

FORMS AND METHODS OF PARLIAMENTARY CONTROL ACCORDING TO THE FORM OF GOVERNMENT

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ABSTRACT

The article deals with the constitutional and legal institution of parliamentary control in the Republic of Uzbekistan from the point of view of its place in the system of state control. Theoretical approaches to the concept, essence and features of control activity in general, as well as state and parliamentary control, are analyzed. Based on the nature and essence of the parliament as a legislative (representative) body of state power, a conclusion is made about its fundamental role in the system of branches of public power and the legal necessity for parliament to have a control function. The article reflects the goals of parliamentary control, their characteristics are given. It is proposed to expand the list of principles of parliamentary control in order to better understand its essence. The author of the article pays special attention to the role and importance of the institution of parliamentary control in the Republic of Uzbekistan, its influence on the form of government in Uzbekistan.

KEYWORDS: *State Control, Parliamentary Control, Principle Of Separation Of Powers, Parliament, Legislative Power, Parliamentarians, Parliamentary Functions, Public Administration.*

INTRODUCTION

Parliamentary control plays a special role in ensuring the implementation of laws, decisions of the head of state, as well as in his activities are constantly responsible for the most important issues of socio-economic life, as well as in the system of checks and balances. The study of the institution of parliamentary control as a method of interaction and interdependence of branches of government on the principle of separation of powers, serves the implementation of laws and state programs, the creation of effective mechanisms for addressing political and socio-economic issues. The problem of rational balance between parliament and government in the system of state power remains relevant in the constitutional legislation of foreign countries and in the scientific works of legal scholars. The relationship between parliamentary control over the legislature and the executive has a direct impact on the form of government in each state. Legal scholars have given different definitions of the institute of parliamentary control and its features.

Materials and methods

As a result of this research, the following key issues were analyzed: first, an assessment of the impact of parliamentary oversight on the form of government; second, to identify specific

aspects of the functions and forms of parliamentary control on the principle of separation of powers.

In order to find answers to the above issues, in this study, such methods as historical, system-structural, comparative-legal, logical, complex study of scientific sources, analysis of statistical data were used.

Research results

According to Greek scholars F.Fitsilis, D.Koryzis, the current goal of "parliamentary control" is to focus primarily on government activities and to promote public debate [1].

According to T. Khabrieva, the basis, measures, procedures and forms of parliamentary control are the legal element of the system of restrictions and contradictions, which is determined by law, ensuring the balance of public authorities to check the activities of executive bodies [2, p. 224.]. According to M.Najimov, the best way to get acquainted with the implementation of the law is to monitor, the main purpose of which is not to punish those who do not comply with the law or obstruct its implementation, but to eliminate shortcomings in law enforcement and improve this mechanism." [3,p. 136.].

According to A.X. Saidov, an important aspect of parliamentary control is to eliminate gaps and violations in the activities of the executive branch [4,p. 185.]. According to B. Strashun and V. Ryzhov, in many cases the executive branch emerges as the object of the institute of parliamentary control. In some cases, parliamentary oversight may be applied to the head of state, the judiciary, and local authorities. The institution of parliamentary control is exercised politically over the government and legally over other state bodies [5, p.12.].

In our view, parliamentary oversight is the process by which parliament monitors and evaluates the full implementation of laws by executive bodies and officials and their activities, and as a result identifies obstacles to the implementation of laws and takes measures to eliminate them.

As can be seen, one of the most important functions of parliament is to improve oversight. As noted by the President of the Republic of Uzbekistan Sh. Mirziyoyev, "it is necessary to strengthen the activities of the parliament in making important decisions and monitoring the implementation of laws" [6].

The strengthening of the concept of "parliamentary control" in the Constitution of the Republic of Uzbekistan has served as a basis for improving its legal framework. The main areas of parliamentary control in the Republic of Uzbekistan include: the implementation of state programs on the constitution and laws, parliamentary decisions and decisions of the head of state; on observance of human rights and freedoms; on defense and security; on the execution of the state budget; control over the formation of public administration and government bodies; control over foreign policy activities [7, p. 394-399].

Foreign experience in parliamentary oversight

In the experience of foreign countries, an important tool for assessing the performance of government agencies through the legislature is the oversight function of parliament. According to S.Erniyazova, "although the analysis of foreign practice shows that there are different models and forms of parliamentary control in the system of legislature, the fact that the state has more powers in all developed and developing countries, regardless of the form of government, is

important in exercising parliamentary control over the executive” [p. 5.]. According to A.Latifov, the models of parliamentary control in foreign countries are divided into three (parliamentary, presidential and mixed) in accordance with the form of government [9, p. 26.].

An analysis of the French Constitution shows that the Milli Majlis (lower house) occupies a special place. It has the following powers of parliamentary oversight: to consider matters of confidence in a government program or a general political declaration; the issue of considering a vote of no confidence through a reprimand resolution against the government; consider expressing confidence in the government by voting on a specific bill submitted by the Prime Minister [10, p. 6.].

Parliamentary inquiries can be submitted to the government both orally and in writing under foreign law. For example, in Italian law, a written response to a request must be submitted no later than 20 days from the date of submission. If the request is made orally, the cabinet member will be given 5 minutes at the chamber meeting. The answers given by the government to the inquiry will then be published in the reports of the chamber meeting. According to the Austrian Constitution, the Federal Council (Austrian Parliament) can make inquiries on all aspects of the activities of the executive branch. The Portuguese Constitution also provides for the right of deputies in the sessions of Parliament to make oral and written inquiries to the government on any of its activities. The form of parliamentary inquiry that is effectively used in the legislation of foreign countries is interpellation. Interpellation is effectively used in the legislation of most European countries. According to the Serbian Constitution, at least 50 deputies can file an interrogation on the activities of the Government. The government must respond within thirty days. The People's Assembly shall discuss the answer and vote for it by a majority of the total number of deputies. If the government or its member interprets the appeal, the issue of a no-confidence vote will be on the agenda [11]. In Italy, interpellation is a complex form of parliamentary oversight, a written inquiry by deputies on the specific goals and activities of the government. In this case, the answer to the question is heard at a meeting of the chamber. However, this institution will not result in the parliament taking more serious action against the government or resigning [12, p. 16]. Бундан ташқари In Italy, there is the institution of a resolution of no confidence in the government, which contains proposals, objections and directives on the general political course of the government.

It should be noted that the government may return a rebuttal in response to a request and interplay by parliament if it has the appropriate grounds and evidence. In order to inform the general public about the polls, interrogations and their results, the information of the Italian Parliament is regularly published [13].

The Government Hour is a parliamentary hearing held in Austria at the beginning of each session, once a month in Slovenia and once a day in Austria and Canada. In the Czech Republic, Estonia, France, Germany, Hungary, Norway and Sweden, questions are asked once a week during parliamentary sessions. In the UK, a government hour was held from Monday to Thursday for 1 hour after the first case and case issues were considered [14, p. 168.]. In Germany, the Government Hour (Fragestunde) is held once a week for a total of 180 minutes [15, p. 3.]. However, every MP has the right to ask the Federal Government two oral questions. The timing of questions should be regulated so that questions are short and clear and parliamentary questions do not become a debate. (for example, half a minute in Canada, 1 minute

in Finland) In addition to weekly questions, there is the practice of asking “topical questions” in the experience of a number of countries (GFR). A topical question requires a particular minister to come to the chamber and answer questions of a topical nature.

At the same time, the most effective form of parliamentary oversight is the "investigative committees" set out in the country's constitution. Such a committee may be formed at the initiative of a quarter of the members of the Bundestag. It is noteworthy that such investigative committees are fully supported by the courts and administrative bodies. Decisions of investigative committees are reviewed by the court.

CONCLUSION

In conclusion, it should be noted that in the practice of foreign countries, the main forms of parliamentary control can include: parliamentary inquiry, parliamentary inquiry, interrogation, parliamentary hearings, government hours, vote of confidence or no confidence, parliamentary inquiry. A comparative analysis of the legislation of European countries shows that in countries with a parliamentary form of government, the importance of parliamentary control over the government is stronger than in countries with a mixed form of government[16-17].

Taking into account the above, in order to determine the scope and criteria of parliamentary control in improving the main directions of parliamentary control in the country, to introduce the principles of parliamentary control, to address issues related to guarantees of parliamentary control and to develop in future legislation The procedure of parliamentary investigation, timing, conclusion and decision of the parliamentary commission of inquiry, the results of which will be reflected in the initiative to initiate an investigation, will serve to effectively exercise parliamentary control over the activities of the executive branch.

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