

Formation of the Foundations of E-Democracy in Uzbekistan: Current State, Approaches to Effective Interaction between the State and the Citizen

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Abstract

The article is devoted to the analysis of some theoretical and practical aspects of such a phenomenon as the system of interaction between the state and the citizen in the Republic of Uzbekistan, as well as the consideration of the grounds and conditions for the establishment of e-democracy, the importance of administrative procedures and public services. The relevance of this article due to the rapid digitalization of modern society and the development of e-democracy at the state level. This supports forward and backward linkages between the state and civil society, active participation of the population in the government. This article analyzes the current state of e-democracy in Uzbekistan. E-democracy is considered in the context of the process of increasing the participation of citizens in the democratic management of state affairs, ensuring the transparency of the activities of state bodies, as well as their interaction with the population. The author notes that the elements of e-democracy are most visibly manifested in the practice of interaction between the state and society.

Given the assessment of the state of development of e-democracy in the country, the author made an attempt to consider the prospects for its further development in Uzbekistan. Administrative procedures and public services are considered as instruments of interaction between the state and the population, in the context of dialogue between the state and the citizen.

Keywords: E-democracy, e-government, public services, administrative procedures, interaction between the state and the citizens.

I. Introduction

For more than a quarter of a century in the post-Soviet countries, transformation processes continue, associated with the transition from a totalitarian state of the Soviet type to a democratic and legal state. From the first days of state independence in the Republic of Uzbekistan, one of the priority tasks of building a democratic rule-of-law state, deepening socially oriented market reforms is the development of democratic institutions, civil society, a modern system of government bodies, parliamentarism and a multiparty system, etc. In this sense, the task was to ensure the consistent dismantling of the former and the formation of a fundamentally new socio-economic and political-legal system.

Today, Uzbekistan is carrying out a large-scale reconstruction and modernization of the country reforming all aspects of public life. The essence of the reforms is their focus on achieving a decent level of material well-being and quality of life of the people, ensuring sustainable economic development and realization of human rights and freedoms. An important area of reform was the establishment of a communication channel between the state and the citizen and the creation of institutional and legal foundations for their effective interaction on the basis of modern innovative technologies and tools. These include e-democracy, administrative procedures, and public services.

As a result of the reforms, the borders between the state and citizens are changing, on the one hand, due to the renewal of the state and its functions, and on the other hand, due to the transfer of certain public management powers to affairs to citizens and non-governmental organizations. The important result of the reforms are as follows: expansion public participation in government; strengthening of public control over public authorities; and involvement of public in the process of state decision-making.

The transition to an information society leads to the transformation of the political institutions of democracy. As a result of the rapid development of modern information technologies, discussions have intensified about the nature of their influence on democratic institutions and processes based on a new form of interaction between the state and citizens.

The lack of research during the formation of the information society in Uzbekistan was the motivation for writing this work. Currently, the necessary legislation is being formed in Uzbekistan, which is the basis for the effective reg-

ulation of relations, however, for its more rapid introduction into the legal plane, a detailed analysis of the existing trends in the main industry modifications is required, including an analysis of the role of law in the formation of a new stage in the development of society.

The main purpose of the study is to identify the features of the formation of e-democracy in a particular post-Soviet country, as well as the significance of legislative acts in this process and their practical implementation.

To achieve this goal, the following tasks are supposed to be solved:

- analyze the basic concepts of the information society, identify the features, main features and differences between e-democracy and e-government, and trace the genesis of the formation of these political and legal institutions;
- identify the features of the development of electronic democracy, set out in the works of post-Soviet and other foreign scientists from the point of view of the changes that have taken place in the country and the need to form a new paradigm for the development of society and law;
- consider some aspects of creating institutional and legal foundations for effective interaction between state and citizens on the basis of modern democratic institutions, innovative technologies and tools, such as e-democracy, public services, and administrative procedures.

II. “E-government” and “E-democracy”: Conceptual and Substantive Dilemmas

As is known, a developed information space increases the level of involvement of the population in the political system of society and improves its efficiency. The concepts of civil and information society are interconnected in the Okinawa Charter for a Global Information Society, adopted on July 22, 2000 by the leaders of the G8 countries in Okinawa. [...] policy advice to foster competitive, flexible and socially responsive policies. Among the main objectives outlined in this document it is noted “[...] supporting policy advice and local capacity

building, to promote a pro-competitive, flexible and socially inclusive policy and regulatory environment.”¹

A new stage is coming in the development of information exchange processes, characterized by the intensive introduction of modern computer, television and radio broadcasting, telephone technologies and communication services, and the rapid spread of local and global communication networks. All this creates a fundamentally new quality of cross-border information exchange and tools for influencing the mass consciousness, increasing the importance of the cultural-informational, socio-psychological, and political aspects of globalization.

In the middle of the twentieth century, as a result of the scientific and technological revolution, society entered a new phase of its development – informational development. In 1973, the famous American scientist Daniel Bell in the work “The Coming of Post-Industrial Society: A Venture in Social Forecasting,”² put forward the concept of the transition of Western society, characterized as an “industrial society,” into the post-industrial stage, which is called the post-industrial society. Back in 1972, Japanese specialists set the task of information development of their society and declared the need to make it informational. M. Castells in the work “The Information age: Economy, Society, Culture,”³ examined the essence of the information revolution. After the publication of 1983 book by Masuda Y,⁴ one of the authors of the “Plan of the Information Society” developed in Japan in the early 70s of the XX century, the early interpretations of the information society proposed by Japanese scientists became the subject of attention of the world scientific community. The invention of the term “information society” itself is attributed to the professor at the Tokyo Institute of Technology Hayashi Y.⁵ It should be noted that even earlier, in the 40s of the XX century, the Australian economist A. Clark A⁶ wrote about the perspective of the information

1 Okinawa Charter on Global Information Society, Kyusu-Okinawa Summit 2000, University of Toronto G8 Information Centre, <http://www.g8.utoronto.ca/summit/2000okinawa/gis.htm> (last visited Oct. 27, 2020).

2 Bell D, *The Coming of Post-Industrial Society. A Venture in Social Forecasting*, 507 (Basic Books, Inc., 1973).

3 Castells M., *The Information Age: Economy, Society and Culture: The Rise of the Network Society*. Maiden (Ma.) 598 (Oxford Blackwell Publishing, 1996).

4 Masuda Y., *The Information Society as Postindustrial Society*, 178 (World Future Society, 1983).

5 Alekseeva I. Yu., *Vozniknovenie ideologii informatsionnogo obshchestva // Informatsionnoe obshchestvo*. 1999. № 1. S. 30-35. [Alekseeva I.Y. The emergence of the ideology of the information society // *Information society*. 1999. Vol. 1. p. 30–35].

6 Clark C., *The Conditions of Economic Progress*, 720 (Macmillan & Co., 1957).

and services society and in the 50s, the American economist Machlup F.⁷ spoke about the onset of the information economy.

As Inozemsev V. L. rightly notes, the introduction of information technologies alone will not lead society to the information stage of development. A renewed industrial society is transformed into an information society when social, economic, production and political processes are transformed on the basis of information and innovative achievements. And since this has not happened yet, each region and each country has the opportunity to understand what their place will be in the global information world and to take the necessary steps to achieve the desired result.⁸

Therefore, in the context of globalization, the transition to an information society leads among other things to the transformation of political institutions of democracy. As a result of the rapid development of modern information technologies, discussions about the theory of democracy have intensified, raising questions about the nature of the influence of the Internet on democratic institutions and processes. There is no doubt that the development of the Internet is already affecting modern power relations.⁹

There are many definitions of the concept of “democracy” in the specialized literature on political science and public administration.¹⁰ Democracy is understood by scientists as a form of government in which citizens can directly participate in decision-making by their chosen public bodies. In this interpretation, democracy is divided into “direct,” in which citizens vote directly or participate in referendums, and “representative.” In a representative democracy, voters elect their representatives, who make specific management decisions, forming legislative and executive bodies of state authority.

Of course, with the rapid increase in the possibilities of electronic com-

7 Machlup F., *The Production and Distribution of Knowledge in the United States*, 436 (Princeton, 1962).

8 Inozemcev V.L. *Sovremennoe postindustrialnoe obeshstvo: priroda, protivorechiya, perspektivi: Ucheb. posobie / V. L. Inozemcev. - M. : Logos, 2000, - 302 s.* [Inozemsev V.L. *Modern postindustrial society: nature, contradictions, prospects. Textbook / Inozemsev V.L. - Moscow : Logos, 2000, - 302 p.*]

9 *Gumanitarnie nauchnie issledovaniya. 2013. №1. [Elektronniy resurs]. URL: <http://human.snauka.ru/2013/01/2145> (data obrasheniya: 24.08.2020).* [Humanities research. 2013. №1. [Electronic resource]. URL: <http://human.snauka.ru/2013/01/2145> (visited date: August 24, 2020)].

10 *Demokratiya i modernizatsiya: k diskussii o vizovah XXI veka / Centr issledovaniy postindustrialnogo obshstva; Vstup. statya V.L. Inozemceva. - M.: Izdatelstvo «Evropa», 2010. - 318 s.* [Democracy and modernization: to a discussion about the challenges of the 21st century / Center for Research on Post-Industrial Society; Introductory article by Inozemtsev V.L. – Moscow: “Yevropa” Publishing House, 2010. — p. 318].

munication, the structure of relations between people in societies and between citizens and authorities are changing. In modern conditions, we can talk about the formation of information societies, in which the creation, dissemination and consumption of information becomes the basis for all political, economic, social and cultural activities carried out by public authorities and employees of the administration. All this leads to a significant acceleration of political changes, which has not been observed until now in the history of mankind. Experts began to define such changes, implemented in accordance with democratic principles and at the same time using information and computer technologies, with such concepts as “digital democracy,” “Internet democracy” or “e-democracy.” The concept of e-democracy is being actively developed in modern science. Experts identify two areas in it - direct democracy (participatory democracy) and communitarian democracy. The first direction is presented by Masuda Y.¹¹ and Barber B.,¹² who note the increased importance of direct participation of citizens in politics and the management of public affairs through new information channels. The supporters of the communitarian approach (Etzioni A.,¹³ Rheingold H.¹⁴) note that various groups, associations, and citizens interact in the electronic space, discussing and making decisions on a wide range of issues without the participation of professional mediators.

At the same time, some scholars speak of a qualitatively new stage in the development of democracy, indicating a kind of return to direct democracy with its absence of intermediaries in the person of elected representatives, political parties and other structures. The introduction of new information technologies leads to the onset of the third (earlier there were ancient and representative) era of democracy (Grossman L.).¹⁵ In this regard, e-democracy can be viewed as a form of interaction between the people and the government, in which the processes of informing and involving citizens in politics, voting, joint discussion and decision-making, control over their implementation, etc. are carried out on the basis of the latest information and communication technologies. Thus, e-democracy

11 Masuda Y., *supra* note 4.

12 Barber B., *Strong Democracy: Participatory Politics for a New Age*, (U. Cal. Press, 1984).

13 Etzioni A., *The Spirit of Community: Rights, Responsibilities and the Communitarian Agenda*, 336 (Touchstone, 1993).

14 Rheingold H., *Virtual Community: Homesteading on the Electronic Frontier*, 325 (Addison-Wesley, 1993).

15 Grossman L., *The Electronic Republic: Reshaping Democracy in the Information Age*, (The Viking Press, 1995); *Id.* O. V. Omelichkin, *Elektronnaya demokratiya: ponyatie, problemi // Vestnik KemGU. Politicheskije nauki i sociologiya. 2014 № 1 (57) T. 2.* [Omelichkin O.V. E-democracy: concept, problems // Bulletin of the KemSU. Political Science and Sociology. 2014 No. 1 (57) T. 2].

ensures the provision of various public services and information on the activities of relevant institutions to the population and allows citizens to participate in the discussion of socially significant problems and the adoption of major decisions, in control over their implementation.

I would like to draw your attention to the fact that e-democracy is not just another stage in the global development of democratic institutions, and at the same time, not just a technical innovation that allows citizens to communicate more conveniently with their government, and the government - to promptly receive information about its citizens. E-democracy is a way to raise the issue of democracy in a new way, to identify the key problems of any democratic system, and to understand what dangers the mass digitalization of communications is preparing and what prospects are possible for the real democratization of mass politics including through a radical reorganization of traditional institutions of democracy.

The Recommendations of the Committee of Ministers of the Council of Europe on e-democracy CM/Rec (2009) 1 (adopted by the Committee of Ministers on February 18, 2009 at the 1049th meeting of deputy ministers) states that e-democracy includes following elements: e-parliament, e-legislation, e-justice, e-mediation, e-environment, e-election, e-referendum, e-initiative, e-voting, e-consultation, e-petitioning, e-campaigning, e-polling and e-surveying.

As stated in these Recommendations, “E-democracy is one of several strategies for supporting democracy, democratic institutions and democratic processes and spreading democratic values. It is additional, complementary to, and interlinked with traditional processes of democracy.”¹⁶

With the emergence of an understanding among citizens of the responsibility of the state, private and public sectors for solving certain problems, there came an awareness of the phenomenon of active citizenship as a collective form of control over the solution of problems that are important for everyone.¹⁷ The

16 Recommendations of the Committee of Ministers CM / REC (2009) 1 on e-democracy and the explanatory Note, https://www.coe.int/t/dgap/goodgovernance/Activities/Key-Texts/Recommendations/Recommendation_CM_Rec2009_1_en_PDF.pdf.

17 Ershova T.V., Hohlov Yu.E., Shaposhnik S.B. Informacionnoe obshestvo dlya vseh segodnya i zavtra: sovместnie deystviya zainteresovannih storon po realizacii strategii razvitiya informacionnogo obshestva // Informacionnoe obshestvo, 2008, vip. 5-6, S. 18-25. [Yershova T.V., Khokhlov Y.E., Shaposhnik S.B. Information Society for All Today and Tomorrow: joint actions of stakeholders to implement the strategy for the development of the information society // Information Society, 2008, 5-6th eds. at 20].

result of such social control depends on the accuracy of the necessary information and the promptness of its transmission, and therefore requires the introduction of information and communication technologies in all spheres of society and their mass development.

It should be noted that at present in Uzbekistan, there is a significant limited number of publications,¹⁸ devoted to the theoretical foundations of understanding the very phenomenon of electronic democracy through the prism of correlating existing theories of democracy in domestic and foreign discourse. Although in recent years, in Uzbekistan, there have been some works covering some scientific and theoretical issues of the formation of the “e-government” system,¹⁹ the formation and development of its legal framework, the use of ICT and the introduction of the “e-government” system in the activities of public authorities. Unfortunately, until now, in our country, there are no separate works devoted to the analysis of the legal foundations and practical aspects of the formation of “e-democracy” and they were not the object of independent research.

In the course of the analysis of scientific research literature, the problem of a peculiar congestion of this concept was identified, as it seems, related precisely to a lack of understanding of the content side of e-democracy. In this regard, special attention should be paid to the concept of “e-government.” This phenomenon is also a form of electronic interaction between society and government institutions; however, the content of such interaction is different from electronic democracy.

It should be emphasized that e-government is associated with the introduction of electronic document management technologies, the exchange of information between authorities, individual structures, etc., supplemented by service elements of state and municipal administration.²⁰ In this regard, we can talk about

18 See Saidov S. SH. Chto takoe «internet demokratiya»? Int'l Jour. Humanities & Natural, vol. 2-1. DOI: 10.24411/2500-1000-2019-10528; Talapov B. A. Elektronnaya demokratiya v. Uzbekistane: razvitiya iproblemi. Nauchnyy vestnik Namanganskogo gosudarstvennogo universiteta. 2019, № 3, S.135-141. [Saidov S. Sh. What is Internet Democracy? Int'l Jour. Humanities & Natural Sciences, vol. 2-1. DOI: 10.24411/2500-1000-2019-10528; Talapov B. A. E-democracy in Uzbekistan: development and problems. Scientific Bulletin of Namangan State University. 2019, No. 3, p. 135-141].

19 Sadikov S. A. Formirovanie i razvitie pravovih osnov sistemi «Elektronnnoe pravitelstvo» v. Respublike Uzbekistan. Avtoref. dis. ... na sois. na uch stepeni PhD po yuridicheskim naukam T., 2020. [Sadikov S. A. Formation and development of the legal foundations of the “E-government” system in the Republic of Uzbekistan. Author's abstract. dis. for Ph.D. in legal sciences - T., 2020].

20 Vasileva, E. G., Kononenko D. V. Sovremennie interpretacii koncepcii elektronnogo gosudarstva (elektronnogo pravitelstva) / E. G. Vasileva, D. V. Kononenko // Vestnik Volgogradskogo gosudarstvennogo univer

the difference between these concepts.

Despite the fact that the subjects of interaction within the framework of e-government can be representatives of the so-called “democratic sector,”²¹ which forms the basis of e-democracy participants (government, elected representatives, the media, political parties, lobbying groups, civil society institutions, and citizens), goals their participation and mechanism of interaction are different. While e-democracy is seen as a bottom-up movement, on behalf of the “network crowd,”²² e-government originates from the top, from state institutions. The subject in both cases is electronic interaction, consisting in the exchange of information.

In the case of e-democracy, this level of interaction is aimed at the exchange of information, involving the population in the process of public administration, by increasing or awakening the initiative of the society.²³ There is a kind of transformation of the population, its individual groups and individuals into a kind of lobbying forces promoting their own interests, by building communication with power structures, on the basis of an appeal to the legislatively enshrined principle of the people as a source of legitimacy of power. In particular, this principle is enshrined in Article 7 of the Constitution of the Republic of Uzbekistan.²⁴ Electronic government is based on the interest of the state administration in maintaining the information communication system in order to increase the efficiency of the performance of their functions by the executive authorities.²⁵ The state resorts to

siteta. Seriya 5: Yurisprudenciya. 2016. № 1(30). s. 11. (Vasileva E. G., Kononenko D. V. Modern interpretations of the concept of e-government. Vasileva E.G. Kononenko D.V // Bulletin of the Volgograd State University. Series 5: Jurisprudence. 2016. No. 1 (30). p. 11].

21 Kopalkina, E. A., Yuhanov N. S. *Konceptualnie osnovi issledovaniya elektronnoy demokratiy / E. A. Kopalkina, N. S. Yuhanov // Vestnik Rossiyskogo universiteta druzhbi narodov. Seriya: Politologiya. 2014. № 2.s. 125. (Kopalkina E.A. Yuhanov N.S. Conceptual foundations of e-democracy research/ Kopalkina E.A. Yuhanov N.S., Bulletin of the Peoples' Friendship University of Russia. Series: Political science. 2014. No. 2. p. 125].*

22 Tyutin, D. V. *Elektronnaya demokratiya i uchastie «setevoy tolpi» v sisteme gosudarstvennogo upravleniya /D. V. Tyutin // Sovremennye issledovaniya socialnih problem. 2015. № 2(46). s. 210. (Tutin D.V. E-democracy and participation of the “network crowd” in the system of public administration / Tutin D.V.// Modern studies of social problems. 2015. No. 2 (46). p. 210].*

23 *Id.* at 209.

24 *Konstitutsiyasi [Constitution], Dec. 8, 1992, art.7 (Uzb).*

25 Pavlyutenkova, M. YU. *Elektronnaya demokratiya i elektronnoe pravitel'stvo - predposilka effektivnogo gosudarstva XXI veka / M. YU. Pavlyutenkova // Tehnologii informacionnogo obshestva - Internet i sovremennoe obshestvo. 2005. s. 152. (Pavlyutenkova M. Y. E-democracy and e-government are a prerequisite for an effective state of the XXI century / Pavlyutenkova M. Y // Information Society Technologies – Internet and Modern Society. 2005, at 152].*

the use of such technologies within the framework of the functional need to link various institutions forms an integrated system of interdepartmental interaction and combines differentiated services for the exchange of information and the provision of services to other potential participants.²⁶ We cannot talk about the absence of visible links between these phenomena, since one can observe a partial coincidence of a number of goals of e-democracy and e-government (increasing the efficiency of interaction, increasing public confidence in the authorities, simplifying and simultaneously improving the procedures for providing and obtaining reliable information, and creating a more open system decision making).²⁷ However, there is also a significant difference: e-democracy is aimed at realizing the principle of democracy by the people, creating an environment that allows increasing civic participation; e-government, in turn, is aimed at increasing the efficiency of the performance of functions by state structures, by simplifying the workflow, shifting the vector of the state's orientation towards providing quality services to the population from protecting departmental interests. In this regard, it is possible to agree with the position of Bondarenko S.V., who rightly believes that, despite some observed coincidences in terms of development and functioning, regarding issues of improving the social life of society, these are still multidirectional social actions.²⁸ Summarizing the above, the author believes that the observed desire to combine the political and legal sphere of e-democracy and the administrative and managerial (service) environment of e-government is erroneous. It can lead to a shift in emphasis in the process of formation and implementation of e-democracy technologies and replacement of real communication mechanisms, formalized procedures collection of information.

In my opinion, narrowing the concept of e-democracy to the level of tools designed to facilitate the work of government bodies (collecting, analyzing and shaping public opinion, and optimizing document flow) leads to the substitution of the concept of "e-democracy" for the concept of "e-government." Because the goals of e-democracy are similar to those of good governance: transparency, accountability, amenability, accessibility, participation, subsidiarity (solving

26 Vasileva E. G. Kononenko D.V. Shown works, at 12.

27 Garaeva, S. V. Internet-resurs kak element gosudarstvennogo upravleniya / S. V. Garaeva // Uchenie zapiski Kazanskogo universiteta. Seriya: Gumanitarnie nauki. 2009. T.151.s. 125. (Garaeva S. V. Internet resource as an element of public administration / Garaeva S. V. // Scientific notes of Kazan University. Series: Humanitarian sciences. 2009. T.151. at 125).

28 Pavlyutenkova M. Y., E-democracy and e-government are a prerequisite for an effective state of the XXI century; Pavlyutenkova M. Y., Information Society Technologies – Internet and Modern Society, at 153 (2005).

problems at the lowest or most distant level), trust in democracy, democratic institutions and democratic processes, and social cohesion.

The conducted preliminary study allows us to say that the term “e-democracy” itself is not disclosed at the level of legislation and by-laws of foreign countries, countries of the European Union, and other interstate associations. At the moment, the concept of e-democracy and its content is developed doctrinally based on:

- Studying the current state of democratic institutions in the respective countries and the world and procedures for direct democracy and citizens’ participation in them.
- Assessment and study of the level of development of modern information and communication technologies.
- Generalization of experience in the formation of e-governments.
- Turning to the study of foreign experience made it possible to reveal that the development of e-democracy in the world was often of a staged nature, as, for example, in the practice of the United States, where e-democracy passed the way from tele-democracy (informing on the most important areas of state activity, conducting sociological research using cable television in the 70s of the twentieth century) to cyber democracy (the current stage of development of e-democracy) and in the future – e-democratization (the construction of integrated information systems for the most complete interaction “citizen-government representative” initiative).

In foreign scientific doctrine, it is customary to reveal the concept and content of “electronic democracy” by comparing it with the concept of “electronic government” (E-government). As the analysis of a number of Internet sources (publications in electronic media, scientific works, and information reviews) shows that e-democracy in a broad sense is the consideration of opinions and the involvement of citizens and organizations in political decisions and processes using information and communication means. Unlike e-government, created “from above” for a more efficient functioning of the state apparatus (i.e., in fact, to create a system of e-government), e-democracy is focused on a qualitative increase in the level of citizens’ participation in political life, i.e., to the initiative “from below” in the government.

Also, in research works on the analyzed topic, it is customary to separate the levels of e-democracy: international, national, regional and local. Each of them has its specificity depending on the degree of development of information and communication technologies and the current state of legislation designed to regulate both the functioning of democratic institutions and the legal regulation of these relations in the field of electronic data exchange.

On the basis of the above, e-democracy should be understood as a form of democracy, in which the will of the people in law-making and electoral processes is expressed with the help of information technologies and which is aimed at supporting civil society institutions, as well as at significantly reducing the influence of the administrative and managerial factor in the process of adopting regulatory legal acts and state significant decisions. An essential asset of e-democracy is the increased role of every citizen in all democratic processes taking place in the state.

III. The Establishment of E-democracy in Uzbekistan

As stated above, in the legal science of Uzbekistan, this phenomenon has not been sufficiently studied²⁹ although today, the process of actively introducing this form (or, in another way, expression) of democracy into state legal practice has begun. Among the innovations are the functioning of the Virtual reception room of the President of the Republic of Uzbekistan, the government portal www.gov.uz, the Public Opinion Portal “Mening Fikrim,” the Impact Assessment System of Legislative Acts (IASLA) within the framework of www.regulation.uz portal and others.

In April 2019, a unified electronic system for developing and approving draft legal acts was launched – project.gov.uz. Today, 214 state authorities, state and economic management bodies including 25 companies and 18 commercial banks are connected to work in this system. To support business, in May 2019, the Prime Minister’s Virtual reception portal for reviewing applications from entre-

29 It should be noted that there are a number of works devoted to some issues of e-government activities and citizens’ participation in public administration. However, since e-government and civic participation are only part of the phenomenon of “e-democracy,” a gap in the holistic study of this phenomenon should be noted.

preneurs (including foreign ones) was launched – business.gov.uz. In order to improve the delivery of public services, an updated version of the Unified portal for interactive public services (EPIPS) was launched in September 2019 – my.gov.uz. This more convenient interface allows to view the resource from any device. Today, 193 types of public services are provided to the population through EPIPS and over 18 million applications have been processed. In order to further increase the openness of the activities of state bodies, efforts have been taken to improve the activities of the open data Portal – data.gov.uz.³⁰ As a result, in recent years, it has begun to take shape a fundamentally new model of interaction between the state and citizens through ICT. It has been created the institutional and legal basis for such interaction and has been accumulated certain experience. However, there are many problems and reserves.

In recent years, Uzbekistan has been developing a legal framework consisting of various regulations on organizational, institutional, technological and other issues of e-government and e-democracy. These legal documents can be divided into the following groups:

A. Normative legal acts directly regulating legal relations related to e-democracy

The citizens' right to appeal is one of the important factors for ensuring and effectively protecting human rights, provided for in Article 35 of the Constitution of the Republic of Uzbekistan.³¹ This issue is given a special place in the legislation of Uzbekistan and the principles of its implementation are defined. One of these legal acts is the Law of the Republic of Uzbekistan “On appeals of individuals and legal entities,”³² adopted in a new version in September 2017. This Law has improved the procedure for citizens to apply to state bodies.

This law defines such important provisions as the procedure for submitting appeals by individuals and legal entities; the procedure for considering appeals by state bodies; the rights of individuals and legal entities and the obligations of state bodies when considering appeals. In addition, the law defines the forms and types of appeals and the requirements for them. One of the main changes related to scientific and technological progress and modern information technologies has

30 See Newspaper “Pravda Vostoka” (Pravda Vostoka), May 22, 2020.

31 Konstitutsiyasi [Constitution], Dec. 8, 1992, art. 35 (Uzb.).

32 CL of RUz, No. 49, at 578 (2014).

been the consolidation of the right to apply in electronic form. Now, individuals and legal entities can apply in accordance with the established procedure to the relevant departments or officials by using information and communication technologies.

One of the main innovations of this Law is the legal regulation of issues related to the activities of People's reception rooms and the Virtual reception of the President of the Republic of Uzbekistan. Along with the legislative consolidation of their main tasks, rights and main tasks, and rights and obligations, it also provides for the creation of virtual reception offices of state bodies, organizations and officials.

The law of the Republic of Uzbekistan "On the openness of the activities of the government agencies and governance"³³ is aimed at ensuring access of individuals and legal entities to information about the activities of state authorities and management, guaranteeing the right to receive information about the activities of state bodies, as well as increasing their responsibility for decisions. In order to implement this law, a set of measures has been approved and a special Public Council has been established to coordinate and monitor activities aimed at ensuring the openness of the activities of state authorities and management.

Thus, the improvement of the mechanism of public control largely depends on the degree of openness of the activities of public authorities and management as well as the widespread use of modern information and communication technologies.

It should be noted that the above-mentioned Law, in conjunction with the laws "On principles and guarantees of freedom of information,"³⁴ "On guarantees and freedom of access to information,"³⁵ and "On dissemination of legal information and ensuring access to it,"³⁶ creates a legal mechanism for mandatory informing by state bodies of society about their activities, providing wider access to this information and interaction with state bodies.

33 CL of RUz, No. 12, at 209 (2014).

34 Oliy Majlis of the Republic of Uzb. Bull., no. 1, 2003, at.2.

35 Oliy Majlis of the Republic of Uzb. Bull., no. 4-5, 1997, at.108.

36 CL of RUz, No. 36, at 944 (2017).

Resolutions of the Cabinet of Ministers of The Republic of Uzbekistan:

- Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 181 on August 23, 2007 “On measures to further improvement the interaction of state and economic administration bodies, local government with legal entities and individuals using information and communication technologies”³⁷
- Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 377 on December 31, 2014 “On measures to further improve the procedure for the provision of public services to business entities”³⁸
- Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 320 on November 6, 2015 approved a set of measures aimed at implementation of the provisions of the Law of the Republic of Uzbekistan “On the openness of public authorities and administration bodies”³⁹

B. Normative legal acts regulating legal relations related to organizational, institutional, and technological issues of e-government.

The following is a list of these acts:

Laws of the Republic of Uzbekistan:

- “On Informatization”;⁴⁰ “On Electronic Digital Signature”;⁴¹ “On Electronic Document Management”;⁴² “On Electronic Commerce”;⁴³ and “On E-Government.”⁴⁴

37 CL of RUz, No. 33-34, at 348 (2007).

38 CL of RUz, No. 1, at 9; No. 46, at 584 (2015).

39 CL of RUz, No. 45, at 575 (2015).

40 Oliy Majlis of the Republic of Uzb. Bull., no. 1-2, 2004, at.10.

41 Oliy Majlis of the Republic of Uzb. Bull., no. 1-2, 2004, at.12.

42 CL of RUz, No. 20, at 230 (2004).

43 *Id.* at 132. CL of RUz.

44 CL of RUz, No. 49, at 611 (2015).

Decrees and Resolutions of the President of the Republic of Uzbekistan:

- Decree of the President of the Republic of Uzbekistan No. 3080 on May 30, 2002 “On the further development of computerization and implementation of information and communication technologies”⁴⁵
- Resolution of the President of the Republic of Uzbekistan No. 117 on July 8, 2005 “On additional measures for the further development of information and communication technologies”⁴⁶
- Resolution of the President of the Republic of Uzbekistan No. 1730 on March 21, 2012 “On measures for the further implementation and development of modern information and communication technologies”⁴⁷
- Resolution of the President of the Republic of Uzbekistan No. 1989 on June 27, 2013 “On measures for the further development of the National Information and Communication System of the Republic of Uzbekistan”⁴⁸ - Decree of the President of the Republic of Uzbekistan No. 5185 on September 8, 2017 “On approval of the Concept of administrative reform in the Republic of Uzbekistan”⁴⁹
- Decree of the President of the Republic of Uzbekistan No. 5278 of December 12, 2017 “On measures for the fundamental reforms of the national system of public services to the population”⁵⁰
- Resolution of the President of the Republic of Uzbekistan No. 3430 on December 12, 2017 “On the organization of activities of the Agency for Public Services under the Ministry of Justice of the Republic of Uzbekistan”⁵¹

45 <http://www.lex.uz/docs/152472>.

46 CL of RUz, No. 27, at 189 (2005).

47 CL of RUz, No. 13, at 139 (2012).

48 CL of RUz, No. 40, at 528 (2013).

49 CL of RUz, No. 37, at 979 (2017).

50 National Legislation Database, Dec. 13, 2017, No. 06/17/5278/0404.

51 National Legislation Database, Dec. 13, 2017, No. 07/17/3430/0406.

- Decree of the President of the Republic of Uzbekistan of May 19, 2020 No. 5997 “On measures of further improvement of the activities of bodies and institutions of justice in the implementation of state legal policy”⁵²

In accordance with this Decree and the Resolution of the President of the Republic of Uzbekistan of April 13, 2018 No. 3666 “On organizational measures of further improvement of the activities of the Ministry of Justice of the Republic of Uzbekistan,”⁵³ the Concept for the development of bodies and institutions of justice in 2020 - 2024 was developed. This Concept provides for the further improvement of the unified electronic system for the development and approval of draft regulatory legal acts by introducing innovative methods of activity into the rule-making process using modern informative-communication technologies and introducing a “virtual justice” system through the phased digitalization of databases of bodies and institutions of justice and public services.

- Resolution of the President of the Republic of Uzbekistan of August 4, 2020, No. 4797 “On additional measures of automatization of the procedures for the provision of state social services and aid to the population”⁵⁴
- Resolution of the President of the Republic of Uzbekistan of September 3, 2020 No. 4818 “On measures of digitalization of the activities of the judicial authorities”⁵⁵

Resolutions of the Cabinet of Ministers of The Republic of Uzbekistan

- Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 250 on September 16, 2013 “On measures for organization the activities of the system development center” was adopted “E-government” under the Ministry of Development of Information Technologies and Communications of the Republic of Uzbekistan”⁵⁶ (The act expired in 2019).
- Resolution of the Cabinet of Ministers of Uzbekistan aimed at

52 National Legislation Database, May 20, 2020, No. 06/20/5997/0634.

53 National Legislation Database, Apr. 4, 2018, No. 07/18/3666/1073.

54 National Legislation Database, Aug. 5, 2020, No. 07/20/4797/1138.

55 National Legislation Database, Sep. 4, 2020, No. 07/20/4818/1255.

56 CL of RUz, No. 38, at 492 (2013).

the formation and improvement of the “Electronic Government” system in Uzbekistan was the Decree of the Cabinet of Ministers on December 31, 2013 No. 355.⁵⁷ - Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 184 on June 2, 2016 “On measures to improve the provisions of electronic public services”⁵⁸

- Resolution of the Cabinet of Ministers of the Republic of Uzbekistan of June 2, 2016 No. 185 “On measures to further improve the procedure for conducting transactions in electronic commerce”⁵⁹
- Resolution of the Cabinet of Ministers of the Republic of Uzbekistan on June 3, 2016 No. 188 “On further measures to implement the Law of the Republic of Uzbekistan “On e-government” to improve the procedure for the provision of electronic public services”⁶⁰

One step in the development of e-democracy was the adoption of the Presidential Decree “On measures for the widespread introduction of the digital economy and e-government” on April 28, 2020.⁶¹ The above-mentioned Presidential Decree provides for the complete modernization of the country’s digital infrastructure and ensuring access to modern telecommunications services in all regions, is aimed at further expanding the introduction of modern information technologies in the economy and the public administration system. The “e-government Project Management Center” was created to implement the tasks set.

These legal acts formed a solid basis for further deepening the reform of the public administration system and increasing its effectiveness. They provide for the consistent implementation and expansion of the use of modern ICT in the public administration system, the creation and maintenance of the e-government system, increasing the transparency and openness of government agencies, and the responsibility of officials. However, there are many problems and reserves. In fact, it is observed here that practice in this matter is significantly ahead of

57 CL of RUz, No. 2, at 341 (2014).

58 CL of RUz, No. 23, at 265 (2016).

59 *Id.* at 266.

60 *Id.* at 269.

61 National Legislation Database, Apr. 29, 2020, No. 07/20/4699/0520.

science, while the latter should not take the position of an outside observer, but should timely study the conditions, state and prospects for the development of electronic democracy.

Apparently, therefore, when determining the content and characteristics of the concept of “electronic democracy,” researchers express different opinions and approaches.⁶² M.S. Grigoryeva believes that the concept of “electronic democracy is complex and multidimensional” and its essence carries two semantic loads: “democracy” and “electronic methods of its implementation.”⁶³ Other experts argue the thesis about “changing the modern democratic paradigm into more open one, which helps establish pluralism, new values, needs, methods and procedures.”⁶⁴ According to A. Yuldashev, public discussion on the Internet allows “to significantly increase the efficiency of work with proposals as well as to create conditions for an objective understanding by citizens of the content and purpose of government decisions, their informed participation in the conduct of public affairs.”⁶⁵ As for Uzbekistan, e-democracy is becoming an important tool for the implementation of democracy, support for democratic institutions and the spread of democratic values in Uzbekistan, it complements and enriches the traditional forms and channels of democracy.

Today, the information environment is becoming a multifunctional environment, providing great opportunities for expanding the participation of the population in public administration and the interaction of citizens with public authorities in the provision of public services in electronic form.

So, as of October 19, 2020, the “Mening Fikrim” portal received 4028

62 According to Antonov Y.V., e-democracy is a legal, technological and managerial structure within which various public law institutions (“E-government,” “E-parliament,” “E-government,” “E-justice”) and instruments (for example, a public discussion of draft regulatory acts on the Internet, an electronic forum on significant state and political issues) are created and developed. See Антонов Я.В. Электронное голосование в системе электронной демократии: конституционно-правовое исследование: автореф. дисс..... канд. Юрид. Наук. – М., 2015. – at 3 (Antonov Y.V. Electronic voting in the system of electronic democracy: constitutional research: dissertation abstract).

63 Григорьева М.С. Правовое определение, сущность и содержание понятия «электронная демократия» (Grigoryeva M.S. Legal definition, essence and content of the concept of “electronic democracy”), Юридическая наука. 2018, # 3. – at 43.

64 Телешина Н.К. Понятие и сущность электронной демократии (Teleshina N.K. The concept and essence of e-democracy), Государство и право: теория и практика. 2016. # 1(2). – at 63.

65 Йулдошев А. Актуализация онлайн общественного обсуждения проектов нормативно-правовых актов в условиях свободного доступа к ним (Yuldoshev A. Updating of online public discussion of draft regulatory legal acts in the conditions of free access to them), Право и жизнь. 2017. #232 (10), 233 (11), 234 (12). – at 24.

collective appeals with the initiative to adopt a regulatory act, according to which 26,609 user comments were given,⁶⁶ 3,726,949 appeals were received in the Virtual Reception Room of the President of the Republic of Uzbekistan, of which 3,673 670 reviewed,⁶⁷ on the IASLA portal discussed 6939 draft regulatory acts, according to which citizens gave 34,299 proposals.⁶⁸ These figures clearly demonstrate the process of expanding the use of interactive methods of implementing democracy through ICT and the establishment of the institution of e-democracy in the Republic of Uzbekistan.

An analysis of the functioning practices of the above portals shows the presence of a number of problems that need to be addressed. So, the results of public discussions, the results of the consideration of public initiatives (petitions) received on the “Mening Fikrim” portal are not always posted on the portal. The procedure for identifying users is somewhat complicated.⁶⁹ The insufficient computer literacy of users and the preservation of the digital divide between the center and the regions of the republic also worthy of note.⁷⁰ A document defining a strategy for the development of e-democracy in Uzbekistan on a long-term basis has not yet been adopted.

Assessing the state of development of e-democracy in our country, we believe it is possible to draw the following conclusions:

- The implementation of ICT in public practice (including public administration) allows us to talk about the formation in Uzbekistan of the primary elements of the institution of “electronic democracy” which represents a system of principles, norms, standards and procedures for the exercise of democracy through ICT;
- The establishment of this institution means a new step in the development of democratic self-government of the society. In

66 <https://meningfikrim.uz/ru/pages/about>, (last visited Oct. 19, 2020).

67 <https://pm.gov.uz/ru/#/>, (last visited Oct. 19, 2020).

68 <https://regulation.gov.uz/ru/>, (last visited Oct. 19, 2020).

69 See Draft “Concept of the national strategy “Digital Uzbekistan-2030», <https://regulation.gov.uz/uz/document/10574>, accessed Mar. 25, 2020, access mode is free. This section also contains data on the place of Uzbekistan in the respective ratings, which characterizes the state of affairs in the “UN e-government development Index 2018” - 81 place (0.6207 points) among 193 countries; in the “e-participation Index 2018” - 59 place; in the “telecommunications infrastructure development Rating 2018” -114 place; in the “Internet speed Rating of countries” for 2019-129 place.

70 <https://regulation.gov.uz/uz/document/10574>.

no case should e-democracy be perceived as a kind of “fashion brand,” a tribute to modern trends. Its formation is fundamental which is objectively claimed by life. Its implementation entails changes in the entire architectonics of power relations, a departure from a simplified understanding of democracy as a simple representation of the majority of the people to recognition of the importance and value of all forms (including innovative) of citizen participation in the exercise of public power;

- Given the novelty of this institution and the still insufficient level of development of e-democracy in our country, the experience of developed countries in this field (Singapore, South Korea, Japan, Estonia, etc.) should be widely studied and actively introduced into domestic practice;
- It is advisable to develop a Concept for the development of e-democracy, designed for the long term and involving the comprehensive systemic development of this institution. The preparation of this document will create a programmatic basis for planning measures in this area, determine goals, objectives and guidelines for further activities, and identify ways to achieve them and expected results. It will provide an opportunity in the future to systematically carry out the transition from electronic government (e-government) to electronic governance (e-governance), which the developed countries of the world are striving for;
- It is necessary to improve the procedures, methods and tools of e-democracy to test and implement new interactive forms of exercising democracy in the public administration system;
- The modern high technology should be used to build a dialogue between the government and civil society to ensure “information transparency” of decision-making by public authorities;
- It is necessary to provide organizational and financial support for public and private Internet projects and other similar initiatives (forums, blogs, online conferences, webinars, etc.) in the field of interactive interaction between citizens, government bodies and public organizations;

- It is necessary to develop electronic voting procedures and implement them in the country's electoral system to widely use on-line voter identification systems in elections;
- The development and implementation of electronic public self-government procedures in mahallas has great potential; the great advantage of e-democracy is the possibility of consolidation and the formation of a coordinated opinion based on the discussion of significant problems of the region's population, development of recommendations for the authorities on the basis of consensus;
- The institute under consideration can significantly improve the quality of identifying unresolved problems in various areas of life, provide effective monitoring of their elimination, and provide quick information on the implementation of decisions made with the participation of citizens;
- Since e-democracy has great potential for improving the interaction between the government and the population, it is advisable to actively promote its advantages, instill an information culture and disseminate knowledge about the possibilities of ICT in public administration. Since digital democracy arises as a result of mastering by citizens of information technologies, it requires a certain level of psychological adaptation of citizens to the innovations and the development of habits of using ICTs in the process of interaction with power structures. V. Pashinskaya rightly notes that "digital democracy arises as a result of the development of information technologies by citizens, it requires a certain level of psychological adaptation of citizens to information innovations and they must learn the habits of using information technologies in the process of interaction with government structures."⁷¹ Therefore, it is necessary to stimulate the education of the general public on the basics of knowledge about the field of ICT to publish booklets and videos on the forms and methods of citizen participation in public administration to prepare appropri-

71 Пашинская В.В. Формирование «электронной демократии» в Российской Федерации (Pashinskaya V.V. The formation of "e-democracy" in the Russian Federation) //Фундаментальные исследования. – 2013. – # 11-6. <http://www.fundamental-research.ru/ru/article/view?id=33293> (last visited Feb. 10, 2019).

ate manuals.

Thus, summing up the results of the analysis, I will conclude that the development of the institution of e-democracy in Uzbekistan is closely associated with the country's socio-economic, legal, administrative and other reforms, and it requires not only the development and improvement of the infrastructure of the public administration and ICT sector, but also an active citizenship of the population, transparency and responsibility of public authorities.

IV. Administrative Procedures as an Instrument of Interaction between a Citizen and the State

Today, Uzbekistan is reforming the sphere of public administration. The ongoing administrative reform is aimed not only at creating an effective public administration system, but also at democratizing the system of interaction between the state and the population.

In order to improve the interaction of state authorities with a citizen, work was carried out to improve administrative procedures aimed at clearly regulating the legal relations of state bodies with individuals and legal entities. An important step in the implementation of administrative reform was the adoption of the Law on Administrative Procedures, which entered into force on January 10, 2019.⁷² In addition, the adoption of the Code of the Republic of Uzbekistan on administrative legal proceedings⁷³ made it possible to unify administrative legal proceedings in the consideration and resolution of administrative cases on the protection of violated or disputed rights, freedoms and legitimate interests of citizens and legal entities.

The streamlining of administrative procedures serves to improve the performance of the state apparatus, eliminate red tape, and increase the responsibility of civil servants for the implementation of their tasks and functions. As Starilov Y. N. correctly noted, the problem of streamlining administrative procedures is inextricably linked with ensuring the rule of law in the field of public administration, improving the state apparatus, its internal and external relations,

72 National Legislation Database, Jan. 9, 2018, No. 03/18/457/0525.

73 National Legislation Database, Jan. 26, 2018, No. 02/18/APK/0627.

and also realizing the rights and freedoms of citizens and organizations.⁷⁴ Since administrative procedures are used almost daily in the activities of any organ or institution of the state, they represent an important channel for the relationship between the state and the individual.

Foreign experience shows that only clear, transparent, and clearly defined procedures will help avoid abuse of officials and violations of the rights and freedoms of citizens. The law must strictly regulate the procedure and rules for executive and administrative activities of state bodies (for example, permits, control and supervision, registration and other powers). For example, careful and comprehensive regulation of all types of administrative activities such as strict formalization of the administrative process in the United States allows us to achieve the goals of protecting individual rights and to avoid bureaucracy and administrative arbitrariness.⁷⁵ Administrative procedures, being a special type of administrative process represent the activities of public authorities in the consideration and resolution of individual administrative cases in which there is no dispute. Under administrative procedures, legal liability measures are not applied (with the exception of some administrative coercive measures).

Thus, administrative procedures can be represented as a logically isolated sequence of actions of the body (its officials) in the performance of a public function or the provision of public services. The procedure is the sequence (order) of actions of public authorities enshrined in the rules of law, necessary for the implementation of the tasks and functions established by them for the normative. Simply put, these are the procedural rules governing the administrative and legal activities of administrative bodies.

Administrative procedures provide legal interaction of authorities with citizens through its maximum investment in the form of a normatively defined order (procedures) of actions. These procedures are one of the guarantees of the realization of the rights of citizens and organizations in relations with the state, their protection from abuse of officials.

The interaction of the state with citizens is especially common in areas

74 Стариков Ю.Н. Из публикаций последних лет: воспоминания, идеи, мнения, сомнения...: сборник избранных научных трудов (Starilov Y. N. From publications of recent years: memoirs, ideas, opinions, doubts ...: a collection of selected scientific works)/Воронежский государственный университет. Воронеж : Издательство Воронежского государственного университета, at 489-490 (2010).

75 Никеров Г.И. Административно-процессуальное право США. Государство и право. 1997. #12. at 103. (Nikerov G.I. US Administrative Procedure Law of USA).

such as licensing, permitting, and registration procedures. Administrative procedures apply to persons to whom an administrative act or administrative action is addressed, or whose rights and legitimate interests are affected by it. Everyday relations that develop between citizens and state bodies fall under it. That is, in contrast to purely administrative proceedings on cases of administrative offenses, it is precisely the administrative procedures that are applied in the process of interaction between state bodies and citizens.

As practice shows, a low legal culture of citizens who do not know enough the laws and their rights do not have the skills to defend them in case of violation, go to court or refuse to appeal to officials.

A powerful tool to limit the arbitrariness of an official is the administrative regulation, which is a document that determines the procedure for the implementation of actions and decision-making by a state body, the procedure for fulfilling its duties and powers. The purpose of these documents is to introduce legal criteria for the actions of public servants, which eliminate unnecessary administrative discretion and as a result, abuse of power. They detail the administrative and managerial processes through a detailed description of the interaction of the state body with citizens.

The study shows that at present, the legal foundations of this sphere are significantly behind the rapidly developing system of “Electronic Government” because some government services do not have administrative regulations. The adoption of administrative regulations containing detailed information on the procedure for the performance of state functions by officials in their relations with citizens should be accelerated.

Thus, the administrative procedure is not only a normatively established procedure for the implementation of sequentially performed actions by state bodies in order to exercise their competence and provide public services. It is also an important tool to improve the quality of public services, a means of protecting the rights and legitimate interests of citizens from the overly prudent nature of the activities of officials.

They help ensure the effective work of state bodies in the implementation of human rights by fixing the basic requirements for the conditions, terms and sequence of their activities. Administrative procedures provide normative regulation of interaction between state bodies and citizens by establishing the proce-

cedure for adopting power management decisions, including the consideration and resolution of specific cases.

In the context of ensuring the interaction of the state and the person, administrative procedures should be applied taking into account the following basic principles: legality; proportionality; reliability; the opportunity to be heard; openness, transparency and clarity of administrative procedures; priority rights of interested parties; inadmissibility of bureaucratic formalism; comprehensive consolidation; implementation of administrative proceedings in a “single window”; equality; trust protection; the legality of administrative discretion; study.

The analysis allows us to identify the following characteristic features of the administrative procedure. It:

- is a normatively established order of activity of subjects of administrative activity;
- is indisputable (non-judicial) in nature, not related to the application of administrative coercive measures;
- aims to streamline specific legal relations between government bodies and citizens and organizations, as well as government bodies and structural divisions and officials;
- is connected with the implementation by a public entity of its authority. Thus, the extent to which the activities of government bodies is ensured by detailed and transparent procedures depending on their proper functioning. The basis of any activity is procedural standards. Features of the activity and competence of a particular public authority determine the specifics of each of the varieties of legal procedure.

The decision in the case to appeal decisions, actions (inaction) of administrative bodies, self-government bodies of citizens, their officials is taken by the court. The court, having established that the appealed decision or its individual parts or actions (inaction) is contrary to the law and violates the rights and interests of the applicant protected by law, decides to invalidate the decision or its individual parts or actions (inaction). If the court determines that the decision appealed against or its individual provisions or actions (inaction) comply with the law and do not violate the rights and interests of the applicant protected by law, it

takes a decision to refuse to satisfy the stated claim.

Since 2014, a joint project of the Supreme Court of the Republic of Uzbekistan, USAID and UNDP “Rule of Law Partnership in Uzbekistan” has been working on the launch of the E-SUD electronic court system in civil courts in Uzbekistan. E-SUD eliminated paperwork and helped improve transparency and efficiency in litigation by reducing the time that it takes to file cases and publish court decisions. E-SUD is aimed at ensuring a wide transition to an electronic system, including the Internet, excluding direct contacts between state, regulatory authorities and business entities, bureaucratic red tape and corruption, simplifying the mechanisms for filing appeals to courts, increasing the number of interactive services provided to the population, increasing the efficiency of courts by automating individual business processes in the field and much more. In January 2020, the E-SUD system was merged with the broader E-xSUD information system of economic, administrative and criminal courts.⁷⁶

Thus, the proper implementation of their rights and interests depends on how much the relationship between state bodies and citizens is ensured by detailed and transparent procedures. The analysis allows us to identify the following characteristic features of the administrative procedure: it is a normatively established procedure for the activities of state bodies and also aims to streamline specific legal relations between government bodies and citizens to protect the rights and interests of the latter. It can definitely be said that these procedures represent one of the tools of ensuring the rule of law, transparency and strict regulation of the work of state bodies in their relations with the population.

V. Public Services in the System of Interaction between the State and the Citizen in the Context of Democracy

The model of the state that provides public (state) services to its citizens was spread and developed at the end of the 20th and beginning of the 21st centuries. In Uzbekistan, the idea of a state serving the people, the model of a “service state” has been aggressively promoted only in recent years. The term “public services” in Uzbekistan began to be actively used in line with the implementation

76 See <https://www.usaid.gov/ru/uzbekistan/program-updates/jun-2020-e-justice-system-uzbekistan-proves-its-worth-amid-covid-19>); <https://pv.uz/ru/newspapers/povyshaja-doverie-grazhdan>.

of administrative reform, the introduction of the so-called positive public administration (administration of public services). As the President of Uzbekistan Sh. Mirziyoyev noted, the main goal of the state is to serve the people, provide decent living conditions for citizens, and improve the quality of life, which fundamentally requires improving the quality and expansion of public services.⁷⁷ The concept of “public services” is ambiguously interpreted by specialists. So, some scholars distinguish between public services and state services. Moreover, the term “public services” is interpreted more broadly than the term “state services.” This is explained by the fact that only public authorities are the subject of the provision of state services and both state and non-governmental organizations can be subjects of public services.⁷⁸ Another approach is that public services encompass the concept of “state services,” since the main feature of public services is their social significance and satisfaction of public needs.⁷⁹ There is another approach according to which “state services are a special kind of state function performed by state bodies to implement the goals and objectives of state power.”⁸⁰ The latter approach, in my opinion, can be assessed as unreasonable, since it does not take into account such an important aspect as the focusing on ensuring the needs, rights and interests of citizens, instead of highlighting the interests of the state.

I believe that insufficient scientific development of the concept of “public service” affects law enforcement practice. Indeed, the absence of a clearly formulated legislative definition of this concept entails a variety of law enforcement practices and the fuzziness of its properties and signs. The disadvantages of the legislation regulating the procedure, procedures and standards for the provision of public services include the fact that they are sometimes focused on the interests of the service provider, and not on the interests of their recipient. The algorithm for the provision of services is not always clearly defined and the duties and measures of responsibility of officials are blurred.

77 Послание Президента Республики Узбекистан Шавката Мирзиёева Олий Мажлису (Message from the President of the Republic of Uzbekistan Shavkat Mirziyoyev Oliy Majlis), Newspaper “Narodnoe slovo,” Dec. 23, 2017.

78 Терещенко Л.К. Услуги: государственные, публичные, социальные (Tereshchenko L.K. Services: state, public, social), Журнал российского права. 2004. No. 10, at 16 – 17.

79 Кулдыбаева И.У. Правовое регулирование электронных государственных услуг (Kuldybaev I.U. Legal regulation of electronic public services. Author’s abstract. dis. for PhD degree in legal sciences.): Автореф. дис канд.юрид. наук. Челябинск, at 12, 2014.

80 Бахадиров А. Категоризация государственных услуг. Программа развития ООН в Республике Узбекистан (Bakhadirov A. Categorization of public services. United Nations Development Program in the Republic of Uzbekistan) - Т., 2012, at 4.

The nature and purpose of public services stems from the essence of public functions. Since the functions of the state are the main directions of its activity of the state, it is in the implementation of public services that the public-service nature of the state is manifested. The system of public services provides transparency and efficiency of interaction between the citizen and the state eliminating the conditions for corruption and a subjective approach to the provision of services in state bodies.

An analysis of the regulatory legal acts regulating relations in the field of public services provides the following features of the category of “public service”:

- public service is a means and at the same time a form of realization of a certain state function;
- the subjects of the provision of public services are a public authority and its recipient (consumer) - individuals or legal entities;
- public service is provided in areas and in the manner prescribed by law;
- a public service is provided, as a rule, free of charge or, by decision of the authorized state body, on a paid basis;
- the provision of services to citizens by state bodies serves as one of the channels of their interaction.

In Uzbekistan, as in many countries of the world, a Single Portal of Interactive Public Services (SPIPS) has been formed. A unified system of interagency electronic interaction has been created and an Internet portal has been created to assess and discuss the quality of public services. A number of regulatory acts have been adopted aimed at regulating relations in the provision of services by the state (access to information on the activities of state bodies, a list of public services and the procedure for their provision, etc.).

The system of public services began to take shape at the beginning of the first decade of the current century. In 2003, in the structure of khokimiyats (executive authorities) of districts and cities, inspections for registration of business entities were formed, working on the principle of “single window.” At the beginning of 2016, these inspections were transformed into Unified centers for the provision of public services.

However, the functioning system of public services did not satisfy the growing needs of society and its practice showed the following systemic problems:

- only business entities could use the services of these centers. They did not cover other citizens who were forced to go through complex procedures on their own when receiving services of various state bodies;
- many state bodies practically did not have databases and information systems that could provide high-quality and fast services, while the level of their interagency integration was low, which significantly delayed the process of obtaining public services;
- the procedures for the provision of services were not clearly defined, which led to their low transparency and accessibility, and to the establishment of arbitrary requirements and monopolization of service providers, manifestations of bureaucracy and corruption;
- the poor use of modern technologies and communications, the preservation of paper workflow, and, as a result, the large expenditures of time and effort of citizens when they receive services;
- the lack of an effective system for monitoring and evaluating the quality of public services ignoring public opinion about the quality of services.

Talapov B.A. rightly drew attention to the fact that “First of all, e-democracy should be based on a certain political and Internet culture. Until certain foundations of the culture of political culture and activity on the Internet are formed, it seems unlikely that an effective system of network democracy will be formed.”⁸¹ Saidov S.Sh. notes “[...] that corruption in the socio-political system of the country, incompetence of civil servants and legal nihilism in society hinder the development of “electronic government” and “Internet democracy” in Uzbekistan.”⁸²

These problems caused fair complaints from the population about the system of public services and led to dissatisfaction of citizens with the activities of

81 See Talapov B.A. shown works. at 140.

82 See Saidov S. Sh. shown works. at 42.

state bodies. As a result, the government was forced to take drastic steps to reform the activities of the state in this area. In early 2017, by the Decree of the President of the Republic of Uzbekistan, these centers were transferred from the structure of khokimiyats to the system of bodies of the Ministry of Justice of the Republic of Uzbekistan. There were allocated additional staff and resources, as a result of which it was established a single vertical system of bodies providing public services throughout the country. The Agency for Public Services was created in the structure of the Ministry of Justice, which was entrusted with the function of coordinating and monitoring the work of all state bodies and organizations in rendering public services.⁸³

The structure of this Agency has a network of Public Service territorial Centers, the main tasks of which are:

- provision of public services on the principle of “single window,” including with departure to remote areas;
- ensuring high quality of service, efficiency, transparency, comfort and accessibility of public services, prevention of bureaucratism, red-tapery and other administrative barriers in this area;
- implementation of interagency cooperation, primarily electronic, ensuring prompt receipt of the necessary documents and information for the provision of public services;
- provision of qualified information and advisory assistance to individuals and legal entities in the provision of public services;
- ensuring compliance by authorized state bodies and other organizations with the requirements of legislation and administrative regulations in the provision of public services.

According to the “Regulations on the Agency of development of state service under the President of the Republic of Uzbekistan,” approved by Decree of the President of the Republic of Uzbekistan dated October 3, 2019 № 4472,⁸⁴ the Agency had to implement the task of determining the order of performance

83 Decree of the President of the Republic of Uzbekistan dated Dec. 12, 2017 No. UP-5278 “On measures for radical reform of the national system of rendering public services to the population,” National Database of Legislation, Dec. 13, 2017 r., No. 06/17/5278/0404.

84 National Legislation Database, Oct. 4, 2019, No. 07/19/4472/3906.

evaluation of civil servants on the basis of key performance indicators (KPIs), development of methodology of evaluation of human resource management. In this regard, the introduction of a system of measurable indicators for evaluating the performance of civil servants and analyzing their results is essential. Clear, measurable key indicators should be developed to objectively assess the performance of public civil servants. In this regard, it is advisable to develop a methodological guide for the use of such indicators in the analysis and evaluation of the performance of employees, ensuring the objectivity and reliability of this analysis.

When evaluating the performance of employees, the most important indicator should be the study of the quality of service to the people, i.e., determining the level of satisfaction of citizens and business entities with the work of public servants, analysis of public opinion, statistical and other data. Based on the results of this study, an open rating of the effectiveness of public servants, including managers, as well as the degree of implementation of legal values, professional ethics and anti-corruption culture in this activity should be compiled.

An analysis of the practice of providing public services showed the need to address the following shortcomings in the implementation of information and communication technologies for the accelerated development of this area, improving the quality and speed of the provision of services:

- overcoming the underdeveloped infrastructure of this sphere, the incomplete coverage of the remote regions of the republic by the Internet;
- unification of technological approaches and standards for the functioning of the information system of public services, ensuring the integration of departmental systems;
- insufficient use of modern information and communication technologies in improving the efficiency of services provided to the population, the presence of bureaucratic procedures, and the preservation of a considerable amount of paper workflow;
- weak work of the system of assessment, control and public monitoring of the quality of public services.

Here should turn to the developments of scientists in countries where the

public services system has received the greatest development.⁸⁵ For example, according to scientists from Singapore, executive bodies in e-government should operate on the basis of the principle of “many executive bodies, one government,” which assumes that individuals should be provided with “integrated” public services, regardless of the number of executive bodies employed in the provision of public services.⁸⁶ And in the countries of Western Europe in general, the development of e-government is primarily associated with the “service” functions of the state, which include the provision by the authorities of public services to the population.

Based on the foregoing, the development strategy of the public services system should primarily focus on the interests of consumers of public services, satisfy their wishes as much as possible, and be convenient, transparent and accessible. The task of the state is the integrated provision of services, while the method of obtaining the service can be chosen by a citizen based on convenience. Services should be provided through a mobile phone and digital kiosks located in places convenient for the population.

As noted above, the development of e-democracy in Uzbekistan is at an early stage. Currently, the areas in which information and communication tech-

85 An example is the experience of the following countries: South Korea has achieved tangible results in improving the quality of public service delivery processes through automation methods. By 2002, South Korea had already completed the process of creating an e-government system. The e-government program included 11 areas, 5 of which were directly related to public services. The government portal of South Korea is called “eGovernment.” This portal uses a single information system that covers all administrative institutions. The experience of improving public service delivery processes shows the parallel use of several methods. However, automation of processes is recognized as one of the most progressive ones to date. (See Агамирзян И. Р. Мировой опыт реализации концепции электронного правительства // Технологии информационного общества – Интернет и современное общество: труды V Всероссийской объединенной конференции. СПб., 25–29 ноября 2002 г. – СПб.: Изд-во С-Петербур. ун-та, 2002. – С.258. (Agamirzyan I. R. World experience in implementing the e-government concept, Information society technologies - the Internet and modern society: proceedings of the V all-Russian joint conference. Saint Petersburg, November 25-29, 2002. UN-TA, 2002. - P. 258. M.

Malaysia has used automation of public service delivery processes as a basis for improving public service delivery processes. A special Malaysian Administrative Modernisation and Management Planning Unit (MAMPU) has been established to implement the e-public services system. Its main goal is to ensure effective intra- and inter-Agency coordination and provide simplified public access to public services (See Рик Й. Андерсон, Хенк JL Клаассен, Франс К. М. Ван Ниспен. Стремление к эффективности в госсекторе: разработка более совершенной модели действий // Материалы конференции EGPA-2009 «Государственная служба: оказание услуг в информационный век», 2009.-С.79. (Rick Th. Anderson, Henk JL Klaassen, Frans K. M. van Nispen. Striving for efficiency in the public sector: developing a better model of action // Proceedings of the EGPA-2009 conference “Public service: providing services in the information age”, 2009, at 79.

86 Siew L., Leng Y., E-Government in Action: Singapore Case Study, The World of E-Government, 19-30 (Haworth, 2003).

nologies of public services are being actively introduced in order to form e-democracy.

On December 22, 2019, for the first time in the elections to parliament and local representative bodies, the Unified Electronic Voter List (UEVL) was used throughout Uzbekistan. The list included over 20.5 million eligible voters. Voters were given the opportunity to get acquainted with information about themselves through the official Website of the Central Election Commission of the Republic of Uzbekistan (RUz). According to the author, for the use of electronic mechanisms, the achievements of the scientific and technical process in the implementation of democracy today in Uzbekistan, the problems of material, organizational, and technical support, the educational barrier, and the problem of psychological preparation of citizens are relevant.⁸⁷

Thus, in the development of the Uzbekistan system of interaction between the state and the citizen, a tendency is moving away from the model of paternalism to the model of equal interaction. Its updated model is in the process of formation. However, this trend is characterized both by the presence of problems and conflicts that need to be resolved, and by the aging of opportunities, the implementation requires further consolidation of the state and society.

VI. Reforms of the System of Governance in the Context of Relations between Government and Citizen

After the declaration of Uzbekistan as an independent state in 1991, the foundations of a new system of government were created and a basic model of democratic government was organized based on the principle of separation of powers. The functioning of the state apparatus had been ensured, moreover, it had been built a new structure of government bodies which were adapted to the conditions and needs of social development. For the improvement of the public administration, it carried out in the form of an integrated administrative system

87 Komarova, V.V. Impact of technical progress on electoral and referendum processes / Komarova V.V., Collection of theses of the VI international scientific and practical conference of the Kutafin readings "Harmonization of the Russian legal system in the context of international integration." Section of Constitutional and Municipal Law. M. - 2014. 573. at 72-79; Articles 14 and 16 of the Electoral Code, and the CEC Resolution No. 994 of Dec. 3, 2019 "On some issues of using the Unified Electronic Voter List" // Website of the Central Election Commission of the Republic of Uzbekistan: <http://www.elections.uz/en/>

and gradually leads to the formation of a stable and effective system of the government bodies.

The issues of reforming the public administration system have always been the lasting importance in the development of any state. As the experts rightly note, “scientific foresight and sound recommendations are especially in demand on the eve of major state transformations.”⁸⁸ Serious reform processes now under way in almost all transition countries. They proceed in different ways, at different speeds. Consistency and validity are important here. In the course of such transformations, effective tools must be combined to ensure the continuity and preservation of useful experience in making reformistic decisions.

The reform of the system of governance is an important part of the administrative reformation. Since the sphere of public administration is mobile, it is subject to permanent changes dictated by the needs of the country’s socio-economic development, as well as increasingly complex management processes. The legislation is designed to respond sensitively to these changes, which necessitates the improvement of its standards.

Speaking about the content of the concept of “administrative reform,” it should be considered in mind that it primarily means a change, reorganization, and transformation of the sphere of public administration. Y.A. Tikhomirov calls it “the reorganization of public administration.”⁸⁹ Other experts emphasize the importance of optimizing and streamlining the functions of public authorities.⁹⁰ Still others refer to administrative reform as large-scale measures to review the functions of the executive bodies, improve the procedure for their implementation and build a new system and structure of the executive branch for further comprehensive modernization of the public administration system.⁹¹

88 Нарышкин С.Е., Хабриева Т.Я. Административная реформа в России: некоторые итоги и задачи юридической науки // Журнал российского права, 2006. – С. 24. (Naryshkin S.E., Khabrieva T.Ya. Administrative Reform in Russia: Some Results and Tasks of the Legal Science, Journal of Russian Law, 2006. at 24.)

89 Тихомиров Ю.А. Правовые аспекты административной реформы // Законодательство и экономика. 2004. N 4. - С. 29. (Tikhomirov Y.A. Legal Aspects of Administrative Reform, Legislation and Economics. 2004. N 4. - at 29.)

90 См.: Старилов Ю.А. Административная реформа в России: Политико-правовое и управленческое измерение. Воронеж: Изд-во Воронеж. гос. ун-та, 2004. - С. 3. (See: Starilov Yu.A. Administrative Reform in Russia: Political, Legal and Managerial Dimension. Voronezh: Publishing House of Voronezh State University, 2004 at 3).

91 См.: Шаров А.В. Об основных элементах административной реформы // Журнал российского права. 2005. N 4. - С. 19. (See A. Sharov On the basic elements of administrative reform // Journal of Russian Law.

The following aspect, which is pointed out by a Japanese professor Shigeru Kodama, is also important: administrative reform is not some kind of simultaneous event, but it is a long ongoing process.⁹² Based on the foregoing, we believe that administrative reform can be defined as a set of state legal measures to improve the organization and activities of the public administration system, the tasks, functions and powers of public administration bodies, the forms and methods of their activity.

Today, in Uzbekistan, the ambitious task of creating a public administration system that can ensure the full implementation of public functions, timely identify and effectively solve the problems of socio-political and socio-economic development is being realized. The combination of functions is eliminated and the structure of executive authorities' changes, organizational separation and optimization of their powers is ensured.

2005. N 4. - at 19).

92 См.: Шигэру Кодама Реформа института административных процедур в Узбекистане в рамках правового сотрудничества с Японией // Административная реформа в Республике Узбекистан. Материалы Международного симпозиума 29 -30 сентября 2007 года. Т., 2007. - С. 12. (See Shigeru Kodama Reform of the Institute of Administrative Procedures in Uzbekistan in the framework of legal cooperation with Japan // Administrative Reform in the Republic of Uzbekistan. Materials of the International Symposium Sep. 29-30, 2007. T., 2007. at 12).

Analysis of the transformation of this system allows us to conclude that it determines the paradigm of interaction between the state and the citizen, and helps ensure openness and transparency of public administration. As the most important criterion for the success of state bodies, the level of citizens' trust in state institutions, the intensity, and effectiveness of the dialogue between the state and the population are determined. Another criterion for the effectiveness of public administration is the level of its support by citizens of the country.

The lack of regular informing the population by state authorities about the results of their activities impedes the successful implementation of reforms and measures to modernize the country. Therefore, the state authorities are legally obligated to regularly and fully inform the population about their activities and normative-legal acts regulating their activities, as well as the normative-legal acts adopted by them.

The Law "On the openness of the activities of the government agencies and governance"⁹³ refers to the general principles of openness the activities of government bodies to the general availability, timeliness and reliability of the information they provide, as well as the freedom to search, receive and disseminate information about the activities of governmental bodies and governance (Art.4). The law emphasized that information on the activities of public authorities includes legal acts establishing the legal status of public authorities and their structural and territorial divisions, as well as legal norms, regulatory and other acts adopted by the public authorities and management, as well as information on the progress of their implementation (Art. 5). Moreover, the information should be posted on official Websites, dated and updated periodically, at least once a week.

On February 8, 2017, Presidential Decree No. 2761 "On measurements to radically improve the system of distribution of legislative acts"⁹⁴ was adopted. Based on a critical analysis of the current system of disseminating legal information and deficiencies in this area, specific measures have been identified to improve the activities of the relevant state bodies.

The adoption on September 8, 2017 of the Decree No. 5185 of the President of the Republic of Uzbekistan "On Approving the Concept of Administrative Reform in the Republic of Uzbekistan"⁹⁵ set the task of radically improving

93 CL of RUz, No. 12, art. 209 (Uzb.).

94 Newspaper "Narodnoe slovo," Feb. 9, 2017. No. 29 (6693).

95 Newspaper "Narodnoe slovo," Sep. 9, 2017. No. 29 (6844).

and modernizing the public administration system. The Concept and the roadmap approved by this Decree for its implementation radically changed the system of interaction between the state and citizens. The measures taken made it possible to achieve substantial de-bureaucratization of public administration, increase transparency of the decision-making system, and introduce effective forms of public and parliamentary control in two to three years.

On October 13, 2020, within the framework of the 75th anniversary session of the UN General Assembly, Uzbekistan was first elected to the UN Human Rights Council for the period 2021-2023. 169 out of 193 states voted for the election of Uzbekistan to the UN Human Rights Council (HRC). The election of Uzbekistan to this authoritative body is a vivid confirmation and recognition of the wide support of the international community for the large-scale reforms undertaken in recent years in the protection and promotion of human rights, as well as evidence of Uzbekistan's strong commitment to the goals and principles of the UN Charter and the Universal Declaration of Human Rights and the strict observance of its international commitments in this area. The promotion, observance and protection of human rights is considered as one of the priorities of the state policy of Uzbekistan. The member countries of the UN Human Rights Council have previously positively perceived the achievements of Uzbekistan in the elimination of child labor, especially in the cotton harvest, concrete steps towards the elimination of forced labor and close cooperation with the International Labor Organization in these areas. The efforts of Uzbekistan to develop and expand cooperation with the UN human rights structures were supported. Measures to promote freedom of speech and the media, simplification of registration and the activities of civil society institutions, the formation of a continuous education system on human rights, anti-corruption, anti-torture, anti-trafficking and rehabilitation of victims were considered effective.⁹⁶

So, this administrative reform has become a means of improving the system of interaction between the state and the citizen. The implementation of the Concept⁹⁷ has made it possible to improve the operation of mechanisms to ensure the rights and freedoms of citizens, to ensure clear regulation of the legal relations of state bodies with citizens, and to introduce a system of administrative justice, which has updated the procedure for appealing decisions and actions of

96 See <http://uzdaily.uz/ru/post/55964>; <http://stv.uz/news/obshestva/8631-sostoyanie-prav-cheloveka-v-uzbeki-stane-rassmotreno-v-zheneve.html>.

97 *Id.*

executive authorities. The implementation of the Concept is aimed at the embodiment of the principle - "It is not the people that should serve the government, but the government should serve the people." The reform introduced a new attitude to assessing the activities of state bodies when the main criterion for their work is the trust of citizens in government institutions, their ability to establish a dialogue with a person, as well as their level of support by the country's population.

VII. Conclusion

The foundations of e-democracy are emerging in Uzbekistan, manifesting itself as a new effective form of exercising democracy, a functioning tool of public participation in solving governmental affairs. Active implementation of information and communication technologies in the sphere of interaction between the state and the citizen contributes to the expansion of direct and feedback between them. There has been a tendency to sharply expand the volume and channels of public services. They have become the main form and the most used channel of interaction between the population and state bodies. Thus, in the most general form in Uzbekistan, there are legal prerequisites and a technical base for building an organizational and legal framework for the implementation of the e-democracy system.

At the same time, the potential of interaction between the state and citizens is not used enough, there are problems in realizing the human rights function of the state, an atmosphere of neglect and ignoring of the rights and interests of an individual remains among officials. The rights and freedoms guaranteed by the Constitution are not always ensured at the required level due to the underdeveloped information infrastructure, unequal access of citizens to information, low qualifications of officials and the presence of bureaucratic procedures.

The existing infrastructure for the provision of public services is not sufficiently developed; it does not fully satisfy the needs of the population. There are numerous cases of formalism and red tape, the presence of administrative barriers, unreasonable requirements for the provision of a large number of documents, and arbitrary requirements for citizens by the state bodies.

Taking into account the further development of information and communication technologies in the country, improving the infrastructure of "e-democ-

racy” is advisable to legislatively consolidate the mechanism for implementing the civil initiative at the local level (city, district), as well as the mechanism for collecting signatures in support of this initiative via the Internet on local issues. It is necessary to develop mechanisms of competition and improve the quality of population representation in government bodies, improve the institution of public service, and increase the professionalism and quality of the staff of the government officials.

E-democracy, which has arisen as a result of the dynamic development of the information society, is transforming into a modern system of democratic procedures, rules, standards and tools for making power decisions with the widespread use of modern ICT in the course of civil power model.

In conclusion, we can give a list of common shortcomings identified in the construction of the e-democracy system and widely discussed by experts and the public. However, they are of a general and theoretical model nature and are not tied to particular problems of constructing these systems. The disadvantages of the concept of electronic democracy include, in our opinion, a number of factors.

First, a mandatory requirement for a high level of accessibility of Internet technologies in the country.

Secondly, the problems associated with the protection of information processed during the implementation of e-democracy procedures.

Third, the complexity of assessing the effectiveness of the results of building an e-democracy system at the state level.

Fourth, the controversial nature of determining the limits of legal regulation of the functioning of the Internet as a way of indirect state control over the processes of e-democracy.

Thus, the interaction of the citizens and the state should be considered as the framework and simultaneously an instrument of democratization and modernization of the country, a form of development of the population’s initiative, a sphere of realization of the interests of society and as a certain model of society’s life.

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