

FEATURES OF THE ELECTION RIGHTS IN UZBEKISTAN (Comparative analysis)

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ABSTRACT

The article describes the features of the electoral right of the Republic of Uzbekistan. Also, in the article, the difference between the choice of the electoral law and the foreign experience is illustrated by comparative analysis.

Keywords: legal democratic state, constitution, law, election, Central Election Commission, political parties, financing, candidate, election campaigning.

The importance of the electoral process plays an important role in building a democratic legal state and building a civil society. Therefore, the country pays special attention to the formation of democratic principles based on the electoral system and legislation. Electoral legislation was created based on the rich national values and historical state traditions of the Uzbek people, taking into account the generally accepted principles of international law and advanced experience of the developed countries. Today, this law serves the rights of citizens and public associations to form and participate in state governance.

Analyzing the organizational and legal framework of the electoral system of the Republic of Uzbekistan and the electoral experience of foreign countries, it is possible to outline the following characteristics of the national electoral system:

First, election of the President of the Republic of Uzbekistan, the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan and the Jokargy Kenes of the Republic of Karakalpakstan, representative bodies of state power of the regions, districts, cities shall be held in accordance with Article 117 of the Constitution, as explicitly as terminating their constitutional term of office and on the first Sunday of the third decade of December".

It should be noted that the strict definition of terms of election is important. Because every political party or citizen ensures stability in determining its own action plan and election platform, facilitates the participation of parties to the election, the observers of foreign and international organizations, and, given the fact that the end of the year corresponds to that time, the elected head or body of the new term and it is important to set plans next year.

Secondly, the special structure, which is tasked with holding the elections on a permanent basis, ie the establishment of the Central Election Commission and its legal status, is a characteristic feature and achievement of Uzbekistan's electoral law and practice. In accordance with Article 1 of the Law "On the Central Election Commission of the Republic of Uzbekistan", "the Central Election Commission of the Republic of Uzbekistan is formed to organize and conduct the elections of the President of the Republic of Uzbekistan, the Oliy Majlis of the Republic of Uzbekistan, and the referendum of the Republic of Uzbekistan"¹. At the same time, the structure of such a body serves to ensure the democratic integrity of the elections and the protection of the rights of voters. Is there a right question as to whether there is a need for a co-ordinator or organizer of the election process? If we analyze the electoral legislation of foreign countries in order to answer this question, in Austria and Sweden, where the authorities are entrusted to the government, in the UK, Sweden, in many countries, including the leadership of the organization and conduct of elections in Poland and Costa Rica, In Italy and France, the internal affairs body

¹ Bulletin of the Oliy Majlis of the Republic of Uzbekistan. 1998. -5-6.-Article 95

organizes and directs the conduct of elections². There are different conclusions in the foreign countries on the organization of housing experience. For example, in the UK, Italy and France, the elections are organized by the Ministry of the Interior, so no separate administration is established. In the United States, elections are organized and administered directly by states. In the Latin American countries, the CEC is a function of the electoral tribunals.

Thirdly, the characteristic feature of the current stage of the national electoral system is obviously connected with the renewal and further democratization of state governance and the strengthening of the role of political parties in the modernization of the country. The proof of our opinion is the Constitutional Law of the Republic of Uzbekistan of 11 April 2007 "On strengthening the role of political parties in renewal and further democratization of state governance and modernization of the country" and "On amendments and supplements to certain articles of the Constitution of the Republic of Uzbekistan"³.

Fourthly, the fact that the formation of the specific system for financing the election process, particularly the political parties, depends on the electoral process.

It should be noted that the financial experience of the political parties in the electoral experience of the world has become a major issue not only during the elections, but also throughout their work. Today, financing of political parties is justified by the fact that it is not enough to implement them. Hence, their emergence as an important intermediary between electorate and the public, in turn, raises the cost of operating this position and, in spite of the need to regulate the issues related to financing this activity. Public funding of elections, along with the prevention of various subjective situations, also affects the impartiality of the election results. This creates the same opportunities for smaller and more affordable political parliaments to participate in the elections. The order of financing through elections in various countries is diversified by the fact that only large and large-scale experience and political parties with rich financial resources are artificially raised.

² The abovementioned information is from www.barezzz.com.

³ Collection of legislation of the Republic of Uzbekistan. 2007. - Article 15.-153.

As a legal solution to this problem, the Law of the Republic of Uzbekistan "On political parties financing" was adopted on April 30, 2004. According to Article 8 of this Law, financing of elections of political parties to the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan and other representative bodies of state power is carried out in the prescribed manner only at the expense of public funds allocated for these purposes. It is forbidden for political parties to fund other financial resources and to support them financially⁴.

At the same time, not only the activities of political parties related to their participation in the electoral process, but also the expenses related to preparation and conduct of elections in general at the state level are also financed by the state funds of the Republic of Uzbekistan.

Fifth, the existence of the quota system for the formation of parliamentary structures. On December 25, 2008 the Law of the Republic of Uzbekistan "On amendments and additions to some legislative acts of the Republic of Uzbekistan in connection with the improvement of electoral legislation" was adopted. In the Republic of Uzbekistan, based on the law of social life, amendments and additions were made to a law regulating electoral relations.

In particular, the number of deputies of the Legislative Chamber of the Oliy Majlis, which was included in the first part of article 77 of the Constitution of the Republic of Uzbekistan, was increased from 120 to 150. Further, 135 out of deputies of the Legislative Chamber of the Oliy Majlis are elected by secret ballot on the basis of multi-party, universal, equal and direct suffrage in one territorial mandate electoral districts. Increasing the number of deputies elected on the basis of multiparty system increases the competitiveness of political parties in the lower house of the legislature. This change ensures that parties' parliamentary involvement is more comprehensive.

15 deputies from the Legislative Chamber are elected from the Ecological Movement of Uzbekistan. From this new rule, we can see that ecological life is shaped as a new political force in the future. This rule includes the specificity of the election legislation - the

⁴ Law of the Republic of Uzbekistan "On financing political parties" // The law of the Oliy Majlis of the Republic of Uzbekistan. 2004. -5. Article 86

institution of deputy quota. An important prerequisite for the high level of confidence and high competence of the ecological movement is the prevention of environmental degradation, which is a global problem, and the introduction of a new legal mechanism for environmental protection. This is innovation right now, but this effort will fulfill its assigned tasks in the future and will contribute to the development of the country.

Sixth, citizens of the Republic of Uzbekistan who have reached the age of 18 shall exercise their voting rights on the basis of universal, equal and direct suffrage by secret ballot. Any form of direct or indirect restriction on the voting rights of citizens of the Republic of Uzbekistan shall be prohibited, depending on their origin, social or property status, race or national origin, sex, education, language, religion, occupation or character.

Seventhly, the preparation and conduct of elections are conducted by election commissions openly and publicly. The mass media of the Republic of Uzbekistan shall cover the preparation for and conduct of elections. Observers, representatives of the press, television and radio, observers from other states, international organizations and movements from one political party that nominated candidates at all polling stations, as well as at every polling station on election day, shall have the right to participate in the election preparations and conduct.

Eighth, persons violating the rules and order of conduct of elections, violating the right of citizens of the Republic of Uzbekistan to elect and be elected, to exercise their right to campaign, violate, deceive, threaten or otherwise oppose, members of electoral commissions, public and public bodies that have inadvertently denied incorrect registration, violated the secrecy of the vote, or otherwise violated the law ing officials will be responsible for the manner established by law.

Ninth, the pre-election campaign starts from the day the candidates were registered by the Central Election Commission. Candidates and political parties shall have the equal right to use the mass media in order established by the Central Election Commission, and to hold meetings with voters at meetings and other forms convenient for voters.

Tenth, the full compliance of our election legislation with international standards is another feature of our national electoral right. The democratic principles and rules of the national election law are governed by Article 21 of the Universal Declaration of Human Rights, ratified by the UN General Assembly of 10 December 1948, Article 25 of the International Covenant on Civil and Political Rights, adopted in 1966 and entered into force in 1967, Article 1 and 2 of the Convention on the Political Rights of Women of 20 December 1952 and the Paris Convention for the Protection of Human Rights and Fundamental Freedoms, adopted at the 154th session of the Inter-Parliamentary Council in Paris in 1994, the provisions of the Declaration on the Human Dimension of the 1990s in Copenhagen and paragraph 7 of the Convention on the Exercise of the Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States, Articles 1-10.

In summary, Uzbekistan's electoral right has been shaped with internationally recognized principles, advanced experience of developed democracies and national mentality of the Uzbek people, guaranteeing equal opportunities for citizens to participate freely and voluntarily in government affairs directly and through their representatives.

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3. Collection of legislation of the Republic of Uzbekistan. 2007. - Article 15.-153.
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5. Article 86