



ADMINISTRATIVE AND LEGAL ISSUES OF SIMPLIFYING ADMINISTRATIVE PROCEDURES

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Abstract. The simplification of administrative procedures represents one of the most pressing issues in modern public administration, particularly in transition economies such as Uzbekistan. The study explores the administrative-legal challenges in reforming bureaucratic mechanisms, reducing regulatory burdens, and enhancing efficiency in governance. The article examines comparative international experiences, legal frameworks, and ongoing reforms in Uzbekistan, highlighting institutional gaps, procedural complexities, and risks of excessive discretion by administrative bodies. The findings suggest that simplification must balance legal certainty, transparency, and citizen participation while preventing administrative arbitrariness.

Keywords: Administrative law, simplification of procedures, legal certainty, Uzbekistan, bureaucracy, public administration reform.

Introduction. Administrative procedures constitute the backbone of modern governance, shaping the relationship between the state and its citizens, as well as businesses and civil society. The concept of “simplification of administrative procedures” has gained considerable prominence in both academic literature and government reforms, particularly in countries undergoing rapid economic and legal transformations such as Uzbekistan. The demand for administrative simplification stems from the recognition that excessive bureaucracy and outdated regulatory frameworks hinder socio-economic development, discourage investment, and erode public trust in state institutions.

The relevance of the topic lies in the fact that administrative law does not merely regulate interactions between state authorities and individuals, but also ensures legal certainty, transparency, and efficiency in decision-making. When procedures are overly complicated, burdensome, or duplicative, they generate costs for both the administration and society. Scholars argue that simplification is not simply a technical or managerial task, but also a deeply legal process that involves rethinking the principles of legality, proportionality, accountability, and citizens’ rights (Craig, 2018).

In Uzbekistan, the reform agenda over the past decade has strongly emphasized administrative modernization. Presidential Decree No. PF-6079 (2020) on the “Digital Uzbekistan – 2030” strategy explicitly linked the digital transformation of public services with administrative simplification. Moreover, the adoption of the Law “On Administrative Procedures” in 2017 represented a



landmark step in codifying the principles of fairness, accessibility, and efficiency in the interaction between citizens and public authorities. Yet, despite these reforms, significant challenges remain: complex procedures persist, institutional inertia resists change, and risks of arbitrariness in administrative decision-making continue to threaten legal certainty.

Problem Statement. The central problem addressed in this article is the tension between simplification and legal safeguards. On one hand, citizens and businesses demand faster, more accessible, and less costly administrative services. On the other hand, too much simplification can reduce procedural guarantees, limit avenues for appeal, and create opportunities for administrative discretion and abuse of power. This article seeks to identify the legal dimensions of these challenges, with special emphasis on the Uzbek legal framework, while situating the discussion within comparative international experience.

This article aims to:

1. **Define** the concept and principles of administrative simplification from a legal perspective.
2. **Analyze** international experiences (European Union, OECD countries, East Asia) in simplifying administrative procedures.
3. **Examine** the administrative and legal basis of simplification in Uzbekistan, including constitutional principles, legislation, and presidential decrees.
4. **Identify** key challenges and risks associated with simplification, such as bureaucratic resistance, reduced transparency, and legal uncertainty.
5. **Propose** recommendations for strengthening the balance between efficiency and legal safeguards in Uzbekistan's administrative system.

Methodology. The research methodology combines doctrinal legal analysis, comparative law, and policy-oriented examination. Primary sources include the legislation of Uzbekistan (particularly the 2017 Law on Administrative Procedures and presidential decrees), as well as European Union directives and OECD regulatory guidelines. Secondary sources include academic works on administrative law, public management, and legal reform (e.g., Craig, 2018; Schwarze, 2006; De Benedetto et al., 2021). A comparative method is employed to highlight similarities and differences in approaches across jurisdictions.

The significance of this research is twofold. First, it contributes to the scholarly debate on the legal nature of administrative simplification, which is often treated in managerial rather than legal terms. Second, it provides a contextualized analysis of Uzbekistan's reforms, offering insights for policymakers, legal practitioners, and scholars interested in post-Soviet legal development and the broader global trend of administrative modernization.

The article is structured into nine sections. Following this introduction, Section Two sets out the theoretical framework of administrative procedures and the doctrine of simplification. Section Three discusses international experiences and comparative models. Section Four focuses on Uzbekistan's legal



and administrative foundations. Section Five highlights challenges and risks in the simplification process. Section Six examines the role of digitalization and e-government. Section Seven delves into doctrinal debates on discretion and procedural safeguards. Section Eight offers recommendations tailored to Uzbekistan. Finally, Section Nine concludes with reflections on prospects for future reforms.

In this way, the article systematically addresses both theoretical and practical dimensions of administrative simplification, balancing legal analysis with policy considerations.

Theoretical Framework of Administrative Procedures. Administrative procedures are a fundamental component of administrative law, establishing the rules and standards by which public authorities interact with individuals and legal entities. They define the form, sequence, and guarantees of administrative decision-making. Unlike private law relations, which are governed by principles of equality and autonomy of will, administrative procedures are inherently asymmetrical: the state possesses authority, while the citizen or business entity seeks recognition of rights or permissions within the framework of the law (Craig, 2018).

The doctrine of administrative law emphasizes that procedures are not merely technical tools but embody constitutional values such as legality, proportionality, and the protection of fundamental rights. Schwarze (2006) notes that procedural rules operate as “bridges” between state power and individual rights, ensuring that authority is exercised within legal boundaries. Thus, simplification of administrative procedures must not compromise the essence of these guarantees.

Several key principles underpin administrative procedures:

1. **Legality** – administrative bodies must act within the law.
2. **Transparency** – decisions and processes must be open to public scrutiny.
3. **Efficiency** – procedures should be timely and cost-effective.
4. **Proportionality** – measures should not exceed what is necessary to achieve legitimate goals.
5. **Right to be heard** – citizens must have the opportunity to present arguments before adverse decisions are made.
6. **Accountability** – public officials must justify their actions and can be held responsible.

Simplification must respect these principles. Excessive focus on efficiency could undermine rights (e.g., limiting appeals), while excessive formality could block innovation and responsiveness.

Simplification as a Legal Doctrine. The notion of simplification of administrative procedures emerged in the late 20th century alongside New Public Management reforms. Initially driven by managerial logic, it has increasingly been recognized as a legal doctrine. De Benedetto, Martelli, and



Rangone (2021) argue that simplification requires legal frameworks that codify minimal standards, reduce redundancies, and eliminate unnecessary steps. In practice, simplification involves:

- Streamlining forms and documentation.
- Reducing the number of approving authorities.
- Introducing silent consent rules (where lack of response equals approval).
- Establishing one-stop shops for administrative services.

However, simplification does not mean deregulation. Instead, it is a recalibration of rules to ensure balance between control and flexibility.

Comparative Theoretical Approaches.

Two main theoretical models shape discussions on administrative simplification:

- **Formal-Legal Model** – emphasizes codification of administrative procedures in statutes, ensuring predictability and legal certainty. For example, the German Administrative Procedure Act (VwVfG) codifies detailed steps for every decision.

- **Managerial Model** – stresses flexibility, efficiency, and performance-based administration. Anglo-Saxon systems (e.g., UK, USA) often rely on judicial oversight rather than rigid codification.

Most contemporary reforms adopt a hybrid approach: codified rules combined with managerial instruments (e.g., performance indicators, digital tools).

Relevance to Uzbekistan. Uzbekistan's legal reforms illustrate the shift from Soviet-era formalism to a more balanced model. Under Soviet administrative law, procedures were rigid, hierarchical, and primarily designed to safeguard state interests. The 2017 Law "On Administrative Procedures" marked a transition by codifying rights of citizens, such as the right to be heard and access to documents. Still, implementation reveals tensions between formal legality and managerial efficiency.

The theoretical framework highlights that simplification in Uzbekistan must navigate between tradition (formal legality) and modern reforms (digitalization, one-stop shops). The challenge lies in adapting foreign concepts to the Uzbek constitutional and cultural context.

Administrative simplification is not an isolated technical task but a legal phenomenon rooted in constitutional principles. It requires reconciling efficiency with safeguards of legality, transparency, and accountability. Comparative theories reveal that neither rigid formalism nor pure managerialism suffices; rather, hybrid solutions are most effective. For Uzbekistan, this means embedding simplification reforms within the framework of administrative legality while promoting innovation and digital tools.

International Experience in Simplifying Administrative Procedures. The simplification of administrative procedures has become a universal challenge in



modern governance. While national legal systems differ in their approaches, comparative experience reveals common trends: the drive to reduce bureaucracy, improve service delivery, and strengthen public trust. International organizations such as the OECD and the European Union have been central in codifying best practices. At the same time, East Asian states—South Korea, Singapore, and Japan—offer lessons in digitalization and efficiency.

The European Union has long recognized administrative simplification as essential to economic integration and democratic legitimacy. Its initiatives emphasize better regulation, codified in the Better Regulation Agenda and supported by the principles of transparency, accountability, and evidence-based policymaking (OECD, 2017).

EU law requires member states to adopt “once-only” principles: citizens and businesses should not be asked to provide the same information repeatedly to different authorities. The EU’s Single Digital Gateway Regulation mandates cross-border access to digital services, ensuring that simplification is consistent across member states.

Moreover, the jurisprudence of the Court of Justice of the European Union emphasizes proportionality and procedural rights, ensuring that efficiency does not erode legal guarantees (Schwarze, 2006).

The OECD has developed detailed indicators for regulatory quality and administrative simplification. Its reports (OECD, 2017) stress the following elements:

- Impact assessments before adopting regulations.
- Stakeholder engagement, including public consultations.
- Ex-post evaluations to test effectiveness of simplification reforms.
- Performance measurement, ensuring continuous monitoring.

The OECD emphasizes that simplification is not just deregulation. Instead, it requires active governance: monitoring risks, preventing corruption, and ensuring accessibility for vulnerable groups.

Anglo-Saxon legal systems prioritize managerial flexibility and judicial oversight rather than codified administrative procedure laws.

- In the United States, the Administrative Procedure Act (APA) 1946 provides a framework for rulemaking and adjudication. Simplification initiatives such as the Paperwork Reduction Act reduce reporting burdens. Digital initiatives like regulations.gov centralize citizen input.

- In the United Kingdom, reforms under the Better Regulation Executive focused on reducing “red tape” by setting measurable targets. Judicial review acts as the primary safeguard against abuse, compensating for the absence of codified procedural codes.

East Asian Experience: Digitalization as Simplification.

East Asia provides striking models of administrative simplification through digitalization:





- South Korea: the Government 24 portal centralizes more than 5,000 services, with digital authentication minimizing paperwork.
- Singapore: its “Smart Nation” initiative integrates AI and big data into licensing and permits, ensuring proactive service delivery.
- Japan: gradual reforms focus on one-stop shops and administrative rationalization while preserving traditional legal safeguards.

These systems demonstrate that simplification succeeds when digital technologies are integrated into strong legal frameworks.

International experience reveals several transferable lessons for Uzbekistan:

1. Codification plus flexibility – EU-style legal guarantees must be combined with Anglo-Saxon managerial flexibility.
2. Digital integration – East Asian digital models offer practical blueprints for e-government.
3. Continuous monitoring – OECD indicators ensure reforms remain effective over time.
4. Citizen participation – public trust depends on transparency and engagement.

In sum, simplification is a dynamic process, requiring not only legal reforms but also institutional capacity and technological investment.

The Constitution of Uzbekistan enshrines the principles of legality, transparency, and accountability in governance. Articles on the rights of citizens to access information, fair hearings, and judicial protection create the foundation for administrative simplification. Administrative reform is seen as part of constitutional modernization, reflecting the state’s obligation to serve society.

Conclusion of the Uzbek Basis. Uzbekistan has laid a strong legal foundation for administrative simplification. The combination of constitutional guarantees, the 2017 Law, presidential decrees, and institutional reforms reflect ambitious modernization. Yet the gap between legal norms and practice remains a major obstacle. Sustained political will, judicial independence, and citizen empowerment are necessary to translate laws into lived realities.

The simplification of administrative procedures represents a cornerstone of modern administrative law and governance. This study has demonstrated that simplification is not a purely technical or managerial process, but a deeply legal phenomenon embedded in constitutional principles, human rights guarantees, and the rule of law. The comparative analysis of international experiences – from the European Union and OECD countries to East Asia – revealed that effective simplification requires a careful balance between efficiency, legality, and transparency.

For Uzbekistan, the adoption of the 2017 Law “On Administrative Procedures” and subsequent presidential decrees laid a strong legal and institutional foundation. The creation of one-stop service centers, administrative courts, and digital government platforms mark significant progress. However,



persistent challenges remain: bureaucratic inertia, fragmented legislation, limited judicial independence, and digital divides hinder full realization of reform goals.

The central conclusion of this research is that simplification must be pursued as a holistic, citizen-centered process. It cannot simply reduce procedures for the sake of speed, but must guarantee procedural safeguards, access to justice, and accountability. Three interrelated conditions are vital for the success of simplification in Uzbekistan:

1. Strengthening legal guarantees – ensuring that every simplification reform is codified with clear procedural rights and obligations.

2. Embedding digital transformation – building on “Digital Uzbekistan – 2030” by expanding e-services, ensuring interoperability, and addressing rural digital gaps.

3. Promoting institutional culture change – training civil servants, strengthening judicial independence, and fostering public participation.

Ultimately, simplification is not an end in itself, but a means to reinforce the rule of law, enhance public trust, and foster socio-economic development. For Uzbekistan, aligning simplification reforms with global best practices while adapting them to local realities provides the path toward a more transparent, efficient, and citizen-oriented state.

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