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## LEGAL FOUNDATIONS OF PARLIAMENTARY ACTIVITY IN THE REPUBLIC OF UZBEKISTAN

**Abstract.** *This article examines the legal foundations of parliamentary activity in the Republic of Uzbekistan within the context of ongoing constitutional reforms and the development of democratic governance. Particular attention is given to the principle of separation of powers, its theoretical underpinnings, and its practical implementation in the national system of state authority. The study analyzes the role of Parliament (Oliy Majlis) as a central institution in ensuring checks and balances among the branches of government.*

*The article also explores the organizational and legal framework of the Parliament as defined in the updated Constitution of the Republic of Uzbekistan, highlighting recent changes aimed at strengthening parliamentary effectiveness and accountability. Special emphasis is placed on the core functions of Parliament, including its legislative role in law-making, its oversight (control) function over the executive branch, and its representative function in expressing the will and interests of the people.*

**Keywords:** *Constitution, Parliament, Oliy Majlis, House of Commons, Senate, legislation, control, representation.*

### INTRODUCTION

One of the most important constitutional principles of a Democratic state is the principle of division of power. According to the principle of separation of powers, it is necessary for any branch of power to restrain another branch of power without allowing it to deviate from the scope of power and abuse it. At the same time, not one of the authorities should interfere in the activities of the other.

The distribution of power is a necessary condition of a democratic legal state. The application of this principle impedes the abuse of power, protects citizens from the

harassment of officials, creates conditions for the effective functioning of government agencies.

## MAIN PART

The emergence of the theory of the distribution of powers goes back to the distant past. Each of the three states of power, together, constitute a unified state power. No state body other than them can claim power. One of the important aspects of the principle of distribution of powers is that in it every county (branch) of power must have the right and possibility to control each of the other two subjects of power. But this control is not a superiority. The right to control does not enable to absorb the constitutional powers of the controlled authority. The distribution of powers presupposes that an individual is the owner of a full-fledged power within his or her competence. Therefore, any state should have a single legislative body, a single executive body and a single judicial body (system) (Odil Qoriyev, 2009:179).

As in most countries of the world, the Constitution of the Republic of Uzbekistan contains the principle of separation of powers, that is, Article 11 establishes the basis of the system of state power of the Republic of Uzbekistan-the principle of division of power into legislative, executive and judicial powers.

Legislative power – the bicameral parliament is exercised by the Oliy Majlis of the Republic of Uzbekistan, executive power by the Cabinet of Ministers of the Republic of Uzbekistan, judicial power by the Constitutional Court of the Republic of Uzbekistan and the Supreme Court of the Republic of Uzbekistan.

Today, "parliament" as a term representing the country's legislative supreme representative body has been legislated or used in practice by most states of the world. In this case, depending on the language and traditions of the country, the official name of the parliament may vary (Hakimov, 2012:22). In particular, in the United States and some Latin American countries - Congress, Sweden - riksdag, Finland - Sejm, Norway - storting, the Russian Federation - Federal Assembly, Ukraine - Verkhovna Rada, Tajikistan - Assembly Oli, India Sansad, Japan Kokkay, etc. Regardless of what the modern Parliament is called, it is considered an independent branch of power in a Democratic state. As the primary function of the parliament is legislative creativity, it is also referred to as the "Legislative body". Parliaments can be unicameral or bicameral in terms of their structure. In a long history, the colorfulness of the interests of the lower

and upper classes of the population took the field as the main criterion for division into chambers. Centuries later, as parliament became an increasingly universal office, such a criterion began to be replaced by the interests of the territories, their representation. It is permissible to recognize that the parliaments of most states, regardless of the form of the state structure, consist of two chambers, without denying that currently in the scientific and political circles of the world masses there is a specific controversy over which one or two-chamber structure of Parliament is preferable.

Depending on whether the parliament is unicameral or bicameral, representation can be of two tones: nationwide and territorial representation. In unicameral parliaments, deputies are considered nationwide representatives. In bicameral parliaments, however, in most cases, members of the upper house represent the interests of the territories.

As you know, parliamentary functions represent the main areas of activity of this body, and these functions include: legislation, control and representation.

The representative function refers to the representation of the national interests of Parliament as one of the forms of ensuring the participation of citizens in public administration.

The central role of Parliament in the system of state authorities is determined by the fact that it is the only nationwide representative body in the system of all state authorities, this feature of which is determined by the principles of its formation and functioning. Parliament is formed by secret ballot on the basis of universal suffrage with the participation of the citizens of the country, which is determined by the fact that its function is the mechanism of representation of the interests of the whole people. Its representative function is manifested in the fact that it is mobilized to express the will of the people in the management of the state.

Representation is expressed as the basis of parliamentary validity in the obligation of parliamentarians to reflect in their activities the interests of goals and social progress that have commonality by granting them the status of law, as well as in their obligations to maintain constant ties with their constituents. In parliamentary activity, the urgent problems of the general, socio-economic and political life of the country, including human development issues, should be the focus and find their solution (Sobirov, 2011:28).

Another indispensable function of Parliament is legislation. The preparation of the law is the main and most important way or means of implementing the principles of

human development in the activities of the parliament or the deputy. The law is the main source of the right to politically organize Democratic state power. In addition, the law is an important category of the legal state. Finally, the law is a normative legal document adopted by the Supreme representative body of state power (Parliament) in a separate order or directly by the people, regulating the most important social relations, with a legal force at the highest level.

Any modern Parliament has the authority to make laws that are compulsory for all and have high legal power. Through this function, the parliament is actively involved in the formation and development of state and community institutions to manage the affairs of the state and society. Parliament is independent in lawmaking. But, this activity of it is limited within the framework of the Constitution, and such delimitation comes from the principle of division of state power. Any law passed by Parliament must comply with the principles of the inherent rights and freedoms of a person, equality of citizens before the law and Justice. Otherwise the law becomes ineffective (Hakimov, 2012:35). Articles 98-99 of the Constitution of the Republic of Uzbekistan define the activities and procedure of lawmaking. According to it, the right to legislative initiative is held by the president of the Republic of Uzbekistan, the deputy of the Legislative Chamber of the Republic of Karakalpakstan, the Cabinet of Ministers of the Republic of Uzbekistan through the Supreme representative body of state power. The Constitutional Court, Supreme Court and prosecutor general of the Republic of Uzbekistan also have the right to legislative initiative on issues included in their competence.

Legislative initiative law is implemented by introducing a bill into the Legislative Chamber of the House of Commons of the Republic of Uzbekistan by the subjects of legislative initiative law.

Citizens of the Republic of Uzbekistan who have the right to vote, not less than one hundred thousand, the Senate of the Republic of Uzbekistan, the representative for Human Rights of the Republic of Uzbekistan (ombudsman), the Central Election Commission of Uzbekistan have the right to include legislative proposals in the Legislative Chamber of Uzbekistan in the legislative initiative.

The procedure for introducing and considering draft law, legislative proposals is determined by law.

The law will have legal power when it is passed by the Legislature and approved by the Senate, signed by the president of the Republic of Uzbekistan and published in official sources in accordance with the procedure established by law.

It is sent to the Senate of the Assembly of the Republic of Uzbekistan no later than ten days from the date of adoption of the law adopted by the Legislative Assembly of the Republic of Uzbekistan.

The law will be considered by the Senate of the Oliy Majlis within sixty days and, if approved, will be sent to the president of the Republic of Uzbekistan no later than ten days to be signed and announced.

If the Senate does not decide within sixty days whether to approve or reject the law, the law is sent to the president of Uzbekistan to be signed and promulgated by the Legislature.

The president of the Republic of Uzbekistan signs and announces the law within sixty days. The law, rejected by the Senate of Oliy Majlis, is returned to the House of Representatives.

If, when revising the law rejected by the Senate of the House of Representatives, the Legislature approves the law again by a majority vote of two-thirds of the total number of Deputies, the law is considered to be adopted by the House of Representatives and sent to the House of Representatives for signature and proclamation.

The House of Representatives and Senate may establish a compromise commission based on equality between the deputies of the House and members of the Senate in order to resolve any differences arising from the law rejected by the Senate of the Republic of Uzbekistan. The law must be considered in the usual manner when the chambers accept proposals from the Conciliation Commission.

The president of the Republic of Uzbekistan has the right to return the law to the Assembly of the Republic of Uzbekistan with his objections.

If the law is approved by a majority vote of at least two-thirds of the total number of Deputies and members of the Senate of the Legislative Chamber of Uzbekistan, respectively, in the previous adopted wording, the law must be signed and promulgated by the president of Uzbekistan within fourteen days.

The publication of laws and other regulatory legal acts is a mandatory condition for their application. Another function of Parliament is control. In the implementation

of the control function, they control the activities of the executive branch and the compliance of its methods with the law. It is not a mistake to say that this function is the first parliamentary function that occurs when we take it from a historical point of view. Because the early parliaments formed in the 13th century had, above all, the purpose of controlling Royal policy. The Institute of parliamentary examination, an important form of parliamentary control in the new constitution of the Republic of Uzbekistan, has been specially strengthened in the Constitution. Parliamentary scrutiny is the implementation by the legislative branch of measures to address the problems associated with society and public life.

The president of the Republic of Uzbekistan Shavkat Mirziyoyev recognized the functions of the parliament in Uzbekistan and the innovations in this regard: “after the independence of Uzbekistan, a new stage of the development of the national parliament began as one of the important institutions of state power. Further increasing the role of the chambers of the Supreme Assembly and political parties in the construction of a new Uzbekistan, especially ensuring the harmony of the activities of the creativity of the norm with reforms, is an urgent issue.

In our updated constitution, we have strengthened the guarantees of achieving this goal by burning.

Speaking about this, the exclusive powers of the Legislature were increased from 5 to 12 in force, and the powers of the Senate from 14 to 18. At the moment, it is worth noting separately that their powers are also clarified. In particular, the questions of the formation of the government and the implementation of parliamentary control over its activities were transferred to the discretion of the legislative chamber. In the Senate, however, priority is given to dealing mainly with issues related to the territories, providing comprehensive assistance to local councils, ensuring the implementation of laws in places, especially in neighborhoods.

Significant steps have also been taken to strengthen parliamentary control in Uzbekistan. In particular, the possibility of a parliamentary examination on the basis of a joint decision of the legislative chamber and Senate of the Republic of Uzbekistan in order to study the facts and events that could adversely affect the foundations of the security and sustainable development of our country, threaten human rights and freedom, the interests of society and the state was strengthened”(Mirziyoyev, 2024:385).

## CONCLUSION

The Constitution of the Republic of Uzbekistan, as in most countries of the world, enshrines the principle of separation of powers, establishing the basis of the system of state power of the Republic of Uzbekistan — the principle of division of power into legislative, executive and judicial powers. The central role of Parliament in the system of state authorities is determined by the fact that it is the only universal representative body in the system of all state authorities, this feature of which is determined by the principles of its formation and functioning. In our updated constitution, the powers of the legislative chamber and the Senate were expanded, as well as increased parliamentary control.

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