

## History of the parliament

### Historical background

In the **ancient period**, before the widespread adoption of Islam, Central Asia was home to a variety of civilizations that developed their own legal traditions and systems of jurisprudence. These systems reflected the region's cultural diversity and were often influenced by Persian, Hellenistic, and nomadic traditions. Here's a breakdown of what legislation and jurisprudence looked like in ancient Central Asia:

#### Pre-Islamic Legal Traditions

##### *1. Achaemenid and Sogdian Influence (6th–4th century BCE)*

- Parts of Central Asia, such as Sogdiana and Bactria, were under the control of the **Achaemenid Empire**.
- Laws were administered by **local satraps (governors)**, and legal customs likely blended **Persian imperial law** with **local tribal customs**.
- Justice was hierarchical, with disputes often settled at the local level unless they involved matters of state.

##### *2. Hellenistic Law under the Seleucid and Greco-Bactrian Kingdoms (4th–2nd century BCE)*

- After Alexander's conquests, Greek legal and administrative practices influenced the region.
- Cities like **Ai-Khanoum** show evidence of Greek civic institutions including **courts and assemblies**.
- Legal codes may have included a mix of **Hellenistic principles** (e.g., contracts, property law) and **indigenous customs**.

##### *3. Traditions and Customary Law (Scythians, Saka, Xiongnu)*

- Steppe cultures followed **oral customary law**, often unwritten and preserved through traditions.
- Law was enforced by tribal elders or councils (e.g., *kurultai*), emphasizing **restorative justice** over punitive measures.
- Key aspects included:
  - Compensation for injury or death (akin to "blood money")
  - Clan-based liability
  - Ritual purity and social taboos

#### Legal Practices in the Kushan Empire (1st–4th century CE)

- The **Kushans** governed a vast territory that included parts of modern Uzbekistan, Tajikistan, and northern India.
- They practiced a **cosmopolitan legal system** influenced by:
  - **Indian Dharmaśāstra** (religious and moral law)
  - **Zoroastrian law** from the Iranian plateau
  - **Buddhist ethics**, especially in monastic communities
- Inscriptions from the period (like those in Bactrian script) hint at formal legal declarations and royal decrees.

### Zoroastrian and Sogdian Law

- **Zoroastrianism** was the dominant religion in many Central Asian regions prior to Islam.
- Zoroastrian law focused on:
  - **Moral conduct** (e.g., truthfulness, purity)
  - **Family law** (marriage, inheritance)
  - **Criminal justice** (penalties for sacrilege, theft, and lying)
- **Sogdians**, known for their trade along the Silk Road, developed merchant-based legal customs dealing with contracts, credit, and dispute resolution.

### Summary

Aspect	Characteristics
Legal Basis	Customary law, royal decrees, religious law (Zoroastrianism, Buddhism)
Judicial Authority	Tribal elders, kings, governors, or religious figures
Key Influences	Persian, Hellenistic, Indian, and nomadic traditions
Enforcement	Community-based (tribal councils, satrap courts, royal officials)
Focus Areas	Family law, property rights, contracts, religious offenses, tribal honor

### MEDIEVAL PERIOD

During the medieval period, Central Asia's legal systems were shaped by a blend of Islamic jurisprudence, Mongol legal traditions, and indigenous customary laws. Here's an overview of the primary legal frameworks that governed the region:

During the Samanid dynasty (819–999 CE), which governed regions of present-day Uzbekistan, Tajikistan, and northeastern Iran, jurisprudence was

deeply rooted in Islamic law, particularly the Hanafi school of Sunni jurisprudence. The Samanids were instrumental in promoting Islamic legal and administrative frameworks in Central Asia, laying the foundation for enduring legal traditions in the region.

## Islamic Legal Framework

The Samanid legal system was predominantly based on **Sharia law**, with the **Hanafi madhhab** serving as the principal school of jurisprudence. This choice reflected both the dynasty's Sunni orientation and the broader Islamic scholarly trends of the time. Judicial authority was vested in **qadis** (judges), who presided over courts known as **mahkamas**. These judges were responsible for adjudicating civil and criminal matters, issuing verdicts based on Islamic legal principles. In cases where legal ambiguities arose, qadis would consult **muftis**—Islamic legal scholars capable of issuing **fatwas** (legal opinions)—to guide their decisions.

## Administrative and Judicial Institutions

The Samanid state featured a structured bureaucratic system that supported its legal and administrative functions. Key institutions included: **Dīwān al-Wizārah (Council of the Vizier)**: The central administrative body overseeing various state affairs.

- **Dīwān al-Mazālim**: A court addressing grievances and complaints, particularly those involving state officials or requiring the ruler's intervention.
- **Dīwān al-Qudāt**: The office overseeing the judiciary and the appointment of qadis. **Dīwān al-Ḥisbah**: Managed by the **muhtasib**, this office ensured public morality, market regulation, and adherence to Islamic norms.

These institutions were typically situated near the royal palace in Bukhara, the Samanid capital, facilitating centralized governance and oversight.

## Islamic Law (Sharia) and the Jungs

With the spread of Islam, Sharia law became foundational in Central Asian governance. In regions like Mawarannahr, legal codes known as collections of fatwas and *jungs* were compiled by Islamic jurists (muftis) and judges (qazis). These collections of fatwas (legal opinions) addressed both religious and civil matters, serving as standardized references in judicial proceedings. The *jungs* were integral to the legal systems of khanates such as Bukhara, Khiva, and Kokand.

## Mongol Law: The Yassa

Under Genghis Khan, the Mongol Empire implemented the *Yassa*, a codified set of laws encompassing military discipline, administrative regulations, and societal norms. Although the exact contents remain partially unknown due to its secretive nature, the *Yassa* emphasized strict obedience, unity among clans, and severe punishments for transgressions. In Central Asia, especially during the Chagatai Khanate and Timur's reign, the *Yassa* coexisted with Sharia law, reflecting a dual legal system.

### **Customary Law: Adat**

Beyond formal legal codes, local customs, known as *adat*, played a significant role in dispute resolution and community governance. Rooted in pre-Islamic traditions, *adat* encompassed tribal codes, rituals, and social norms. In many Central Asian societies, councils of elders (aqsaqals) adjudicated matters based on *adat*, addressing issues like marriage, property disputes, and communal responsibilities.

During the Soviet period, Uzbekistan's legislature was the Supreme Soviet of the Uzbek SSR, established in 1938. While it was theoretically the highest legislative body, in practice, it primarily endorsed decisions made by the Communist Party. The Supreme Soviet held 12 convocations, with the 12th (1990–1991) being notable for electing Islam Karimov as President and declaring Uzbekistan's independence on August 31, 1991.

As a genuinely democratic institution for expressing the political will of the people, the parliament has always been of fundamental importance for the development of Uzbekistan as a sovereign, independent, democratic, secular and peace-loving state. On August 31, 1991, the Supreme Council, the then legislative body of Uzbekistan, passed a resolution proclaiming the national independence and the law outlining the principles of state independence of the Republic of Uzbekistan.

On December 8, 1992, the Supreme Council adopted the Constitution of the Republic of Uzbekistan, which became the legal backbone for the creation of a fundamentally new system of public administration, a solid foundation for building a democratic state and civil society, and the economic advancement of the country.

The Supreme Council also passed a number of important laws aimed at consolidating the sovereignty of the young state, including those concerning the election of the President of the Republic of Uzbekistan, the State Emblem of the Republic of Uzbekistan, the National Anthem of the Republic of Uzbekistan, the State Language of the Republic of Uzbekistan.

In accordance with the Law on Elections to the Oliy Majlis of the Republic of Uzbekistan, adopted on 28 December 1993 by the Supreme Council of the Republic of Uzbekistan, the first elections to the Oliy Majlis (Supreme Assembly) of the Republic of Uzbekistan on a multi-party basis were held in Uzbekistan on December 25, 1994.

### **The first Oliy Majlis (1995-1999)**

The first Oliy Majlis, the unicameral parliament of Uzbekistan, comprised 250 members, including 69 representatives from the People's Democratic Party of Uzbekistan, 47 from the Adolat (Justice) Social Democratic Party, 14 from the Vatan Taraqqiyoti (Motherland Progress) Party, 7 from the Milliy Tiklanish (National Revival) Democratic Party, as well as 113 from local representative bodies.

The first Oliy Majlis passed more than 130 laws, including those shaping the foundations of a democratic state governed by the rule of law, those pertaining to the development of political, public, social and economic life of the country, those on the Constitutional Court, the state borders, the Central Bank, the Central Electoral Commission, political parties, the media, citizens' self-government bodies, non-governmental non-profit organizations, notaries, consumer protection, the bar, education, public health, the Commissioner of the Oliy Majlis for Human Rights (Ombudsman), among others.

Members of the first Oliy Majlis also adopted the Labor, Civil, Tax, Family, Land, Customs and Housing Codes.

### **The second Oliy Majlis (2000-2004)**

The elections to the Oliy Majlis of the second convocation were held with the participation of five political parties and initiative groups of voters. This Oliy Majlis registered associated groups (caucuses) of the Adolat Social Democratic Party (with 11 members), the Milliy Tiklanish Democratic Party (10 members), the Vatan Taraqqiyoti Party (20 members), the Fidokorlar National Democratic Party (34 members), the People's Democratic Party of Uzbekistan (49 members), as well as a bloc of members from local representative bodies (110 members) and a bloc of deputies from initiative groups of voters (16 members). More than 100 bills passed during the second parliamentary convocation were of particular importance for furthering the consolidation of the foundations of democratic institutions, civil society as well as socio-economic modernization of the country.

To be sure, the event of crucial significance for the second Oliy Majlis was the legislative registration of the results of the national referendum that took place on 27 January 2002 on the issues of organizing the branches of power and electing a bicameral parliament of Uzbekistan. The outcomes of the referendum provided for the definition of the Oliy Majlis as the highest representative body of the country, exercising legislative power and consisting of two houses, the Legislative Chamber and the Senate. The Legislative Chamber became an institution formed on the basis

of a multi-party system and direct expression of the will of voters, and functioning on a permanent professional basis, while the Senate was designated as a chamber of territorial representation. Among the laws adopted during the second convocation were those on amendments and addenda to the Constitution of the Republic of Uzbekistan, the Legislative Chamber, the Senate, and their regulations, the status of a member of the lower house of the parliament, member of the Senate and that of the local Kengash (Council).

In addition, worth highlighting are the laws passed concerning public discussion of draft laws, accumulative pension provision for citizens, guarantees of freedom of entrepreneurial activity, banking secrecy, insurance activities, e-commerce, public funds and environmental impact assessment.

### **The first Legislative Chamber (2005-2009)**

Five political parties and initiative groups of voters took part in the elections to the Legislative Chamber of the Oliy Majlis of the first convocation. According to the election results, the Liberal Democratic Party received 41 seats, the People's Democratic Party won 28 seats, the Fidokorlar National Democratic Party earned 17 seats, Milliy Tiklanish Democratic Party secured 12 seats, while Adolat Social Democratic Party claimed 8 seats. 14 seats were won by non-partisan candidates from initiative groups of voters.

During the first Legislative Chamber, more than 250 laws were adopted, including those related to strengthening the role of political parties in the renewal and further democratization of public administration and modernization of the country, on arbitration courts, guarantees for the activities of non-governmental non-profit organizations, children's rights, combating human trafficking, the securities market, copyright and related rights, electric power industry, protection and use of archaeological heritage sites.

The lower house of the parliament also ratified the Treaty on a Nuclear-Weapon-Free Zone in Central Asia.

### **The second Legislative Chamber (2010-2015)**

Four political parties and the Ecological Movement of Uzbekistan competed in the elections to the second Legislative Chamber of the Oliy Majlis. In accordance with the election results, the Liberal Democratic Party received 53 seats, the People's Democratic Party secured 32 seats, Milliy Tiklanish Democratic Party won 31 seats, and Adolat Social Democratic Party earned 19 seats, while 15 mandates went to candidates from the Ecological Movement of Uzbekistan.

During the activity of the second Legislative Chamber, more than 140 laws were passed, including such as on appeals of individuals and corporate entities, openness of the activities of public administration bodies, e-government,

environmental control, social partnership, family entrepreneurship, competition, commercial secrets.

### **The third Legislative Chamber (2015-2020)**

Four political parties and the Ecological Movement of Uzbekistan partook in the elections to the third Legislative Chamber. This time the Liberal Democrats claimed 52 seats, Milliy Tiklanish earned 36 seats, the People's Democratic Party won 27 seats, and Adolat secured 20 seats, while 15 mandates were assigned to candidates from the Ecological Movement of Uzbekistan.

During the third convocation of the Legislative Chamber, more than 270 laws were endorsed, including those of particular importance: on public control, innovation activities, the use of nuclear energy for peaceful purposes, the protection of reproductive health of citizens, parliamentary control, the Accounts Chamber, public-private partnerships, combating corruption, trade unions, volunteer activities, philanthropy, science and research activities, tourism, special economic zones, mediation, guarantees of equal rights and opportunities for women and men, protection of women from harassment and violence, the rights of persons with disabilities, protection of children from information harmful to their health, social services for the elderly, disabled and other socially vulnerable categories of the population. The practical implementation of the law on parliamentary oversight contributed to the systemic development of such important forms of control as reviewing the execution of the State Budget, hearing the Prime Minister's report on current issues in the national socio-economic development, hearing the annual National Report on Combating Corruption, and reviewing the report of the Accounts Chamber.

Along with the above-mentioned laws, members of the third Legislative Chamber approved the Electoral Code of the Republic of Uzbekistan for the first time.

### **The fourth Legislative Chamber (2020-2024)**

The elections to the Legislative Chamber of the Oliy Majlis of the fourth convocation were held with the participation of five political parties. As a result of the elections, the Liberal Democrats received 53 deputy mandates, Milliy Tiklanish earned 36 seats, Adolat Social Democrats won 24 seats, the People's Democratic Party secured 22 seats, and the Ecological Party of Uzbekistan were entitled for 15 mandates.

The fourth Legislative Chamber passed more than 400 laws, which included the following of particular importance: on the protection of children from all forms of violence, the status of the teacher, subsoil, creative economy, conflict of interests, geographical indications, licensing, permitting and notification procedures, duty fees, public procurement, cybersecurity, insolvency, international commercial arbitration, probation, on the Commissioner of the Oliy Majlis for Children's Rights



(Children's Ombudsman), e-commerce, and the provision of legal assistance by the state. Meanwhile, the most critical event during the fourth Legislative Chamber was the adoption on 30 April 2023, for the first time in history, on the basis of a national referendum, of a new edition of the Constitution of the Republic of Uzbekistan. The constitutional reform became an integral part of the cardinal changes taking place across all walks of life in the country, created a solid legal basis and adapted the Basic Law to the contemporary realities and to the underlying logic of the reforms underway as part of the Uzbekistan 2030 Strategy.

The updated Constitution significantly expands the exclusive powers of the Legislative Chamber and the Senate of the Oliy Majlis of the Republic of Uzbekistan, enhances the legal basis for the exercise of parliamentary control, determines the procedure for putting forward legislative proposals and a new procedure for lawmaking. The Basic Law has delivered new constitutional and legal conditions aimed at democratizing the activities of state bodies, protecting human rights and freedoms, improving the national electoral legislation built on modern constitutional norms and generally recognized international electoral standards, holding elections under a mixed – proportional-majoritarian electoral system.

### **The fifth Legislative Chamber (2024)**

The elections to the Legislative Chamber of the Oliy Majlis of the fifth convocation were organized for the first time under a mixed system, when 75 deputy mandates were distributed among single-mandate majoritarian constituencies and 75 deputy mandates were assigned to a single electoral district or by party lists.

All political parties took part in the elections: the Liberal Democratic Party, Milliy Tiklanish Democratic Party, Adolat Social Democratic Party, the People's Democratic Party and the Ecological Party of Uzbekistan. Each party nominated 75 candidates (375 candidates in total) in single-mandate majoritarian constituencies and 100 candidates by party lists (500 candidates in total).

In accordance with outcomes of the vote, the Liberal Democratic Party received 64 mandates, Milliy Tiklanish Democratic Party secured 29 seats, Adolat Social Democratic Party earned 21 seats, and the People's Democratic Party won 20 seats, while the Ecological Party claimed 16 mandates.

### **Law initiating**

The right of legislative initiative shall be entitled to the President of the Republic of Uzbekistan, the Republic of Karakalpakstan in the person of its higher representative body of state authority, the deputies of the Legislative Chamber of the Republic of Uzbekistan, the Cabinet of Ministers of the Republic of Uzbekistan. The right of legislative initiative also belongs to the Constitutional Court, the Supreme Court and the Prosecutor General of the Republic of Uzbekistan on issues within their jurisdiction.



The right of legislative initiative shall be exercised through the introduction of a bill by subjects of the right of legislative initiative to the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan.

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