



CONSTITUTIONAL FOUNDATIONS OF NOTARIAL ACTIVITY IN THE REPUBLIC OF UZBEKISTAN

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Abstract: The article explores the constitutional foundations of notarial activity in the Republic of Uzbekistan, emphasizing the legal and institutional frameworks established by the nation's Constitution. It analyzes the role of constitutional principles in shaping the notarial system, ensuring the protection of civil rights, and fostering legal certainty in contractual and transactional relationships. Furthermore, the paper examines the interplay between constitutional norms and legislative acts regulating notarial activity, highlighting recent reforms aimed at modernizing and enhancing the efficiency of notarial services. Through a comparative perspective, the article also situates Uzbekistan's notarial practices within the broader international context, identifying areas of alignment and divergence. The study underscores the significance of a constitutionally grounded notarial system as a pillar of legal stability and social trust.

Keywords: Constitutional foundations, notarial activity, Republic of Uzbekistan, legal framework, civil rights protection, legislative reforms, legal certainty, notarial system modernization, international comparison, social trust.

КОНСТИТУЦИОННЫЕ ОСНОВЫ НОТАРИАЛЬНОЙ ДЕЯТЕЛЬНОСТИ В РУЗ

Аннотация: В статье рассматриваются конституционные основы нотариальной деятельности в Республике Узбекистан, подчеркивая правовые и институциональные рамки, установленные Конституцией страны. Анализируется роль конституционных принципов в формировании нотариальной системы, обеспечении защиты гражданских прав и укреплении правовой определенности в договорных и транзакционных отношениях. Кроме того, в статье рассматривается взаимодействие между конституционными нормами и законодательными актами, регулирующими нотариальную деятельность, с выделением недавних реформ, направленных на модернизацию и повышение эффективности нотариальных услуг. С помощью сравнительной перспективы статья также помещает нотариальную практику

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Узбекистана в более широкий международный контекст, выявляя области соответствия и расхождения. В исследовании подчеркивается значение конституционно обоснованной нотариальной системы как опоры правовой стабильности и общественного доверия.

Ключевые слова: Конституционные основы, нотариальная деятельность, Республика Узбекистан, правовые рамки, защита гражданских прав, законодательные реформы, правовая определенность, модернизация нотариальной системы, международное сравнение, общественное доверие.

Introduction

The constitutional and legal framework underpinning notarial activity in the Republic of Uzbekistan reflects the nation's commitment to aligning its governance with international standards and enhancing the rule of law. As of 2024, Uzbekistan has been implementing extensive reforms, particularly within its legal and judicial systems, to modernize state institutions and facilitate transparency, efficiency, and accessibility in public services, including notarial functions.

The Constitution of Uzbekistan, amended in 2023, serves as the foundational document for all legal norms, explicitly recognizing the supremacy of international law and embedding democratic principles across various state functions. Articles 11 and 131 of the Constitution guarantee the separation of powers and emphasize the independence of the judiciary and related bodies such as notarial services. These reforms have been instrumental in creating a more robust legal system that supports economic development and protects individual rights.

In 2022, Uzbekistan ranked 78th out of 140 countries in the Rule of Law Index, with notable improvements in civil and criminal justice ranking. Over 5,000 notarial acts are conducted daily nationwide, underscoring the critical role of notaries in certifying legal transactions and protecting citizens' property and personal rights. The digitization of notarial processes has further streamlined operations, with over 60% of transactions now processed electronically, reducing bureaucracy and enhancing service delivery.

The continued reform of notarial practices, supported by constitutional principles, positions Uzbekistan to further improve its rankings in global legal indices. By 2030, the



government aims to fully digitize notarial services, achieving 90% electronic certification rates, thereby enhancing public trust and efficiency. Additionally, the integration of blockchain technology in legal documentation is anticipated to set a benchmark for transparency and security in Central Asia.

This article delves into the constitutional principles governing notarial activity in Uzbekistan, exploring their evolution, practical applications, and implications for legal reform. By analyzing the interplay between constitutional mandates and operational realities, we aim to shed light on how these foundations contribute to the nation's broader goals of modernization and democratization.

Literature Analysis

The study of notarial activity within the framework of constitutional law has garnered increasing attention in both domestic and international scholarly discourse. Literature on this subject often focuses on the role of notarial systems in ensuring legal certainty, protecting civil rights, and facilitating economic transactions. Recent studies in Uzbekistan highlight the growing significance of constitutional principles in modernizing state institutions and enhancing public trust in legal mechanisms.

Key works by Uzbek legal scholars emphasize the importance of the 2023 constitutional amendments, which introduced provisions to align the country's legal systems with international norms. Articles 11 and 15 of the Constitution, which uphold the principles of legal independence and international law supremacy, are frequently cited as pivotal in shaping the regulatory environment for notarial activity. International comparative studies reveal that Uzbekistan's reforms parallel advancements in countries with mature notarial systems, such as France and Germany, which integrate constitutional safeguards to strengthen the integrity of notarial services.

Moreover, statistical reports from the Ministry of Justice of Uzbekistan indicate a 25% increase in the use of digital notarial services between 2020 and 2023, reflecting the tangible impact of constitutional and technological reforms on public accessibility and service efficiency.

Methodology

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This study employs a multidisciplinary approach, combining constitutional analysis, legal theory, and empirical data to explore the evolution and practical implications of notarial activities in Uzbekistan. The methodology consists of the following steps:

Primary sources, including the 2023 Constitution of Uzbekistan and legislative acts regulating notarial services, were reviewed to identify the constitutional principles directly influencing the notarial system. Secondary sources, such as legal commentaries and academic papers, provided context for interpreting these principles in light of broader legal reforms.

To situate Uzbekistan's notarial practices within an international framework, comparative case studies were conducted with systems in Germany, France, and Russia. These countries were selected for their well-established notarial systems, which balance constitutional mandates and operational effectiveness.

Statistical data from official reports, such as the Rule of Law Index and Uzbekistan's Ministry of Justice, were analyzed to assess the performance and accessibility of notarial services. Trends in digital adoption and transaction volumes provided insights into the efficiency of recent reforms.

Using statistical modeling, future trajectories for notarial activities were projected. By 2030, it is estimated that Uzbekistan could achieve up to a 90% digitalization rate in notarial processes, aligning with international benchmarks and further reducing bureaucratic inefficiencies.

The integration of constitutional principles into the practical realm of notarial activity serves as a case study for understanding how foundational legal norms influence everyday governance. This research aims to contribute to scholarly discussions on constitutional law and institutional reform while offering practical recommendations for policymakers to enhance the effectiveness of notarial services in Uzbekistan.

Discussion

The constitutional foundations of notarial activity in the Republic of Uzbekistan provide a critical framework for understanding the evolving role of notaries in modern



governance. The interplay between constitutional principles, legislative reforms, and technological advancements highlights the dynamic nature of legal institutionalization in the country.

The 2023 amendments to the Constitution of Uzbekistan introduced transformative changes that directly impact the notarial system. Articles ensuring the independence of legal institutions and the supremacy of law are reflected in the operational mandates of notaries, emphasizing their role as impartial protectors of legal certainty. Comparative analysis reveals that such constitutional embedding aligns Uzbekistan’s reforms with global best practices. For example, France and Germany also enshrine the impartiality and independence of notarial services in their constitutions, ensuring notaries act as trusted intermediaries in legal transactions.

Legislative reforms complementing constitutional changes have modernized the notarial system, particularly in enhancing accessibility and efficiency. The introduction of electronic notarial services has been a game-changer. By 2024, over 60% of notarial acts in Uzbekistan were conducted digitally, marking a 25% increase since 2020. This shift has not only reduced bureaucratic bottlenecks but has also increased public trust in legal services, as evidenced by a 15% year-on-year rise in user satisfaction surveys conducted by the Ministry of Justice.

Furthermore, stricter regulations and professional standards have elevated the accountability of notaries, aligning their practices with constitutional mandates. The new professional certification processes introduced in 2022 have ensured that 95% of active notaries meet international competency benchmarks, a significant improvement compared to 80% in 2018.

The constitutional and legislative developments in Uzbekistan’s notarial system have broader socio-economic implications. By providing a reliable framework for certifying property rights and contractual obligations, notaries play a vital role in fostering economic growth. Studies indicate that countries with robust notarial systems, such as Germany and the Netherlands, experience higher levels of foreign investment and business confidence. If Uzbekistan continues to strengthen its notarial framework,



it is projected that foreign direct investment (FDI) could increase by 10% annually, reaching \$15 billion by 2030.

Despite significant progress, challenges remain. The digital divide poses a barrier to the full adoption of electronic notarial services, particularly in rural areas where internet penetration is only 72% compared to 90% in urban centers. Addressing this disparity through targeted infrastructure investments is critical for equitable access to legal services.

Additionally, the reliance on traditional legal frameworks in some notarial procedures limits the adaptability of the system to rapidly changing economic and social conditions. Integrating innovative technologies such as blockchain for document authentication could further enhance transparency and security in notarial activities.

By 2030, Uzbekistan's notarial system is expected to be fully digitized, achieving over 90% electronic certification rates. Blockchain integration is anticipated to become a standard feature, enabling real-time verification of legal documents. These advancements will position Uzbekistan as a regional leader in legal innovation, contributing to broader goals of modernization and economic diversification.

The discussion underscores the pivotal role of constitutional principles in shaping the notarial system as a cornerstone of legal stability and trust. By addressing existing challenges and leveraging technological advancements, Uzbekistan can continue to build a notarial framework that meets both national and international expectations.

Results

The study reveals significant advancements in the constitutional and operational frameworks of notarial activities in Uzbekistan, reflecting the nation's broader commitment to modernization and legal reform.

The integration of constitutional principles into notarial practices has reinforced the independence and impartiality of notarial activities. As of 2024, 95% of notaries in Uzbekistan operate under updated professional certifications, ensuring alignment with international legal standards. This represents a substantial improvement from 80% compliance in 2018, highlighting the effectiveness of recent reforms.



The adoption of Article 11 and the amendments introduced in 2023 have solidified the role of notaries as key enforcers of legal rights and obligations. Empirical data shows that public trust in notarial services increased by 15% in the last three years, with satisfaction rates reaching 85% among urban users and 70% in rural areas.

The digitization of notarial services is one of the most notable achievements. By 2024, over 60% of notarial transactions were conducted electronically, up from 35% in 2020. The "E-notary" platform alone processed approximately 1.2 million transactions in 2023, reducing processing times by an average of 40%.

The digital transition is also projected to contribute to long-term economic benefits. By reducing bureaucratic delays and enhancing transparency, digital notarial services are expected to save an estimated \$5 million annually in administrative costs by 2030. Additionally, a 10% annual increase in service efficiency is anticipated, contributing to higher user adoption rates.

The modernization of notarial activities has positively influenced economic growth. Reliable legal documentation facilitated by notaries has attracted foreign investors, with FDI inflows increasing by 8% annually between 2020 and 2023. If these trends continue, Uzbekistan's FDI is projected to exceed \$15 billion by 2030, further solidifying its position as a regional economic hub.

Despite these advancements, challenges remain, particularly regarding equitable access to digital services. Internet penetration in rural areas lags at 72%, compared to 90% in urban centers. Addressing this disparity is essential for ensuring universal access to notarial services and maintaining the integrity of the legal system.

Conclusion

The constitutional foundations of notarial activity in the Republic of Uzbekistan demonstrate the vital role of legal reforms in fostering a robust and modern governance framework. The analysis highlights significant progress in aligning notarial services with constitutional mandates, bolstered by technological advancements and economic reforms.



1. Constitutional and Legislative Reforms:

The 2023 amendments to the Constitution of Uzbekistan have established a robust legal basis for notarial independence and impartiality. These changes align with international best practices and contribute to enhanced public trust, as evidenced by a 15% increase in user satisfaction since 2020.

2. Digital Transformation: The successful integration of digital platforms into notarial services, with over 60% of transactions conducted electronically by 2024, has significantly improved service delivery. By 2030, it is predicted that 90% of notarial transactions will be digital, positioning Uzbekistan as a regional leader in legal innovation.

3. Economic Implications: Enhanced notarial services have played a pivotal role in attracting foreign direct investment, which has grown by 8% annually since 2020. Predictions suggest that by 2030, Uzbekistan could surpass \$15 billion in FDI inflows, leveraging its improved legal infrastructure.

4. Challenges:

Despite these advancements, challenges such as rural internet penetration disparities and reliance on traditional procedures persist. Addressing these issues through targeted investments and policy measures will be essential for equitable access to notarial services.

The constitutional and operational reforms in Uzbekistan's notarial system underscore the broader theme of modernization and democratization within the legal framework. These changes are not only vital for domestic governance but also enhance Uzbekistan's position in global indices such as the Rule of Law Index, where continued improvements are anticipated.

In conclusion, the constitutional principles governing notarial activity in Uzbekistan provide a strong foundation for ensuring legal certainty, protecting rights, and fostering economic growth. By addressing existing challenges and capitalizing on technological advancements, Uzbekistan is well-positioned to establish itself as a model for legal innovation and governance in the region.



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