2008 of the Ecological Movement of Uzbekistan [6].

A good example of the influence of public opinion in Uzbekistan is the announcement of a moratorium on mass cutting down of trees [3]. All this testifies to the growing sense of ownership and responsibility among citizens for the processes taking place in the country.

It must be clearly understood that public control is not only control over the activities of state bodies, but also one of the important factors in the development of civil society.

In this regard, the Advisory Council for the Development of Civil Society, the Center for the Development of Civil Society, the National Association of Non-Governmental Non-Profit Organizations worked to create an effective and efficient system for exercising public control in every area and industry, to take the initiative in this matter.

Public control in Uzbekistan is carried out primarily in relation to the activities of law enforcement and regulatory bodies, in the financial, banking sectors, in the field of education, healthcare, utilities, energy and transport. In the field of action of public control are always such issues as the quality of goods and services in the markets and shopping malls.

It is necessary to note the important role of the mass media, which should turn into a real "mirror of society" in the observance of the rule of law.

Reforms aimed at ensuring freedom of speech in recent years have made fundamental changes in the life of society.

Representatives of independent and objective mass media today are a great force, which, being in the midst of the people, raises the exciting social problems of people. As a result of democratic reforms, the media and social networks encourage officials to conduct their work in accordance with the law.

In Uzbekistan, for wide and prompt informing the population about the activities of state bodies, each of them

has a press service. Thus, in a democratic society, all civil servants must learn to have a close social partnership with the media.

As you know, today, along with traditional media, the Internet, social networks, and bloggers play an important role in shaping public opinion. Civil society institutions, in cooperation with independent, free media, should not only express, but also shape public opinion and public consciousness [7]. Here we note that in order to strengthen the principles of openness and transparency in state and public construction and other areas, constant work is underway to improve the legislation on the media to ensure in practice the implementation of constitutional norms providing for the right of citizens to freedom of speech, receiving and disseminating information.

As the head of state notes: "... public control and the media have a common goal - to make the life of our people better" [2].

Today, almost every state body has its own "page" in social networks, and the population is informed daily about the work being done.

3. Consider Some Legal Acts

Note that the main regulatory legal act in this area is the Law of the Republic of Uzbekistan "On Public Control" adopted on April 12, 2016, the purpose of which is to regulate relations in the field of organizing and exercising public control over the activities of state bodies and institutions. However, despite the fact that the law itself was adopted only in 2016, in some areas of the activity of society and the state, the makings of this type of control have already been laid.

Thus, in accordance with Article 3 of the Law of the Republic of Uzbekistan "On denationalization and privatization", one of the main principles of denationalization and privatization is publicity, state and public control over the implementation of measures for denationalization and privatization. To implement this principle, in 2019, Article 20 of this law was also amended, according to which citizens of the Republic of Uzbekistan, self-government bodies of citizens, non-governmental non-profit organizations and the media have the right to exercise public control over compliance with the legislation on denationalization and privatization.

In order to observe the labor rights of workers, Article 223 of the Labor Code, adopted on December 21, 1995, regulates that public control over compliance with labor protection norms and rules is carried out by trade unions and other representative bodies of workers.

The Land Code also contains separate norms aimed at the implementation by citizens of public control. According to Article 84 of the Land Code, public control in this area can be carried out by citizens' self-government bodies, as well as councils of farms, dehqan farms and owners of household plots.

Thus, even before the adoption of the current Law of the

Republic of Uzbekistan "On public control" in various areas, the foundations for the implementation of public control were laid. At the same time, despite the sustainable development of the institution under consideration, some problems that hinder its development still remain unresolved.

One of the problematic aspects today remains the legal status of public councils under state bodies. The legal basis for their activities is determined by the Decree of the President of the Republic of Uzbekistan dated July 4, 2018 No. PP-3837 "On measures to organize the activities of public councils under state bodies" [4]. Thus, in accordance with paragraph 32 of the Model Regulations on the public council under the state body, approved by this resolution, the material and technical support for the activities of the public council is carried out by the state body, as well as from other sources not prohibited by law. In this regard, in the activities of the public council there is a high possibility of a conflict of interest and the public council will not be able to effectively control the activities of a state body if the latter provides the council with premises, office equipment, communications, makes a decision to create a council, approves the Regulations on the council and introduces into it changes, and also supervises the work of the council.

In addition, the Law of the Republic of Uzbekistan "On Public Control" does not regulate the mechanism for the functioning of public councils under state bodies [5]. In accordance with Article 3 of this law, public control may also be carried out by public councils, commissions and other public organizational structures in accordance with the law. However, the legal status of public councils and the mechanism of their functioning has not yet been regulated by a separate law.

It is necessary to note the mutual inconsistency of a number of related acts of legislation. Thus, Article 10 of the Law of the Republic of Uzbekistan "On Citizens' Self-Government Bodies" establishes that the citizens' gathering "hear quarterly reports from the heads of district, city and regional khokimiyats on issues within the scope of activities of self-government bodies." At the same time, the Law of the Republic of Uzbekistan "On local government" does not establish a counter duty of officials of khokimiyats to report to citizens' gatherings. Similarly, the Law of the Republic of Uzbekistan "On Public Control" in Article 3 defines mass media among the subjects of public control. However, the Law "On the Mass Media" does not define the rights and powers of the media in the field of public control.

In conclusion, we note that public control" in Uzbekistan is understood as control by public associations and civil society institutions over the activities of public authorities and administration.

According to the results of the study, non-governmental non-profit organizations have the right to exercise public control and are one of its subjects.

Public control in Uzbekistan is carried out primarily in relation to the activities of law enforcement and regulatory bodies, in the financial, banking sectors, in the field of education, healthcare, utilities, energy and transport.

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