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ADMISSION TO THE CITIZENSHIP OF THE REPUBLIC OF UZBEKISTAN IN A SIMPLIFIED MANNER BASICS AND CONDITIONS

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ABSTRACT

The article analyzes the basics, conditions and procedure for admission to citizenship in a simplified manner in the legislation of the Republic of Uzbekistan, reveals the existing collisions and legal gaps. On the basis of international standards and comparative-legal analysis of the legislation of the CIS countries, proposals and recommendations were made to eliminate them.

KEYWORDS: *Citizenship, Admission to citizenship, Simplified procedure, Admission to citizenship in a simplified manner, Basics, Procedure and conditions of naturalization in a simplified procedure.*

INTRODUCTION

Analysis of the norms of the law of the Republic of Uzbekistan "on citizenship of the Republic of Uzbekistan" № 610 of March 13, 2020 shows that there are three different procedures for admission to citizenship: 1) in general order; 2) in simplified order; 3) in separate order.

These procedures differ from each other in the peculiarities of carrying out work in this category. In them, admission to citizenship in a simplified procedure is of particular importance.

Admission to citizenship in a simplified procedure is a separate type of admission to citizenship and is used on the basis of certain specific conditions and procedures. This type of admission to citizenship is applied to individuals of a separate category, on the basis of certain specific conditions and procedures.

In this place, initially, there will be a need to clearly define in the legislation the category of persons who have the right to receive citizenship in a simplified procedure. According to the results of the study, these requirements reflect the preferential rules applicable to

"compatriots" who in most cases are foreign citizens or stateless persons abroad. O in this regard. E. Kutafin believes that "the civil Institute is connected with the Printing House of the continuity (linkage) of statehood, and since the Russian Federation is the legal successor of the Soviet Union, compatriots have the right to obtain citizenship in a simplified procedure".

In general, since the requirements for obtaining citizenship in this order are seriously different from the civil conditions that are issued on general grounds, it is worthwhile for the contingent of such a category to use the existing requirements in preference. However, the determination of the circle of persons of this category is an issue that is resolved by each state's own internal policy.

In the legislation of the CIS and the Baltic states, it is established that persons of the following categories have the right to obtain citizenship in a simplified procedure:

- 1) the legislation of Armenia stipulates the granting of citizenship in a simplified procedure to persons of Armenian nationality (without additional conditions) (Article 1 Part 2);
- 2) persons who have the status of repatriant (forced displaced) in Georgia will benefit from such privileges (Article 271 Part 2);
- 3) in Kyrgyzstan: a) if one of the parents of a person is a citizen of this state and lives permanently in the country; B) if a person was born in the USSR or Kyrgyz SSR and has the citizenship of the former Union has the right to obtain citizenship in a simplified manner (Part 1 of Article 14).
- 4) in Russia, however, in addition to the rules established in Kyrgyzstan, in addition to the following, such benefits are provided to: a) persons who have a capable (talented) son or daughter who have reached the age of eighteen and who have been in a legal marriage with a Russian citizen for 3 years; b) persons who themselves are disabled and who have reached; v) Persons whose parents, who are Russian citizens under custody, died by a court decision, are missing, are deprived of parental rights or have children who are citizens of the Russian Federation who are found to have such a right, are found to be unfit for circulation or limited in treatment; g) persons who have studied for 3 years before the date of applying for citizenship; D) persons engaged in entrepreneurial activities for three years before applying for citizenship by types of economic activity established by the government of the Russian Federation; e) persons recognized as "carriers" of the Russian language are also included in this list (Part 1 of Article 14);
- 5) as for the legislation of Tajikistan (Part 1 of Article 16), the following preferential circumstances are provided for: a) if a person has great achievements in the field of Science, Technology, Health and sports or has contributed to the social, economic and cultural development of Tajikistan; B) is a participant in the World War II, lives in the territory of Tajikistan and has; d) children and persons with disabilities who are in full state supply in educational, treatment or other social protection (such as orphanages of kindness) institutions; d) persons born in the Tajik SSR and who have Soviet citizenship, lived in countries that have entered the Union citizenship, but have not received the citizenship of these states and are under the status of a stateless person.

It is noteworthy that the legislation of Tajikistan stipulates that for persons of the above categories, the requirement for permanent residence and knowledge of the state language in the

country should not be exhaustive. At the same time, some other (condition that the person was not brought to criminal responsibility) requirements were preserved. In the legislation of this state there is also a category of preferential persons of the second group, with respect to which half of the condition related to the term of permanent residence is applied. In particular, a) persons without citizenship (except those listed above); b) a person whose parents are citizens of Tajikistan and who, on the basis of the fact of his birth, have obtained the citizenship of another state (if he applies within five years after the age of 18 years); g) a foreign citizen whose parents are citizens of Tajikistan; D) persons born in the Tajik SSR and who have the citizenship of the Soviet;

6) according to the Lithuanian legislation, a person whose ethnic origin is Lithuania (regardless of the place of residence) is granted citizenship in a simplified procedure (Part 1 of Article 10).

Apparently, in the laws of the CIS and the Baltic states, the scope of persons who have the right to obtain citizenship in a simplified procedure is relatively widely described. There are also categories within them that can not logically refuse the right to receive concessions.

In our opinion, in the legislation of the Republic of Uzbekistan, along with compatriots who are either foreign citizens or persons without citizenship, the following categories of persons shall be included in the category of persons who have the right to obtain citizenship in a simplified manner: 1) permanently residing in the territory of the Republic and possessing the citizenship of the former Union; 3) children and persons with disabilities who are in full state support in institutions of education, treatment or other social protection (such as orphanages, orphanages).

On the above-mentioned proposals, the opinions of specialists in the practice of applying the right are studied and asked, "Which of the following should be included in the category of persons entitled to obtain the citizenship of Uzbekistan in a simplified manner?" when addressed with the question " 75,1 percent of respondents – 24.5 percent of children and persons with disabilities who are in full state supply in educational, treatment or other social protection institutions (such as orphanages, orphanages), 4.2 percent of persons permanently residing in the territory of the Republic and possessing the citizenship of the former Union, 8.9 percent of persons who are under the guardianship or patronage of a citizen of the Republic The application of the above proposals to our national legislation further increases the level of ensuring the natural rights of a person to a citizen.

Taking into account the fact that the category under consideration has its own characteristics of performance of work, it is worthwhile to determine with what aspects they differ. This-firstly, serves to modernize our current legislation on the basis of modern requirements; secondly, this category serves to establish the specific rules of conduct.

Russian scientist D.V. According to Andrianov, the granting (obtaining) of citizenship in a simplified procedure is illustrated by the following distinctive features::

First, the person applies to the territorial competent migration authorities or consular institutions abroad, and not to the president with the application (these bodies decide to shorten the terms of consideration of the case);

Secondly, the applicant is not required to fulfill the strict conditions established by law (for

example, in the law "on citizenship of the Russian Federation"(Article 4) the period of consideration of applications in a simplified procedure is established as up to 6 months).

Based on the results of the studies in this direction, it is possible to conclude that the legislation of the Republic of Uzbekistan does not suffice to accept citizens in a simplified manner. In particular, in articles 20, 38 of the law of the Republic of Uzbekistan "on citizenship of the Republic of Uzbekistan"dated March 13, 2020, there are no special privileges (for example, reduction of the terms of consideration of work, reduction of the requirements for admission to citizenship or the number of documents required in this process) that should be used in the consideration of

In the process of a sociological survey conducted among specialists, they were asked, "Do you think that the conditions (Omas) of admission to citizenship on the general basis of admission to citizenship in a simplified procedure in our legislation are sufficient?when addressed with the question " quot;, 78,5 percent of them answered – no.

Also, "in your opinion, what aspects of the conditions of admission to citizenship (Omas) in a simplified procedure should differ from the requirements for admission to citizenship on a general basis?when asked, it was stated that 75,1 percent of the respondents – with the shortness of terms of consideration of applications, 24,5 percent – with a low amount of required documents, 4,2 percent – with a low number of conditions for admission to citizenship, 0,9 percent – were distinguished by other issues.

As you know from the above, it is difficult to say that the conditions for obtaining citizenship (SES) established by law are simplified. Therefore, in the simplified procedure for admission to the citizenship of the Republic of Uzbekistan, it is desirable to provide for the above-mentioned conditions and legal norms.

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