

Toward A Strong Council and An Accountable Hokim: Institutional Conditions for Effective Local Representation in Uzbekistan

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Abstract

The 2023 Constitution of Uzbekistan separated the representative and executive branches of local state power: councils of people's deputies (Kengashes) are now headed by elected chairpersons, while hokims head the executive. This article examines the institutional conditions under which the councils' expanded powers can be exercised effectively in regional socio-economic development. Using doctrinal analysis of constitutional, statutory and sub-statutory law, a documentary case study from Namangan region and a functional comparison with France, Poland, the Republic of Korea and Kazakhstan, it distinguishes formal authority, understood as powers vested in law, from effective authority, understood as the procedural, fiscal, informational and organisational capacity to exercise them. The results identify five areas for institutional development: the systematisation and vertical allocation of competences, the alignment of responsibilities with financial resources, the procedural form and consequences of oversight, the coherence of legality review, and structured citizen participation. The article conceptualises the authority-resource asymmetry and the dual accountability of the hokim as two mechanisms shaping the exercise of council powers in a unitary state. Its originality lies in offering the first systematic legal assessment of the post-2023 Uzbek model and a transferable framework for analysing local representative bodies in reforming systems. Six institutional propositions supporting the 2030 Concept for the development of local representative bodies are formulated.

Keywords: Local councils; local autonomy; decentralisation; accountability; constitutional reform; Uzbekistan.

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1. Introduction

Decentralisation reforms are commonly evaluated by what they write into law: the functions assigned to subnational governments, the revenues placed at their disposal and the degree to which their decisions are protected from higher-level interference. Comparative indices of regional and local authority have made such evaluation systematic [1; 2; 3]. Institutional scholarship adds that the effect of formal rules depends on the conditions for their implementation and enforcement, so

that the relationship between rules and practice must be examined rather than assumed [4; 5; 6].

Uzbekistan offers an instructive case of institutional reform at the local level. For three decades after independence, local state power was organised around the hokim, who headed the regional executive and at the same time chaired the elected council. Scholarly accounts of that period described a model in which the leadership of the representative and executive bodies was combined in one office, leaving limited scope for the independent development of councils [7; 8]. The

Constitution adopted by referendum on 30 April 2023 introduced a new model by separating representative and executive power at the local level [9]. Implementing measures followed in quick succession. Presidential Decree No. PF-28 of 2 February 2024 established the principle of ‘a strong Kengash and an accountable and proactive hokim’ and approved a first list of functions to be transferred to councils [10]; Law No. ZRU-976 of 17 October 2024 amended the Law ‘On Local State Power’ to create the office of council chairperson and to introduce council inquiries and council investigations [11]; and Presidential Decree No. PF-98 of 23 June 2025 approved a Concept for the development of local representative bodies until 2030 [12].

These measures have considerably expanded the formal authority of local councils. Yet the comparative literature on decentralisation has shown that the legal allocation of powers is only the first step: whether representative bodies can use their powers depends on procedures, resources, information and organisational capacity [13; 14; 5]. For Uzbekistan, this question has not yet been examined systematically. Existing studies describe the pre-2023 model of combined leadership [7; 8], while analyses of the new constitutional model remain largely descriptive and do not connect the legal design of council powers with the conditions of their exercise. This constitutes the research gap addressed by the present article.

The aim of the article is to identify the institutional conditions under which the powers of local councils in Uzbekistan can be exercised effectively in the field of regional socio-economic development after the 2023 constitutional reform. Three research questions guide the analysis:

- RQ1: How does the current legal framework define the powers of local councils in regional development, and how are these powers allocated between levels of government?
- RQ2: Which procedural, fiscal, informational and organisational conditions support or limit the effective exercise of these powers?
- RQ3: Which solutions developed in comparable unitary systems can be adapted to the Uzbek constitutional model?

The article advances three arguments. First, institutional separation establishes the council as an autonomous actor and is the necessary foundation of effective local

representation; its full potential depends on complementary procedural, fiscal, informational and organisational conditions. Second, the distance between formal and effective authority varies by type of power. It is smallest where the council’s own decision is the final legal act and largest where its powers are reactive – confirming executive appointments, hearing reports or approving budgets prepared by the executive. Third, in a unitary state the head of the local executive is accountable both within the state administrative system and to the council. This dual accountability is a structural feature of local state administration; its balance depends on the procedural form given to each line of accountability.

The article makes three contributions. Theoretically, it proposes a framework that disaggregates effective authority into four conditions and identifies two mechanisms – the authority–resource asymmetry and the dual accountability of the executive head – that shape the exercise of formal powers. Empirically, it offers a systematic doctrinal assessment of the post-2023 Uzbek model, illustrated by a documented case. Practically, it formulates institutional propositions that support the implementation of the 2030 Concept. The article proceeds with a literature review and the analytical framework, followed by the materials and methods, the results, the discussion and the conclusion.

2. Literature review

2.1. Decentralisation and local authority

The normative case for entrusting development decisions to local representative bodies rests on well-established arguments. Tiebout showed that residents sort among jurisdictions offering different bundles of public goods [15], and Oates formulated the decentralisation theorem, according to which public goods should, other things being equal, be provided by the level of government closest to their beneficiaries [16; 17]. Later work refined these propositions. Decentralisation improves outcomes when local governments are accountable to local citizens and possess the fiscal means to act on their preferences; where responsibilities are devolved without matching revenues and discretion, the link between decision and responsibility is weakened [13; 18]. The effects of political decentralisation are context-dependent [19], and its governance benefits operate primarily through accountability mechanisms rather than through the reassignment of functions alone [14].

Measurement instruments mirror this multidimensionality. The Regional Authority Index distinguishes self-rule from shared rule [1], and the Local Autonomy Index combines legal autonomy, policy scope, effective political discretion, financial autonomy, organisational autonomy and freedom from central control [2; 3]. Both are primarily designed to capture authority as allocated by law. They are therefore especially informative for mature systems and need to be complemented, in systems undergoing reform, by an assessment of whether the procedures, resources and information required to exercise new powers have been put in place.

2.2. Accountability and participation

A second strand of literature concerns the relationship between representative bodies, executives and citizens. Accountability is commonly conceptualised as a relationship in which an actor is obliged to inform a forum about its conduct, the forum can pose questions and pass judgement, and the actor may face consequences [20; 21]. Without the third element, reporting does not amount to accountability in the full sense. Participation scholarship similarly distinguishes degrees of citizen involvement, from informing and consultation to partnership and delegated power [22], and emphasises that the design of participatory channels – who participates, how they communicate and what influence they have – determines their effects [23]. Research on institutional strength adds that the effect of formal rules depends on their enforcement and stability [4; 5; 6].

2.3. Local government in Uzbekistan and Central Asia

Scholarship on local government in Uzbekistan has focused mainly on the model of combined leadership that prevailed until 2023. Urinboyev described the institutional structure of local state power and emphasised the importance of strengthening the councils' role in socio-economic planning [7], while Yalçın analysed local authorities within a system of strong central government and traced the early stages of reforms aimed at increasing the accountability of local officials [8]. Comparative research on other countries indicates that the quality of council–executive cooperation is associated with better regional development outcomes [24]. The constitutional and statutory changes of 2023–2025, however, have created a new institutional configuration that the existing

literature has not yet examined. In particular, no study has systematically related the legal design of council powers to the conditions of their effective exercise, and no study has compared the Uzbek solutions with functional equivalents in other unitary states. The present article addresses this gap.

2.4. Analytical framework

This article accordingly distinguishes formal from effective authority. Formal authority refers to the powers conferred on a body by constitutional, statutory and sub-statutory rules. Effective authority refers to the degree to which the body can exercise those powers in a way that shapes decisions and outcomes. Building on the literature on institutional strength [5; 6] and on accountability as a relationship comprising information, debate and consequences [20; 21], four conditions are proposed under which formal authority becomes effective:

- procedural conditions – rules specifying when and how a power is exercised, by whom, within which time limits and with which legal consequences;
- fiscal conditions – financial resources commensurate with assigned responsibilities and a meaningful degree of discretion over their use [25, Art. 9];
- informational conditions – timely access to the data, drafts and analyses held by the executive;
- organisational conditions – professional staff, legal and budgetary expertise, and deputies able to devote adequate time to council work.

Where formal authority expands faster than these conditions are established, powers may remain declarative for a period: they exist in law but are not yet fully reflected in decision-making. The concept is analytical rather than evaluative. Declarative powers perform important legitimating and agenda-setting functions and become effective as the missing conditions are supplied; the concept draws attention to the institutional work that follows the legal recognition of powers.

The framework identifies two mechanisms that shape the transition from formal to effective authority. The first is an authority–resource asymmetry: a representative body is made responsible for development outcomes in its territory while the revenue base, budget parameters and expenditure structure required to influence them are determined largely at other levels or by other bodies. The second concerns the head of the local executive. In

unitary states in which the local executive forms part of a national system of state administration, its head is accountable both within that system and to the local council. This dual accountability reflects the dual nature of local state administration – implementing national policy while serving the territory – and is a legitimate feature of the unitary model. Its balance depends on the procedural form and legal consequences attached to each line of accountability: the more clearly the horizontal line to the council is institutionalised, the more fully the council can perform its representative and oversight functions.

A further dimension concerns the review of council decisions. Article 8 of the European Charter of Local Self-Government provides that administrative supervision of local authorities should normally aim only at ensuring compliance with the law and that the intervention of the controlling authority should be proportionate to the importance of the interests it is intended to protect [25, Art. 8]. Clear grounds, time limits and procedures for review strengthen legal certainty and thereby enable councils to exercise their powers with confidence.

3. Methods

3.1. Research design

The study adopts a qualitative legal research design combining doctrinal, case-based and comparative methods. The unit of analysis is the legal framework governing local councils of people's deputies at regional, district and city level. The analytical framework described above provides the criteria for assessment: each legal provision is examined for the procedural, fiscal, informational and organisational conditions it establishes or leaves undefined. The legal framework is analysed as in force in 2026, when the separation of representative and executive power applies at all levels.

3.2. Materials and procedure

The study employs three complementary methods. The first is doctrinal legal analysis of the Constitution, the Law 'On Local State Power' [26], the Budget Code [27], the Law 'On Normative Legal Acts' [28], the Law 'On Parliamentary Control' [29], the Law 'On the Openness of Activities of State Authorities and Administration' [30], the Law 'On Public Control' [31], the Code of Administrative Court Procedure [32], presidential decrees PF-28 and PF-98, and decisions of the Senate Council of the Oliy Majlis, including the register of

council powers [33], the model rules of procedure of local councils [34] and the methodology for drafting council decisions and subjecting them to legal expertise [35]. Each norm is examined for the procedural, fiscal, informational and organisational conditions it establishes. An inventory of sectoral legislation was compiled to identify council powers located outside the framework law.

The second method is a documentary case study of the confirmation of a senior executive appointment in Namangan region, reconstructed from decisions of the regional hokim and the regional council published on the E-Kengash platform, together with the council's rules of procedure and the hokimiyat's work plan. The case is used illustratively, to show how a specific procedure operates within the current legal framework, and not as a basis for generalisation.

The third method is functional comparison [36]. France and Poland were selected as unitary states with developed systems of legality review of local acts, Poland also being a post-socialist case of carefully sequenced local government reform [37]. The Republic of Korea illustrates the strengthening of council capacity within a unitary state with a strong executive tradition, and Kazakhstan offers a regional comparator with a shared institutional legacy. The comparison asks how each system addresses a particular problem and whether the solution is compatible with the Uzbek constitutional model. It is informed by the literature on legal transplants, which emphasises that institutions must be adapted to their functional context [38; 39].

3.3. Research setting

The evolution of local representative bodies in Uzbekistan can be divided into four stages according to their legal status, their powers over development and the budget, the relationship between representative and executive organs, and the degree of independence with which councils exercise their powers. Until 1990, local soviets formed part of a unified system of state power. Between 1990 and 2005, the 1992 Constitution and the 1993 Law 'On Local State Power' established the hokim system, in which the hokim headed both the council and the executive. Between 2005 and 2023, successive reforms broadened council powers and introduced the hearing of executive reports within the combined leadership model. The fourth stage began with the 2023 Constitution. A consistent feature of this trajectory is that the normative recognition of council powers has

typically been followed by a period of institutional consolidation, during which procedures and capacities were developed.

The current constitutional model is set out in Chapter XXI of the Constitution (Articles 120–127) [9]. Councils of people's deputies are the representative bodies of state power in regions, districts and cities, while executive power is headed by hokims. The Law 'On Local State Power' provides that a council is headed by a chairperson elected from among its deputies and that a serving hokim may not hold this office (Articles 16-1 to 16-4) [26]. The chairperson engages specialists and experts of state bodies and organisations and takes measures to ensure the openness and transparency of the council's work (Article 16-2). Councils hear the hokim's report on the most important and pressing issues of socio-economic development (Article 25-1) and information from the heads of territorial internal affairs, justice and health bodies (Articles 25-2, 25-3 and 25-5), and may send council inquiries and conduct council investigations (Articles 25-6 to 25-8). At the national level, the Senate is constitutionally tasked with assisting local representative bodies in their activities and may annul their decisions where these do not comply with legislation.

The reform has been implemented in stages. For regional councils and the Tashkent city council, the separation applied from the councils elected in October 2024; at district and city level, it took effect on 1 January 2026 [11]. Formal powers were expanded in parallel. PF-28 approved the transfer of functions from executive bodies to councils and required that tasks be clearly delimited between representative and executive organs [10]. The Senate Council established a public register of council powers, tasks and functions in which each entry records the level of council responsible [33]. In September 2025 the transfer of a further 61 powers from hokimiyats to councils was announced [40], and the PF-98 Concept set out, among its priorities, the further development of relations between councils and executive bodies, the introduction of a 'Kengash hour' for hearing heads of executive bodies and the development of oversight procedures [12].

4. Results

4.1. Competence: systematisation and vertical allocation

The first dimension concerns the architecture of

competence. Article 24 of the Law 'On Local State Power' lists the general powers of councils [26, Art. 24], while a considerable number of powers relevant to regional development are located in sectoral legislation – including laws on environmental protection, urban passenger transport, waste, forests, protected natural areas, drinking water supply and sanitation, employment, education, tourism, renewable energy and the creative economy. This distribution reflects the natural growth of sectoral regulation; its consequence is that the full scope of council competence is not presented in one place. Systematising these powers in the framework law – for example, through a general reference norm linking Article 24 to sectoral competences – would make the scope of council authority more transparent for deputies and citizens alike.

A related issue is vertical allocation. The framework law defines most powers jointly for 'regional, district and city councils'. The 2024 register records which level exercises each function, and PF-28 assigned some transferred powers specifically to regional or to district councils [33; 10]. The register thus provides a valuable informational basis; the next step is to formulate the criteria by which powers are assigned among levels. Article 4(4) of the European Charter provides that powers given to local authorities should normally be full and exclusive, and OECD guidance recommends the clear assignment of financing, regulatory, implementation and monitoring functions across levels [25, Art. 4; 41]. Explicit allocation criteria would help avoid the parallel consideration of the same issue at two levels and make responsibility clearly visible.

4.2. Aligning responsibilities and resources

The second dimension is fiscal. Under the Budget Code, the revenues of regional budgets consist largely of shares of national taxes – profit tax, personal income tax, excise and subsoil use taxes – allocated according to established norms, together with water use, property and land taxes, turnover tax and other levies (Article 52), while the main expenditure lines – social sector institutions and social benefits, agriculture and water management, housing and municipal infrastructure, centralised investment, the maintenance of local state bodies and reserve funds – are defined by the Code (Article 71) [27]. The draft budget is prepared by the financial units of the executive and considered by the council once upper-level parameters have been set.

This structure ensures fiscal discipline and nationwide

equalisation, which are important objectives in a unitary state. At the same time, it defines the space within which councils can exercise their budget powers. Councils approve local budgets and development programmes and are responsible to voters for their results, while revenue forecasts and mandatory expenditure are determined largely within the national framework. The resulting authority–resource asymmetry is most significant at the preparation stage: deputies may submit proposals, but there is not yet a standard procedure by which the executive costs them, incorporates them or explains why they cannot be accepted. Budget autonomy can therefore be assessed by the proportionality between decision-making freedom and responsibility – the council’s influence over revenues, its freedom to reallocate expenditure among local priorities, its participation in drafting and the instruments available to it for influencing results. Article 9 of the European Charter, which provides that local financial resources should be commensurate with responsibilities and at least partly subject to local discretion, offers a useful comparative benchmark for the gradual development of this area [25, Art. 9].

4.3. Oversight: procedural form and consequences

The third dimension concerns oversight. The law equips councils with a broad set of oversight instruments – report hearings, council inquiries, council investigations and the confirmation of senior executive appointments [26, Arts. 25-1–25-8]. Their effectiveness depends on their procedural form and on the consequences attached to their results. The Law ‘On Local State Power’ does not yet specify the legal effects of a council’s refusal to confirm a hokim or a deputy hokim, or the follow-up to an unsatisfactory assessment of a hokim’s report. The model rules of procedure provide that reports of heads of executive departments are heard ‘where necessary’ [34, Annex, Art. 6], which leaves the frequency and selection of hearings to the discretion of each council. In the terms of the accountability literature, the relationship comprises information and debate, while the third element – consequences – remains to be developed [21].

The sequencing of confirmation procedures can be illustrated by a documented case from Namangan region. By two decisions of 18 April 2025, the regional hokim released one first deputy hokim for finance, economy and poverty reduction – who also headed the regional main department of economy and finance – and appointed a successor to the post. The regional council confirmed the appointment by its decision of 29 May 2025, 41 days

later. The case shows that, under the current rules, confirmation may follow the assumption of duties rather than precede it. A procedural rule requiring confirmation before an appointee takes office, together with a defined procedure in the event of non-confirmation, would give the council’s confirmation power its intended preventive character.

The case also illustrates the dual accountability of the hokim. The hokim implements state programmes as part of the national system of state administration and at the same time reports to the council on regional socio-economic development. In Namangan, the council operates under its rules of procedure adopted on 7 November 2024, while the hokimiyat works on the basis of a work plan approved by the hokim on 28 February 2025. The two instruments do not yet provide for a joint annual work plan, stages for the prior coordination of strategic issues or a regular format for joint deliberation. Introducing such coordination instruments would give the horizontal line of accountability a clear procedural form. Comparative research indicates that the quality of council–executive cooperation is associated with better regional development outcomes [24], and earlier studies of Uzbekistan emphasised the importance of strengthening the councils’ role in socio-economic planning [7].

A domestic model for structured oversight already exists. The Law ‘On Parliamentary Control’ provides for hearings of government members’ answers to deputies’ questions in the Legislative Chamber and regulates their procedure separately, and it lists among the forms of parliamentary control the hearing in the Senate of reports of hokims on the development of their territories [29, Arts. 5, 10-1]. Adapting this experience to the local level, as envisaged by the ‘Kengash hour’ in the 2030 Concept, would provide a well-tested procedural format.

4.4. Legality review

The fourth dimension concerns the review of the legality of council decisions. Under Article 26 of the Law ‘On Local State Power’, decisions of regional, district and city councils that do not comply with legislation are annulled by the Senate, and decisions annulled by the Senate cease to have effect. The hokim may submit to the council a proposal to reconsider a decision that contravenes legislation; the council must consider it within one month, and if the proposal is not satisfied the hokim may apply to the higher council, the Senate or the court [26, Art. 26]. Higher councils may also annul

unlawful decisions of lower councils on the basis of submissions by justice bodies following legal expertise. Citizens and legal entities may challenge unlawful decisions of local state bodies in the administrative courts [9, Art. 55; 32, Art. 27].

The existing framework thus provides several complementary channels for ensuring legality. Three refinements would increase its coherence and legal certainty. First, the grounds, time limits and procedure for the annulment of council decisions by the Senate, including the council's opportunity to present its position, could be defined in law; in the longer term, a model in which the supervisory authority refers a contested decision to the court, as practised in France, Poland and Korea, would align the system more closely with Article 8 of the European Charter. Second, a time limit for the hokim's proposal to reconsider a council decision would complement the one-month period already set for the council's response and strengthen legal certainty, which is itself a precondition for investment and development. Third, the relationship among the parallel review channels could be clarified to establish a consistent sequence: preventive legal expertise at the drafting stage, supervision during the operation of a decision and judicial resolution of disputes. The Senate Council's 2025 methodology for drafting council decisions and conducting their legal expertise is an important step in strengthening the preventive stage [35]; its effect will be reinforced by the presence of qualified legal staff in council secretariats, particularly at district level.

4.5. Openness and participation

The fifth dimension concerns openness and participation,

which connect the council to the citizens it represents. The legal framework establishes openness as a general principle. The Law 'On the Openness of Activities of State Authorities and Administration' requires representative bodies, including regional, district and city councils, to publish information on planned sessions and adopted decisions in good time and provides for the presence of information users at open collegial meetings [30, Arts. 5, 16]. The Law 'On Public Control' recognises participation in open collegial meetings, public hearings and public expertise as forms of public control [31, Arts. 6, 8], and the model rules of procedure state that sessions are held openly and covered by the media [34, Annex, Art. 12].

Building on this framework, further procedures could translate openness into structured participation: a defined status for citizens who wish to observe sessions, including registration, capacity limits and a duty not to interfere; live broadcasting and public archiving of sessions through the E-Kengash platform; a systematic channel for bringing academic and civil society expertise into the preparation of draft decisions; and a practice of responding, with reasons, to proposals received through consultation. Such measures would move participation along the continuum from informing towards consultation and partnership [22] and would strengthen the deliberative dimension of local governance [23].

4.6. Comparative findings

The four comparator systems differ in their constitutional architecture, yet each offers solutions relevant to the dimensions identified above. Table 1 summarises the functional equivalents and their adaptability to the Uzbek model.

Table 1. Functional equivalents in comparator systems and their adaptability to the Uzbek model.

Dimension	Comparator solution	Adaptability to Uzbekistan
Oversight procedures	England: overview and scrutiny committees empowered to require attendance of executive members; France: councillors' right to oral questions at sessions (CGCT, Art. L2121-19)	High: a planned 'Kengash hour' with defined obligations of invited officials, building on the parliamentary procedure
Responsibilities and resources	Korea: budget approval combined with the right to request documents, annual audit of administrative affairs and policy-support staff; Poland: link between development strategy, budget and evaluation	Medium: procedural strengthening of the preparation stage within the Budget Code; fiscal decentralisation as a longer-term reform

Legality review	France: prefect refers unlawful acts to the administrative court; Poland: voivode may declare a resolution invalid within 30 days, thereafter only a court; Korea: executive head may request reconsideration and then bring the matter to the Supreme Court	High: defined grounds and time limits for review; gradual transition to court-based resolution of disputes
Organisational capacity	Korea: policy-support staff for council members; Kazakhstan: full-time chairpersons of maslikhats and their standing commissions	High: full-time chairpersons and commission chairs; legal and budget-analysis units in council secretariats
Allocation of competences	European Charter, Art. 4; OECD guidance on the assignment of functions by level	Medium: statutory allocation criteria based on subsidiarity, building on the 2024 register

Source: author's analysis.

France illustrates a mature system of legality review. Since the decentralisation laws of 1982, the prefect refers local acts considered unlawful to the administrative court rather than annulling them directly [42, Arts. L2131-1–L2131-6], and councillors may raise oral questions on municipal affairs at council sessions [42, Art. L2121-19]. The French experience also shows that effective review depends on prioritisation and digital infrastructure: the Cour des comptes has recommended focusing review on the most significant acts and developing electronic monitoring [43].

Poland is instructive as a post-socialist state that sequenced political, fiscal and administrative decentralisation with care [37]. Resolutions of municipal councils are transmitted to the voivode, who may declare them invalid within 30 days; after that period only the administrative court can do so [44, Arts. 90–91]. The combination of a short administrative window with subsequent judicial review provides legal certainty while safeguarding legality. Since 2018, Polish councils have also been required to broadcast and record their sessions and to publish roll-call voting results, measures designed to strengthen citizens' oversight of local representatives [45].

The Republic of Korea shows how council capacity can be strengthened within a unitary state with a strong executive tradition. The wholesale revision of the Local Autonomy Act in 2021 enabled local governments to engage policy-support staff for council members in numbers of up to half the council's membership and strengthened the organisational autonomy of councils [46, Art. 41]. Korean councils combine budget approval with the right to request documents, to audit administrative affairs annually and to conduct

investigations into specific matters. Where a council resolution is considered unlawful, the head of the local government may request reconsideration and, if the resolution is re-adopted, bring the matter before the Supreme Court. The Korean case suggests that effective council authority rests less on transferring executive functions to councils than on equipping them with analytical and oversight capacity proportionate to their decision-making powers.

Kazakhstan offers a close institutional comparator. Its legislation assigns the preparation and implementation of development plans, programmes and local budgets to the local executive, while maslikhats approve them and oversee their implementation; maslikhat chairpersons and the chairs of standing commissions work on a full-time basis [47]. This functional division – the executive drafts and implements, the representative body approves and oversees – is similar to the Uzbek one and underlines the importance of the representative body's organisational capacity. England's overview and scrutiny committees, finally, demonstrate how a structured and regular format for hearing executive members can be embedded in local government law [48].

5. Discussion

The results allow the three research questions to be answered. With regard to RQ1, the legal framework confers extensive powers on local councils in regional development, but these powers are distributed between the framework law and sectoral legislation and are defined largely jointly for all levels; the 2024 register records their allocation but does not yet state allocation criteria. With regard to RQ2, the effective exercise of council powers is supported by the new institutional

autonomy of councils and by a developed framework of openness, and is conditioned by four factors: the structure of intergovernmental finance, the absence of defined consequences for several oversight instruments, the coexistence of several legality-review channels without a fixed sequence, and the limited analytical capacity of council secretariats. With regard to RQ3, the comparative analysis identifies transferable solutions in structured oversight formats, time-limited and court-based legality review, policy-support staff and full-time council leadership, all of which are compatible with the Uzbek unitary constitutional model.

The Uzbek case refines the distinction between formal and effective authority in three respects. First, the distance between the two varies by type of power. Powers whose exercise is itself the final legal act – adopting rules of procedure or electing a chairperson – are exercised most directly. Reactive powers – confirming appointments, hearing reports and approving budgets prepared by the executive – depend more heavily on procedures and information provided by another body. Indices of local autonomy based on the formal allocation of powers [3] could therefore be usefully complemented, for systems undergoing reform, by indicators of procedural consequences and access to information.

Second, the dual accountability of the executive head identifies a mechanism specific to unitary states with an integrated system of state administration. The decentralisation literature has tended to treat the accountability of local executives either as downward accountability to citizens or as upward accountability to the centre [13; 14]. The Uzbek model combines a horizontal line of accountability to an elected council with accountability within the state administrative system. This combination is compatible with the unitary constitutional order; its balance is a matter of institutional design, and strengthening councils accordingly means giving the horizontal line clear procedural form rather than enlarging the list of council powers alone.

Third, the case contributes to the discussion of sequencing. The trajectory of Uzbek local representative bodies shows that the legal recognition of powers has typically been followed by a period of institutional consolidation. The 2023 reform has created the constitutional foundation for a new model; the procedural, fiscal, informational and organisational measures outlined above represent the consolidation

stage that will allow its objectives to be fully realised. The Polish experience indicates that deliberate sequencing – building capacity alongside the transfer of powers – supports durable decentralisation [37].

These findings are consistent with the broader decentralisation literature, which holds that the benefits of decentralisation depend on accountability mechanisms and on the alignment of responsibilities with resources [13; 18; 14], and they extend earlier accounts of Uzbek local government [7; 8] to the post-2023 institutional setting. They also translate into the following institutional propositions, consistent with the principle of ‘a strong Kengash and an accountable and proactive hokim’ and with the objectives of the 2030 Concept [12].

Proposition 1: structured oversight with defined follow-up. A planned and regular ‘Kengash hour’ for hearing heads of executive bodies should specify advance submission of written materials, the rights and obligations of invited officials, a question-and-answer stage and follow-up on the council’s recommendations. The law should define the consequences of an unsatisfactory assessment of a report and of non-confirmation of an appointment, and should provide that confirmation precedes assumption of office.

Proposition 2: participation at the budget preparation stage. A joint budget commission of council and executive representatives, an open budget hearing before the budget session and a ‘proposal matrix’ in which the executive indicates, with reasons, whether each deputy proposal has been accepted, partly accepted or not accepted would strengthen the council’s role in drafting while preserving the executive’s budget initiative and national fiscal discipline.

Proposition 3: independent expertise for councils. Legal and budget-analysis units within council secretariats, full-time chairpersons and chairs of standing commissions, and advisory groups of academics and civil society representatives, whose opinions standing commissions consider and respond to, would strengthen the informational and organisational conditions of effective authority.

Proposition 4: a coherent multi-stage model of legality review. Defining the grounds, time limits and procedure for the review of council decisions, introducing a time limit for the hokim’s proposal for reconsideration and progressively channelling disputes over the legality of

council decisions to the courts would enhance legal certainty in line with Article 8 of the European Charter.

Proposition 5: explicit criteria for allocating competences. A subsidiarity-based allocation between regional and district councils – guided by proximity to citizens, territorial scope, required resources, inter-territorial effects and accountability for results – would build on the 2024 register and make responsibility clearly visible to citizens.

Proposition 6: from openness to participation. A defined status for citizen observers, live broadcasting and archiving of sessions on the E-Kengash platform, and reasoned responses to proposals received through consultation would deepen the connection between councils and the communities they represent.

6. Conclusion

Uzbekistan's constitutional reform has established the institutional foundation for strong local representation by separating the representative and executive branches at the local level and expanding the powers of local councils in regional development. This article has argued that the effectiveness of these powers depends on complementary institutional conditions: the systematisation and explicit vertical allocation of competences, the alignment of responsibilities with financial resources, procedural consequences for oversight, a coherent multi-stage model of legality review and structured channels for citizen participation. The dual accountability of the hokim, a structural feature of local state administration in a unitary state, can be balanced by giving the horizontal line of accountability to the council a clear procedural form.

The broader implication is that decentralisation reforms should be assessed not only by the powers they confer but also by the conditions under which these powers can be exercised. For Uzbekistan, the next stage of reform lies in consolidating the gains already made: developing oversight procedures, strengthening councils' role in budget preparation, equipping them with independent expertise, refining legality review, allocating competences by explicit criteria and deepening citizen participation. These are the institutional conditions under which the principle of a strong council and an accountable hokim can be fully realised.

The study has limitations that point to directions for future research. It is primarily doctrinal and comparative, and the Namangan case is illustrative rather than

representative. Since the new model has operated at all levels only from 1 January 2026, its effects will become fully observable over the coming years. Longitudinal empirical research on confirmation practices, report hearings, budget deliberations and legality review, as well as comparative studies of other Central Asian states, would allow the framework and propositions advanced here to be tested and refined.

References

1. Hooghe, L., Marks, G., Schakel, A. H., Chapman Osterkat, S., Niedzwiecki, S., & Shair-Rosenfield, S. (2016). *Measuring regional authority: A postfunctionalist theory of governance* (Vol. I). Oxford University Press.
2. Ladner, A., Keuffer, N., & Baldersheim, H. (2016). Measuring local autonomy in 39 countries (1990–2014). *Regional & Federal Studies*, 26(3), 321–357.
<https://doi.org/10.1080/13597566.2016.1214911>
3. Ladner, A., Keuffer, N., Baldersheim, H., Hlepas, N., Swianiewicz, P., Steyvers, K., & Navarro, C. (2019). *Patterns of local autonomy in Europe*. Palgrave Macmillan.
4. Helmke, G., & Levitsky, S. (2004). Informal institutions and comparative politics: A research agenda. *Perspectives on Politics*, 2(4), 725–740.
<https://doi.org/10.1017/S1537592704040472>
5. Levitsky, S., & Murillo, M. V. (2009). Variation in institutional strength. *Annual Review of Political Science*, 12, 115–133.
<https://doi.org/10.1146/annurev.polisci.11.091106.121756>
6. Brinks, D. M., Levitsky, S., & Murillo, M. V. (2019). *Understanding institutional weakness: Power and design in Latin American institutions*. Cambridge University Press.
7. Urinboyev, R. (2018). Local government in Uzbekistan. In A. Farazmand (Ed.), *Global encyclopedia of public administration, public policy, and governance*. Springer.
https://doi.org/10.1007/978-3-319-31816-5_3665-1
8. Yalçın, R. (2019). The role and features of Uzbek local authorities within a system of strong central government. *Ulusa: Journal of International Studies*, 3(1), 49–60.
9. Constitution of the Republic of Uzbekistan (adopted by referendum on 30 April 2023).
<https://lex.uz/docs/6445145>
10. Presidential Decree of the Republic of Uzbekistan

- No. PF-28 of 2 February 2024 'On Measures to Increase the Effectiveness of Local State Authorities'. <https://lex.uz/docs/6789350>
11. Law of the Republic of Uzbekistan No. ZRU-976 of 17 October 2024 on amendments to certain legislative acts aimed at improving the activities of local state authorities in connection with the adoption of the new Constitution. <https://lex.uz/docs/7162473>
 12. Presidential Decree of the Republic of Uzbekistan No. PF-98 of 23 June 2025 'On Approval of the Concept for the Development of the Activities of Representative Bodies of Local State Power in the Republic of Uzbekistan until 2030'. <https://lex.uz/docs/7594283>
 13. Bardhan, P. (2002). Decentralization of governance and development. *Journal of Economic Perspectives*, 16(4), 185–205. <https://doi.org/10.1257/089533002320951037>
 14. Faguet, J.-P. (2014). Decentralization and governance. *World Development*, 53, 2–13. <https://doi.org/10.1016/j.worlddev.2013.01.002>
 15. Tiebout, C. M. (1956). A pure theory of local expenditures. *Journal of Political Economy*, 64(5), 416–424. <https://doi.org/10.1086/257839>
 16. Oates, W. E. (1972). *Fiscal federalism*. Harcourt Brace Jovanovich.
 17. Oates, W. E. (1999). An essay on fiscal federalism. *Journal of Economic Literature*, 37(3), 1120–1149. <https://doi.org/10.1257/jel.37.3.1120>
 18. Rodden, J. (2006). *Hamilton's paradox: The promise and peril of fiscal federalism*. Cambridge University Press.
 19. Treisman, D. (2007). *The architecture of government: Rethinking political decentralization*. Cambridge University Press.
 20. Schedler, A. (1999). Conceptualizing accountability. In A. Schedler, L. Diamond, & M. F. Plattner (Eds.), *The self-restraining state: Power and accountability in new democracies* (pp. 13–28). Lynne Rienner.
 21. Bovens, M. (2007). Analysing and assessing accountability: A conceptual framework. *European Law Journal*, 13(4), 447–468. <https://doi.org/10.1111/j.1468-0386.2007.00378.x>
 22. Arnstein, S. R. (1969). A ladder of citizen participation. *Journal of the American Institute of Planners*, 35(4), 216–224. <https://doi.org/10.1080/01944366908977225>
 23. Fung, A. (2006). Varieties of participation in complex governance. *Public Administration Review*, 66(s1), 66–75. <https://doi.org/10.1111/j.1540-6210.2006.00667.x>
 24. 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. <https://doi.org/10.3390/systems13010005>
 25. Council of Europe. (1985). *European Charter of Local Self-Government* (ETS No. 122). Strasbourg.
 26. Law of the Republic of Uzbekistan No. 913-XII of 2 September 1993 'On Local State Power' (as amended by Law No. ZRU-976 of 17 October 2024). <https://lex.uz/docs/112170>
 27. Budget Code of the Republic of Uzbekistan (approved by Law No. ZRU-360 of 26 December 2013). <https://lex.uz>
 28. Law of the Republic of Uzbekistan No. ZRU-682 of 20 April 2021 'On Normative Legal Acts'. <https://lex.uz/docs/5378966>
 29. Law of the Republic of Uzbekistan No. ZRU-403 of 11 April 2016 'On Parliamentary Control'. <https://lex.uz/docs/2929477>
 30. Law of the Republic of Uzbekistan No. ZRU-369 of 5 May 2014 'On the Openness of Activities of State Authorities and Administration'. <https://lex.uz/docs/2381138>
 31. Law of the Republic of Uzbekistan No. ZRU-474 of 12 April 2018 'On Public Control'. <https://lex.uz/docs/3679092>
 32. Code of Administrative Court Procedure of the Republic of Uzbekistan. <https://lex.uz/docs/3527353>
 33. Senate Council of the Oliy Majlis of the Republic of Uzbekistan. Decision No. KQ-769-IV of 26 June 2024 on the procedure for maintaining the register of powers, tasks and functions of local councils of people's deputies. <https://lex.uz/docs/6998164>
 34. Senate Council of the Oliy Majlis of the Republic of Uzbekistan. Decision No. KQ-835-IV of 21 October 2024 on approval of the model rules of procedure of regional, district and city councils of people's deputies. <https://lex.uz/docs/7179807>
 35. Senate Council of the Oliy Majlis of the Republic of Uzbekistan. Decision No. KQ-55-V of 28 January 2025 on the methodology for drafting decisions of regional, district and city councils of people's deputies and subjecting them to legal expertise. <https://kengash.gov.uz>
 36. Zweigert, K., & Kötz, H. (1998). *An introduction to*

- comparative law (T. Weir, Trans.; 3rd ed.). Clarendon Press.
37. Regulski, J. (2003). Local government reform in Poland: An insider's story. Open Society Institute, Local Government and Public Service Reform Initiative.
 38. Watson, A. (1974). Legal transplants: An approach to comparative law. Scottish Academic Press.
 39. Legrand, P. (1997). The impossibility of 'legal transplants'. *Maastricht Journal of European and Comparative Law*, 4(2), 111–124.
<https://doi.org/10.1177/1023263X9700400202>
 40. Gazeta.uz. (2025, September 9). Hokimliklarning 61 ta vakolati mahalliy kengashlarga o'tkazilmoqda [61 powers of hokimiyats are being transferred to local councils].
<https://www.gazeta.uz/uz/2025/09/09/vakolatlar/>
 41. OECD. (2019). Making decentralisation work: A handbook for policy-makers. OECD Publishing.
<https://doi.org/10.1787/g2g9faa7-en>
 42. Code général des collectivités territoriales [General Code of Territorial Authorities] (France).
<https://www.legifrance.gouv.fr>
 43. Cour des comptes. (2022). Le contrôle de légalité et le contrôle budgétaire: une place à trouver dans la nouvelle relation État–collectivités territoriales. Paris.
 44. Ustawa z dnia 8 marca 1990 r. o samorządzie gminnym [Act on Municipal Self-Government] (Poland). Dz.U. 1990 nr 16 poz. 95, as amended.
 45. Ustawa z dnia 11 stycznia 2018 r. o zmianie niektórych ustaw w celu zwiększenia udziału obywateli w procesie wybierania, funkcjonowania i kontrolowania niektórych organów publicznych [Act of 11 January 2018 amending certain acts to increase citizens' participation in electing, operating and controlling certain public bodies] (Poland). Dz.U. 2018 poz. 130.
 46. Local Autonomy Act (Republic of Korea), wholly amended by Act No. 17893 of 12 January 2021.
 47. Law of the Republic of Kazakhstan No. 148-II of 23 January 2001 'On Local State Administration and Self-Government in the Republic of Kazakhstan'. <https://adilet.zan.kz>
 48. Local Government Act 2000 (c. 22) (United Kingdom).