

REFORMS IN PARLIAMENTARY OVERSIGHT IN THE REPUBLIC OF UZBEKISTAN AND GLOBAL EXPERIENCE IN THIS FIELD

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Abstract: *This article discusses the main principles of parliamentary oversight, the concept of senator (deputy) inquiries, the legislatively defined powers of senator (deputy) inquiries, effective mechanisms for senators' (deputies') activities, and proposals and recommendations for implementing foreign countries' experiences in developing the activities of senators (deputies) in our country.*

Keywords: *Parliament, Oliy Majlis, Senate, Legislative Chamber, political processes, Senator (Deputy) inquiry, guarantees of Deputy and Senatorial activities, parliamentary and Deputy oversight, executive bodies, state budget, local council, administrative responsibility, legislation drafting.*

The head of our state noted that along with achievements in the activities of the Parliament, there were also issues that remained overlooked, and put forward the following thoughts: "The share of laws that are directly applicable and have specific implementation mechanisms remains low. It cannot be said yet that parliamentary oversight has become a fully effective institution, and parliamentary and deputy oversight remains limited to the social sphere." [1]

In addition, President Shavkat Mirziyoyev emphasized the necessity of implementing control over the execution of the State budget, which, according to the renewed Constitution, is considered the most important part of the absolute powers of the Legislative Chamber. [2]

In order to enhance parliamentary oversight in this area, tasks have been assigned to newly appointed deputies to implement a new system. This system involves transitioning to a practice where all government reports related to the state budget are submitted to the chamber only in conjunction with the audit opinion as specified in the Budget Code. [3]

Research conducted on parliaments and their development in developed countries around the world shows that in recent years, due to the demands of the times and based on the national interests of subjects (states) in international relations, new forms and principles of parliamentary oversight are being implemented through the introduction of several changes to existing legislation.

Currently, the concept and essence of parliamentary inquiries in the Legislative Chamber of the Oliy Majlis are gaining increasing relevance. The present situation necessitates studying foreign experiences in this area and developing measures to address challenges in the field.

The President outlined several priority tasks for the renewed Senate in 2024, emphasizing that involving councils in the legislative process, **overseeing the activities of executive bodies**, and strengthening parliamentary control in the fight against corruption are in line with the demands of our time. It was noted that these tasks align with contemporary requirements. [4]

In legislation, priority is given to procedural, organizational, and technological norms and principles groups for parliamentary oversight. Often, parliamentary law is divided into or equated with terms such as "parliamentary procedures," "parliamentary process," and "parliamentary work," but this approach is incorrect. The normative framework of parliamentary law, regardless of how large the proportion of procedural rules within it may be, develops under the decisive influence of material law principles and norms.[5]

According to experts on the study of parliamentary problems, despite the fact that the necessary work is being carried out in our country to bring reforms in all areas to a new level, there is a lack of sufficient guarantees to fully implement the activities of deputies in a free and independent manner.

The inadequate level of parliamentary oversight over executive bodies is evident in several aspects: the limited participation in the formation and adoption of the state budget, the requirement for formal participation in adopting new versions of laws, and most importantly, the inability to independently determine its own financial budget. Moreover, the parliament's role in governing the country and making important decisions is not sufficient.

For this reason, the accountability of officials from state bodies and economic management organs to the chambers of parliament is rarely carried out, and even when it is conducted, it is done merely for appearance's sake.

Request of a deputy of the Legislative Chamber - a deputy of the Legislative Chamber has the right to send a request to officials of state bodies and economic management bodies, as a rule, demanding a substantiated explanation or statement of position on issues related to ensuring the rights and legitimate interests of voters in the corresponding electoral district, as well as issues related to the interests of the respective territories. Officials of state bodies and economic management bodies shall send a written response to the request of a deputy of the Legislative Chamber or a member of the Senate within ten days from the date of receipt of the request, unless another deadline is established. The response to the request of a deputy of the Legislative Chamber or a member of the Senate is signed by the official to whom the request was addressed, or by the person temporarily performing their duties.[6]

In order to achieve positive results in the implementation of these laws, amendments and additions were made to Article 193 of the Code of Administrative Offenses on January 3, 2018. According to these changes, the law strengthened administrative responsibility for violations in considering parliamentary inquiries, as well as inquiries from senators or deputies. However, from the day the law came into

force until now, and even before that, no administrative responsibility has been established against any official.

Although it has been established that the authorized representative of the Cabinet of Ministers of the Republic of Uzbekistan in the Oliy Majlis is responsible for assisting in ensuring timely and high-quality responses to inquiries sent to officials of executive authorities, in some cases, many responsible parties are neglecting these inquiries.

In cases like those mentioned above, Article 193 of the Code of Administrative Offenses of the Republic of Uzbekistan governs the situation, providing grounds for administrative liability for "violation of guarantees of deputy and senatorial activities." [7]

According to it, violation of the guarantees of deputy and senatorial activities - failure of officials from state bodies, citizens' self-government bodies, enterprises, institutions and organizations regardless of their form of ownership to fulfill their obligations to deputies and senators, obstructing their work, deliberately providing them with false information, violating the guarantees of deputy and senatorial activities, as well as officials' failure to consider parliamentary inquiries, deputy or senator inquiries, or violating the deadlines for their consideration without valid reasons, or deliberately providing knowingly incorrect information regarding them, shall result in a fine imposed on officials ranging from **three** to **seven** times the basic calculation amount.

Based on the above, it can be said that today, based on international experience in sending a deputy request, further increasing the effectiveness and effectiveness of parliamentary inquiries is one of the pressing issues.

The study of international experience on the deputy's request revealed the following, including:

Georgia, Russia, Armenia, Azerbaijan, Kyrgyzstan, Tajikistan, and others, which have the right to independently send a deputy request;

Belarus, Kazakhstan, Moldova, and other countries with the right to send a deputy's request after its consideration by the parliamentary assembly;

France, Austria, Finland, Serbia, etc., which have the right to send a parliamentary request with the permission of the head of parliament.

In addition, other approaches to the organization of a parliamentary (deputy) request in the context of separate states were analyzed. In particular, in order to ensure transparency for the general public on the requests of members of the parliament of Georgia, a register of requests will be provided;

In Denmark, Russia and Kazakhstan, it is presented to the public through posting on the official website of the parliament or chamber;

In France, all inquiries sent by Senators and Deputies, along with the responses to them, are regularly published in official publications. This practice simultaneously allows for the study of public opinion and attitudes.

Furthermore, guarantees in the legislation of foreign countries:

Russia - an independent institution has been established for the appeal of deputies to judicial bodies, with a fine of 20 (twenty) times the minimum wage;[8]

In Poland, a deputy's inquiry in the National Assembly of Poland (Polish: Zgromadzenie Narodowe Polski) is submitted by the deputy, and the response is addressed to the Speaker of the Parliament (MARSHAL). If the response is deemed insufficient, the official in question is required to present a report on the situation to the Parliament, and their position may be reviewed. This process is justified by the fact that upon appointment to the position, the official assumes responsibilities before the Parliament. [9]

In order to address existing problems and further develop the field, it is proposed to implement the following measures:

Implementation of a system in the central office of the Oliy Majlis of the Republic of Uzbekistan for monitoring and analyzing deputy inquiries, preparing periodic (quarterly, monthly, or weekly) reports on this data, and submitting these reports to the Speaker and Deputy Speakers of the Legislative Chamber;

Expanding the powers of deputies in the Law on the Regulations of the Legislative Chamber of the Republic of Uzbekistan, particularly by establishing specific threshold values (indicators) for cases when the authorized representative of the Cabinet of Ministers of the Republic of Uzbekistan in the Oliy Majlis fails to properly organize timely and quality responses to deputy inquiries. Additionally, implementing a system where, following discussions in factions, a proposal can be submitted to the Speaker of the Legislative Chamber of the Oliy Majlis to review the activities of this official in the Oliy Majlis;[10]

The request of a deputy of the Legislative Chamber is one of the forms of parliamentary control. To increase the effectiveness of its use, it is necessary to create a unified format for deputy inquiries sent by deputies and to conduct training sessions with newly elected deputies on their parliamentary activities;

The study of the parliamentary control institution's experience in developed countries (Germany, Great Britain, USA, Moldova, Georgia, Poland, and Russia) aims to implement mechanisms for parliamentary deputies to carry out their functions and parliamentary oversight in our country. This includes ensuring the freedom of deputies' activities, guaranteeing their protection from various pressures and influences, as well as introducing a system for parliament to independently manage its financial budget and report to the plenary session of parliament at the end of the year.

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