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LEGAL BASIS OF CIVIL SOCIETY INSTITUTIONS IN THE LEGISLATION OF THE REPUBLIC OF UZBEKISTAN

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Abstract. *This article analyzes the theoretical and legal foundations of civil society and civil society institutions, with particular attention to their role in the development of a democratic state governed by the rule of law. It examines scholarly approaches to the concept and essential characteristics of civil society, as well as the legal status, functions, and significance of its institutions. Particular attention is paid to the constitutional and legal framework governing civil society institutions, including the relevant provisions of the Constitution and other normative legal acts. The article also considers the role of non-governmental non-profit organizations, citizens' self-government bodies, mass media, and other civil society institutions in protecting citizens' rights and legitimate interests, promoting public participation, ensuring transparency, and strengthening public oversight. Existing legal mechanisms and certain challenges affecting the effective functioning of civil society institutions are analyzed. Based on the findings, the article formulates proposals and practical recommendations aimed at improving national legislation, strengthening the legal guarantees of civil society institutions, and enhancing their participation in public and state affairs.*

Keywords**:** *Keywords: civil society, civil society institutions, non-governmental organizations, publicassociations, legal framework of civil society institutions.*

Introduction.

Today, our country is undergoing large-scale reforms aimed at comprehensive development, building a legal democratic state and a free civil society. Among them are the reforms carried out to improve public administration, improve the effectiveness of law-making activities, ensure the implementation of the adopted laws, increase the participation and role of citizens in public administration, as well as ensure the participation of the people in the process of law-making and take into account the opinion of society in the adopted documents. Our President Sh.M. Mirziyoyev noted: We have put before us the glorious intention that we will build a new Uzbekistan together with our brave and noble people. In this regard, the approach — initiator of society – reform — is increasingly penetrating into our daily activities.[1] The main goal of the reforms being implemented in our country is undoubtedly to build a humane democratic state, as stated in the preamble to our Constitution. Only in countries with established democracies can civil society be built and the free and legal operation of civil society institutions be guaranteed.

Civil society is a relative of the state. Independent, expressing and defending their interests making social institutions, organizations and citizens is the sum of the Union. Citizenship in building a democratic society the role of the institutions of society is extremely important. In Uzbekistan formation of civil society and implementation of comprehensive reforms in the direction of development in progress. In Uzbekistan, with the advent of independence, the national Culture and spirituality have been restored, the

people are truly free. he began to feel freedom deeply in his life. Market in the country the beginning of the transition period to the economy, private restoration of ownership, completely new Uzbekistan the ground for the formation, the revival of democratic values created. Fundamental changes in the worldview of citizens occur gave. They live their lives independently of the events around them. From the point of view of the individual, his destiny is connected with the destiny of the country. values such as feeling without were formed. Head of the country

The role of reform and the implementation of a strong social security policy The process of improving the "Strategy for the Development of Uzbekistan"conditions aimed at implementation with consistent basis created. The main priority of state policy and social development directions focus on a person, his well-being and freedom started. A new era has begun in the history of Uzbekistan.

Literature analysis and methodology. It is worth noting that there is no universally accepted definition of civil society and the concept of civil society institutions, neither in the legal literature nor in the legislation of our country.

However, a number of legal scholars have defined the above concepts. In particular, according to the legal scholar Odilkoriev, civil society is a free democratic legal society that prioritizes the interests of every person, an atmosphere of respect for legal traditions and laws is formed, universal values are respected, human rights and freedoms are unconditionally ensured, mechanisms of effective public control of state power are created, human relations rely on deep spiritual and cultural values. [2] Another legal scholar believes that civil society is a free, legal, democratic, and highly cultured society in which the principles of law, morality, humanity, and justice are respected. Again it is a multi-uklad with a mixed economy a competitive society, initiative-based entrepreneurship, is a society in which a reasonable balance of interests of different social strata is ensured. [3] In General, I.N.According to Matuzov, civil society is a set of external (economic, social, cultural, educational, spiritual, family, religious) relations between the state and politics, which reflect the interests, desires, and aspirations of citizens, their associations, and the class of owners. Since civil society is a broad and multifaceted concept, it has been given many definitions in scientific sources, but it is difficult to find a universally accepted definition of civil society today. [4]

Constitution. In the norms of the Chapter — Public Associations‖ of the Constitution of the Republic of Uzbekistan, the legal basis of civil society institutions is enshrined. In particular, Articles 69-75 contain norms on the concept of public associations, civil society institutions such as trade unions, political parties, and religious organizations. Article 70 of this chapter defines what types of organizations are recognized as public associations, according to which: trade unions, political parties, societies of scientists, organizations of women, veterans and youth, creative unions, mass movements and other associations of citizens registered in the law in the Republic of Uzbekistan are recognized as public associations. [8] Article 71 of the Constitution contains provisions on which types of civil society institutions cannot be formed. The provisions in question are as follows:

- aiming to forcibly change the constitutional order;

• opposing the sovereignty, integrity and security of the republic, and the constitutional rights and freedoms of citizens;

• promoting war, social, national, racial and religious hatred;

• infringing on the health and spirituality of the people;

• The formation and activities of militarized associations, political parties of a national and religious nature, and public associations are prohibited;

• The formation of secret societies and associations is prohibited. [9]

When organizing a political party, trade unions, social movements and other types of civil society institutions, it is necessary to strictly follow these guiding principles established by the Basic Law.

The legal basis of civil society institutions, along with the Constitution and other regulatory documents, is also contained in a number of codes of the Republic of Uzbekistan.

Article 16 of the Labor Code of the Republic of Uzbekistan, which defines the basic labor rights of employees, establishes the right of employees to unite into trade unions, which is considered an important civil society institution, according to which: each employee has the right to unite into trade unions and another organization representing the interests of employees and labor teams.

Article 17 of this Code lists the basic rights of employers, including the right of an employer to form public associations and to be a member of such associations.

Articles 73-78 of the Civil Code of the Republic of Uzbekistan cite norms regulating the activities of non-commercial organizations, and the norms defining the activities of the matlubot cooperative (Article 73), public associations (Article 74), public funds (Article 75), institutions (Article 76), associations of legal entities (Article 77), self-governing bodies of citizens(Article 78) are included.

The Criminal Code of the Republic of Uzbekistan also contains norms related to the activities of civil society institutions. These include unlawful formation of Public Associations or religious organizations as defined in Article 216, encouraging participation in the activities of illegal public associations and religious organizations in Article 216-1, violation of the legislation on religious organizations specified in Article 216-2, as well as the norms on the organization of meetings, rallies, street walks or demonstrations in Article 217, violation of

The legal basis of civil society institutions is determined not only by constitutions and codes, but also by laws of a special and universal type. These laws include:

- The Law of the Republic of Uzbekistan — On Political Parties‖ (26.12.1996);

- The Law of the Republic of Uzbekistan — On Public Associations‖ (15.02.1991);

- The Law of the Republic of Uzbekistan — On Non-Governmental Non-Profit Organizations‖ (14.04.1999);

- Law of the Republic of Uzbekistan —On Public Funds‖ (29.08.2003);

- The Law of the Republic of Uzbekistan — On Freedom of Conscience and Religious Organizations‖ (01.05.1998);

- The Law of the Republic of Uzbekistan — On Guarantees of the Activities of Non-Governmental Non-Profit Organizations‖ (03.01.2007);

- The Law of the Republic of Uzbekistan — On Citizens' Self-Government Bodies‖ (14.04.1999);

- The Law of the Republic of Uzbekistan "On Trade Unions" (06.12.2019);

- The Law of the Republic of Uzbekistan — On the Financing of Political Parties‖ (30.04.2004);

- The Law of the Republic of Uzbekistan "On Private Housing Owners' Associations" and other special-type laws.

Results. Of the listed legislative acts, the laws "On Public Associations" and "On Non-Governmental Non-Profit Organizations" are universal-type laws. Because, through these legislative acts, legal relations related to almost all types of civil society institutions are regulated. In particular, the Law "On Public Associations" defines which organizations are recognized as public associations and to which specific relations this law applies to civil society institutions. Article 1 of the Law defines a public association as follows:

A public association is a voluntary structure that arises from the free expression of the will of citizens who unite to jointly realize their rights, freedoms, and legitimate interests in politics, economics, social development, science, culture, ecology, and other areas of life.

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

Part 3 of the Act stipulates which institutions are not subject to this law, according to which:

This law does not apply to cooperative organizations that pursue commercial goals or promote the profit (income) of other enterprises and organizations, to religious organizations, to self-government bodies of citizens, as well as to foreign bodies, the order of organization and activity of which is determined by other legislation.

According to the law‖on non — profit organizations", a non-profit organization is understood as a self-government organization created by individuals and (or) legal entities on a voluntary basis, which does not make the receipt of income (profit) the main purpose of its activities and does not distribute the income (profit) received among its participants (members).

Thus, these two legislative acts regulate general relations with civil society institutions. Institutions that fall into a separate category (political parties, trade unions, and religious organizations) are regulated by special laws, which are listed above.

Following the legal framework guaranteeing the establishment and operation of civil society institutions are the legislative acts (Presidential Decree, decrees and orders,

Decisions of the cabinet, etc.) and international instruments ratified by the Oliy Majlis.

Conclusion. As a conclusion, we can say that civil society institutions are democratic institutions that are not established by the state, do not make income generation the main purpose of their activities, promote the realization of the rights and freedoms of citizens, are formed to jointly satisfy their social, cultural, political, spiritual needs. The legal basis of civil society institutions is formed by regulatory legal acts that guarantee their functioning. The reforms carried out in our country, the emergence of new social relations, also necessitates the improvement of legislation on civil society institutions. We can make the following suggestions and recommendations on improving the legislation:

- civil society and —civil society institutions in the legislation giving a clear scientific definition to the concepts of;

- Unification of documents with similar content and subject matter, in particular, the documents — On Public Associations‖ and — On Non-Governmental Non-Profit Organizations‖ into a single law;
- or, as our President emphasized, to create the necessary conditions for the free functioning of civil society institutions, their active participation in state and public administration, and to further improve the mechanisms of state support for them, to adopt the Code of Non-Governmental Non-Profit Organizations;
- Study and apply advanced foreign experience in improving legal documents to national legislation.

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