



THE IMPORTANCE OF SIMPLIFYING THE PROCEDURE FOR OBTAINING CITIZENSHIP IN UZBEKISTAN

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Annotation. The article examines the importance and necessity of obtaining citizenship in the today's globalization, the implemented reforms to simplify and optimize the procedures for obtaining citizenship and their results in recent years in the Republic of Uzbekistan.

Key words: legal status, citizenship, obtaining citizenship, acquisition citizenship, legislation, international standards and regulations, state services.

It is known that, subjective (natural) rights are vital part of human rights. According to the norms of international law, any state must guarantee seriously as obligations in this regards the legal status of a person which includes subjective rights. "Citizenship" is one of the most important institutions that determine the legal status of a person in the country. Since the basis of the rapport between the individual and the state is built on the foundation of this institution .

It can be observed many views aimed at explaining the essence of this institution in the legal literature. For instance, Kh.Y.Sadullayev defined citizenship as follows that the rapport between the individual and the state which occurs between subjects entering into legal relations based on mutual rights and obligations both in national and international law between subjects entering into legal relations based on mutual rights and obligations . Moreover, legal scholars H.Adilkariev and B.Ochilov emphasized that citizenship is a strong political-legal relationship of a person with mutual rights and obligations with a certain state . It is manifested, this institution shows that the rapport is not only legal, but also political between the individual (person) and the state. Therefore, any state is dependent reciprocal rights along with obligations on its citizens. This means that any state should follow the requirements of national legislation and international law in conducting citizenship cases. That is, democracy states should provide their citizens with equal membership that entitles them to protection now.

Nowadays, as a result of the acceleration of the processes of globalization and integration in the political life of the world brings to establish (determine) the legal status of a person and introduce effective mechanisms aimed at guaranteeing his citizenship rights. According to statistics, about 12 million of population live under the status of a stateless person in the world . As to the law, there are categories of persons who cannot obtain citizenship documents, while having the right to citizenship in 20 percent of countries in the world . This situation requires the approach of the international community to create a perfect organizational and institutional platform, which related to this problem and imposes on the states and international organizations the task of implementing a number of measures that

cannot be delayed. Correspondingly, the global action plan to end statelessness was adopted by the UN and is being implemented in social life from 2014 to 2024.

It should be acknowledged that international standards for guaranteeing the legal status of a person have been developing and are being used in practice. Those which acquire international universal significance of these documents may impose certain obligations that must be followed by all countries. For example, as reported by the "Universal Declaration of Human Rights" of December 10, 1948, "Everyone has the right to be a citizen (Part 1 of Article 15). No one can be arbitrarily deprived of his citizenship or the right to change it (Article 15, Part 2)". According to the requirements of the "International Covenant on Civil and Political Rights" of December 16, 1966 (Article 12), any legal document can be the basis for restricting the right to free movement of a person (except for cases determined to ensure national security).

From this point of view, tracking and monitoring the extent to which the conduct of citizenship cases is compatible with the norms of international law and the life of the society - allows for continuous improvement of the mechanisms of effective provision of this process in Uzbekistan.

It is known that the most widely used natural indicator for assessing the effect the national policy of any country on citizenship is the state (level) of the process of "naturalization". In this regard, the issues related to defining and applying the naturalization for citizenship are of particular importance. Therefore, in recent years, substantial measures aimed at guaranteeing the legal status of an individual have been implemented in the Republic of Uzbekistan. Especially as a fruit of the simplification of citizenship procedures, the increase in the facts of obtaining citizenship contributes to the further improvement of the image of our country in the international arena.

Presidential Decree of the Republic of Uzbekistan of February 7, 2017 No. UP-4947 "About the strategy of actions for further development of the Republic of Uzbekistan" adopted by the President of the Republic of Uzbekistan Shavkat Mirziyoyev on February 7, 2017 and the state programs and legal documents adopted on the basis of it became the foundation for the formation of a completely new view of the civil institution in our country.

In particular, as a result of the implemented reforms, the following new mechanisms and new institutions related to citizenship were introduced based on the principles "Human interests are dominant over anything else" and "People need not work for the state agencies, however, they should serve our people". They are:

Firstly, efforts were made to expand the acceptance of citizenship of the Republic of Uzbekistan. In particular, although the Republic of Uzbekistan has joined more than 80 international documents on human rights, including 6 main treaties and 4 optional protocols of the UN, harmonization of national legislation with international legal standards in the field of human rights, personal, political, economic, social and the existence of a number of problems in the field of ensuring cultural rights was initially recognized in the project of the National Strategy of the Republic of Uzbekistan on Human Rights. In this regard, special attention was paid to the lack of organizational and legal measures to legally solve the problem of stateless persons who have been living for a long time ;

secondly, the "Honorary Citizen" institute was introduced for the first time, and it was determined that such a status would be given to persons who made significant investments in

the development of the economy, science, culture and art, education, healthcare and social sphere, as well as those who carried out charitable (philanthropic) activities in Uzbekistan ;

thirdly, the procedures related to the acceptance and review of citizenship applications were automated, and the "e-Citizenship" interdepartmental database was launched, which provides for electronic processing of citizenship, restoration, withdrawal, and loss of citizenship ;

fourthly, as a result of the adoption of the new version of the Law of the Republic of Uzbekistan "On Citizenship of the Republic of Uzbekistan" dated March 13, 2020, the following legal mechanisms were created and implemented:

initially, the legal guarantees of the institution of recognition of citizenship were created, with the introduction of the procedure for recognizing as citizens of Uzbekistan persons who came to Uzbekistan before 1995 and since then are stateless on the basis of a person's identity card, who are permanent residents and who express their desire to become citizens of the Republic of Uzbekistan;

Later, according to the Law of the Republic of Uzbekistan No. LRU 696 "On Additions and Amendments to the Law of the Republic of Uzbekistan "On Citizenship of the Republic of Uzbekistan" dated June 16, 2021, registered in our country by place of permanent residence until January 1, 2005 and did not previously hold the citizenship of a foreign country if a person expresses his desire, it is established that he will be recognized as a citizen of the Republic of Uzbekistan. For this reason, the share of stateless persons living in our republic has decreased even more.

In addition, the following new institutions and legal mechanisms introduced by the law further increased the level of guaranteeing the rights and legal interests of the individual: adoption of a child was established as the basis for obtaining citizenship of the Republic of Uzbekistan;

the practice of judicial assessment of citizenship/non-citizenship was established;

The system of admission to the citizenship of the Republic of Uzbekistan in a simplified manner was introduced;

Legal mechanisms of the Institute of Citizenship Restoration of the Republic of Uzbekistan were created;

The legal status, prerogatives, main tasks and fields of activity of the Civil Affairs Commission under the President of the Republic of Uzbekistan have been clearly established in the legislation.

Acquiring citizenship in a simplified manner is a special type of citizenship and has certain specific features. According to it, lighter conditions are applied to a person for obtaining citizenship on this basis than those provided for in the general rules. For example, according to the Law of the Republic of Uzbekistan "On Citizenship of the Republic of Uzbekistan" dated March 13, 2020, the simplified procedure for acceptance of citizenship of the Republic of Uzbekistan is carried out in the following cases in relation to compatriots who are citizens of a foreign country or are considered stateless persons, if:

- a) If a relative living in the territory of Uzbekistan and a citizen of the Republic of Uzbekistan, who is closely related by genealogy, has a previous relative;
- b) has a legal source of livelihood;
- c) assumes the obligation to comply with the Constitution of the Republic of Uzbekistan;

d) knows the state language to the level necessary to communicate in accordance with the law.

People who fulfill these conditions are not required to have lived permanently in the territory of Uzbekistan for five years. Furthermore, a letter of guarantee on behalf of the state on the presentation of the citizenship of the Republic of Uzbekistan is issued to such persons in order to leave their citizenship. This will certainly reduce the risk of a person becoming stateless. Taking into account that the simplification of the procedures for the provision of public services in the field of civil affairs serves to effectively guarantee the rights of individuals, as well as to strengthen the fight against corruption, special attention has been paid to this issue in recent years.

In doing so, transparent mechanisms for providing services without entering into direct contact with the population were implemented. First of all, an online application system was launched through modern information and communication tools.

On the initiative of the president, the expansion of the list of public services provided only through State Service Centers based on the "single window" principle approved by Decree No. UP 5278 of December 12, 2017 which has created a certain level of convenience for the population.

Also, an interdepartmental database was formed on citizenship issues of the Republic of Uzbekistan and the introduction of the "E-Citizenship" information system served to increase the efficiency of state bodies. Besides, the Ministry of Internal Affairs of the Republic of Uzbekistan launched the provision of the following state services related to the citizenship of the Republic of Uzbekistan in both electronic and traditional form:

- 1) Issuing, registering, replacing the identification ID card of a citizen of the Republic of Uzbekistan;
- 2) issuance, extension, exchange and registration of permanent residence in the Republic of Uzbekistan to foreign citizens and stateless persons;
- 3) formalization of documents of acceptance of citizenship of the Republic of Uzbekistan and withdrawal of citizenship;
- 4) Issuance of certificates of non-citizenship of the Republic of Uzbekistan.

In addition, in the system of interactive consular services of the Ministry of Foreign Affairs of the Republic of Uzbekistan (<https://consulate.mfa.uz>), the acceptance of a number of appeals has been launched in electronic form. Including: 1) issuing documents on leaving the citizenship of the Republic of Uzbekistan; 2) for citizens to apply for citizenship in a simplified manner (for compatriots); (3) Submission of applications for permanent or temporary consular admission of citizens of the Republic of Uzbekistan.

Such a favorable environment and privileges have increased the possibility of obtaining the citizenship of the Republic of Uzbekistan. The simplification of legal norms for foreign citizens and stateless persons (including compatriots) further strengthens the aspirations to obtain citizenship of our country.

In general, the implemented reforms have further increased the possibilities of obtaining the citizenship of Uzbekistan and created a number of conveniences for those who wish to obtain citizenship. As a result, 7,765 persons acquired the citizenship of Uzbekistan in our country between 2016 and 2019. This indicator is 94 percent of the people who have obtained citizenship from the first years of independence until July 2019. It can be seen that the reforms are carried out result of the principle "For Human Dignity" in these years.

It should be noted that the work on acceptance of the citizenship of the Republic of Uzbekistan is being continued intensively in the following years. In particular, 8127 people in 2020, 4567 people in 2021 and 553 people in 2022 were granted the citizenship of Uzbekistan .

It can be concluded that today factors such as the strengthening of international integration processes, the need to ensure social-economic stability and the development of tourism require the simplification of the procedures for conducting citizenship affairs in the Republic of Uzbekistan. As this need, the reforms implemented serve to guarantee the natural rights of a person to citizenship in our country.