

ANNEX:

TABLE

On improvement of permanent registration system in the city of Tashkent and Tashkent region

I. On the draft law	
Content of proposed project	Justification
<p>1. Term «propiska», given in the Law «On list of people groups – citizens of the republic of Uzbekistan, subject to permanent registration in the city of Tashkent and Tashkent region», based on international practice changes to «registration».</p>	<p>The word «propiska» is a term introduced in Soviet Union time that has now been refused by all countries.</p> <p>Besides, this term awakes in the memory of citizens such meanings as «obstructing», «binding to a place», «restricting freedom» and «separating».</p>
<p>2. Citizens are able to register their relatives of the first and second degrees of kinship not only at the address where they are constantly registered, but also in other residential areas owned by them.</p> <p><i>According to Article 57 of the Family Code, children in regard of parents are considered relatives in the first degree, a grandchild in regard of grandparents – are relatives in the second degree and further.</i></p>	<p>Registration of relatives in the first and second degrees at the permanent place of residence only for living space with permanent permit of residence, poses difficulties for citizens and has no effect, but more inconveniences.</p> <p>At the same time, a citizen, an owner of different living spaces, had to settle the problem through registration at another living space of his own to attain the permanent registration of his relatives.</p>
<p>3. For permanent residence the mandatory condition for a year of joint residence of a married couple after marriage as well as the condition for the loss of a permanent residence permit in case of divorce within one year after its receipt are excluded</p>	<p>A condition of joint residence within one year after marriage was introduced to avoid pro forma marriages due to obstacles in purchasing real estate in the city of Tashkent and Tashkent region.</p> <p>Lifting these barriers excludes the practice of pro forma marriages.</p>
<p>4. Persons adopted by the family for upbringing (patronage) will be able to register at the place of permanent residence of their adoptive parents</p>	<p>The current legislation does not envisage permanent registration of orphans by adopted families (in patronage) for upbringing, at the place of residence.</p> <p><i>(236 children in Tashkent city and 14 children in Tashkent region were taken under patronage in 2019)</i></p>
<p>5. Citizens who previously had permanent registration in the city of Tashkent and Tashkent region, upon return, can again constantly register in these regions without any additional conditions</p> <p>At the same time, the reason for canceling permanent registration in the</p>	<p>In practice, specialists refuse leaving Tashkent for other regions in terms of permanent employment due to fear of losing permanent residence.</p> <p>However, a citizen, willing to get his permanent residence again, has to</p>

<p>city of Tashkent or Tashkent region will not be considered.</p>	<p>submit documents justifying that he studied or worked in other place for the interest of Government.</p>
<p>6. Restrictions to the right of permanent residence were lifted for the following citizens referring to their tenure:</p> <ul style="list-style-type: none"> ➤ Citizens (family members), elected, appointed, approved to a post by chambers of the Oliy Majlis of Uzbekistan, President of Uzbekistan, the Cabinet of Ministers or with approval of the President of Uzbekistan; ➤ Citizens (family members), elected for representative bodies of the state authorities in accordance with law; ➤ Highly professional experts (family members), invited for employment in state bodies, economic management bodies and other state organizations of republican significance under request of the leadership. 	<p>At present, permanent registration of citizens elected, appointed, approved to the relevant positions, as well as highly professional experts invited for employment in other state organizations of republican significance depends on tenure. In particular, termination of appointment causes the lose of permanent registration.</p> <p>This constrain is not effective because citizens with previous permanent registration in Tashkent city and Tashkent region removed to other regions enjoy the right of permanent registration without any conditions upon their return in Tashkent city and Tashkent region.</p> <p>The Resolution № 336 of the Cabinet of Ministers, dated 7 October 2016 has a list of 96 entities enabling their heads to request permanent registration for employees in Tashkent city and Tashkent region.</p>
<p>7. The payment of a special state duty rate (5% from the contract value) for registering a contract for the sale of housing in new buildings of Tashkent city and Tashkent region by Uzbek nationals with permanent residence in other regions of Uzbekistan, is canceled</p>	<p>Fixed payment of special duties for purchase of housing by some groups of people is a differentiation of citizens when property sale in action.</p> <p>The Decree of President No. UP-5953, dated 2 March 2020 lifts this constrain.</p>
<p>8. Permanent registration of citizens of Uzbekistan in the city of Tashkent and Tashkent region is performed under conditions of the Housing Code on social norm of living space for one person with respect to exceptions determined by the Cabinet of Ministers.</p> <p><i>According to Article 42 of the Housing Code the living space in the houses of the municipal, departmental and communal housing fund for special purposes is provided to citizens within the social norm of the housing area.</i></p> <p><i>The social norm of living space is established by the Council of Ministers of the Republic of Karakalpakstan, regional and Tashkent city khokimiyats with a total area of at least 16 sq. m per person, and for wheelchair users - no less than 23 sq. m</i></p>	<p>In regard of the draft Resolution of the Cabinet of Ministers the following citizens are not subject to the social norm:</p> <p>a) on each other's living space where they are constantly registered:</p> <ul style="list-style-type: none"> • husband-wife; • parents, children; • grandparents, grandchildren; • siblings with permanent registration in the city of Tashkent or Tashkent region; <p>б) on the previous place of residence, on the living space of family, relatives:</p> <ul style="list-style-type: none"> ✓ persons, released from place of detention; ✓ servicemen, dismissed to the Armed forces reserve on completion of

	<p>compulsory military service;</p> <ul style="list-style-type: none"> ✓ persons previously resided at a certain residential area and temporary left for another place to work under labour contract, as well as citizens whose right to use housing is reserved in case of temporary departure to another place in accordance with current legislation; б) on the living space where the guardians (trustees) are constantly registered, the adoptive father or mother - persons who are under guardianship (trusteeship) and persons adopted for upbringing in the family (patronage); г) on the living space where brothers, sisters - minors, siblings without parents, and legally incompetent siblings are registered if they do not have their own families, regardless of age.
<h2 style="color: #0056b3;">II. On the draft Resolution of the Cabinet of Ministers</h2>	
<p>1. All regulations related to terms of permanent registration in the city of Tashkent and Tashkent region are excluded upon the equisition of any real estate in these regions.</p>	<p>This ban was lifted under Decree of President of Uzbekistan № UP 5953 dated 2 March 2020. According to previous regulations, citizens of Uzbekistan, constantly registered in other regions, could buy housing only in new buildings of Tashkent city and Tashkent region.</p>
<p>2. A new regulatin defines a term of temporary registration at the place of stay is fixed under request of the home owner. However, the term of temporary registration should not exceed 5 years.</p> <p><i>At present, the period of temporary residence is from ten days to one year with no discharge from perminant registration.</i></p>	<p>Simplification of registration order at the place of temporary residence enables to reduce the time of this procedure up to one hour.</p> <p>The period of one year was determined to define the place of residence and inappropriately forced the given group of people to address the relevant authorities and has now lost its significance (the number of temporary registered persons in Tashkent is much less the numer of actually residing here).</p>
<p>3. To build mechanisms that stimulate the voluntary registration of citizens at the place of residence, the Minisrties of Justice and Internal Affairs are entrusted to:</p> <p>develop electronic provision of public registration services through sending notifications of the interior bodies to concerned authorities;</p> <p><i>(ensuring various benefits, military enrollment, registration of lease contracts with tax department, registration in concerned entities)</i></p> <p>Create conditions for all forms of public services, and other administrative perocedures as well, requiring perminant registration, for</p>	<p>Registration mechanisms at the place of residence are not appropriately used in practice and for many years have only created forged barriers and burden when approaching concerned authorities.</p> <p>To this end, it is planned to exclude from citizens daily life the issues related to obtaining permanent registration and approach to the relevant departments.</p> <p>For example, nowadays, passing an exam for driver's license, going through technical inspection of vehicle, receiving number plate and technical certificate of vehicle, registry office services, processing</p>

<p>citizens with temporary registration;</p> <p>Give proposals on improvement of system detecting passport regime violation.</p>	<p>retirement, sending court and other bodies' decision are connected with the place of permanent registration.</p> <p>However, based on available conditions there is a need for improvement of the system detecting passport regime violation. In particular, enforcement of court and other bodies decisions is connected with the place of permanent registration as well.</p>
<p>4. In the city of Tashkent and the Tashkent region, a mechanism for the implementation of permanent registration at the place of residence through the unified portal of interactive public services is being introduced without appeal to the internal affairs bodies.</p> <p>In addition, the applicant may apply to the nearest internal affairs agency and apply for permanent registration on the same day.</p>	<p>Up to day, citizens have had to personally contact the internal affairs departments of the district and submit documents for the permanent registration.</p> <p>The established 3-day deadline for registering the permanent registration did not facilitate the prompt provision of services.</p> <p>Opportunities for remote electronic filing and registration without visiting the relevant authorities are expanding.</p>
<p>5. It is abandoned the practice of affixing a stamp to a passport, house book or apartment card when registering permanently when a citizen registers at the place of permanent residence, and these processes will be digitized as well.</p>	<p>The permanent registration was carried out by affixing in the passport a stamp of registration and official stamp, and a stamp of registration on house or apartment card, that forced citizens buy house book or keep apartment cards and have them always available.</p> <p>At the same time, from 2021 onwards the legislation provides the issuance of identification ID-cards and a plastic form of the cadastral passport of the property unit.</p>
<p>6.The period of residence of citizens in the city of Tashkent and the Tashkent region without permanent and temporary registration is changed from 10 to 15 days.</p>	<p>The study of a foreign practice has shown that for residence change citizens should contact the relevant authorities within 14 to 30 days.</p>
<p>7. The order of independent discharge from previous place of residence, when applying for permanent registration, is abandoned.</p>	<p>For registration of permanent residence there was a need to check out from the previous place of residence and to provide the sheet of departure. As a result, citizens had to spend time and money for delivering documents from one authority of internal affairs to another, the structural units of the Interior Ministry.</p>
<p>8. The order regulating a permanent registration of persons liable for military service who had to withdraw from the military register in the defense</p>	<p>Military liable (men aged from 16 to 60 years and women with medical specialty) should come to the defence affairs department of the</p>

<p>affairs departments and register in another department for defense affairs is changed to the order of using an interdepartmental program of electronic information exchange for the same procedure.</p>	<p>previous place of residence and withdraw from military register, then arrive to the defence affairs department at the new place of residence and register with the military when applying for permanent registration.</p>
<p>9. The norm refusing the violation of passport regime for citizens residing out of permanent registration place in the Republic of Karakalpakstan, regions and Tashkent city, but within the same regions is introduced.</p>	<p>Due to the lack of a norm regulating this provision, the residence of citizens outside permanent residence addresses within the same region led to different practices of imposing (non-imposing) administrative responsibility on these citizens.</p>
<p>10. The procedure for registration at the place of permanent residence of the newborn is introduced when the registry office draws up a birth certificate for him at the place of permanent registration of his father or mother by entering information into the interagency automated system.</p>	<p>For registration of a permanent residence permit or temporary registration of persons under 16 years of age, their parents or replacement persons should come to the internal affairs bodies.</p> <p>In addition, there are cases of non-arrival of citizens to the relevant departments for the permanent registration of minor children. The proposed mechanism is designed to prevent this and save citizens time.</p>
<p>11. The homeowner is vested with the right to cancel the registration at the place of permanent residence of a citizen registered at the place of permanent residence on the basis of the social norm (cancellation of registration of citizens, in respect of whom the social norm is not applied, is carried out by their consent or in court).</p>	<p>Currently, the homeowner is entitled to withdraw, on his own initiative, any permanently registered person only in court. This provision limits his ownership and creates in practice a number of difficulties.</p>
<p>12. The need to take into account the rules on the social norm is also established during notarization of transactions by citizens of the Republic of Uzbekistan, permanently registered in other regions, related to registration of common property rights to property in Tashkent and the Tashkent region through the sale, exchange, gift, rent, transfer to another person subject to life support, pledge (mortgage), refusal from real estate (part of real estate) and using methods of property transfer.</p>	<p>The provisions on the social norm in the execution of transactions related to common property is associated with cases of registration of a permanent registration through the conclusion of "roundabout" transactions.</p> <p><i>(In 2019, 232 new housing units were purchased in Tashkent as common property, including cases where 1 housing was purchased by persons in the amount of up to 12 citizens as common property to obtain a permanent registration).</i></p>
<p>13. It is established that the permanent registration of citizens of Uzbekistan is carried out on the platform of the automated information system "Manzil" on the principle of "single window" through interdepartmental electronic interaction.</p> <p>At the same time, appropriate actions within the framework of the system will start in:</p> <ul style="list-style-type: none"> ➤ Tashkent city and Tashkent region – from 1 September 2020; 	<p>The responsible authorities are entrusted with the execution of a number of instructions on the digitization of documents required during registration, the creation of electronic databases and their integration with the "Manzil" automated information system. In particular:</p> <ul style="list-style-type: none"> ➤ creation of a database of persons released from places of detention; ➤ introduction of "online" system for registration and withdrawal of citizens from military register;

➤ The Republic of Karakalpakstan and regions – **from 1 January 2021.**

➤ creation of an electronic database of documents confirming guardianship and trusteeship.

*The adoption of these projects is a significant step towards **refusing from the “propiska” system**, and will lead to the following:*

❖ citizens **residing in Tashkent “secretly” will be able to legally purchase housing, corruption cases will be eradicated** (most of the **163.3 thousand** temporarily registered have housing registered for third parties);

*(in 2012-2019, **219 604** people were registered in Tashkent and **76 912** in Tashkent region);*

❖ **constitutional rights of citizens** in the field of freedom of movement and private property **will be ensured**;

❖ **the extension** of temporary registration time at the place of stay **from 1 to 5 years** and **the creation of mechanisms to stimulate citizens to voluntary registration** will be conducive to **elimination of the difference between temporary registration at the place of stay and registration at the place of permanent residence**;

❖ **saving an average of 3 days** required to **collect the relevant documents** and eliminate the **burden** arising in interagency collaboration;

❖ **introduction of the “single window”** will reduce the number of visits by citizens to the internal affairs bodies **to 1 time (previously 2 times)**, and also **eliminate the need for visits** to defense agencies (**previously 2 times**) and the cadastre (**1 time**);

❖ **creation of an electronic registration system** and the corresponding **electronic departmental databases** have been formed.