



The Legal Role of Local Kengashes in Regional Socio-Economic Development in Uzbekistan

Sayfiddinov Aqliddin Anvarjon o'gli

PhD student, Institute of Legislation and Legal Policy under the President of the Republic of Uzbekistan

ABSTRACT

This article examines the evolving constitutional and legal role of local Kengashes of People's Deputies in the socio-economic development of regions in Uzbekistan. It argues that the constitutional separation between the chairperson of a local Kengash and the hokim has created a new institutional premise for strengthening representative accountability at the territorial level [1]. However, the effectiveness of this reform depends not only on the formal recognition of powers, but also on the existence of clear procedures, adequate institutional capacity, budgetary linkage and legally defined accountability mechanisms [2]. Using doctrinal legal analysis, comparative legal research and an institutional-functional approach, the article analyses Uzbekistan's national legal framework in light of selected international standards on decentralisation, regional development policy and local governance. The article proposes a balanced model based on four interconnected directions: systematisation of local Kengash competences, procedural regulation of Kengash activity, integration of the programme-budget-oversight chain, and strengthening of analytical, fiscal and participatory mechanisms. The central conclusion is that local Kengashes should be developed not as bodies of merely formal approval, but as constitutionally grounded representative institutions capable of transforming local needs into accountable regional policy [3].

KEYWORDS: local Kengash; regional development; legal regulation; representative accountability; decentralisation; local budget; Uzbekistan; public law; fiscal responsibility; territorial governance.

INTRODUCTION

The reform of local governance in Uzbekistan has entered a qualitatively new stage following the adoption of the Constitution in its new edition. Article 120 of the Constitution provides that Kengashes of People's Deputies in regions, districts and cities are representative bodies of state power [1]. The same article establishes that a person holding the office of hokim of a region, district or city may not simultaneously serve as chairperson of the relevant local Kengash [1]. This constitutional provision has fundamental legal significance because it creates an institutional basis for separating representative and executive functions at the local level.

The practical importance of this reform is especially visible in the field of regional socio-economic development. Article 122 of the Constitution assigns local Kengashes the authority to consider and adopt local budgets, exercise oversight over their execution, approve programmes of socio-economic development and social protection, confirm hokims and hear reports on their activities [2]. These powers show that local Kengashes are not peripheral participants in territorial governance. Rather, they are constitutionally recognised institutions through which

budgetary priorities, development programmes and executive accountability may be brought into a unified representative framework [2].

The reform agenda further confirms this constitutional logic. Presidential Decree No. DP-28 of 2 February 2024 states that the separation of powers between local representative bodies and local executive bodies is an important step in implementing the constitutional principle of separation of powers at the local level [3]. The same decree emphasises that the objectives of the “Uzbekistan-2030” Strategy require transforming local representative bodies into a genuine voice of the people and organising territorial administration on the principle of serving the interests of the population [3]. This indicates that the strengthening of local Kengashes is not an isolated legal measure, but part of a broader transformation of territorial public administration.

At the same time, the transition from constitutional recognition to practical effectiveness requires a more systematic legal approach. The mere existence of powers in constitutional or legislative texts does not automatically ensure that those powers are exercised effectively. A competence becomes meaningful only when it is accompanied by a clear procedure, reliable information, analytical capacity, budgetary linkage and legal consequences. Therefore, the key research problem is not whether local Kengashes formally participate in regional development, but whether their participation is legally structured as a coherent mechanism of representative accountability.

In comparative perspective, this problem is well known in the literature on decentralisation and local governance. The European Charter of Local Self-Government defines local self-government as the right and ability of local authorities, within the limits of law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population [4]. It also provides that basic powers and responsibilities of local authorities should be prescribed by the constitution or by statute, and that local authorities should have adequate financial resources commensurate with their responsibilities [5]. Although Uzbekistan is not a party to this Charter, its provisions may be used as a comparative legal benchmark for evaluating the relationship between powers, resources and institutional responsibility.

The OECD Recommendation on Regional Development Policy similarly emphasises that regional development policy should be place-based, co-ordinated across levels of government, supported by adequate capacities and resources, and monitored through performance-oriented mechanisms [6]. This approach is relevant for Uzbekistan because socio-economic development of territories cannot be reduced to the adoption of programmes alone. It requires a legally connected cycle of planning, budgeting, implementation, oversight and public reporting.

Accordingly, this article advances the following thesis: the strengthening of local Kengashes in Uzbekistan should be based on a legally precise, fiscally responsible and procedurally guaranteed model of representative accountability. Such a model should not oppose local Kengashes to executive bodies. Rather, it should create a balanced framework in which executive bodies implement territorial development policy, while local Kengashes ensure that this policy corresponds to the Constitution, legislation, budgetary discipline, local priorities and the interests of the population.

2. Materials and Methods

The article combines doctrinal legal analysis, comparative legal analysis and institutional-functional assessment. The doctrinal component examines the Constitution of Uzbekistan, the Law "On Local State Authority", Presidential Decree No. DP-28 and other normative acts regulating local Kengashes, local budgets, development programmes and executive accountability. The comparative component analyses international standards and policy recommendations, including the European Charter of Local Self-Government and the OECD Recommendation on Regional Development Policy. The institutional-functional component evaluates the powers of local Kengashes according to their role in the governance cycle: representation, strategic planning, budgetary decision-making, oversight, public participation, information access and monitoring.

The methodological premise of the article is that the effectiveness of local representative bodies cannot be assessed only by the formal existence of powers in legislation. It should be evaluated through the degree to which those powers are legally clear, procedurally exercisable, fiscally connected and capable of producing accountable outcomes. This approach corresponds to the contemporary understanding of decentralisation as a legal-institutional process rather than a purely administrative redistribution of tasks.

3. Results

3.1. Constitutional reform has created a new premise for representative accountability

The first finding is that the constitutional separation between the chairperson of a local Kengash and the hokim has created a new institutional premise for representative accountability. Article 120 of the Constitution recognises local Kengashes as representative bodies of state power and prohibits the same person from simultaneously holding the office of hokim and chairperson of the relevant local Kengash [1]. This reform reduces institutional overlap between the body expected to exercise representative functions and the executive official whose activity is subject to reporting before that body.

However, constitutional separation should not be understood as a self-executing mechanism. For this separation to produce practical results, it must be supported by procedural rules governing agenda-setting, commission review, information requests, public hearings, reporting, follow-up monitoring and control over implementation. In other words, the Constitution has created the legal possibility of a stronger local Kengash, but the realisation of this possibility depends on ordinary legislation and internal procedural guarantees.

Presidential Decree No. DP-28 confirms this conclusion. It recognises that the separation of powers between local representative and executive bodies is an important step towards implementing the constitutional principle of separation of powers at the local level [3]. The decree also identifies the need to strengthen the role of local Kengashes in state and public life and to organise governance in accordance with new constitutional and legal conditions [3]. Therefore, the next stage of reform should focus on translating constitutional separation into operational legal mechanisms.

3.2. Local Kengashes possess constitutionally significant powers, but these powers require functional systematisation

The second finding is that the Constitution already provides local Kengashes with a substantial set of powers directly relevant to regional development. Article 122 empowers local Kengashes to consider and adopt local budgets, oversee budget execution, approve programmes of socio-economic development and social protection, confirm hokims and hear reports on their activities [2]. These competences form the constitutional basis for representative participation in territorial development.

The Law “On Local State Authority” also regulates the status and activity of local bodies of state authority, including local representative bodies and executive bodies [7]. However, the existence of several powers in different legal sources does not automatically create a coherent system. In legal practice, the powers of local Kengashes may relate to budgets, development programmes, executive reports, commissions, deputy inquiries, public hearings, digital publication and sectoral issues. If these powers are not systematised according to their function, the practical role of the Kengash may remain fragmented.

From this perspective, local Kengash competences should be classified according to their legal and institutional function. Such a classification may include at least seven groDPs: strategic-programmatic powers; budgetary and fiscal powers; oversight and accountability powers; institutional and personnel-related powers; public participation and transparency powers; digital monitoring and information-access powers; and sectoral powers in areas such as economy, infrastructure, ecology, transport, culture and social services. This functional approach would clarify the role of regional, district and city Kengashes, reduce dDPlication and create a more predictable legal framework for deputies, executive bodies and citizens.

The legal value of such systematisation lies in the principle of legal certainty. A representative body cannot exercise its powers effectively if the content, procedure, limits and consequences of those powers are unclear. Therefore, systematisation should not be understood as a purely technical exercise. It is a necessary legal condition for transforming formal competences into practical instruments of regional development governance.

3.3. Regional development should be regulated as a programme-budget-oversight chain

The third finding is that the role of local Kengashes in regional development should be understood through an integrated chain of programme, budget and oversight. A socio-economic development programme without budgetary linkage risks becoming declarative. A budget without development indicators may become administratively routine. Both instruments, if not accompanied by representative oversight, may fail to reflect local priorities in a transparent and accountable manner.

The Constitution already contains the elements of such a chain. Local Kengashes adopt local budgets and oversee their execution [2]. They approve programmes of socio-economic development and social protection [2]. They also hear reports of hokims on their activities [2]. These powers should be procedurally connected so that the approval of a development programme is not separated from budgetary assessment, and the hearing of reports is not separated from the monitoring of programme implementation.

A more effective model would require that draft socio-economic development programmes be submitted to the local Kengash together with target indicators, financing sources, responsible implementers, implementation deadlines and expected results. The relevant standing commissions of the Kengash should examine draft programmes before the session. Budgetary implications should be assessed together with development priorities. Implementation reports

should be heard on a regular basis, and the Kengash should be able to adopt reasoned decisions requiring correction, clarification or further reporting where necessary.

This approach is consistent with the OECD understanding of regional development policy as a place-based and performance-oriented process requiring coordination, capacity, monitoring and multi-level governance [6]. It is also consistent with the European Charter's logic that local responsibilities should be prescribed by law and sDPported by adequate resources [5]. In the Uzbek context, this means that the constitutional powers of local Kengashes should be legally connected into a single development cycle rather than exercised as isolated competences.

3.4. Institutional capacity is a legal condition of effective representation

The fourth finding is that the effectiveness of local Kengashes depends on institutional capacity. Representative powers require professional sDPport. If local Kengashes are expected to approve budgets, assess development programmes, hear executive reports and monitor implementation, they must have access to legal, budgetary and policy-analytical expertise.

Comparative academic literature sDPports this conclusion. The study published in Systems finds that local government competencies, including organisational, personnel and financial dimensions, are relevant to regional economic revitalisation [9]. The study published in Sustainability on Philippine cities indicates that internal capacity, public service experience and technological infrastructure contribute to local government efficiency [10]. These findings show that institutional capacity is not merely an administrative convenience. It is a structural condition for the exercise of public powers.

For Uzbekistan, this has direct legal implications. A local Kengash may formally possess the power to approve a budget or development programme, but such approval will be limited in substance if deputies do not receive independent analytical materials, legal opinions, budgetary assessments and implementation data. Therefore, the secretariat of a local Kengash should not be treated as a merely technical unit. It should function as the institutional infrastructure through which representative powers become practically exercisable.

This does not require creating an excessively bureaucratic apparatus. Rather, it requires defining minimum professional sDPport standards for local Kengashes, particularly in the areas of legal expertise, budget analysis, programme evaluation, public communication and digital monitoring. Such sDPport would allow Kengashes to perform their constitutional functions more responsibly and would also improve the quality of interaction between representative and executive bodies.

3.5. Public participation and transparency are necessary elements of territorial legitimacy

The fifth finding is that public participation should be incorporated into the legal procedure for approving regional development programmes and local budgets. If local Kengashes are intended to function as representative bodies, their activity should be open not only in the formal sense, but also in the substantive sense of enabling citizens, mahalla representatives, entrepreneurs, civil society institutions and independent experts to participate in the discussion of territorial priorities.

The European Charter of Local Self-Government recognises that the right of citizens to participate in the conduct of public affairs is most directly exercised at the local level [4]. It also provides that local authorities should be consulted in planning and decision-making processes

concerning them directly [5]. Although the Charter is used here only as a comparative benchmark, its logic is relevant to the Uzbek reform agenda because regional development decisions directly affect local communities, infrastructure, social services, employment and quality of life.

International academic literature also emphasises the importance of participation and collaboration in local economic development. The Urban Science study on urban regeneration strategies concludes that local economic development requires context-specific approaches, collaboration between public authorities, communities and industries, and attention to local assets and neighbourhood-level conditions [11]. For Uzbekistan, this suggests that public hearings and consultations should not be treated as optional formalities. They should become legally structured stages of programme preparation and budget discussion.

Transparency is closely connected with participation. Digital publication of agendas, draft decisions, voting results, implementation reports and development indicators would strengthen public confidence and allow citizens to understand how Kengash decisions are prepared and implemented. Such transparency would also reinforce the constitutional idea of local Kengashes as representative bodies of state power [1].

4. Discussion

The findings above suggest that Uzbekistan's local governance reform should proceed through a balanced and institutionally careful approach. The purpose should not be to weaken the executive component of territorial administration, but to ensure that executive action is legally accountable, publicly explainable and aligned with development priorities approved by representative bodies. In a unitary state, territorial governance requires coherence. However, coherence should not be confused with excessive administrative concentration. A modern unitary state may preserve national policy unity while still providing meaningful legal space for local representative accountability.

First, the Law "On Local State Authority" should be supplemented with a special provision on the powers of local Kengashes in the field of regional socio-economic development. Such a provision could consolidate the Kengash's right to conduct preliminary review of draft development programmes, require financial and analytical justification, approve programmes together with budget parameters, hear implementation reports, request revision of insufficiently substantiated programmes and publish implementation outcomes [2], [7]. This would not create an artificial expansion of powers. Rather, it would connect already existing constitutional powers into a coherent development mechanism.

Second, Uzbekistan should consider adopting a separate law on the procedural regulation of local Kengash activity. Such a law should define the procedure for convening sessions, preparing agendas, reviewing draft decisions, organising standing commissions, conducting hearings, issuing Kengash requests, formalising decisions, monitoring implementation and using electronic systems. This is methodologically justified because procedural legislation should not duplicate substantive competences. It should establish how those competences are exercised. In this sense, a law on local Kengash procedures would perform for local representative bodies a function comparable to procedural rules in parliamentary activity, while being adapted to the specific nature of territorial representative institutions.

Third, the systematisation of local Kengash powers should be developed through a functional registry of competences. Such a registry should classify powers not merely by sector, but by legal and institutional function: strategic planning, budgetary decision-making, oversight, public participation, information access and digital monitoring. This would strengthen legal certainty, reduce fragmentation and improve the quality of local norm-making. It would also make it easier to distinguish the powers of regional, district and city Kengashes.

Fourth, fiscal accountability should be strengthened gradually. The European Charter provides that local authorities should have adequate financial resources of their own, commensurate with their responsibilities [5]. For Uzbekistan, this principle should be adapted to the national constitutional and budgetary framework. A prudent model would include predictable inter-budgetary transfers, clearer linkage between development programmes and local budget allocations, publication of budget-performance indicators and performance-sensitive sDPport for territories that demonstrate responsible planning and implementation.

Fifth, the hearing of development programme implementation reports should be legally linked to consequences. If implementation indicators are not achieved, the Kengash should be able to require a written explanation, adopt a reasoned recommendation, request revision of the programme, refer relevant materials to competent bodies where necessary, or hold a follow-DP session. These consequences should be framed constructively. The purpose is not punitive confrontation with the executive branch, but the creation of a predictable accountability cycle.

Sixth, digitalisation should be treated as a legal accountability mechanism. Digital tools should be used to publish agendas, draft decisions, voting results, implementation reports, deputy inquiries, Kengash requests and progress indicators for regional development programmes. Digital openness would allow citizens to see not only what decisions have been adopted, but also whether they have been implemented. In this respect, digitalisation sDPports both transparency and the practical enforceability of representative oversight.

Seventh, sustainable development indicators should be integrated into regional development programmes. Research on green development behaviour of local governments shows that local authorities are important actors in guiding businesses and citizens towards environmentally responsible conduct because they possess local information and regulatory proximity [12]. For Uzbekistan, this means that local Kengashes should consider ecological stability, energy efficiency, public health, transport accessibility and climate resilience when approving regional development programmes.

5. Conclusion

The development of local Kengashes in Uzbekistan represents a significant legal-institutional dimension of the broader transformation of territorial governance. The Constitution has already established the necessary foundation by recognising local Kengashes as representative bodies, separating their chairpersons from hokims and granting them powers over local budgets, development programmes and executive reporting [1], [2]. Presidential Decree No. DP-28 further confirms that the separation of local representative and executive functions is an important step in implementing the constitutional principle of separation of powers at the local level [3]. The article concludes that the next stage of reform should focus on transforming formal powers into operational legal mechanisms. This requires systematisation of competences, procedural regulation, fiscal linkage, analytical sDPport, public participation and

digital monitoring. A local Kengash should not be viewed merely as a body approving decisions prepared elsewhere. It should be developed as a constitutionally grounded institution of representative accountability capable of ensuring that regional development programmes correspond to legal requirements, budgetary possibilities, territorial priorities and the interests of the population.

The proposed model is based on four practical recommendations. First, the Law “On Local State Authority” should be supplemented with a special provision on local Kengash powers in regional socio-economic development. Second, a separate law on local Kengash procedures should be adopted to guarantee uniform rules for sessions, commissions, hearings, oversight and digital transparency. Third, a functional registry of local Kengash competences should be developed and maintained. Fourth, local Kengashes should receive stronger analytical, budgetary and participatory support.

References

1. Constitution of the Republic of Uzbekistan, Article 120, new edition adopted by national referendum on 30 April 2023, National Database of Legislation, LexUZ, Document No. 6445145.
2. Constitution of the Republic of Uzbekistan, Article 122, National Database of Legislation, LexUZ, Document No. 6445145.
3. Decree of the President of the Republic of Uzbekistan No. DP-28 of 2 February 2024 “On Measures to Improve the Effectiveness of Local Government Bodies.”
4. Council of Europe, European Charter of Local Self-Government, Strasbourg, 15 October 1985, Preamble and Article 3.
5. Council of Europe, European Charter of Local Self-Government, Articles 4 and 9.
6. OECD, Recommendation of the Council on Regional Development Policy, OECD/LEGAL/0492, adopted on 8 June 2023; OECD, Making Decentralisation Work: A Handbook for Policy-Makers, OECD Multi-level Governance Studies, Paris: OECD Publishing, 2019.
7. Law of the Republic of Uzbekistan No. 913-XII of 2 September 1993 “On Local State Authority.”
8. OECD, Making Decentralisation Work: A Handbook for Policy-Makers, OECD Multi-level Governance Studies, Paris: OECD Publishing, 2019.
9. Choi, J.-K., Moon, K.-K., Kim, J., & Jung, G. (2025). “Examining the Impact of Local Government Competencies on Regional Economic Revitalization: Does Social Trust Matter?” *Systems*, 13(1), 5. doi:10.3390/systems13010005.
10. Distor, C. B., Magno, F. A., and co-authors. (2022). “What Motivates Local Governments to Be Efficient? Evidence from Philippine Cities.” *Sustainability*, 14(15), 9426. doi:10.3390/su14159426.
11. Sopelana, A., Urrea-Uriarte, S., Landa Oregi, I., Gonzalez Ochoantesana, I., Tatar, M., & Nacu, A.-A. (2025). “Prioritising Critical Factors for Local Economic Development in Urban Regeneration Strategies.” *Urban Science*, 9(9), 342. doi:10.3390/urbansci9090342.
12. Du, J., Zhu, X., Li, X., Ünal, E., & Longhurst, P. (2023). “Explaining the Green Development Behavior of Local Governments for Sustainable Development: Evidence from China.” *Behavioral Sciences*, 13(10), 813. doi:10.3390/bs13100813.