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EARLY VOTING IS THE FOUNDATION OF CIVIL SOCIETY AND FREE DEMOCRATIC ELECTIONS AND ITS UNIQUE CHARACTERISTICS.

ABSTRACT

This article highlights that elections are the most important political process that ensures the legitimacy and legality of state bodies, that citizens are the main subjects determining state policy through elections, and that citizens are the decisive force through their participation in social and state-wide processes through voting. Early voting of voters in referendums and elections highlights important and specific aspects of referendum and election processes.

Keywords: election, electoral system, popular will, political will, human rights, voting, early voting.

The electoral process is of particular importance as an important component of democratic reforms in the Republic of Uzbekistan. In our country, at a time when a person, his rights and freedoms, and interests are considered the highest value, through elections, citizens have the opportunity to freely express their political will, exercising their political rights, and directly participate in the formation of state authorities. In recent years, large-scale reforms have been implemented in our country to improve the electoral system, ensure its openness and transparency, and increase the activity of citizens in elections.

Elections are one of the main institutions of state governance in any civil society based on democratic principles. They provide a constitutional mechanism

for the free expression of the political will of citizens and the formation of state authorities. The main importance of elections in state governance is the expression of the will of the people through which citizens determine the political direction of the state and elect representatives of the legislative and executive branches of government.

“Elections held by members of society for the purpose of forming public authority are not only a sign or manifestation of democracy, but also a necessary condition of existence.” Article 21 of the Universal Declaration of Human Rights, adopted and proclaimed by the United Nations General Assembly on 10 December 1948 by Resolution 217 A (III), defines the role of democratic elections as a human right as follows: “Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. The will of the people shall be the basis of the authority of government; This will shall be expressed by secret ballot or by another means of universal and equal suffrage of equal value, ensuring freedom of vote.”

Elections ensure the legitimacy and legality of state bodies. Elections guarantee the political equality, freedom and fair voting rights of citizens. The right to vote occupies a special place among the political and civil rights of a person. Through elections, citizens participate in the process of determining state policy and freely express their will. Ensuring this right creates an open, fair and stable society and a system of state governance. The rules set out in Article 21 of the Universal Declaration of Human Rights are the international legal basis for building a democratic state. It establishes the political will of the people as the basis of state power, which serves the sustainable development of society and the protection of the rights and freedoms of citizens. Therefore, the openness, equality and freedom of the electoral process are the main criteria for the development of democracy, the goals and tasks of which each country has set for itself.

In the new edition "Article 36 of Chapter 8 of the Constitution of the Republic of Uzbekistan, dedicated to the political rights of citizens, states that "Citizens of the Republic of Uzbekistan have the right to participate in the management of public and state affairs, directly and through their representatives. Such participation is

carried out through self-government, referendums and the democratic formation of state bodies, as well as through public control over the activities of state bodies. The procedure for exercising public control over the activities of state bodies is determined by law"

"Article 7 of the Constitution of the Republic of Uzbekistan. "The people are the sole source of state power. In the Republic of Uzbekistan, state power is exercised only by bodies authorized by the Constitution of the Republic of Uzbekistan and the laws adopted on its basis, in the interests of the people. At the same time, according to Article 10 of our Basic Law, it is stipulated that: "Only the Oliy Majlis of the Republic of Uzbekistan and the President of the Republic of Uzbekistan elected by them may act on behalf of the people of Uzbekistan."

From the essence of the norms established in the Constitution of the Republic of Uzbekistan, it can be understood that the only source of state power is the people, and elections are a practical manifestation of this principle. Authorized representatives and officials of authorized bodies elected through elections are considered to have received the trust of the people, which ensures the legitimacy of the decisions and policies adopted by them. Elections ensure legal competition in political processes, create conditions for the introduction of new ideas and experiences in state administration. During the election process, the social, economic and political needs of citizens are taken into account in determining state policy. Elections increase the political activity of citizens increases, through the rise of political culture, strengthens the idea, ideology, culture and responsibility based on democratic principles in society. As a result, elections are an integral part of the governance of state power and play an important role in ensuring the participation of citizens in the governance of state power, in political processes at the societal and state level, by ensuring the legitimacy of state bodies and guaranteeing the participation of citizens in political life. In this regard, improving the electoral system, its open and fair conduct, ensures the efficiency and stability of state governance.

Ensuring the democratic resolution of the most important issues of society and state in the Republic of Uzbekistan, finding legal solutions, and adhering to and adhering

to the principles set forth in the Preamble to the Constitution of the Republic of Uzbekistan are among the main goals and objectives of any developed legal democratic society and state. The preamble to the new Constitution of the Republic of Uzbekistan sets out these principles: “We, the united people of Uzbekistan, solemnly declaring our loyalty to human rights and freedoms, national and universal values, and the principles of state sovereignty, demonstrating our loyalty to the ideals of democracy, freedom and equality, social justice and solidarity, realizing our high responsibility to present and future generations for the establishment of a humane democratic state, an open and just society in which man, his life, freedom, honor and dignity are the highest values, and aiming to ensure a decent life for citizens, interethnic and interfaith harmony, and the well-being and prosperity of our multinational Uzbekistan, based on the universally recognized principles and norms of international law, do hereby adopt and promulgate this Constitution.”

The principles recognized in the Preamble to the Constitution of the Republic of Uzbekistan are a programmatic and political document that defines the basis of the independence, sovereignty and democratic principles of our state, and the will of the people, justice, respect for human rights and freedoms, and reliance on national and universal values are set as the main directions. We recognize the principles of the Preamble to the Constitution of the Republic of Uzbekistan as a political and legal basis for the establishment of an independent and democratic legal state, guaranteeing the rights and freedoms of citizens, ensuring peace and stability in society, and for the people to live a free, decent and prosperous life. The principles set forth in the Preamble to the Constitution of the Republic of Uzbekistan guarantee the active participation of citizens in state governance through elections and by being elected and ensuring legal equality.

Early voting is an integral part of the electoral system in democratic countries, and its main purpose is to ensure the exercise of the right to vote for citizens who cannot vote on election day for certain reasons and to create an opportunity to express their political will. This form of the electoral process is of great importance in ensuring the equality of citizens, the exercise of electoral rights

and democratic principles. Also, early voting increases the level of participation in elections and helps to strengthen the political activity of citizens.

Based on the principles of the Constitution of the Republic of Uzbekistan, the Resolution of the Central Election Commission of the Republic of Uzbekistan No. 1299 “On the Organization of Early Voting of Voters” dated June 20, 2023 and the “Election” Code dated June 26, 2019 were adopted. Article 57 of the Election Code of the Republic of Uzbekistan. Early Voting “A voter who is unable to be at his place of residence on election day has the right to vote early. Early voting begins ten days before the election and ends three days before the election. The time for early voting is determined by the Central Election Commission and is brought to the attention of voters and observers through the media. In order to vote early, the voter shall receive a ballot from the relevant precinct election commission on the basis of an application indicating the reasons for his/her inability to be present on election day (vacation, business trip, going abroad, etc.). From the norm established in the “Election Code” of the Republic of Uzbekistan, it can be understood that early voting in a legal democratic society and states respects the political rights of citizens.

The Central Election Commission shall determine the most important issues in the life of the Republic of Uzbekistan, which should be determined by the Central Election Commission on the basis of socio-political processes and the will and wishes of the people, as a result of referendums and elections, as regulated by the current constitution and laws. The time for early voting at polling stations organized by the decision of the Central Election Commission and holding referendums and elections shall be from 9:00 to 18:00 on weekdays, and from 12:00 to 16:00 on weekends and holidays, as determined by the current legislation.

On July 9, 2023, the elections of the President of the Republic of Uzbekistan were held, and on October 27, 2024, elections to the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan, regional and Tashkent city councils of people's deputies, district and city councils of people's deputies were held. The elections served to establish democratic values in Uzbekistan and increase civic activity in society.

On April 30, 2023, in accordance with the “Newly Revised Constitution of the Republic of Uzbekistan”, the referendum of the Republic of Uzbekistan was held through a nationwide vote, “the total number of citizens of the Republic of Uzbekistan included in the list of citizens voting in the referendum is 19,722,809” voters were registered, and “611,320 citizens voted early in the referendum of the Republic of Uzbekistan on April 19-26, 2023”. 3.1% of the voters of the Republic of Uzbekistan who had the right to vote in the referendum were voters who voted early, 19,944,859 voters were registered in the elections to the Legislative Chamber of the Oliy Majlis and local government bodies on October 27, 2024, and at a meeting with representatives of the Central Election Commission, “October 16-23, 2024 are considered early voting days announced. 1 million 15 thousand 948 citizens voted early for the party representatives nominated for the Legislative Chamber of the Oliy Majlis and local government bodies. Voters who voted early for the Legislative Chamber of the Oliy Majlis and local government bodies constituted 5.1% of the total number of voters,

Early voting is an important element of the electoral system in democratic countries. It provides citizens with the opportunity to express their political will even if they are unable to vote on the main election day for various reasons. This process serves to ensure electoral rights, increase population activity and implement the principles of democracy in practice.

The early voting process is regulated by relevant legislation. The equality of voters, voluntary voting and secrecy must be guaranteed. Also, the deadlines and rules established by election commissions must be strictly observed.

The following requirements shall be observed in organizing the early voting process in the electoral legislation. Conditions must be created in a special precinct and a precinct election commission, established and equipped in accordance with the requirements of the current law, for voting in accordance with the electoral legislation. Members of the precinct election commission must transparently carry out the following processes: provide the voter with a ballot, an envelope, and fill out the ballot in the voting room or one of the rooms of the precinct election commission, put it in a closed envelope and submit it to the members of the precinct

election commission, members of the precinct election commission must confirm the closed envelope by putting their signatures on the front page and put it in a safe allocated to the precinct election commission.

When organizing the early voting process, the chairman, deputy chairman and members of the precinct election commission, as well as employees of the National Guard, must ensure the security of the ballots allocated to the voters of the precinct election commission under strict control, and be courteous to voters who come to vote early.

Ensuring transparency and fairness in the voting process is important. The participation of observers, openness to the media, the protection of ballots and reporting processes ensure the legitimacy of the election and the reliability of the results.

Proposals, early voting is organized on the basis of a decision issued by the Central Election Commission in accordance with current legislation. I consider it appropriate that early voting at the polling station will last from 7:00 to 9:00 on weekdays and from 18:00 to 21:00 on weekends and holidays, and from 11:00 to 17:00 on weekends and holidays.

The precinct election commissions established by the decision of the Central Election Commission will provide 0.5 percent of the ballots for early voting by voters in accordance with current legislation. In our opinion, it would be appropriate for the Central Election Commission to deliver ballots to precinct election commissions in the amount of 15-20%, rather than the current 0.5%. As a result, citizen participation in the early voting process would have increased. It would also have led to an increase in citizens' interest and desire to exercise their political right to vote and an increase in the use of their political right, which has been part of the legal consciousness and culture of citizens for many years.

The first paragraph of Article 187 of the Labor Code of the Republic of Uzbekistan contains such a norm. "Duration of work on the eve of non-working holidays On the eve of non-working holidays, the duration of each daily work (shift) for all employees is reduced by at least one hour." From this article it can be understood that the possibility of leaving work earlier than 1 hour on a working day on the eve

of holidays is confirmed by law. In my opinion, it would be appropriate to add paragraph 3 to Article 187 in order to support the desire of the initiators of the law to allow citizens of the republic to vote early, in accordance with the newly amended Constitution of the Republic of Uzbekistan.

From the first paragraph of Article 187 of the Labor Code of the Republic of Uzbekistan, it can be understood that during the election process (early voting), the leaders of labor collectives (organizations, institutions and enterprises) located on the territory of the republic, citizens of the Russian Republic of Uzbekistan, members of the collective they lead, persons who have reached the age of 18 and have the right to vote, are entitled to vote at times when the days of early voting do not affect the productivity of responsible and accountable persons. It would be advisable to include in the current legislative documents the provision of early voting by responsible and accountable persons 2-3 hours before working hours on the basis of the distribution of labor, work schedule and other approved documents. It would be advisable to also approve the Labor Code of the Republic of Uzbekistan with an additional article as Article 187.1. In conclusion, the requirements for early voting, early voting for voters before the main election day is a democratic process that provides the opportunity to vote. Organizing the voting process in compliance with the requirements for early voting ensures the active participation of the population in the elections, enhances fairness and transparency in the electoral system. This process is important for democratic states in terms of political stability and the exercise of political rights of citizens.

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