



















TOOLKIT ON HUMAN DEVELOPMENT OF PARLIAMENTARIANS OF UZBEKISTAN

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The UNDP Project in Uzbekistan on "Introducing and Enhancing the Potential of Educational Establishments for Teaching the Human Development Approach" published a Newsletter on Human Development for Parliamentarians in 2009. The following publication intends to raise awareness of the Legislative Chamber's Deputies, and the members of the Senate of Oliy Majlis of the Republic of Uzbekistan, concerning the relevance of the human development paradigm and its day-to-day implementation.

The publication and dissemination of the Newsletter in Uzbek, Russian and English has been appreciated by the senators and deputies of the provincial, district and city Kengashes of People's Deputies. It has been recognized that deputies and senators have paid additional attention to human development in Uzbekistan from 2009 to 2010.

The core objective of the following publication is to develop practical guidelines for use by deputies of the Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan. The guidelines are based on human development principles, describing practical situations where the principles can be applied. The examples include case studies, real law-making practice, and both monitoring and oversight as enriched by international experience.

The following publication intends to help Deputies and Senators understand that while they must fulfil their duties, they should make human beings their highest priority. Deputies and Senators should work to ensure that human beings can enjoy their inherent rights, freedoms and chances, while maintaining their capacity for development.

The following publication promotes law-making activities that support the interests of every Uzbekistan citizen, while strengthening the professionalism of lawmakers in order to find a balance between national and regional interests

Because the current initiative is absolutely new for CIS and East European countries, it naturally contains some experimental elements. The innovative approach has been applied during the development of the following paper.







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FOREWORD



The United Nations Millennium Development Goals (MDG), adopted by almost all of the world's nations during the UN Millennium Summit in September 2000, has become an important document of the modern millennium. This document has laid the groundwork of a global international partnership designed to ensure peace and security on the planet, to eliminate poverty and improve the wellbeing of nations, to improve the quality of education and healthcare, to protect the rights and freedoms of human beings, and to protect the environment.



One requirement for the achievement of these goals, as indicated in the declaration, is the democratization of states and their methods of governance. This process, along with the establishment of a civil society, will enable people to be directly involved in the determination and realization of a country's development priorities. In fact, the President of Republic of Uzbekistan, Mr. Islam Karimov, has spoken of the priority goal to establish democratic reforms in Uzbekistan. Mr. Karimov considers these goals to be necessary to "strengthen the role of empowerments and controlling functions of legislative and representative branches in the regions." \(\)

This statement is in complete agreement with principles of the Human Development Concept, which throughout recent decades has become both a recognized model of societal development and a main criterion of a country's success.

The birth of the Human Development Concept emanated from the understanding that human beings should be the utmost focus of development. High economic indicators of growth is considered just a mean for achieving the goal of public progress that involve expanding people's capabilities, ensuring the satisfaction of their spiritual and material needs, and maintaining their sense of well-being.

Since human beings are both the focus and driving force behind progress, a nation's degree of human development is largely determined by the extent to which residents are involved in addressing matters that affect their daily lives in regions, towns, rural districts and society in general. Therefore, one aspect of human development involves expanding the capabilities of individuals or groups of individuals to act in accordance with both their own interests and the interests of public progress. This necessitates the involvement of people in the decision making processes, in order to increase their political activity and their role within society. These goals cannot be achieved without developing the roles of representative branches, specifically those of the parliaments.

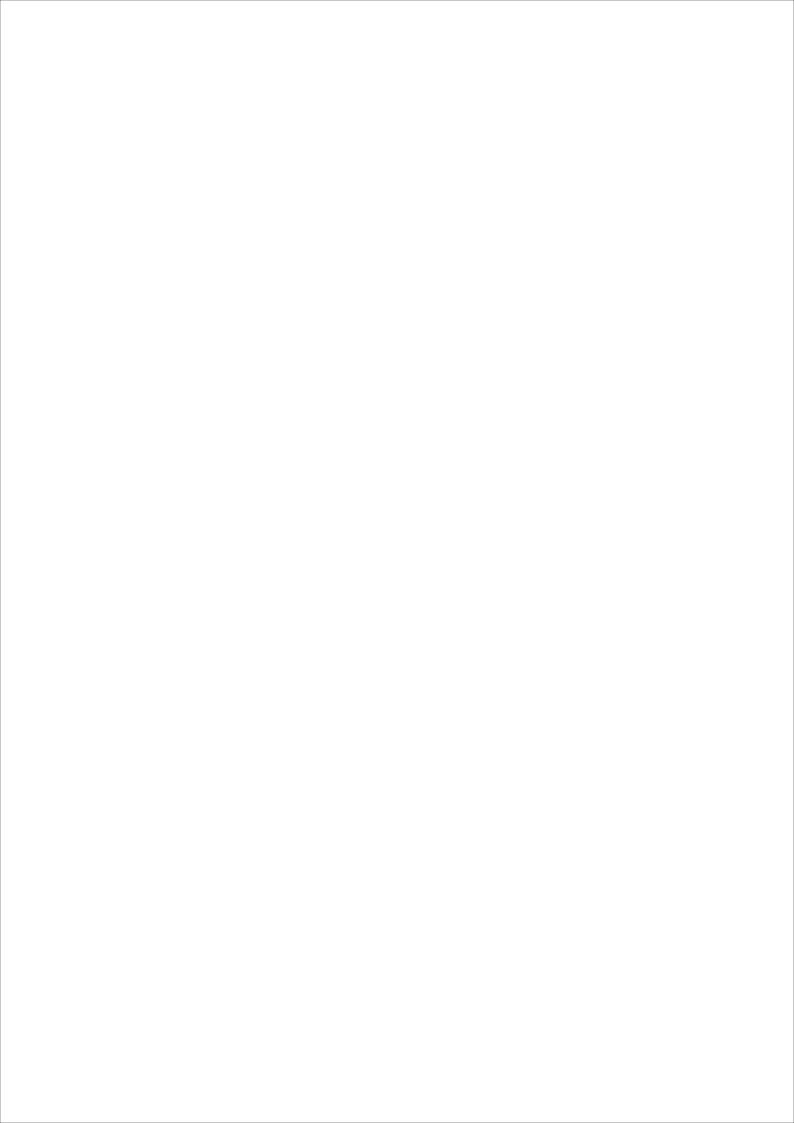
As a joint publication of the Senate of Oliy Majlis of Republic of Uzbekistan and the United Nations Development Programme in Uzbekistan, this 'toolkit' is intended to help senators and deputies, elected to representative branches at national and regional levels, to achieve two goals. The first goal is to better equip senators and deputies with the main forms and methods of parliamentary activity, while the second is to apply the principles of the Human Development Concept to their legislative and control activities.

Ensuring the organic implementation of human development principles is a time-demanding process. It requires senators and deputies to reconsider their responsibilities, applying absolutely new approaches towards improving normative-legal acts, monitoring the realization of these acts, and supervising the implementation of international legal documents. Representative branches are currently entitled to carry out the parliamentarian supervision of executive powers in order to apply qualitative methods and ensure the principles of the Human Development Concept are in place.

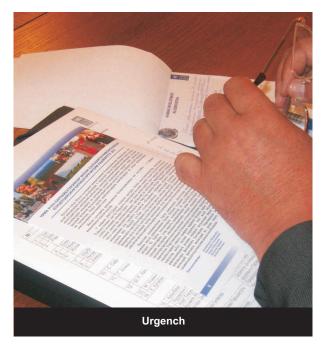
We hope that this practical toolkit will help parliamentarians to understand the correlation between human development principles and parliamentarian activity, and most importantly to apply the knowledge they have obtained in their daily work.

1.1.A.Karimov, The concept of Further Deepening of Democratic Reforms and Developing of Civil Society in Uzbekistan, - speech during the joint session of Legislative Chamber and the Senate of Oliy Majlis of Republic of Uzbekistan, November 12, 2010.

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CHAPTER 1
HUMAN DEVELOPMENT CONCEPT
AND ITS HISTORY, ESSENCE,
PRINCIPLES AND SIGNIFICANCE



CHAPTER 1

HUMAN DEVELOPMENT CONCEPT AND ITS HISTORY, ESSENCE, PRINCIPLES AND SIGNIFICANCE

A successful society development strategy requires a clear vision of main objectives and priorities, as well as consistency in pursuing political reforms and socioeconomic programs. Without a clearly designed strategy, it is unfeasible to attain sustainable social progress, coordinate the efforts of various branches and levels of state authorities and secure optimal distribution of resources and human capital. The development strategy of Uzbekistan has been thoroughly elaborated in the works of the President of the Republic of Uzbekistan, Mr. I. Karimov, based on an in-depth analysis of Uzbekistan's historical development specifics, the challenges faced by the nation during its transition period, and global human development trends. President I. Karimov has noted that the principal strategic goal of Uzbekistan is to "build an open democratic and law-governed state, with a sustainable developing economy and society respected around the world; where a person, his/her interests, rights and freedoms, are the highest value not in words, but in practice."

This goal conforms to the Human Development Concept, as proclaimed by the United Nations Development Programme (the UNDP). The definition of "Human Development", as given in the Human Development Report for 2010 prepared by the UNDP, is as follows:

Human development is the expansion of people's freedoms to live long, healthy and creative lives; to advance other goals they have reason to value; and to engage actively in shaping development equitably and sustainably on a shared planet. People are both the beneficiaries and drivers of human development, as individuals and in groups.²

This definition leads us to conclude that human development is a holistic concept that leads to one's satisfaction of material, cultural, mental needs, observes our rights to decent healthcare, education, enables our creativity and productivity, expands our active civic participation, rights to fulfil our capabilities and potential, and lastly safeguards human security of current and future generations.

WHEN AND HOW DID THE HUMAN DEVELOPMENT **CONCEPT EVOLVE?**

Throughout a long period of recent history the *economic* growth theory has been predominant worldwide. In summary, the core notion of this concept is simple and clear: a successful country is one with a socio/economic model that ensures high economic growth and labour productivity rates, and both high gross domestic product (GDP) and per capita income values. Countries with

^{1.1.}A Karimov. Concept of Further Deepening of the Democratic Reforms and Formation of the Civil Society in Uzbekistan. Report delivered at the joint meeting of the Legislative Chamber and the Senate of the Oily Majlis of the Republic of Uzbekistan of 12 November 2010.

2. Human Development Report 2010 – UNDP, 2010, p.22

different political systems and economic structures have competed with each other in terms of economic growth rates. Since the concept of economic growth is so straightforward, it has proven to be quite viable and holds great influence on the perceptions of the global population.

As we approached the threshold of the 21st century it was realized that economic growth was not an end in itself. A society's income is just a mean, an instrument for something else. The income can be invested in the development initiatives such as economic and social support of vulnerable groups and education programs, separate from the funding involved in developing initiatives that do little to improve public wellbeing (such as defence programs and other large-scale projects). Depending on the balance between these two forms of development, the quality of life in certain countries does not always coincide with per capita income. Moreover, GDP may not always be distributed evenly, as the social policies of governments may be active and strong or weak and indifferent. In the connection of preceding argument, a nation's GDP growth cannot be considered a fundamental criterion of progress and success. An understanding of this fact has allowed the formulation of new approach – the Human Development (HD) Concept.

The formulation of the HD Concept has chiefly evolved through the works of Indian economist and 1998 Nobel Laureate Amartya Kumar Sen, and the Pakistani economist Mahbub ul Haq. The latter was the initiator and one author of the first Human Development Report (HDR) developed in collaboration with UNDP in 1990. HDRs have been published on an annual basis since that date. An archive of HDRs, in both English and Russian, can be found at the UNDP website (www.undp.org). Additionally, almost all of the world's developed countries compile and publish their own National HDRs.3

Nine National HDRs have been published in Uzbekistan since 1995, covering subjects including social policy, economic growth, the role of the state in implementing reforms, the development of small and medium businesses, and the decentralization of public administration, healthcare and education⁴.

An HDR is not just a compilation of informative material containing interesting statistical data. Rather, it is a document that reflects the progress of *country strategy* in the dimension of Human Development, outlining policy priorities and determining follow-up programs⁵.

Consequently, the last twenty years have seen the HD Concept become an internationally recognized paradigm of social progress. In other words the concept is not merely a theoretic conception or a scientific effort, but rather a comprehensive *model* of social development. The current achievements in the context of human development context have been recognized as the principal criteria of the success of a country and its strategy.

The UN Millennium Summit took place in September 2000, when the United Nations Millennium Declaration was unanimously adopted. This declaration proposed an action plan to help the global community achieve the development progress and ensure human security. The Millennium Development Goals (MDGs) work to eradicate poverty, upgrade the educational level of individuals, promote environmental protection, ensure human rights, freedoms and equity, combat diseases and promote global peace and security. 192 UN member states and 23 international organizations are committed to achieving these MDGs by 2015. Progress towards 8 MDGs is measured through 21 targets and 60 official indicators°.



- 3. Measuring Human Development, New York, 2007, p.2
- 4. These documents are available for reading in Uzbek and Russian language at UNDP in Uzbekistan website www.undp.uz.
- 5. More detailed information on UNDP HDRs is given in the Chapter 7 6. The Millennium Development Goals Report 2011, p. 65

Goals and Targets

Indicators for monitoring progress

Goal 1: Eradicate extreme poverty and hunger

Target 1.A: Halve, between 1990 and 2015, the proportion of people whose income is less than one dollar a day

- 1.1. Proportion of population below \$1 (PPP) per day 1.2. Poverty gap ratio
- 1.3. Share of poorest quintile in national consumption
- Target 1.B: Achieve full and productive employment and decent work for all, including women and young people
- 1.4. Growth rate of GDP per person employed
- 1.5. Employment-to-population ratio
- 1.6. Proportion of employed people living below \$1 (PPP) per day
- 1.7. Proportion of own-account and contributing family workers in total employment
- Target 1.C: Halve, between 1990 and 2015, the proportion of people who suffer from hunger
- 1.8. Prevalence of underweight children under-five years of age
- 1.9. Proportion of population below minimum level of dietary energy consumption

Goal 2: Achieve universal primary education

Target 2.A: Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling

- 2.1. Net enrolment ratio in primary education
- 2.2. Proportion of pupils starting grade 1 who reach last grade of primary schooling
- 2.3. Literacy rate of 15-24 year-olds, women and men

Goal 3: Promote gender equality and empower women

Target 3.A: Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015

- 3.1. Ratios of girls to boys in primary, secondary and tertiary education
- 3.2. Share of women in wage employment in the non-agricultural sector
- 3.3. Proportion of seats held by women in national parliament

Goal 5: Improve maternal health

Target 4.A: Reduce by two-thirds, between 1990 and 2015, the under-five mortality rate

- 4.1. Under-five mortality rate
- 4.2. Infant mortality rate
- 4.3. Proportion of 1 year-old children immunised against measles

Goal 4: Reduce child mortality

Target 5.A: Reduce by three quarters, between 1990 and 2015, the maternal mortality ratio

- 5.1. Maternal mortality ratio
- 5.2. Proportion of births attended by skilled health personnel

Target 5.B: Achieve, by 2015, universal access to reproductive health

- 5.3. Contraceptive prevalence rate
- 5.4. Adolescent birth rate
- 5.5. Antenatal care coverage (at least one visit and at least four visits)
- 5.6. Unmet need for family planning

^{7.} All indicators should be disaggregated by sex and urban/rural as far as possible

Goals and Targets

Indicators for monitoring progress

rates associated with tuberculosis 6.10. Proportion of tuberculosis cases detected and cured under directly observed treatment short course

•								
Goal 6: Combat HIV/AIDS, m	Goal 6: Combat HIV/AIDS, malaria and other diseases							
Target 6.A: Have halted by 2015 and begun to reverse the spread of HIV/AIDS	 6.1. HIV prevalence among population aged 15-24 years 6.2. Condom use at last high-risk sex 6.3. Proportion of population aged 15-24 years with comprehensive correct knowledge of HIV/AIDS 6.4. Ratio of school attendance of orphans to school attendance of non-orphans aged 10-14 years 							
Target 6.B: Achieve, by 2010, universal access to treatment for HIV/AIDS for all those who need it	Proportion of population with advanced HIV infection with access to antiretroviral drugs							
Target 6.C: Have halted by 2015 and begun to reverse the incidence of malaria and other major diseases	 6.6. Incidence and death rates associated with malaria 6.7. Proportion of children under 5 sleeping under insecticide-treated bednets 6.8. Proportion of children under 5 with fever who are treated with appropriate anti-malarial drugs 6.9. Incidence, prevalence and death 							

Goal 7: Ensure environmental sustainability						
Target 7.A: Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources Target 7.B: Reduce biodiversity loss, achieving, by 2010, a significant reduction in the rate of loss	 7.1. Proportion of land area covered by forest 7.2. CO2 emissions, total, per capita and per \$1 GDP (PPP) 7.3. Consumption of ozone-depleting substances 7.4. Proportion of fish stocks within safe biological limits 7.5. Proportion of total water resources used 7.6. Proportion of terrestrial and marine areas protected 7.7. Proportion of species threatened with extinction 					
Target 7.C: Halve, by 2015, the proportion of people without sustainable access to safe drinking water and basic sanitation	7.8. Proportion of population using an improved drinking water source7.9. Proportion of population using an improved sanitation facility					
Target 7.D: By 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers	7.10. Proportion of urban population living in slums ⁱⁱ					

Goals and Targets

Indicators for monitoring progress

Goal 8: Develop a global partnership for development

Target 8.A: Develop further an open, rule-based, predictable, non-discriminatory trading and financial system

Includes a commitment to good governance, development and poverty reduction – both nationally and internationally

Target 8.B: Address the special needs of the least developed countries

Includes: tariff and quota free access for the least developed countries' exports; enhanced programme of debt relief for heavily indebted poor countries (HIPC) and cancellation of official bilateral debt; and more generous ODA for countries committed to poverty reduction

Target 8.C: Address the special needs of landlocked developing countries and small island developing States (through the Programme of Action for the Sustainable Development of Small Island Developing States and the outcome of the twenty-second special session of the General Assembly)

Target 8.D: Deal comprehensively with the debt problems of developing countries through national and international measures in order to make debt sustainable in the long term

Some of the indicators listed below are monitored separately for the least developed countries (LDCs), Africa, landlocked developing countries and small island developing States.

Official development assistance (ODA)

- 8.1. Net ODA, total and to the least developed countries, as percentage of OECD/DAC donors' gross national income
- 8.2. Proportion of total bilateral, sectorallocable ODA of OECD/DAC donors to basic social services (basic education, primary health care, nutrition, safe water and sanitation)
- 8.3. Proportion of bilateral official development assistance of OECD/DAC donors that is untied
- 8.4. ODA received in landlocked developing countries as a proportion of their gross national incomes
- 8.5. ODA received in small island developing States as a proportion of their gross national incomes

Market access

- 8.6. Proportion of total developed country imports (by value and excluding arms) from developing countries and least developed countries, admitted free of duty
- 8.7. Average tariffs imposed by developed countries on agricultural products and textiles and clothing from developing countries
- 8.8. Agricultural support estimate for OECD countries as a percentage of their gross domestic product
- 8.9. Proportion of ODA provided to help build trade capacity

Debt sustainability

- 8.10. Total number of countries that have reached their HIPC decision points and number that have reached their HIPC completion points (cumulative)
- 8.11. Debt relief committed under HIPC and MDRI Initiatives
- 8.12. Debt service as a percentage of exports of goods and services

Target 8.E: In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries

8.13. Proportion of population with access to affordable essential drugs on a sustainable basis

Goals and Targets

Indicators for monitoring progress

Goal 6: Combat HIV/AIDS, malaria and other diseases

Target 8.F: In cooperation with the private sector, make available the benefits of new technologies, especially information and communications

8.14. Telephone lines per 100 inhabitants 8.15. Cellular subscriptions per 100

inhabitants

8.16. Internet users per 100 inhabitants

The UN General Assembly's Resolution 65/1 of September 22, 2010, entitled "Keeping the Promise: United to Achieve the Millennium Development Goals", has emphasized the role of national parliaments in facilitating the accomplishment of MDGs by 2015. In many ways the MDGs share the basic provisions and common values of the HD Concept. Human development relates to human interests regarding the ability of an individual to expand his/her choices in life while maintaining own dignity and freedoms. Meanwhile, MDGs do not cover all the main aspects of human development.

Box 2. How do HD Goals relate to the Millennium Development Goals?

Key Capabilities for Human Development	Corresponding MDGs
Living a long and healthy life	Goals 4, 5 and 6: reducing child mortality, improving maternal health and combating major diseases
Being educated	Goals 2 and 3: achieving universal primary education, promoting gender equality (especially in education) and empowering women
Having a decent standard of living	Goal 1: reducing poverty and hunger
Enjoying political and civil freedoms to participate in the life of one's community	Not a Goal, but an important global objective included in the Millennium Declaration

Essential Conditions for Human Development	Corresponding MDGs
Environmental sustainability	Goal 7: ensuring environmental sustainability
Equity - especially gender equity	Goal 3: promoting gender equality and empowering women
Enabling global economic environment	Goal 8: Strengthening global partnership for development

Source: Human Development Report 2003.

⁽I). For monitoring country poverty trends, indicators based on national poverty lines should be used, where available
(ii) The actual proportion of people living in slums is measured by a proxy, represented by the urban population living in households with at least one of the four characteristics: (a) lack of access to improved water supply; (b) lack of access to improved sanitation; (c) overcrowding (3 or more persons per room); and (d) dwellings made of non-durable

The 2010 MDG Summit, held in New York in September. 2010, was dedicated to reviewing progress made towards the achievement of the Millennium Development Goals. During his speech at the plenary session of the MDG Summit, President of the Republic of Uzbekistan Mr. I. Karimov outlined that, "within a historically short period of country's independent development, Uzbekistan, once a republic with one-sided hypertrophied raw-oriented economy, destructive monopoly of raw cotton production, primitive industrial and social infrastructure and the lowest per capita consumption index, is progressing in achieving MDG milestones which has completely changed the country's image and its place in the global community"8. National development in Uzbekistan has for the most part focused on human development issues, demonstrated by facts that testify the high level of the country's development and the fundamental growth of people's wellbeing. For example, the maternal mortality rate has dropped more than twofold and child mortality has decreased threefold. The nation's average life expectancy at birth has extended from 67 to 73 years within the last 20 years, while average life expectancy at birth of women has increased up to 75 years⁹.

Meanwhile, the efforts to intensify effectiveness of state authorities and servants at all levels for achieving the human development targets are on-going. In January 2011 the Cabinet of Ministers of the Republic of Uzbekistan adopted a special resolution on "Additional Measures on Implementation of the UN Millennium Development Goals in Uzbekistan." This resolution outlined a number of measures, including a comprehensive program aimed at upgrading the living standards and quality of life experienced by Uzbekistan's population in accordance with the MDGs. The program will combine the efforts of line ministries, institutions, and both central and local governments, in order to ensure sustainable human development in Uzbekistan¹⁰.

WHAT IS THE ESSENCE OF THE HD CONCEPT?

According to HD Concept, people are seen as principle actors and the ultimate goal of development, rather than just economic indicators. The core objective and measurement of progress is the expansion of people's choices, meeting their social, material and non-material needs while ensuring a higher standard of living.

One would think, it's a common sense and nothing new that the Concept is offering. Even ancient scholars and philosophers argued that "...wealth is evidently not the good we are seeking; it is merely useful and for the sake of something else...". (Aristotle). Why is it, then, that humankind has taken over two millennia to understand that the end of development and measurement of progress is people themselves? This was probably caused by the remark of Mahbub ul Haq, that 'the evident things are sometimes those that do not show up at all'. Humanity throughout the centuries has not been able to comprehend the importance of the practical broadening of an individual's chances. This concept has only been understood once all the necessary prerequisites have been in place, including the far-reaching development of sciences, the unprecedented growth of a human being's creativity, globalization and expansion of international cooperation, and the current environment in which democracy and market economies can thrive.

WHAT PARAMETERS ARE USED TO MEASURE HUMAN DEVELOPMENT LEVEL?

The analysis of economic growth is a relatively simple matter, considering that statistical indices in the field are unbiased and comparable, while gauging Human Development presents more of a challenge. How can we measure the achievement of Human Development?

Let us start from the point that while various societies,



- $8. \quad I.A.\ Karimov, Speech on the \ UN\ Plenary\ Meeting\ of\ the\ MDG\ Summit, "Narodnoe\ Slovo"\ newspaper, 22\ September\ 2010.$
- 9. ider
- 10. The Resolution No.21 of the Cabinet of Ministers of the Republic of Uzbekistan "On Additional Measures for Implementation of the UN Millennium Development Goals in Uzbekistan" of 26 January 2011, Collection of the Laws of the Republic of Uzbekistan, 2011

nations and communities have different mentalities, cultures and values, the concept of a 'higher standard of living' is more or less universal. It is a multi-faceted concept involving the assurance of family wellbeing, good health and long life-expectancy, appropriate personal income, sufficient education, sustainable and fulfilling employment, appropriate social status, security, and entertaining leisure time. People have always valued opportunities for self-expression both as individuals and citizens, participation in their community life, and respect for their freedoms, rights and views. Accordingly, it has been acknowledged that human development assessment should be based on the following principles and three components:

1) Wellbeing.

It is mistaken to believe that human development is limited only to social policy. Without economic growth, the capacity building of an economic component cannot sufficiently satisfy people's needs and expand their chances and choices. It would be inappropriate to analyse human development using only social parameters such as education, healthcare, gender development and poverty reduction. Data concerning these parameters cannot present a real picture of human development without indicators like savings, investments, production, consumption, trade and technology. Ultimately, the development of society can be, and should be analysed in terms of its efficiency (i.e. the optimal use of resources in order to meet the material and non-material demands of people). Therefore, one of the three primary components of human development is wellbeing. It is accepted that an extension of actual human freedoms should go hand in hand with human prosperity, and this will in turn require an increase in social labour productivity and economic growth.

It should be considered that the ideology of economic growth changes within the HDC context. The ideology should be aimed at reaching gross, financial/economic indicators, while synchronising with other principles and components of human development.

2) EXPANSION OF RIGHTS AND CHANCES, AGENCY.

The Human Development level is defined by the extent to which human beings participate in the addressing of development issues. After all, human beings are not just the object, but also the subject of development. They are not merely the means and factors of growth, but its ultimate goal and the driving force behind progress. Hence, Amartya Kumar Sen has stressed the importance of what he has called the 'agency', or the ability of people to build their own lives. That is why the second component of human development is the expansion of the rights and chances of an individual or a group of people acting according to their interests and for the benefit of social progress.

From one perspective, this component means that it is necessary for the public to become involved in decisionmaking, to enhance their political activity and role in society.

From another perspective, the expansion of chances can also result in human capacity development, when an individual's knowledge, skills and capabilities are enhanced, in addition to their physical and mental abilities. These days it is widely admitted that human capital and knowledge economy are more and more a source of economic growth. Investments into human capital can prove to be the most profitable ones.

3) SOCIAL EQUITY.

A society's development level should be assessed based on its equity of opportunities, meaning the fair distribution of rights and duties among the various individuals and population groups within a given society. Equal opportunity is not an abstract notion; rather it is a clear and precise notion that requires legal and economic substantiation. The essence of the equity of opportunities is that there should not be any legal or economic discrimination in society by any attribute, not by gender, ethnicity or class. Special attention should be given to ensuring people with disabilities have equal opportunities. These concepts should be backed by political and economic rights and freedoms, enforced by practical laws that ensure equal access to education and healthcare, support for socially-vulnerable groups, micro-financial support for the economic activities of low-income groups, and other related services.

Therefore, the third widely acknowledged component of human development is social equity, ensuring human rights and the sustainable results of human development.

The human development concept, in distinction from the theory of economic growth, regards social progress as a long-term process. It is important to ensure not only that the needs of the present generation are satisfied, but that a decent life is assured for generations to come. The Aral Sea, a zone of environmental disaster caused by depredation under the command management system, is an example of what can happen when this truth is disregarded. Therefore, ensuring continuous sustainable development should be the objective of society.

Sustainable development principles were formulated in a report in 1980 entitled 'Our common future', prepared by the international commission on environment and development. This report states that sustainable development "meets the requirements of the present generation while not depriving future generations from the possibility of satisfying their own requirements." From this statement, it can be concluded that sustainable development is a multi-factor concept that includes economic, environmental, demographic and other components.

To summarise of the above statements, it can be stated

 $^{8. \}quad I.A.\ Karimov, Speech on the \ UN\ Plenary\ Meeting\ of\ the\ MDG\ Summit,\ "Narodnoe\ Slovo"\ newspaper,\ 22\ September\ 2010.$

^{9.} ide

^{10.} The Resolution No.21 of the Cabinet of Ministers of the Republic of Uzbekistan "On Additional Measures for Implementation of the UN Millennium Development Goals in Uzbekistan" of 26 January 2011, Collection of the Laws of the Republic of Uzbekistan, 2011

that HDC involves the securing of efficient and sustainable economic growth and consistent work towards achieving its final goals, being the expansion of human capacity, the assurance of efficient and sustainable economic growth, and the satisfaction of the material and non-material requirements of present and future generations.

HOW IS THE HUMAN DEVELOPMENT LEVEL CALCULATED?

Judging from these assumptions, it is understandable that the analysis of the human development process and the calculation of the human Development level is a complex task. It requires collection and examination of data within several categories, each category having its own set of multiple indicators. In the framework of such a concise description of human development concept, it is pointless to reveal the entire toolbox of HDC that had been developed throughout the years. Besides, HDC is constantly evolving and is being addressed by new means of analysis. All things considered, it may be useful to present a broader, aggregated vision of the basic HDC categories and some of their components.

Throughout the entire period of the application of HDC, there were attempts to identify a single **integrated**

indicator characterising the rate and dynamics of human development in a given country, and to compare it with situations in other states. Finally, the **Human Development Index (HDI)** had been adopted as an indicator summarising all major trends of the basic HDC categories¹¹. It represents an aggregate index of the country's mean achievement figures in three major dimensions – healthy and long life, knowledge, and a decent standard of living. From the HDI it is possible to see that the countries with approximately similar gross per capita national income (GNI) can nevertheless have different positions on the human development ranking and can vary in terms of life expectancy or education.

WHY IS IT IMPORTANT THAT PARLIAMENTARIANS ARE AWARE OF THE HUMAN DEVELOPMENT CONCEPT?

At present, HDC represents a more integrated model of social development, as it comprises all aspects of progress, including economic growth, social investment, the improvement of human chances, the satisfaction of basic human requirements and the arrangement of a social security system capable of protecting political and cultural freedoms. HDC deals not only with production and distribution issues, but also with the expansion and use of human capacities. A core feature of HDC is its proactive nature.

	Box 3	
Economy	Demography	Income of population
GDP level and growth rate	Population growth, its composition, including gender structure	Actual income of population, including by gender
Per capita GNI	Birth rate and mortality rate, including by gender	Income composition, including by gender
GNI in terms of purchase power parity	Family size	Per capita income
GNI by branches of economy	Dependants load ratio	Income distribution in society
Inflation rates	Migration processes, including by gender	Human resources and employment, including by gender
Poverty	Healthcare	Nutrition
Consumer's basket	State and private expenses for healthcare	Consumption pattern (natural indices);
Absolute poverty line	Provision of medical infrastructure	Consumption pattern (indices by calories)
Population share and composition, below poverty line	Immunisation and vaccination; contraception and prenatal care	Nutrition of children; share of underweight children
	Life expectancy, including by gender maternal and infant mortality	; Anemia rate

^{11.} Informative material on the refined methodology of HDI calculation and new experimental indices in human development dimension is available on www.undp.uz

TOOLKIT ON HUMAN DEVELOPMENT OF PARLIAMENTARIANS OF UZBEKISTAN

	Box 3				
Housing and Public Utilities	Education and Culture	Criminality			
Provision of housing, technical condition of housing	Expenditures for education and cultures	Crime dynamics			
New housing building	Expenditures per one student	Drug crimes			
Cost of housing	Literacy level	Corruption			
Availability and cost of public utilities	Enrolment into different types of education	Property crimes			
Availability of long-life items	Wages of teachers; teacher/student ratio	Juvenile delinquency			
Environmental Situation	Improvement of Public Administra and Civil Socie				
Power consumption by society and economy	Administrative reform and decentrali	sation of public administration			
Fertilizers and pesticides in agricultural industry	Development rate of political institution	ons			
Content of pollutants in the air	Efficiency, transparency and accountability of their activities				
Water contamination rate	Legal and institutional provisions for	civil and political freedoms of people			
Soil condition; loss of bio-diversity	Freedom of conscience				

HDC provides not only the foundation for the relevant UNDP program at the root of the relevant UNDP program, but also in the country strategies of UN member states including Uzbekistan. The recent global financial crisis has demonstrated once again that the governments of all states, including economies in transition and highly developed countries, cannot avoid social and economic pressures. Needless to say, countries cannot rely on an 'invisible market arm', one that can fix and regulate itself, as an optimal development mechanism. As stated by Mahbub ul Haq, "a conscious state policy is needed in order to direct economic growth for human benefit." In order for this objective to be achieved a number of initiatives should be implemented, including land reform, an advanced tax system, loans for poor, additional social services for vulnerable groups and the elimination of barriers to allow political and economic rights to be exercised.

The objective of parliamentarians at all levels of representative power consists of linking economic growth with human development and securing their inter-linkages. This requires the refinement of laws and both legal and regulatory documents at all levels, as well as the accurate monitoring of the implementation and enforcement of international legal documents. Representative bodies are entitled to parliamentary oversight of the activities of institutions. The large-scale involvement of people into decision-making processes, and the enhancement of their role in social development, will depend entirely on the work of the local Kengashes of People's Deputies. In the long run, the growth of socio/political and economic activity of people represents key factors in ensuring sustainable economic and human development.

CHAPTER 2
IMPLEMENTING THE REPRESENTATIVE
FUNCTIONS OF THE PARLIAMENT AND
HUMAN DEVELOPMENT PRINCIPLES



CHAPTER 2

IMPLEMENTING THE REPRESENTATIVE FUNCTIONS OF THE PARLIAMENT AND HUMAN DEVELOPMENT PRINCIPLES

WHAT IS DEMOCRACY?

Democracy (Greek δημοκρατία - "people's power" from $\delta\eta\mu\omega\varsigma$ - «people» and κράτος – "power"), is the political regime where the nation is the only legitimate source of authority. Democracy is one of the basic principles of the Constitution of the Republic of Uzbekistan. In accordance with Article 7 of the Constitution, the people are the only source of power. State power in Uzbekistan is exercised in the interests of the people and solely by the parties authorised by the Constitution of the Republic of Uzbekistan and the laws passed on its framework. One of the common goals of democracy is the limitation of arbitrariness and abuse of power.

Democracy is an essential aspect of human freedom. In fact, it is good because it facilitates the free choice of an individual while promoting their active participation in political life. Thus, democracy considered a central component of a person's ability to live freely and independently¹.

This goal is often impossible to realise in a place where human rights and other democratic values are either not recognised or do not have effective protection within the legal system. Currently and in many countries, democracy is associated with liberal democracy, which involves free, fair and competitive elections, the rule of law, the separation of powers, and constitutional limits on majority rule through the guarantee of certain personal or group freedoms, social rights and greater socio-economic inequality.

Uzbekistan's democracy is based on universal principles, with the highest value given to a human being and his or her life, freedom, honour, dignity and other inalienable rights. Democratic rights and freedoms are protected by Uzbekistan's constitution and laws.

Uzbekistan citizens are eligible to participate in the affairs of state and society, both directly and through their representatives. Such participation is exercised through self-governance, referendums and democratic elections to government bodies. The constitutional provision that Uzbekistan citizens have the right to elect and be elected to representative bodies of state power is implemented through the nation's political elections. Uzbekistan Citizens, regardless of their origins, social status, wealth, race, ethnicity, gender, education, language, religion or occupation, all have equal voting rights. The most important public and social issues are brought to the discussion of the people, and are then put to a universal vote (a referendum).

^{1.} David A. Crocker. Sen and Deliberative Democracy, (Little 2003:229), 2006

TOOLKIT ON HUMAN DEVELOPMENT OF PARLIAMENTARIANS OF UZBEKISTAN

Box 4

While 85.1 percent of the country's voters participated in the December 26, 2004 parliamentary elections, the election on December 27, 2009 was attended by 87.8 percent of registered voters. These data confirm the strengthening of the civic population, in particular their participation in politics.

Box 5

In a referendum held on January 27, 2002, Uzbekistan citizens voted for the creation of the country's bicameral parliament, and to change the constitutional term of office of the President of the Republic of Uzbekistan from five to seven years. These decisions are related to the further intensification of the democratisation of social and political life. The referendum results indicated high political consciousness and socio-legal activity among Uzbekistan citizens. It also indicated the people's support of wide-scale democractic reforms, and the continued formation of a civil society.

Boy 6

A nationwide discussion lasting over two and a half months represented one of the most important stages in the drafting of the Constitution of the Republic of Uzbekistan. The discussions took place between teams of employees and community members, and were covered by radio, television, newspapers and other forms of media. Among the participants were workers, farmers, civil servants, pensioners, students, scientists, writers, doctors and other varied parts of the population. While the draft constitution was discussed, some of its sections, chapters, articles and provisions were tested for viability. The nationwide discussion resulted in about 80 amendments to the draft Constitution, including many of great importance.

The government of the Republic of Uzbekistan is based on the principle of separating powers into legislative, executive and judiciary branches, while social life develops on the basis of diverse political institutions, ideologies and opinions. The State builds its activities on the principles of social justice and the rule of law, within the interests of human and society welfare.

Democracy is a political system where the established forms of people's power are exercised in practice, where there are political freedoms (personal, religion, press, etc.) and all citizens are equal.

WHAT IS REPRESENTATIVE DEMOCRACY?

Representative democracy is the most prominent form of political participation in contemporary states. So that their interests may be addressed, the system allows citizens to participate in decision-making process, through means of their chosen representatives.

Representative democracy has the following components: a system of elected representative bodies in the centre (the Oliy Majlis) and in localities (Kengashes-councils of people's deputies), as well as elected government officials (for example, the President of the Republic of Uzbekistan), and the regional, district or city Kengashes and self-governing bodies (deputy chairmen of gatherings of citizens). It is a system of democratic

institutions that reflect the communication and relationships between the elected persons and the greater public.

It is believed that the right of representation is a key feature of democracy, while ill-conceived or malicious abuse of power is avoided. The parliamentary system and the associated political doctrines were born through the struggle for the right of representation.

In all modern countries, including Uzbekistan, democracy has established itself in the form of representative democracy. In accordance with Article 10 of the Constitution, only Oliy Majlis and the President of the Republic, as elected by the people of Uzbekistan, may act on behalf of Uzbekistan's citizens. No other part of the society, including political parties, public associations, movements or individuals, may act on the behalf of the nation's citizenry.

The Oliy Majlis of the Republic of Uzbekistan has legislative, oversight and representative functions. As lawmakers, parliamentarians are responsible for identifying underlying social norms in Uzbekistan. In implementing their oversight functions, the parliamentarians monitor the activities of the executive branch while ensuring its methods conform to the nation's laws. As representatives of Uzbekistan citizens, parliamentarians express the views and opinions of their

constituents and ensure that these opinions are reflected in government policy and in the process of public discussion. In other words, the parliament becomes the most important and most democratic institution of civil society, ensuring direct public access to matters of governance. In this regard, the Oliy Majlis of Uzbekistan plays an increasing role as a centre for the expression of public interests and the realisation of a representative democracy.

delegated to various representative bodies whose members are elected by citizens.

Since Uzbekistan gained its national independence on September 1, 1991, the national parliament began developing into one of the nation's most important institutions of power. The modern history of the national parliamentary system is divided into three main periods, the first period (1991-1994) being the Parliament of Transition, the second period (1995-2004) being the

Box 7

Representative democracy:

- a) Makes it possible to replace deputies and senators who have not justified the confidence of voters, through means of elections;
- b) Guarantees the rights and freedoms of citizens, protecting them from arbitrary government officials;
- c) Provides citizens with a wider range of personal freedoms than any other system of political power;
- d) Allows people to express and defend their interests, including the creation of appropriate political institutions;
- е) способствует развитию инициативы, творчества людей.

Therefore a representative democracy is a political regime where a nation's citizens are recognised as the main source of power, but state administration is

Unicameral Parliament, and the third period (2005-present) being the Bicameral Parliament.

Box 8. The Qualitative and Quantitative Composition of the Legislative Chamber

									er	
REGION	Elected deputies	Including women	From education sector	From health sector	From public organizations	From industry sectors	Lawyers	other	Representatives of other ethnic groups	Previously elected deputies
Republic of										
Karakalpakstan	9	3	0	1	3	2	2	1	0	5
Andijan region	14	2	1	0	9	1	2	1	0	4
Bukhara region	9	2	2	1	3	1	1	1	0	3
Jizzakh region	5	2	2	0	2	0	0	1	0	1
Navoi region	5	0	0	0	2	1	2	0	1	2
Namangan region	12	3	1	1	3	0	5	2	0	2
Samarkand region	16	0	0	1	5	1	3	6	0	10
Sirdarya region	5	1	1	1	2	0	1	0	0	1
Surkhandarya region	10	1	3	0	5	0	0	2	1	2
Tashkent region	14	3	1	0	8	0	2	3	1	6
Fergana region	15	6	2	1	4	3	1	4	1	3
Khorezm region	8	2	1	0	5	0	1	1	0	1
Kashkadarya region	13	4	3	1	4	1	2	2	0	4
Tashkent city	15	4	2	3	4	0	2	4	1	3
Total	150	33	19	10	59	10	24	28	5	47
Percentage		22.00	12.67	6.67	39.33	6.67	16	18.67	3.33	31.3

How is the Oliy Majlis, the supreme representative body of the Republic of Uzbekistan, formed?

The Oliy Majlis of the Republic of Uzbekistan is the supreme state representative body exercising legislative power, and is composed of two houses. The first is the Legislative Chamber (lower house) of Oliy Majlis (hereinafter - the Legislative Chamber), which is composed of 150 deputies who are elected for five years. 135 deputies of the Legislative Chamber are elected by universal, equal and direct suffrage by secret ballot on the spatial single-seat constituencies on a multiparty basis, while 15 members are elected from the Ecological Movement of Uzbekistan.

The second house of the Oliy Majlis of Uzbekistan is the Senate (upper house) of Oliy Majlis. The Senate is a chamber of territorial representation, consisting of senators elected from throughout the nation. Uzbekistan's provinces, including the Republic of Karakalpakstan and Tashkent city, are each represented by six senators. Senators are elected by secret ballot at relevant joint sessions from the Jokargy Kenes of Karakalpakstan deputies, the regional representative bodies of state authority, and from the representatives of provincial districts and towns. Sixteen senators are appointed by the President of the Republic of Uzbekistan from among authoritative citizens with practical experience and special merits in the fields of science, art,

literature, industry and other spheres of public and social activities. The formation of the Senate as a representative body brings together an equal number of deputies of the territorial entities, including regional, district and city Councils of People's Deputies. This enables the Oliy Majlis of the Republic of Uzbekistan, the supreme legislative body, to maintain direct links with all the nation's regions while representing and protecting their interests.

As can be seen in Box 9, the Legislative Chamber and the Senate reflects the social diversity of the population in terms of gender and ethnic composition, location, language and other politically-relevant characteristics.

More than six years have elapsed since the formation of a bicameral parliament. Over this time the Oliy Majlis of Uzbekistan has considered 284 acts aimed at further developing Uzbekistan's society within various fields, with great attention paid to Human Development Principles.

WHAT ARE THE NOTION AND ESSENCE OF A PARLIAMENT'S REPRESENTATIVE FUNCTION?

When explaining the idea of a parliament, the following terminology is commonly used. Firstly, 'the supreme legislative and representative body' signifies a crucial situation where there are no legislative functions without

Box 9. The Quantitative and Qualitative Composition of the Senate of Oliy Majlis of the Republic of Uzbekistan

	inted)	nen								ss of oups	cted
REGION	Elected (appointed) senators	including women	Teachers	agronomists	Engineer s	economists	lawyers	doctors	other	Representatives of other ethnic groups	Previously elected senators
Republic of Karakalpakstan	6	0	0	1	4	1	0	0	1	5	2
Andijan region	6	1	1	0	3	0	1	1	0	0	2
Bukhara region	6	1	0	1	3	0	1	0	1	0	3
Jizzakh region	6	1	1	1	1	1	0	1	1	0	1
Navoi region	6	1	2	0	0	3	0	0	0	1	2
Namangan reg	6	1	2	0	2	1	0	0	1	0	1
Samarkand region	6	1	2	0	1	1	1	0	1	0	2
Sirdarya region	6	0	0	1	2	2	0	0	0	0	0
Surkhandarya region	6	1	0	1	1	2	0	0	2	1	2
Tashkent region	6	1	0	1	1	1	0	2	1	0	2
Fergana region	6	1	3	0	1	1	1	0	0	0	0
Khorezm region	6	1	1	2	2	0	1	0	0	0	2
Kashkadarya region	6	1	0	1	2	0	0	2	0	0	2
Tashkent city	6	2	1	0	3	0	0	1	1	1	2
President of the Republic of											
Uzbekistan	16	2	1	0	4	3	4	1	3	2	3
Total	100	15	14	9	30	16	9	8	12	10	26
Percentage		15	14	9	30	16	9	8	12	10	26



representation and vice versa. Secondly, 'representative' signifies a representative of a country, either a deputy or a senator. Lastly, 'legislative' signifies the activities of representatives, which include the passing of laws.

The Representative Function of Parliament means that the parliament acts as a forum for the expression of views and the discussion of matters of state and local significance. These discussions result in the development of the foundations of public policy. Parliament is a forum where the interests of various segments of the population can converge, and where political positions and views can be discussed. A final agreement can be reached in the occasionally-heated debates, which can take the shape of a state will, a law or a decree of the parliament or its chamber.

The role of parliament in a system of government is based on the fact that it is the only nationwide representative body among all other the bodies of state power, a purpose that influences its formation and functioning. The parliament is formed through the obligatory participation of nationals, on the basis of universal suffrage by secret ballot. This method of establishment ensures that the parliament represents the people's interests. Parliament is intended to express the will of the people in governance, therefore fulfilling its representative capacity.

Parliament's purpose of representation also effects the way that parliament functions. In addition to maintaining links with their constituents, parliamentarians have the duty of applying the universal goals and interests of social development to their work, specifically by giving them the status of laws. The work of parliament should focus on finding solutions to the most urgent problems of social, economic and political life.

HOW DOES THE OLIY MAJLIS UNDERTAKE ITS REPRESENTATIVE CAPACITY?

The Oliy Majlis represents the people and performs its

functions in their best interests, specifically to ensure their prosperity and security.

In accordance with Article 78 of the Constitution of the Republic of Uzbekistan, the Oliy Majlis fulfils its representative capacity through the following eight activities:

- 1) The Oliy Majlis functions within the framework of the constitution, the constitutional laws and all other laws of the Republic of Uzbekistan. It can also introduce amendments to these laws and documents;
 - a) The Oliy Majlis determines the structure and powers of the legislative, executive and judicial authorities of the Republic of Uzbekistan. These actions affect the regulation of customs, currency and credit, and the establishment of taxes and other obligatory payments;
 - b) The Oliy Majlis ensures the legislative regulation of the Republic of Uzbekistan's administrative-territorial structure. These actions can change Uzbekistan's national boundaries, form, annul, rename and change the boundaries of districts, cities, regions, and establish state awards and titles;
- 2) The Oliy Majlis determines the main directions of Uzbekistan's domestic and foreign policy, and the adoption of strategic state programs;
 - a) The Oliy Majlis approves Uzbekistan's public budget as submitted by the Cabinet of Ministers, and oversees its execution;
 - The Oliy Majlis reviews the report of the Chamber of Accounts of the Republic of Uzbekistan;
- 3) The Oliy Majlis annexes new state units and adopts the decisions of their succession from the Republic of Uzbekistan;

The Oliy Majlis approves the decrees of the President of the Republic of Uzbekistan concerning the formation and abolition of ministries, state committees and other bodies of state administration. It also approves decrees concerning the declaration of a state of war should Uzbekistan be attacked, or if Uzbekistan must fulfilment its obligations of mutual defence from aggression as outlined in relevant treaties;

- The Oliy Majlis can declare general or partial mobilisation, and can introduce, extend and terminate a state of emergency;
- 5) The Oliy Majlis decides if a referendum should be held in the Republic of Uzbekistan, and sets up an appropriate date;
 - The Oliy Majlis decides on referendums concerning the formation of a Central Election Commission of Uzbekistan;
- 6) The Oliy Majlis reviews and approves a candidate for the Prime Minister of the Republic of Uzbekistan, as submitted by the President of the Republic of Uzbekistan;
- 7) The Oliy Majlis elects the Oliy Majlis Ombudsperson and his/her deputy;
- 8) The Oliy Majlis undertakes the ratification and denunciation of international treaties.

In addition to the above functions, the exclusive powers of the Senate of the Oliy Majlis include the following:

- 1) The election of the Constitutional Court, the Supreme Court and the Supreme Economic Court;
- 2) The ratification of the decrees of the President of the Republic of Uzbekistan, concerning the appointment and the dismissal of Prosecutor General, the Chairman of the National Security Service, and the appointment and dismissal of diplomatic and other representatives of the Republic of Uzbekistan in foreign countries;
- 3) The ratification of the decrees of the president of the Republic of Uzbekistan concerning the appointment and dismissal of the Chairman of the State Committee for Nature Protection and the Governor of the Central Bank.
- 4) The adoption of acts of amnesty;
- 5) The hearing of reports of the Attorney General, the Chairman of the State Committee for Nature Protection and the Governor of the Central Bank.

Therefore the purpose of a parliament, as a whole and in its individual chambers, is to represent and harmonise the interests of the people in the adoption of laws, to exercise oversight and analytical functions, to elect or appoint state officials and to identify key directions of domestic policy, foreign policy and strategic government programs.

What roles do deputies and senators fulfil in order to exercise their representative functions?

Deputies and senators play crucial roles in parliament. Therefore, the success of parliament's performance depends on the work of deputies and senators, their activity, skills and abilities. The rules that govern the activities of parliament, as well as the special legal status given to deputies and senators, give members of parliament the ability to exercise their official functions efficiently and freely.

In accordance with Article 48 of the Law 'On Elections to Oliy Majlis of the Republic of Uzbekistan', all elected MPs, including those from the Ecological Movement of Uzbekistan, acquire the status of Deputy of Legislative Chamber upon their registration at the Central Election Commission.

A senator is a citizen of the Republic of Uzbekistan. They are either publicly elected or appointed by the President of the Republic of Uzbekistan to the Senate, and are registered through the Central Election Commission of Uzbekistan in accordance with the Law of the Republic of Uzbekistan 'On Elections to Oliy Majlis of the Republic of Uzbekistan'.

A deputy's or a senator's status consists of three elements, which include the mandate, terms of reference, and the guarantees of deputy (senator) activity.

When considering the mandate of a deputy (senator), it should be remembered that 'mandate' has two definitions in the legal encyclopaedia. Mandate (Latin mandatum – order) -1), is defined either as authority, mandate, order, or a document certifying the rights and obligations of any person.²

WHICH FORMS DO THE REPRESENTATIVE FUNCTIONS OF PARLIAMENT TAKE, IN LIGHT OF THE HUMAN DEVELOPMENT PRINCIPLES?

Thus, the mandate, from one perspective, is the relationship between the deputy and the voter. From a second perspective, the mandate is the act through which voters give authority to the deputy. The rights, duties and fundamental guarantees of the Legislative Chamber and the members of the Senate of the Oliy Majlis are established by the Law 'On Status of a Deputy of Legislative Chamber and Members of the Senate of Oliy Majlis of the Republic of Uzbekistan'³. The representative function of a deputy or an senator is most

evident in their rights. A deputy of Legislative Chamber has the right of legislative initiative, and can participate in the work of the parliamentary groups in the Legislative Chamber. This means a deputy can fulfil representational functions aimed at enhancing legislation, including those that address education, health, culture and other sectors. The mandatory participation of deputies and senators in the sessions of the Legislative Chamber and Senate respectively, along with their participation in committees, commissions and the conciliation commission, and in all circumstances requiring voting, as well as committees, commissions of both chambers, conciliation commission, places greater responsibility in the implementation of their representative functions.

A deputy communicates with their constituency, with the political party that nominated him or her as a candidate, and expresses the interests of both these parties in the Legislative Chamber. Likewise, a deputy elected from the Ecological Movement of Uzbekistan will liaise with the movement and express its interests in the Legislative Chamber.

When fulfilling their representative capacities, deputies and senators must find a balance between national and local interests. Representation is an imperative, which makes legislators create nation-wide rules through legislation, while also acting as an advocate for their constituency or region.

The Human Development paradigm is a holistic development model. It embraces every development issue, including economic growth, social investment, the empowering of the people with the provision of basic needs and social safety nets, political and cultural freedom and all other aspects of people's lives⁴

The preamble of the Constitution states that, 'The people of Uzbekistan, in an effort to ensure a decent life for the citizens of the republic, adopt this Constitution of the Republic of Uzbekistan through the authorised representatives'5. This constitutional provision is consistent with Human Development principles, and aims to encourage Human Development. In this regard, special attention has been paid to Human Development through the implementation of the parliament's representative functions in recent years.

The organisational forms of representative functions of the parliament are the following:

- Sessions, including joint sessions of Chambers of Oliy Majlis of the Republic of Uzbekistan, Kengashes and Chamber Committees, as well as meetings of political party factions and the deputies group of the Legislative Chamber;
- 2) Conferences, seminars, round tables, the Chambers

- of the Oliy Majlis and its committees and commissions, as well as factions and the deputy group of the Legislative chamber;
- 3) Press conferences;
- Meetings between a deputy and their electorate, and liaisons with either their nominating political party or the Uzbekistan Ecological Movement.

The effective implementation of a parliamentarian's representative function lays in their ability to maintain dialogue with the voters in order to understand their views. It also lays in their ability to voice the views of their constituents and nominating political parties in activities including law-making, parliamentary oversight and round tables, and parliamentary inquiries.

A permanent method for parliament to execute its representative function is through conferences, seminars, round tables and other activities. The Legislative Chamber has conducted more than 600 of

About 100 conferences, seminars and round tables have focused on Human Development, including those dedicated to the Year of Health, the Year of Charity and Medical Workers, the Year of Social Protection, the Youth Year and the Year of Rural Development. Likewise, the Labor and Social Issues Committee has conducted a conference which focused on the role of the mahallya and the family in the medical knowledge of the greater public, also linked to the Year of Health. Another example of a forum focused on Human Development was a round-table conducted by the Committee on Science, Education, Culture and Sports, titled 'Charity - a trait of humanity and generosity inherent in the people of Uzbekistan'.

such events from 2005 to 2009.

The representative role held by MPs means they should meet with their constituencies and report on the results they have achieved. The parliament is a unique institution of state power because it functions on a basis of feedback. This means that parliament is a representative body directly influenced by its constituencies. The process of mobilising citizen support for the benefit of political leadership involves the creation of feedback channels, allowing a social and psychological connection to develop between citizens and their legislators. This connection allows a sense of ownership to develop. Based on this link between themselves and their voters, MPs assert that they have 'the mandate of the people', allowing them to make laws and policies on the public's behalf.

^{4.} Mahbub ul Haq 5. Constitution of the Republic of Uzbekistan. Tashkent.: 2009, p. 40.

Box 11

A series of meetings have taken place between Deputy Orif Sharipov and his voters within the Zangiota constituency of the Tashkent Region. These meetings took place with participation by kishlak gatherings, activists, residents of mahallas, the members of the party's district Kengash, the UzLiDeP deputies in local representative bodies, and the representatives of executive bodies and utilities. Prior to the meeting, the area's voters had taken the issue of water supply disruptions from the BU-1 pumping station to their deputy. In response to this concern, an action plan for the maintance and upgrading of the BU-1 pumping station was developed by a team including Deputy O. Sharipov, the leadership of the Suvokova Tashkent regional enterprise, and Musaffo obi-Hayot (LLC).

In addition the deputy made a request to the Tashpassazhirtans company, on behalf of the citizens of Chagatai-oktepa of the Zangiata district, to open new bus routes connecting the village to the city. A respective committee was established with the Tashpassazhirtrans company in order to resolve this issue, the result of which were two new bus routes that linked the village with the central districts of Tashkent city.

In addition to developing and maintaining links with their voters, MPs may also carry out other work with the population. For instance they may provide targeted assistance to voters and work to solve their specific problems. In summary, the ability of parliamentarians to represent citizens depends entirely on the interaction between the two parties.

An objective indicator of the abilities of the Legislative Chamber and Senate performance is the degree to which their initiative and actions have benefited the society and the nation, while allowing ongoing Human Development.

What methods are used by deputies and senators in order to exercise their representative functions?

There are eleven methods through which a deputy or senator may exercise their representative functions:

- 1) Making a report or a supplementary report at the sessions of the Chambers, Kengashes, Committees, Commissions, factions and deputy groups;
 - a) Participating in debates, asking questions to the rapporteur and the chairperson;
 - b) Making a speech to justify their proposals;
 - c) Passing a test of his/her speech to the chairperson at the sessions of the Chamber;
 - Making proposals or comments concerning the issues discussed at the sessions of the Chamber;
- 2) Proposing issues for consideration at the sessions of the Chamber;
 - Submitting suggestions and comments to the Chamber session agenda, the sequence of hearings and the substance of the discussed issues;
 - b) The submission of draft resolutions and amendments thereto;
- 3) Stating their opinion on the personal composition of

- the bodies created and the candidates nominated for official positions, be they elected, appointed or approved by the Chamber;
- 4) Submitting parliamentary inquiries;
- 5) Explaining their views at the Chamber sessions or informing the Speaker of the Legislative Chamber / the Chairman of the Senate respectively, in that they disagree with the decision made in their relevant chamber;
- 6) Submitting proposals concerning the hearing of a report or information, delivered by an official body, who will report to or be supervised by the Chamber at the Chamber sessions;
- Submitting proposals concerning inspections aimed at ensuring the implementation of Uzbekistan's laws and the Chamber's resolutions;
- 8) Submitting requests to competent authorities and officials that the take action to suppress violations against the rights and lawful interests of citizens, and any other violations of law;
- 9) Reviewing voter requests, in accordance with established procedures, in order to take action to resolve issues that arise:
- Liaising with the greater public and accepting request;
- 11) Informing the voters about parliamentary activities.

Because *openness and deliberation* are considered the main principles of parliamentarism, a parliamentary debate requires compliance by all members with the principles of submitting arguments and counterarguments, exchanging views in order to convince opponents of the truth or validity of a statement or concept, and having the conviction to believe when something is true or fair. Discussion, debates,

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consideration, compromise, agreement and other methods of open actions are crucial to an effective representative body.

The definitive idea for deliberative democracy is the idea of deliberation itself. When citizens deliberate, they exchange views and debate their reasoning concerning public political questions. They suppose that their political opinions may be revised by discussion with other citizens; and therefore these opinions are not simply a fixed outcome of their existing private or non-political interest. It is at this point that public reason is crucial, as it characterises such citizens' reasoning concerning constitutional essentials and matters of basic justice. ⁶

Important components of the parliament's representative function include the transparency of deputy activities to voters, and the degree to which individual deputies and the parliament in general are accessible to the electorate. Ensuring transparency and accessibility requires significant improvement in systemic work of MPs in their constituencies, allowing them to determine how the adopted laws perform, which laws are required in contemporary economic development, what contemporary economic development is needed in the community, what are the challenges faced by voters and which methods can be used to overcome these challenges.

In this regard, both chambers of the Oliy Majlis and their respective committee pay particular attention to *Human Development*. For example, compliance with *education-related* legislation is considered a key to success in training personnel for all spheres of Uzbekistan's society.

In this case, all professionals receive their basic education at school before being trained in colleges and at other tertiary level institutions. This unique system of continuous education, established under the National Programme for Personnel Training (NPPT), continues to yield positive results.

In Uzbekistan, an institute of representative bodies bears levels of responsibility and accountability, and their deputies (senators) play a critical role in ensuring the maintenance of a common legal space. This type of responsibility enables the legal assessment of their actions (or inaction). A deputy who has not justified their voters' confidence may be withdrawn in accordance with the law.

The Chambers of the Oliy Majlis of the Republic of Uzbekistan have the institutional capability to exercise their representative functions. They have public relations services that can facilitate an exchange of information between the parliament and society, as well as departments for international relations.

By joint resolution of the Kengash of the Legislative Chamber and the Senate of July 3, 2008, a Public Fund for the Support of NGOs and Other Civil Society Institutions was created in the Oliy Majlis. The Parliamentary Commission for the management of the assets of the Public Fund was also created.

There is a Commission of the Senate of the Republic of Uzbekistan to promote the activities of the representative bodies of local authorities. In order to ensure participation of citizens in the political process, respective web-sites have been created for the Chambers of the Oliy Majlis, while the 'Bulletin of the Oliy Majlis of the Republic of Uzbekistan' is being published. The operations of the chambers are covered in mass media.

Box 12

The progress of NPPT, and the implementation of the law 'On Education', is regularly examined by the members of the Committee on Science, Education, Culture and Sport of the Legislative Chamber of the Parliament. For example, in 2010, these issues were closely monitored in Dzhizak region. At present the region contains two universities, 58 professional colleges, four academic lyceums and 549 schools (including specialised services), 189 pre-school institutions and 23 out-of-school institutions. From 2004 to 2008, according to the State Nationwide Program, 21 schools were rebuilt, 165 schools were reconstructed, 196 schools were overhauled and 25 schools underwent maintenance work. To improve education quality a series of measures have been carried out, including the development of electronic textbooks, the organisation of distance learning and the development of tools using interactive methods.

The meeting also involved the discussion of shortcomings in educational institutions, and concrete prososals were made to address them. It was recommended that vocational colleges be provided with textbooks on special subjects, while more modern educational technologies should be implemented in the learning process. It was suggested that the capacity of pre-school and out-of-school institutions should be strengthened by increasing the number of teachers with teritary qualifications.

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Box 13

Funding operations take into account democratic requirements, based on the principles of openness, transparence, accessibility and impartiality. More than UZS 11 billion were allocated as subsidies and grants for social requests by NGOs and Parliamentary Committee decisions between 2009 and 2010, without involvement by any intermediate level or structure.

WHICH INSTITUTIONAL CAPABILITIES DO THE CHAMBERS POSSESS IN ORDER TO EXERCISE THEIR REPRESENTATIVE FUNCTIONS?

Stories covering the work of the Legislative Chamber and Senate members are regularly published in publications, in addition to departmental, regional, district and city newspapers. Parliament activities are also covered by the UzA, 'Turkistan Press', the 'Jahon' news agencies, and the Regnum and Trend foreign news agencies.

The Legislative Chamber's website has been redesigned, incorporating leading-edge information technologies, in order to build on public awareness. The launch of the portal has significantly expanded the abilities of deputies to disseminate and receive necessary information, including public opinion, concerning the activities of the lower house of the parliament.

Box 14

At the Commission's initiative, a Model of Regulations for the regional, district and city kengashes of people's of deputies was developed and approved by the Kengash of the Senate on December 30, 2010. In those Model Regulations the main intentions of the Standing Committees were established, including those aimed at implementing Human Development Principles. These intentions included the following:

- 1) To improve the healthcare, housing, wellbeing and living conditions of disabled war veterans, disabled labor veterans, and families with many children and/or elderly citizens;
- 2) To improve the social safety net;
- 3) To further improve the quality of education, and the democratisation of the educational process in schools, high schools, colleges and universities;
- 4) To strengthen the resources and technical base of institutions involved in physical culture and sports;
- 5) To create appropriate conditions for the development of sports and physical activities in communities.

Box 15

Activities of the Legislative Chamber are widely covered by mass media. From 2005 to 2009, the total number of articles, speeches and interviews in the media related to the Legislative Chamber reached approximately ten thousand. In the newspaper 'Halk Suzi', material is published under the heading 'The Legislative Chamber of Oliy Majlis of Uzbekistan' and 'In the Senate of Oliy Majlis of the Republic of Uzbekistan' on a weekly basis.

The content of several television programs cover news on parliamentary activities. In addition, UzTV regularly airs 'The parliamentary time' and 'Parliamentary Hour' programs.

WHAT ROLES DO PARTY FACTIONS AND GROUPS OF DEPUTIES PLAY IN LEGISLATIVE CHAMBER ACTIVITIES, AND HOW ARE HUMAN DEVELOPMENT PRINCIPLES IMPLEMENTED?

In accordance with the Constitutional Law of the Republic of Uzbekistan 'On Legislative Chamber of Oliy Majlis', deputies of the Legislative Chamber may develop associations with each other in political and professional fields, through the forming of factions and deputy groups.

Factions are associations of deputies. They are created by deputies on the proposal of political parties, in order to express their interests to the Legislative Chamber and to register these interests in the proscribed manner.

The parliamentary majority may also consist of several factions of political parties and deputies elected from the Ecological Movement of Uzbekistan, whose similarity and coincidence of program objectives can lead to the creation of a bloc. Should factions of political parties and deputies elected from the Environmental Movement of Uzbekistan not share the course and program of the newly formed government or some of its directions, they may declare themselves to be an *opposition*.

A deputy of the Legislative Chamber may be a member of one faction, for instance the faction of the political party that originally nominated him as a candidate. This enables MPs to effectively represent the interests of their political parties in the Legislative Chamber, while obliging them to take an active part in the work of their

Box 16. Factions of Political Parties, Registered in the Legislative Chamber

No	Faction Title	Number of Members
1.	Faction from the Liberal-democratic Party	53 deputies
2.	Faction from the People's-democratic Party	32 deputies
3.	Faction from the Milliy Tiklanish Democratic Party	31 deputies
4.	Faction from the Adolat Social-democratic Part	18 deputies

Box 17

During 2010, in accordance with its policy objectives, the Environmental Movement of Uzbekistan and members of a deputy group of the Legislative Chamber promoted the implementation of a number of state programs. These programs focused on the fields of environmental protection and health, protection of motherhood and childhood, environmental education and education for young people. A number of round tables were held in Andijan, Jizzakh, Kashkadarya, Navoi, Namangan, Samarkand and Fergana, addressing the following topics:

- 1) The role of the deputy in enhancing environmental legislation;
- 2) The UN concept of Human Development and environmental rights;
- 3) Transboundary environmental problems: the human right to a normal environment and conditions for a healthy lifestyle;
- 4) Public health, the public health protection problem and its solution;
- 5) The place of Environmental Education in the upbringing of a harmoniously-developed generation;
- 6) Environmental problems and public health;
- 7) Demographic growth and environmental problems.

political party factions.

The faction of a political party that gains a majority of the seats in the Legislative Chamber makes up the *parliamentary majority*.

The deputies of the Legislative Chamber from the Ecological Movement of Uzbekistan have created a

 $^{7.\,}Collected\,legal\,acts\,of\,the\,Republic\,of\,Uzbekistan\,2002, No\,24, p.\,192.$

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parliamentary group of fifteen persons, whose activities enhance the parliament's role in addressing the challenges of nature conservation, environmental protection, environmental safety and the rational use of natural resources.

In the Lower Chamber of the Oliy Majlis the speaker of the Legislative Chamber has several deputies, one from each political party faction of the Legislative Chamber and the Environmental Movement of Uzbekistan.

The election of new Vice-Speakers of the Legislative Chamber has expanded the authority and ability of party factions of the Legislative Chamber, while significantly democratising the decision-making process in the lower house of parliament.

Factions are gradually becoming the main driving force of the parliament, which in itself determines the content and direction of the supreme legislative body of the country. Crucial legal and organisational changes have allowed:

- The more active promotion of the electorate's interests:
- 2) The establishment of party program objectives that lead to increased public participation rates;
- The promotion of competition between the activities of political party factions in the legislative change;
- 4) The opportunity for individuals to assume leadership positions in the Legislative Chamber, increasing the accountability of each party's leadership to the electorate.

In this regard, the charters and programs of political parties have been amended with the intention of enhancing interaction between party associations of deputies in representative bodies at central and local levels, in addition to factions and parliamentary structures. Presently, the work of the deputies of political parties largely determines the degree of public participation and the involvement of civil institutions in reforms, particularly those directed towards the renewal and further democratisation of Uzbekistan's public governance and modernisation processes.

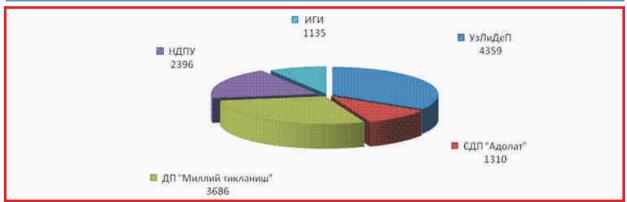
In accordance with Article 25 of the Constitutional Law of the Republic of Uzbekistan 'On Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan', a faction or a deputy group may:

- 1) Offer proposals and comments to the agenda of a session of the Legislative Chamber, concerning the content of the reviewed issues and the procedure of their consideration;
- 2) Use the right of a guaranteed floor to the representative of the faction or deputy group in the debate on each issue discussed at the session;
- 3) Raise questions concerning the establishment of conciliations and other commissions:
- Request that government official at a session express their position on the matters discussed, or provide a reasonable explanation of their position;
- To distribute their group opinion concerning an issue, as discussed at a Legislative Chamber session among deputies;
- Participate in the activities of Kengashes, committees and commissions;
- 7) Make suggestions concerning the draft laws

Box 18

Deputies elected from UzLiDeP possess a significant and critical leverage in the forming and further improving of legal frameworks for the development of entrepreneurship and farming. Members of the UzLiDeP faction in the Legislative Chamber have actively participated in the discussion and adoption of more than 90 laws and other legal and regulatory acts. These laws and actions include more than 30 immediately related to the interests of the electorate, including businessmen and farmers.

Box 19. Meetings of Deputies in their Constituencies over 2005-2009



and draft decisions that are to be discussed by the Legislative Chamber;

- 8) Raise questions concerning reports delivered by government officials concerning their activities;
- 9) Request the materials and documents required for the faction or deputy group's activities;
- 10) Exercise other powers in accordance with legislation.

The factions of political parties are also granted a number of additional powers that parliamentary groups are not entitled to. For example, a faction of a political party which has proclaimed itself the parliamentary opposition (for example, which is not included in the parliamentary majority), have the following additional rights:

- To submit its separate opinion concerning the issues discussed in the minutes of Legislative Chamber;
- 2) To put suggestions submitted on its behalf to vote at a session of the Legislative Chamber;
- 3) To guaranteed that its representatives may participate in the conciliatory commission on a draft law rejected by the Senate.

Through the creation of a bicameral parliament, the legislature of the Republic of Uzbekistan has achieved a new level of development. Most importantly the quality of adopted laws have improved significantly, although the legislative process has become far more complicated. The role of political parties in the adoption of legislative

acts has increased. The practice of a preliminary review of draft laws by party factions has been established, as well as the mandatory hearing of their opinions during the discussion of draft laws at the plenary sessions of the Legislative Chamber.

In recent years, factions of political parties have paid particular attention to explanatory work among the population. During grass-roots level meetings and conversations, the meaning and content of legal acts have been clarified, draft laws submitted to the Legislative Chamber for review have been discussed, and information about the parliament, faction performance over the last period, and the socio-economic have been presented.

CHAPTER 3
HUMAN DEVELOPMENT PRINCIPLES
AND ENHANCING THE LAWMAKING
ACTIVITIES OF PARLIAMENT



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Implementing the main principles of Human Development is a priority of legislative work, especially in regards to the lawmaking activities of the parliament of Uzbekistan. In this situation the concern is how the parliament, a deputy of the Legislative Chamber or a Senate member can guarantee that Human Development Principles will be incorporated into their daily activities, specifically through the lawmaking process. It is recognised that the process of elaborating draft law can be used to incorporate Human Development Principles into parliamentary or deputy work.

WHAT IS A LAW, AND WHAT ARRANGEMENTS ARE USED TO IMPLEMENT HUMAN DEVELOPMENT PRINCIPLES WHILE DRAFTING A LAW?

Firstly, each law and consequently a law in general represents a key source of legal power within a democratic state. Secondly, a law is a crucial feature of a legal state. Thirdly, a law is a legal and regulatory act of supreme juridical force. Laws can be adopted either according to a special procedure by the supreme representative body of state power (the parliament) or directly by people, and they regulate the most important aspects of social relations.

Similar to those of any other democratic state, Uzbekistan's laws play important roles in fulfilling Human Development Principles. This means that members of the parliamentary corps, specifically deputies and senators, have specific responsibilities to uphold these principles. It is recognised that the deputies of the Legislative Chamber of the Republic of Uzbekistan are subject to the laws that address legislative initiatives, meaning they possess a constitutional right to initiate and prepare draft laws. Considering this connection, it is important that deputies and senators understand the mechanisms used to implement Human Development Principles while elaborating these mechanisms in the texts of laws. The efficiency and effectiveness of laws depends greatly on the satisfactory development of their concepts.

The concept of a law embodies the relevant lawmaker's idea concerning which socially-significant issues the law will target, along with the practical methods that can be used for the law's enforcement. These methods can include legislative decisions, which can include the defining of rights, duties, prohibitions, the approval of budget expenditures and the establishment of governmental institutions.

When establishing a meaning for the phrase 'the concept of a law', the most appropriate definition is one that revolves around the key-word 'conception'.

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Box 20

The concept of the recently adopted Law of the Republic of Uzbekistan on the 'Amendments and additions to the recently adopted Administrative Responsibility Code of the Republic of Uzbekistan due to strengthening of responsibility in the sphere of traffic safety', included the lawmaker's goal to reduce the human mortality rate resulting from traffic accidents. Consequently this law helps to ensure one of the Human Development Principles. The goal of reducing traffic mortality rates will be addressed through the following legislative measures:

- 1) Introducing additional restrictions to motor traffic speed.
- 2) Increasing fines for exceeding speed limits, as well as crossing carriageways while a 'no passing' traffic light is on or where there is no pedestrian crossing;
- 3) Installing additional traffic signs or facilities capable of controlling the speed of vehicles.

The choice of specific arrangements used to address the problem of traffic safety have been determined by a variety of circumstances. These include accidents statistics which illustrate the types of accidents, the time of accidents, what the weather conditions were when accidents occurred and whether the driver or the pedestrian were at fault. The choice of arrangements is also affected by the lawmaker's particular financial abilities.

The expression 'according to the lawmaker's conception' is already being used in legal practice. However, in relation to specific legal cases, 'the lawmaker's conception' may actually imply a concrete idea.

A lawmaker's conceptual idea, in regards to a particular law, may not be limited to just one idea. In fact it is understood that the concept of a law should include at least two ideas. The first idea outlines the goal that the lawmaker wishes to achieve, in particular to find a solution to a socially-significant problem. The second idea outlines how the lawmaker plans to achieve the goal, specifically by adopting a legislative decision that would eliminate or mitigate the socially-significant problem under consideration. A lawmaker may have either a single goal or multiple goals, and correspondingly either one or multiple proposed methods for accomplishing these intentions.

When implementing Human Development Principles within the norms of a law, the preamble of a law's concept has considerable relevance. The preamble may include an assessment of the current situation, along with an analysis of several factors including the legislation currently in force, relevant law enforcement practices, the results of various surveys, the possible consequences of implementing the law in the future, and other issues relevant to evaluating Human Development Indices.

The development of an accurate concept of a law, along with the selection of a correct law out of all proposals, represents a crucial part of the lawmaking process that involves Human Development Principles. An example of how a single concept of a law may need to be selected from variety of proposals could involve a nation that is experiencing a deficit in its state budget. In this example the first concept of a law designed to find a solution to this problem may involve reducing the budget deficit by increasing taxes. According to the lawmaker's conception, this action should increase budget revenues

and therefore eliminate its deficit. A second conceptual solution is offered to solve this problem, specifically by reducing taxes. According to the conception of the second lawmaker this measure may encourage certain taxpayers, who may otherwise intend to avoid unreasonably high taxes, to pay their taxes fairly. An improved intake of revenue may help to solve the budget deficit problem. A third conceptual solution takes an entirely different approach, proposed by a lawmaker who suggests the first concept is useless and potentially harmful. This third lawmaker argues that increasing tax rates may bankrupt many enterprises, therefore decreasing budget revenues and increasing budget expenditures. This would result in the State having to pay the social security of a group of newly unemployed people. The third lawmaker suggests that liquidating the budget deficit may be achieved by a third means, specifically by reducing budget expenditures rather than attempting to increment revenues.

This example shows that while different concepts of laws may attempt to address a same problem within the social sphere, their individual approaches may be fundamentally different. Therefore, in order to select the correct concept of a future law, special rules should be followed during a law's development in order to ensure its high quality.

In many ways the quality of a draft law's concept depends on its structure. The structural elements of a draft law's concept are listed below.

1) The name of the concept. This will contain the name of the future law, and will therefore identify the subject of the future legal regulation. This name is important for determining a law's objective, specifically of its ability to offer a solution to social and Human Development issues, a solution to social and Human Development issues, and an overview of the methods use to achieve that solution;

- The preamble that justifies the concept in point
 This preamble should allow deputies and senators to understand the basic idea behind a future law;
- 3) The content of conception, where the law's objectives and the means for achieving those objectives are stated. This content should offer an idea of the social trend behind the draft law, along with how the law could be used to address certain tasks of Human Development.

Considering the above three points it is understood that elaborating a law's concept represents an essential part of the work of the legislative chamber's deputy, or any other subject whose position requires legislative initiative. This elaboration ensures that Human Development Principles are reflected in the text of the future law. Therefore, the main idea of a future draft law should be expressed by the Legislative Chamber's deputy, with consideration of Human Development Principles. By doing this, the deputy will be able to answer questions concerning whether a law will improve people's incomes and well-being, whether the law will ensure gender equality and empower women, and whether the law will respect the rights of minorities and vulnerable people (including disabled and/or retired individuals, large families, single mothers and orphans).

Despite the significance of a law's concept in the process of implementing Human Development Principles, the content of the draft law itself plays an even more important role. Naturally, law enforcement officers will use this content to ensure the principles of Human Development are actually being applied.

Meanwhile, the deputies and senators should consider the conceptual provisions of a law in a similar way that they regard the law itself. It should be clear that there is a concept in the article of a law, and that this concept represents a certain norm of the law. In this case, each article of a law contains only one norm.

HOW IMPORTANT ARE THE CONTENTS OF LAWS IN THE PROCESS OF IMPLEMENTING HUMAN DEVELOPMENT PRINCIPLES?

It is understood that the more a society advances in terms of its civilisation, development and humanism, its demand for laws grows greater. Such a progressive society has specifically high requirements in terms of the contents of its laws.

The content of a law should be lawful, meaning the law should conform to inalienable and inherent human rights. The rules concerning human rights are mostly secured within the Universal Bill of Human Rights, a globally-recognised international legal document of the United Nations. This document acts as a legal foundation for the judicial protection of both individuals and human civilisation in general, acting as a legal directive for the

legislators of any country. Observing human rights in the law represents a quality factor of the law itself, highlighting its substance and benefits to the nation's public, along with its equity and freedom-targeted nature.

Implementing Human Development in general and human rights in particular, depends greatly on national rules and judicial techniques. These rules and techniques are common in countries with developed parliamentary practices and legislative techniques.

The efficiency and productivity of laws and other legal and regulatory acts depends greatly on whether or not their legal workings are accurate and clear, whether acts are interlinked and consistent, and whether the applied legal terminology is uniform. The rules and methods established by juridical techniques and used by lawmakers to elaborate draft laws help to ensure that legal documents are accurate, interlinked and use uniform terminology.

It can therefore be concluded that **juridical techniques** are the rules, means and methods used to develop, formulate and systematise the legal and regulatory acts of a nation. These acts include laws that use clear and understandable content and efficient implementation methods to ensure that Human Development Principles are realised. The text of a law, being the result of the intellectual efforts of the lawmaker, represents the result of juridical techniques. Juridical techniques are therefore the various rules and methods used to prepare of the laws. It can therefore be understood that the realisation of Human Development Principles in a country, along with the status of the legal basis of state policy towards human dimensions, require the attentive application of juridical techniques.

WHAT ARE THE GENERALLY ACCEPTED RULES FOR PREPARING DRAFT LAWS THAT ENSURE HUMAN DEVELOPMENT PRINCIPLES ARE IMPLEMENTED?

The *First Rule* requires the legal regulation of a socially-significant draft law be specific, clear and complete. Applying this rule in the text of a law means the law's provisions should be stated in a way that fulfils the gender equality principle when addressing issues of recruitment, promotion, and the allocation of benefits and preferences to certain categories of citizens.

In countries with extensive experience in legislative techniques, it is considered unacceptable to use uncertain or ambiguous terms and interpretations (such as 'others' or 'else') in the text of law. Similarly, it is inadmissible to use phrases that lack concrete or specific meaning (for example: "Legislation on such and such subject consists of the present Law and other legislative acts"), or that do not contain any legal instructions (for instance: "Such and such action (activity) shall be exercised (regulated) in accordance with the principles of legitimacy, equality of citizens against the law, etc").

A law-maker, when elaborating a draft law on any subject

connected to the legislative implementation of Human Development Principles, should be guided by the one key goal of regulating all aspects of a socially-significant issue within the given text of a draft law. This will avoid any chance that additional drafts will be developed. The complete legislative oversight of a socially-significant draft law should, for deputies and senators, mean the regulation of all major provisions, regulations and terms of any Human Development Principles within the text of the draft law itself. However, this rule does not apply to the text of subordinate acts, which should be adopted after the law is enacted.

The *Second Rule* envisages that the text of law should contain clearly-defined legal norms, consisting of the *Hypothesis*, *Disposition and Sanction* approach where applicable.

The Hypothesis is the required conditions for enacting a norm (in other words, the prerequisites required before a norm can come into force). This means that a Hypothesis provides a description of a juridical fact. An example may be the method undertaken to implement a principle of Human Development related to the strengthening of the family institution. In this situation, deputies should keep in mind the juridical facts that lead to the creation of the norm of the family institution (in other words, the prerequisites that lead to a family). In this case, the norm is when two parties wish to contract a marriage (a prerequisite to a family), both parties consent to the marriage, both parties have reached the age of marriage, there is no blood relationship between the parties and the intended spouses are not already married to third parties. In this case, consent, age and other circumstances represent the conditions for the enactment of the norm on marriage. Because these conditions are regarded to have juridical significance, they are considered to be hypothesises of the norm.

The Disposition is the part of a norm that points to the content of its behavioural rule, being the juridical rights

and duties of subjects. According to the way it is interpreted, the disposition may be a *direct, alternative or blanket* disposition. An alternative Disposition enables the participants of legal relations to vary their behaviour within the limits established by a norm. A blanket disposition contains a rule of general character, which refers to other legal norms.

The Disposition may be of a *simple nature*, meaning that it refers to a well-defined behavioural pattern. It may also be descriptive, when a system of evaluative notions, various characteristics and qualities formulate a behavioural rule. The reference disposition is also emphasised within the theory of law. In this situation the behavioural rule is not defined in the norm of the law itself, but the addressee is referred to a behavioural rule that is described in another norm. However in some countries of former Soviet Union, including Russia, Kazakhstan, Ukraine and Belarus, a somewhat vague reference is occasionally used. The formula often appears as follows: "this and that shall be done according to procedure established by the law". Similar ways of formulating dispositions are considered unacceptable in the jurisprudence and practices of developed countries. In the opinion of legal authorities in developed countries, they are considered examples of low legal culture, weak legislative mechanisms and signs that lawmakers are trying to avoid finding solutions to an issue or a social request.

The Sanction is a part of a norm that identifies the measures that law enforcement officials out to take should a disposition be violated. Verbally, a Sanction often appears as follows: "if..., then..., failing which...".

The *Third Rule* requires that there be an absence of contradictions, omissions, and conflicts, both in the law and in the general legislative system.

The *Fourth Rule* requires that the text of the law should be written up in singular form, in accordance with law



enforcement and judicial practice. Writing the law in plural form may make the law inapplicable to a specific person or fact.

The *Fifth Rule* requires that the legal norms statement should be concise and solid, meaning the duplication of legal and regulatory material should be reduced to a minimum.

This represents a short list of the basic rules of legislative techniques. These are strictly followed in nations where all adopted laws and other documents of the same significance are indisputably and meticulously implemented, and a majority of the population are lawabiding. Examples include Germany, Great Britain, South Korea, Japan and the U.S.

Lawmaking rules are distinct from juridical techniques. The latter are the specific and unified norms that fix official requisites and the components of subordinate legal acts and departmental documents.

The adherence to rules of juridical and legislative techniques, those commonly recognised in scientific circles and parliamentary practice, is critical when applying Human Development Principles to the further consideration and development of draft laws.

Therefore, rules of lawmaking techniques have been secured in the Law of the Republic of Uzbekistan concerning the 'Procedure of Draft Laws Development for their Submission to the Legislative Chamber of Oliv Majlis of the Republic of Uzbekistan', as well as in certain articles of the Law of the Republic of Uzbekistan concerning 'Legal and Regulatory Acts'. Article 15 of the Law of the Republic of Uzbekistan on the 'Procedure of Draft Laws Development for their Submission to the Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan' has held great significance. The article envisages the consideration of international experience in the development of draft laws. The article has also established that during the elaboration of draft laws, the commonly recognised principles and norms of international law should be taken into account. The practice and experience of legislative regulation in other countries should also be studied.

When preparing social-significant draft laws, the practices of specifically-developed nations should be studied. These nations include those with a stable and high Human Development Index, including Norway, Canada, Australia, Ireland, Sweden, Netherlands, Japan, Switzerland and Germany, as well as nations with the highest balanced Human Development growth rate including Singapore, South Korea and Oman.

An extremely significant stage of the lawmaking process is when the preliminary discussion of a draft law takes place in the Legislative Chamber of Parliament. This gives a deputy from the lower chamber the chance to assess the content of the draft in terms of its compliance with Human Development Principles. In Uzbekistan this stage of legislative activity is stipulated in Article 14 of

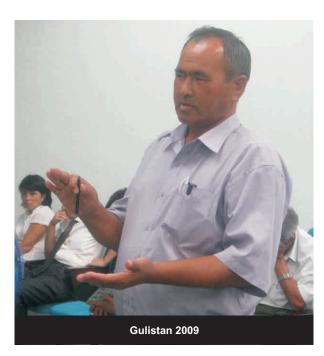
the 'Procedure of Draft Laws Development for their Submission to the Legislative Chamber of Oliv Majlis of the Republic of Uzbekistan'. In this case a deputy has the right to offer his or her comments on the draft law in question. These comments must be offered within two months of the assemblage of the Committee created to elaborate on the draft law for its further submission to the Kengash of the Legislative Chamber. Furthermore, a deputy of the Legislative Chamber can make his or her proposals and recommendations concerning the improvement of the presented draft law with regards to Human Development Principles, at the stage of the draft law development during its second reading. Indeed, it should be noted that relevant committees involved in the elaboration of the draft law for its second reading will summarise all proposals received, including those received from the deputies of the Legislative Chamber. If they are found to be substantial and relevant, these proposals will be included in the text of the draft law.

Other means of implementing Human Development Principles in lawmaking include the oversight functions granted to the Chambers of Oliy Majlis of the Republic of Uzbekistan, and the deputies of the Legislative Chamber and the members of state. These functions will be discussed in the next section.



CHAPTER 4

PARLIAMENTARY SUPPORT OF SOCIALLY-SIGNIFICANT HUMAN DEVELOPMENT PRIORITIES



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DEVELOPMENT PRIORITIES

As mentioned in Chapter 3, in order for Human Development to conform to the HDC, it must encompass the process of expanding human choices to help people reach high levels of wellbeing. In this case, wellbeing is considered the possibility that people may live a meaningful and fulfilling life. An extremely high income is not necessarily required to ensure that people live a decent life. This is because the phenomenon where the positive impact on Human Development is gradually weakening in proportion to income growth. The fundamental purpose of sustainable development is to allow the public to have equal opportunities for development both at present and in the future.

The recognition of basic human rights and freedoms is considered one of the prerequisites of sustainable Human Development. Human rights are universal, and were developed and formulated in various cultures and eras long before the Universal Declaration of Human Rights was formed in 1948. Other international documents, agreements and treaties, building on the Universal Declaration of Human Rights by focusing on a certain human right or group of rights, have been elaborated and adopted by the UN. By ratifying these documents, a state commits itself to observe detailed rights and freedoms; ensuring Human Development is a multi-faceted process effected by a country's socio/political and socio/economic development along with the quality of its legislation.

WHAT ARE THE SOCIALLY-SIGNIFICANT HUMAN DEVELOPMENT PRIORITIES IN THE REPUBLIC OF UZBEKISTAN, INCLUDING THOSE OUTLINED IN LEGISLATIVE ACTIVITY?

The concept of the further intensification of democratic reforms, and the formation of a civil society in Uzbekistan, was proposed by the President of the Republic of Uzbekistan at the joint meeting of both



Chambers of the parliament on November 12, 2010. This concept, as well as the President's report delivered at a session held to review the outcomes of Uzbekistan's socio/economic development and the plans to continue such development into coming years, must be considered when defining Uzbekistan's Human Development Priorities.

One piece of evidence that Human Development Priorities are being implemented in state policy is the fact that 2011 has been declared the Year for Small Business and Private Entrepreneurship in Uzbekistan.

WHAT IS THE ROLE OF SMALL BUSINESS AND PRIVATE ENTREPRENEURSHIP IN UZBEKISTAN?

There are three reasons why the development of small businesses and private entrepreneurship is vital to Human Development in Uzbekistan. These are listed as follows:

- Private entrepreneurship is an Uzbek tradition. Creativity and initiative in business has for centuries not only provided for the interests of individuals and their families, but also for the entire nation;
- 2) Small businesses and private entrepreneurship represents the top priority branch of Uzbekistan's economy, providing people with stable employment and incomes;
- 3) The development of small businesses and private entrepreneurship is the only means of guaranteeing the formation of a middle class of business owners, which in turn serves as foundation for a democratic society.

The legislative support provided to protect the constitutional social rights and freedoms of Uzbekistan

citizens have been closely linked with the nation's social and economic situation and the major trends in its development. Translating the constitutional principles of a social state into practice, while ensuring that citizens enjoy a high standard of living, is a legislative priority of the Lower Chamber of the Uzbek Parliament.

Meanwhile, Uzbekistan's implementation of the Millennium Declaration, the Millennium Development Goals, the Human Development approach and other fundamental documents defining the Human Development Principles, has made the identification of relevant socially-significant priorities a crucial task.

WHAT ARE THE LEGISLATIVE PRIORITIES CONCERNING SOCIETY?

The experience of countries with high Human Development Indices has demonstrated that social policy trends including quality education, affordable healthcare services, good housing and agricultural sector development can be defined by a national parliament's legislative activities. The Republic of Uzbekistan's Social Development Strategy is currently being implemented through specific measures of social policy, as identified by national projects, programs and action plans based within the fields of education and healthcare. In this case, Uzbekistan's technical and scientific progress has been focused towards implementing the principle of 'life-long education'. In order to create a system of continuous education, there needs to be more comprehensive professional education, distance training and various forms interactive education. These educational programs can be established with the help of legislative arrangements. The intensification of followup activities regarding the legislative support of science and education integration is also necessary.

Amongst all population groups, children facing hardship both require particular care from the State and its representative bodies. Children who need special attention include:

- 1) Orphans or children without parental care;
- Children with mental and/or physical disabilities;
- 3) Children from families of refugees and displaced persons;
- 4) Children living in extreme conditions;
- 5) Children from low-income families placed in the boarding schools;
- 6) Children with behavioural problems;
- 7) Infants in the orphanage nurseries
- 8) Children living in the orphanages and boarding schools of social security system.

Parliamentary work should also focus on the people's right to employment, to appropriate remuneration and to adequate working conditions. In this case it would be highly relevant to develop a program of legislative measures aimed at improving labour conditions and occupational safety, reducing mortality and occupational hazards at work, and both preventing and rapidly diagnosing professional diseases.

The objectives of legislative activities in the social field could include the reduction of mortality, the improvement of public health, the promotion of active lives, the increase of birth rates, the encouragement of family strengthening and the preservation of spiritual and moral values in family relations.

The legislative regulation of the remuneration system should allow human beings to have nutritional diets, raise their children, purchase necessary household goods and live in decent homes. It is therefore crucial that when determining wage boundaries by legislative norms, Legislative Chamber Deputies should remember that an employees' wage should support both themselves and their family. It should also be remembered that the cost of developing human resources in a market economy includes those of education, healthcare, and the professional training that provides employees with the qualifications needed to improve their productivity and their incomes.

International practice has proven that it is impossible to ensure economic growth while social problems remain unsolved. The main condition needed to implement economic and social reforms is a systematic approach and a focus on establishing a totally new social policy. In order to implement these reforms, it is important to continue perfecting state policy with regards to the regulation of employment and income, to formulate a sound state policy concerning this regulation, and to define and set up state targets for employers.

According to expert opinion, it is advisable to set up legal and regulatory foundations when establishing the regulation of employment and income. In particular, it has been advised that the law of the Republic of Uzbekistan on 'Remuneration of Labour in the Republic of Uzbekistan' be drafted and adopted. It has been suggested that this law should contain norms concerning hourly-rate wages, similar to those applied in developed countries.

The concept of safe labour in the 21st Century includes the use of innovative methods to evaluate and manage professional risks. These methods include comprehensive techniques used to monitor harmful and hazardous factors at work, along with the effects these factors may have on both a worker's productivity during their career and their health during retirement. It is possible to establish new, complex mechanisms for regulation of labour conditions, following the creation of a set of interrelated and simultaneously-implemented arrangements that include legislative measures.

Nonetheless the challenge of developing state family support remains unaddressed. There is currently no basic law that defines the goals, principles, priorities and arrangements of a public family policy.

WHAT ARE THE LEGISLATIVE PRIORITIES CONCERNING HEALTHCARE?

Uzbekistan's parliament also has priority objectives in regards to ensuring people's rights to healthcare. These priorities may include the following:

- 1) The development of a set of technical regulations concerning various issues of healthcare and medical science;
- 2) The adoption of new laws, or the inclusion of new norms into current legislation, that can regulate healthcare financing procedures. These procedures include those related to the extra-budgetary, priority tasks of healthcare;
- The amendment of current legislation in order to provide people with affordable and quality medicines and medical products while eradicating counterfeit and poor quality pharmaceutical products.

It is understood that physical education and sports, both necessary parts of an active lifestyle, can have a direct positive impact on human health. The development of physical education and sports in Uzbekistan, along with encouraging people to live healthy lifestyles, can help to address problems concerning the quality of people's lives. The State's approach towards promoting physical education and sports is currently undergoing changes. The State pays special attention to improving the health of Uzbekistan's younger generations, with the perception that sport may provide a solution Uzbekistan's various social and economic problems being a driving force behind this initiative.

It should be emphasised that the development of physical education and sports in Uzbekistan, as well as national drives encouraging individuals to achieve success in sports, requires legislative regulation of the social status norms of high-achieving and professional sportspeople.

What are the legislative priorities concerning education?

Uzbekistan parliamentarians face the urgent task of incorporating Human Development Principles when developing the competitiveness and accessibility of a nation's education system. It has also been important to ensure that the education system is self-developing, can react to the changing world, and can meet the growing demands of society.

The experiences of countries with high Human Development Indexes show that improving Uzbekistan's education system will involve the following:

- Increasing the accessibility of professional education. This will include improving the ability of young people from the country's rural and remote zones to enter Uzbekistan's leading tertiary education institutions (TEIs), as well as providing equal terms for TEI enrolment for both males and females;
- 2) Supporting the succession of general and professional education;
- Ensuring the knowledge acquired by young people in general education institutions is independently assessed. Also, ensuring that the country's general education system is independently evaluated;

- 4) Upgrading the quality of education;
- 5) Improving the unbiased final evaluation of students studying in general education schools. Combining the previously-separate final evaluation exams and admission exams could reduce the unnecessary stress felt by young people.

WHAT ARE THE LEGISLATIVE PRIORITIES CONCERNING THE EMPLOYMENT OF YOUNG SPECIALISTS?

Another priority of parliamentary activities has been the introduction of legislation that would disallow the lawful termination of employment contracts of young people who have not completed general education. This legislation will allow the implementation of Human Development Priorities that will help support families in low-income situations.

Uzbekistan also faces an unsolved challenge involving the creation of incentives for employers to support education institutions, while establishing economic mechanisms that foster contractual relations between educational institutions, students and enterprises. This mechanism will ensure the professional training of human resources complies with the requirements of the market economy.

Freedom of creativity is considered to be one of the essential human cultural rights, encompassing the freedoms of, amongst others, the literary, artistic, scientific and technical arts. It is recognised that open access to information, along with both cultural and educational centres and libraries, play important roles in



the process of an individual's accumulation of knowledge and creative self-expression.

It is recognised that it is everyone's duty to preserve historical and cultural heritage while safeguarding monuments of historical and cultural significance. A nation's cultural heritage includes the material and spiritual values established in the past, along with monuments, structures, and both historical and cultural areas. It is understood that the latter has considerable value for the preservation and development of a country's specific identity, for all ethnic groups that inhabit the nation and their contribution to world civilisation. While exercising their individual rights, everyone should understand their responsibilities with respect to the State and to other people.

WHAT ARE THE PARLIAMENT'S LEGISLATIVE PRIORITIES CONCERNING DEVELOPING HEALTHCARE AND REDUCING MORTALITY AMONG UZBEKISTAN'S POPULATION?

One priority of parliamentary work in the social sphere, in regards to collaboration between Legislative Chamber Deputies and the members of the Senate, is the reduction of morbidity and mortality rates among Uzbekistan's population.

Based on the experience of countries with high Human Development Indexes, the legislative solution to this challenge will involve developing the following legislative measures with regards to able-bodied citizens:

- Reducing the mortality rate caused by cardiovascular diseases. This can be achieved through the establishment of a legislative system based on the prevention of risk factors and the early diagnosis and treatment of such diseases. Amendments to the Law of the Republic of Uzbekistan on Education may envisage the introduction of educational programs targeted at preventing cardiovascular conditions;
- Reducing the mortality and injury rate caused by traffic accidents. This could be achieved by improving road infrastructure, traffic discipline and traffic rules;
- 3) Reducing the rates of occupational mortality, accidents and disease. This could be achieved by introducing economic incentives for employers, aimed at improving working conditions while creating a professional risk-management system. This system would involve informing workers of job-associated risks, along with arranging a risk warning, assessment and management system;
- Reducing the mortality rate caused by suicides. This could be achieved by improving suicideprevention work among people from high-risk

groups;

- 5) Reducing mortality rates caused by cancer. This could be achieved through early diagnosis screening and cancer prevention programs;
- Reducing mortality rates caused by HIV/AIDS and Tuberculosis. This could be achieved by improving prevention and treatment programs related to these diseases.

The practices of most developed countries with high Human Development Indexes have shown that in order to reduce maternal and infant mortality, to improve the reproductive health, and to improve the health of children and teenagers, the following legislative arrangements are required:

- The provision of free-of-charge, high-quality medical assistance to women during pregnancy and birth. Also, the provision of the same medical assistance to new-born babies;
- 2) The provision of accessible and quality reproductive healthcare, including assisted reproduction techniques;
- The provision of quality meals twice a day for students of primary, secondary professional and high education institutions. Also, the provision of free-of-charge meals to students from lowincome families;
- 4) The organisation of obligatory physical education and sport training in all educational institutions, including increased curriculum hours dedicated to physical training and sports.

The experiences of most democratically-developed countries with high Human Development Indexes have shown that in order to motivate people to live a healthy lifestyle, and consequently to reduce the impact of socially-significant diseases, it would be reasonable to address the following legislative challenges:

- The development and adoption of legislative norms designed to reduce smoking and alcohol consumption in society. These norms could involve tightening controls over the quality, sale and consumption of tobacco and alcoholic products, the introduction of educational programs in educational institutions, and prohibitions on the consumption of alcohol and tobacco products by children and teenagers;
- 2) The use of legislative measures to encourage the public to adopt healthy lifestyles. These legislative measures will involve encouraging physical training, tourism, sports and healthy leisure. Community initiatives aimed at improving health among the country's population, specifically among children and young people, should also be supported;



- 3) The establishment of a no-barriers environment should be created for disabled persons, developed with the help of relevant legislative documents. Conditions should be established in order to help set up their medical, social and employment rehabilitation and integration into society;
- 4) The amending and expansion of current legislative documents designed to develop the nation's comprehensive recreational and rehabilitation programs. The services provided by sanatoriums, resorts and other recreational institutions should also be developed.

WHAT ARE THE PARLIAMENT'S LEGISLATIVE PRIORITIES CONCERNING FAMILY STRENGTHENING?

Another priority of social policy could involve strengthening families by means of legislation. Considering the practices of nations with high Human Development Indexes, the following legislative tasks can be identified in this field:

- The strengthening of material support to families, specifically related to the birth and upbringing of children. This material support could include increased childcare allowances, especially to large families, low-income families, families with disabled persons, foster families and patronage families;
- The complete provision of preschool institutions to families with children, ensuring that the facilities are accessible to all family categories;
- 3) The provision of opportunities to working parents in order to help them give birth to and raise children, regardless of their situations. This includes the provision of maternity and childcare leaves, the availability of convenient employment schedules, and the provision of training and professional education for women

who have taken maternal and childcare leaves;

4) The strengthening of social infrastructures required for child development in communities, specifically through the strengthening of preschool and educational institutions for children, along with musical, artistic, sporting, recreational and leisure activity institutions.

WHAT ARE THE LEGISLATIVE PRIORITIES CONCERNING YOUTH POLICY?

The work conducted towards the legislative regulation of the State policy on youth has great importance in terms of parliamentary support of Human Development.

State policy regarding Uzbekistan's youth is being formed and implemented by public authorities, local governments and citizens' self-governance bodies, in collaboration with youth associations and non-governmental non-profit organisations.

Uzbekistan's current priority concerning youth policy involves establishing the grounds for the independent development and implementation of programs and projects designed to support the nation's youth. These programs and projects are undertaken by self-governing bodies who receive appropriate material and financial resources from the government.

The involvement of young people in efforts to solve problems at a local level is considered to be highly important, as it allows young people to participate in the life of their communities on both a local and regional scale. It is recognised that young people often strive to be a part of the life of their street, block or district, and will actively assist changes within their social sphere.

The spiritual unity of the nation and the upholding of its moral values are considered an important Human Development factor. It holds the same importance as the political and economic stability of society. Society can begin to approach and address nation-wide tasks only when it has an established system of moral values; when

its population has respect for its mother tongue, its cultural identity and its historical heritage. Nowadays the spiritual and moral upbringing of young people is considered to be highly important.

The strategy for improving parliamentary activity within the sphere of youth policy should envisage the development of a new edition of the Law of the Republic of Uzbekistan on the 'Fundamentals of the State Policy on Youth', while incorporating relevant articles and amendments into legislative documents regarding youth issues. These legislative documents include the Civil Code, Labour Code and Tax Code, along with national legislation on education, healthcare, physical education, sports and tourism.

The outlined recommendations for the deputies of the Legislative Chamber and the members of Senate, in the opinion of UNDP, would allow highly relevant and crucial social issues like the parliamentary support of the sustainable socio/economic progress and the implementation of Human Development Principles to be addressed.



CHAPTER 5

PARLIAMENTARY OVERSIGHT

AND TH ISSUES OF ENSURING SOCIAL

AND ECONOMIC PROGRESS IN SOCIETIES AND REGIONS



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PARLIAMENTARY
OVERSIGHT
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There are three components, highlighted in Chapter 1, which can be used to estimate a nation's level of Human Development. These components, based on the concept of human rights, include well-being, empowerment, and agency and equity. The Universal Declaration of Human Rights stipulates that all individuals have economic, social and cultural rights, along with civil and political freedoms. The Human Development Report 2000, as prepared by the UNDP, offers the following definition of 'human rights':

Human rights are the rights to a free and decent life, which all people are entitled to, due to their belonging to humanity. They provide all people with moral claims in terms of individual behaviour and social development contracts, and are universal, inalienable and indivisible. 1

It is understood that while a nation can make a declarative proclamation that recognises the international standards of human rights, this does not necessarily mean they will be implemented. In order for a nation to comply with these standards, human rights must first be secured by law mechanisms. Therefore, the constitution and laws of the Republic of Uzbekistan must not only consolidate the recognised principles of human rights, but also ensure that they will not be violated. Certain public bodies in Uzbekistan have been delegated to ensure compliance with human rights, involving the establishment of legal frameworks required for conditions where citizens can reach their full potential and lead productive and creative lives. This involves the creation of an environment where their needs and interests can be satisfied.

Furthermore, creating conditions where Human Rights can be recognised and acted upon is not in itself sufficient for a country's sustainable Human Development. It is understood that a nation's population should participate in Human Development processes, making citizens not just the consumers of the social opportunities and benefits given to them by law, but rather active participants in the processes required to achieve Human Development goals. In this case, the activities of representative bodies in promoting the interests of different populations and political groups have become

^{1.} Human Development Report 2010 - The Real Wealth of Nations: Pathways to Human Development - UNDP, 2010, p.17



particularly important. The State parliament fulfils legislative, representative and oversight functions, while each of these functions is interrelated and should be considered and understood as such.

WHAT IS THE ESSENCE OF PARLIAMENTARY OVERSIGHT?

Uzbekistan's laws do not clearly define the concept of parliamentary oversight. However, a number of legislative acts list the *subjects* endowed with the right to exercise parliamentary oversight, and the forms of parliamentary oversight. In this case, the right of parliamentary oversight is provided to the Chambers of the Oliy Majlis, Uzbekistan's deputies and senators, and the Commissioner of the Oliv Majlis for Human Rights (the Ombudsman). The Chambers of the Oliy Majlis exercise their parliamentary oversight through the hearing or reviewing of reports provided by state bodies, committees and the Chambers of the Oliy Majlis, a process that involves monitoring and analytical activities. This allows public authorities to control the execution of laws. Deputies and senators can exercise oversight by making parliamentary inquiries and participating in meetings of Houses of Parliament and their committees (commissions). The Human Rights Commissioner exercises his or her parliamentary oversight by considering public appeals. Deputies and senators exercise their parliamentary oversight by how officials and heads of government bodies implement the laws adopted by the Oliy Majlis.

As mentioned above, the main purpose of any law is to secure the implementation of regulations that ensure compliance with basic Human Rights principles. This means that only through the efficient and complete execution of every law will individuals realise their

potential to live long, healthy and creative lives.

In this regard, implementing parliamentary oversight in order to secure Human Development is considered one of the more important requirements for the development of real freedoms. In his report 'Modernisation of the Country and Building a Strong Civil Society is Our Major Objective'², published on January 27 2010, the President of the Republic of Uzbekistan, I.A. Karimov, said the following in regards to parliamentary oversight:

The most important task of the parliament, the local representative bodies — Kengashes, is to exercise strict parliamentary and deputy oversight over how the executive branch, the government in the centre and the khokimiyats on site implement the laws adopted by the parliament

WHAT ARE THE MAIN FORMS OF BUDGETARY AND FINANCIAL CONTROL?

The main forms of budgetary and financial control include the adoption of the State Budget of the Republic of Uzbekistan, the review of information concerning the State Budget's execution, and the hearing of funding reports provided by the Chamber of Accounts, the Governor of the Central Bank of Uzbekistan and political parties.

There are two main chambers of the Oliy Majlis that are responsible for considering the draft State Budget. The Government submits a draft State Budget to both Chambers of the Oliy Majlis simultaneously. While reviewing the budget in the Lower House, MPs may express their comments and proposals. These statements are then sent to the Legislative Chamber of the Government. After being finalised with the

consideration of deputies' comments and proposals, the draft budgets are once again submitted to the Lower House. Therefore the deputies, while representing political parties and the interests of their committees and electorates, have the ability to influence State fiscal policy. The senators, when discussing the draft State Budget, are in turn guided by the interests of their electorates. The quarterly review of information related to the State Budget's execution, as provided by the Ministry of Finance, is carried out only by the Legislative Chamber. Meanwhile a report by the Cabinet of Ministers is also heard during the Chamber's meeting³.

The Legislative Chamber of the Republic of Uzbekistan is the highest authority that can monitor, control and oversee the proper and effective implementation of the State Budget and extra budgetary trust funds. It fulfils this purpose at both national and local levels ⁴. A review of the annual report of the Chamber of Accounts is undertaken by a joint jurisdiction of the Houses of of the Chamber of Accounts, can be considered indirect forms of parliamentary oversight. Senators can influence the banking sector only by making decisions containing orders to the Central Bank and the subjects of the banking system. They, therefore, cannot directly interfere with the activities of banking institutions.

In accordance with Law⁵ and established procedures, political parties are required to submit annual reports outlining their financial sources to the Legislative Chamber and its authorised bodies. The law also stipulates a procedure for checking receipts and for the proper use of funding and other political party resources, which can be initiated based on the appeal of a group of deputies representing no less than one tenth of the total deputies of the legislative Chamber. A feature of this approach to parliamentary oversight is that it does not apply to organisations included in the government's executive or judicial branches, but rather to the political parties who have become directly involved in the

Box 21

A hearing of the report of the Governor of the Board on the activities of the Central Bank in 2009 was conducted in May 2010. As a result of this hearing, the Central Bank was requested to implement tasks concerning the anti-crisis program for 2009-2012, a program the banking system had been entrusted with. The assignments given to the banking institutions in terms of human development included the scaling up of financial support for small and private businesses, expanding the types and volumes of available microfinance services including those available in rural areas, and implementing objectives outlined by the State Program 'Year of the Harmoniously-Developed Generation'. They were also given assignments concerning job creation and the improvement of employment levels.

Parliament. The report is first reviewed by the Legislative Chamber and then by the Senate. Reviewing the report of the Accounts Chamber can be considered an indirect form of parliamentary oversight. MPs and senators cannot directly influence the State fiscal policy, but by considering the policy and by submitting their result recommendations both parties can gain significant influence over decision-making. Information obtained through the report study can be used by parliamentarians to decide which actions are needed to oversee, analyse and review the draft State Budget, in addition to reporting on its execution. This information can also be used by deputies to develop draft laws.

The Senate has the authority to review the annual report of the Governor of the Central Bank of the Republic of During the relevant meeting, senators discuss the Central Bank's activities concerning monetary policy and the processes needed to further strengthen the stability of the state's banking and financial systems. The bank's growing involvement in investment processes will also be discussed during the meeting, along with the modernisation of the domestic economy. The review of this report, in addition the report

formation of the Chamber of the Oliv Mailis by nominating their candidates for deputy positions. This form of parliamentary oversight represents one of the more democratic forms of self-control in terms of Human Development, given that it ensures transparency and access to information related to the activities of political parties.

WHAT IS A PARLIAMENTARY INQUIRY AND WHAT FORMS CAN IT TAKE?

A parliamentary inquiry is a written request made by a House of Parliament to an individual MP or senator. A parliamentary inquiry can address one of the more important functions of state and government officials (referred to hereinafter as officials), as it may require that the officials justify their views and express their positions on matters within their competence. In his report 'Modernisation of the Country and Building a Strong Civil Society is Our Major Objective⁶ of January 27 2010, the President of the Republic of Uzbekistan, I.A. Karimov, said that providing "a reasonable explanation, giving a comprehensive explanation of the issues identified in parliamentary inquiries, is among the

^{3.} The Law of the Republic of Uzbekistan on Regulation of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan, p.31
4. Regulations on the Accounts Chamber of the Republic of Uzbekistan, approved by the decree of the President of the Republic of Uzbekistan as of April 4, 2005 № УП-3592 (Collection of Laws of the Republic of Uzbekistan, 2005, № 14, p. 101).
5. The Law of the Republic of Uzbekistan on "Political Parties Financing" as of April 30, 2004 № 617-II (Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 2004, № 5, p.

^{6. &}quot;Narodnoe Slovo" newspaper

TOOLKIT ON HUMAN DEVELOPMENT OF PARLIAMENTARIANS OF UZBEKISTAN

Box 22

In 2010, in the context of anti-crisis activities, the deputies of the Legislative Chamber instigated a parliamentary inquiry; submitted to the Deputy Prime Minister and Minister of Finance Mr. R.S. Azimov, to the Deputy Prime Minister and the Minister of Foreign Economic Relations, Investments and Trade Mr. E.M. Ganiev and to Minister of Economy Mr. S.H. Bekenov. The inquiry addressed the execution of a program which implements certain measures in regards to major projects for modernisation and the technical and technological re-equipping of production schemes for 2009-2014.

Source: The Regulation of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan as of July 6, 2010, No 113-II (Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 2010, No 7, p. 270)

direct responsibilities of state and government officials".

The MPs and senators of the Houses of Parliament have the right to submit parliamentary inquiries. It should be remembered that the parliamentary inquiries instigated by MPs and those instigated by senators have equal force and effect. When a parliamentary inquiry is submitted to the Chamber of the Oliy Majlis, the issues addressed in the inquiry will be considered at the following meeting. The decision made concerning the inquiry will be presented in the form of a House resolution. The decision to submit a parliamentary inquiry can be made either by an individual deputy or a senator.

The law does not specify particular cases when requests can be submitted, leaving deputies and senators to make independent decisions. However, when considering basic principles behind parliamentary work, it is understood that issues related to the execution of laws, the implementation of state programs, the role of executive power in social/economic spheres and all matters concerning international relations may all be considered reasons to submit parliamentary inquiries.

Meanwhile, the Law has outlined the various issues that cannot be the subject of parliamentary inquiries. It has been established, for instance, that a parliamentary inquiry addressed to Chairpersons of the Supreme Court and the Supreme Economic Court, in addition to the Attorney General and the heads of inquiry and investigation bodies, cannot relate to specific cases and materials concerning their departments.

The procedure for preparing a parliamentary inquiry is divided into several stages. During the first stage the inquiry's initiators must identify the subject of the parliamentary inquiry, along with the official who will serve as the addressee of the inquiry. During the second stage, the text of the parliamentary inquiry is prepared. Also a draft resolution concerning the parliamentary inquiry's submission may also be prepared by the Chamber of the Oliy Majlis, should it be requested to do so. At the third stage, the question concerning the submission of a parliamentary inquiry is decided. However, it should be recognised that deputies and senators undertake different procedures when submitting parliamentary inquiries. Therefore, once both the parliamentary inquiry and a draft resolution of the Legislative Chamber have been registered in the Lower

House, both documents are then submitted to relevant committees.

The Committee's conclusion concerning the possibility of whether a request is reviewed by the Chamber or returned to the MP is then provided to the Kengash of the Legislative Chamber. After considering this conclusion, the Kengash then decides whether to include this inquiry in the agenda of the Chamber's meeting or to return it back to the deputy. In conclusion, and only after a positive solution to this question is reached, the parliamentary inquiry and its accompanying resolution of the Legislative Chamber will be submitted. In contrast to the above-mentioned process, a senator is allowed to submit a parliamentary inquiry without agreement by the Committee or Kengash of the Senate. A senator's only mandatory task is to notify the Senate Committee, of which he or she is a member, about the submission of the parliamentary inquiry. It should be understood that the procedure of submitting a parliamentary inquiry by a deputy or a senator is one of the effective ways, from the perspective of Human Development, for individuals to participate in public life.

Answers to parliamentary inquiries are provided during a session of the Chamber of the Oliy Majlis. This procedure applies to all inquiries, including those submitted to the Chamber of the Oliy Majlis by a deputy or senator. Regardless, there are some differences in terms of response times for parliamentary inquires. For example, an official should answer a parliamentary inquiry no less than ten days from the day of its receipt. In the case of the Senate there are no particular requirements regarding response times. All information concerning parliamentary inquiries is discussed during sessions of the Chamber of the Oliy Majlis. If deemed necessary after this discussion, a final resolution is adopted.

WHAT IS THE ESSENCE OF A PARLIAMENT COMMITTEE'S OVERSIGHT OVER THE IMPLEMENTATION OF LAWS?

According to Article 87 of the Constitution of the Republic of Uzbekistan, the committees of the Legislative Chamber are elected to fulfil a number of obligations. These obligations include making laws, conducting preliminary reviews of issues to be submitted to the Legislative Chamber, and overseeing the

^{7.} The procedure of submitting the parliamentary inquiry by the Senate of Oliy Majlis, the Senate member, approved by Kengashi of the Senate of the Oliy Majlis of the Republic of Uzbekistan as of June 26, No199-I. (Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 2009, №11, p. 418)

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Box 23

In November 2009, the Legislative Chamber reviewed a report produced to answer a parliamentary inquiry. The report entitled 'On the innovation activity of the State Joint-Stock Company Uzkimyosanoat' was provided by the company head G.I. Ibragimov. Considering the results of a review of the SJC Uzkimyosanoat's activities, the company was encouraged to direct its efforts towards introducing innovative projects and technologies into production processes. It was hoped that this initiative would accelerate the construction of chemical plants and the development of new chemical products, which would in turn lead to the further implementation of important modernisation projects and the technical and technological upgrading of production lines for the period from 2009 to 2014.

enforcement of both the laws of the Republic of Uzbekistan and the decisions made by the Legislative Chamber. Each of the Senate committees has the same objective.

The purpose of oversight is to improve law enforcement. This improvement is achieved by undertaking the following activities:

- 1) Identifying laws and rules that are not enforced, including inactive standards;
- Identifying gaps in legislation, otherwise known as 'blank spots';
- 3) Identifying the causes and conditions that impair law enforcement;
- 4) Submitting proposals for the elimination of errors and shortcomings in the law's execution;
- 5) Applying information obtained from the conferences, round tables and seminars carried out by committees;
- 6) Considering the applications of citizens;

7) Improving legal culture and legal consciousness within society.

Because the Senate is a chamber of territorial representation, the committees of the senate have a number of responsibilities in addition to those listed above. These responsibilities include the Senate's requirement to improve the theoretical knowledge and practical skills of senators and deputies, as a means of practising its oversight function. The Senate must also identify pressing regional problems, and develop appropriate recommendations to address those issues. In his report 'Modernisation of the Country and Building a Strong Civil Society is our Top Priority'8, published on January 27 2010, president I.A. Karimov wrote that "I think there is no need today to talk about how important it is to eliminate gaps and 'blank spots' in the legislative and regulatory framework of forming the legal state that we are building. Law enforcement needs major changes, as well as improving law enforcement and judicial performance in terms of observance of the law".

The oversight of law enforcement by parliamentary committees is by far the more frequently used form of parliamentary oversight.

Oversight measures are normally carried out on the basis

Box 24

Only four *parliamentary hearings* were conducted by the Senate in 2010. The number of law enforcement oversight activities totalled to fourteen.

Box 25

In 2010, the Senate's committees conducted hearings with involvement of respective ministry representatives. These hearings concerned the enforcement of a number of laws including:

- a) The law on telecommunications;
- b) The law on electronic paper-flow in Tashkent city and Bukhara region;
- c) The law on increasing the role of civil society institutions in addressing major social and economic problems at a local level;
- d) The law on the intensification of democratic transformation in Ferghana and Navoi regions.



of annual work plans as approved by a Chamber Committee. Unlike other forms of parliamentary oversight the working groups formed by committees study the work of spatial departments of ministries, including those dealing with provinces, districts and cities. They also study the work conducted by state committees and departments on-site. The findings of oversight activities are reflected in briefs reviewed at the meetings of committees and events attended by the heads of government agencies. Decisions made by the committees, including recommendations concerning how identified deficiencies can be eliminated, are then sent to the heads of respective state bodies for consideration. A discussion concerning the outcomes of oversight activities is held at the Senate, attended by the Senate Committee and the Regional Kengash of People's Deputies. It should be noted that the results of oversight activities undertaken by Senate Committees may lead to the organisation of parliamentary hearings and parliamentary inquiries.

WHAT IS THE ESSENCE OF PARLIAMENTARY HEARINGS?

Parliamentary hearings are the hearing of reports submitted by the heads of state agencies. These hearings are held at Chamber sessions or at a Chamber Committee session. These reports may concern the status of the implementation of legislative acts in their respective industries. Therefore the main purpose of parliamentary hearings in the Senate is to identify the most pressing and important issues of socio-economic development, while balancing the national and regional interests within the Senate's authority. Parliamentary hearings are conducted in the form of a discussion of the reviewed questions by senators and invited persons. The hearings are conducted during the plenary sessions of the Senate, or during the meetings of committees or commissions. From a Human Development perspective, the parliamentary hearings at Senate sessions can have a great deal of societal impact. This can be concluded because the decisions of the Senate have much greater legal significance than the decisions of committees.

Factions of political parties and deputy groups

Special attention is currently paid to strengthening the role of political parties in renewing and further democratising the state governance and modernisation of Uzbekistan. By being represented in parliament through members of factions, political parties have the right to participate in the process of appointing a prime minister. They do this by stating their views on the Prime Minister Candidates as submitted by the President of the Republic of Uzbekistan. Likewise, factions may initiate the dismissal of a prime minister, an action which must be finalised by the President. Dismissing the Prime Minister simultaneously results in the resignation of the government.

The current law specifically allows political party factions and deputy groups to initiate hearings concerning government officials and their activities in Legislative Chamber sessions. Implementing these powers allows political parties to assess not only the work of government members, but also to make conclusions concerning the government's effectiveness as a whole. The further development of the concept of a strengthened multi-party system has found expression in a proposal by the head of state. This proposal aims to expand the authority and functions of parliament to oversee the activities of executive authorities, while strengthening the role of political parties in implementing parliamentary oversight over the Government. This oversight includes the right of the majority political party to nominate a candidate for the Prime Minister office. A number of parties may have the right to nominate similar candidates, should each party have the same number of seats in parliament. Another innovation is the introduction of a 'no-confidence vote', which can be applied against a Prime Minister. From the Human Development perspective, the implementation of these policies significantly enhances the activities of political parties.

The hearings of government representatives

As can be seen in practical situations, the Legislative Chamber Committees may initiate the hearings of

^{9.} Report by the President of the Republic of Uzbekistan at joint session of Legislative Chamber and Senate of Oliy Majlis of 12 November 2010 "Concept of Further Deepening of Democratic Reform and Forming of Civil Society in the Country".

government officials. Political party factions also have this ability.

The hearing of the heads of government authorities by committees of the chambers is generally carried out in accordance with plans for oversight and analytical activities. This happens, for example, when the findings of a law enforcement study are reviewed at the meeting of a Committee. During committee sessions officials inform committee members about the implementation of

and both supervisory and regulatory agencies on an annual basis. As previously mentioned, the exclusive powers of the Legislative Chamber include a quarterly review of information provided by the Minister of Finance concerning the execution of the public budget of the Republic of Uzbekistan. From a Human Development perspective, strengthening parliamentary oversight in this area can be facilitated by undertaking measures designed to ensure that the decisions adopted by parliament are implemented. The coverage of such

Box 26

Through a committee initiative, established by the Legislative Chamber session on September 9 2010 that focused on progress made towards achieving UN Millennium Development Goals in Uzbekistan, a set of reports were heard by deputies. These reports were submitted by a number of ministries including the Ministry of Economy, the Ministry of Labour and Social Protection, the Ministry of Education, the Ministry of Health, the State Committee for Nature Protection and the Ministry of Foreign Affairs. Based on the outcomes of the session, the cabinet of Ministers was recommended to undertake additional measures for implementing MDGs. This would be achieved by ensuring that the MDGs are fulfilled, that the draft laws submitted for consideration by the Legislative Chamber are intended to implement MDGs, and that information concerning the implementation of MDGs in Uzbekistan is presented annually. The outputs of this session include the government's approval of additional measures required to implement MDGs in Uzbekistan from 2011 to 2015. The same Cabinet of Ministers resolution envisages that information related to the progress of additional measures implemented by the Legislative Chamber should be submitted annually.

Source: Resolution of the Legislative Chamber of Oliy Majlis of Uzbekistan of September 9, 2010, No 141-II (Bulletin of the Oliy Majlis, 2010, No 9, art. 345). Resolution of the Cabinet of Ministers of the Republic of Uzbekistan of January 26, 2011 No 21 (Collection of laws of Uzbekistan, 2011, No 4-5, article 35).

laws and decisions of committees, adopted on the basis of outputs of oversight activities. Heads of state bodies may also be heard at sessions of the Chambers of Oliy Majlis or their Kengashes. In this situation, the subject of the hearings usually concerns information on the execution of decisions taken at Chamber sessions.

The Hearing of annual reports

In addition to these functions, the law clearly specifies the list of heads of government agencies that are required to report their activities to the Chambers of the Oliy Majlis of Uzbekistan on an annual basis. Therefore, the implementation efforts by the mass media can also serve as an effective means of oversight.

WHAT IS THE ESSENCE OF THE PARTICIPATION OF LOCAL REPRESENTATIVE AUTHORITIES, OR KENGASHES, IN PARLIAMENTARY OVERSIGHT?

The Deputy Inquiry

The deputies of the representative bodies of local authorities, specifically the regional, district and city Kengashes (Councils) of People's Deputies, as well as members of the Legislative Chamber and Senate, are

Box 27

At the plenary session of the Senate which took place in December 2009, reports were heard concerning the implementation progress of the Senate Resolution of March 27 2009, 'On the Role and Responsibility of Local Government Bodies for the Unconditional Fulfilment of the Anti-crisis program for 2009-2012'. Similarly, at the Kengash of the Senate held in July 2010, information was presenting concerning the implementation progress of the Senate Resolution of December 4 2009 'On the Job Creation and Employment Program for 2010'.

Chamber of Accounts and Ombudsman must report annually to the Chambers of the Oliy Majlis. The exclusive powers of the Senate include hearing reports by the Attorney General, the Chairman of the State Committee for Nature Protection and the Governor of the Central Bank. In addition, the Senate also reviews information concerning the Minister of Justice on enforcement of laws by governments, law enforcement,

entitled to exercise oversight functions. The main difference between the powers of centralised deputies and the deputies of localised Kengashes is that the powers of the latter are limited to their particular jurisdictions. This means that the powers of a deputy of a district Kengash of People's Deputies is limited to their respective district, and likewise the powers of a deputy of a regional Kengash is limited to their respective region.



In accordance with the law, a deputy of a local Kengash may send a deputy inquiry to government officials within their jurisdiction, requesting for instance a reasonable explanation or a summary of their position on matters within their competence. A deputy inquiry has the same legal status of a *parliamentary question*.

In this regard, the Law establishes that officials have a duty to respond to a deputy's inquiry, submitted by a deputy of the local council, within ten days of its receipt. The main difference between a deputy inquiry and a parliamentary question is that officials may provide a written response to a deputy's inquiry directly to the original submitter, without participating in the local Kengash session. There may also be situations where a deputy of a district Kengash, for instance, does not have sufficient power to lodge a question to national level officials. These officials may include heads of ministries, state committees or departments. In this situation the deputy may apply to a member of the Senate, elected from the deputy's region, who has the right to direct a parliamentary question to an appropriate official. By using this process, a district level problem may be brought up to a national level. The deputy inquiry procedure is described in more in more detail in 'Recommendations for Lodging a Deputy Inquiry by a Local Kengash Deputy¹⁰. It should be noted that 84 out of every 100 senators are also deputies of local Kengashes.

The Standing Commissions

In Accordance with the law, the local level of oversight in representative bodies is assigned to standing commissions. Standing commissions are entrusted with overseeing the local Kengashes' implementation of decisions, as well as their own decisions. The oversight procedure is similar to that of the Oliy Majlis Chambers Committees. This procedure is described in more detail in the 'Guidelines for local Kengashes and standing commissions' decisions oversight'. It should be noted

that Senate Committees' have a practice of inviting members of local Kengashes, or Standing Committees, to participate in oversight activities. Following this activity, a discussion of the results of oversight measures can be conducted at joint meetings.

The Hearing of government officials and NGOs can be conducted in two forms. The first form is at a meeting of Standing Committees, while the second form is at the sessions of local Kengashes of People's Deputies. The heads of territorial divisions of ministries, state committees and departments, heads of enterprises and chairpersons of self-governing bodies are usually heard at Standing Committee sessions. The reports of the Khokim-heads of local Kengashes and their deputies are heard at local Kengash sessions. Starting from 2009 the main topics of hearings include issues related to the implementation of the Anti-crisis program for 2009-2012, along with a full range of activities provided for the sustainable development of the socio-economic sphere and by extension the country's stability. The participation of local Kengashes in implementing Human Development Principles will be discussed in Chapter 6 of this practical guide.

WHAT CRITERIA CAN BE USED TO ASSESS PARLIAMENTARY OVERSIGHT EFFICIENCY?

All of the above mechanisms and forms of parliamentary and deputy oversight can effectively impact the activities and performances of state bodies and their officials, while consequently contributing to the achievement of Human Development goals. However, implementing oversight functions by itself does not guarantee the effectiveness of parliamentary control. Rather, this requires improved *quality* indicators. One example of such indicators involves the introduction of new forms of parliamentary control and the improvement of existing ones. For example, *parliamentary hearings* were introduced into the Senate's practice in 2010.

^{10.} The Recommendations were approved by Resolution of Kengash of the Senate of 31 July, 2009 No 653-I (Bulletin of the Oliy Majlis Chambers, 2009, No 7, p. 264). 11. The Recommendations were approved by Resolution of Kengash of the Senate of 31 July 2009, No 653-I (Bulletin of the Oliy Majlis Chambers, 2009, No 7, p. 264).

Box 28

From the perspective of Human Development, public governance indicators include the ability of citizens' to participate in elections, to speak freely, to associate freely, to publish freely, and enjoy political stability, the rule of law and government effectiveness. Each of these indicators is directly or indirectly outlined in relevant laws whose performance can be monitored through a series of control measures.

Source: How to measure Human Development, UNDP 2007

However, implementing oversight measures does not in itself guarantee the effectiveness of parliamentary control. In this case, it is not the number of activities conducted that matters, but rather the positive effects that can be achieved as a result of each. From a Human Development perspective, these results can include improving the work of government agencies in sustaining the environment, creating additional conditions that ensuring gender equality, and formulating solutions to problems in areas including healthcare and employment. Consequently, when determining the targets of control measures, it would be appropriate to consider first and foremost the interests of the population. These interests can be determined through personal meetings and through the provision of analytical and statistical data. This process will ensure the relevance of the achievement of control measures in terms greater public needs, while allowing the development of valid recommendations for further actions.

It is required that greater attention be paid to justifying each of the control measures, while ensuring their interrelationship with the execution of legislative and representative functions. In other words a control activity must not be a one-time or fragmented effort, but rather its results should be applied to other areas of parliamentary activity. For example, given the fact that a parliament is in the first stance a legislative body, the oversight activities of its committees should aim to improve existing legislation, develop new draft laws and at the same time solve the most pressing issues of socioeconomic development within the public interest.

The effectiveness of parliamentary oversight could be also enhanced through developing and implementing uniform methodology and principles of control measures, as well as providing in-depth analytical studies of the issues being addressed. In this context the use of a Human Development measuring toolkit could be fundamental, particular one adapted to parliament's needs. This also envisages the introduction of a comprehensive study of the performance of the entire executive sphere, with references to the environment, HIV/AIDS and public governance, rather than focusing on a single law designed to develop Human Development Indicators.

The effectiveness of parliamentary oversight could be also enhanced by strengthening communication between committees and with the mass media, including the party press. This approach would pertain mainly to the broader

press coverage of oversight results. For example, instead of sending short press releases to the media, extensive analytical materials and articles reflecting the progress achieved and actual results of parliamentary activities could be published in the press. In conclusion, it should be noted that the efficiency of parliamentary control, particularly as a tool for social and political growth, for ensuring economic activity which is required to stabilise the economy, and lastly the securing of Human Development, could be enhanced by passing the Law 'on the Parliamentary Oversight'.



CHAPTER 6
THE ROLE OF LOCAL KENGASHES OF
PEOPLE'S DEPUTIES IN STRENGTHENING DEMOCRATIC
PROCESSES AND CIVIL SOCIETY DEVELOPMENT



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THE ROLE OF LOCAL KENGASHES OF PEOPLE'S DEPUTIES IN STRENGTHENING DEMOCRATIC PROCESSES AND CIVIL SOCIETY DEVELOPMENT

The Human Development Concept, as highlighted in previous chapters, examines social progress by measuring the prism of expansion of people's chances and choices, as well as the satisfaction of their material and non-material requirements. The following aspect cannot be over-emphasised. The level of Human Development is identified, in addition to other factors, by an individual's participation in their community's decision making processes. After all, an individual is not just the object, but also the subject of development. Likewise, an individual is not only the objective of social progress, but also its driving force and a decisive factor of social growth. Accordingly, one of the three components of Human Development is expansion of an individual's capacities in relation to their direct involvement in the governance of a society, region or community.

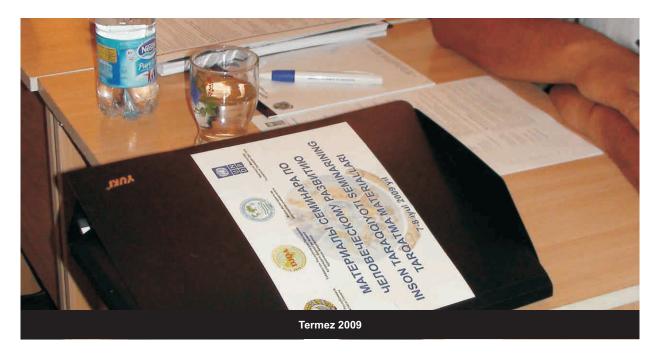
Not without reason, president Islam Karimov outlined in his report at the joint session of the Oliy Majlis Chambers on November 12 2010 that the intensification of democratic reforms and civil society formation in a country depends on an "increase of socio/political activity of our citizens and their political and legal culture". This statement illustrates a need to increase the political activity of people, along with their role in addressing political, economic and social issues ranging from national to local levels. One key factor of people's involvement in decision-making processes includes the decentralisation of the State governance system.

WHAT DOES THE DECENTRALISATION OF A STATE GOVERNANCE SYSTEM MEAN?

In its simplest terms, decentralisation means delegating certain functions of state governance to grass-root structures and local governments.

When considering this matter, the current process is based on the 'subsidiary principle', meaning that the functions that cannot be efficiently performed at a lower level of authority are consequently delegated to higher state governance levels. Using this logic, it is the duty of the central government of any state to ensure that its citizens have access to public services on a national scale. These services include guaranteeing security from internal and external threats, preserving law and order, ensuring the stability of currency and macroeconomic

^{1.} Karimov, I.A. Concept of Further Intensification of Democratic Reforms and Formation of the Civil Society in Uzbekistan. Report delivered at the joint meeting of the Legislative Chamber and the Senate of the Oliy Majlis of the Republic of Uzbekistan of 12 November 2010.



development, and standardising technical and measurement standards. Local government administration should accept the responsibility of addressing socio/economic development issues as they relate to specific provinces, cities and communities. Therefore, decentralisation involves allowing governing bodies to take a more active role in addressing matters within their own jurisdictions; in other words, improving the quality of their executive functions.

However, when considering countries in transition, decentralisation should be considered as a broader concept rather than just a simple top-down delegation of authority. In this train of thought, decentralisation becomes an integral part of the radical holistic reforming and modernisation of society. Decentralisation should be implemented by changing the State power principles themselves, representing a profound transformation of the government's role, authority functions and missions at all levels. Consequently, in addition to the top-down delegation of authority powers, decentralisation involves the redistribution of powers and prerogatives among all branches of power, including government and economic sectors and both public and civil society institutions.

The effective decentralisation and improvement of public governance in countries with economies in transition are implemented through the introduction of a set of legislative and organisational arrangements. These arrangements are intrinsically interlinked and rely on each-other in order to be successful. Without these arrangements there would be numerous risks involved in the restructuring of a state's system of governance, including misbalances, the uneven development of provinces, and the weakening of state power.

WHAT ARE THE MAJOR FACTORS OF DECENTRALISATION?

Decentralisation represents an important part of the

transition from a powerful sate to a strong civil society, a transition that requires four principal dimensions of the redistribution of functions and authorities. These dimensions will be outlined and discussed in the following sections:

1) The movement of executive from a central authority to other branches of power. The redistribution of executive functions among the branches of state power involves overcoming one of the most characteristic features of past command management system, being the unlimited domination of one political power. The system of governance was once manifested in either the monopoly of power or the exclusive right of party/political apparatus for all governing authorities. Overcoming this situation requires a division of state power, meaning the establishment of a reliable system of balances and restrictions that allow the executive, legislative and judiciary branches to regulate each-other.

A sound measure used to spread the authority of executive groups and enhance the role of legislative power in Uzbekistan was the creation of a bicameral parliament in 2005. With the introduction of this initiative, the Legislative Chamber became professional with deputies directed to develop and study the nation's laws. Another result of this introduction is that the Senate has now acquired a number of exclusive authorities, which include the following three abilities in particular. Firstly, the Senate can elect members of the Constitutional, Supreme and High Economic Courts. Secondly, the Senate can dismiss chairpersons of the State Committee of the Republic of Uzbekistan on Environmental Conservation, members of the Board of the

Central Bank of the Republic of Uzbekistan and the heads of Uzbekistan's diplomatic missions to foreign countries. Last but not least, the Senate can approve Presidential decrees concerning the appointment and dismissal of the Prosecutor General of the Republic of Uzbekistan, along with his or her deputies and the Chairman of the National Security Service of the Republic of Uzbekistan. Exclusive prerogatives of the Senate also include adopting amnesty acts and hearing the reports of the Prosecutor General, the chairpersons of the State Committee on Environmental Conservation and the Board of the Central Bank of Uzbekistan.

Parliament members enjoy the ability to appeal to officials with parliamentary requests, asking for explanations concerning certain issues. The parliamentary committees of both chambers have right to participate not only in law-making processes, but also in the monitoring of the implementation of Uzbekistan's internal legislation and its international commitments. This fulfils the Senate's right to the parliamentary oversight of government institutions.

In January 2007, the Parliament of Uzbekistan adopted the Constitutional Law on 'Enhancement of the role of political parties in renovation and further democratisation of the public administration and modernisation of the country.' The principal conceptual idea of this law assumes that all party factions of all representative, ranging from local Kengashes to the Parliament of Uzbekistan, are granted the right to directly participate in the formation of relevant executive power bodies and to request their dismissal if needed. This law expands the influence and authority of representative organs, while yet again improving the system of balances and restrictions.

A law was adopted in June 2007 that envisaged ceasing the prosecutor office's right to issue arrest sanctions, intended to further reform the legal and judiciary system. This law implies the implementation of the Habeas Corpus principle, in which no one can be arrested or detained without an order delivered by judicial authority. Consequently, this law transferred the right for detention from the prosecutor's office to the courts.

During a joint session of both chambers of parliament on November 12 2010, President Islam Karimov proclaimed the concept of further deepening democratic reforms and forming a civil society in Uzbekistan. This proclamation has become a turning point in the social and political reformation of Uzbekistan. The president's speech proposed the establishment of constitutional procedures for considering and approving a candidate for Prime Minister as proposed by a political party, along with introducing the institution of a 'non-confidence vote' to the government. These and other proposed measures signify a bold step towards modernising Uzbekistan's political system.

2) From the centre out towards the peripheries.

The objective of this dimension of decentralisation is to redistribute authority and related functions among various levels of power.

One inherent aspect of the command management system used before 1991 was the over-centralisation of public administration. In order to maintain total control over a society a rigid hierarchy of bodies, otherwise referred to as a power pyramid, was established. This power pyramid was crowned by a top party or political authority that made decisions concerning all national, regional and community issues. This system had a naturally detrimental impact on the nature and rate of social progress, in addition to the quality of life experienced by Uzbekistan's citizens.

This system of governance changed soon after the proclamation of Uzbekistan independence, with the establishment of legal and institutional foundations for new local governments. Consequently, the institution of Khokims was introduced. A Khokim represents a 'superior official in the province, district, or city, who acts as the head of both representative and executive power on a given territory'². In compliance with the Law of the Republic of Uzbekistan on 'Local Governmental Bodies,' the Kengashes of People's Deputies serve as representative power bodies in relevant territories.

Public administration reform has led to the delegation of a number of functions to local governments, including control over healthcare, education, environmental protection, cultural heritage conservation, and the regulation of motor and public transport, public utilities and other social services. Meanwhile there has been on-going division of fiscal responsibilities among various levels of public administration. Nowadays the central government finances public services including defence, national security, law enforcement and other areas of nationwide significance.

^{2.} The Law of the Republic of Uzbekistan on "Local Governmental Bodies," Article 1

Meanwhile, local governments bear absolute responsibility in funding general education and healthcare services in their respective territories. Approximately 85% of social expenditures are covered by local budgets³.

The Senate has been established in order to balance and streamline national and provincial interests. According to the Constitutional Law on 'Senate of the Oliy Majlis of the Republic of Uzbekistan', the Senate is a body that represents territories. Consequently while examining laws and exercising oversight over representative bodies, the Senate mainly represents local Kengashes and their electorates. Consequently. the Senate acts on their behalf and under their commission.

The committees of the Senate represent local Kengashes through the work of expert groups formed to analyse issues and elaborate government recommendations. Parliamentary hearings are in many cases held on-site in provinces, and involve the participation of local governments and social organisations.

3) From the government towards nongovernmental economic entities. The principal objective of this dimension of reforms is to reduce and restrict the State's direct interference on the economy.

During the period of the command management system, political leaders used to assume control and take decisions concerning all economic issues, regardless of their level of importance. As research and science developed and the range of human needs expanded, the sophistication of social reproduction demonstrated the inadequacy and noncompetitiveness of an economy based on the concept of direct management by the State.

Consequently a primary objective of the social and public administrations of countries experiencing transformation is to identify the new role of the State in the economy. Essentially, progress in this field represents a key indicator of advancement and success of reform in public administration.

The first step taken towards achieving this switch involves legally securing the establishment of new property relations, decentralisation and privatisation, which will in turn reduce the State property's share in the economy. This action will free the State from performing non-relevant functions concerning the direct management of economy. A very important result of denationalisation is that

enterprises no longer belong to the State. The State no longer provides funds out of the country's budget to support enterprises, meaning that additional funds can be directed towards Human Development programs.

In the process of reforming Uzbekistan's public administration system, commanding functions were gradually removed from the government bodies' range of powers. From 2003 to 2004, 27 ministries and authorities previously in charge of economy branches were dissolved. Powerful institutions of the command management system, including the State Planning Committee, the State Pricing Committee, and the State Procurement Committee were all liquidated. The public administration reform resulted in the abolishing of 57,000 positions in the civil service. As a result only 6.1% of Uzbekistan's adult population work as civil servants, a small amount compared to other CIS countries. For instance, 20% of Ukraine's population, 22.1% of the Russian Federation's population and 32.3% of Azerbaijan's population are civil servants⁴.

The Parliament of Uzbekistan has adopted a number of laws that establish a legal basis guaranteeing property rights and ensuring that the State's interference into the economy is restricted. Governmental bodies of all levels had been prohibited by law to perform voluntary inspections of private enterprises activities. As a consequence of this law, the role of various form of private entrepreneurship has increased while state participation has decreased. For instance, if in 1996 the share of investments made by the State Budget into the economy totalled to 26% of all investments, by 2007 this share would have dropped to 9%. The specific weight of the non-public sector in 2008's GDP reached 75.3%, increasing 1.7 times from the same sector in 1999⁵. The number of inspections of enterprises in 2007 was three times lower than in 2001.

From the government towards the civil society. The key to the successful transformation and prioritising of administrative reforms is the implementation of the concept 'from strong state towards strong civil society.'

During the period of the command management system, civil society institutions were suppressed by the totalitarian regime and were deprived from helping to address development issues. The energy and activity of people, now considered an important resource of social progress and Human Development, was not used and was not in demand. At the same time,

^{3.} UNDP, Center for Economic Research, National Human Development Report, Uzbekistan, 2005, p. 54

^{4.} UNDP, Center for Economic Research, National Human Development Report, Uzbekistan, 2005, p.60a 5. Data of the State Statistics Committee of the Republic of Uzbekistan, 2008

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the experience of developed countries demonstrated that modernising society requires political and economic pluralism, a developed civil society and powerful democratic institutions. Instigating Human Development is impossible without guarantees of an individual's rights and freedoms, and the upgrading of his or her political activities.

A crucial step taken towards arranging a new system of public administration in Uzbekistan was the legislative enforcement of people's rights to self-governance. Self-governance refers to the independent activity of citizens to address issues of local significance, an action drawing from their interests, their historical development and their historical development, in addition to national material and nonmaterial values, local customs and traditions⁶. As the traditional institution of citizens' selfgovernance has developed through the centuries, the Mahalla has taken up an important role in society. Because Mahallas have a better understanding of the actual level of wellbeing of the people in their communities and of each family's needs and problems, they have been assigned with a certain set of tasks. These tasks include the distribution and payment of allowances to low-income citizens, along with child maintenance allowances and allowances for women with children under two.

In countries with economies in transition, the transformation of political and economic systems can weaken the ability of states to sustain socially-significant programs and sound projects for Human Development. It has become obvious that states are not able to address entire ranges of social problems without the support of society. Involving the population in this sphere and in others requires

radical changes to the role, position and mission of non-governmental organisations in society. NGOs should be considered fully-fledged partners of local governmental bodies.

There are presently more than 5,100 nongovernmental non-profit organisations in Uzbekistan, operating in various sectors of society. This figure is 2.5 times higher than it was in 2000. Meanwhile the number of Mahallas currently totals over 10,000. The Kengashes of both chambers of the parliament have adopted a joint resolution on 'Measures for strengthening support of the non-governmental non-profit organisations and other civil society organisations' in July 2008. The resolution recommends the broad involvement of NGOS in activities arranged in order to meet people's requirements. So that NGOS may fulfil this purpose, the Public Fund for NGOs and other civil society institutions support has been established. The Parliamentary Commission is in charge of this fund. During the last three years, more than 11 billion soums has been allocated to the Public Fund of Oliy Majlis for implementing various social projects proposed by civil society institutions.

WHAT METHODS CAN BE USED TO INCREASE THE ROLES OF LOCAL KENGASHES OF PEOPLE'S DEPUTIES IN ADDRESSING HUMAN DEVELOPMENT ISSUES?

The intensification of the efficiency of local governmental authorities requires the coherent implementation of a basic provision of democratic governance, being the principle of state power division at a grass-roots level. This division is required to increase the activity and efficiency of local Kengashes of People's Deputies at all levels.

By applying forms and methods of Deputy Oversight

6. The Law of the Republic of Uzbekistan on "Citizens' Self-government Bodies," Article 1

Box 29

A survey conducted by the Senate's commission on support, intended to assess the work of local representative authorities, has indicated that local Kengashes of People's Deputies in the Bukhara Province have participated in addressing socio/economic development issues at a much higher rate than previously. In order to exercise functions of Deputy Oversight, the sessions of provincial, district or city Kengashes of People's Deputies hear the reports of territorial executive administration heads on a quarterly basis. The current efforts to establish interaction between Kengashes of People's Deputies at various levels of the Bukhara Province should be praised. Reports by the local government heads, the Khokims, are regularly delivered during the monthly sessions of the permanent commission of provincial Kengash of People's Deputies.

There is a well established practice of the local Kengashes of People's Deputies hearing the reports of heads of government authorities, particularly those in charge of the practical implementation of regional, sectoral and socio/economic development programs, during their regular sessions. For instance, 39 reports of the heads of public authorities and deputies were delivered to four sessions of the Andijan Provincial Kengash of People's Deputies in 2010.

over the activities of executive power bodies, Kengashes should be able to implement socio/economic development programs, improve the situations of provinces and address the most challenging problems that influence the wellbeing of Uzbekistan's population. This work requires the local Kengashes of People's Deputies, and their permanent commissions, to undertake the systematic monitoring of the implementation of national and international legislation within their jurisdictions. Local Kengashes are required to undertake similar activities.

It is understood that while rights and duties should be delegated to local governments, they should be supported with the funds and resources needed to address the issues at hand. For local authorities, Fiscal **Decentralisation** should mean the possibility of finding and accumulating the funds needed to cover the cost of social programs. Addressing this problem requires the creation of legal mechanisms for replenishing budgets, mobilising resources and establishing fiscal incentives for enterprises participating in the implementation of local social programs. These legal mechanisms would have two positive effects. Firstly, they would improve the distribution and use of funds, in particular those mobilised by the local governments themselves. Secondly, they would increase the interest of local governments to support and develop small businesses.

Upgrading the local government system's efficiency relies greatly on reforms to the civil service system itself. The main objective of this effort is to secure the intensive development of the administration system, as opposed to an extensive development which would require a significant and costly increase in personnel needs. In other words, the administrative system should be able to cope with a wide range of tasks, despite having a small quantity of staff, due to the development and introduction of new forms, means and methods of administrative management.

In this regard, the speedy introduction of e-government mechanisms into the civil service should be a priority task. Undoubtedly this action would have a positive impact and affect not only on the business ethics of civil servants and the quality of services they render to the public, but also to the transparency of governmental authorities.

Decentralisation also involves restricting the State's unjustified direct interference in the economy, a goal achieved by enhancing the independence of private businesses and farms in decision making. Successful administrative reforms must be interlinked and coordinated with programs of economic reform. This process may include creating platforms for systematic dialogue between public authorities and private businesses at all levels.

Transparency, public expertise and control are all required for evaluating the effectiveness of local government activities at all levels. This evaluation will begin when a draft decision on a certain issue is being elaborated, an action taken after the monitoring of a decision's implementation. Establishing and intensifying the press-services' work would facilitate this process, as well as introducing regular briefings for mass media representatives. Upgrading people's legal knowledge is also important for securing their rights and duties in regards to their relations with governmental authorities.

The main focus of the State power bodies' efficiency enhancement involves improving the system of human resources training and skills upgrading. Training and skill upgrading courses should be streamlined with transformation processes and administrative reforms.

Ensuring high rates of social progress and high standards of living depends in many ways on the intensification of democratic changes, reforms to the public administration system, coherent decentralisation and the enhancement of the roles of local representative power authorities. It is the mission of Kengashes to exercise strict oversight over the implementation of adopted laws on site by the Khokimiyats or by executive power bodies. The deputies of local Kengashes should be agents of democratic transformation and liberal reforms aimed at forming a powerful civil society.

CHAPTER 7
THE INTERNATIONAL EXPERIENCE OF PARLIAMENTARY ACTIVITIES IN ENSURING SUSTAINABLE HUMAN DEVELOPMENT



CHAPTER 7

THE INTERNATIONAL EXPERIENCE OF PARLIAMENTARY ACTIVITIES IN ENSURING SUSTAINABLE HUMAN DEVELOPMENT

The human person is the central subject of development and should be the active participant and beneficiary of the right to development

Art. 2 of the UN Declaration on the Right to Development

WHAT ARE THE MAJOR INTERNATIONAL DOCUMENTS RELATED TO HUMAN DEVELOPMENT?

The international community has developed numerous documents pertaining to Human Development. The UN, its structures and specialised agencies have all played major roles in this process.

The *Declaration on the Right to Development*, adopted by the UN General Assembly as the Resolution 41/128 on December 4 1986⁷, states that "development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits". Article 8 of the Declaration mentions that "states should undertake, at a national level, all necessary measures for the realisation of the right to development and shall ensure, inter alia, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process".

The Human Development Concept represents an integral part of the tasks and goals of the 'United Nations Millennium Declaration', as adopted by the UN Millennium Summit in September 2000. The declaration defines finding solutions to problems in the areas of human rights, peace, security, development and ecology as a set of interrelated development goals, including them into the UN's global agenda. If the 'Millennium Declaration' outlines an action plan to achieve global Human Development and ensure human security, the Millennium Development Goals (MDGs) offer a set of quantitative criteria to measure and monitor global progress in achieving progress in certain key areas of Human Development. MDGs are adopted at a national level and the reports are published with several main objectives. These reports include public information, and are intended to help involve public authorities, civil society, parliamentarians and the mass media in the discussion of issues of Human Development⁸.

^{7.} Uzbekistan has acceded to the Declaration according to Resolution of the Oliy Majlis of 30.08.1997 № 504-I // Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 1997, № 9, p. 260

^{8.} The report on the Millennium Development Goals was first published in Uzbekistan in 2006 <u>www.undp.uz</u>



The *Human Development Concept* and Human Rights are mutually reinforcing. They use different and yet complementary tools and strategies in order to achieve a mutual goal; the improvement of human welfare. The Universal Declaration of Human Rights of 1948 represents a central point in the system of international treaties on human rights. The Human Development Principles are reflected in Article 25 of the Declaration, which guarantees everyone the right to a certain standard of living, which includes appropriate access to food, clothing, housing, medical care and social services. These aspects are important for the health and well-being of an individual and his or her family.

The International Covenant on Economic, Social and Cultural Rights of 1966° represents a legal basis for the assurance of human rights and Human Development. The human right to an adequate standard of living with sufficient nutrition, clothing and housing, along with the continuous improvement of living conditions, is vested in Article 11 of the Covenant. Article 12 of the Covenant requires all participating states to offer free primary, secondary and higher education, all of which should be equally accessible to everyone.

The Convention on the Elimination of All Forms of **Discrimination against Women** of 1979¹⁰ requires that all participating states take appropriate measures to eliminate discrimination against women. Therefore, women must be ensured equal rights with men in terms of education, employment, health and all other areas of economic and social life. The Convention on the Rights of Persons with Disabilities and it's Optional Protocol of 2006 was marked as a "paradigm shift" in international

attitudes and approaches towards people with disabilities. It is the first treaty on human rights open to be signed by regional integration organisations.

The documents of the International Labour Organisation (ILO) take an important place in the promotion of Human Development. Convention # 111 (1958)¹¹, which relates to discrimination in employment and occupation, requires participating states to define and implement national policies that promote equal opportunities for employment and respectful treatment in the workplace. The convention is designed to eliminate all forms of discrimination, be it based on race, colour, sex, religion, political opinion, nationality or social origin. Convention # 100 (1951)¹² concerning the Equal Remuneration for Men and Women Workers for Work of Equal Value, stipulates that all States should provide equal remuneration for men and women for work of equal value. The ILO Convention #183 (2000), which addresses maternal support, aims to ensure equality for all employed women, while securing the health and safety of mother and child.

The main international legal sources in the area of environmental protection are the international treaties and documents of international organisations that relate to environmental protection and natural resource conservation. For the first time, the principles of international environmental cooperation have been summarised in the Declaration of the Stockholm UN Conference on Environment of 1972. The next step taken towards systematising the international legal principles of environmental protection and environmental

^{9.} Uzbekistan has ratified the Pact according to Resolution of the Oliy Majlis of 31.08.1995, № 126-I // Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 1995, № 9, p.201 10. Uzbekistan has ratified the Convention according to Resolution of the Oliy Majlis of the Republic of Uzbekistan as of 06.05.1995 № 87-I // Bulletin of the Oliy Majlis of the Republic

^{11.} Uzbekistan has ratified the Convention according to Resolution of the Oliy Majlis of the Republic of Uzbekistan as of 30.08.1997 № 499-1// Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 1997, № 9, p. 255.

12. Uzbekistan has ratified the Convention according to Resolution of the Oliy Majlis of the Republic of Uzbekistan as of 30.08.1997 № 493-1 // Bulletin of the Oliy Majlis of the Republic

of Uzbekistan, 1997 r., № 9, p. 249

management was the World Charter for Nature, approved by the UN General Assembly Resolution of November 28 1982.

The Declaration on Environment and Development, adopted during the UN conference in Rio de Janeiro (Brazil) in June 1992, contains 27 principles to be followed by states in identifying common direction and efforts in order to follow the path of 'Agenda 21' sustainable development. The UN Framework Convention on Climate Change of 1992 has become an important agreement aimed at combating global change. The *Kyoto Protocol*¹³ to the UN Framework Convention on Climate Change was signed in 1997, in order to encourage quantitative commitments in global environmental protection. The World Summit on Sustainable Development, which took place in Johannesburg, South Africa, from August 26 to September 4 2002, resulted in the adoption of the Johannesburg Declaration on Sustainable Development. This document confirmed the UN's commitment to building a humane, equitable and caring global society; one that is aware of the need for universal human dignity.

IPU resolutions play a special role for parliaments in relation to Human Development issues. In the Resolution of November 12 1991, 'Human Development: economic growth and democracy. The role of Parliaments in ensuring the necessary links between freedoms, citizen involvement, economic growth and social investments', it was noted that Human Development, economic growth and democracy are inseparably linked to each other. It was also noted in the resolution that Human Development is best achieved by promoting more balanced economic growth and greater participation by individuals in development. Parliaments are recommended to consider allocating public and private expenditure to Human Development activities, while ensuring that social spending is able to satisfy human needs. They are also requested to create appropriate structures for monitoring Human Development in their countries.

By the declaration of April 14 1997 entitled 'Measures required to change consumption and production patterns with a view to sustainable development', the Inter-Parliamentary Union has called on governments and parliaments to redouble efforts to implement national and international policies designed to harmonise good quality of life with sustainable development. The Resolution 'Global Public Goods: a New Challenge for Parliaments', adopted in Geneva on October 3 2003, calls for stronger cooperation between governments, parliaments, and both international and nongovernmental organisations, in order to achieve worldwide economic growth. The resolution recognised that while worldwide economic growth represents a vital step towards eradicating global poverty, this growth

should not be achieved at the expense of the environment.

The Resolution 'The role of parliaments in overseeing the achievement of the Millennium Development Goals, in particular with regard to the problem of debt and eradicating poverty and corruption', adopted in Geneva on October 18 2006, emphasises the role parliaments can play in promoting the eight MDGs by developing and enacting related legislation. The resolution also requests that parliaments participate in the forming of MDG-related policies, while monitoring their implementation. The resolution also requests that parliaments oversee the reports produced by the executive branches of governments by hearing and approving budgets and payments.

The resolution 'The role of parliaments in environmental processes and in combating global degradation of the environment', adopted during the 114th session of the Assembly of the Inter-Parliamentary Union at Nairobi in May 12 2006, emphasised parliament's role in promoting sustainable development through legislative and budgetary activities. In addition to requesting that parliaments participate in all international events, the resolution recommended that they promote the adoption of national plans concerning critical environmental issues and sustainable development. These nation plans should be adopted within the context of ratified international treaties and conventions.

Adopted within the Organisation for Economic Cooperation and Development, the *Paris Declaration on Aid Effectiveness and the Accra Agenda for Action* states that parliaments should work to develop economic strategies of national development. During national debates concerning the economic futures of countries, parliaments can fulfil their representative function by ensuring that all elements of society are given equal consideration. Parliaments should also discuss controversial issues within the framework of the institutionalised system of committees.

HOW ARE HUMAN DEVELOPMENT REPORTS PREPARED?

UNDP issued its first annual 'National Human Development Report' in 1990, which served as an important tool for raising awareness of Human Development around the world. According to the UN General Assembly resolution 57/264 of December 20 2002, the report was a result of an independent analytical study.

Through its 'Human Development Reports', the UNDP has developed and published the Human Development Index (HDI) of each nation, linking common indicators including life expectancy, educational achievements and

^{13.} Uzbekistan has ratified the Protocol according to Resolution of the Oliy Majlis of the Republic of Uzbekistan as of 20.08.1999 № 834-I // Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 1999 г., № 9, р. 231.

Gross National Income. The analytical framework and comprehensive approaches used in the reports reflect the individual regional, national and local reports on Human Development. National experts are involved in the preparation of national/international Human Development Reports, and in many cases the results of their research and outreach activities can influence political debates which attempt to find solutions regarding each nation's development problems.

The reports published by UNDP represent a comparative analysis of economic and social issues from the perspective of Human Development. The documents contribute to debates concerning key development issues, while providing innovative analytical methods and proposals in the sphere of economic policy. Each report addresses the most urgent development problems, analysing situations from an objective point of view while providing policy recommendations. Each report contains a statistical appendix, which includes the formulae used to calculate HDI and the ranking of countries through the use of HDI.

2002 - Deepening Democracy in a Fragmented World

2011 - Sustainability and Equity: A Better Future for All

2006 - Beyond Scarcity: Power, Poverty and the Global Water Crisis

2009 – Overcoming Barriers: Human Mobility and Development 2010 – The Real Wealth of Nations: Pathways to Human Development

2004 - Cultural Liberty in Today's Diverse World

2003 - Millennium Development Goals

2007/2008 - Fighting Climate Change

The basic principles of the reports are as follow:

- 1) The National property Human Development Reports are closely connected to the experiences of each country, each with its own development plan.
- 2) Joint preparation Government representatives, NGOs, academicians and other professionals, in addition to representatives of each gender, different ethnic groups and all other parts of society, all actively participate in preparing the reports.
- 3) *Independent analysis* Reports should contain an objective assessment, based on reliable data and analysis.
- 4) *Qualitative analysis* Qualitative policy analysis should focus on people, while including all quantitative and qualitative data needed to develop policy recommendations for

UNDP has published the following Global Human Development Reports: 1990 – Concept and Measurement of Human Development 1991 – Financing Human Development 1992 – Global Dimensions of Human Development 1993 – People's Participation 1994 – New Dimensions of Human Security 1995 – Gender and Human Development 1996 – Economic Growth and Human Development 1997 – Human Development to Eradicate Poverty 1998 – Consumption for Human Development 1999 – Globalisation with a Human Development 1990 – Human Rights and Human Development 2001 – Making New Technologies Work for Human Development

2005 - International Cooperation at a Crossroads: Aid, Trade and Security in an Unequal World



the monitoring and measuring of Human Development activities.

- 5) Creativity in data presentation The use of visual aids and simple language should help attract the report's target audience and convey the report's main ideas.
- Maintaining constant feedback This should include the monitoring of awareness levels, marketing, performance monitoring and other factors.

From 1990 to the present day, more than 600 subnational, national and regional Human Development Reports have been published in more than 140 countries and regions.

The Global Report on Human Development defines the main composite Human Development Indices, so that the measurable aspects of human progress may be assessed. Examples of these composite indices include the Human Development Index, the Inequality-adjusted Human Development index, the Gender Inequality Index and the Multidimensional Poverty Index (MPI). The countries that have drawn up national reports regarding Human Development have not only adjusted these indices to their national needs, but have also developed innovative techniques and indicators that allow them to assess Human Development inequality at local levels. The use of other forms of statistical analysis, in addition to a composite index, as is undertaken in many reports in order to make them easier to understand.

Regional Human Development Reports can assess approaches taken towards ensuring Human Development at regional, national and sub-national levels. Regional reports can contribute to the compiling of global reports, while applying the data and analysis techniques used in global reports. Regional reports allow the measurement of human progress in a particular area, which can help the establishment of timely actions to help change local situations.

Regional Human Development Reports are mainly devoted to a set of case studies. These case studies address economic reforms and public finance, the environment, gender equality, governance, health and HIV, human security, knowledge and culture, MDGs and cooperation, poverty and inequality, social groups and social integration.

National Human Development Reports reflect, to a greater or lesser degree, a nation's political agenda. National Reports serve as tools for assessing and analysing policy in accordance to a society's priorities. These priorities may include the need to strengthen national capacities, the need to attract national partners, the need to identifying inequities and the need to measure progress. National Human Development Reports offer an analysis of the various aspects of Human Development by selecting specific topics that relate to a particular country, time and place.

In order to address countries with large territories and populations, UNDP has also prepared *Sub-national* (*local*) *Reports* which contain information on Human Development within the context of a specific area. These reports have been particularly effective when used, for instance, in the Russian Federation and India.

What is the role of parliament in improving legislation for Human Development purposes?

Throughout the world, parliaments mainly fulfil representative, legislative and executive functions. In addition to drafting their own bills, parliaments can fulfil their legislative functions by authorising the amending, approving or rejecting of government bills.

The role of parliament to improve legislation within the sphere of Human Development is evident in its abilities to establish realistic and long-term changes in studied areas.

Parliaments have the ability to procure resources from their national budgets and to determine the direction of

Uzbekistan National Human Development Reports published between 1995 and 2011 1995 **Social Policy** 1996 **Economic Growth** 1997 Social Cohesion, Culture and Development 1998 Role of State in Economic, Social and Democratic Reforms in the Period of Transition to Market Economy Assessing Development Progress on the Threshold of 1999 New Millennium 2000 Small and Medium Enterprises 2005 Decentralization 2006 Health 2007/2008 **Education for all**

Human Development Reports are available at: www.hdr.undp.org, www.humandevelopment.uz, www.undp.uz

crucial policies. Parliaments can also debate, adopt and improve laws on education, employment, health and environment. Take for example the Charter on the Environment that the French Parliament adopted in 2004. After the charter was incorporated into the nation's constitution, it became the policy of public authorities to promote sustainable and consistent development, the protection and appropriate use of the environment, and the maintenance of economic development and social progress. In addition, environmental education and training is now a constitutional obligation and must be included in all educational processes.

In parliamentary countries bills are officially introduced to the parliament, before being referred to a corresponding committee. Countries with a presidential system use a different approach, however, with bills passed directly onto committees. It is, therefore, possible that bills may fall under the jurisdictions of multiple committees, and will need to be introduced to each in turn. For example, if a bill on education contains financial aspects, it may be introduced to both the Education Committee and the Finance Committee. When countries produce large quantities of bills, an example being the 10,000 bills that are introduced to the U.S congress each year, most bills will never leave committees and will not become laws.

In many countries, the Parliamentary Standing Committees undertake the preliminary analysis of legal and legislative proposals. In France the Chairperson of the National Assembly passes a bill or legislative proposal submitted to the Assembly Bureau to the competent Standing Committee, after which the bureau will analyse its contents. Often the bills and legislative

proposals will involve a wide range of issues beyond the competence of one Standing Committee. When this occurs, it is possible for legislative texts to be considered by two or more committees simultaneously. In this situation, one committee will consider the contents of the bill while the second or the other committees involved will prepare the conclusion.

The study of the draft budget of the committees of the National Assembly of France is undertaken in a particular way. All Standing Committees take part in this study, meaning the Finance Committee will consider the content of a project while another five committees will analyse its specific parts and prepare appropriate conclusions. For these purposes, each committee will annually appoint budget speakers whose competence will extend to the budget of one of the ministries or even just one part of a ministry. This means that the number of these speakers could become significantly high. Both the representatives of the majority and the representatives of the opposition are appointed as budgetary rapporteurs.

A shifting centre of gravity in legislative processes away from the public meetings of chambers of the supreme representative institution of the committee can also be found in other countries. In this respect the most typical approach is the committee system, such as the one currently used by the U.S government. In the U.S, the main activities of Congress are not performed by itself, but rather by the numerous Standing Committees that form the U.S House of Representatives and the Senate. The Congress Committees represent the American 'Kitchen' where legislative processes take place. The role of Standing Committees in Foreign Parliaments is not limited to preparing legislative texts due to be transferred

to, in the case of the U.S, the House of Representatives. Rather, they fulfil an active role in considering these texts at public meetings.

Issues concerning the prevention and combating of corruption are discussed in documents including the UN International Code of Conduct for Public Officials of 1996, the UN Declaration against Corruption and Bribery in International Business Transactions in 1996, the UN Convention against Corruption of 2003¹⁴ and the UN Convention against Transnational Organised Crime of 2000¹⁵.

Many parliaments have mechanisms designed to prevent and detect corruption, while applying sanctions to guilty parliamentarians and parties. Some mechanisms ensure that all monetary influence on elected representatives remain transparent, while others detect the illegitimacy of certain actions. Other arrangements include:

- 1) Codes of Conduct and lists of equity;
- 2) The registration and disclosure of lobbyists expenditures while lobbying;
- The registration and disclosure of information concerning the funding and costs of election campaigns;
- 4) Restrictions concerning shares in the financing of election campaigns;
- 5) Bans on being employed in governmental organisations that are sources of financing;
- Bans on voting on matters related to personal financial interests;
- 7) Bans on implementing lobbying activities after leaving the parliament.

The Netherlands is a country with one of the world's lowest levels of corruption. The nation's system of corruption control and prevention requires the transparency of and regular reporting on issues concerning the detection of corruption, the impact of corrupt acts and the punishments that result from them. Each year, the Minister of Interior presents a report to the parliament which outlines the years' corruption cases and the measures taken to punish those involved. The media also plays a vital role in fighting corruption.

The Japanese experience in fighting corruption proves that the absence of a single codified Act aimed at fighting corruption does not necessarily prevent its effective prevention. Many of the nation's laws contain anticorruption norms, while certain bans placed on politicians and both state and municipal employees are

particularly important. These bans highlight the methods that may be used to neutralise a Japanese official's political career due to inappropriate dealings in their private business, both during their service and after they have vacated their office. Japanese law sets strict limits concerning the financing of election campaigns, political parties and political organisations. Likewise, the procedures for donating to candidates and political foundations are strictly regimented, while the reporting procedures concerning incoming and disbursed funds is well defined. Violating this law results in the application of sanctions, which restrict the abilities of officials and their mediators to donate or receive political contributions.

HOW DO PARLIAMENTS EXERCISE THEIR OVERSIGHT AUTHORITY FOR HUMAN DEVELOPMENT PURPOSES?

Control over executive powers represents one of a parliament's more important functions. While implementing parliamentary control, the parliament is authorised to ask questions and demand answers from ministers and members of the government and civil society. If necessary, the parliament may also make these individuals accountable for their actions. Parliamentary control, within the practice of foreign parliamentarism, represents a thoroughly developed system of control over government and budgetary policy as well as over a number of other spheres of public activity. The consideration of the draft National Budget, and the reports made on its implementation at plenary sessions, represent a direct form of parliamentary control over the government, its ministers, and in particular the Minister of Finance. This method of control is considered to have universal value, and is used by parliaments of all countries. Parliamentary inquiry is a control technique used by parliaments of all countries, serving as a method to monitor the administration of financial activities. A deputy's request may result in the creation of an Audit Committee of the House of Parliament, established to examine the financial activities of various government agencies.

In order to gather necessary information, the parliaments of different countries use different means. Regardless, the hearing of government members, as well as the hearing of other individuals who may possess sensitive information, is a practice commonly used around the globe. An example is the rules of the French National Assembly, which state that Standing Committees should provide the Lower House of Parliament with the information needed to exercise control over government policies. For instance, this means that the Member of Parliament who is required to present a report concerning the budget of a particular ministry, on behalf of the Competent Committee, has the right to monitor and control the use of budgetary credits by the relevant ministry throughout the year in question. Parliamentarians are, therefore, authorised to gather all

^{14.} Uzbekistan has ratified the Convention according to the Law of the Republic of Uzbekistan as of July 07, 2008, №3PУ-158// Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 2008, №7, p. 349.

^{15.} Uzbekistan has ratified the Convention according to Resolution of the Oliy Majlis of the Republic of Uzbekistan as of August 30, 2003, № 536-II // Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 2003, № 9-10, p. 150.

the information they require on-site, while all forms of administrative and financial information required for their tasks must be freely available. Parliamentarians are authorised to request internal documents of most nations, provided they are not confidential or involve national defence, foreign affairs or the internal and external security of the country. While requesting documents, parliamentarians should remember to respect the principle of separating judiciary powers from other areas of government.

In Spain, Parliament Houses and their committees may request the attendance of certain government members at their meetings, in addition to requesting relevant information and assistance. Within the Basic Law of Germany, Article 43 states that the Bundestag and its committees may request the attendance of any member of the Federal Government at their meetings. This concept is expanded in France, where some Standing Committees of the French National Assembly, including the Committee for Cultural Affairs, for Family and Social Issues and for production and exchange, often conduct hearings of representatives of different

activity, with almost unlimited access to information possessed by federal administrative agencies, officials and private individuals. In particular cases, the committees may question witnesses, request support from experts or seek any form of documentation.

Many parliaments around the world use Parliamentary Hearings as a successful form of parliamentary control. In most nations with Parliamentary Democracies, Parliamentary Hearings are organised by Standing Committees whose purpose is to gather true information and attract the attention of society and public authorities concerning significant issues of public policy. The heads of executive and administrative bodies, along with public figures, trade union representatives, academics, professionals, experts and journalists are all typically invited to these hearings.

In the Federal Republic of Germany, parliamentary control is the prerogative of the Bundestag. legislative body uses a 'question hour' system when government representatives, typically parliamentary state secretaries, answer questions submitted by the

Box 31. Parliamentary Hearings in the U.S.

Box 31. Parliamentary Hearings in the U.S have perhaps the greatest impact on public circles, serving as one of the most important forms of congressional activity. The hearings allow lawmakers to quickly understand the professional opinions and judgments of experts. When a bill is being taken through the states of legislative process, the purpose of these hearings is either to exacerbate differences in the bill or to reduce them to an absolute minimum. During parliamentary hearings and investigations, the US Congress is entitled to call on any public official and request him or her to present any required documents. The parties, referred to in congress as witnesses or persons offering expert opinions, are invited by the relevant committee to give testimony during hearings either by letter or subpoena. These invitations are stated during the daily summary announcement of the Congress Bulletin. The Committee also examines any documents and/or audio and video recordings that are related to the subject under discussion. For example, during July 2010, the Subcommittee on International Organisations, Human Rights and the Control of the House of Representatives held hearings on the theme 'Achieving the UN Millennium Development Goals: Progress through Cooperation', hearings which were attended by representatives of civil society institutions.

Hearings are usually conducted in an open fashion, with their contents often broadcasted on television. Hearings are usually conducted in an open fashion, with their contents often broadcasted on television. If required by regulations, certain hearings may be held behind the closed doors. The hearings may be conducted in Washington or, should the issues discussed by more relevant to other regions, in other cities or states. Hearings are generally designed to offer high quality public policy, and are therefore considered to be a necessary step in assuring that government decisions are prudent. Parliamentary Hearings in Congress are used as a tool to select and assess the quality of introduced bills. This is a rigorous process, resulting in only six percent of bills becoming laws. All bills delivered to congress may be stored for a number of years, and are filtered by important hearings conducted by specialised

professional communities.

In order to exercise control over Switzerland's government, the Swiss Council of States has created two special committees that work on a regular basis. One committee specialises in management and administration, while the other specialises in finances. These committees can control all areas of government

parliament. If the 'question hour' is suspended due to time expiration, all remaining open questions must be answered by the Federal government in writing. The questions submitted in this hour can be either private or common. Common questions may be submitted to the Federal government by a fraction or five per cent of the Bundestag, and the answers are automatically entered into the Bundestag agenda. The right to approve the

budget gives parliament a reliable tool for monitoring government activities. The Budget Committee discusses each draft National Budget prepared by the government's federal departments, in order to determine how much money may be spent in the next fiscal year in order to maintain the executive branch.

In the UK, the Public Accounts Committee, which consists of 15 members elected by the parliament at the beginning of each session, exercises control over Parliamentary Committees. Traditionally, a representative of the opposition heads the committee. The committee then possesses broad authority over financial control, with two main responsibilities. Firstly, the committee considers the reports of the General Controller and Auditor, in order to determine the effectiveness and economic feasibility of various public policies while identifying cases of corruption among public officials. Secondly, the committee monitors the correctness and necessity of expenditures undertaken by government departments. The committee then forwards its findings and recommendations to parliament, which dedicates one day of each session to discuss them.

Budgetary and financial control holds a special place in the system of parliamentary control. In most European countries, a special collective body is established in the form of an Accounts Chamber, designed to improve parliamentary control over budget execution and public funds expenditure. Control authorities are referred to as Accounts Chambers in Austria, Belgium, Bulgaria, Hungary, Greece, Spain, Italy, Portugal, Romania, France and Germany. Poland, Slovenia and Finland have similar bodies, but they are referred to as the Supreme Chamber of Control, the Accounts Court and the Audit Office respectively. The constitutions of numerous European states, including Austria and Hungary, refer the Accounts Chambers to the parliament authorities in order to supervise the National Budget's execution. In Bulgaria, Spain, Poland and Germany, the Accounts Chamber holds the status of an independent Supreme Audit Institution. In countries including Greece, Portugal, France and Slovenia, Accounts Chambers may be endowed with some of the functions of judiciary bodies. A characteristic feature of these budgetary control authorities is their accountability to parliament.

According to the constitutions of some countries, parliamentary officials fulfil functions similar to the Accounts Chamber. The officials include the Auditors in Denmark, the State Controllers in Latvia, Lithuania and Estonia, and the State Auditors in Finland. The Main Audit Office of the US, established in 1921, informs Congress of the 'reasonable, lawful and effective spending of budgetary funds allocated by parliament'. The office also makes recommendations aimed at improving audited organisations. The President appoints the Auditor-General, responsible for heading the Main Audit Office for 15 years. This decision is made after the presentation of a special commission containing members of both parties and both chambers. During this process the President makes a selection from five to six

candidates, as proposed by the commission.

HOW DO PARLIAMENTS EXERCISE THEIR REPRESENTATIVE FUNCTIONS?

Many parliaments have individual public relations (PR) departments, designed to secure the exchange of information between parliament and society. In some countries, parliaments share PR departments with nongovernmental organisations, other government areas, or stakeholders within their structure. The public discussion of draft laws plays a particular role in ensuring direct communication between citizens and parliamentarians. The experience of European Countries has shown that these discussions can take place at national, regional and local levels. In the US, public debates only occur at state and local levels of government. Some parliaments have particular television and radio stations, websites and publications designed to ensure that citizens can participate in political processes. In some countries, parliaments allocate particular funding to the establishment of MP offices that can maintain direct relations with the electorate. The transparency of parliamentary activities also plays an important role in executing the representative functions of parliament, considering that an absence of transparency and communication with MPs may make it difficult for citizens to adequately monitor how their interests are being represented.

The parliaments of many countries use particular methods to communicate with younger generations and help them cooperate in parliamentary proceedings. These methods include:

- Organising visits to parliamentary sessions.
 These excursions allow younger adults to meet the representatives of their territorial entities in parliament, while learning about legislation, the functions of parliament and the electoral system.
- 2) Helping students organise meetings, debates and lectures on actual issues through the provision of facilities and relevant assistance.
- 3) Cooperating with 'children's' or 'youth' parliaments, while assisting in the organisation of role-playing games in parliament.

In *Norway*, the 'youth page' of the parliament websites offers a variety of applications for school students. These applications allow students to interview MPs, or participate in role-playing games that can instil an understanding of the workings of parliament, politics and democracy. In *The Netherlands* the parliament conducts a 'National Youth Forum', which holds joint meetings with committees and other structural subdivisions of the Chambers. In *the U.S*, both Houses of Congress support the 'Youth Service Programme of the Congress' which allows college students to work as interns in the Congress.

Box 32. The introduction of ICT in parliamentary activities

During the international conference 'E-Parliament-2009', it was determined that "information technologies help citizens to discuss, participate in and increase the accountability of Parliament." In today's world, information is the key that helps citizens have greater influence when working with government agencies.

In 2001, Finland became one of the world's first countries to adopt the law 'On electronic services in public administration'. The main purpose of this law is to help improve the reliability, efficiency and competence of the operation of public administration services. The law outlines the rights, duties and responsibilities of governments and their clients within the field of electronic services. As a result of this law, more than 90% of Finland's agencies provide their services to citizens via the internet. The services provide access to legal documents, and information concerning national projects, job vacancies, education opportunities and other services. The Finnish Parliament, otherwise known as the Eduskunta, offers online access to their development drat laws and documents. By using the internet, Finnish citizens can monitor the workings and procedures of laws, regulations, judicial decisions and governmental agreements.

The South African parliament has approved a five-year strategy for 2009-2014 entitled 'From the e-Parliament to the e-Democracy'. This strategy aims to improve the participation of citizens in Parliamentary Democracy, and includes the creation of an interactive website and web TV. In some countries, non-governmental organisations have offered citizens additional opportunities by creating websites that relate directly to parliamentary activities. These websites include OpenAustralia.org in Australia, NosDeputes.fr in France, OpenParlamento.it in Italy, TheyWorkForYou.com in the United Kingdom and OpenCongress.org in the US.

WHAT IS THE ROLE OF PARLIAMENT IN ENSURING GENDER EQUALITY?

The provision of equal opportunities to women for the access and control of economic and financial resources is considered crucial in terms of ensuring gender equality, empowering women and achieving equitable and sustainable economic growth and development. Gender equality in terms of economic and financial resources not only improves the welfare of women, their empowerment and opportunities, but can also have a positive effect on a number of important development goals which include poverty reduction and economic growth. An increasing number of states, international organisations, corporations, women's organisations, labour movements and other parts of civil society have taken actions to address gender inequalities. The Beijing Platform for Action of the Fourth World Conference on Women in 1995 recognised that empowering women plays an important role in eradicating poverty.

There is significant evidence that highlights the constructive role women play in making decisions on several issues. A survey of thousands of senior government officials, specifically focusing on the category of senior managers in the U.S, has shown a direct relationship between the number of working women within a government agency and the desire of institutions to ensure gender equality. During a study of women working in India's local governments, elected female leaders were more willing to allocate resources to the construction and repair of public infrastructure including roads, health care facilities, transportation centres, childcare institutions and institutions used to train midwives. They were more likely to allocate

resources to public infrastructure needed by women. Female leaders achieved these goals at relatively lesser costs.

In parliaments throughout the world, the number of female parliamentarians is constantly increasing. In some nations the growth of women's representation in parliament is the result of gender quotas, while it may also be related to other factors including a growing understanding of women's role in society. The increasing number of women elected into parliaments has offered a vital opportunity to consider the interests and perspectives of women in legislative processes. More and more nations have begun to use affirmative action to secure gender equality. This action includes the introduction of quotas and strategies designed to ensure gender equality, the development of training programs for female leaders, and work undertaken to ensure that equality between men and women is considered a de facto quality of a successful parliament. Statistics show that nations are less able to cope with problems related to maternity, childhood protection, child rights and social protection, should women make up less than 30% of their parliaments and governments

According to UN statistics, the representation of women in parliaments around the world has gradually increased. The number of women in worldwide parliaments in 2010 totalled to 19%, compared to 11% in 1995. This represented an increase of 67%. Women hold more than 30% of the seats in the lower houses of parliament in 26 countries, while in seven countries this figure is higher than 40%. As of January 2010, women chaired 35 of the 269 global houses of parliament, significantly higher than the 24 female chairpersons in 1995.

However, the pace of women's representation in executive bodies is still lower than it is in legislature. According to data for 2010, only nine of the world's 151 elected heads of state and eleven of 192 the world's heads of government were women, representing a six percent proportion in each case. However these figures are still higher than they were in 2008, when there were only seven female heads of states and eight heads of governments. Female ministers only represent an average 16% of all ministers, and this proportion exceeds 30% in only 30 countries. In 16 countries there are no female ministers at all.

In certain countries, successful strategies have been created in order to increase women's participation in political processes. These strategies include quotas that ensure proportional representation, measures used to strengthen the status of women in political parties, the formation of women's political parties, the establishment of women's inner associations and the promotion of interparty organisations. These efforts are important in ensuring that women participate in political processes, and that a certain number or percentage of women can be nominated for parliamentary positions. Quotas can be applied either in the nomination process or after an election has been decided. In the latter case, percentages are calculated by the number of seats that a party has won. Quotas therefore play an important role in increasing women's participation in political processes.

The elective system, the allocation of quotas and other measures undertaken by political parties, represent the main reasons for increasing women's representation in government. By the end of 2009, in nations where appropriate measures had been undertaken, the proportion of female deputies had reached an average

27% without taking any special measures. Nonetheless, the proportion elected to parliaments represented only $14\%^{16}$.

WHAT IS THE ROLE OF POLITICAL PARTIES IN ENSURING GENDER EQUALITY?

Political parties play an important role in ensuring that women participate in parliament and important decisionmaking processes. Parties have the right to determine their own gender quotas and other mechanisms used to select candidates. In many situations, parties often recruit women to engage them in organisational activities, particularly in election campaigns. Women's political parties have been organised in several states, especially in locations where there is a strong prejudice against women. Women's inner-party associations are important mechanisms through which women can influence party platforms and policies. Inter-party associations may be organised both inside and outside parliament, with the intention of creating a culture of political life through participation in committees, hearings and dialogue.

Many countries have adopted national legislation designed to ensure gender equality. National legislation on gender equality often forms the groundwork for women's rights while ensuring their participation in a region's political life. In Germany, the balanced participation of women and men in decision-making processes forms part of the national strategy designed to implement the Beijing Platform for Action. In order to ensure that the gender policies of some countries are implemented, relevant institutional frameworks have been established. For example, the Norwegian model of gender equality contains three different government

Box 33. Women in Parliaments of Select Countries (as of January 3,	2011)
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Rank	Country	Lower House or Unicameral Parliament			Upper House or Senate				
Kank		election date	total	women	% of women	election date	total	women	%of women
1	Rwanda	09 2008	80	45	56.3	10 2003	26	9	34.6
2	Sweden	09 2010	349	157	45.0				
3	RSA	04 2009	400	178	44.5	04 2009	54	16	29.6
4	Cuba	01 2008	614	265	43.2				
5	Netherlands	06 2010	150	61	40.7	05 2007	75	26	34.7
19	Germany	09 2009	622	204	32.8		69	15	21.7
53	Great Britain	05 2010	650	143	22.0		733	147	20.1
"	Uzbekistan	12 2009	150	33	22.0	01 2010	100	15	15.0
63	France	06 2007	577	109	18.9	09 2008	343	75	21.9
72	U.S	11 2010	435	73	16.8	11 2010	100	17	17.0
84	Russia	12 2007	450	63	14.0		169	8	4.7
96	Japan	08 2009	480	54	11.3	07 2010	242	44	18.2

^{16.} Report on the Implementation of the Millennium Development Goals, 2010. UN, New York, p. 25

agencies. These agencies include the Ministry of Children and Family Affairs, the Ombudsman for Gender Equality and the Commission on Gender Equality. Germany has established the office of the Federal Minister for Family Affairs, Senior Citizens and Women.

WHAT IS THE ROLE OF PARLIAMENT IN ENSURING AND SAFEGUARDING HUMAN RIGHTS?

Parliament plays an important role in protecting human rights by improving legislation, monitoring compliance, ratifying relevant international treaties, and encouraging political parties to raise awareness of human rights. Parliaments also play important roles in overseeing state reporting requirements as outlined in international treaties. They are also essential in implementing recommendations made by the executive branch and also the monitoring bodies created by the treaties.

In many countries, the principles and standards established in international human rights treaties offer a focal point for the collaboration and improvement of programs for Human Development. An approach that focuses on securing human rights can provide guidance in the development of programs for multiple sectors, including those related to health, education, public administration, nutrition, water and sanitation, HIV/AIDS awareness and prevention, employment and labour relations, social welfare, and economic prosperity. The importance of connecting human rights

and development can be seen in the heated discussion currently occurring in the US Congress regarding health care reform, the goal of which is to provide health insurance to most Americans while reducing the enormous health care expenses and payments required by insurance policies.

Legislation is only one aspect of parliamentary work related to human rights. The adoption of the state budget also has far-reaching implications in relation to protecting the rights of certain individuals. The UN Convention on the Rights of the Child of 1989¹⁷ stated that nations should take steps, using 'the maximum of their available resources', in order to ensure that the rights outlined in the agreement are secured. A similar provision exists in the International Covenant on Economic, Social and Cultural Rights of 1966. The goal of such provisions is to ensure that when nations make decisions concerning the distribution of funds, the laws related to these international documents receive priority support. It is recognised that the facilitation and protection of human rights can require considerable financial resources, especially when education and health care are involved.

Several parliaments around the world have created specific action plans with a focus on human rights. Some of these plans have been adopted on the basis of international treaties, including those that address children's rights, gender equality, the rights of people with disabilities and the combating of human trafficking.

Box 32. Continuation

The Eighth Committee on the Environment, Territories and Public Activities, part of the Chamber of Deputies of *Italy*, has a number of competencies. These competencies include environmental protection, energy, urban development and land use, and natural disasters. The main issues recently addressed by the deputies of this committee include EU legislative acts, bills concerning the prevention of hydrological problems, the reorganisation of the National Agency for Environment Protection, energy policy and climate change, and directives concerning the critical situation in the Campania region in regards to forest fires. The deputies' work also relates to the Environmental Code and the Public Contract Code. Serious attention has been paid to the problem of climate change, with hearings on this matter held with the involvement of scientists.

The Energy and Environment Committee of the *Norwegian* Parliament deals with a number of similar issues. These include matters of oil and gas, energy, the development of inland waterways, environmental protection and wildlife conservation, the protection of natural resources, land use, meteorology and hydrology. The committee's recent discussion topics have focused on energy, oil and gas production in Norway's northern territories, the impact of these activities on Norway's environment, the development of the North Sea's oil fields, the security of energy supplies and the development of alternative energy sources including windmills and solar energy. The committee has also focused on the preservation of national parks, biodiversity, climate and climate change, and the implementation of the Kyoto Protocol. Committee members regularly participate in the activities of government delegations in numerous international forums.

The **Portuguese** parliament's Committee on Local Government, Environment and Territorial Development monitors the implementation of the Strategic Plan for Solid waste (2007 to 2013), along with the National Strategy for Water Supply (2007-2013) and the national Strategy of Nature Protection and Conservation of Biodiversity.

^{17.} Uzbekistan has ratified the Convention according to Resolution of the Oliy Majlis of the Republic of Uzbekistan as of December 09, 1992 № 757-XII // Bulletin of the Supreme Council of the Republic of Uzbekistan, 1993, № 1, p. 41.



Parliaments also often play an important role in receiving and responding to citizen complaints. In some nations, the duties of parliaments involve the appointment on an Ombudsman, who receives and reviews complaints while supporting the restoration of violated rights. In Germany, special parliamentary committees review individual complaints submitted by the population, including those created at federal and state levels.

Several parliaments have established political committees on human rights, the most influential one being the United Kingdom's Joint Committee on Human Rights. Consisting of twelve members of the House of Commons and twelve members of the House of Lords, the committee conducts investigations into human rights cases, and reports its findings and recommendations to parliament. The committee also analyses all government regulations, while paying particular attention to regulations that have significant implications for individual human beings. The committee also examines measures taken by the Government in response to the European Court of Human Rights.

The Committee on Human Rights and Humanitarian Aid of the Federal Republic of Germany was established during the 14th convocation (1998-2002). The committee's broad jurisdiction includes 546 questions. Seventy of these questions are particularly topical, including those that address economic, social and cultural laws, the prevention of torture, the preservation of human rights while countering terrorism, the death penalty, women's rights, children's rights, immigration policy, racism and the freedom of the press.

The human rights structures in some parliaments are informal and advisory by their nature, and their functioning is undertaken through the establishment of party or all-party groups. For example, the discussions that result in decisions related to human rights are carried out in the Standing Committees that deal with legal or social aspects.

HOW DOES PARLIAMENT PARTICIPATE IN INTERNATIONAL AND REGIONAL INTEGRATION PROCESSES RELATED TO HUMAN DEVELOPMENT?

Parliament plays an important role in the process of a country's development, while acting as an important tool for achieving Millennium Development Goals and encouraging economic development. Parliamentary development facilitates the achievement of the concept of Human Development, as members of parliament represent the voters who will benefit from the goals being developed. Therefore, the active role played by parliament in planning measures to reduce poverty contributes to greater public participation in the processes of sustainable economic and environmental development. In this regard, it is interesting to study the experiences of regional parliaments, including those of Europe. The European Parliament's control functions are considered more important than its law-making functions.

The European Commission must provide verbal or written responses to requests submitted by the parliament or its members. One of the parliament's specific tools for control is the censures resolution which is issued in regards to the European Commission. The powers of the European Parliament include the authority to review petitions that represent the requests or complaints of EU citizens.

Most petitions submitted to the European Parliament contain complaints relating to environmental pollution, the violation of rights to social benefits and the imperfections of customs legislation. The parliament also uses the right of petition to influence the EU Member States. Petitions submitted to parliament are then considered and studied by the Committee for Petition, who themselves draft a report that contains recommendations for EU bodies and Member States.

WHAT IS PARLIAMENTARY DIPLOMACY?

International parliamentary cooperation is considered an organic part of public international order, while parliamentary diplomacy is an essential tool in contemporary international relations. Parliamentary diplomacy currently has a number of basic features, which include a wide geography of interstate links and a focus on a number of critical problems. These problems include the undertaking of international law initiatives, the harmonisation of national legislation and international legal systems, the active use of traditional diplomatic institutions including international treaties, the implementation of peaceful means of dispute resolution, and the establishment of international organisations and conferences. The applied nature of parliamentary work within the international sphere has resulted in concrete results at different levels, facilitating the implementation of international obligations. Foreign experience has proven that there needs to be development in international dialogue between Mps.

HOW IS THE INTER-PARLIAMENTARY COOPERATION UNDERTAKEN BY THE OLIY MAJLIS OF THE REPUBLIC OF UZBEKISTAN ARRANGED?

The inter-parliamentary cooperation of the Chambers of the Oliy Majlis with parliaments around the global is implemented at bilateral and multilateral levels. Multilateral cooperation is implemented within the framework of the Inter-Parliamentary Union, ensuring the Oliy Majlis' participation in the activities of the parliamentary structures of international organisations and supranational parliaments. One of the Oliv Majlis' major fields of international activities has been its cooperation with the European Parliament, allowing the establishment of constructive work relations between the two parties. These constructive relations can be seen in annual meetings conducted by the Parliamentary Cooperation Committee or 'Uzbekistan-EU', established as part of a Partnership and Cooperation Agreement between the Republic of Uzbekistan and the European Union. During the committee's meetings, the issue of relations between Uzbekistan and the EU are considered within the framework of the Partnership and Cooperation Agreement. Parties are able to share their visions concerning regional security and cooperation in Central Asia, addressing socio-economic and financial issues, which include the process of democratisation, human rights, education and healthcare, environmental protection and the exploitation of natural resources.

By establishing bilateral inter-parliamentary cooperation with Uzbekistan, the parliaments of foreign states have shown their intentions to develop and strengthen contacts in all spheres. Mixed-level structures designed to foster the development of friendship and cooperation with the Oliy Majlis have been established in the parliaments of more than 30 states, including Japan, the U.S, South Korea, Germany, Italy, France, Turkey,

Bulgaria, Russia and the Ukraine. The structures differ from each other in terms of their principles and the objectives they have either achieved or are attempting to achieve.

There are two main political parties in Japan, namely the DPJ and the LDPJ. Both parties have their own parliamentary leagues of friendship, called the 'DPJ-Uzbekistan' and the 'LDPJ-Uzbekistan'. The Inter-Parliamentary Group 'Oliy Majlis of the Republic of Uzbekistan – Parliament of Japan' was established in 2010, at the suggestion of Satsuki Eda, Speaker of the Japanese Senate, and numerous Uzbek MPs. The first meeting of this Inter-Parliamentary Forum was held in December 2010¹⁸.

An All-Party Group 'Britain-Uzbekistan' has been established in Great Britain, uniting representatives of both Houses of Parliament. Five sub-groups have been subsequently created, focusing on the following areas:

- Inter-parliamentary dialogue, institutional understanding and facilitation of interparliamentary exchanges;
- Democracy, human rights and the supremacy of law;
- 3) Regional security and stability;
- Climate and environment change awareness, global energy and water security;
- 5) Economic development, trade and investments.

In September 2010 a Memorandum of Understanding was signed by the inter-parliamentary structures of Great Britain and Uzbekistan.

The Friendship Group of the French National Assembly, 'France-Uzbekistan', is a development of interparliamentary cooperation and promotion of partnership between the two states¹⁹. The group contains representatives of the various parties with seats in the French National Parliament.

WHAT ARE THE MAJOR RECOMMENDATIONS FOR LEGISLATION ENHANCEMENT?

Uzbekistan is committed to consistently and firmly implementing its international obligations, including the UN Millennium Development Goals. The MDGs have been successfully adopted and integrated into a number of strategic medium-term instruments. In particular, the government has approved a number of additional measures for implementing MDGs in Uzbekistan from 2011 to 2015.

Uzbekistan has implemented efficient measures for ensuing the population's social protection, while also

^{18.} Report on the Activities of the Senate of the Oliy Majlis of the Republic of Uzbekistan, 2010

^{19.} Report on the Activities of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan, 2010



establishing consistent and systematic measures for ensuring gender equality. This later initiative includes enhancing the role of females in the sustainable development of a society, and providing sufficient motherhood and childhood protection²⁰.

According to evaluations conducted by several reputable international institutions, Uzbekistan holds a lead position out of the worlds' 125 countries regarding levels of favourable conditions for women and the protection of motherhood. UNICEF's Regional Office for Central and Eastern Europe and CIS recognises Uzbekistan as a regional model for the introduction of programs concerning motherhood and childhood protection.

Areas for the further improvement of national legislation and law enforcement practices are as follows:

- Ensuring the legislative regulation of processes related to the implementation of international commitments of relative government functions. These functions include the powers of the legislative, executive and judicial branches of government;
- 2) Improving the preparation and ratification of international treaties by the Chamber Committees of the Oliy Majlis. This assesses the degree to which treaties comply with legislation of the Republic of Uzbekistan, while strengthening parliamentary involvement in implementing the recommendations of international organisations;
- 3) Strengthening the cooperation between state bodies and civil institutions, while introducing the practice of public hearings on socially significant issues. Also, strengthening the

- institute of public monitoring, as related to the activities and decisions related to rights and interests of citizens, and the openness and transparency of the budget process;
- 4) Developing effective social partnerships as a mechanism for coordinating interests between public authorities, employers and employees in accordance with standards established by the International Labour Organisation;
- 5) Improving gender legislation, including the adoption of the law 'On Equal Rights and Opportunities for Men and Women';
- 6) Improving anti-corruption legislation, including the adoption of the National Programme for the further intensification of anti-corruption control in Uzbekistan;
- 7) Improving legislation concerning the economic assessment of the environment, in addition to stimulating ecologically pure production, the use of renewable energy sources and the recycling of industrial waste, and the adoption of the Law 'On Ecological Monitoring'.

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- 2) Web site on Millennium Development Goals http://www.undp.org/mdg/
- 3) Web site on Millennium Development Goals 2015 http://www.un.org/millenniumgoals/
- 4) Web portal of parliamentary development developed by UNDP in collaboration with other international partners in this sector www.agora-parl.org
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GLOSSARY

Gross Domestic Product (GDP): A country's *Gross Domestic Product (GDP)* represents its total output of goods and services, as produced for final use, within a given period of time. In order to aid the comparison of the GDPs of various countries, the figure can be given a value in U.S dollars, using the concept of the *purchase power parity*. The purchase power parity is when a country's GDP is converted into international dollars with the same purchasing power of the U.S Dollar in the United States;

Gross National Income (GNI): A country's *Gross National Income (GNI)* represents the sum of its GDP in addition to net receipts from abroad. These receipts include the incomes of legal entities and individuals who are engaged in economic activities abroad:

Per Capita GNI: A country's **Per Capita GNI** is the result of dividing its GNI, calculated in the U.S dollar, by its midyear population;

Gender Equality: Gender Equality is the elimination of all forms of discrimination as based on gender. Gender Equality requires the legislative and institutional guarantee of an individual's human rights and freedoms, regardless of their gender;

Globalisation: Globalisation is the process of global integration between peoples, in regards to cultural, informational and economic spheres. Globalisation increases all dimensions of interdependence and interaction between states and regions around the world;

Economies in Transition: Former Socialist countries possess *Economies in Transition*, economies that were previously based on public property for production facilities and command economy management. These countries are currently in the process of reforming their state governance models and making radical changes to their economic systems;

Decentralisation of the State Governance System: The Decentralisation of the State Governance System represents the process of transferring powers from a central government to local governments and grass-root bodies. In a broader sense, decentralisation means redistributing powers and authorities along the branches of state power, including government and economic entities, public administration bodies and civil society institutions;

Foreign Investments: Foreign Investments are the investments of assets of a government, organisation, enterprise, legal entity or an individual resident of one country into the economy of another. Foreign Investments represent an important source of economic growth for countries where the standard of accumulation or efficiency of the national income used for production expansion, as opposed to consumption, is insufficient. Foreign Investments also facilitate the balance of payments, of export growth and the introduction of new technologies. Foreign Investments can either be direct, when an enterprise of one country invests in the production of goods, or portfolio, where investment is conducted in the form of security acquisition by foreign enterprises;

Corruption: Corruption is the misuse and/or unlawful use of entrusted power for private gain;

Liberalisation: Liberalisation is the elimination of state interference into economic and financial processes, a process achieved by lifting trade barriers;

Migration: Migration is the movement of people from one country to another, and their overseas residence for a period of at least one year;

Micro-financing: *Micro-financing* is a set of financial products targeted at low-income groups, regarding their involvement in active economic affairs;

Modern Society: A *Modern Society* is one where governance is established on the principles of rationalism. Modern Societies feature representative democracy and market economies, a situation that contrasts with **Traditional Governance**. Modern Societies have industrial economies, whose growth is ensured by innovative self-reproduction;

Consumer Goods Basket: A Consumer Goods Basket is the average set of goods and services needed to satisfy a human being's primary needs during one year. A country's Consumer Goods Basket is directly influenced by the levels of wellbeing it has achieved in the past, in addition to its climate, geography and other conditions. These means that the names and list of goods and services included into Consumer Goods Baskets vary greatly from country to country;

Privatisation: Privatisation is the process of denationalising production facilities and legally transferring enterprise

property rights from the State to non-state market participants. In a broad sense, this also supposes a set of organisational, legal and institutional measures required to denationalise an economy and create a market economy infrastructure;

Social Labour Productivity: Social Labour Productivity is the ratio between the goods and services produced within a given period time, compared to the labour costs, investment and resources needed for their production. It is considered a traditional indicator of the public's production efficiency;

Social Policy: Social Policy represents the legislative, institutional and budgetary support for achieving a number of social objectives. These objectives include the improvement of people's wellbeing, the protection of socially vulnerable groups, and the development of important public dimensions including healthcare, education, employment relations and pension coverage;

Standards of Living: Standards of Living are the integral indicators of a country's socio/economic development. A country's Standards of Living is measured through an assessment of numerous factors, which include real per capita income, the poverty ratio, access to healthcare, uneven income growth, educational standards, the provision of people with certain commodities (such as numbers of television sets per 1000 people).

Sustainable Development: Sustainable Development is one of the important modern principles of social progress, its objective being the assurance of continuous development. Sustainable development, whose components are economical, environmental and demographic, guarantees a decent life for present generations and generations to come;

Poverty Line: The Poverty Line is the minimal income required to maintain standards of living within a given country. While each country has a different poverty line, due to levels of wellbeing that each country has achieved in the past, the World Bank has estimated an **International Poverty Line** is set at an income of \$1.25 per day per person;

Economic Growth: Economic Growth is one of the traditional indicators of developmental efficiency. Economic Growth is normally calculated as a percentage of GDP changed, as compared to the figure of the previous year;

Democracy: A *Democracy* is a political regime under which a country's people are its only legitimate source of power. The *Representative Democracy* is the main form of political participation in modern states. The main concept behind Representative Democracy is the indirect participation of citizens in decision-making, a participation achieved by electing representatives to governing bodies who support their interests, adopt laws and give orders on their behalf;

Representative Function of the Parliament: The Representative Function of the Parliament is a statement of how parliament is forum for expressing and discussing views and issues of national and local significance, as well as elaborating state policy fundamentals that are based on these discussions;

Faction: A Faction is a duly registered association of deputies, created by deputies at the proposal of their political parties in order to express their interests in the Legislative Chamber;

Parliamentary Majority: The *Parliamentary Majority* is a faction of a political party that has gained a majority of seats in the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan. A Parliamentary Majority can also be comprised from several factions of political parties, and deputies elected by the Environmental Movement of Uzbekistan, who have created a block based on their shared or similar program targets and tasks;

Parliamentary Opposition: The Parliamentary Opposition are factions of political parties, as well as deputies elected by the Environmental Movement of Uzbekistan, who do not support the course and program of the newly formed government or some of its political lines.

A successful society development strategy requires a clear vision of main objectives and priorities, as well as consistency in pursuing political reforms and socio-economic programs. Without a clearly designed strategy, it is unfeasible to attain sustainable social progress, coordinate the efforts of various branches and levels of state authorities and secure optimal distribution of resources and human capital.

The development strategy of Uzbekistan has been thoroughly elaborated in the works of the President of the Republic of Uzbekistan, Mr. I. Karimov, based on an in-depth analysis of Uzbekistan's historical development specifics, the challenges faced by the nation during its transition period, and global human development transfer. President I. Karimov has noted that the principal

The development strategy of Uzbekistan has been thoroughly elaborated in the works of the President of the Republic of Uzbekistan, Mr. I. Karimov, based on an in-depth analysis of Uzbekistan's historical development specifics, the challenges faced by the nation during its transition period, and global human development trends. President I. Karimov has noted that the principal strategic goal of Uzbekistan is to "build an open democratic and law-governed state, with a sustainable developing economy and society respected around the world; where a person, his/her interests, rights and freedoms, are the highest value not in words, but in practice."

This goal conforms to the Human Development Concept, as proclaimed by the United Nations Development Programme (the UNDP). The definition of "Human Development", as given in the Human Development Report for 2010 prepared by the UNDP, is as follows:

Human development is the expansion of people's freedoms to live long, healthy and creative lives; to advance other goals they have reason to value; and to engage actively in shaping development equitably and sustainably on a shared planet. People are both the beneficiaries and drivers of human development, as individuals and in groups.