



Research Article

IS THE OPENNESS AND TRANSPARENCY OF PUBLIC ADMINISTRATION SUFFICIENTLY ENSURED?

Submission Date: June 10, 2022, **Accepted Date:** June 20, 2022,

Published Date: June 30, 2022 |

Crossref doi: <https://doi.org/10.37547/tajpslc/Volume04Issue06-04>

Journal Website:
<https://theamericanjournals.com/index.php/tajpslc>

Copyright: Original content from this work may be used under the terms of the creative commons attributes 4.0 licence.

Yulduz Jonuzokova

Senior Consultant of Research institute for legal policy under the Ministry of Justice, Uzbekistan

ABSTRACT

This article focuses on the transparency of public administration in our country, the ongoing reforms in the field of transparency, and the problems and shortcomings that still exist in this area today. At the same time, the reforms in the framework of international best practices were discussed in detail, and proposals were made to further increase transparency in public administration and create access to information for the population in all areas.

KEYWORDS

Public administration openness, transparency, access to information, open data, open data portal.

INTRODUCTION

In our country, it is important to ensure the openness and transparency of public administration and introduce modern forms of providing information on

the rights and freedoms and legitimate interests of individuals and legal entities.



In particular, the state power of individuals and legal entities To ensure access to information on the activities of public authorities, to ensure the right to receive information on the activities of public authorities and administration, to increase the responsibility of public authorities and their officials for decisions made in 2014, LRU-369 and the Law of the Republic of **Uzbekistan “On Transparency of Public Administration”**.

In addition, in 2021, the Decree of the President of the Republic of Uzbekistan DP-6247 **“On additional measures to ensure the transparency of government agencies and organizations, as well as the effective implementation of public control”**. By Annex 1 of the Decree, the list of socially significant data to be included as public data has been further expanded, and the disclosure of an additional 34 types of data sets by government agencies and organizations has been assigned.

At the same time, there are still some problems in this area, and in turn, the identification of measures to address them remains an important task today.

In particular, one of the urgent problems is that **Article 22 of the Law “On Transparency of Public Administration”** provides that persons who violate the law on transparency of public administration are liable, but today this issue is in a special law and has not been regulated. As a result, legal action is not taken in cases of violations in this area.

According to the State Statistics Committee, which is responsible for the full publication of open data sets by government agencies and monitoring their relevance, there are currently two portals **data.gov.uz** and **data.egov.uz**, which are open data portals of the Republic of Uzbekistan. The portal data.gov.uz contains more than **13.5 thousand sets of data**, while

the new portal data.egov.uz contains **more than 4,000 pieces**. The lack of integration of the database into a single portal leads to difficulties and confusion in their use and harms the effective monitoring of the portal.

According to the results of monitoring conducted by departments across the country in 2021, **92 out of 135 ministries and departments** did not post on their official websites information on the cost of business trips and reception of foreign guests. Or **72 government agencies and organizations** did not ensure the timely posting of information on their service vehicles, service homes, and other real estates on the Open Data Portal, and **18 did not even open a personal account** on the Portal.

At the same time, the open data portal does not cover educational benefits to be disclosed to citizens, post-educational employment levels, public spending on education, literacy rates, exam results, or the number of people in need of special education.

In the practice of advanced foreign countries, we can see that several important steps have been taken to pay special attention to the issue of transparency in public administration.

In particular, the Canadian Open Data Portal provides online access to data collected and created by governments in a **Web 2.0** manner that meets the standards of the Federal Government of Canada and other levels of government in Canada. As of 2016, the Canadian Open Data Portal ranked second in the world for the publication of open data according to the Open Data Barometer of the World Internet Foundation of Canada.

The Canadian Open Data Portal contains **32,890 open data sets**. In particular, open data in the field of science and education will be highlighted. These data include



important social issues such as financial aid information for students under the Student Financial Aid Program, government policies related to education benefits, highest education performance, school board income and expenditure, diploma exam results, and primary school enrollment data.

In Germany, a new Federal Law on Open Data came into force in 2017, which aims to provide all information to the public in an open, complete, and reliable manner. Under federal law, the German Open Data Portal (gov.data.de) was created to provide unrestricted access to open data.

The German Open Data Portal is regarded as a large database containing more than **52,000 open data sets** (along with apps and blog posts).

The Freedom of Information Act of 1966 in the United States defines the duty of officials to disclose government-related information, as well as the right of citizens to request documents from the U.S. government. If a government agency with such information does not provide it, the citizen can go to court, which in turn leads to the mandatory submission of this information to the citizen.

For example, information on government reports is available at www.foia.gov, www.usa.gov, and the White House's official website, www.whitehouse.gov.

Ensuring the right of U.S. citizens to participate in public administration is done by informing citizens about public hearings of draft regulations, as well as by involving the most influential individuals and organizations in the document being developed for discussion.

In addition, several countries around the world pay special attention to the issue of transparency, and openness of public administration, and set specific

norms for violations in this regard. In particular, some countries impose special fines and service inspections for these offenses.

In conclusion, to further expand transparency in public administration, provide the public with access to information in all areas, and prevent violations and abuses in this area, we can put forward the following proposals. Including:

- Adoption and implementation of the Law "On Amendments to the Code of the Republic of Uzbekistan on Administrative Liability", which provides for liability for violation of the order of information included in the list of socially significant information to be placed as public information.
- Facilitate access by public authorities to a single portal that integrates open data sets.
- Establish a system to control the posting of the latest information on the work and activities of government agencies on their websites.

REFERENCES

1. 2014, LRU-369 and the Law of the Republic of Uzbekistan "On Transparency of Public Administration"
2. 2021, the Decree of the President of the Republic of Uzbekistan PD-6247 "On additional measures to ensure the transparency of government agencies and organizations, as well as the effective implementation of public control"
3. 1966, "The Freedom of Information Act" of U.S.
4. 2009, Memorandum of U.S. "On Transparency and Open Government"
5. The National Open Government Action Plan for 2018-2020 in Canada
6. <https://open.canada.ca/en/open-data>
7. <https://data.world/datasets/uk>