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ISSUES OF IMPROVEMENT OF ADMINISTRATIVE JUSTICE IN THE REPUBLIC OF UZBEKISTAN: NATIONAL AND FOREIGN PRACTICE

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Abstract: *Administrative disputes arising in the relations of public administration between administrative body and the person are common in every state of the world. The administrative dispute resolution system is known as the "Administrative Justices" in theoretical and legal documents. However, the system of administrative justices has its own peculiarities in each country. Prompt, transparent and open implementation of the system serves to promote human rights in that country. Corruption that is rampant in some countries today can be prevented as a result of the perfect implementation of this system.*

Keywords: *Administrative Justices, administrative body, administrative dispute, individual, legal entity, the person concerned, administrative court, administrative procedures, public administration, complaint, administrative document, administrative process.*

I.INTRODUCTION

A state where human rights and interests are of high value must implement effective public administration for carrying out the high mission, set appropriate procedures and ensure compliance with these procedures. At the same time, the development of national economy and security in order to create decent living conditions for its citizens are also among the top priorities of public administration. Furthermore, the state forms a powerful management apparatus with enormous rights and powers for the successful implementation of its goals and objectives.

Thus, on the one hand, there is a public administration apparatus in the form of citizens united in a single territory and state on the basis of common goals and interests, and on the other hand, as public officials entrusted to them for the realization of these goals and interests. This creates a risk of further conflict of interest between the two parties, or in other words, the infringement of the rights and interests of the citizens by the misuse of their powers by the officials.

Legally speaking, there is a conflict between government officials and citizens. For the fair and prompt resolution of this dispute in accordance with the law, it is necessary to establish a special procedure for the resolution of disputes arising from public relations - effective implementation of the administrative justice system. In particular, the observance of laws and established procedures by officials in the course of public administration should be guaranteed by the effective establishment of the special procedure for dispute resolution in this area and the mechanism for the administration of justice.

II.LITERATURE REVIEW

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A number of foreign and Uzbek scholars have done research on administrative justice. In particular, foreign scholars and practitioners Y.Starilov, Y. Pudelka, J. Deppe, M. Hartwig, J. Marku, E. Calcut, J. Vedel, N. Mamontov, D. Bahrax, E.Toller, E.Luparev, V.Radchenko, R.Difenbach, M.Lesaj, B.Parmankulova, N.Salisheva, A.Solovyova, Y.Tikhomirov, N.Kuplevasky, N.Khamaneeva, Ch.A.Bashirov and others in their scientific works, they have prepared proposals on the scientific, theoretical and legal and practical bases of administrative justice, its organization, principles, procedure for pre-trial settlement of public disputes, and the specifics of the activity of judicial bodies in this area.

Scientists from Uzbekistan L. Khvan, J. Nematov, E. Khodjiev, M. Akhmedov, G. Hakimov, A. Li, M. Doniyorov, U. Shokirov, I. Khammedov and others have also conducted various researches on administrative justice.

As for the concept of administrative justice directly, many foreign scientists have commented on this. In particular, "administrative justice means direct control over subjects of public law[4]."

In addition, "administrative justice is a system of special judicial review and resolution of administrative and legal disputes arising from public administration relations between state bodies and officials, citizens and legal entities."[5]

According to J.Nematov, administrative justice is aimed at annulment or invalidation of a certain legal fact[6].

According to Y.Starilov, administrative justice is a system of judicial protection in the event of civil rights violations in public administration[7].

According to K.Belsky, administrative justice is a procedural relationship related to a special procedure for judicial review of citizens' and officials' wrongful actions, as well as protection of civil rights by the repeal of an illegal management act[8].

According to G.Khakimov administrative justice is a system of special judicial review and resolution of administrative and legal disputes arising from public administration relations between state bodies and officials, citizens and legal entities.

According to M. Adler, administrative justice is a system that ensures the correct decision-making by administrative bodies and promotes justice[9].

In our point of view, administrative justice is a mechanism of administrative and judicial resolution of administrative and legal disputes arising from the relations of public administration between state bodies and officials, citizens and legal entities.

From the definitions given above, it should be noted that there is no single definition of administrative justice. However, it can be seen that these definitions have something in common. In particular, its common feature is that it is a dispute resolution mechanism.

At this point, it is appropriate to dwell on the concept of administrative dispute and its peculiarities.

According to Y.N.Stilov, administrative and legal disputes are a legal dispute arising on the fact of violation of subjective mass rights of individuals and legal entities between state bodies, local authorities, officials, on the other hand[10].

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[4] Baron S.A.Korf. Administrative justice in Russia. S. Petersburg. 2007.p. 87

[5]G.T.Hakimov.Problems of Development of Administrative Justice in Uzbekistan. Monograph. T .: Publishing house of Tashkent State University Of Law, 2009. p.125

[6] J.Nematov. Improvement of Administrative Procedures in the Republic of Uzbekistan: Fundamentals of Administrative Law: A Comparative-Legal Analysis: Textbook- Vol: 2015.p.32.

[7]Starilov Y.N. Administrative proceedings and administrative courts in the Russian Federation: reality and prospects // Russian judge, 2012. No. 2. His own. Administrative Justice Theory, history, perspectives. M .: Norm, 2001.p.304

[8]Belsky K.S. Questions on the subject of administrative law// GiP, 1997. - No. 11. - P. 20-21.

[9] M Adler, 'A Socio-Legal Approach to Administrative Justice' (2003) 25 Law and Policy 323-324 and M. Adler, 'Understanding and Analysing Administrative Justice' in M. Adler (ed), Administrative Justice in Context (Hart 2010) 129.

[10]StarilovYu.N. Administrative Justice Theory, history, perspectives. - M., 2001 .-- P. 68.

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According to N.V.Sukhareva, administrative-legal dispute is an expression of dissatisfaction of one of the participants of a particular administrative relationship with the legal fact that caused the formation, change or termination of administrative legal relations. Administrative and legal disputes are disputes concerning the rights and obligations of the subjects of administrative law and they differ from other legal disputes in their content[11].

Summing up the points given above, we can say that administrative and legal disputes are the contradictions and conflicts arising from the rights and obligations of the participants of administrative legal relationship. These conflicts arise on the one hand between government bodies, their officials, and citizens on the other. In this regard, administrative and legal disputes are different from other types of legal disputes.

So, the subject of administrative justice is the administrative and legal relations arising as a result of citizens' complaints on the government bodies' and officials' unlawful actions and decisions of to the courts.

Administrative and legal character of disputes arising from the present administrative-legal relationship is defined by:

- this type of disputes arise in connection with the performance of public administration functions by state bodies;
- administrative disputes arise as a result of adoption of legal and administrative decisions in the framework of administrative and legal relations and discontent with the other party.

From the rules given above we can say that there are two types of disputes that make up the subject of administrative justice:

Firstly, administrative and legal disputes arising from the actions (inactions) of state bodies and officials violating the rights and freedoms of citizens;

Secondly, disputes arising as a result of the adoption of decrees by government agencies and officials that violate citizens' rights and freedoms.

As we can see that controversial administrative and legal relations, which are the subject of administrative justice, arise between state bodies, officials and citizens. Also, these conflicts arise as a result of making decrees or taking actions based on the main task enshrined in the regulations governing the activities of public administration bodies and functions. In particular, the following are the main factors that cause conflict between them and citizens as a result actions (inaction) and decisions of public administration bodies and the officials:

Firstly, as a result of the unlawful actions (inaction) or inadmissible decisions taken by public administration bodies and officials;

Secondly, as a result of citizens' resistance, non-participation in actions (inactions) or decisions taken by public administration bodies or officials.

In the first case, a public administration body or official may, within the limits of its authority, perform certain actions in an unlawful manner or refrain from taking any action that is required by law. In other words, a public administration bodies or officials go beyond its authority or perform its functions against the interests of the individual and society-state, make decrees. This causes to discontent among citizens and leads to the emergence of administrative-legal dispute, which is the subject of administrative justice.

In the second case, actions and decisions taken by a public administration body or official may not be illegal. But, the actions carried out, the inaction prevented happening, the decision made cause dissatisfaction and non-participation in the citizen who is a party to the administrative-legal relationship. A citizen considers his rights and legitimate interests violated as a result of an action or decree made and applies to the court to restore his rights.

Another issue regarding the scientific theoretical basis of the concept of administrative justice is whether or not the concept of administrative justice is part of administrative law. A number of issues have been reported in the scientific sources. It is important to emphasize the need for reform in administrative law and administrative justice should also be included today as a subject of administrative law. This can be justified as follows:

[11]Sukhareva N.V. The essence of administrative disputes //Lawyer, 1999. - No. 10. - P. 52.

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Firstly, the subject of administrative law is the management relationship, that is, the activities of executive authorities. One of the main principles of the organization and functioning of the executive power is the observance of the rights and freedoms of citizens, ensuring their supremacy.

Secondly, citizens are considered as one of the main subjects of administrative law, that is, they have a specific legal status in the organization and functioning of executive power. Citizens have the right to participate in public administration; the right of every person to access the courts on illegal actions of state bodies and officials and their management acts is guaranteed by the State. So, judicial control over the activities of state bodies is of great importance.

Thirdly, one of the important institutes of administrative law is public service. The rights and interests of citizens can be harmed by actions and decisions of civil servants, officials in the exercise of their powers.

Fourthly, one of the main legal forms of public administration is the adoption of administrative acts. The administrative justice also maintains control over the legality of public administration acts.

Fifthly, the government by its bodies and officials imposes administrative penalties on individuals and legal entities. Administrative justice is the sole judicial protection in the event of improper application of administrative coercive measures by state bodies and officials.

Sixthly, the administrative justice is inextricably linked to the institution of administrative law, such as the administrative process.

III.DISCUSSION AND ANALYSIS

Today the legal framework for the administrative justice system in the Republic of Uzbekistan has been established. However, there are some problems with the mechanism of its implementation. This can be attributed to:

Firstly, the legislation regulating public relations is not sufficiently regulated and there are drawbacks in their application. This is causing to have an increase in the number of administrative disputes. In particular, there are significant problems with the practical implementation of the Law of the Republic of Uzbekistan “On Administrative Procedures” accepted on January 8, 2018[12]. While administrative procedures and administrative justice are interconnected, they require each other.

In this regard, J.Nematovsaid: “Administrative procedure refers primarily to pre-administrative procedures. Procedures after administrative decisions passed are subject to the administrative complaint examined in the administrative justice”[13].

It is known that administrative disputes arise as a result of misappropriation or misinterpretation of relevant legislation on administrative procedures. This causes the complaint mechanism to run. One of the important factors for reducing the number of administrative disputes is the regulation and comprehensive application of the legislation on public administration, which regulates the relations between the administrative body and the person concerned.

Preventing administrative disputes cannot be solved only by the regulation of law on administrative procedures. In administrative proceedings administrative bodies are obliged to refer to the norms of administrative law. In this case, it is important to make decrees which do not create administrative conflicts and take actions (inactions). In this regard, it is important that the administrative body adhere to the principles of administrative procedures.

German scientist Y.Tsiko noted that the principles of administrative procedures should be used simply, expediently and fast[14]. When the concepts of "simple" and "expedient" are highlighted, we can understand:

Firstly, when making administrative documents it should be based on clear facts;

Secondly, there is no need to prove the evidence which is not related to the case;

Thirdly, the evidences justified in a written form do not have to be directly resolved in the presence of a citizen.

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[12] National Database of information of legislation, dated 03.01.2018, 03/18/457/0525

[13] J. Nematov. Improvement of Administrative Procedures in the Republic of Uzbekistan: Administrative and Legal Framework: Comparative-Legal Analysis: Textbook-T .;2015.P.86

[14]Ya. Tsiko. Fundamentals of legislation on administrative procedures in Germany. Public Law Yearbook 2014.-M. p.365

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The prompt application of the principles of administrative procedures means that it is necessary to implement it without wasting time.

K.Davidov emphasizes the following features of administrative procedures:

- The principles of administrative procedures are directly applied;
- The principles of administrative procedures are universal;
- The principles of administrative procedures are open;
- The principles of administrative procedures have the hierarchical character[15].

According to Lars Broker, the principles of administrative procedures have two objectives:

- protecting the rights of the person concerned;
- the decree taken by the administrative body should reflect the legitimacy of democracy[16].

One of the important principles is the principle of justice, and the origin of this principle goes back to the Anglo-Saxon legal system. As is well known, in the Roman-German legal system, are acted by written legislation. This may undermine the importance of the principle. In other words, the clearly defined rules in the legislation determine the appropriate procedure. But the principle of justice can be applied when an analogue of the law arises[17].

The principle of proportionality holds a special place among the principles of administrative procedures. Moshe Cohen-Elia states that this principle has two features:

Firstly, the action taken by the administrative body must be commensurate with the attainable goal;

Secondly, the losses inflicted to an individual as a result of administrative procedures should be commensurate with the state's profits[18].

The administrative dispute arisen as a result of the failure to apply the principles of administrative procedures can be illustrated by the following practical example.

Preventing administrative disputes is related to the regulation of legislation in the field of public administration.

Secondly, there are factors that may adversely affect the resolution of administrative disputes in court. One of the reasons adversely affecting the consideration of public legal disputes in administrative courts in the Republic of Uzbekistan today is considering cases on administrative offenses also by these courts. It is known that administrative courts, by their legal nature, consider two different categories of cases:

- Administrative disputes on complaints and appeals against actions (decrees) of state bodies, citizens' self-government bodies and their officials stemming from public relations - that is, initiator of the discussion - individuals and legal entities protecting their rights and interests;
- In cases involving administrative offenses, which are provided by the Law to the jurisdiction of administrative courts, the state body takes the initiative, the private person is charged with the offense and the issue of his punishment is being considered.

According to Khamedov and Tsai, They suggested that the consideration of cases on administrative offenses should be left to the criminal courts[19].

In the experience of foreign countries, it is not appropriate to consider the cases on administrative offenses in administrative courts. Because in none of the developed countries (France, Germany, and the US), courts

[15]Davydov K.V. The principles of administrative procedures: comparative legal research // Actual issues of public law.- 2015. No. 4 (34). P. 18.

[16] Lars Broker. Inquisition principle in administrative procedure. Public Law Yearbook 2018. The principles of administrative procedures and administrative proceedings.-M. p.16

[17]Bogdandi A. von, Huber P.M. State, public administration and administrative law in Germany // Digest of Public Law. 2014. No. 1 (3). P. 46.

[18] Moshe Cohen-Elia, IddoPorat. The American method of weighing interests and the German test of proportionality: historical roots // Comparative Constitutional Review. 2011. No 3 (82). P.61.

[19] I.A. Khamedov, I.M. Tsai. Institute of Administrative Procedures in the Light of the Reform of Administrative Procedure Law in Uzbekistan. Public Law Yearbook 2014: “Administrative Law: Comparative Legal Approaches”. - M.: Info-tropic Media, 2014. p. 395-397.

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(specialized bodies) authorized to consider administrative cases do not perform the function of a “punitive body” as consider cases on administrative offenses. In foreign countries, administrative disputes are handled by special administrative courts or general courts of law. For example, the contents of the provisions of Article 40 of the German Administrative Process Code, the jurisdictions of the German administrative courts constitute "mass legal disputes"[20].

The French form of administrative justice is considered as the oldest administrative system.Consequently, France is the first country to introduce the practice of special bodies for the resolution of administrative and legal disputes.“In the system of judicial bodies of the French quasi of administrative justice, disputes are carried out by highly administrative-bureaucratic methods (the work is carried out in writing and in closed form)”.

There are two types of courts in France: courts of general jurisdiction and administrative courts. The presence of administrative courts in the country does not exclude the general courts' control over the administration, that is, the general courts, together with the administrative courts, can also control the activities of government bodies. Administrative-legal disputes in general courts are resolved on the basis of civil-procedural norms.

Regarding the regulatory legal document on the legal regulation of administrative courts, the main legal document is the Code of Administrative Justice. This Code is a document aimed at regulating the activity of administrative courts. Article 1 of this Code sets out its objectives: This code has been adopted for administrative courts, administrative tribunals and the State Council. These institutions are the basis of the administrative courts in France, and the main administrative processes are carried out by these bodies. The first 10 articles of the Code are general provisions, including the followings. In Article 2, enforcement of judgments on behalf of the French people; In Article 6, holding negotiations in open court; Articles 8 and 9 specify that the judges' negotiations are confidential. According to this Code, “the State Council is the supreme body of administrative courts”[21]. The cases considered in the appellate instance are considered again and as a last instance. Different administrative courts and administrative tribunals address this body as a court of first instance or appellate instance.

In our opinion based on the experience of foreign countries and with the opinion of many scholars, in administrative courts, it is important to consider only public-legal disputes.

IV.CONCLUSION

The followings are some of the key areas for the development of administrative justice law to address some of the problems described in the previous sections of the study:

First of all, it is important to improve the legislation aimed at regulating the relations of the public administration. The administrative justice system arises directly in the implementation of legislation on public administration. In this regard, it is important to implement the tasks outlined in the Concept of Administrative Reform of the Republic of Uzbekistan. Today, several legislative acts envisaged in the concept have not yet been adopted. For example, “On basics of public administration”, “On public service”, “On local public authorities” in the new edition and other legislation can be as examples for this. In our point of view, the adoption of these laws should not be delayed.

Secondly, it is necessary to address the problems that hinder the system of the resolution of administrative disputes and to develop legislation in the field. As noted in previous sections of the study, one of the obstacles to a qualitative review of administrative disputes in administrative courts is the handling of administrative offenses also by these courts. According to statistics, administrative courts of the Republic of Uzbekistan considered 435,552 cases between June 1, 2017 and June 31, 2018, of which 416,301 were related to administrative offenses and 19,251 were work arisen by administrative and other public relations.[22]From this information, it should be noted that there are many cases in administrative courts that do not relate to their jurisdiction.

[20] Code of Administrative Procedure Germany // Collection of legislative acts on administrative court proceedings. 3rd edition. - M.: Info-tropic Media, 2018.P.191

[21]Code of Administrative Justice (Legislative Part) (as of July 2013) (in French) //https://www.legislationline.org/topics/topic/83/country/30

[22]I.Alimov. Judicial practice on administrative cases. - Tashkent. “Complex Print”, 2018. Page 6

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In addition, during the year 2017, administrative courts in the Republic of Uzbekistan received 9,144 cases arisen by public-legal relations in the first instance and 7,640 of them were considered. In the first half of 2018, administrative courts received 11,817 cases arisen by public-legal relations in the first instance, 10,998 of them were considered[23]. It can be seen that the number of cases stemming from public-legal relations nearly doubled in 2018 and now also this number is growing. Furthermore, the average job size of each administrative judge in the district (a city) was 249.4 a month during 2017 and an average of 205.2 (the figure decreased due to filling vacant judge positions) cases and materials per month during 6 months of 2018 (the bulk of the cases were cases on administrative offenses)[24]. The high number of case entrusted to judges and the lack of specialization have a negative impact on the quality of them. In particular, during the first 6 months of 2018, 391 (35%) of the 1,120 cases (10% of cases considered during this period) considered in appeal and cassation instances of administrative courts were revoked or amended.

Based on the experience of foreign countries and the theoretical foundations of administrative justice, it is advisable to move the consideration of cases on administrative offenses to criminal trial. In this regard, it is appropriate to amend the Code of the Republic of Uzbekistan on administrative responsibility.

It is important to pay special attention that every judge cannot have perfect knowledge and experience in all areas (pension, finance, labor, healthcare, etc.). If we look at the experience of advanced foreign countries, In France where the administrative justice system was the first to be established, there are also specialized structures such as the Court of Accounts, the Central Commission for Social Assistance, the Commission for Refugee Appeals and the Court on Economic and Disciplinary Disciplines as well as administrative tribunals and appellate administrative courts, which are administrative courts. Similarly, also in the Federal Republic of Germany, courts on money, labor, and social issues and general administrative courts operate together at the same time. Appointment of arbitrators of such tribunals is made by the Minister of the respective branch in consultation with the Committee on the Selection of Judges. In the U.S.A and the United Kingdom, administrative bodies have been established as quasi-judicial bodies with narrow specialties (on environment, land, pension, tax, etc.). For example, US quasi-judicial bodies include Federal Tribunal for International Trade, Federal Tax Tribunal, Securities Commission and Agents on Environment while in the U.K these include the Court of Railways, the Land Tribunal, and the Pension Court[25]. Another peculiarity is that in these countries competent officials on the field of public-legal disputes can be chosen not only from lawyers but also from representatives of other fields (healthcare, labor and so on). This specialization of the courts, in turn, plays an important role in the fair and proper resolution of cases by professional experts in the field.

Based on the given above, it is desirable to conduct specialization within the administrative courts in the relevant areas (economic, social, etc.). If necessary, it is appropriate to terminate the district administrative courts in order to further improve the quality of cases, the professional skill of judges and reduce the time for consideration of the cases and prevent additional costs while to specialize only by expanding the number of the staff of the regional administrative courts and the judges.

REFERENCES

1. Baron S.A.Korf. Administrative justice in Russia. S. Petersburg. 2007.p. 87
2. G.T.Hakimov. Problems of Development of Administrative Justice in Uzbekistan. Monograph. T .: Publishing house of Tashkent State University Of Law, 2009. p.125.
3. J.Nematov. Improvement of Administrative Procedures in the Republic of Uzbekistan: Fundamentals of Administrative Law: A Comparative-Legal Analysis: Textbook- Vol: 2015.p.32.
4. Starilov Y.N. Administrative proceedings and administrative courts in the Russian Federation: reality and prospects // Russian judge, 2012. No. 2. His own. Administrative Justice Theory, history, perspectives. M .: Norm, 2001.p.304.

[23] Supreme Court of the Republic of Uzbekistan. Statistical data of Administrative Courts for the 1st half of 2018
[24] Supreme Court of the Republic of Uzbekistan. Statistical data of Administrative Courts for the 1st half of 2018
[25] A.Lukasheva. Human rights. Moscow, 1999. P. 103.

DOI: 10.37200/IJPR/V24I4/PR201124
Received: 22 Oct 2019 | Revised: 13 Sep 2019 | Accepted: 15 Jan 2020

5. Belsky K.S. Questions on the subject of administrative law// GiP, 1997. - No. 11. - P. 20-21.
6. M Adler, 'A Socio-Legal Approach to Administrative Justice' (2003) 25 Law and Policy 323-324 and M. Adler, 'Understanding and Analysing Administrative Justice' in M. Adler (ed), Administrative Justice in Context (Hart 2010) 129.
7. StarilovYu.N. Administrative Justice Theory, history, perspectives. - M., 2001 .-- P. 68.
8. Sukhareva N.V. The essence of administrative disputes //Lawyer, 1999. - No. 10. - P. 52.
9. National Database of information of legislation, dated 03.01.2018, 03/18/457/0525
10. J. Nematov. Improvement of Administrative Procedures in the Republic of Uzbekistan: Administrative and Legal Framework: Comparative-Legal Analysis: Textbook-T .;2015.P.86.
11. Ya. Tsiko. Fundamentals of legislation on administrative procedures in Germany. Public Law Yearbook 2014.-M. p.365
12. Davydov K.V. The principles of administrative procedures: comparative legal research // Actual issues of public law.- 2015. No. 4 (34). P. 18.
13. Lars Broker. Inquisition principle in administrative procedure. Public Law Yearbook 2018. The principles of administrative procedures and administrative proceedings.-M. p.16
14. Bogdandi A. von, Huber P.M. State, public administration and administrative law in Germany // Digest of Public Law. 2014. No. 1 (3). P. 46.
15. Moshe Cohen-Elia, IddoPorat. The American method of weighing interests and the German test of proportionality: historical roots // Comparative Constitutional Review. 2011. No 3 (82). P.61.
16. I.A. Khamedov, I.M. Tsai. Institute of Administrative Procedures in the Light of the Reform of Administrative Procedure Law in Uzbekistan. Public Law Yearbook 2014: "Administrative Law: Comparative Legal Approaches". - M.: Infotropic Media, 2014. p. 395-397.
17. Code of Administrative Procedure Germany // Collection of legislative acts on administrative court proceedings. 3rd edition. - M.: Info-tropic Media, 2018.P.191
18. Code of Administrative Justice (Legislative Part) (as of July 2013) (in French) //https://www.legislationline.org/topics/topic/83/country/30
19. I.Alimov. Judicial practice on administrative cases. - Tashkent. "Complex Print", 2018. Page 6
20. Supreme Court of the Republic of Uzbekistan. Statistical data of Administrative Courts for the 1st half of 2018
21. Supreme Court of the Republic of Uzbekistan. Statistical data of Administrative Courts for the 1st half of 2018
22. A.Lukasheva. Human rights. Moscow, 1999. P.103.
23. Shan, L. Consciousness is an entity with entangled states: Correlating the measurement problem with non-local consciousness (2018) NeuroQuantology, 16 (7), pp. 70-78.
24. Majumdar, S., Roy, S. Relevance of quantum mechanics in bacterial communication (2018) NeuroQuantology, 16 (3), pp. 1-6.

DOI: 10.37200/IJPR/V24I4/PR201124
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