

---

# Issues to Increase the Efficiency of Public Participation in the Preparation of Normative Legal Documents

---

*G. Abdurakhmanov*

*Master's student at Tashkent State Law University*

---

**Abstract:** This article is devoted to the results of the ongoing reforms in the government, in particular, in the creation of norms of government, the effectiveness of public participation in the preparation of regulations, the legal framework for public participation, the role and importance of public participation in the field to increase the practical significance of the legislation on participation, to analyze concepts such as public discussion, public expertise” and to improve them in legal and practical terms.

**Keywords:** creation of norms, public participation, public discussion, importance of public.

---

In our country the practice of deepening the legal process, its further improvement, creating a legal framework for public participation, ensuring the active participation of citizens in public administration is being introduced. The role and importance of public participation, the extent to which human rights and freedoms and legitimate interests are expressed in law and implemented in practice, is one of the essential indicators of building a democratic state and civil society based on the rule of law. In this regard, the full realization of human rights and freedoms in our country in recent years has become one of the main goals..

In his address to the Oliy Majlis on December 22, 2017, President Mirziyoyev said: “We must not forget one fact: the only source and author of the law must be the people. It is necessary to widely introduce the procedure for receiving opinions and proposals on each bill from the following - citizens, local Councils of People's Deputies. In the process of passing laws, we must effectively use the system of comprehensive discussion of them among the population[1]. From the above, it is clear that the participation of the people in the passing of regulations is growing. Also, they are participating in the process of passing of normative legal acts with their proposals.

G. Jakob, a German political scientist, said: “Voluntary associations aimed at realizing the opportunities for citizens to participate in public affairs include active civil society. Active civil society has the social responsibility of citizens, but also the right to participate in public affairs and make political decisions”[2].

According to B.Boymurodov, the effectiveness and quality of the passed normative legal acts is one of the primary and important factors in the success of large-scale reforms in our country. This will require the introduction of a systematic approach that will ensure high quality at all stages of norm-setting activities. Poor quality laws have a negative impact on the well-being of society and the state, cost citizens time and money, complicate public administration processes, and lead to corruption. It also hinders the development of entrepreneurship[3]. In this regard, Y.L.Komissarova states that “In a modern democratic state, of course, along with the creation of state norms, which are the main types and methods of developing legal norms, the norm creation of the people, which is the main source of power, plays an important role”[4]. It is obvious from this that if we want to build a modern,

---

legal state, the people must be able to express their views openly and transparently in the creation of norms..

According to H.Hayitov, in a democratic state, the participation of the general public in the management of state and public life is required. The state focuses its activities on ensuring human rights. Thus, in any state moving towards a democratic state governed by the rule of law, there is a legal relationship between the state and the citizen based on mutual rights and obligations. These relations are carried out through various democratic forms and methods. Public participation is important in this system of relations, especially in recent years. At the same time, the participation of public entities in lawmaking is not satisfactory. In addition, one of the problems in this area is that its legal framework is not well developed[5].

The most important indicator of the development of a democratic state governed by the rule of law is the active participation of citizens in the conduct of public affairs. According to V.V.Lazarev, the state takes a broad approach to the definition of lawmaking, according to which the emergence of an objectively defined need for legal regulation of social relations in the legislative process is based on officially defined guidelines of legal activity[6]. Based on the views of V.V.Lazarev, it is important to ensure the participation of citizens in the creation of norms, taking into account the objective aspects of public authorities..

It should be noted that for many years in our country, new, innovative methods and principles have not been applied to the lawmaking activity, which is a specific obstacle to the formation of a regulatory framework that can quickly and effectively provide legal reforms [7]. In particular, the passing of the law "On public discussion of the draft laws" on December 14, 2000 on these issues was due to the fact that the process of submission of normative legal acts for public discussion was legally defined.

According to B. Boymurodov, every passed legislative act should reflect the will of the people, the rights and freedoms and legitimate interests of citizens. To do this, citizens need to get acquainted with the normative legal acts not after their passing, but in the draft, and directly participate in the formation of its content. There are also a number of opportunities in this area. In particular, the discussion of draft normative legal acts of the Republic of Uzbekistan ([regulation.gov.uz](http://regulation.gov.uz)), the portal of public appeals "Mening fikrim". However, due to the importance of this issue and the complexity of its nature, it is necessary to implement in practice a system that specializes in systematic work, clear mechanisms and legal framework.

Therefore, we can say that the Decree of the President of the Republic of Uzbekistan dated August 8, 2018 "On approval of the concept of improving the norm creation" became a real historical document, which provides for the introduction of new, innovative ideas and methods in the creation of norms.

The Decree of the President of the Republic of Uzbekistan dated August 8, 2018 "On approval of the Concept for the improvement of normative activity" played a significant role. Because this concept improves the quality of legislative activity aimed at strengthening the impact of the passed laws on the process of socio-political, socio-economic and judicial reforms in the five priority areas of development of the Republic of Uzbekistan in 2017-2021 radical development has been identified as one of the main tasks of improving the system of state and society building[8].The purpose of this decree is to "define the concept, types of normative legal acts, their mutual legal force and relationship, as well as their planning, initiation, preparation, examination, agreement, adoption, publication, organization of their implementation. Regulation of relations in the field of education "[9]. This concept provides a number of sections on citizen participation. In this regard, President Mirziyoyev said in his

speech, “Ensuring and protecting human rights, freedoms and legitimate interests is the basis of our democratic reforms, as well as freedom of speech and press, access to information and dissemination of information, expression of views and opinions, the right to freedom of expression important measures are being taken”. From the above words of our President, we can see that the interests of the people come first.

In conclusion, it is necessary to ensure a certain level of public participation not only in the development of regulations, but also in the process. In this regard, we consider the following proposals in order to involve citizens in the rule-making activities and ensure their effective participation:

Firstly. Given the growing importance of public participation in the current process of globalization, in our country, too, citizens should be able to participate in public administration issues or in the normative and legal acts passed for society, expressing their strong proposals, complaints, innovative ideas.

Secondly. Since most of the normative and legal acts developed and passed at the level of agencies and governments affect the interests of different segments of society, it is necessary to take into account the possible consequences for this or that group of individuals in the process of their development [10]. This is because a normative legal act that serves the interests of a certain value of the society is a decision that does not affect the society. At the same time, it may be difficult to anticipate and identify most of the types of impacts that may occur during the drafting process.

Third. It is known that it would be expedient to check the compliance of draft regulations with the Constitution and laws of the Republic of Uzbekistan, and other normative legal acts with higher legal force, the rules of legislation, as well as the validity and expediency of the application of the applicable norms. Only then will the normative and legal acts have a sufficient place in the life of society. It will also be beneficial to the community and can serve for the development of the community [11]. From the above, we can see that we need to further improve public participation in our country, strengthen its legal framework and develop draft laws.

Fourth. Public participation is effective only with the active support of the population. The more active the public, the less likely it is that power will be abused. It is important for everyone to understand that they are responsible not only for their own activities, but also for the participation in the activities of their parliament, government and foreign policy.

Fifth. It is necessary to involve the public, increase the legal awareness of the public by organizing public opinion, and promote the legal culture. It is necessary to increase civic duty in the minds of passive citizens.

#### References:

1. [www.president.uz](http://www.president.uz)
2. Jacob G. Voluntary labor in civil society. // [http://zluka.isr.lviv.ua/Files/SCI\\_66/HTML-B.38-39](http://zluka.isr.lviv.ua/Files/SCI_66/HTML-B.38-39)
3. Boymurodov B.P. Fuqarolarning norma ijodkorligi jarayonida ishtirok etish prinsiplarining nazariy-huquqiy asoslari. Huquqiy tadqiqotlar jurnali 2022 y –B 5 <http://dx.doi.org/10.5281/zenodo.6322383>
4. Komissarova E.L. Forms of participation of citizens in the law-making of modern Russia. Bulletin of the Kemerovo State University 2015 No. 4 (64) V.2
5. Azizov X., Xayitov X., Yo‘ldoshev A. Mahalliy davlat hokimiyati organlari qarorlarini

- tayyorlashning tashkiliy-huquqiy asoslari. / Mas'ul muharrir: prof. O.Xusanov. – Toshkent: DBA nashriyoti, 2019. – B. 50.
6. Lazarev, V. V. (2001). Obshchaya teoriya prava i gosudarstva [General Theory of Law and State]. *Moscow: Yurist' [in Russian]*.
  7. Boymurodov B.P Fuqarolarning norma ijodkorligi jarayonida ishtirok etish prinsiplarining nazariy-huquqiy asoslari. *Huquqiy tadqiqotlar jurnali 2022 y – B 5* <http://dx.doi.org/10.5281/zenodo.6322383>
  8. National Database of Legislation, 08.08.2018, No. 06/18/5505/1639; 09.11.2019, 06/19/5870/4010;
  9. National Database of Legislation, 08.08.2018, No. 06/18/5505/1639; 09.11.2019, 06/19/5870/4010;
  10. Турдиев Х. ВЗАИМОДЕЙСТВИЕ ПАРЛАМЕНТА И ПРАВИТЕЛЬСТВА В ЗАКОНОДАТЕЛЬНОМ ПРОЦЕССЕ //Review of law sciences. – 2020. – №. 3. – С. 19-22.
  11. Khayitov K. S. PUBLIC EXPERTISE OF DRAFT LAWS: THEORETICAL-LEGAL ANALYSIS //Theoretical & Applied Science. – 2020. – №. 12. – С. 335-338.