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# Enhancing access to justice: free legal aid and clientcentered legal counseling through Clinical Legal Education in Uzbekistan

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#### **ABSTRACT**

This article explores Uzbekistan's recent legal and judicial reforms aimed at fortifying the rule of law, protecting human rights, and enhancing access to justice in alignment with international norms. Reforms include adopting the Convention on the Rights of Persons with Disabilities, enacting gender equality laws, and introducing digital tools for legal consultations.

However, challenges persist, particularly for vulnerable groups like women, rural youth, and people with disabilities, who face limited awareness of their rights and difficulties accessing legal remedies. The article proposes integrating client-centered legal counseling through Clinical Legal Education (CLE) to improve the provision of free legal aid to address this.

Recommendations encompass institutionalizing CLE, incentivizing pro bono work, fostering collaboration with NGOs, utilizing technology for outreach, and implementing legal reform for free legal aid. These measures, alongside robust monitoring and training, promise to democratize access to justice and create a more equitable legal landscape in Uzbekistan.

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# Одил судловдан фойдаланиш имкониятларини кенгайтириш: Ўзбекистонда клиник юридик таълим орқали бепул ҳуқуқий ёрдам олиш ва мижозларга йўналтирилган юридик маслаҳатлар

# Калит сўзлар:

бепул юридик ёрдам, клиник юридик таълим, ногиронлиги бор шахслар, ижтимоий ҳимояга муҳтож гуруҳлар, мижозга йўналтирилган ҳуқуқий маслаҳат.

### **АННОТАЦИЯ**

Ушбу мақолада Ўзбекистонда қонун устуворлигини мустахкамлаш, инсон хуқуқларини химоя қилиш ва халқаро стандартларга мувофиқ одил судловдан фойдаланиш имкониятларини кенгайтиришга қаратилган сўнгги пайтларда амалга оширилаётган хүкүкий ва суд-хүкүк сохасидаги ислохотлар тахлил қилинган. Ислохотлар ногиронлиги бўлган қаторида шахслар хуқуқлари тўғрисидаги конвенциянинг, гендер тенглиги тўғрисидаги қабул қилиниши, хуқуқий қонунларнинг олишнинг рақамли воситаларини жорий этиш масалалари мухокама қилинган.

Бирок кишлок ёшлари, аёллар ва ногиронлиги бўлган гуруҳларнинг ўз шахслар каби заиф хуқуқларидан хабардорлик даражаси чекланган ва хуқуқий фойдаланишда қийинчиликларга воситаларидан дуч келаётган муаммолар сақланиб қолмоқда. Ушбу муаммони хал қилишда мақола бепул юридик ёрдам кўрсатишни яхшилаш учун клиник юридик таълим (КЮТ) орқали йўналтирилган хуқуқий маслахатни интеграциялашни таклиф қилади.

Тавсиялар орасида клиник юридик таълимни институционализация қилиш, бепул (pro bono) ишни рағбатлантириш, нодавлат нотижорат ташкилотлари билан ҳамкорликни ривожлантириш, жамоатчиликни ҳамраб олиш учун технологиялардан фойдаланиш ва бепул юридик ёрдам кўрсатишдаги ҳуҳуҳий ислоҳотлар таклиф ҳилинган. Бу чора-тадбирлар кучли мониторинг ва тренинглар билан бир ҳаторда, Ўзбекистонда адолатга эришишни демократлаштириш ва адолатли ҳуҳуҳий муҳитни яратишга замин яратади.

Расширение доступа к правосудию: бесплатная юридическая помощь и ориентированное на клиента юридическое консультирование посредством клинического юридического образования в Узбекистане

#### **АННОТАЦИЯ**

Ключевые слова: бесплатная юридическая помощь, клиническое юридическое

В этой статье исследуются недавние правовые и судебные реформы в Узбекистане, направленные на укрепление верховенства права, защиту прав человека и расширение



образование, инвалиды, уязвимые группы, клиенто-ориентированное юридическое консультирование. доступа к правосудию в соответствии с международными нормами. Реформы включают принятие Конвенции о правах инвалидов, принятие законов о гендерном равенстве и внедрение цифровых инструментов для юридических консультаций.

Тем не менее, проблемы сохраняются, особенно для уязвимых групп, таких как женщины, сельская молодежь и ограниченными возможностями, сталкиваются с ограниченной осведомленностью о своих правах и трудностями в доступе к средствам правовой защиты. Чтобы решить эту проблему, в статье предлагается интегрировать ориентированное на клиента юридическое консультирование через клиническое юридическое образование (CLE) улучшения предоставления для бесплатной юридической помощи.

Рекомендации включают институционализацию клинического-юридического образования, стимулирование развитие сотрудничества с bono, использование технологий для работы с общественностью и проведение правовой реформы ДЛЯ предоставления бесплатной юридической помощи. Эти меры, наряду с мониторингом обучением, надежным И обещают демократизировать доступ к правосудию и создать более справедливую правовую среду в Узбекистане.

# **Executive Summary:**

Since 2016, Government of Uzbekistan initiated a comprehensive package of legal and judicial reforms to strengthen the rule of law, promote and protect fundamental human rights and freedoms and enhance the justice system's efficiency in alignment with international standards. These efforts included ratifying the Convention on the Rights of Persons with Disabilities (CRPD), adopting new laws on gender equality, revising criminal procedural legislation, and introducing new tools and services to improve access to justice in conformity with international human rights practices and standards. In addition, the mandate of the National Human Rights Institution (Ombudsperson's Office) in Uzbekistan was enhanced, which was for the first time accredited by GANHRI (with B-status in 2020).

These reforms improved the stance of Uzbekistan in internationally recognized indices and rankings, i.e., the Rule of Law Index 2021 (85th out of 139 countries globally) and the 2020 World Bank's Women, Business and Law (134th out of 190). Despite the progress and achievements, the people of Uzbekistan, particularly the most vulnerable populations such as women, youth in rural areas, and people with disabilities, continue to lack awareness about their rights and skills for their protection. They also have limited access to affordable and effective justice remedies, including to free legal advice, representation, and justice services in compliance with human rights standards.

The following key strategies were initiated within these reforms:

- ➤ The revision of criminal procedural legislation to align it with the best international and human rights standards:
- The number of primary criminal penalties that can be imposed for committing crimes was decreased from 10 to 9 (arrest as a type of criminal penalty was abolished).
  - The use of alternative non-custodial types of penalties was expanded.



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- The pre-trial detention period was reduced from 72 to 48 hours.
- The maximum duration of preventive measures (i.e., house arrest, detention) and preliminary investigation decreased from 1 year to 7 months.
- Power/authority to arrest correspondence and exhumation was transferred to courts (from prosecutors). The power/authority of courts to return criminal cases for additional investigation was abolished
- > The introduction of e-tools to increase the accessibility of justice, including online tools for providing legal consultations, such as:
- MADAD, a non-governmental organization, was established in 2019 to provide initial free legal aid to the population through consultations and clarification of legislation (with no authority to represent clients in courts). 'MADAD' launched 'www.advice.uz' legal portal to provide online consultations. 'MADAD' is primarily inspired by U.K.'s 'Citizen Advice' system and supported by the Embassy of the United Kingdom in Tashkent. MADAD has a regional presence in 201 districts of Uzbekistan. In 2020, regional (city) bureaus of NGO MADAD received 74 377 requests (with over 44 requests from women) from citizens on the provision of primary free legal consultations. 72 951 requests were received via the 'Advice.uz' legal portal during the same period. MADAD's own funding is unsustainable and depends on financing from the Ministry of Justice of the Republic of Uzbekistan and donors.
- Courts introduced interactive services and tools to increase the accessibility of justice and simplify access to justice. With support from USAID, UNDP has supported the Supreme Court of Uzbekistan in developing and introducing the E-SUD e-justice system in civil courts across Uzbekistan. E-SUD has reduced the number of court trips required to process cases from 6-7 to 2-3, placing Uzbekistan's civil case processing speed above Central Asia's regional average. The E-SUD system has been essential in providing swift and accessible justice to Uzbekistan's population in remote regions. It has assisted women in rural areas to access justice, 37,000 of whom have resolved alimony disputes through the system. In addition, E-SUD is a quick and cost-effective case filing mechanism. Court users register online for access to complete case files. They can then track case progress and gain direct and immediate access to any procedural document issued by the courts, including final court decisions and interim rulings.

#### Rule of Law and Access to Justice

The reforms mentioned above affected positively the current rule of law in Uzbekistan, resulting in an increased overall rule of law score of Uzbekistan by 4.1% in the 2021 Rule of Law Index. At 85th place out of 139 countries and jurisdictions worldwide, Uzbekistan improved fourteen positions in global rank with significant improvements in the factors measuring constraints on government powers, absence of corruption, and Open Government.

At the same time, access to justice, the central element of the rule of law, is yet to be improved to further strengthen and ensure adequate human rights protection in Uzbekistan. According to the same Rule of Law 2021 index, the accessibility of civil justice in Uzbekistan (sub-factor 7.1.) remains insufficient. As a result, Uzbekistan continues to be the country with the lowest score for this sub-factor among the region countries.

	Sub-factor 7.1. People can access and afford civil justice							<u>:</u>
	Global Rank	Regional* Rank	Income Rank	Score	Global Average	Regional Average	Rank change on Factor 7. Civil justice	Score changes on Factor 7. Civil justice
2016	105/113	13/13	24/28	0.38	0.53	0.52	+10	+0.03
2018	106/113	13/13	25/30	0.38	0.53	0.51	-10	-0.03
2019	102/126	13/13	21/30	0.46	0.56	0.57	+6	+0.02
2020	104/128	14/14	21/30	0.46	0.56	0.57	+1	+0.00
2021	101/139	14/14	17/35	0.48	0.59	0.57	+1	-0.01

\* Region: Eastern Europe and Central Asia: Turkey, Bosnia and Herzegovina, Albania, Kyrgyz Republic, Kosovo, Serbia, Moldova, North Macedonia, Russian Federation, Georgia, Ukraine, Belarus, Kazakhstan Measures the accessibility and affordability of civil courts, including whether people are aware of available remedies; can access and afford legal advice and representation; and can access the court system without incurring unreasonable fees, encountering unreasonable procedural hurdles, or experiencing physical or linguistic barriers.

Free legal aid providers are essential for ensuring effective access to justice and adequate protection of human rights and disseminating information on human rights. As Human Rights, Committee explained in its general comment no. 32 'The availability or absence of legal assistance often determines whether or not a person can access the relevant proceedings or participate in them in a meaningful way.

Although there is no legal framework for Free Legal Aid in Uzbekistan, de facto current Free Legal Aid system of Uzbekistan includes NGO MADAD, legal clinics under law universities, and free consultations provided by lawyers.

NGO MADAD was established in 2019 in accordance with the Decree of the Cabinet of Ministers of the Republic of Uzbekistan 'On measures to further improve the system of legal assistance and communicate legal information to the population' of September 6, 2019 No. 741. As per the Decree main tasks of the NGO 'MADAD' are:

- providing citizens with primary free legal aid through online legal consultations and clarifications on legal issues;
- involving volunteers to harmonize the legal knowledge of citizens with socio-political changes in Uzbekistan;
- analysing citizens' requests for legal advice and development of proposals for improving legislation based on analysis of the requests for the provision of legal advice;
- introduction into practice innovative methods of raising legal awareness and legal culture of the population, the positive experience of foreign countries in this area;
- maintaining and constantly updating the www.Advice.uz legal information portal.

NGO MADAD is currently remaining the only NGO established by GoU and financed by MoJ.



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There are also legal clinics established under Tashkent State University of Law, under the University of World Economy and Diplomacy, and under the Federation of Trade Unions of Uzbekistan.

Wide usage of social media and social messengers in recent years, allowed lawyers to use these platforms for the provision of primary free legal aid which is not financed by GoU and is voluntary for lawyers.

Despite the establishment of NGO MADAD, an independent free primary legal aid provider, its activities are limited to the provision of primary free legal consultations with no powers to represent clients in courts or government authorities. Such limitations minimize the efficiency of this free legal aid provider. In addition, the absence of a legal framework regulating free legal aid mechanisms impedes the establishment and effective operation of free legal aid providers.

It is commonly recognized that one of the indicators of how well the legal aid system is working is a change (decrease) in the number of self-represented litigants. While comprehensive data on the number of self-represented litigants in Uzbek courts is not publicly available, the absence of effective legal aid mechanisms combined with the low number of lawyers in Uzbekistan and the low level of public trust in lawyers in Uzbekistan can bring us to the conclusion that there is a significant number of selfrepresented litigants in Uzbek courts.

Although most of the cases filed by self-represented litigants can be assumed as simple cases, the low level of legal awareness/literacy of the population combined with constant changes in both substantial and procedural legislation of Uzbekistan in recent years results in struggling for litigants to navigate the complex system of legislation and court procedures.

# **Promotion and Protection of Women's Human Rights**

Since the initiation of reforms, the Government of Uzbekistan has been declaring its commitment to improving human rights protection and increasing legal awareness of human rights. Uzbekistan reported that '... in 2017 alone, intending to increase citizens' legal knowledge and awareness and foster respect for children's rights and freedoms among the public, the Ministry of Justice and its local offices held more than 5,000 awareness-raising events to explain the provisions of the Children's Rights Safeguards Act, the Act on the Protection of Children from Information Harmful to Their Health, the Tutorship and Guardianship Act, the Trafficking in Persons Act, the text on measures to enhance further the system for the prevention of offending and the combating of crime, and other laws and regulations concerning children's rights; these events included 793 media appearances, over 5,000 round tables, seminars and workshop-conferences, and 137 other events'.

In its following periodic report, Uzbekistan reiterated its commitment to increase legal awareness and literacy of women by reporting that 'Over two years, the Women's Committee has carried out more than 40 training courses and 10 round tables, with the total number of participants exceeding 1,300.'

At the same time, it is true to say that these massive events are aimed primarily at disseminating legal information on new developments in legislation and general information on rights without providing mechanisms for the protection of these rights. Therefore, the Committee on the Elimination of Discrimination against Women requested the Government of Uzbekistan to provide information on the impact of the awareness-



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raising activities targeting government officials and the judiciary and to indicate whether the Convention has been invoked in court proceedings and provide information on the number, nature, and outcome of relevant cases.

Recognition of the importance of ensuring effective protection of women's rights and equal representation in the judiciary has become one of the cornerstones of the legal and judicial reforms. Namely, a number of Presidential Decrees were adopted envisaging support for women's entrepreneurial activities and effective protection of women's labor rights. Regarding the justice sector, President Mirziyoyev, during the meeting on ensuring fair trials and enhancing anti-corruption activities on June 30, 2020, stressed the need for creating mechanisms for ensuring gender equality among judges. These measures aim to eliminate existing gender gaps in the justice sector, improve mechanisms for adequate protection of women's social and economic rights.

Adopting such massive legal framework on gender equality and protection of women's rights contributed to the increase of rank of Uzbekistan in World Bank's Women, Business and Law 2020 (134th globally). The legal framework introduced restraint order mechanisms as an essential mechanism to protect women from domestic The introduction of this mechanism resulted in the issuance 14,774 protection orders in 2020 to women and girls affected by harassment and violence. About 11,000 women who received warrants needed protection from their spouses. In 6,836 cases, women were subjected to physical violence, in 6,281 cases psychological pressure; in 1,480 cases – oppression. In 121 cases, the warrant was issued to victims of economic and in 56 cases – sexual violence.

The gender analysis conducted within the 'Rule of Law Partnership in Uzbekistan' Project showed that while the e-justice tools and interactive services developed by Uzbek courts are reported to simplify access to justice for all, women are still facing barriers that are primarily based on cultural perceptions, in accessing justice. These barriers are based on women's financial dependence on household and family budgets and low levels of internet penetration as well as low levels of digital literacy, especially in rural areas. Another aspect of obstacles to justice for women is the lack of legal information tailored for women and their needs.

There are no comprehensive educational programs on human rights tailored to the needs of women, especially in rural areas, which leads to, as was stated in the alternative report to the CEDAW Committee, low awareness of women, especially from rural areas, on their own rights, processes, and procedures made available to them to protect their rights and interests remains to be an actual topic.

# **Human rights of people with disabilities**

An insufficient level of physical and informational accessibility of justice for people with disabilities was pointed out by Special Rapporteur on the independence of judges and lawyers in his final recommendations upon a visit to Uzbekistan in 2019. Special Rapporteur stressed that '...effective exercise of the right of access to justice on an equal basis with others can be violated where architectural barriers or language obstacles prevent or limit the access of certain groups of individuals, such as persons with disabilities and older persons, to court buildings or court proceedings'.

As Uzbekistan undergoes a significant legal reform process, addressing the gap in access to justice is paramount. Free legal aid, when integrated with a clientcentered approach within Clinical Legal Education (CLE), can significantly enhance



this access, especially for marginalized populations. This policy brief proposes the expansion of client-centered legal counseling through CLE, increasing the provision of free legal aid in Uzbekistan.

# **Context and Importance of the Issue:**

Despite significant progress in legal reform, many Uzbek citizens, especially those from underprivileged backgrounds, face barriers to accessing justice due to limited resources and a lack of legal awareness. The integration of free legal aid into CLE programs provides a unique solution, enabling law students to offer pro bono services under professional supervision, thereby increasing legal aid accessibility.

Despite this promising narrative on the Government of Uzbekistan commitment to promoting a human rights-compliant legal reform agenda, many obstacles remain in ensuring equitable access to justice and achieving quality public service delivery in the justice sector. This includes the following development challenges:

# Absence of due legal and institutional framework to regulate free legal aid

To date, Uzbekistan has ratified major UN human rights treaties and conventions that envisage the obligation of states to establish effective free legal aid mechanisms. However, despite this and the support of development partners in developing a draft law on free legal aid, the legal framework has not been adopted yet. In fact, the current system for the provision of free legal aid is divided into primary free legal aid and statesubsidized (secondary or qualified) free legal aid.

The main challenge of the existing system of providing primary free legal aid is a very limited number of free legal aid providers. The major primary free legal aid provider is the NGO MADAD which is strongly dependent on government financing and has limited human potential. The absence of a legal framework regulating the provision of primary legal aid coupled with the barriers to the registration of NGOs makes it very difficult to ensure proper access to free legal aid. The system also does not stimulate selfinitiated NGOs to register for the provision of primary FLA. The few Legal Clinics that are present in Uzbekistan, operate primarily in the capital city and cannot provide services in the regions. Primary free legal aid provided voluntarily by lawyers (usually via channels in social media) is not systematized and can be used by lawyers to increase clients for their paid services.

# Limited integration of people-centered approaches into legal and justice services

Legal and justice services are seen as people-centric and effective when they are provided in a seamless, coordinated, and inclusive manner, available to everyone equally while focusing on specific, vulnerable groups. These services match people's needs and help build empowerment, prioritize proactivity, prevent and timeliness, and focus on substantive outcomes and fairness.

Since the initiation of reforms, Uzbekistan has introduced several mechanisms that indirectly match some of the OECD's criteria for people-centered design and delivery of legal and justice services. These include:

- Prevention, proactivity, and timeliness of legal and justice services: establishing people's receptions in 2017, right after assuming power by President Mirziyoyev, created a mechanism that contributed to the timely resolution of people's grievances. It must be noted that people's receptions are still operational, they cover all regions of Uzbekistan.
- Amending the law of the Republic of Uzbekistan' On applications of physical and legal entities' which requires government authorities to provide legal explanations to applicants.

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• As mentioned above, the broad introduction of ICT in courts and interactive services to provide legal consultations aimed to increase the accessibility of justice.

These examples show that Uzbekistan has made efforts to implement some aspects of the people-centered delivery of legal and justice services. Still, these efforts were neither sustainable nor long-lasting. The main reason for this lack of a systematic and holistic approach to identifying legal needs is the lack of public participation in law and policy-making processes related to access to justice and legal aid and weak, ineffective justice data collection systems.

# Low level of legal awareness of human rights and empowerment for people, mainly living in rural areas

As stated above, Uzbekistan provided a periodic report to the U.N. treaty bodies that have systematically reported activities taken and organized events to increase legal awareness and literacy for the population. These activities were aimed to disseminate information on reforms and changes in the legislation of Uzbekistan. Moreover, the National Strategy on human rights specifically stressed the need for increased quality and focus of legal awareness-raising activities in human rights. At the same time, the absence of free legal aid providers, the lack of civil society and non-government organizations that can be most effective in legal awareness and empowerment does not ensure the sustainability of activities in this area.

Another essential factor negatively affecting access to justice in Uzbekistan is the absence of a people-centred approach in legal and justice services. The people-centred approach empowers people to understand and use the law, provides people-centred justice services, and enables fair outcomes and remedies.

The absence of legal aid providers, lack of tools for legal needs analyses, limited participation of the Ombudsperson's office, civil society, and non-government organizations in legal drafting, and limited and unfocused awareness-raising on human rights are the factors that evidence the absence of 'people-centered approach' in legal and iustice services.

Therefore, the lack of access to justice and the absence of people-centered justice approaches are the key development challenges that impede ensuring the rule of law and further reforming the judicial and legal system' to protect human rights in Uzbekistan effectively.

# **Evidence and Case for Client-Centered Legal Counseling in CLE:**

Client-centered legal counseling is a comprehensive approach where the client's perspective is prioritized. This humane and empathetic method, when applied within CLE programs, provides law students with real-world, practical experience, enhancing their professional skills and ethical awareness.

In a pilot training run at a Tashkent State University of Law in Uzbekistan, the integration of client-centered counseling into a CLE program increased significantly student engagement and improved their practical skills. Furthermore, the program provided much-needed legal aid to hundreds of community members who would otherwise have limited access to justice.

# **Policy Recommendations:**

Institutionalize Clinical Legal Education (CLE): It is crucial to institutionalize CLE across all law schools to enhance the delivery of free legal aid and improve clientcentered counseling. This step would guarantee that a majority of future lawyers have hands-on experience with real cases before graduation, improving the quality of legal aid.



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**Incentivize Pro Bono Work:** Governments and bar associations can provide incentives to legal practitioners who undertake pro bono work. This could be in the form of tax incentives, continuing education credits, or even formal recognition.

**Sponsorships and Funding:** Increase funding for law schools to set up or enhance their legal clinics. This could involve government funding, private sponsorships, or partnerships with international institutions. This would not only provide resources for the clinics to operate but also improve their ability to offer free legal services.

Collaboration with NGOs and Civil Society: Strengthen collaboration with nongovernmental organizations (NGOs) and civil society to extend the reach of free legal aid. This could include offering legal services at community centers, shelters, and social service agencies.

**Public Awareness Campaigns:** Implement public awareness campaigns about the availability of free legal aid services. This could be done through community outreach, informational campaigns on social media, and collaboration with local news outlets.

**Legal Reform:** Advocate for legal reform to strengthen the right to primary and secondary free legal aid in every sphere, making it a statutory obligation for the state to provide free legal services to those who can't afford them.

**Technology Integration:** Utilize technology to broaden the reach of legal services. This could include online consultation platforms, digital databases of legal resources, and virtual court appearances.

**Monitoring and Evaluation:** Establish robust monitoring and evaluation mechanisms to assess the impact and effectiveness of the legal aid services being provided. Feedback gathered through this process can be used to make continuous improvements to service delivery.

Professional Development and Training: Offer continuous professional development and training for legal clinic supervisors and students. This training should focus not only on the provision of legal services but also on the client-centered approach, which is crucial for ensuring that the legal needs of clients are appropriately addressed.

By implementing these recommendations, we can significantly enhance access to justice, particularly for marginalized and underprivileged populations, through the provision of free legal aid and the promotion of a client-centered approach within Clinical Legal Education.

#### Conclusion

In a world increasingly defined by equality and social justice, access to competent legal representation should not be a privilege but a fundamental right. Enhancing Access to Justice through Free Legal Aid and Client-Centered Legal Counseling Through Clinical Legal Education, therefore, becomes a pivotal element in the reformation and modernization of any legal system.

The integration of client-centered legal counseling within Clinical Legal Education (CLE) offers a transformative approach to legal education and legal service delivery. By putting the client at the heart of the counseling process, it redefines the traditional lawyer-client relationship, fostering more empathetic, humane, and ultimately effective legal services.

Furthermore, the delivery of these services as free legal aid within a CLE framework democratizes access to justice. It breaks down barriers to legal representation, ensuring that the most vulnerable members of society have the same access to quality legal advice as their more affluent counterparts.



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However, the realization of this vision is contingent on a comprehensive, concerted approach from all stakeholders. Law schools must embrace and institutionalize CLE, not as an adjunct to their curriculum but as a core component of it. Governments must back this with the necessary legislation, funding, and incentive structures. The legal community, including bar associations, must recognize and reward pro bono work. And civil society must be actively involved in both the provision and availing of these services.

Moreover, it is crucial to leverage technology, not only to expand the reach of these services but also to enhance their quality. Online consultations, digital resources, and data analytics can all play a role in a more efficient, more effective legal aid landscape.

Finally, robust monitoring and evaluation mechanisms must be in place. These would ensure that these programs do not stagnate but continually evolve and improve. They would ensure that best practices are identified, shared, and standardized across the system.

In conclusion, the marriage of free legal aid and client-centered legal counseling within a CLE framework represents a bold and innovative approach to legal education and service delivery. With the right strategies, policies, and commitments in place, it holds the promise of a more equitable, just, and fair legal system where access to justice is a reality for all, irrespective of social or economic status.

#### **REFERENCES:**

- 1. Decree of the President of the Republic of Uzbekistan on radio improvement of the system of increasing legal consciousness and legal culture in the society dated 09.01.2019 No. UP-5618 https://lex.uz/docs/4149770
- 2. Uzbekistan country insights. of Law Index 2021. https://worldjusticeproject.org/rule-of-law-index/country/2021/Uzbekistan
- 3. Закон Республики Узбекистан «О гарантиях равных прав и возможностей для женщин и мужчин», №3РУ-562 02.09.2019.
  - 4. http://constitution.uz/ru/pages/gender
- 5. Decree of the Cabinet of Ministers of the Republic of Uzbekistan 'On measures to further improve the system of legal assistance and communicate legal information to the population' https://lex.uz/ru/docs/4500969
- 6. Salomov B., 'BAR in Uzbekistan: current situation and development perspectives', page109 https://inscience.uz/index.php/socinov/article/view/25/19
- 7. Decree of the President of the Republic of Uzbekistan on measures to greatly improve the efficiency of the Institute of bar and expand the independence of lawyers, dated 12.05.2018, No.UP-5441, https://lex.uz/docs/3731058
- periodic 8. Fifth report of Uzbekistan to https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhK b7vhsifWMG9%2fRtnvoBn3u8H60%2bYfzWYaY0EH1SI6rsVigoUHWbdXD5utZL3qhbCN ZfnON9uidr6vIHP7WU6ovA%2bIar98bVFVL5zSSuzhS8zwLRt4
- 9. https://www.mckinsey.com/featured-insights/diversity-and-inclusion/womenin-the-workplace
- 10. World Bank's Women, Business and Law 2020 report https://openknowledge.worldbank.org/bitstream/handle/10986/35094/97814648165 29.pdf?sequence=7&isAllowed=y
- 11. Sixth periodic report of Uzbekistan **CEDAW** https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhK b7yhsvglKm%2f71Q4iogAZSMgJYVs60KRy5crJ6kEiuyr%2bMf3kQZOR7xy6os%2fgfVi6U 8SWJzQ3hoasS%2fykjavi39nSZnREZgvg6t9tUEoqTqsmwzXC



- 12. List of issues and questions by the Committee on the Elimination of Discrimination against Women concerning the sixth periodic report of Uzbekistan https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhK b7yhsvglKm%2f71Q4iogAZSMgJYVvAJmQU0yQ9i50qVdaljQNEWNP5t9aTSj2To64mkMk 3TaVMhsfNVJeREr1YPkyBNYLu89bjBJfAilIMxgEdkpgZ
- 13. Resolution of the President of the Republic of Uzbekistan on measures to further strengthen guarantees of labor rights and support for women's entrepreneurship, dated 07.03.2019 r. No. PP-4235 https://lex.uz/ru/docs/4230938
- 14. Article 'Interior Ministry: 14.774 women subjected to repression and violence issued protection orders in 2020' https://uza.uz/uz/posts/iiv-2020-yilda-tazyiq-vazoravonlikka-uchragan-14-ming-774-xotin-qizga-himoya-orderi-berildi\_236643
- 15. https://sud.uz/wp-content/uploads/2020/11/обзор-Зарубежного-Опыта.pdf https://sud.uz/wpcontent/uploads/2020/11/Разработка\_и\_внедрение\_гендерных\_индикаторов.pdf
- 16. Alternative report by 'Civic Initiatives Support Center' (an NGO in Special Consultative Status with the U.N. Economic and Social Council) and 'NIHOL' Initiative's Support and to the CEDAW Centerhttps://tbinternet.ohchr.org/\_layouts/15/treatybodyexternal/Download.aspx?sy mbolno=INT%2fCEDAW%2fNGO%2fUZB%2f44129&Lang=en
- 17. Human Rights Council Visit to Uzbekistan Report of the Special Rapporteur on judges the independence and lawyersof para 84, https://undocs.org/en/A/HRC/44/47/Add.1
- 18. Governance as an SDG accelerator, Chapter 6. Governance frameworks to equal access to iustice and citizens' legal empowerment, ensure https://www.oecd-ilibrary.org/sites/cae781ceen/index.html?itemId=/content/component/cae781ce-en
- 19. Law of the Republic of Uzbekistan on appeals of individuals and legal entities, dated 11.09.2017, No. ZRU-445 https://lex.uz/docs/2509998
- 20. Алиева, К. (2021). Гендер тенглигини таъминлаш бўйича мукаммал хуқуқий ислохотларнинг ўзи етарлими (европа иттифоки тажрибасига назар)?. Общество и инновации, 2(4/S), 861-869.
- 21. Kamola, A. (2022). THE CASES OF SEXUAL HARASSMENT AGAINST WOMEN IN THE WORKPLACE IN UZBEKISTAN: THREAT TO ENSURING GENDER EQUALITY. World Bulletin of Management and Law, 12, 130-134.
- 22. Алиева, К. (2022). Вопросы гендерного неравенства в Узбекистане: проблемы реализации доступа к правосудию для женщин, подвергшихся бытовому Общество насилию. инновации, 3(6/S), 233-249. И https://doi.org/10.47689/2181-1415-vol3-iss6/S-pp233-249
- 23. Alieva, K. (2021). Trends In Ensuring Gender Equality: The Practice And Legal Reforms Of Advanced Foreign Countries. The American Journal of Political Science Law and Criminology, 3(03), 11-20.
- 24. Камола Алиева Достаточно ли правовых реформ для обеспечения гендерного равенства (взгляд опыта Европейского Союза)? // ОИИ. 2021. №4/S. https://cyberleninka.ru/article/n/dostatochno-li-pravovyh-reform-dlyaobespecheniya-gendernogo-ravenstva-vzglyad-opyta-evropeyskogo-soyuza обращения: 30.01.2023).
- 25. Alieva Kamola. (2023). GENDER INEQUALITY IN UZBEKISTAN: PROBLEMS OF ACCESS TO JUSTICE FOR WOMEN AFFECTED BY DOMESTIC VIOLENCE. World Bulletin of Management and Law, 128-134. Retrieved from 18, https://scholarexpress.net/index.php/wbml/article/view/2061