



Involvement of Non-Governmental Non-Profit Organizations in Achieving the Sustainable Development Goals: The Legal Framework and Issues of Its Improvement

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Abstract

This article analyzes the participation of non-governmental non-profit organizations operating in the Republic of Uzbekistan in achieving the United Nations Sustainable Development Goals. Proposals were made to amend and supplement the existing legislation to improve the legal framework for their activities.

Keywords: *Sustainable Development Goals; Non-Governmental Non-Profit Organizations; Public Authorities and Administration; Public Oversight*

Introduction

At a time when the geopolitical situation in the world is becoming increasingly complex, the realization of the Sustainable Development Goals, promoted by the United Nations and irrigated with humanitarian principles, is becoming more important than ever. Indeed, in the context of the global economic crisis caused by the coronavirus pandemic, which began in 2019, it has also created serious problems in ensuring human rights and freedoms, creating decent living conditions for citizens. As the President of the Republic of Uzbekistan Sh. Mirziyoyev said, “the pandemic is costing the world economy - note that - about \$ 400 billion a month. To date, 500 million jobs have been lost worldwide. Unfortunately, this catastrophe has caused unexpected anxiety and complex problems for our people as well as for all mankind” [1]. In addition, the current turmoil in various parts of the world, the complex geopolitical situation that arises as a result of the growing contradictions between developed countries, has a direct negative impact on the lifestyles of ordinary people. The enormous environmental disasters and other modern dangers that are shaking the world are increasingly leading to poverty and destitution. These problems have become particularly acute in recent times.

At the UN summit in September 2015, the leaders of several countries around the world approved a new set of 17 Sustainable Development Goals (SDGs) that are directly related to human development

until 2030. To achieve these goals, 169 tasks have been identified, the growth patterns of which will be assessed using new (indicators) indicators and their implementation will be monitored by a global interagency expert group on BRM indicators consisting of representatives of national statistical services and the UN Statistics Division [2].

The Main Part

The participation of non-governmental non-profit organizations in ensuring the full protection of human rights and freedoms and legitimate interests in achieving the goals of sustainable development should be emphasized. In this process, NGOs, in cooperation with public authorities and administration, achieve their goals. For this reason, there is a need to study the legal framework for the participation of non-governmental organizations operating in the Republic of Uzbekistan in achieving the Sustainable Development Goals and to develop proposals for its improvement.

It should be noted that the role of non-governmental non-profit organizations in achieving the Sustainable Development Goals, which cover important tasks to improve the living standards and welfare of people, is reflected in the following:

First, there are many non-governmental non-profit organizations in Uzbekistan with extensive experience in all areas of the Sustainable Development Goals. For example, one of the main directions of BRMs is the operation of more than 50 different NGOs established in the country to protect and strengthen the health of the population, to provide qualified medical services. “Association of Physicians of Uzbekistan”, “Association of Valeologists of Uzbekistan”, “Non-Governmental International Charitable Fund for Healthy Generation”, “Public Charitable Fund for Protection of the Aral Sea Gene Pool”, “Life Center for Paralyzed Children and Adolescents in Uzbekistan” including. These NGOs are actively involved in the implementation of various social programs related to the implementation of state and regional development programs has been doing a lot of practical work on the formation of a harmonious personality. If we look only at the activities of the International Charitable Foundation “For a Healthy Generation”, this NGO has been cooperating with many foreign organizations to ensure the implementation of state programs. Within the framework of the tripartite agreement between the Foundation and the German international organization Peace Village International, twice a year sick children from the regions of the Republic are sent for treatment to prestigious clinics in Germany. For the past 18 years, sick children under the age of 12 have been treated free of charge. Many children are returning to a healthy life as a result of the assistance provided to children in need of social protection. It should be noted that between 2002 and 2020, 395 Uzbek children were treated in prestigious German clinics with complications of burns, congenital gastrointestinal, urinary tract and congenital and acquired defects of the musculoskeletal system and other diagnoses [4].

In the context of deepening globalization, the environmental problem is also a serious threat to human development. In their scientific research, our scientists have openly acknowledged that the ecological situation on the planet has undergone unprecedented negative changes compared to previous centuries. On this important issue, the President of the Republic of Uzbekistan Sh. Mirziyoyev has been putting forward proposals and initiatives at UN summits. In particular, at the 75th session of the UN General Assembly he expressed the following views: “One of the most pressing issues of our time is global climate change. Today, every country is feeling the negative effects of this process. “Unfortunately, such changes pose a serious threat to the development of Central Asia” [4]. The fact is that a number of NGOs in our country are also working to address global environmental problems and their negative consequences, which are of concern to the world community. For example, the International Fund for Ecology and Health “Ekosan” is committed to ensuring environmental sustainability, creating all the necessary conditions for the population to live in a favorable natural

environment, rational and efficient use of natural resources; has been assisting public authorities in finding solutions to emerging and emerging problems, and in resolving them rationally.

The “Ekosan” International Foundation is the largest non-governmental organization in the country. The Foundation was established in 1992 with the support of governmental and non-governmental institutions, international organizations, and specialized scientists to address environmental issues in the country. “Ekosan” does a very important job - promoting a healthy lifestyle, sanitary and hygienic knowledge and disease prevention. It provides treatment, prevention and humanitarian assistance to the population living in environmentally unfavorable areas, attracts the attention and funding of international funds and government agencies to address the consequences of the environmental crisis in the Aral Sea region” [5]. This non-profit organization is well known to the public through a number of major social projects.

In particular, it has a practical impact on the development of environmental culture of the population through scientific and popular broadcasts of the radio program “Mashal - EKOSAN”. In addition, with the organization of “Health Trains”, “Clean Air” operation, “ATROF MUHIT (The environment)” programs, making a worthy contribution to the protection of the environment, overcoming environmental problems, physical and mental health of citizens of the republic.

Another area of BRMs is the sustainable development of the country and improving the living standards and welfare of the population. Several NGOs in Uzbekistan work closely with government agencies on the effective implementation of state target programs for sustainable national development, improving decent living conditions and increasing incomes, preventing stratification. The main tasks of the Ministry of Economic Development and Poverty Reduction of the Republic of Uzbekistan include issues such as “analysis and maintenance of inclusive economic growth, development, implementation and coordination of poverty reduction strategies and programs with public administration bodies, non-governmental organizations, public organizations, international financial institutions, foreign government financial institutions” [6].

Some NGOs are implementing large-scale social projects aimed at promoting the full participation of all people in society, preventing the lack of employment opportunities that allow them to study, be educated or hospitalized, work in a field or earn an income. In particular, the International Public Foundation “Zamin” in its project “Development of education for children with hearing impairments” to expand access to quality education for children with hearing impairments; has created extremely important tasks, such as creating educational conditions in boarding schools for hearing-impaired children in accordance with modern international standards, gradually equipping schools with modern auxiliary equipment, updating teaching methods, as well as introducing cochlear implantation programs for schoolchildren.

Second, NGOs play an important role in establishing effective public oversight of the work done by public authorities to achieve the Sustainable Development Goals. By the Decree of the President of the Republic of Uzbekistan dated March 4, 2021 PD-6181 “On approval of the concept of civil society development in 2021-2025” to increase the number of representatives of non-governmental non-profit organizations (in relation to the number of representatives of non-governmental non-profit organizations included in the total number of public councils) in the activities of public councils under each state body to 5% in 2021 and 25% in 2025 marked [7]. Chambers of the Oliy Majlis of the Republic of Uzbekistan, the Cabinet of Ministers, the Republican Council for Coordination of Citizens’ Self-Government, the “Nuroni” Fund for Support of Social Activities of Veterans of Uzbekistan, other non-governmental non-profit organizations and the public, including law enforcement agencies. The proposal to establish a public council under the Council of Ministers of the Republic of Karakalpakstan, regional and Tashkent city khokimiyats was approved.

According to the national legislation of the Republic of Uzbekistan, “citizens of the Republic of Uzbekistan, citizens’ self-government bodies, as well as non-governmental non-profit organizations registered in the manner prescribed by law, the media are the subjects of public control” [8]. For example, according to Article 16 of the Law of the Republic of Uzbekistan “On citizens’ self-government bodies”, the forms of public control by citizens’ self-government bodies are as follows:

- to study the state of implementation of laws and other legislative acts in the relevant territory;
- to apply to government agencies to take appropriate measures;
- to send inquiries on issues within the competence of government agencies and of social significance [9].

The legislation stipulates that decisions, proposals, conclusions prepared by citizens’ self-government bodies based on the results of public control must be considered by state bodies within thirty days and a written response to citizens’ self-government bodies on the results of the review. In the opinion of Doctor of Law, Professor H. Mamatov, who commented on the use of the powers granted to citizens in order to effectively implement the institute of public control of citizens’ self-government, “The relevant articles of the law stipulate that the Councils of Citizens’ Assemblies have the authority to hear reports of the heads of enterprises, organizations and agencies in the territory of makhallas. This authority also serves as a legal basis for public oversight. The organization of public hearings in neighborhoods is one of the mechanisms for exercising public control. However, frankly, most citizens’ assemblies do not fully exercise these important powers established by law. Frankly, some Citizens’ Assembly Councils do not hold such public hearings even once a year. At a time when many of the powers of public authorities and administration are being transferred to civil society institutions, they must exercise all of their powers” [10, pp. 32-33].

Third, a regulatory framework has been formed that provides legal guarantees for non-governmental non-profit organizations and meets modern democratic requirements and international standards. As a result, more than 20 laws, many decrees and resolutions of the President of the Republic of Uzbekistan have been adopted. As a result, over the past four or five years, the number of non-governmental non-profit organizations, which are the main institution of civil society, has increased by 20.7%, including 187 large non-governmental non-profit organizations [11].

Fourth, non-governmental non-profit organizations in the country are an important partner of the government on the basis of social partnership in addressing the tasks related to achieving the Sustainable Development Goals and actively participate in ensuring the transparency of this process and its monitoring.

Fifth, public programs and legislation are being publicly discussed, platforms are being set up to receive citizens’ opinions, appeals, initiatives and proposals, public councils are being set up under government agencies, and a Public Chamber has been established under the President.

Despite a number of practical steps mentioned above, today’s drastic democratic reforms require a further expansion of the involvement of non-governmental organizations in the implementation of important tasks of a changing society.

Therefore, from April 1, 2021, the Index of Transparency of Non-Governmental Organizations will be introduced, which will be based on the results of each year of work done by NGOs, the level of social partnership, subsidies, grants and other important performance indicators, the practice of their rating structure will be established. In addition, the Index of Transparency of Non-Governmental Organizations is formed in the manner prescribed by the Public Association under the President of the Republic of Uzbekistan, the National Association of Non-Governmental Organizations of Uzbekistan and the Ministry of Justice, and the results are published on their official websites.

Therefore, from April 1, 2021, the index of transparency of the activities of non-governmental non-profit organizations will be introduced, and according to it, the work done by non-governmental non-profit organizations on an annual basis, the practice of structuring their ratings based on the level of social partnership, the effectiveness of allocated subsidies, grants and social orders, and other important performance indicators. In addition, the Index of Transparency of Non-Governmental Organizations is formed in the manner prescribed by the Public Association under the President of the Republic of Uzbekistan, the National Association of Non-Governmental Organizations of Uzbekistan and the Ministry of Justice, and the results are published on their official websites [12].

Conclusions

There is a need to further improve the activities of non-governmental non-profit organizations, which make a worthy contribution to the formation and development of a free civil society, protection of human rights, legitimate interests, democratic values and the well-being of citizens. This, first, requires improving the legal framework for the activities of non-governmental non-profit organizations. In this regard, it is expedient to make the following suggestions and comments aimed at further improving the legislation governing the activities of non-governmental non-profit organizations:

- Introduce norms into the Law of the Republic of Uzbekistan “On Public Oversight” to identify and analyze existing problems in cooperation with public authorities for the implementation of effective public oversight of NGOs, the introduction of a mechanism for developing practical proposals for their solutions;

- Introduction of new norms providing for the establishment of strict liability measures for violations of the legislation on public control of state bodies and their officials, which are the objects of public control;

- Normative legal acts, decisions, as well as norms that state, sectorial and regional programs must take into account the proposals of non-governmental non-profit organizations representing only the public interest;

- It is expedient to include in the Law of the Republic of Uzbekistan “On guarantees of the activities of non-governmental non-profit organizations” provisions providing for the expansion of forms of state support of non-governmental non-profit organizations. At the same time, it should be supplemented with new rules for expansion by simplifying the procedure for issuing state subsidies, grants and social orders;

- Introduce norms related to increasing the responsibility of government officials in order to prevent disputes related to the search, receipt, study, dissemination of information by non-governmental non-profit organizations in accordance with the law;

- Improving the concept of “public environmental control” established by the Law of the Republic of Uzbekistan “On environmental control” and further expanding the rights and powers of non-governmental non-profit organizations, which are one of the subjects of environmental control;

- It is expedient to introduce norms related to the condition of taking into account the proposals of NGOs working in the field of environmental protection, rational use of natural resources, assistance in solving environmental problems in the development of state environmental programs and other environmental programs.

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