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LEGAL BASIS OF ACTIVITY OF THE CONSTITUTIONAL CONTROL COMMITTEE OF THE REPUBLIC OF KARAKALPAKSTAN

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Abstract: The article discusses the constitutional and legal foundations of the Constitutional Supervision Committee of the Republic of Karakalpakstan, the procedure for organizing its powers and activities, authorized bodies that have the right to submit issues for consideration to the committee.

Keywords: Constitutional Supervision Committee, constitutional laws, by-laws, compliance with laws, government regulations, regulatory documents.

Аннотация: В статье рассматриваются конституционно-правовые основы Комитета конституционного надзора Республики Каракалпакстан, порядок организации его полномочий и деятельности, уполномоченные органы, имеющие право вносить вопросы на рассмотрение в комитете.

Ключевые слова: Комитет конституционного надзора, конституционные законы, подзаконные акты, соблюдение законов, постановления правительства. нормативно-правовые документы.

In the Constitution of the Republic of Karakalpakstan, Chapter XXIV is dedicated to the Constitutional Control Committee of the Republic of Karakalpakstan.

According to it, constitutional control in the Republic of Karakalpakstan is carried out by the Constitutional Control Committee of the Republic of Karakalpakstan.

The Chairman of the Constitutional Control Committee, his deputy and members of the Committee are elected by the Jokargy Kenes of the Republic of Karakalpakstan from among experts in the field of politics and law. The term of office of persons elected to the Constitutional Control Committee is five years.

It is not allowed for the chairman, deputy chairman and members of the constitutional control committee to carry out their duties together with the mandate of the deputy.

Persons elected to the constitutional control committee cannot simultaneously be part of the bodies whose documents are under the control of the committee.

The persons elected to the Constitutional Control Committee are independent in fulfilling their duties and are bound only by the Constitution of the Republic of Karakalpakstan. [1]

Also, Article 113 of the Constitution specifies the powers of the Constitutional Control Committee of the Republic of Karakalpakstan, according to which:

1) on the assignment of the Jokargy Kenes of the Republic of Karakalpakstan, gives a conclusion on the conformity of the draft laws of the Republic of Karakalpakstan and other documents to the Constitution of the Republic of Karakalpakstan submitted for consideration by the Jokargy Kenes of the Republic of Karakalpakstan;

2) submits to the Jokargy Kenes of the Republic of Karakalpakstan a conclusion on the conformity of the laws and other documents adopted by the Jokargy Kenes of the Republic of Karakalpakstan with the Constitution of the Republic of Karakalpakstan with the suggestions of at least one fifth of the deputies of the Jokargy Kenes of the Republic of Karakalpakstan and the Chairman of the Jokargy Kenes of the Republic of Karakalpakstan;

3) according to the assignment of the Jokargy Kenes of the Republic of Karakalpakstan, submits to it the conclusion on the compliance of the decisions of the Presidium of the

Jokargy Kenes of the Republic of Karakalpakstan and the orders of the Chairman of the Jokargy Kenes with the Constitution and laws of the Republic of Karakalpakstan;

4) On the basis of the assignment of the Jokargy Kenes of the Republic of Karakalpakstan, at least one fifth of the deputies of the Jokargy Kenes of the Republic of Karakalpakstan, the conclusion of the Jokargy Kenes of the Republic of Karakalpakstan on the conformity of the decisions and orders of the Council of Ministers of the Republic of Karakalpakstan with the laws of the Republic of Karakalpakstan presents to.

Also, on its own initiative, the Constitutional Control Committee has the right to present a conclusion on the compliance of the documents of the supreme state power and management bodies of the Republic of Karakalpakstan with the Constitution and laws of the Republic of Karakalpakstan.

The Law of the Republic of Karakalpakstan dated June 12, 2021 "On the Constitutional Control Committee of the Republic of Karakalpakstan" (new version) No.130/XVIII established the establishment of the Constitutional Control Committee of the Republic of Karakalpakstan and its work procedure.

According to Article 2 of the Law: "The Constitutional Control Committee of the Republic of Karakalpakstan is defined as the state body that monitors the compliance of legislative documents of the legislative and executive authorities of the Republic of Karakalpakstan with the Constitution of the Republic of Karakalpakstan." [2].

Also, the Law specifies the powers of the Constitutional Control Committee, the procedure for electing the Constitutional Control Committee, the main principles of the activity of the Constitutional Control Committee, and the requirements for membership of the Constitutional Control Committee.

According to Article 26 of the Law, the following have the right to introduce issues for consideration by the Constitutional Control Committee:

Chairman of the Jokargy Kenes of the Republic of Karakalpakstan;

Presidium of the Jokargy Kenes of the Republic of Karakalpakstan;

Council of Ministers of the Republic of Karakalpakstan;

A group of deputies consisting of at least one fifth of the deputies of the Jokargy Kenes of the Republic of Karakalpakstan;

At the initiative of at least two members of the Constitutional Control Committee, issues may be introduced for consideration by the Constitutional Control Committee.

If legal entities or individuals determine that the legislative documents are not in accordance with the Constitution of the Republic of Karakalpakstan, they will submit this issue to the body authorized to submit it to the Constitutional Control Committee.

The Constitutional Control Committee of the Republic of Karakalpakstan has the right not to accept certain assignments, opinions, and comments if they do not comply with the mandate.

The decision of the Constitutional Control Committee is taken by open voting.

A member of the committee has no right to abstain or not participate in voting.

If the majority of the members of the committee participating in the meeting voted in favor of it, the decision of the Constitutional Control Committee is considered adopted. In the event of a tie, the chairperson's vote shall be decisive.

A member of the committee who disagrees with the decision of the committee has the right to express his opinion in writing and add it to the minutes of the meeting of the Constitutional Control Committee.

Committee members do not have the right to publicly express their opinion on the compliance or non-compliance of documents or draft documents with the Constitution and laws of the Republic of Karakalpakstan on the issues covered by the committee until

the conclusion of the committee is accepted. [3]

Also, persons with necessary information or materials, experts and specialists may be summoned to the meeting of the Constitutional Control Committee.

Experts and experts shall give a reasoned conclusion on the requests given by the Constitutional Control Committee and explain the content of the conclusion, if necessary, at the meeting of this committee.

The decision of the Constitutional Control Committee on the essence of the considered issue on the compliance of the normative-legal document with the Constitution of the Republic of Karakalpakstan is called the conclusion.

In other cases, the decision of the Constitutional Control Committee may have a different form.

The conclusion and other decisions of the constitutional control committee can be published in the official sources of the Jokargy Kenes of the Republic of Karakalpakstan.

The decision of the Constitutional Control Committee shall enter into force from the date of signature of the chairman of the committee.

The conclusion of the Constitutional Control Committee on the contradiction of the draft laws and legislative documents of the Republic of Karakalpakstan to the Constitution of the Republic of Karakalpakstan is initially considered by the committees of the Jokargy Kenes of the Republic of Karakalpakstan, and a decision is made to include the conclusion in the draft agenda of the session for consideration.

The conclusion of the constitutional control committee shall be coordinated only with the decision of the Jokargy Kenes of the Republic of Karakalpakstan adopted by the vote of two-thirds of all deputies.

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