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THE OLIY MAJLIS OF REPUBLIC OF UZBEKISTAN AND ITS FOREIGN RESEMBLES' ACTIVITIES IN COMPARISON

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ОЛИЙ МАЖЛИС РЕСПУБЛИКИ УЗБЕКИСТАН И ЕГО ДЕЯТЕЛЬНОСТЬ ПО СРАВНЕНИЮ С ДЕЯТЕЛЬНОСТЬЮ ПАРЛАМЕНТОВ ДРУГИХ ГОСУДАРСТВ

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Abstract. The Senate of Oliy Majlis is place where democracy begins and country's economy flourish. A Senator is an appointed representative that is required to be a symbol of the population. The role of the Senate is to read the legislation proposed by the Legislative Chamber of Republic of Uzbekistan and suggest changes or amendments. Therefore, the article covers the main activities of the Senate and senators. Moreover, the head of authorities and public administration are to provide their annual report to the Senators. It emphasizes the role and position of Senate in the society.

Аннотация. Сенат Олий Мажлиса — место, где начинается демократия и процветает экономика страны. Сенатор является назначенным представителем, который должен быть символом населения. Роль Сената заключается в том, чтобы ознакомиться с законодательством, предложенным Законодательной палатой Республики Узбекистан, и предложить изменения или поправки. Поэтому в статье рассматриваются основные виды деятельности Сената и сенаторов. Более того, глава органов власти и государственного управления должен представить свой годовой отчет сенаторам. Подчеркивается роль и позиция Сената в обществе.

Keywords: democracy, development, representatives, legislation, OliyMajlis, amendments, reports.

Ключевые слова: демократия, развитие, представители, законодательство, Олий Мажлис, поправки, отчеты.

Introduction

The Senate (Upper chamber) of the Oliy Majlis of the Republic of Uzbekistan is territorial representative chamber and it consists of one hundred Senate members. The election of Senators are balloted by deputies from representative bodies of the state Jukargi Kenges of the Republic of Karakalpakstan, regions and Tashkent city. Each territorial bodies provides with sixteen representatives to the Senate. The rest of sixteen are selected by the President of Republic of Uzbekistan from influential citizens in the fields of science, art, literature, manufacture and who have extensive practical experiences and expertise in other sectors of government and society. The Senate proceedings are based on meetings and its plenary sessions work of senators. The term of office of the Senate is five years.

The candidates to be the Senator are required to be twenty-five years on the day election and to be permanently residence in the territory of the Republic of Uzbekistan. The person cannot be simultaneously of the member of the Senate and member of the Legislative Chamber at the same time [1].

The Senate is able to adopt resolutions on his/her competence and internal affairs of the chamber. The Senate may make exhaustive statements on general political, socio-economic and other issues that are formalized by the decision of the chamber. The organizational form of the Senate is its meetings. The meetings are organized based on the emergency, but it should be organized at least three times a year [2].

The joint meetings of the Senate and the Legislative Chamber of Republic of Uzbekistan might be held when the inauguration day of president, on speech of the president on key issues of the social and economic affairs and other countries presidents' speeches. Moreover, the joint meetings can be conducted on the other matters basis of the Chambers' agreement.

The Chairman of the Senate elects the period of legibility of the Senate by the majority of votes of the total number of senators at the first meeting after formation of the Senate in accordance to nomination of President of Republic of Uzbekistan. The deputies of the Chairman of the Senate are balloted by majority senators for a term of office of the Senate. The procedure for nomination and election of candidate for the deputies of Chairman are determined in the Regulations of the Senate. In order to organize effectively affairs of the Senate, the Council of Senate is established to coordinate the work of the committees, prepare the proposals on the agenda and review preliminary drafts of laws. The meeting of Council of Senate are organized based on the demand.

The Senate focuses on analysis, discuss matters based on joint, transparency and rely on public opinions. The members of the Senate are not allowed to engage any paid activities except scientific and pedagogical affairs during their positions. Moreover, the member of Senate can not be member of Legislative Chamber of the Oliy Majlis of Republic of Uzbekistan.

The guarantees for the unimpeded and effective implementation of the senator's rights and obligations are regulated by the Law of the Republic of Uzbekistan "On the Status of a Deputy of the Legislative Chamber and a Member of the Senate of the Oliy Majlis of the Republic of Uzbekistan" and with other respectively laws.

The process of organizing sessions of the Senate and its subordinate organizations. Based on the organizational form, the Senate might to organize meetings at least three times per year. The meetings is to be considered competently if the half of senators participate in it. The amendments to the Constitutions of Republic of Uzbekistan, the number of senators that participating should be at least two thirds of the total senators. An extraordinary session of the Senate may be convened at the proposal of the President of the Republic of Uzbekistan, at the proposal of the Chairman of the Senate, or at the proposal of at least one third of the total number of senators. The subordinate organizations meetings are considered competently if the half of the members of the Committee are present. During the sessions of the Senate, the meetings of committees are not organized.

The agenda of meetings of the Senate should be included the issues, which will be considered, speakers, responsible the chambers of the committees and other details. The Council of the Senate forms the draft agenda of the session of the Senate. The Senators are informed the agenda issues in advance that submitted to the draft. The agenda of the session of the Senate shall be approved by the decision of the chamber.

The Senate sessions are conducted transparently and the mass media broadcast it. In necessary, the Senate may decide to hold sessions in closed form. The closed sessions should be proposed by the President of Republic of Uzbekistan, the Chairman of the Senate, the Prime Minister of the Republic of Uzbekistan, the Council of Senate or subordinated committees [4]. The process of voting and decision making procedures. The decisions of the Senate's sessions are taken into consideration by open or closed ballot.

The voting process of sessions are carried out electronically using the vote counts or secret ballot papers. The group of the Senators control the electronic voting process.

The Senate through open vote determines the form and method of voting and except for the cases established by the Constitution and the constitutional laws of the Republic of Uzbekistan.

The senator personally conducts his/her right to vote. The decisions of the Senate is adopted by the majority of votes of the total number of senators, unless otherwise stipulated in the Constitution of the Republic of Uzbekistan and the Senate of the Oliy Majlis of the Republic of Uzbekistan.

The process of consideration of law by the Senate. The following criteria should be provided when the law are given to the Senate:

1. The decision of the Legislative Chamber on the adoption of the law;
2. The law that adopted by the Legislative Chamber;
3. The explanatory note on its concept of the law;
4. The introduction amendments and additions to the law the legislation in connection with the adoption of the law, as well as the law recognizing as null and void;
5. The list of the legal documents, which should be amended, supplemented, to be voided or to be accepted;
6. The statements of material expenses for financial-economic laws;
7. The conclusion of the Cabinet of Ministers of the Republic of Uzbekistan on the reduction of state revenues or increase in public expenditures, as well as changes to the articles of the State Budget of the Republic of Uzbekistan.

The international practice

The upper and lower chambers have number of differences:

–the lower chamber is always formed by direct elections, and the upper house is elected by the principle of election (the USA, Poland, etc.) and by the principle of appointment by the head of state (Canada, Jordan, etc.), and also by the principle of partial election and partial destination (Bhutan, Myanmar) or by inheritance (United Kingdom);

–the upper house, as a rule, has a longer term of office (the USA - the top 6 years, the lower 2 years, in France, respectively, 9 and 5 years);

–in the upper chamber the age qualification is higher (in Japan, India - 30 years, Belgium — 40), and in the lower practically in all countries — 21 years. In Belarus, respectively, 30 years in the upper house and 21 - in the lower house.

–the number of the upper chamber is smaller. For example, the lower house of the French parliament consists of 487 deputies, and the upper house — 274, Iceland, respectively 40 and 20 [5]. The exception is the United Kingdom, where about 1200 hereditary lords form the upper chamber [6].

In most countries of the world there are bicameral parliaments. At the same time, in Denmark, Greece, Egypt, China, Portugal and other countries, the parliaments are unicameral [7]. In the bicameral parliaments, historically one of the chambers (the senate) is called the upper house, the other (the Chamber of Deputies) is the lower one.

The upper chamber may be weak. According to the constitution, it may not agree with the decision taken by the lower one, but the latter can overcome this objection (Poland, Great Britain). The upper chamber can be strong, i.e. the law without its consent can not be accepted (the USA, Italy).

Deputies of the lower house and the unicameral parliament are usually elected for 4-5 years directly by citizens, or in rare cases by multi-stage elections (China). In Bhutan, Tonga, and Brunei, a significant number of seats in unicameral parliaments are held by persons in the service of the monarch, as well as by representatives of the nobility [7].

In Egypt, the president appoints no more than 10 members of parliament for special services to the country. The formation of upper chambers in other countries:

- by direct elections (USA — 2 senators from the state, Italy - at least 7 from the region);
- by indirect elections (India — elected by members of state legislatures);
- by a combination of direct and indirect elections (Spain - part of senators are elected by citizens, another part by representative bodies of autonomies);
- by appointment as head of state (Jordan, Canada, Jamaica, Thailand);
- by election by deputies from their own composition (Norway, where the Storting deputies elect Lagting).

The lower chamber and the unicameral parliament are reelected at the end of their term of office. The upper chamber is elected in many countries for the same period as the lower one (Italy, Poland). However, in a number of countries the principle of rotation is applied to the upper house.

The senators are elected for a longer term and the chamber is updated in parts: in France — for 9 years and is updated by 1/3 in 3 years, in the US - for 6 years with an update of 1/3 after 2 years.

If there are such grounds, the president is not obliged to dissolve the parliament. He can send the government to resign or, with no approval of the budget, put the budget into effect in the parameters of the previous year.

The head of state, by dissolving parliament in dualistic monarchies and semi-presidential republics, acts on its own initiative. In parliamentary monarchies and republics, the parliament is dissolved by the initiative of the government.

Quite often, foreign constitutions provide for the dissolution of parliament on the initiative of the parliamentarians themselves (Hungary).

Uzbek parliamentary

Nowadays, based on the last election for deputies the Legislative (lower) chamber of Uzbekistan consists of following members from four parties, which is shown in the diagram.

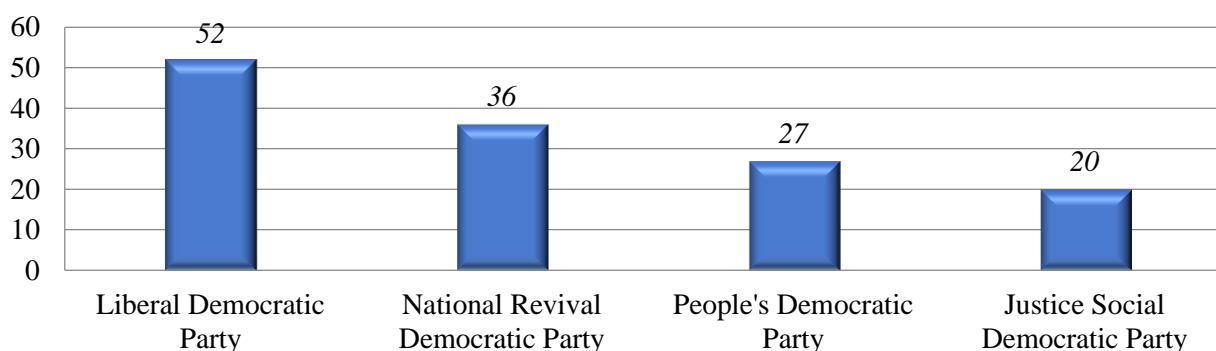


Figure. The members of the Legislative chamber of Uzbekistan as result of 2015 election.

As it can be shown from the diagram, the Liberal Democratic Party possesses more seats than other parties do with 52 members. If it compares with Justice Social Democratic Party, the Liberal Democratic Party is over 2 times more. Moreover, it should be noted, the Ecological movement also elects its members to the Legislative Chamber. According to current members of the movement is fifteen deputies.

The following table shows the seats for the Legislative Chamber of Uzbekistan based on elections. It can be seen the Liberal Democratic Party members were voted more votes than other parties were.

Table.

THE LEGISLATIVE CHAMBER MEMBERS BASED ON THE PARTIES

| <i>Years/Total seats</i> | <i>Liberal Democratic Party</i> | <i>National Revival Democratic Party</i> | <i>People's Democratic Party</i> | <i>Justice Social Democratic Party</i> |
|--------------------------|---------------------------------|--|----------------------------------|--|
| 2004-2005 (120) | 41 | 11 | 28 | 20 |
| 2009-2010 (135) | 53 | 31 | 32 | 19 |
| 2014-2015 (150) | 52 | 36 | 27 | 20 |

Source: The result of elections.

The following diagram and tables show the legislative chamber members based on the parties. The distinguishable part is the Liberal democratic party has led all three following vote. During the 2004-2005 legislative election, the party won 41 out of 120 seats, and in the Uzbekistan parliamentary election, 2009–2010, it won 55 out of 150.

As it is supposed to provide the foundation of law the Legislative chamber to the Senate. The proposed law to the Senate is registered and the Chairman of Senate hands over to the committee that review and prepares the conclusion. The discussion meetings of committee are held openly. If necessary, the Senate committees are able to decide hold closed meetings. The government agencies and non-government non-profit organizations, scientific institutions, experts and scientists, TV, radio and other mass media representatives may be invited to the meetings of the Committees. The received proposals are summarized as the responsible committee prepares conclusions from the law.

The conclusion of the responsible committee should include an assessment of the recommendation or rejection of the law. The responsible committee should clarify the rejection statement of the law. The responsible committee provides its conclusion to the Council of Senate and the Council determines whether to present to the draft agenda of session.

The session of Senate begins the review of the law and conclusion of the responsible committee. The Senators may address their positions in the regard to the law. Based on the results of the session, the Senate decides whether to approve or reject the law.

Senate and senators are able to send parliamentary inquires to government authorities or governance bodies in order to provide substantiated explanations or express their point of view on affairs. The government authorities or governance bodies are required to provide their positions or response on parliamentary inquiry on Senate's sessions. The parliamentary inquiries are not considered valuable if they are parliamentary inquiry is submitted to the Chairperson of the Supreme Court of the Republic of Uzbekistan, the Chairman of the Supreme Economic Court, the Prosecutor General, the heads of the inquiry and investigation bodies that are involved in particular cases and materials in their proceedings. The information on parliamentary inquires might be discussed on Senate's sessions. The Senate comes to decision on basis of discussions.

The Senate is informed to hear an annual report of Authorized representative of Human rights in Oliy Majlis of Republic of Uzbekistan. Moreover, the Accounting Chamber of the Republic of Uzbekistan also provides its annual report to the Senate after providing the decision of the Legislative Chamber of Republic of Uzbekistan. The decisions of the Senate on the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights and the Accounting

Chamber of the Republic of Uzbekistan are forwarded to the Legislative Chamber within ten days from the date of adoption of decisions. The Senators receives annual reports submitted by the General Prosecutor of the Republic of Uzbekistan, Chairman of the State Committee for the Protection of Nature of the Republic of Uzbekistan, Chairman of the Board of the Central Bank of the Republic of Uzbekistan. Senate committees, as well as senators are able to request documents, expert conclusions, statistical data and other information from government agencies, organizations and officials. A required information by Senate committees or senators must be provided within ten days from the date of receiving requirement.

According to the Senate's Committee schedule, the authorities and public administrations provide their information based on their activities how they follow the laws and implementation decisions of the Chamber committees.

In conclusion, it might be considered that the members of the Legislative Chamber or Senate of Oliy Majlis are required to exercise their authority effectively for the benefit of the nation and country. As our president emphasized our people should be aware of the life changes and must be aware that they have a real representation in the system of state power. Otherwise, all our work and actions will be lost.

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