



Research Article

A GLANCE AT THE ACTIVITIES OF NON-GOVERNMENTAL NON-PROFIT ORGANIZATIONS: WHAT IS CHANGING?

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ABSTRACT

In recent years, consistent work has been carried out to support non-governmental non-profit organizations and other institutions of civil society, strengthen social partnerships between state and them, implement effective public control, and improve the legal framework governing this area. It can be seen that tasks in this direction occupy a special place in the “Action Strategy for the Five Priority Areas of Development of the Republic of Uzbekistan in 2017-2021”, approved by the President Decree of the Republic of Uzbekistan dated February 7, 2017.

KEYWORDS

Modern information technologies, civil society organizations, Non-Governmental, On Public Associations, NGOs.

INTRODUCTION

In this Decree it is paid specific attention to such tasks as strengthening the participation of civil society institutions in improving public administration, effective mechanisms for communication with the population and the implementation of modern forms

of public control. As part of the Action Strategy, the regulatory framework providing with legal guarantees of non-governmental non-profit organizations have been improved, which are fully consistent with modern democratic requirements and international standards.

As a result, about 20 laws, decrees of the President of the Republic of Uzbekistan and government resolutions were adopted.

A Public Chamber under the President of the Republic of Uzbekistan has been established, aimed at representing the interests of non-governmental non-profit organizations, performing the function of a bridge between them and the state. In order to introduce new effective tools for open dialogue with the population, the work of Public Councils under state bodies has been established¹.

In general, over the past 5 years, more than 117 billion sums have been allocated from the state budget to support more than 1,270 projects of non-governmental non-profit organizations and other civil society institutions.

In the “Concept for the development of civil society in 2021-2025”, approved by the Decree of the President of the Republic of Uzbekistan dated April 4, 2021, the task is determined to increase the amount of state support for NGOs and other civil society institutions in the form of subsidies, grants and social orders by 1.8 times by 2025 and allocate 70 billion sums.

As can be seen from the aforementioned examples, in recent years much attention has been paid to supporting civil society institutions, ensuring the independence of NGOs and protecting their legitimate rights and interests.

However, despite having enough organizational and legal basis, there is a continuing passivity of civil society institutions in solving urgent social problems of citizens, especially the young, developing public control and organizing social partnership with state bodies.

1. Inadequate pace of introduction of modern information technologies in the activities of civil society organizations.

It is noted that there are few opportunities to get acquainted with electronic registration of commercial organizations, low level of digitization of services provided to non-governmental non-profit organizations in comparison with public services provided to them in electronic form, their registration, standard drafts of regulations and other constituent documents which are required in this process via the portal of NGOs (<https://e-ngo.uz/>).

The “Concept for the development of civil society in 2021-2025”, approved by Decree of the President of the Republic of Uzbekistan No.UP-6181 dated April 4, 2021, provided for the introduction of a “Transparency Standard” for the activities of NGOs. However, only a small part of NGOs posted on their official websites information on the structure, personnel, governing bodies, and financial and economic activities.

In May 2021, an interactive portal was created (<http://shaffofxayriya.uz/uz/lists/news>), aimed at ensuring the openness of the activities of NGOs. However, the latest information in the “News” section of this resource was posted on June 10, 2021, which indicates an insufficient level of organization of its work.

2. The necessity of improvement the relevant legislation directed into regulating the activities of civil society organizations.

Currently, the country has more than 10 legal acts regulating the activities of civil society institutions, some of them, like the laws “On Public Associations” or “On Non-Governmental Non-Profit Organizations”, were adopted 15-20 years ago. Most of them do not correspond to the current state of development of civil society.

The Decree of the President of the Republic of Uzbekistan dated October 4, 2019 No.DP-4473 “On additional measures to increase the effectiveness of public control over ongoing reforms in the socio-

¹<https://lex.uz/docs/4789926>



economic sphere, as well as the activity of citizens in the implementation of democratic reforms in the country” provided for the preparation of a draft “NGO Code”. For these purposes, a working group whose main task was to codify and systematize legislation on non-governmental non-profit organizations was created.

Currently, work is underway to improve the project, taking into account the analysis of existing problematic issues and proposals for their solution, submitted by members of the working and expert groups, as well as proposals from the public and state bodies².

- 3. Some issues related to cooperation between national NGOs and foreign organizations and the implementation of projects with foreign funding, as well as the provision of material and technical support by state bodies to civil society institutions are remaining for the time being.**

From March 1, 2021, NGOs will be able to receive funds from foreign sources during the calendar year, if they do not exceed 100 basic calculated value (24.5 million sums), by notifying the relevant authorities about this. But with such a volume of funding, it is not possible to implement a serious project of social significance. For comparison, the average size of a grant allocated by the Public Fund for Support of NGOs and other civil society institutions under the Oliy Majlis for one project is currently up to 40 million sums.

In accordance with the Decree of the President of the Republic of Uzbekistan No.UP-5012 dated March 4, 2021 “On additional measures for state support of NGOs, ensuring the freedom of their activities, protecting their rights and legitimate interests”, work has begun on identifying NGOs operating in socially significant areas, “Houses of non-governmental non-profit organizations” in the Republic of

Karakalpakstan, regional centers and the city of Tashkent.

Undoubtedly, the effective implementation of the activities of the “NGO House” will lead to the development of civil society, the emergence of new socially significant initiatives. However, some civil society representatives are concerned that the placement of NGOs in such offices will be carried out on the recommendation of the National Association of NGOs of Uzbekistan (NANNOUZ). In their opinion, large public organizations, created at the initiative of the state, may have more opportunities to get an office in the “NGO Houses”.

- 4. The necessity of improvement the methodology for assessing the number and effectiveness of the activities of NGOs, as well as the existing procedure for state registration of civil society institutions.**

According to some representatives of civil society, as well as specialized international organizations, the methodology for assessing the number, directions and effectiveness of NGOs requires further improvement and simplification of some bureaucratic procedures. For example, the UN Human Rights Committee, in its “Final Findings on the Fifth Periodic Report of Uzbekistan” in May 2020, stated that “there are relatively few non-governmental non-profit organizations in the country and many cases of refusal to register them”³. Similar problems are also indicated in the report of the international organization “Human Rights Watch” for 2022⁴.

According to available data, in 2016 there were 8,700 officially registered NGOs operating in the country, currently their number exceeds 9,200, over the past

² <https://www.minjust.uz/ru/press-center/news/101964/?INVERT=Y>

³ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/108/48/PDF/G2010848.pdf?OpenElement>

⁴ <https://www.hrw.org/ru/world-report/2022/country-chapters/380751>



period of 2022, more than 200 civil society institutions have been registered⁵.

In accordance with Article 21 on the Law “On Non-Governmental Non-Commercial Organizations”, republican, inter-regional non-governmental non-profit organizations are registered with the Ministry of Justice of the Republic of Uzbekistan. NGOs, whose activities extend to the territory of the region, district, city, are registered in the regional departments of justice.

Thus, regional, city or district offices of large public organizations, incl. political parties operating throughout the country will be registered with the regional offices of the Ministry of Justice as separate legal entities. As a result, there are difficulties associated with determining the total number of NGOs in the field and evaluating the effectiveness of their work in various areas.

In this regard, it is necessary to consider the possibility of ending the practice of registration in the regional departments of justice of city and district departments and branches of NGOs operating throughout the country, while maintaining the registration procedures for their regional divisions without changing. This contributes, on the one hand, to ensuring the accuracy of information related to the quantitative and qualitative indicators of NGOs, and on the other hand, to reducing the formal and bureaucratic burden on local justice authorities.

5. Issues of activating and improving the activities of the National Association of NGOs.

The National Association of Non-Governmental Non-Profit Organizations of Uzbekistan (NANNOUz) was established in 2005 on the initiative of 150 public organizations to consolidate the organizational and intellectual resources of NGOs for the implementation

of the priority tasks of state and social construction, the formation of a strong civil society in the country.

Over the past period, the Association has done significant work in order to unite healthy forces in society, protect the interests of public organizations, and promote the initiatives of the general public and citizens. However, in recent years, there has been a significant decrease in the activity of the Association and its leading role in civil society.

For example, the “Concept for the Development of Civil Society in 2021-2025” provided for an increase in the number of members of the Association and by 2025 to involve every third NGO in its ranks, as well as the organization of training courses to improve the skills of leaders of civil society institutions. At the same time, the Association's website (<http://ngo.uz/>) does not contain detailed information on the results of work in these areas.

In this regard, opinions are expressed about the need to improve the activities of the Association, taking into account today's realities, since the processes currently taking place related to the constitutional reform can lead to the activation of destructive public groups. In particular, this is indirectly evidenced by the proposals and opinions promoted during the discussions of the draft “Code of NGOs” by individual representatives of civil society who offer their own alternative versions of this project⁶.

Alternative codes provide, among other things, such provisions as “NGOs can be created both with legal status and without it”, “NGOs that do not have legal status can carry out activities without state registration”, etc. The legal consolidation of such liberal provisions in a legislative act, in particular in the NNO Code, can lead to an aggravation of the situation related to the development of civil society in our country. In particular, the provisions allowing the

⁵ <https://e-ngo.uz/>

⁶ https://docs.google.com/document/d/1O_XA68qqpY1x6r5zc

[nrHBbJ_SuCuOJIQaUQkhQFGCsE/edit](https://docs.google.com/document/d/1fZu3F6exDXZAhV8VT-M8KZS7iNDRy6AkHW77TPDNZAY/edit)
<https://docs.google.com/document/d/1fZu3F6exDXZAhV8VT-M8KZS7iNDRy6AkHW77TPDNZAY/edit>

functioning of an NGO that does not have the status of a legal entity and without state registration, the registration of an NGO as a legal entity on a notification basis, and the simplification of the process of obtaining foreign funding can lead to a sharp increase in the number of public organizations and reduce the ability of state bodies to proper control of their activities.

Based on the above, it seems appropriate to consider the following questions:

- Improving the draft “Code of NGOs” which was based on the analysis and codification of the current legislation regulating the activities of civil society institutions;
- Increasing the level of public services in electronic form, digitalization of processes related to the activities of civil society institutions;
- Expanding dating opportunities through a web portal <https://e-ngo.uz/> related to the processes of state registration of NGOs and sample documents required for registration;
- Taking additional measures to ensure the compliance of the activities of the NGO with the “Transparency Standard”, improve the activities of the portal <http://shaffofxayriya.uz>;
- Abolishment the practice of state registration of district and city branches of such organizations by maintaining the procedure for registration of major public organizations and political parties operating in the country in the Ministry of Justice of the Republic of Karakalpakstan, regional and Tashkent city Departments of Justice;
- Take additional organizational and legal measures to improve the activities of the National Association of NGOs of Uzbekistan.

4. <https://www.hrw.org/ru/world-report/2022/country-chapters/380751>
5. <https://e-ngo.uz/>
6. https://docs.google.com/document/d/1O_XA68qqpY1x6r5zcnrHBbJ_SuCuOJIQaUQkhQFGCsE/edit
<https://docs.google.com/document/d/1fZu3F6exDXZA8V8VT-M8KZS7iNdrY6AkHW77TPDNZAY/edit>

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