People’s receptions of the President is a new instrument of democracy in Uzbekistan

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Abstract. The article describes the features of consideration of appeals of individuals and legal entities in Uzbekistan, the procedure for considering appeals through public receptions. In addition, opinions were expressed on the role of People's Receptions in considering applications from individuals and legal entities, as well as the procedure for conducting public (public) receptions.

Keywords: Appeals of individuals and legal entities, People's receptions, mass on-site receptions, walking from house to house, activity of sectors.

Introduction. The gradual and dynamic reforms of society on the basis of the “Uzbek model” of the development and generally recognized norms of international law are being carried out in our country, and the protection of the rights and freedoms of citizens as in the past, following years and currently is considered to be the primary tasks of the state. It is significant to note that the dialogue between citizens and the authorities was precisely viewed as a unique form in all historical periods. As it is obvious, our great ancestor Amir Temur realized himself and explained to others that strength lies in justice, unity and cooperation. The fact that the words “Strength is in justice” were stamped in the seal of Sokhibkiron (an impressive nickname has been given to Amir Temur) means that truthfulness and honesty strengthen the person, and strong personality, in turn, is always an adherent of truth. The head of state ensures the construction of free, fair and prosperous life, guarantees the rule of law, order and discipline, justice and truth in the society through his activities.

The President of the Republic of Uzbekistan Shavkat Mirimonovich Mirziyoyev defined the new stage in the development of the country and guaranteeing the rule of law and the right to appeal, pays constant attention to the interests of ordinary people, life of the population based on the age-old traditions of building statehood and the Constitution of the Republic of Uzbekistan from the first days of fulfilling his duties. As stated in the Article 2 of the Constitution, “the state represents the will of the people and serves its interests. State bodies and officials are accountable to the society and citizens”. According to the Article 7, the people are the only source of the state power. State power in the Republic of Uzbekistan is exercised in the interests of the people and exclusively by authorized bodies in accordance with the Constitution of the Republic of Uzbekistan and the legislation adopted on its basis. The right to appeal to public authorities is the institution of direct democracy that allows citizens to participate in the management of public affairs, ensures the implementation of the most important constitutional principle of democracy. It also introduces one of the basic political rights of citizens. Consolidation of this idea in the Constitution of the Republic of Uzbekistan is the reliable guarantee of the implementation of this process. In the Article 35, it is determined that everyone has the right, personally or jointly with others, to apply to the competent state bodies, institutions or representatives of the people with statements, proposals and complaints, which should be considered in the manner and time established by law. Guaranteeing the rights and freedoms of citizens in the implementation of this norm is an important criterion in connection with the citizens’ appeals, and is also regulated by other normative-legal acts.

These constitutional norms have become the foundation of the dynamically developing legal and regulatory framework regulating the procedure for considering applications.

In this regard, the laws of the Republic of Uzbekistan that directly regulate this sphere of public relations, such as “On Appeals of individuals and legal entities”, adopted in December 2014, with the development of 2002 version, the law unifies the appeals of citizens, legal entities -
business entities, public associations, as well as the law of the Republic of Uzbekistan “On appeals of individuals and legal entities”, adopted on September 11, 2017 in a new edition.

The need to constantly improve the regulatory framework in this sphere, as well as in other areas, is dictated by the formation of new institutions of civil society, the active development of small business and private entrepreneurship in our country, increased attention to the protection of their rights and legitimate interests and aimed at solving further improvement of legal mechanisms of working with citizens’ applications. The law plays crucial role in that, along with the expression of responsibility for violations in this area, it has expanded opportunities for citizens, simplified procedures and reduced the time for consideration of their applications. This document, along with the protection of the rights and interests of individuals and legal entities, protects their right to appeal to the state bodies and institutions, as well as to self-government bodies of citizens with applications, complaints, proposals and recommendations to improve the activities of the state and society. The law defines the forms and types of applications, the requirements for them, the role of the mass media in this area, the procedure for receiving representatives of individuals and legal entities. At the same time, guarantees of the right to appeal, the terms for filing applications and their consideration, as well as the rights of subjects and the obligations of public authorities are noted. The law establishes that unlawful refusal to accept applications, failure to provide a response in writing or electronic form entails administrative or criminal liability.

As the logical continuation of these reforms, People’s receptions were established according to the Decree of the President of the Republic of Uzbekistan dated on December 28, 2016 “On measures to radically improve the system of affairs with applications from individuals and legal entities”. They play prominent role in increasing the responsibility of officials to make regular dialogue with the people, timely, objective and high-quality consideration of applications.

The main tasks of the People’s receptions and Virtual receptions are:

— to create conditions for the unconditional exercise of the constitutional rights of citizens to appeal to the President, to the Parliament, the Presidential Administration, the Government, state organs and management bodies, judiciary, law enforcement and regulatory bodies, local government bodies, to other state organizations and economic management bodies;

— organization of complete, objective and timely consideration of applications coming to the People’s reception and Virtual reception in strict accordance with the Law “On appeals of individuals and legal entities”;

— to organize direct dialogue with the population, ensuring the operation of the qualitatively new and effective system of work with appeals of individuals and legal entities, aimed at full-fledged protection of their rights and freedoms, legal interests;

— implementation of systematic monitoring and control over the consideration of applications received by the People’s reception and Virtual receptions and sent to the state and economic management bodies;

— reception of representatives of individuals and legal entities with the participation of officials of the state organs and economic management bodies, including via videoconferencing;

— widespread use of modern information and communication technologies through the introduction and maintenance of the unified electronic information system to control the registration, generalization, systematization, consideration and control of appeals to the People’s reception and Virtual reception offices.

Ensuring the subjective right of citizens to apply to the state and local government bodies is one of the guarantees of people’s sovereignty and the link between the people and their representatives. Applications perform an important function of feedback between the people and the state, allowed for conveying the opinion of the first to the state authorities on topical issues. In addition, information about the most urgent problems and shortcomings contained in the applications helps to take timely measures to eliminate them and prevent them in the future.

The adoption of the Strategy of actions for five priority areas of the development of the Republic of Uzbekistan in 2017-2021, marked the beginning of new era in the life of civil society;
the promising tasks are reflected in the State program on the year of “Dialogue with the people and human interests”. In this regard, the Head of state noted that “dialogue with the people is not a temporary campaign, as some think, but an invariable priority of the state policy, an issue that is in the center of constant attention. People shouldn’t serve the state organs, contrary the state bodies must serve the people”. The words, deeply rooted in the heart of our people, “Our people must see positive changes in their lives not tomorrow, not in the immediate future, but today” have turned into a driving force, an ideological core fundamental transformations and reforms that are being carried out today in all spheres and sectors of the country.

It should be emphasized that the completely new system of working with applications for the comprehensive development of the country, open dialogue with the population, created on the basis of the institution of the Virtual reception of the President and People’s receptions is widely recognized internationally as a unique structure.

As the main goal to build the democratic and legal state it is important to achieve sustainable and creative development of society. No one has the right to forget that solving any problems of citizens is one of the main duties of the state to the people. Therefore, leaders should regularly be among the people, organize personal receptions, and solve problems on the ground.

“In the future, the assessment of the fruitfulness of the leaders’ work will primarily be determined by the number of applications from the population in their territory, their practical resolution and stay among the people”. Chiefs of the state organs and economic management bodies, officials, khokims (local governor) of all levels are instructed to regularly hold field receptions of individuals and representatives of legal entities, including receptions organized by People’s receptions.

Moreover, the heads and officials of the state organs and economic management bodies were strictly warned about responsibility up to criminal prosecution for violation of the requirements and norms of the law on appeals.

People’s receptions have become the effective mechanism for realizing vital interests, closely studying long-term problems, people’s demand and needs and their solutions on the ground, ensuring social justice, which was presented to the international community as one of our achievements on the path to true democracy. The President of the Republic of Uzbekistan Shavkat Mirziyoyev, speaking from the high rostrum of the UN General Assembly, defined as a global goal the strengthening of real, and not pseudo, mechanisms for introducing people’s power, stressing that People’s receptions have been created throughout the country, and more than one million citizens have addressed their problems only this year. Thanks to the people’s receptions, the long-term dreams and aspirations of our people were realized, took their worth place in the society, and are turning into the centers that actual mechanisms are being created for their implementation, new ideas, practical proposals and initiatives on the way to identifying the real situation in each territory and fields, existing problems are developed.

The unique system of communication with the people made it possible to establish direct interaction between citizens and the government organs. Over the past period, more than 2 million 500 thousand people were able to find solutions to their tormenting problems and answers to questions through the President’s Virtual reception and People’s Receptions, which clearly shows their practical importance in alleviating the difficulties of the people and strengthening the principles of justice in our society. Indeed, the life never stands still. Keeping up with the times, one-step ahead is in need and the requirement of the present days. The systematic analysis of the state of work with citizens’ applications using the example of the Tashkent region shows that since the beginning of the work of the People’s receptions to the present, they have received more than 40 thousand appeals from individuals and legal entities, including 17424 in 2018, 16932 in 2019 and 13245 for nine months of 2020. The dynamics of applications is noticeably decreasing, that says: firstly, about the gradual solution of problems raised by citizens and questions of interest to people. Secondly, about the timely adoption of measures of organizational and legal regulation of the relationship between the individual and the state. As a matter of fact, People’s receptions undertake the main burden of responsibility in order to timely resolve raising the urgent issues by the
population, and they become truly leading and coordinating organs in a short period of their activity to ensure timely and high-quality consideration of applications and are ready to significantly expand their activities, control applications, joining law enforcement bodies, ensuring effective control over their deliverance and timely implementation. Thirdly, the analysis of the applications received by these organs shows that most of them find their resolution at the local territorial level and only the third is sent for the consideration to higher authorities.

The fast-paced epoch, in which we are now living, the enormous goals are required and set before us, as in all other spheres, further improvement of the positive experience gained over the past short period of its meaningful development in the field of citizens’ appeals. The President of the Republic of Uzbekistan Shavkat Mirziyoyev, separately dwelt on this issue on December 28, 2018 in his address to the Oliy Majlis, emphasizing completely different approach to the activities of People’s receptions. A number of systemic shortcomings were identified when analyzing the work with citizens’ appeals, in this regard, the Decree of the Head of state “On measures to further improve the system of work with population problems” was adopted, aimed at ensuring the transition of the state bodies and other organizations to direct work with citizens and entrepreneurship subjects, becoming their close assistants in order to implement the new system. It was stipulated that the People’s receptions would identify and resolve problems through the territorial house-to-house detour, meetings with the population together with representatives of the state authorities in accordance with this Decree.

In addition, the people’s receptions take measures to study the social environment in the regions, ensure openness, transparency and objectivity in solving the problems of the population. Based on the requirements of this Decree, the People’s receptions are assigned the following additional responsibilities:

• creation of sectors for the integrated socio-economic development of territories, constant coordination of the activities of the state bodies and other organizations to identify and resolve socio-economic problems through walking house-to-house, study of public and other objects;
• coordination and control of the system of work in the territories with applications from individuals and legal entities, conducting mass and visiting receptions;
• participation in the assessment of the socio-economic situation of makhallas (local community);
• participation in the development and control over the implementation of regional, sectoral and the state programs in the socio-economic sphere;
• coordination of the work of the state organs and other organizations in connection with providing assistance to people with disabilities, low-income people and people in need of social assistance;
• coordination of activities for the provision of public services;
• cooperation in the sphere of activities with public and non-governmental non-profit organizations and mass media.

Furthermore, the role and importance of joint work of People’s receptions and the institution of the makhalla (local community), is the most important link in society in the consistent implementation of the intentions and objectives to ensure sustainable development of the country, increase the satisfaction of the people, and fulfillment of citizens with the decent life with firm confidence in the future. Makhalla (local community) is the structure closest to the population in strengthening peace and harmony in the society, an atmosphere of mutual respect, compassion and cohesion, preserving national traditions and values, ensuring the strength of the family, raising the healthy and harmonious generation. In order to increase the role and effectiveness of the makhalla (local community) in the management of society, introduce modern mechanisms for organizing the work of citizens’ gatherings, the new system of cooperation is being established based on the principle “Makhalla - Sector – People’s reception – Makhalla” to work with appeals, identify and resolve population problems. This principle, put forward by the President of the Republic of Uzbekistan and increasingly rooted in our life, creates the basis for our compatriots to be satisfied with life and to actively participate in the management of public and the state affairs.

Accordingly, People’s receptions, as new institutions of applications become independent complex legal state bodies, are regulated by national and international human rights legislation, to
support the citizens, legal entities, directly or through their representatives by applying orally or in writing, individually or collectively to the state organs and local self-government bodies in order to ensure the implementation and protection (restoration) of their rights, freedoms and legitimate interests, freedoms and legitimate interests of others and participation in the management of the state affairs.

As noted, at present, the effectiveness of the activities of the People`s receptions and the state authorities in working with citizens` appeals largely depends on the level of their technical equipment and the degree of automation of management processes. Computer technology helps to solve a wide range of problems in the preparation of documents, the organization of operational and rational work with them. Here we primarily mean equipping the units responsible for this sphere of work with the necessary modern office equipment; the use of technologies for automated processing of data on requests from citizens, the development of specific applied programs, the creation of information retrieval systems, thematic databases; introduction of modern telecommunication technologies.

Further improvement of national legislation in the field of citizens` rights and applications requires careful systematization and comprehension of factual and scientific information, a deep study of the problems of this institution in close connection with constitutional rights, sciences and scientific areas, curricula that consider related or the same issues from the different angle. The regulatory-legal framework that has developed in this area should be broadly and intelligibly communicated to the population by the mass media, justice organs, other state bodies of all levels, their officials and employees of the People`s reception centers, local government bodies, and deputies. At the same time, it should be stated that the presence of the number of applied normative legal acts has not yet formed a coherent system of legal norms that would comprehensively, complex and fully contain the political, administrative-material and administrative-procedural aspects of the institution of applications. The laws, decrees and regulations of the President, instructions of the Government adopted in the recent years, the amendments and additions made to them, and other normative legal acts adopted in this area are to be systematized and unified. In this regard, it is considered that adopting the single consolidated law - the Code of Citizens` applications helps to unite all legislative renewals.

It is necessary to more often refer to the experience of other countries and their legal systems, the works of prominent scientists who are exploring this important area of public relations for further modernization of the system of work with citizens` appeals and improvement of the scientific and legal bases in our country. It is known that the right to appeal is guaranteed by the constitutions of many states, regardless of their form of government. It is widespread both in the developed democratic countries of the West and in the post-Soviet states, as well as in Muslim states. And this is no coincidence, since globalization and international law contribute to the unification of the legal systems of various countries. International principles, including respect for human rights and freedoms, are binding on all countries of the world community. Foreign countries attach great importance to the right to appeal due to the fact that it allows citizens to participate in making important public decisions, to protect their rights and freedoms, and to control power from abuse. At the same time, in the legal acts of these countries there is no unified approach to the regulation and understanding of this right. In some it belongs only to citizens, in others - to everyone. The constitutions of some countries guarantee only written applications. As the purposes of our article, we think that it is enough to limit ourselves to taking into account the principles generally recognized in internal and foreign social science, which underlie civil society: economic freedom; variety of forms of ownership, market relations, competition; recognition and protection of human and civil rights; the democratic nature of the government, ensuring the equality of all citizens before the law, legal protection of the individual; the rule of law based on the principle of separation and interaction of powers; political and ideological pluralism, freedom of thought and speech, independence of the mass media; non-interference of the state in the private life of people; mutual obligations and responsibilities of citizens confirmed by law; effective social policy of the state, ensuring a decent standard of living for people and civil peace in the society.
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