

## Improving Norm-Making: Analysis and Proposal

***Khujanazarov Azizjon Anvarovich***

*Senior Lecturer (Phd) of the Department of Theory of state and law of Tashkent state university of Law*

**A. T.**

### Abstract

In this article, the author's proposals regarding the digitization of normative creativity, in particular, the wide introduction of digital technologies, are put forward in this article.

**Keywords:** monitoring, norm, project, justice, technology, norm-making.

In recent years, it has become a trend to develop proposals for the improvement of the current legislation and the practice of law enforcement based on the results of scientific research and research on the creation of norms in the field of law. Based on this, in this thesis, the author's proposals regarding the digitization of norm creativity, in particular, the wide introduction of digital technologies, are put forward based on the results of the research.

Based on the results of the research, we present proposals for improvement of norm creativity and digitization of this activity, analyzing the following directions.

### **1. Introduction of the system of discussion of drafts of regulatory legal documents related to business activities through "real-time internet conference" with the participation of official agencies and business entities.**

As a basis for the development of this proposal, it should be noted that the concept of improving the activity of normative creativity approved by the Decree of the President of the Republic of Uzbekistan dated August 8, 2018 No. it is determined to increase the level of influence of public discussions on the process of norm creation through effective organization.

Also, the draft law was developed in paragraph 47 of the Uniform Methodology of "Legal-technical formalization of draft normative-legal documents, as well as information-analytical materials attached to them" approved by the Joint Resolution of the Council of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan and the Senate Council of March 26, 2019. summarizing and using the suggestions of business entities in its preparation is expressed.

According to the current regulations, the range of competent agencies for the approval of draft regulatory legal documents related to business activity is limited (for example, according to paragraph 89 of the Procedural Guidelines approved by the order of the Minister of Justice of the Republic of Uzbekistan No. 83 of 09.04.2012 or projects related to indirectly affecting issues are agreed only with

the Chamber of Commerce and Industry of the Republic of Uzbekistan in mandatory order).

However, the legislation stipulates that the Representative of the President of the Republic of Uzbekistan for the protection of the rights and legal interests of business entities shall formulate and implement the state policy in the field of protection of the rights and legal interests of business entities.

In addition, there is no single system for studying their proposals and recommendations for business entities and investors regarding draft legislation on business activities.

Based on the mentioned analysis, it is proposed to develop a system of discussion of drafts of regulatory legal documents related to business activities through "real-time internet conference" organized by judicial bodies with the participation of official agencies and business entities.

As a result of the development and implementation of this system, the following results will be achieved:

- in order to ensure the institution of effective public control over the creation of norms, based on the principles of "public", "transparency", "attractiveness", "legality" business entities and investors participate in the discussion conference and express their opinions, normative legal documents "narrow scope" "to serve the interests of the business, to complicate the process of business activities, to introduce unreasonable costs, excessive administrative and other restrictions for business entities;
- in order to further improve the system of protecting the rights of entrepreneurs and ensuring their legal interests, a comprehensive analysis system will be established on the draft regulatory legal document related to the sector, that is, the scope of subjects for the agreement of the project will be expanded, including the protection of the rights and legal interests of business subjects under the President of the Republic of Uzbekistan analysis of projects is carried out by the representative of the Chamber of Commerce and Industry and other state and non-state organizations that protect business rights;
- a "transparent" system will be created based on the consideration or rejection of the opinions and proposals of business entities, in which the representatives of the field can participate in the discussion of draft normative legal documents in a simplified manner.

## **2. Internet drafts of normative legal documents and introducing a public discussion system through the online forum "I-discussion.uz" organized on social networks.**

In accordance with Article 23 of the Law of the Republic of Uzbekistan "On Regulatory and Legal Documents", public discussion of draft regulatory legal documents is held with the participation of interested state bodies, as well as citizens' self-government bodies and other civil society institutions, representatives of other organizations, scientists, experts and citizens.

It is known that the discussion portal "regulation.gov.uz" has been developed for the public discussion of the drafts of normative legal documents, and suggestions and opinions can be expressed by the public regarding the drafts of legal documents posted on this portal.

However, this discussion portal has its own shortcomings, in particular, the complexity of registering on the portal and the lack of grounds for taking into account or rejecting the opinions expressed by the public are an obstacle for the public to actively participate in the discussion of draft legal documents and express their civil positions.

Based on the above, it is proposed to hold a public discussion of draft normative legal documents through the online forum "I-discussion.uz" under the control of judicial authorities.

This online forum is developed based on the following:

- citizens, bloggers and mass media representatives, specialists, representatives of state and non-state agencies participate in the forum based on the "one-time" registration system by entering basic information about themselves in simplified forms;
- the online forum will have "profiled sections" intended for popular and special proposals and for citizens, bloggers and mass media representatives, scientists and specialists, representatives of state and non-state agencies to participate separately;
- the online forum is regularly controlled by the judicial authorities, and the draft normative legal document, which has not passed the forum and comments and proposals are open, will not be subjected to legal examination by the judicial authorities;
- the online forum is based on a transparent system in which the official response of the project developer is placed on each proposal and opinion expressed on the draft regulatory legal document;
- the proposals made in connection with the draft normative legal document discussed in the online forum and the reaction of the author of the project to them will be publicly announced until the end of the discussion, and at the end of the discussion, the relevant document will be drawn up and submitted to the judicial authorities as an attachment to the draft.

The following results will be achieved through the introduction of the online forum:

- public protests that may arise as a result of the adoption of regulatory legal documents are prevented;
- as a result of the public examination of the drafts of regulatory legal documents through the online forum, their publicness, fairness, legality, and transparency are ensured, and the provisions in the drafts that harm the legal interests of individuals and legal entities are eliminated;
- the creation of high-quality and promising legislation that represents the interests of the people is ensured.

### **3. Use of ICT in planning the development of projects of regulatory and legal documents.**

The unified electronic method of developing and agreeing drafts of normative legal documents by introducing innovative methods of activity into the process of norm creation using modern information and communication technologies in paragraph 4 of the Roadmap approved by Annex 2 to the Decree of the President of the Republic of Uzbekistan No. PF-5997 of May 19, 2020 further improvement of the system is defined.

Also, paragraph 2 g) of the decision of the Cabinet of Ministers No. 227 of August 5, 2011 "On the preparation and adoption of programs for the development of draft laws and their introduction to the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan, as well as the approval of the regulation on the procedure for monitoring their implementation" and in accordance with paragraph 4, work programs on draft laws are developed by the Ministry of Justice of the Republic of Uzbekistan on the basis of proposals of interested state and economic management bodies, local government bodies and submitted to the Cabinet of Ministers.

It should be noted that today there is no unified system of development of projects of work programs on draft laws and agreement between interested agencies.

Taking this into account, it is appropriate to establish a section "Project of work programs on legal drafts" in the unified electronic system for development and agreement of drafts of regulatory and legal documents.

In this section, in the project of work programs on "projects of law", draft laws are placed in the following groups:

Draft laws stipulated in the Constitution and laws of the Republic of Uzbekistan, decisions of the chambers of the Oliy Majlis of the Republic of Uzbekistan, documents and orders of the President of the Republic of Uzbekistan, decisions and orders of the Cabinet of Ministers;

draft laws developed on the basis of initiatives and proposals of interested organizations, taking into account the priority directions of socio-political and socio-economic development of the country.

The draft of work programs on draft laws is agreed in advance with interested and other organizations by the Ministry of Justice of the Republic of Uzbekistan" [15] through project.gov.uz.

Other procedures for the projects of work programs on the agreed draft laws are carried out on the basis of the decision of the Cabinet of Ministers No. 227 dated August 5, 2011.

#### **4. Creation of a single automatic program that develops drafts of regulatory and legal documents.**

In order to ensure the implementation of point 4 of the Roadmap approved by the Decree of the President of the Republic of Uzbekistan No. PF-5997 dated May 19, 2020, by creating a program that develops normative legal documents based on uniform templates (templates) developed based on the rules of legal technique, drafts of regulatory legal documents It is desirable to further improve the Unified electronic system of development and agreement.

This Program is placed in the database of the Unified Electronic System for the development and agreement of drafts of normative legal documents, and this Program creates the following conveniences for the subjects of the creation of norms:

- the amount of technical work related to the development of the project is reduced and the time spent is saved;
- the time for the legal examination of the project is reduced;
- paper and other documents are reduced.

In conclusion, it should be noted that the digital transformation of the activity of norm creation, in turn, creates convenience for state agencies and officials performing this activity, as well as for public representatives, while shortening the process, serves to reduce the volume of work in the field.

#### **References:**

1. [www.lex.uz](http://www.lex.uz)
2. [www.minjust.uz](http://www.minjust.uz)
3. Анварова Д. «Фейк» хабарларга қарши курашишнинг қиёсий-ҳуқуқий таҳлили //Правовые вопросы противодействия мошенничеству и киберпреступлений. – 2021. – Т. 1. – №. 1. – С. 51-53.
4. Анварова, Д. (2021). «Фейк» хабарларга қарши курашишнинг қиёсий-ҳуқуқий таҳлили. *Правовые вопросы противодействия мошенничеству и киберпреступлений*, 1(1), 51-53.

5. Anvarova, D. A.. (2021). Ensuring Women's Social Rights is a Factor in Poverty Reduction. *Middle European Scientific Bulletin*, 18, 30-32.  
<https://doi.org/10.47494/mesb.2021.18.839>
6. Anvarova, D. A. . "Ensuring Women's Social Rights Is a Factor in Poverty Reduction". *Middle European Scientific Bulletin*, vol. 18, Nov. 2021, pp. 30-32, doi:10.47494/mesb.2021.18.839.