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L. Achilova¹ , Sh. Salieva^{2*} 

¹Academy of Justice of the Republic of Uzbekistan

²Training Institute for Lawyers under the Ministry of Justice of the Republic of Uzbekistan
(e-mail: Liliya.achilova@mail.ru; *shahsitta@gmail.com)

PETITIONS AND ADMINISTRATIVE COMPLAINTS IN PUBLIC SERVICE DELIVERY:
PROCEDURAL TIME LIMITS, QUALITY OF DECISIONS AND OPEN MONITORING IN
UZBEKISTAN AND KAZAKHSTAN

Abstract

This research article examines how the general legal regime governing petitions of individuals and legal entities should be coordinated with the special administrative-complaint procedure in public service delivery. Using formal legal, comparative, systemic and functional methods, the study analyses Uzbekistan's legislation on petitions and administrative procedures, the experimental model of Appeal Councils, and Kazakhstan's Administrative Procedural and Process-Related Code. Three interrelated shortcomings are identified in the general petitions regime: insufficient differentiation of procedural time limits, the absence of detailed criteria for a proper response, and the predominantly internal nature of monitoring. The article shows how these problems change when an ordinary complaint becomes an administrative complaint challenging the outcome of a public service. Because a restorative purpose is also inherent in an ordinary complaint, the proposed distinction relies on the object being challenged, the connection with a specific administrative proceeding, the status of the interested person, the review body's competence and the legal effect of the decision. An asymmetry is identified between Uzbekistan's Law on Administrative Procedures, which covers administrative and procedural acts and administrative actions, and the special Appeal Council model focused primarily on administrative acts. The article proposes differentiated time limits for general petitions, a statutory quality standard for responses, institutionalisation of Appeal Councils within the general administrative-review system, and a two-level model of open monitoring combining petition-handling indicators with indicators of actual restoration of rights in public service delivery.

Key words: petition, administrative complaint, public services, procedural time limits, response quality, open monitoring, Appeal Council.

Л.И. Ачилова¹, Ш.У. Салиева²

¹Өзбекстан Республикасы Әділет академиясы

²Өзбекстан Республикасы Әділет министрлігі жанындағы Заңгерлерді қайта даярлау және біліктілігін арттыру институты

МЕМЛЕКЕТТІК ҚЫЗМЕТТЕР КӨРСЕТУ САЛАСЫНДАҒЫ ӨТІНІШ ПЕН ӘКІМШІЛІК ШАҒЫМ: ӨЗБЕКСТАН МЕН ҚАЗАҚСТАНДАҒЫ ПРОЦЕСТІК МЕРЗІМДЕР, ШЕШІМДЕР САПАСЫ ЖӘНЕ АШЫҚ МОНИТОРИНГ

Аңдатпа

Ғылыми мақала жеке және заңды тұлғалардың өтініштері жөніндегі жалпы институт пен мемлекеттік қызметтер көрсету саласындағы әкімшілік шағым бойынша арнайы іс жүргізуді үйлестіруге арналған. Формальды-заңдық, салыстырмалы-құқықтық, жүйелік және функционалдық әдістер негізінде Өзбекстан Республикасының өтініштер және әкімшілік рәсімдер туралы заңнамасы, Апелляциялық кеңестердің эксперименттік моделі және Қазақстан Республикасының Әкімшілік рәсімдік-процестік кодексі зерттелді. Өтініштерді қараудың жалпы режимінде өзара байланысты үш мәселе анықталды: процестік мерзімдердің жеткіліксіз саралануы, тиісті жауап өлшемдерінің егжей-тегжейлі бекітілмеуі және мониторингтің негізінен ведомстволық сипаты. Бұл мәселелердің мемлекеттік қызмет нәтижесіне берілетін әкімшілік шағымға ауысу кезінде қалай көрінетіні көрсетілді. Құқықты қалпына келтіруге бағытталу жалпы шағымға да тән болғандықтан, ажырату өлшемдері ретінде даулау нысанасы, нақты әкімшілік іс жүргізумен байланыс, мүдделі тұлғаның мәртебесі, қайта қараушы органның құзыреті және құқықтық нәтиже ұсынылады. «Әкімшілік рәсімдер туралы» Заңның кең нысанасы мен әкімшілік актілерге басым түрде бағытталған Апелляциялық кеңестердің арнайы моделі арасындағы нормативтік асимметрия анықталды. Мақалада жалпы өтініштер үшін сараланған мерзімдер, жауап сапасының нормативтік стандарты, Апелляциялық кеңестерді әкімшілік шағымданудың жалпы жүйесіне институционализациялау және өтініштер статистикасын құқықтарды нақты қалпына келтіру көрсеткіштерімен байланыстыратын ашық мониторингтің екі деңгейлі моделі ұсынылады.

Түйін сөздер: өтініш, әкімшілік шағым, мемлекеттік қызметтер, процестік мерзімдер, жауап сапасы, ашық мониторинг, Апелляциялық кеңес.

Л.И. Ачилова¹, Ш.У. Салиева²

¹Академия правосудия Республики Узбекистан

²Институт переподготовки и повышения юридических кадров при Министерстве юстиции Республики Узбекистан

ОБРАЩЕНИЕ И АДМИНИСТРАТИВНАЯ ЖАЛОБА В СФЕРЕ ГОСУДАРСТВЕННЫХ УСЛУГ: ПРОЦЕССУАЛЬНЫЕ СРОКИ, КАЧЕСТВО РЕШЕНИЙ И ОТКРЫТЫЙ МОНИТОРИНГ В УЗБЕКИСТАНЕ И КАЗАХСТАНЕ

Аннотация

Научная статья посвящена согласованию общего института обращений физических и юридических лиц и специального производства по административной жалобе в сфере оказания государственных услуг. На основе формально-юридического, сравнительно-правового, системного и функционального методов исследованы законодательство Республики Узбекистан об обращениях и административных процедурах, экспериментальная модель Апелляционных советов и Административный процедурно-процессуальный кодекс Республики Казахстан. Выявлены три взаимосвязанные проблемы: недостаточная дифференциация процессуальных сроков общего режима обращений, отсутствие детализированных критериев надлежащего ответа и преимущественно ведомственный характер мониторинга; показано, как они проявляются при переходе от обычной жалобы к административной жалобе на результат государственной услуги. Обосновано, что правовосстановительная направленность присуща и общей жалобе, поэтому разграничение должно строиться на предмете оспаривания, связи с конкретным административным производством, статусе заинтересованного лица, компетенции

органа пересмотра и юридическом результате. Установлена нормативная асимметрия между Законом «Об административных процедурах», охватывающим административные акты, процессуальные акты и административные действия, и специальной моделью Апелляционных советов, ориентированной прежде всего на административные акты. Предложены дифференцированные сроки для общего режима обращений, нормативный стандарт качества ответа, институционализация Апелляционных советов в общей системе административного обжалования и двухуровневая модель открытого мониторинга, соединяющая показатели работы с обращениями с показателями фактического восстановления прав получателей государственных услуг.

Ключевые слова: обращение, административная жалоба, государственные услуги, процессуальные сроки, качество ответа, открытый мониторинг, апелляционный совет.

Introduction

The right to submit petitions is one of the fundamental constitutional mechanisms of interaction between individuals and public authorities and is enshrined in Article 40 of the Constitution of the Republic of Uzbekistan¹. The procedure for exercising this right is governed by the Law of the Republic of Uzbekistan “On Appeals of Individuals and Legal Entities”². The Law distinguishes between an application, a proposal, and a complaint. Under the general legal framework, a complaint is defined as a request aimed at restoring violated rights and freedoms and protecting legitimate interests. Therefore, the remedial nature of a complaint, in itself, does not provide a sufficient criterion for distinguishing a general complaint from an administrative complaint.

At the same time, Uzbekistan has the Law “On Administrative Procedures”³, under which administrative proceedings include the consideration of an administrative case, the adoption of an administrative act, its review following an administrative complaint, and its enforcement. Thus, the same term “complaint” operates within two distinct legal regimes: the general framework governing appeals and the special regime of administrative proceedings. In practice, distinguishing between them is of fundamental importance, since the legal classification of a complaint determines the competent authority, the scope of review, procedural time limits, the extent of the interested party’s procedural rights, the limits of reconsideration, and the resulting legal consequences.

The initial problem of the general institution of appeals is not limited to terminology. The existing model simultaneously raises issues concerning time limits, the quality of responses, and oversight mechanisms. The Law applies uniform time limits to appeals of varying degrees of complexity; the requirements governing the substance and quality of responses are formulated in general terms; and monitoring remains largely departmental in nature. These issues acquire particular significance in the sphere of public services, where an appeal may concern not merely an organizational deficiency, but the outcome of a specific administrative procedure.

Modern digitalization further intensifies this contradiction. In the Address of the President of the Republic of Uzbekistan to the Oliy Majlis and the people of Uzbekistan dated 26 December 2025, the objectives were set to carry out a profound modernization of e-government, integrate services, functions, and information systems into a unified digital platform, and use digital mechanisms for the allocation of appeals and monitoring compliance with time limits⁴. However, the technological

¹ The Constitution of the Republic of Uzbekistan (new version, adopted by a national referendum on 30 April 2023). Article 40 // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/acts/-6445145> (accessed 11 August 2026).

² Law of the Republic of Uzbekistan ‘On Appeals by Natural and Legal Persons’ No. ZRU-445 of 11 September 2017 (as currently in force) // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/3336169> (accessed 11 August 2026).

³ Law of the Republic of Uzbekistan “On Administrative Procedures” dated 8 January 2018, No. ZRU-457 // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/3492199> (accessed 11 August 2026).

⁴ Address of the President of the Republic of Uzbekistan to the Oliy Majlis and the People of Uzbekistan dated 26 December 2025 // Official Website of the President of the Republic of Uzbekistan. URL: <https://president.uz/oz/lists/view/8834> (accessed 11 August 2026).

acceleration of the processing of appeals does not resolve the question of which legal rules should govern their consideration or what legal decision should ultimately be adopted.

In 2025, a legal experiment was introduced for the pre-trial settlement of disputes concerning administrative acts related to certain public services through Appeal Councils¹. This model is particularly important for comparing two lines of inquiry: the general institution of appeals and the special mechanism of administrative review in the field of public services. The experiment was established for the period ending on 1 July 2026. Therefore, Presidential Resolution No. PP-188 is examined in this article as an experimental regulatory model and as a basis for subsequent institutionalization, without asserting that all of its provisions automatically apply to the entire system of public services.

In the academic literature, the right to lodge a complaint in the provision of state and municipal services is regarded as an independent guarantee of legality and an accessible means of legal protection [1, pp. 3-26]. The development of administrative legislation in Uzbekistan is associated with the need for further proceduralization of administrative activity and harmonization of procedural guarantees [2, pp. 21-26]. Kazakhstan's codification, in turn, demonstrates the institutional integration of administrative procedure, pre-trial administrative review, and judicial protection [3, pp. 69-79].

The purpose of this study is to develop a coherent model in which the general regime governing appeals and the special procedure for administrative complaints do not compete with each other but perform distinct yet interrelated functions. To achieve this purpose, the study addresses four objectives: to identify the criteria for distinguishing a general complaint from an administrative complaint; to compare the procedural time limits applicable under the different regimes; to differentiate between the standard of an adequate response and the standard of a reasoned administrative decision; and to develop a model of open monitoring that links statistics on appeals with indicators of public service quality and the actual restoration of violated rights.

Materials and methods

The regulatory framework of the study comprises the Constitution of the Republic of Uzbekistan, the Law "On Appeals of Individuals and Legal Entities," the Law "On Administrative Procedures," Resolution of the President of the Republic of Uzbekistan No. PP-188 dated 19 May 2025 and the Interim Regulation approved thereby, as well as the Administrative Procedural and Process-Related Code of the Republic of Kazakhstan². Information on Kazakhstan's e-Otinish system³ and the Republic of Korea's e-People platform⁴ was used as comparative material on digital mechanisms for handling appeals.

The narrative framework of the study is based on contemporary scholarship on the right to lodge complaints, administrative procedures, digital and proactive public services, the service state, and public administration reforms. In particular, a 2025 collective monograph by Kazakhstani researchers describes e-Otinish as a unified channel for submitting appeals that ensures transparency and traceability, and links the service-oriented model of the civil service with responsiveness to citizens' needs [4, pp. 6-9]. The works of B. Bokayev and A. Amirova make it possible to examine administrative review within the broader context of accountable and citizen-oriented public administration [5, pp. 1-19], while the studies

¹ Resolution of the President of the Republic of Uzbekistan dated 19 May 2025 No. PP-188 "On the Introduction, as a Legal Experiment, of a New Procedure for the Pre-Trial Consideration of Disputes Concerning Administrative Acts Related to the Provision of Public Services" // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/7532802> (accessed 11 August 2026).

² Administrative Procedural and Process-Related Code of the Republic of Kazakhstan dated 29 June 2020, No. 350-VI ZRK (as currently amended) // "Adilet" Legal Information System. URL: <https://adilet.zan.kz/rus/docs/K2000000350> (accessed 11 August 2026).

³ Unified Platform for Receiving and Reviewing Appeals of the Republic of Kazakhstan "e-Otinish." URL: <https://eotinish.kz> (accessed 11 August 2026).

⁴ Unified Government Platform for Appeals of the Republic of Korea "e-People" (국민신문고). URL: <https://www.epeople.go.kr/petition/pps/pps.npaid> (accessed 11 August 2026).

of E.V. Talapina and D.Yu. Kozyar allow the impact of algorithmization and proactivity on the legal construction of public services to be taken into account [6, pp. 7-32; 7, pp. 64-84].

The study employs formal legal, comparative legal, system-structural, and functional methods. The formal legal method was used to analyze the subject matter and legal consequences of general and administrative complaints. The comparative legal method was applied to compare Uzbekistan and Kazakhstan in terms of procedural time limits, the object of appeal, the powers of the reviewing authority, and digital oversight mechanisms. The system-structural method made it possible to determine the place of the specialized Appeal Councils within the general framework of administrative complaint proceedings. The functional method was used to distinguish the communicative, remedial, supervisory, and analytical functions of appeals.

Additional empirical material was drawn from previously published research by one of the co-authors, which included an analysis of the initial practice of the Appeal Councils and a survey of 808 employees of public service centers [8, pp. 23-30]. These data are used as supplementary material rather than as a new empirical sample. The fact that 24 out of 26 complaints were upheld reflects the outcome of a small initial dataset and is not interpreted as sufficient evidence of the overall effectiveness of the institution.

Results and discussion

1. General complaints and administrative complaints: criteria for distinguishing between legal regimes

The starting point is the conclusion that a general complaint and an administrative complaint cannot be distinguished solely on the basis of their remedial purpose. The Law on Appeals also links a complaint with the restoration of violated rights. The distinction lies instead in their procedural structure.

A general complaint may concern deficiencies in the organization of work, the conduct of an official, the quality of communication, non-compliance with procedures for receiving citizens, and other matters that do not require reconsideration of an administrative case. An administrative complaint, by contrast, forms part of a specific administrative proceeding. Article 62 of the Law “On Administrative Procedures” identifies as objects of appeal administrative acts, procedural acts in the cases provided for by law, and administrative actions, including refusal to adopt an administrative act or failure to adopt it within the prescribed time limit. Article 63 provides for consideration of the complaint by a superior or other authorized administrative authority, while Article 69 empowers the reviewing authority to uphold the act, amend it, revoke it and, where necessary, adopt a new act, or require the administrative authority to adopt a specific act or perform a specific action.

Accordingly, an administrative complaint differs from a general complaint by a combination of five features: the object being challenged; the existence of a specific administrative proceeding; the procedural status of the interested person; the special competence of the reviewing authority; and a legally binding outcome capable of altering the applicant’s administrative-law status. Where these features are present, the special administrative-procedural regime should take precedence, since the Law on Appeals excludes from its scope those appeals whose consideration is governed by special procedural legislation.

It is proposed to define an administrative complaint in the field of public services as an appeal submitted by an interested person in connection with a specific administrative proceeding and containing a request for review of an administrative or procedural act, or an administrative action, that directly affects the person’s rights and legitimate interests, where the authorized authority is empowered, following such review, to adopt a binding decision capable of altering the applicant’s administrative-law status.

2. Procedural Time Limits as an Element Distinguishing the General and Special Legal Regimes

The first set of problems identified in the analysis of the general institution of appeals concerns procedural time limits. Article 28 of the Law “On Appeals of Individuals and Legal Entities” establishes a fifteen-day period for considering applications and complaints that do not require additional

examination or verification, and a period of up to one month where additional examination, verification, or the obtaining of documents is necessary; in the cases provided for by law, this period may be extended by no more than one additional month. The problem lies not in the possibility of extension as such, but in the combination of broadly evaluative grounds for extension with the same initial time-limit framework being applied to appeals of differing levels of complexity¹.

A simple request for the provision of official information, a complaint concerning the organization of reception procedures, and an appeal requiring an on-site inspection or an expert opinion objectively impose different procedural burdens. Therefore, within the general regime, differentiation of time limits appears justified: appeals that do not require additional examination, verification, the obtaining of documents, or expert opinions, including requests for information and clarification of legislation, should be considered within seven days; a fifteen-day period should be retained for other applications and complaints; and extensions should be permitted for no more than one month and only on the basis of an exhaustive list of objective grounds, namely the need to conduct an on-site inspection, obtain documents or information from other entities, commission an expert examination, or obtain a specialist opinion. Where the time limit is extended, the applicant should receive a reasoned notification specifying the particular ground for the extension and the expected date of completion of the review.

The differentiation of time limits within the general regime should not be conflated with the time limits applicable to administrative complaints. The Law “On Administrative Procedures”² establishes a general period of thirty working days for the consideration of an administrative complaint. Presidential Resolution No. PP-188³ provides for an expedited period of fifteen days, with a possible extension of no more than an additional fifteen days. Following the 2025 amendments, Kazakhstan’s Administrative Procedural and Process-Related Code⁴ establishes a twenty-working-day period for the consideration of a complaint and, as a general rule, does not allow its extension. Thus, the applicable time limit becomes one of the markers of the special regime: the more closely a complaint is connected with a specific administrative act and the need for prompt restoration of a right, the less justified prolonged legal uncertainty for the applicant becomes.

For clarity, the distinction between the applicable time limits may be presented as follows.

Table 1 - Comparison of Procedural Time Limits for the Consideration of Complaints and Appeals

Regime	Standard Time Limit	Extension	Functional Purpose
General Law on Appeals (current model)	15 days; where additional examination is required - up to 1 month	In exceptional cases - up to an additional 1 month	Universal regime applicable to a broad range of appeals
Proposed differentiation of the general regime	7 days for simple appeals; 15 days for other appeals	Up to 1 month on the basis of an exhaustive list of grounds	Ensuring proportionality between the time limit and the complexity of the appeal

¹ Law of the Republic of Uzbekistan “On Appeals of Individuals and Legal Entities” dated 11 September 2017, No. ZRU-445, Art. 28 // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/3336169> (accessed 12 August 2026).

² Law of the Republic of Uzbekistan “On Administrative Procedures” dated 8 January 2018, No. ZRU-457, Art. 67 // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/3492199> (accessed 12 August 2026).

³ Resolution of the President of the Republic of Uzbekistan dated 19 May 2025 No. PP-188 “On the Introduction, as a Legal Experiment, of a New Procedure for the Pre-Trial Consideration of Disputes Concerning Administrative Acts Related to the Provision of Public Services” // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/7532802> (accessed 12 August 2026).

⁴ Administrative Procedural and Process-Related Code of the Republic of Kazakhstan dated 29 June 2020, No. 350-VI ZRK, Art. 99 // “Adilet” Legal Information System. URL: <https://adilet.zan.kz/rus/docs/K2000000350> (accessed 12 August 2026).

Law of Uzbekistan “On Administrative Procedures”	30 working days	Unless otherwise provided by law	General special regime for administrative complaints
Presidential Resolution No. PP-188, Appeal Councils	15 days	No more than an additional 15 days	Expedited review of administrative acts related to public services
Administrative Procedural and Process- Related Code of Kazakhstan	20 working days	As a general rule, no extension is permitted	Codified expedited pre-trial review

Source: Compiled by the authors based on an analysis of the legislation.

Such a system makes it possible to preserve the author’s proposal for differentiating time limits within the general legislation on appeals while clearly separating it from the time limits applicable to administrative complaint proceedings. In other words, the distinction should not be drawn between “fast” and “slow” appeals, but between a general procedure of communication with public authorities and a special procedure for the legal review of an administrative decision.

3. Quality of the Response and a Reasoned Decision: Two Levels of the Standard of Legal Protection

The second set of problems concerns the quality of the outcome of consideration. Part four of Article 27 of the Law on Appeals links the completion of consideration to the resolution of the issues raised and the provision of a response, while part five requires the response to specify the concrete grounds confirming or refuting the applicant’s arguments. However, the legislation does not establish detailed criteria for assessing the completeness and reasoned nature of such a response, nor does it provide specific legal consequences for failure to comply with these requirements¹.

This uncertainty has practical significance, since Article 43 of the Code of the Republic of Uzbekistan on Administrative Responsibility already provides for the liability of officials for unlawfully refusing to accept or consider appeals, violating the prescribed time limits without valid reasons, failing to provide a response, adopting a decision contrary to the legislation governing appeals, as well as failing to ensure the restoration of violated rights². In the absence of a more clearly defined statutory standard, such provisions partly acquire a blanket character: the law establishes liability but does not, in every case, provide sufficiently precise criteria for determining when a response should be regarded as substantively inadequate.

In this connection, the proposal to supplement the Law with Article 27¹, entitled “Requirements for the Quality of a Response to an Appeal,” remains relevant. A response should contain a reasoned conclusion on each material issue raised, a statement of the circumstances established, and references to the applicable legal provisions. In the event of a full or partial refusal, the authority should be required to set out the legal grounds for such refusal and explain the procedure for appeal³.

Responses should not be regarded as constituting proper consideration where they merely reproduce legislative provisions without assessing the applicant’s arguments, fail to contain a substantive conclusion, or rely on unverified information where the authority is under a duty to conduct verification.

¹ Law of the Republic of Uzbekistan “On Appeals of Individuals and Legal Entities” dated 11 September 2017, No. ZRU-445, Art. 27 // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/3336169> (accessed 12 August 2026).

² Code of the Republic of Uzbekistan on Administrative Responsibility dated 22 September 1994, Art. 43 // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/acts/-97664> (accessed 11 August 2026).

³ Law of the Republic of Uzbekistan “On Administrative Procedures” dated 8 January 2018, No. ZRU-457, Art. 69 // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/3492199> (accessed 12 August 2026).

Where such deficiencies are identified by a superior authority, they should entail reconsideration of the appeal and consideration of the issue of liability of the responsible official¹.

It is precisely at this point that the two lines of inquiry intersect. For a general appeal, the quality standard addresses the question: “Has the applicant received a substantive and verifiable response?” For an administrative complaint, the standard is higher: “Has the decision altered the applicant’s legal position and restored the violated right within the competence of the reviewing authority?” Therefore, the use of the single term “complaint” should not lead to the application of a single standard of outcome.

Where the authority exercises bound competence and, once the relevant facts have been established, only one lawful outcome is possible, the administrative review body should, wherever possible, ensure a direct remedial result. Where, however, the law leaves the original administrative authority a margin of administrative discretion, the unlawful decision may be annulled and the case remitted for reconsideration with a mandatory indication of the legal violations identified, without substituting the reviewing authority’s own assessment for the lawful discretion vested in the original authority.

4. Appeal Councils as a Special Element of the General System of Administrative Review

Presidential Resolution No. PP-188 is significant not because it creates the institution of administrative complaint itself, since that institution is already provided for by the Law “On Administrative Procedures.” The novelty of the experimental model lies in the establishment of a specialized collegial review body in relation to certain public services.

The Interim Regulation establishes the voluntary nature of recourse to an Appeal Council while preserving the right to apply directly to a court; an expedited review period; collegial decision-making; the obligation to adopt reasoned decisions; the power to amend or partially or fully annul an administrative act; the binding nature of Appeal Council decisions for authorized bodies; and the publication of such decisions in the “E-qaror” system. Following the amendment or annulment of an administrative act, the application is automatically returned for reconsideration without requiring the applicant to resubmit it².

At the same time, a normative asymmetry exists between the general Law “On Administrative Procedures” and Presidential Resolution No. PP-188. Article 62 of the general Law covers administrative acts, procedural acts, and administrative actions, including failure to adopt an act within the prescribed time limit. The special Interim Regulation, by contrast, defines a complaint primarily in relation to an administrative act concerning the relevant public service. Article 69 of the general Law also provides for a broader range of remedial decisions, including the adoption of a new administrative act and the imposition of an obligation to perform a specific action.

In the subsequent institutionalization of this model, it would be appropriate to treat the Appeal Councils as an “other authorized administrative authority” within the meaning of Article 63 of the Law “On Administrative Procedures.” This approach would make it possible to avoid creating a parallel system and instead integrate the specialized councils into a unified procedural framework while preserving their advantages-collegiality, organizational independence, expedited review, and digital accessibility.

The scope of special administrative review in the field of public services should be aligned with Article 62 so as to encompass not only administrative acts, but also administrative actions and failures to adopt a decision within the prescribed time limit, where they directly affect the applicant’s rights.

¹ Resolution of the President of the Republic of Uzbekistan dated 19 May 2025 No. PP-188; Interim Regulation on the Procedure for Pre-Trial Review of the Compliance with Legislation of Administrative Acts Related to the Provision of Public Services // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/7532802> (accessed 12 August 2026).

² Interim Regulation approved by Resolution of the President of the Republic of Uzbekistan dated 19 May 2025 No. PP-188 // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/7532802> (accessed 12 August 2026).

The types of decisions available to the reviewing body should, in turn, be harmonized with Article 69 so that, in cases of bound competence, the Appeal Council can provide the most direct restoration of the violated right rather than invariably remitting the application for reconsideration.

The initial practice of the Appeal Councils demonstrates the potential of the mechanism, but it requires cautious assessment. In the previously published dataset, 24 out of 26 complaints were upheld (92.3%); however, the small number of observations does not allow this proportion to be equated with the overall effectiveness of the institution [8, pp. 25-26]. More indicative are the results of a survey of 808 employees of public service centers: 51.2% reported difficulties caused by the high dynamism of regulatory changes, while 43.4% pointed to the impact of fear of liability on the speed and confidence of decision-making [8, pp. 27-29]. Accordingly, the development of administrative review should be accompanied not only by an expansion of the Appeal Councils' competence, but also by the formation of accessible and reasoned administrative practice capable of reducing legal uncertainty for implementing officials.

5. Open Monitoring of Appeals and Administrative Complaints as a Mechanism for Quality Control in Public Service Delivery

The third set of problems in the existing model of appeals concerns monitoring. Article 34 of the Law on Appeals assigns responsibility for monitoring the consideration of appeals to the head of the relevant authority, while Article 35 provides for their consolidation and analysis. A subordinate regulatory framework for evaluation also exists: Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 341 dated 7 May 2018 approved regulatory acts governing the handling of appeals and the assessment of the activities of state bodies in this area¹. At the same time, the results of such assessments do not form a unified public system of comparable indicators².

For the general institution of appeals, the proposal to supplement the Law with Article 34¹ on open monitoring and public accountability remains relevant. A unified electronic system should enable applicants to track the stages of consideration, while the authorized body should publish comparable indicators for each authority, including the total number of appeals, the proportion of cases in which time limits were violated, the number and proportion of extensions, and the proportion of satisfied and repeated appeals. A high proportion of repeated appeals concerning the same issue should be treated as an indicator of a possible systemic deficiency and as grounds for additional analysis of administrative discipline and corruption risks.

Foreign experience demonstrates that data generated by appeals can perform not only an individual rights-protection function but also an analytical one. In the Republic of Korea, the unified e-People system is used both as a channel for receiving appeals and as an information base enabling the Anti-Corruption and Civil Rights Commission to identify recurring problems in public administration³. In Kazakhstan, e-Otinish provides a unified digital channel for appeals, ensuring transparency and traceability of the process [4, p. 9].

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¹ Постановление Кабинета Министров Республики Узбекистан от 7 мая 2018 г. № 341 «Об утверждении отдельных нормативно-правовых актов в сфере работы с обращениями физических и юридических лиц в государственных органах, государственных учреждениях и организациях с государственным участием» (наименование в редакции постановления Кабинета Министров от 30 января 2026 г. № 40) // URL: <https://lex.uz/acts/3730228> (дата обращения: 11.08.2026).

² Закон Республики Узбекистан «Об обращениях физических и юридических лиц» от 11 сентября 2017 г. № ЗРУ-445. Ст. 34-35 // Национальная база данных законодательства Республики Узбекистан. URL: <https://lex.uz/docs/3336169> (дата обращения: 12.08.2026).

³ Anti-Corruption and Civil Rights Commission of the Republic of Korea; e-People petition system. Official resources: <https://www.acrc.go.kr>; <https://www.epeople.go.kr/petition/pps/pps.npaid> (accessed 11 August 2026).

enabling the Anti-Corruption and Civil Rights Commission to identify recurring problems in public administration¹. In Kazakhstan, e-Otinish serves as a unified digital channel for appeals, ensuring transparency and traceability of the process [4, p. 9].

In the field of public services, general monitoring of appeals should be supplemented by a second, specialized level of indicators relating specifically to administrative review. In addition to the number of complaints, such monitoring should take into account the proportion of administrative acts annulled or amended; the proportion of complaints resulting in performance of the requested action; the actual time elapsed from submission of the complaint to restoration of the right; the frequency with which decisions are re-adopted on the same grounds; the number of repeated complaints following execution of the review decision; and the typical reasons for annulment or amendment of administrative acts.

This approach fundamentally changes the object of oversight. Effectiveness is no longer measured solely by the number of appeals processed and formal compliance with procedural time limits, but also by the quality of administrative decision-making and the actual remedial outcome. For authorities providing public services, this creates an opportunity to use complaints as a source of “legal feedback” for revising administrative regulations, training staff, and identifying systemic deficiencies.

The publication of Appeal Council decisions in the E-qaror system should be integrated into the same monitoring framework. Its purpose should not be reduced merely to ensuring transparency. Anonymized and reasoned decisions can perform both a guiding and a harmonizing function: administrative authorities gain access to typical legal positions, applicants are better able to anticipate the applicable standard of review, and the Ministry of Justice obtains a body of data for identifying recurring errors. This does not imply granting such decisions precedential force; rather, their systematic publication is consistent with the objective of promoting uniform administrative practice².

The 2025 Kazakhstan’s monograph rightly warns that digitalization without a corresponding revision of internal administrative regulations risks becoming merely “digitized bureaucracy” [4, p. 31]. Accordingly, digital monitoring must follow legal classification: the information system should distinguish between a general appeal and an administrative complaint, record different procedural time limits, and differentiate among the respective types of final outcomes. Otherwise, a unified platform would merely automate the conflation of distinct legal regimes.

6. The Kazakhstani Model as a Reference Point for Systemic Harmonization

The Kazakhstani experience is valuable for the present study not as a ready-made model for direct transplantation, but as an example of the systemic integration of several elements. The Administrative Procedural and Process-Related Code covers administrative acts, administrative actions, and administrative inaction; establishes a special procedure for filing and considering complaints; sets a twenty-day time limit; and provides for a mandatory reasoned decision capable of annulling an act, adopting a new act, requiring the performance of a specific action, or remitting the case for renewed administrative proceedings. These elements are consolidated within a single codified framework.

Of particular significance is the mechanism of preliminary self-correction: a complaint is filed through the administrative authority whose decision is being challenged, and, where sufficient grounds exist, that authority may fully satisfy the applicant’s claims before forwarding the complaint to the superior reviewing body. In the context of high-volume public services, such a mechanism may reduce transaction costs, provided that safeguards are simultaneously in place to prevent procedural delay. Kazakhstan’s administrative reform is developing within the broader context of a service-oriented and “hearing state” model. Contemporary studies associate the sustainability of this model with the coherence of institutions, competences, digital channels, and accountability mechanisms [5, pp. 1-19; 9,

¹ Ibid

² Resolution of the President of the Republic of Uzbekistan dated 19 May 2025 No. PP-188; Interim Regulation (provisions concerning the publication of Appeal Council decisions in the E-qaror system) // National Database of Legislation of the Republic of Uzbekistan. URL: <https://lex.uz/docs/7532802> (accessed 12 August 2026).

pp. 419-439]. In the theory of digital government, this approach corresponds to a transition from fragmented digitalization to process reintegration [10, pp. 467-494]. For Uzbekistan, therefore, the principal comparative conclusion lies not in reproducing Kazakhstan's Code, but in ensuring internal consistency across three levels: the general law governing appeals, the general procedure for administrative complaints, and special review mechanisms in the field of public services.

Conclusion

The study made it possible to integrate the issues associated with the general institution of appeals with those of administrative review in the field of public services and to formulate the following conclusions.

First, a general complaint and an administrative complaint cannot be distinguished solely on the basis of their common objective of restoring violated rights. The decisive distinction lies in a combination of procedural criteria: the existence of a specific object of challenge, an administrative proceeding, the procedural status of the interested person, the special competence of the reviewing authority, and a binding law-enforcement outcome.

Second, differentiation of time limits is appropriate within the general regime governing appeals: seven days for appeals that do not require additional examination and fifteen days for other appeals, with an extension of up to one month permitted only on the basis of an exhaustive list of objective grounds. These time limits should not apply to administrative complaints, which are considered under a special procedural regime.

Third, the Law on Appeals should be supplemented with a statutory standard governing the quality of responses. Merely reproducing legislative provisions without assessing the applicant's arguments should not be regarded as proper consideration of an appeal. In administrative complaint proceedings, this standard should be transformed into a requirement for a reasoned law-enforcement decision capable of altering the applicant's administrative-law status.

Fourth, the Appeal Councils should be institutionalized not as a parallel institution, but as specialized collegial authorized bodies within the general system of administrative review. The scope of their review should be aligned with Article 62 of the Law "On Administrative Procedures," while their remedial powers should be harmonized with Article 69, with expedited time limits and organizational independence being preserved.

Fifth, the limits of intervention by the reviewing authority should depend on the nature of the administrative competence involved. In cases of bound competence, direct restoration of the violated right should be preferred; where administrative discretion exists, the appropriate remedy should be annulment of the unlawful decision and reconsideration of the case, accompanied by a binding legal assessment of the violations identified, without substituting the reviewing authority's own assessment for lawful administrative discretion.

Sixth, open monitoring of appeals should be supplemented by special indicators relating to administrative review. The public monitoring system should reflect not only time limits and the number of appeals, but also the annulment and amendment of administrative acts, the actual time required to restore violated rights, repeated violations, and typical causes of administrative errors.

Seventh, the publication of anonymized and reasoned decisions of the Appeal Councils should be regarded both as a transparency mechanism and as an instrument for promoting uniform administrative practice. Taken together, the proposed measures make it possible to link the constitutional right to submit appeals with the administrative-procedural guarantees afforded to recipients of public services and to transform the complaint from a mere element of administrative paperwork into a fully fledged mechanism for controlling the quality of public administration.

Author Contributions

L. Achilova developed the provisions concerning the improvement of the institution of appeals by individuals and legal entities, procedural time limits, the quality of responses, and open monitoring.

Sh. Salieva developed the provisions concerning administrative review in the field of public services, the activities of the Appeal Councils, and the comparative legal analysis of the legislation of

Uzbekistan and Kazakhstan. The overall research concept, formulation of the conclusions, and scholarly editing of the article were carried out jointly by the authors.

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Ж.Е. Молдахметова^{1*} , Э.С. Анаркулова² 

¹Абай атындағы Қазақ ұлттық педагогикалық университеті

²Қырғыз Республикасының Бас прокуратурасы жанындағы Заң Академиясы
(e-mail: *moldaxmetova.zh5555@gmail.com, elka_anar@mail.ru)

ҚАЗАҚСТАНДАҒЫ ЕҢБЕКШІ-МИГРАНТТАРДЫҢ ЕҢБЕК ҰТҚЫРЛЫҒЫНЫҢ КОНСТИТУЦИЯЛЫҚ КЕПІЛДІКТЕРІ

Аңдатпа

Мақалада Қазақстан Республикасының 2026 жылғы Конституциясы аясында еңбекші-мигранттардың еңбек құқықтарын қамтамасыз етудің конституциялық-құқықтық негіздері зерттеледі. Негізгі назар көші-қон саласындағы мемлекеттік бақылау мен әркімнің еңбек ету құқығының арақатынасына аударылды. Қазақстандағы құқықтық реттеу Еуразиялық экономикалық одақ, Еуропалық Одақ, Канада және Австралияда қолданылатын жекелеген құқықтық тетіктермен формальды-заңдық, жүйелік, салыстырмалы-құқықтық және функционалдық әдістер негізінде салыстырылды. Зерттеу нәтижесінде қорғалған еңбек ұтқырлығын сипаттайтын бес элемент айқындалды: негізгі еңбек құқықтарының әмбебаптығы, жұмыс берушіні ауыстырудың нақты мүмкіндігі, осал еңбекші-мигранттарды күшейтілген қорғау, бұрын туындаған еңбек