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**Promotion and protection of human rights****Letter dated 2 December 2014 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General**

I have the honour to convey to you the attached information on the development of parliamentarism in Uzbekistan (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the General Assembly under agenda item 68 “Promotion and protection of human rights”.

*(Signed)* Muzaffar **Madrakhimov**



**Annex to the letter dated 2 December 2014 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General**

[Original: Russian]

**The development of parliamentarism in Uzbekistan**

Elections to the legislative chamber (the lower house of parliament) of the Oliy Majlis and provincial, district and municipal kengashi (councils) of people's deputies will be held in the Republic of Uzbekistan on 21 December 2014.

Ever since Uzbekistan became independent, the democratization of all areas of society has been occurring in a phased and vigorous way, as have an increase in the political and national awareness of the public and a regeneration of democratic values. The democratic rule of law and an open civil society are systematically evolving and taking shape.

In the years since independence was achieved, there have been systematic and consistent measures to reform civil society and make it more open: a bicameral parliament has been established and is operating effectively; robust legislative activity is ongoing; the judicial system is being liberalized; and non-governmental, not-for-profit organizations and other civil society institutions are receiving support to strengthen their role in the democratization of national civic life and the development of the State.

Consistency and a gradual approach are characteristic of the development and emergence of parliamentarism in Uzbekistan. That parliamentarism reflects the mindset and cultural traits of our people, which include a propensity for enlightenment, scholarship, justice and respect for the law, with moral and spiritual values receiving pride of place.

The history of the development of parliamentarism in Uzbekistan falls into several phases.

**Phase 1 (1991-2004):** the emergence of a unicameral parliament. During this period, the legislative foundation was laid for the transition to the current system of parliamentarism, and the Constitution, the constitutional law on the Oliy Majlis of the Republic of Uzbekistan and electoral laws for representative bodies were adopted. The legal foundation for the transition to a bicameral parliament was laid, a national referendum was held, amendments and additions were made to the Constitution, three constitutional laws and laws on the regulations of the Oliy Majlis were adopted, and the electoral laws were changed and amended.

Phase 1 of parliamentary development featured the following aspects:

First of all, a stable constitutional order took shape, all government bodies were established and they began operating within a legal framework;

Second, in the economic sphere, equality of all forms of ownership, including private ownership, was established, as was the freedom to engage in entrepreneurial activity. National legislation provided the necessary conditions and guarantees for the development of socially oriented market relations. Stable economic development was the goal not only of the State, but of civil society as well;

Third, in the political sphere, in keeping with the strictest possible measures of legal statehood, the Constitution ensured an appropriate degree of liberty and democracy. Political and ideological pluralism took root, as did freedom of speech and information: all of the personal and political rights and liberties generally acknowledged by the international community were extended to the citizenry;

Fourth, in the sphere of State-building, a system of government bodies was organized in a balanced way, based on the principle of the division of powers as the crucial feature of the rule of law.

**Phase 2** (since 2005): the emergence of a bicameral parliament. The political, legal and other conditions actually needed to make the transition to a professional parliament came together: there emerged a numerically sufficient pool of professional politicians and lawmakers ready to engage in professional activity; national parliamentary traditions took root; a multiparty system came into being, as did the features of modern parliamentarism; a constituency with the appropriate degree of political sophistication emerged; and the necessary legal framework for the transition to a bicameral parliament also took shape.

Phase 2 of parliamentary development featured the following aspects:

First, a strengthening of the role and influence of the legislative branch, based on national and regional interests;

Second, increased participation by political parties and civil society institutions in government decision-making, and heightened prestige and importance for non-governmental organizations carrying out public oversight over the work of government bodies;

Third, thoroughgoing reforms designed to liberalize the legal and judicial system and make it more humane, including eliminating the death penalty and boosting the independence and effectiveness of the judicial branch, as well as introducing habeas corpus and strengthening the role of the legal profession;

Fourth, a broad campaign to increase public understanding of human rights.

The establishment of a bicameral parliament in Uzbekistan is part and parcel of creating an independent rule of law based on the constitutional principle of the division of powers.

**Phase 3** (since 2011) of parliamentary development in Uzbekistan got under way with the implementation of the Framework to extend democratic reform and promote civil society in the country, proposed by the President of Uzbekistan, Islam Karimov, at a joint session of the Legislative Chamber and the Senate of the Oliy Majlis, along with two laws amending and supplementing specific articles of the Constitution. The President's constitutional initiatives did the following:

First of all, they launched a new phase in constitutional and parliamentary reforms designed to establish a clear-cut, systematic legal mechanism to distribute powers among the President, who is the Head of State, and the legislative and executive branches. The initiatives injected new life into the evolution of the State, making it possible to enact the constitutional principle of the division of powers and establish an effective system of checks and balances among the various branches of government;

Second, they provided a logical extension to and strengthened the role of the Head of State in ensuring coordinated operations of and interaction among government bodies;

Third, they expanded the role of the chambers of the Oliy Majlis within the network of government bodies, as well as their rights and powers to carry out strategic domestic and foreign policy missions, and strengthened the operations of the higher legislative body and the representative bodies of the Government with regard to oversight over the work of the Cabinet of Ministers and executive bodies, with the Oliy Majlis now authorized to issue motions of no confidence in the Prime Minister;

Fourth, they introduced new, cutting-edge democratic principles governing nomination and confirmation procedures for the post of Prime Minister and regular reporting duties for the Prime Minister to the parliament on current national issues of socioeconomic development;

Fifth, they established a constitutional procedure for the nomination of the Prime Minister by the political party that wins the parliamentary elections, or by several political parties tied for first place in the number of seats won. This has strengthened the multiparty system and elevated the role of the political parties in shaping government bodies, both in the capital city and across the country, as it has the political sophistication and social and legal awareness of the public and its robust participation in lively democratic processes at the community and government levels. These constitutional and legal mechanisms have fundamentally changed the role and position of the political parties in shaping the bodies of representative and executive government and in oversight of those bodies' activities;

Sixth, they have expanded grass roots participation by the public, non-governmental, not-for-profit organizations, the mass media and other civil society institutions in national civic and public life and opened up opportunities to develop and enhance community oversight over the work of governmental bodies.

For a country where it was necessary to forge the legal framework anew, and where political, legal and parliamentary awareness were weak, the development of a parliament has been a major political event. Since Uzbekistan became an independent nation, tremendous work has been done in the legislative sphere to lay the legal groundwork for statehood, a market economy, the social sphere, the political system and an open civil society. The parliament has now been institutionalized: it has proven itself, not only as a political institution, but also as a legal one. Parliamentarism has put down deep roots in the political life of Uzbekistan.

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