
**ISSUES OF ENSURING ACTIVE PARTICIPATION OF CIVIL SOCIETY
INSTITUTIONS IN ELECTION PROCESSES, FURTHER IMPROVEMENT
OF ITS ORGANIZATIONAL AND LEGAL FOUNDATIONS**

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Abstract

The role of true, fair, democratic elections in the implementation of democratic reforms is incomparable. Therefore, people's power cannot be imagined without democratic elections. Adoption of the Election Code of the Republic of Uzbekistan serves as an important legal basis for the construction of a new Uzbekistan, as well as for the implementation of the right of our citizens to vote, the establishment of a legal state and the development of civil society.

In the conditions of civil society and legal state, elections are not only a sign and manifestation of democracy, but also its necessary condition. Article 21 of the "Universal Declaration of Human Rights" adopted by the UN General Assembly on December 10, 1948 contains the following democratic principle: "Everyone has the right to participate in the governance of his country directly or through freely elected representatives. The will of the people must be the basis of the government's authority: this will must be expressed on the basis of universal and equal suffrage by secret ballot or in other equally important forms ensuring the freedom of voting"¹.

The provisions enshrined in the Constitution of the Republic of Uzbekistan are becoming more meaningful with the adoption of separate election laws. It is worth noting that the constitutional approach to the electoral system provides the basic principles of the right to vote and serves as a basis for separately adopted electoral laws². The reforms in the field of state and society building in Uzbekistan are systematic and consistent, aimed at deepening democratic reforms and ensuring freedom of elections. The importance of our national legislation and electoral practice is incomparable in the fact that the processes of preparing for and holding the election fully meet international norms and democratic principles.

Therefore, as the President of the Republic of Uzbekistan Sh.Mirziyoev stated in his speech at the joint meeting of the Legislative Chamber and the Senate of the Oliy Majlis, the most important directions are: deepening the democratic processes in our society,

¹ "Инсон ҳуқуқлари Умумжаҳон Декларацияси". 1948 йил 10 декабр.\\Инсон ҳуқуқлари бўйича халқаро шартномалар. –Т.Адолат.2004, 34 бет

² Халқаро сайлов стандартлари ва Ўзбекистон қонунчилиги. / Масъул муҳаррир М.Абдусаломов / Ўзбекистон Республикаси Президенти ҳузуридаги Амалдаги қонун ҳужжатлари мониторинги институти нашриёти, Тошкент., 2014. – Б.54.

supporting the development of civil institutions, increasing the prestige and influence of political parties, and intensifying competition for voters' votes³.

Researching the role of political parties and other institutions of civil society in improving the legal culture of citizens, legal scientist, doctor of legal sciences H. Mamatov says: "...Civil society institutions (organizational structures) make a significant contribution to improving the legal culture of the population... Civil society formation and development requires political, legal, and moral superiority from citizens"⁴. Touching on various aspects of the activities of civil society institutions, the author emphasizes the following: "Political parties, public associations, non-governmental organizations and self-government bodies of citizens increase the political and legal awareness and activity of the population, as well as improve their legal culture, involve them in the process of managing state affairs, undoubtedly plays an incomparable role. If we take an election campaign as an example, political parties and other public organizations will carry out propaganda and mass-educational activities on a very large scale⁵.

Президентимиз Шавкат Миромонович Мризиёевнинг ташаббуслари билан Янги Ўзбекистонда амалга оширилаётган изчил, босқичма-босқич ислохотлар натижасида демократик талабларга ва умумэтироф этилган халқаро стандартларга жавоб берадиган, ҳамда фуқаролик жамияти институтларининг кенг иштироки таъминланадиган янги миллий сайлов тизими яратилди.

As a result of consistent, step-by-step reforms implemented in New Uzbekistan by the initiatives of President Shavkat Miromonovich Mrizyoev, a new national election system was created that meets democratic requirements and universally recognized international standards, and ensures wide participation of civil society institutions.

In particular, on January 22, 2018, the President of the Republic of Uzbekistan, No. PF-5308, No. PF-5308 Clause 2 of the State Program approved by the decree stipulates the task of developing the Electoral Code project under the leadership of the Central Election Commission and ensuring broad participation of civil society institutions in the election process based on the current election laws and normative legal documents of our republic.⁶ In the Election Code of the Republic of Uzbekistan, adopted on June 25, 2019, along with the codification of 5 election laws, more than 30 electoral processes were introduced. These innovations included in **the electoral legislation further strengthened the role of civil society institutions** in the electoral process. It can be seen in:

The first innovation is included in Article 23 of the Election Code, in which candidates for the membership of the precinct election commission are proposed by self-governing

³ Мирзиёев Ш.М. Миллий тараққиёт йўлимизни қатъият билан давом эттириб, янги босқичга кўтарамиз. 1-жилд. –Т.: Ўзбекистон, 2017. –Б. 16..

⁴ Маматов Х. Ҳуқуқий маданият ва Ўзбекистонда фуқаролик жамиятининг шаклланиши муаммолари. – Т., 2009, 193-бет.

⁵ Маматов Х. Ўша асар, 198-199 бетлар.

⁶ Ўзбекистон Республикаси Президентининг 2018 йил 22 январдаги ПФ-5308-сон “Фаол тадбиркорлик, инновацион ғоялар ва технологияларни қўллаб-қувватлаш йили”да амалга оширишга оид давлат дастури тўғрисида”ги Фармони // Қонун ҳужжатлари маълумотлари миллий базаси, 23.01.2018 й., 06/18/5308/0610-сон; 25.05.2018 й., 06/18/5447/1269-сон

bodies of citizens, public associations, enterprises, institutions and organizations, and these candidates are discussed at the meetings of the district and city councils of people's deputies and submitted to the relevant district election commission. recommended for approval.

F. Nasriddinov, Doctor of Philosophy in Legal Sciences, defined the legal status of election commissions as follows: "All election commissions established in order to implement the constitutional principle of people's power in order to ensure the will of the people through elections are a state body with a special status. The unique status of election commissions is reflected in the unique order of their formation with the participation of state bodies and civil society institutions and in the uniqueness of the legal regulation on the activity of exercising their powers to conduct election campaigns at various stages"⁷.

In the Guidelines on the formation of the composition of district and precinct election commissions, approved by the decision of the Central Election Commission of the Republic of Uzbekistan No. 932 of September 11, 2019, candidates for the membership of precinct election commissions are nominated by self-governing bodies of citizens - at a meeting of citizens or a meeting of citizens' representatives or at a meeting of citizens' gatherings, public associations, by enterprises, institutions and organizations - discussion at the meeting of labor teams and the result of the meeting (meeting) is formalized with a statement, and at least 50 days before the election, people's deputies are invited to district and city councils for consideration.

In the elections to the representative bodies held in 2019, for the first time through the processes mentioned above, 111,461 candidates for the membership of precinct election commissions in 10,260 polling stations were recommended through civil society institutions.

In fact, the precinct election commission occupies an important place in the system of election commissions, and it acts as a unique key link. After all, the precinct election commission is a collegial state body authorized to prepare for and conduct elections in the precinct. The direct participation of civil society institutions in the formation of this body serves to ensure that precinct election commissions carry out their activities impartially and without any enmity in relation to other subjects of the election process.

The second innovation is that in order to implement public control by civil society institutions during election processes, Article 33 of the Electoral Code established the participation of observers from self-government bodies at polling stations.

The participation of the chairman (elder) of the citizens' assembly from the self-governing bodies of the citizens, his deputy, adviser, as well as other officials of the bodies of the citizens' assembly as observers, in all activities related to the preparation and holding of the election, including voting and counting of votes on the election day. created a legal basis for the implementation of public control over compliance with the law.

⁷ Насриддинов Ф.А. Ўзбекистонда сайлов комиссиялари фаолиятининг ташкилий-ҳуқуқий асосларини такомиллаштириш. Юрид. фан. фал.д-ри ... дисс. – Т., 2019., 96-бет.

Electoral legislation and practice is a process of continuous improvement, and these improvements are carried out in harmony with the reforms carried out in the country. As a result of the reforms implemented by President Shavkat Mirziyoyev to build New Uzbekistan, the activity of mass media, social networks and bloggers, the political activity of the population, and the sense of belonging to the happening events are increasing sharply.

In our opinion, in line with these reforms, it is appropriate to include some changes and additions to the electoral legislation in order to further strengthen the role of civil society institutions in the election process.

In particular, giving the right to appoint observers not only from citizens' self-governance bodies, but also from trade unions to monitor election processes, as well as to discuss candidates for regional, district, city and district election commissions at meetings of citizens' self-governance bodies and labor unions, and relevant people's deputies. It is necessary to recommend to the councils.

In addition, the democratic institutions of the civil society should monitor the compliance of the election process participants with the election law during the election campaign. This serves to strengthen public control over election processes and to further increase the role of civil society institutions in these processes, as well as to support democratic processes.

In conclusion, it can be said that when it comes to the importance of elections in the context of the formation of civil society, it is very important by what methods and means the progress of the election process is brought to the attention of the general population. Ensuring the transparency of election processes is one of the important factors in the organization and conduct of elections within the requirements of the law, and it is undoubtedly achieved through public control over election processes.