

The role and importance of information technologies in the process of norm-making

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Abstract: This scientific research paper examines the use of information technologies in the process of norm creation, their role, and importance in the normative legal activity. Moreover, this article focuses on studying the legal foundations for implementing information technologies in the norm-making process through national legislation. Additionally, the article provides a theoretical and legal analysis of the functioning of the information systems currently used in norm creation and their legal bases.

Keywords: Justice, norm, digitalization, information, legislation, normative-legal act, norm-making, technology, portal, electronic system, digital signature.

Introduction: One of the priority tasks of justice bodies is the quality organization of the normative legal act drafting process, the establishment of consistent and uniform application of the law, ensuring the effectiveness of the state administration system, and raising the legal culture of the population.

As a result of the digitization of the Ministry of Justice, new electronic systems have been introduced for the development, review, and approval of normative legal documents. These systems include "Regulation.gov.uz", "Project.gov.uz", "E-qaror" and "Lex.uz".

In discussing the modern trends in the development of digitization in the justice sector, Deputy Minister of Justice Kh. Meliyev stated that digitization now covers all areas of the Ministry's activities. He pointed out that today, nearly 50 major information systems are functioning within the Ministry, including the National Database of Legislative Acts of the Republic of Uzbekistan (Lex.uz), the Unified Electronic System for Drafting and Coordinating Normative Legal Documents (Project.gov.uz), the Portal for the Discussion of Draft Normative Legal Acts (Regulation.gov.uz), "Notarius" Information System, the Non-Governmental Non-Profit Organizations Portal (E-ngo.uz), and other large information systems.

These systems play an important role today in helping the population become familiar with the national

legislative system and in resolving their issues easily and conveniently. It would be beneficial to familiarize ourselves with the activities of these systems.

The Portal for the Discussion of Draft Normative Legal Acts, "Regulation.gov.uz". In our country, the discussion of legislative document drafts is carried out through the "Regulation.gov.uz" portal. The Portal for the Discussion of Draft Normative Legal Acts (regulation.gov.uz) introduces modern digital technologies into the process of developing, discussing, and adopting normative legal documents, ensuring transparency and speed. At the same time, documents are developed in paperless electronic form. According to the Law of the Republic of Uzbekistan on "Normative Legal Acts" draft normative legal documents must be placed on the Portal for Public Discussion in accordance with the procedure established by law.

Looking at the history of the creation of this system, the Unified State Interactive Services Portal (www.my.gov.uz) was launched on July 1, 2013, to provide the public with access to interactive state services. On March 17, 2015, the Open Data Portal of the Republic of Uzbekistan (data.gov.uz) was put into operation. As a logical continuation of these efforts, the system for evaluating the impact of legislative documents was launched as a separate portal. This system was launched on January 1, 2015, initially as a section of the Unified State Interactive Services Portal and made available to the public.

The Portal for the Discussion of Normative Legal Acts of the Republic of Uzbekistan was developed based on the Decree of the Cabinet of Ministers of the Republic of Uzbekistan Resolution No. 328, dated December 2, 2014, and is the first version of the system for assessing the impact of legislative acts.

The launch of this portal includes a number of priority goals and tasks. Specifically, it aims to identify the potential (or actual) positive and negative consequences that may arise when adopting a normative legal act by analyzing the issue, its regulatory objectives, and existing solutions. It also seeks to identify provisions in the draft or adopted normative legal act that may create conditions for corruption or other violations within the system of state authority and governance, or introduce excessive administrative and other restrictions on business entities, or create conditions for such restrictions. Additionally, it seeks to identify provisions that could lead to unnecessary costs for business entities. These objectives are the main goals of the portal.

The portal hosts draft laws and adopted normative legal acts related to entrepreneurial activities, developed by government bodies. It allows all registered users the opportunity to provide their suggestions on these documents. The submitted suggestions are then reviewed by the relevant government body that posted the draft or adopted normative legal act, and they will either be accepted or responded to with a reasoned rejection.

It is important to note that, starting in 2018, all drafts of normative legal acts have been posted by the organizations that developed them on the Portal for the Discussion of Draft Normative Legal Acts – “Regulation.gov.uz” for public discussion.

Moreover, the Presidential Decree No. PF-6075, dated September 27, 2020, established that the impact assessment of the regulatory framework for draft normative legal acts must be carried out by the responsible agency or organization through the use of the Portal for the Discussion of Draft Normative Legal Acts (Regulation.gov.uz). Currently, “ochiq platforma” an “open platform” has been launched on this portal, enabling cooperation with the public, the business community, academic circles, and civil society institutions. This platform facilitates the introduction of feedback mechanisms related to the implementation of the adopted legislative acts, utilizes “kraudorsing” opportunities to assess the impact of legislative acts on legal practice, and conducts online surveys. The public can evaluate the drafts of normative legal acts posted on the Portal for the Discussion of Draft Normative Legal Acts (Regulation.gov.uz) by filling out a checklist

to assess potential corruption factors.

According to statistical data, as of February 18, 2025, a total of 280 draft normative legal acts have been submitted for discussion via the “Regulation.gov.uz” system. Of these, 252 drafts have completed the discussion process, while 28 drafts are still under review.

The Unified Electronic System for the Development and Coordination of Normative Legal Acts (Project.gov.uz) is used for the development and coordination of normative legal acts. This process is carried out electronically through a specialized information system for the coordination of normative legal acts. According to the Law of the Republic of Uzbekistan on “Normative Legal Acts”, the coordination of drafts is mandated to be conducted electronically through this special information system.

Additionally, in accordance with the Resolution No. 284 of the Cabinet of Ministers of the Republic of Uzbekistan, dated April 8, 2019, on the “Organizational Measures for the Implementation of the Unified Electronic System for the Development and Coordination of Normative Legal Acts”, the development, coordination (signing), and submission of drafts for laws, Presidential documents, and Government resolutions are to be carried out through this Unified Electronic System. The Ministry of Justice is responsible for providing methodological guidance in the use of this system in regulatory activities and for continuously monitoring the processes within the system.

Looking at the operation of this system, we can see that, starting from January 1, 2019, the system was launched as a pilot project on the global Internet network. The system was established by the Ministry of Justice in collaboration with the Ministry for the Development of Information Technologies and Communications and the “UZINFACOM” state information service creation and support integrator. The Resolution No. 284 of the Cabinet of Ministers, dated April 8, 2019, was adopted to ensure the continuous operation of the Unified Electronic System, guarantee the necessary transparency of the development and coordination processes of normative legal acts, and accelerate these procedures.

This system facilitates the electronic approval (review) of normative legal act drafts, which simplifies the process of regulatory development.

The Unified Electronic System enables the execution of the following tasks related to regulatory development:

- To allow the review and approval of drafts of normative legal acts by all relevant ministries, agencies,

and local executive authorities, using an electronic signature. This includes enabling simultaneous and rapid submission for public and expert discussion.

- To ensure the transparency of the review and approval process of normative legal acts by automatically recording actions, dates of submission, and receipt.
- To verify the authenticity of electronic signatures, including the validity and relevance of the approvals (signatures).
- To collect and store information about the actions taken, proposals, and objections from relevant ministries, agencies, and local executive authorities regarding the drafts of normative legal acts during the review and approval process.
- To maintain a unified electronic database of normative legal act drafts, including information about the development process and coordination carried out through the Unified Electronic System by relevant ministries, agencies, and local executive authorities. This system also aids in forming information-analytical and statistical data.
- To manage, monitor, and control the process of developing and coordinating drafts of normative legal acts in real time with relevant ministries, agencies, and local executive authorities.
- To significantly save time and labor resources during the process of drafting and coordinating normative legal acts with relevant ministries, agencies, and local executive authorities.

It should also be noted that this system has facilitated the practice of accepting departmental normative legal acts.

As of now, more than 200 ministries, agencies, local executive authorities, other state bodies, and organizations are connected to the "Project.gov.uz" system. Since its launch, the Ministry of Justice has processed and approved over 700 draft documents through this electronic platform for legal expertise.

The Unified Electronic System for the Development, Coordination, and Registration of Decisions Adopted by Local Government Authorities (E-qaror.gov.uz) is one of the key directions of digitalizing the activities of the Ministry of Justice. On December 29, 2020, in his address to the Oliy Majlis, President Sh. M. Mirziyoyev emphasized the need to ensure transparency in the decision-making process of local government leaders. He pointed out that nearly 2,500 decisions made by local authorities were annulled by the courts over the past two years, underlining the necessity of implementing an electronic information system for recording and publishing decisions made by local

government authorities.

The document addresses the integration of modern information technologies into the activities of local government authorities with the aim of improving the process of local normative legal acts, ensuring transparency in the decision-making process of local authorities concerning citizens and business activities, and preventing the adoption of illegal documents by local governments. In accordance with the Decree of the Cabinet of Ministers of the Republic of Uzbekistan No. 218, dated April 14, 2020, the Ministry of Justice has launched the unified electronic "E-decree" system for the development, coordination, and registration of decisions made by local government heads. This system is designed to completely automate the decision-making process for local government heads in an electronic format.

The Ministry of Justice of the Republic of Uzbekistan oversees the continuous monitoring of the process through the system, which includes adopting, registering, assigning unique special numbers to decisions, and automatically publishing them. It ensures the effective use of the system by local executive bodies, other government agencies, and organizations, and provides methodological guidance on its application.

To expand the use of the unified electronic system for the development, coordination, and registration of decisions made by local government authorities, as well as to strengthen the legal validity and legal protection of electronic documents, the government has outlined legal measures in various normative legal documents for cases where local government decisions are not implemented electronically.

Specifically, according to the Decree No. 390 of the Cabinet of Ministers of the Republic of Uzbekistan, "Measures for the Introduction of "E-qaror" Electronic System in the Activities of Local Government Authorities", local government authorities are not allowed to adopt relevant decisions and orders bypassing "E-qaror" electronic system. Such documents do not have legal force and will not have any legal consequences from the moment they are adopted. Furthermore, the Decree assigns a number of tasks to the Ministry of Justice. In particular, the Ministry of Justice is responsible for continuously monitoring the process of drafting, coordinating, adopting, registering, and publishing decisions and orders of local government authorities exclusively through "E-qaror" electronic system; applying measures to the heads and responsible employees of interested organizations who fail to respond within the prescribed time frame to the decisions and orders of

local government authorities submitted for coordination through the “E-decree” system; and, in collaboration with the Ministry for Development of Information Technologies and Communications, continuously improving “E-qaror” electronic system .

The Ministry of Justice also organizes the delivery of documents adopted by local government heads to interested organizations and executors, posts drafts of normative legal documents for public discussion on the portal for public discussion of normative legal documents (Regulation.gov.uz) in the prescribed manner, and ensures that adopted normative legal documents are registered by the state and submitted to the “Lex.uz” system.

The launch of “E-qaror” system has created a number of conveniences. First, it ensures legality and the rule of law. All decisions that can be adopted by the head of the local government are analyzed in the system, and nearly 100 model decision drafts, which have undergone various expert reviews by relevant ministries and departments, have been included. This provides convenience for the drafters of the head’s decisions and helps prevent violations of the law. Additionally, all processes from the development to the adoption of the decision are monitored by justice authorities.

Secondly, transparency in the activities of local government heads is enhanced. Each decision adopted through “E-qaror” electronic system is assigned a unique special number on the website “E-qaror.gov.uz” and is automatically published. This allows all citizens, media representatives, and the general public to familiarize themselves with these decisions. This, in turn, enables public oversight over the process of normative legal act drafting by local authorities, providing an opportunity to quickly address any existing legal violations.

Thirdly, information and communication technologies are implemented in the sector. The adoption of decisions by local government heads through the electronic system serves to increase labor productivity. That is, the processes of coordinating decisions, registering them, and assigning numbers are all carried out electronically. Furthermore, the decisions adopted by local government heads through “E-qaror” system are automatically published on the official websites of the respective local governments and in the national database of legislative information systems of the Republic of Uzbekistan – “Lex.uz”.

Fourthly, the role and position of citizens in public oversight are strengthened. Specifically, by implementing “E-qaror” electronic system in all local governments in the country, the active participation of

citizens in the process of local normative legal act drafting is ensured. It provides the opportunity to address issues where the constitutional rights and freedoms of citizens may be violated by local authorities, and to prevent the establishment of rules and regulations that may create conditions for corruption, other illegal activities in the state authority and management system, as well as unnecessary administrative costs for business entities caused by unjustified administrative barriers and restrictions.

Overall, the introduction of the “E-qaror” electronic system has led to a reduction in the timeframes for the adoption of decisions and orders by local government authorities, a decrease in human interference and involvement in their development, and, importantly, has created the opportunity for the public to constantly access information about these decisions and orders.

According to statistical data, as of now, a total of 624,728 documents of local government authorities have been processed through “E-qaror” electronic system, including 347,267 decisions of the local government heads, 150,204 orders of the heads, and 127,257 council decisions.

The national database of legislative information of the Republic of Uzbekistan – Lex.uz. Published documents are made available in the official state publications, including official websites or electronic databases. In our country, normative legal documents are published in the “Lex.uz” system, and they are stored in this system. (For reference, since 2017, the “Lex.uz” system has been granted the status of the official source for the publication of normative legal documents.) These norms are set forth in legislative documents.

Specifically, the Law of the Republic of Uzbekistan “On Normative Legal Documents” recognizes the “National Database of Legislative Information of the Republic of Uzbekistan – Lex.uz” as one of the official sources for the publication of normative legal documents, which is a significant development. This is because the National Database of Legislative Information of the Republic of Uzbekistan operates in accordance with the “Law on the Distribution and Provision of Legal Information” and the Decree of the President of the Republic of Uzbekistan, dated February 8, 2017, No. PQ-2761, on “Measures to Radically Improve the System of Distribution of Legal Documents”. This system allows for the easy and convenient search and review of normative legal documents.

The Ministry of Justice receives the texts of normative legal documents and related materials in both paper and electronic formats from state bodies and organizations. It ensures that these materials are sent electronically to all state bodies and organizations

based on a list defined by the Cabinet of Ministers. The Ministry is responsible for the official publication of normative legal documents, their registration with the state, and the systematization of legislation. Additionally, the Ministry forms and manages the National Database of Legislative Information of the Republic of Uzbekistan, ensuring that both individuals and legal entities can use it in the prescribed manner.

The official publication of normative legal documents in the "Lex.uz" system is carried out within one day from the moment the documents are received by the Ministry of Justice and are processed in the "Official Publication of Normative Legal Documents" department within the Ministry.

Furthermore, according to the Decree No. PF-6075 of the President of the Republic of Uzbekistan, dated September 27, 2020, all existing decisions of the chambers of the Supreme Assembly of the Republic of Uzbekistan and the normative legal documents of local government authorities must be included in the National Database of Legislative Information of the Republic of Uzbekistan. Based on this, the Cabinet of Ministers of the Republic of Uzbekistan, in collaboration with the Ministry of Justice and local government bodies (the Council of Ministers of the Republic of Karakalpakstan, regional authorities, and the Tashkent city administration), initiated work to systematize local government normative legal documents and cancel outdated and irrelevant documents by June 1, 2021. A mechanism for automatically uploading normative legal documents to the national database was also introduced. The Ministry of Justice was appointed as the coordinating body for assessing the regulatory impact of normative legal documents and their drafts.

As of December 6, 2024, the Lex.uz system contains 140,580 documents, including 19,897 legislative documents, 16,036 presidential documents, 34,620 government decisions, 24,985 documents from ministries, state committees, and agencies, 24,125 local government decisions, 1,012 judicial documents, 4,828 international documents, 9,287 documents from the chambers of the Supreme Assembly (the Supreme Council, the Presidium of the Supreme Assembly), 3,977 technical documents, 1,619 judicial practices, and 194 documents from the Central Election Commission of the Republic of Uzbekistan.

CONCLUSION

From the above considerations, it can be concluded that the introduction of modern information technologies at all stages of the normative legal act drafting process improves the quality of the adopted documents and ensures the participation of the public

in the process. This, in turn, helps prevent shortcomings in the drafts of normative legal documents being developed. Additionally, the use of information technologies in the legislative process reduces bureaucracy, unnecessary paperwork, and inefficiencies, thereby improving the performance of participants in the process.

Overall, the implementation of digital technologies in the normative legal act drafting process ensures the openness and transparency of the review process for normative legal act drafts, allowing citizens, media representatives, and the public to familiarize themselves with the drafts. Furthermore, it leads to a reduction in the time taken to adopt normative legal documents, minimizes human involvement and interference in their development, and provides the public with continuous access to these documents.

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