

PRAVOVYE NOVYY INSTITUTES OF THE CIVIL SOCIETY IN THE LEGAL REPUBLIC OF UZBEKISTAN*Sharipov Asror Safar ugli**Sh. Rashidova of the Samarkand State University**Faculty of Law Student, 3rd year*

Abstract: In this state, the views on the civil society, the civil society institutes, the issues of the legal basis of the civil society institutes, enshrined in the Constitution and other regulatory acts, are analyzed. These proposals and recommendations for improving the legislation on the civil society.

Key words: legal foundations of civil society, civil society institutions, NPOs, community associations, civil society institutions.

Authorize. Today, mass reforms are being implemented that are beneficial for the global development of our country, the creation of a democratic legal state and a free civil society. This includes reforms implemented in the overall governance of the state, increasing the efficiency of legislative activity, ensuring the implementation of fundamental laws, increasing the role and participation of citizens in government, as well as ensuring the role of society in legislative proceedings and taking into account public opinion. Opinion in fundamental documents. As our President Sh.M. Mirziyoyev noted: I have done myself a great service - to build a new Uzbekistan together with my brave and noble nation. In this connection, the term "community - initiator of reform" is increasingly becoming an ongoing activity in our country.[1]

The main goal of the reform in our country is, of course, the creation of a human democratic state, which is discussed in the preamble of our Constitution. Only in countries where democracy exists can we build a civil society and guarantee the free and legal activity of civil society institutes.

Review of literature and methodology. It is worth noting that the legal literature and legislation of our country do not provide a solid definition of the responsibilities of the civil society and civil society institutes. However, some legal scholars have defined the above-mentioned principles.

In particular, according to legal scholar Odilkoriyev, civil society is a society that puts the interests of each person first, creates an environment of respect for legal traditions and laws, respects universal human values, unconditionally ensures human rights and freedoms, creates effective mechanisms for public control over state power and deeply spiritually shapes human relations. free democratic legal society, based on cultural values.[2]

Drugoy learned-lawyers posit that the civil society is a free, legal, democratic, highly cultural society, in which the principles of rights, morality, humanity and justice are fulfilled. This is also a society based on multi-faceted competition, mixed economy, entrepreneurship, based on initiative, and a reasonable balance of interests of different social layers.

In general, according to I.N. Matuzova, civil society is a combination of external relations (economic, social, cultural, educational, spiritual, family, religious) with respect to government and politics, mutual interests, desires and aspirations of citizens, they are common, and class-immovable. Therefore, since civil society is manifested in broad and multifaceted concepts, today it is difficult to find a single accepted definition of civil society, whereas in scientific sources it is given multiple definitions. Discussion. So, I looked at these higher descriptions of civil society. Now let's turn to civil society institutes. Civil society institutes are non-governmental (non-commercial) organizations whose activities are aimed at protecting democratic values, human rights and freedom, legitimate interests, realizing the potential of society, enhancing their cultural and socio-economic activity, as well as maintaining the balance of human rights and freedom and civil interests in society.

Civil society institutions are democratic institutions that reflect the essence and existence of civil society and contribute to the formation and development of society.

The legal basis for the activities of civil society institutions are normative legal acts that legally guarantee the lawful activities of these institutions, the implementation of the goals and objectives defined in their charters and regulations.

Legislative acts that determine the legal basis for civil society institutions in the Republic of Uzbekistan can be classified and grouped according to various criteria. In particular, researcher D. Kholmanova classified the legislative system regulating the activities of non-governmental non-profit organizations and other civil society institutions as follows:

- norms established by the Constitution of the Republic of Uzbekistan;
- norms established in the codes of the Republic of Uzbekistan;
- Laws of the Republic of Uzbekistan:
 - a) universal laws;
 - b) special types of laws;
- by-laws;
- international documents.

The initial legal foundations of civil society institutions are reflected in the norms of our Constitution. The provisions of the chapter "Public Associations" of the Constitution of the Republic of Uzbekistan strengthen the legal foundations of civil society institutions. In particular, Articles 69-75 contain provisions on the concept of public associations, civil society institutions such as trade unions, political parties and religious organizations. Article 70 of this chapter defines what types of organizations are recognized as public associations, according to which: trade unions, political parties, societies of scientists, women's, veterans and youth organizations, creative unions, mass movements and other associations of citizens are recognized as public associations.

Article 71 of the Constitution contains rules regarding what types of civil society institutions cannot be created. These rules are as follows:

- who seeks to change the constitutional order by force;
- on the sovereignty, integrity and security of the republic, the rights of citizens against constitutional rights and freedoms;
- propagandizes war, social, national, racial and religious hatred;
- infringes on the health and spirituality of the people;
- paramilitary associations, national and religious political

The creation and activities of parties and public associations are prohibited;

- The creation of secret societies and associations is prohibited. [9]

When creating political parties, trade unions, public movements and other types of civil society institutions, it is necessary to strictly adhere to the guiding principles set out in the Basic Law.

The legal foundations of civil society institutions are enshrined in the Constitution and other regulations, as well as in a number of codes of the Republic of Uzbekistan.

Article 16 of the Labor Code of the Republic of Uzbekistan, which establishes the basic labor rights of workers, enshrines the right of workers to join trade unions, which are an important institution of civil society, according to which: every worker has the right to join trade unions and other organizations representing the interests of workers and work collectives.

Article 17 of this Code lists the basic rights of employers, including the right of employers to create public associations and join such associations.

Articles 73-78 of the Civil Code of the Republic of Uzbekistan contain provisions regulating the activities of non-profit organizations, including media cooperatives (Article 73), public associations (Article 74), public funds (Article 75), institutions (Article 76). These include provisions regulating the activities of associations of legal entities (Article 77), citizens' self-government bodies (Article 78). The Criminal Code of the Republic of Uzbekistan also contains provisions concerning the activities of civil society institutions. These include the illegal creation of public associations or religious organizations specified in Article 216, calls for participation in the activities of illegal public associations and religious organizations specified in Article 216-1, violation of the legislation on religious organizations specified in Article 216-2, as well as meetings, rallies specified in Article 217. We can mention the provisions on violation of the procedure for organizing and holding street processions or demonstrations.

The legal basis for civil society institutions is determined not only by the Constitution and codes, but also by special and universal laws. These laws include:

- Law of the Republic of Uzbekistan "On Political Parties" (26.12.1996);
- Law of the Republic of Uzbekistan "On Public Associations" (15.02.1991);
- Law of the Republic of Uzbekistan "On Non-Governmental Non-Commercial Organizations" (14.04.1999);
- Law of the Republic of Uzbekistan "On State Funds" (29.08.2003);
- Law of the Republic of Uzbekistan "On Freedom of Conscience and Religious Organizations" Law "On" (01.05.1998);
- Law of the Republic of Uzbekistan "On the Activities of Non-Governmental Non-Commercial Organizations" Law "On Guarantees" (03.01.2007);
- Law of the Republic of Uzbekistan "On Citizens' Self-Government Bodies" Law "On" (14.04.1999);
- Law of the Republic of Uzbekistan "On Trade Unions" (06.12.2019);
- Law of the Republic of Uzbekistan "On Financing Political Parties" Law "On" (30.04.2004);
- "Associations of Private Homeowners" of the Republic of Uzbekistan "On" and other special types of laws.

Results. Of the listed legislative acts, the laws "On Public Associations" and "On Non-Governmental Non-Commercial Organizations" are universal laws. Because these legal documents regulate legal relations associated with almost all types of civil society institutions. In particular, the Law "On Public Associations" determines which organizations are recognized as public associations and what

specific relations in relation to civil society institutions are covered by this Law. Article 1 of the law defines a public association as follows:

A public association is a voluntary structure that arose as a result of the free expression of will of citizens who have united for the joint implementation of their rights, freedoms and legitimate interests in the sphere of politics, economics, social development, science, culture, ecology, etc. and other spheres of life.

Political parties, mass movements, trade unions, women's, youth and children's organizations, veterans' and disabled people's organizations, scientific and technical, cultural and educational, physical education and sports and other voluntary societies, creative associations, associations of compatriots, associations and other Public associations are recognized as associations of citizens' organizations.

Part 3 of the article establishes which institutions this law does not apply to, in accordance with which:

This Law does not apply to cooperative organizations and other organizations pursuing commercial goals or assisting other enterprises and organizations in obtaining profit (income), religious organizations, citizens' self-government bodies, as well as other bodies whose organization and activities are determined by other legislation.

According to the Law "On Non-Governmental Non-Commercial Organizations", a non-governmental non-commercial organization is an organization created on a voluntary basis by citizens and (or) legal entities, whose main goal of its activities is not to generate income (profit) and distribute the received income (profit) among its participants (members). means a non-distributive self-governing organization.

Thus, these two legal documents regulate general relations associated with civil society institutions. Institutions that belong to a separate category (political parties, trade unions and religious organizations) are regulated by special types of laws, which are listed above.

The last of the legal foundations that guarantee the creation and functioning of civil society institutions are legislative acts (decrees, resolutions and orders of the President, resolutions of the Cabinet of Ministers, etc.) and international documents ratified by the Oliy Majlis.

Conclusion. In conclusion, it can be said that civil society institutions are democratic institutions that are not organized by the state, do not make profit as the main goal of their activities and are created to jointly satisfy the social, cultural, political and spiritual needs of citizens, facilitating the implementation of their rights and freedoms. The legal basis of civil society institutions is formed by regulatory legal documents that guarantee their functioning. The reforms carried out in our country and the formation of new social relations also require the improvement of legislation related to civil society institutions. We can make the following proposals and recommendations for improving the legislation:

to provide a clear scientific definition of the concepts of "civil society" and "civil society institutions" in legislation;

to combine documents that have the same content and similar subject of regulation, in particular, "On Public Associations" and "On Non-Governmental Non-Commercial Organizations", into a single law;

or, as our President emphasized, create the necessary conditions for the free activity of civil society institutions, their active participation in state and public administration, as well as improve the mechanisms of their support from the state by adopting the Non-Discrimination Code. State non-profit organizations;

Studying the best foreign practices in improving legislation and its implementation in national legislation.

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