

IMPROVING THE DIGITAL RULE-MAKING OF LOCAL COUNCILS: THE "E-KENGASH" PLATFORM AND ORGANISATIONAL-LEGAL MECHANISMS OF PUBLIC PARTICIPATION

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Abstract. *This article analyses the legal and organisational foundations for digitalising the rule-making of local Councils (Kengashes) of people's deputies in Uzbekistan, the formation stages, current functions and public participation capacity of the "E-Kengash" electronic platform. Its role in electronic document circulation, the drafting, coordination and legal expertise of decisions, the coverage of sessions, citizens' appeals to deputies and access to adopted decisions is disclosed, and national requirements on public discussion, reasoned response, personal data protection and cybersecurity are compared. Drawing on official Senate data and district-level cases, the study formulates an author's definition of digital rule-making and substantiates proposals: a "Public Participation Passport", a thirty-day discussion period for socially significant decisions, unified registration of online and offline proposals, openly published reasoned responses, a national panel of participation quality, and guarantees of inclusiveness, data protection and human oversight of artificial intelligence.*

Keywords: *local Council, digital rule-making, "E-Kengash", draft decision, public discussion, electronic participation, legal expertise, open governance, reasoned response, personal data, cybersecurity, artificial intelligence.*

Annotatsiya: Mazkur maqolada xalq deputatlari mahalliy Kengashlarining norma ijodkorligi faoliyatini raqamlashtirishning huquqiy va tashkiliy asoslari, "E-Kengash" elektron platformasining shakllanish bosqichlari, amaldagi funksiyalari hamda jamoatchilik ishtirokini ta'minlash imkoniyatlari kompleks tahlil qilingan. "E-Kengash"ning elektron hujjat aylanishi, qaror loyihalarini ishlab chiqish va kelishish, huquqiy ekspertizadan o'tkazish, sessiyalarni yoritish, fuqarolarning deputatlarga murojaat qilishi hamda qarorlar haqidagi axborotdan foydalanishdagi o'rni ochib berilgan. Shuningdek, milliy qonunchilikdagi jamoatchilik muhokamasi, asoslantirilgan javob, shaxsga doir ma'lumotlarni himoya qilish va kiberxavfsizlik talablari ham o'zaro qiyoslangan.

Kalit so'zlar: mahalliy Kengash, raqamli norma ijodkorligi, "E-Kengash", qaror loyihasi, jamoatchilik muhokamasi, elektron ishtirok, huquqiy ekspertiza, ochiq boshqaruv, asoslantirilgan javob, shaxsga doir ma'lumotlar, kiberxavfsizlik, sun'iy intellekt.

Аннотация: В статье проведён комплексный анализ правовых и организационных основ цифровизации нормотворческой деятельности местных Кенгашей народных депутатов, этапов формирования электронной платформы «Е-Kengash», её действующих функций и возможностей обеспечения общественного участия. Раскрыта роль «Е-Kengash» в электронном документообороте, разработке и согласовании проектов решений, проведении правовой экспертизы, освещении сессий, обращении граждан к депутатам и доступе к информации о принятых решениях. Сопоставлены требования законодательства об общественном обсуждении, мотивированном ответе, защите персональных данных и кибербезопасности.

Ключевые слова: местный Кенгаш, цифровое нормотворчество, «Е-Kengash», проект решения, общественное обсуждение, электронное участие, правовая экспертиза, мотивированный ответ, персональные данные, кибербезопасность, искусственный интеллект.

1. Introduction

The digitalisation of public administration is not confined to converting paper documents into electronic form: it implies the reorganisation of the procedures for preparing, coordinating, examining, adopting and publishing decisions, greater traceability of the activity of state bodies, and the creation of opportunities for citizens to influence decision-making. The introduction of digital technologies into the activity of local Councils thus goes beyond technical modernisation and is becoming a constitutional-legal process aimed at ensuring the power of the people, openness, legality and public participation. Decisions of local Councils – on the budget, land, ecology, transport, local taxes and public services – directly affect citizens and businesses, and their adoption by a competent body alone does not guarantee their social justification: the views of

interested citizens, mahallas, entrepreneurs, non-governmental organisations and specialists must be identified at the earliest drafting stage.

Articles 33, 34 and 36 of the Constitution of the Republic of Uzbekistan enshrine the right to seek, receive and disseminate information, the duty of state bodies to provide access to documents affecting individual rights, and the right of citizens to participate in the management of public affairs, including through public control [1]. In his Address to the Oliy Majlis of 22 December 2017, President Sh.M. Mirziyoyev emphasised: "We are adopting every decision concerning the life of the country in consultation with our people, on the basis of direct dialogue" [2]. These provisions allow "E-Kengash" to be assessed not as a departmental information system, but as an instrument realising citizens' rights to information and participation.

The formation of the platform responded to organisational problems of paper-based workflow and the dispersal of information about Councils across many sources. Resolution No. KQ-407-IV of the Council of the Senate of 20 September 2022 prescribed the introduction of the "Digital Council of People's Deputies" complex information system [4]; on 26 July 2023 the "E-kengash.gov.uz" platform was launched on a pilot basis [3]; Resolution No. KQ-601-IV of 12 October 2023 provided for its full introduction and technical support [5]. Resolution No. KQ-55-V of 28 January 2025 raised the platform to a new status: the drafting, coordination and legal expertise of draft decisions must be carried out through "E-Kengash", and a document adopted in circumvention of the system has no legal force [6]. Presidential Decree No. PF-98 of 23 June 2025 approved the Development Concept until 2030, envisaging full electronic document circulation, online broadcasting of sessions, digital voting, monitoring of implementation, automatic statistics and ratings, an electronic archive and AI-based verbatim records [7].

2. Literature Review

In national jurisprudence, Sh.M. Hamdamov associates the digitalisation of rule-making with the reorganisation of its stages rather than the mere electronic form of documents [17]; however, the drafting of local decisions specifically through "E-Kengash" and the tracing of public proposals have not been treated as a distinct research object. Sh.Sh. Jahonov interprets public control as civil society's oversight of legality and legitimate interests in the work of state bodies [18], which requires understanding digital participation as the public's ability to evaluate the content, procedure and results of a draft. In foreign scholarship, R. Medaglia analyses e-participation as the ICT-based expansion of citizens' involvement in policy formation [19]; the OECD recommends a ten-step approach to citizen participation [20]; S. Royo et al. show, on the example of Decide Madrid, that even an award-winning platform may combine high activity with limited real influence of proposals [21]; and J. Davies et al. establish the importance of organisational capacity and political will in embedding digital participatory budgeting [22]. This study reconstructs the evolution of "E-Kengash" into a mandatory procedural condition of validity, defines the digital rule-making of a local Council, and substantiates mechanisms converting formal openness into verifiable participation.

3. Methodology

The study examines the relations arising in the drafting, coordination, expertise, discussion, adoption and publication of local Council decisions through "E-Kengash". Its normative basis comprises the Constitution; the laws "On Normative Legal Acts", "On Public Control", "On the Openness of the Activity of Bodies of State Power and Administration", "On Electronic Government", "On Personal Data" and "On Cybersecurity"; Senate Council Resolutions No. KQ-407-IV, KQ-601-IV and KQ-55-V; Decree No. PF-98; and Senate Resolution No. SQ-134-V. The formal-legal method was used to examine the key legal constructions; the historical-legal method – to identify the platform's transformation from pilot project to mandatory procedure; the systemic-functional method – to analyse "E-Kengash" as a digital environment uniting document circulation, rule-making, expertise, openness, electronic appeals and public participation.

4. Results

The digitalisation of local Councils took shape in several interrelated stages (Table 1). At the first stage the aim was to digitalise the daily work of secretariats, deputies and commissions; at the second, the platform became an open information space for citizens; at the third and fourth, use of the system was linked to the lawful adoption of a decision, so that the technical platform became an integral component of legal procedure. As of May 2025, "E-Kengash" had been fully introduced and integrated with the "OneID", "E-imzo", "edo.ijro.uz", "e-qaror.gov.uz", "lex.uz", "regulation.gov.uz", "hrm.argos.gov.uz" and "etiroyf.kadastr.uz" systems [8], uniting identification,

electronic signing, verification of normative sources, public discussion and transmission of adopted decisions into a single technological chain.

Table 1. Stages in the development of the "E-Kengash" electronic platform

Stage	Principal legal-organisational change	Functional status
2022	Introduction of the "Digital Council of People's Deputies" system prescribed	Digitalisation project
July 2023	"E-kengash.gov.uz" launched on a pilot basis	Pilot electronic platform
October 2023	Full introduction and technical support prescribed	Stable organisational infrastructure
January 2025	Drafting, coordination and expertise of decisions only through "E-Kengash"	Mandatory rule-making procedure
May–June 2025	Integration with state information systems; development tasks until 2030 approved	Integrated digital governance environment
From 2026	Digital voting, online broadcasting, electronic verbatim records	Ecosystem of digital representation

Source: compiled by the author on the basis of [3–8].

The platform possesses two user environments: an internal service system for the Council chairperson, deputies, commissions, the Secretariat and other state bodies, and an open portal through which citizens identify their deputy, submit electronic appeals and register for a reception, while Councils announce sessions and publish news and decisions [15]. Its principal functional directions – electronic record-keeping, digital rule-making, legal expertise, openness, electronic communication, public discussion and digital representation – acquire legal-organisational significance from tracing document movement, standardising the quality of local acts, preventing unlawful norms, ensuring the right to information and enhancing the transparency of collegial decision-making (Table 2). The effectiveness of digital participation is determined by the exchange between the two environments: a citizen's proposal made in the open part must enter the internal rule-making process, and its fate must again become visible in the open part.

Table 2. Principal functional directions of the "E-Kengash" platform

Direction	Current capability	Legal-organisational significance
Electronic record-keeping	Preparation, coordination, signing and storage of documents	Tracing document movement and responsible entities
Digital rule-making	Drafting of decisions and legal-technical formalisation	Standardising the quality of local acts
Legal expertise	Conclusions of the legal adviser and justice bodies	Preventing norms contrary to legislation
Openness	Information on sessions, decisions and deputies	Ensuring citizens' right to information
Electronic communication	Appeals to a deputy; registration for a reception	Facilitating the deputy–voter link
Public discussion	Transmitting drafts to the discussion portal	Engaging citizens' proposals in rule-making
Digital representation	Online sessions, e-voting, verbatim records	Transparency of collegial decision-making

Source: compiled by the author on the basis of [6, 7, 15].

Under Resolution No. KQ-55-V, a draft may be developed by commissions, party groups, deputies, the Secretariat or an interested state body; a working group may include representatives of state bodies, non-governmental organisations, academic circles and citizens, and the developer must generalise legislation and its application, legal gaps, social need, the proposals of citizens and organisations, media materials, expert recommendations, international norms and foreign experience [6]. The Methodology thus requires both the legal-technical quality and the social justification of a draft. However, the inclusion of the public in working groups is formulated permissively ("may"), leaving participation to the developer's discretion. On this basis, the following author's definition was developed:

"The digital rule-making of a local Council is procedural-legal activity directed, through "E-Kengash" and the information systems integrated with it, at the initiation, drafting and

coordination of a local decision, its legal and public expertise, its discussion, voting, official publication, and the evaluation of its effectiveness."

Legal expertise is a mandatory condition of adoption: regional and Tashkent city drafts are examined by the Secretariat's legal adviser, district and city drafts by legal service centres, and normative decisions additionally by territorial justice bodies [6]. According to Senate data of 29 May 2025, about 17.9 thousand decisions were examined for legality; 564 were brought into conformity with legislation, while non-compliance was found in 138 [8]. The platform thus enables centralised monitoring, yet digitalisation does not of itself eliminate legal errors. The 2025 activity of the Bulung'ur district Council illustrates this: 18 sessions, 138 decisions all published through "E-Kengash", 31 drafts submitted for public discussion, 11 decisions examined and 9 sessions covered online [23] – while open statistics do not show how many proposals were received or incorporated. Under Article 24 of the Law "On Normative Legal Acts", a draft must be placed on the discussion portal for at least fifteen days, and a rejected proposal requires a substantiated reason [9]; the laws "On Public Control" [10], "On Openness" [11] and "On Electronic Government" [12] frame discussion, hearings and data exchange. In the 2026 Payariq example, a draft on allocating 437.88 million soums from additional budget sources was placed on "regulation.gov.uz" for public proposals [16], though the treatment of received opinions should also be openly reflected. Decree No. PF-98 further envisages civil society expert groups, citizen observation of sessions and electronic voter initiatives [7].

5. Discussion

"E-Kengash" constitutes an important institutional stage: the rule depriving documents adopted outside the system of legal force creates a complete electronic trace, reducing the risks of informal arrangements, unjustified alterations and circumvention of expertise. The platform confirms Hamdamov's assessment of digitalisation as enhancing the quality and speed of legal regulation [17]; yet digital rule-making is fully formed only when legality, openness, inclusiveness and social justification are ensured simultaneously. The discretionary character of public involvement in working groups means that similar drafts may be prepared with or without citizens depending on the territory; a mandatory minimum standard of participation should therefore be established for decisions significantly affecting the population (budget, taxes, land and urban planning, environment, tariffs, transport, social services, development programmes), with fifteen days retained for ordinary decisions, at least thirty days for drafts of broad social or economic impact, and any urgent reduction permitted only with written substantiation and subsequent public evaluation.

On Jahonov's approach [18], publication of a draft is not the final result of participation but its starting point: real participation arises when a proposal has been considered and the reason for its acceptance or rejection is known. The statutory duty to substantiate rejection [9] is not yet standardised in the platform's practice as to visibility, time limits and the consolidation of identical proposals; a "Public Participation Passport" – a structured record attached to each draft, registering every proposal, its source, date, result and reasoned response – would convert this requirement into an automated, verifiable procedure. As Medaglia notes [19] and the Decide Madrid experience confirms [21], the technical operation of a platform does not itself signify influence; evaluation therefore requires quality indicators: the share of drafts submitted for discussion, the average number of participants and proposals per draft, consideration times, the shares of accepted, partially accepted and rejected proposals, the number of decisions amended by public proposals, the coverage of interested groups, the share of drafts adopted after discussion, and subsequent social outcomes. The electronic rating envisaged by Decree No. PF-98 [7] should embrace legality, the account taken of proposals, discussion coverage, timeliness and practical effectiveness, rather than mere counts of sessions or decisions.

Offline proposals should be entered by the Secretariat onto the single draft page so that online and offline participants enjoy equal legal status, and socially significant drafts should carry a short plain-language explanation of the problem, changes, costs and expected results in Uzbek, Karakalpak, Russian or other necessary languages. Since participation entails the processing of personal data, the Law "On Personal Data" [13] requires data minimisation and the restriction of identifying information in published proposals, while the biometric identification envisaged by Decree No. PF-98 [7] demands separate regulation of purpose, storage periods, scope and incident notification. Under the Law "On Cybersecurity" [14], failure or alteration of the system is a legal risk to the legitimacy of the representative body, so backups, activity logs, differentiated privileges and independent audits should be mandatory. Finally, artificial intelligence outputs must not be accepted as independent legal decisions: generated texts must be verified by a human being; the AI-generated part of a draft must be recorded; the responsibility of the official accepting a

recommendation must be preserved; algorithmic errors must be correctable; the use of closed or personal data in model training must have a lawful basis; and AI must not automatically reject citizens' proposals.

6. Conclusion

"E-Kengash" has created an important legal-technological foundation for the electronic activity of local Councils, the unified drafting of decisions, legal expertise and open publication. Its further development must not be limited to increasing document numbers or accelerating internal record-keeping: the principal criterion of digital rule-making is the real influence of citizens and interested groups on the preparation of decisions, the traceability of proposals and the provision of reasoned responses. To this end it is necessary to introduce a "Public Participation Passport" into the KQ-55-V Methodology, to establish an extended discussion period of at least thirty days for decisions of significant social impact, to register online and offline proposals in a single electronic system, to publish reasoned responses to rejected proposals openly, and to form a national statistical panel of participation quality, while ensuring accessibility, inclusiveness, multilingualism, personal data protection and cybersecurity, and preserving human oversight and responsibility in the use of artificial intelligence. "E-Kengash" must thereby evolve from a document circulation system into a digital democratic platform for identifying territorial problems, developing decisions together with the public, adopting them on a reasoned basis and evaluating their results – strengthening not merely the speed, but the legality, openness and democratic legitimacy of local representative bodies.

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