

Opportunities for Reforming Local Government in Uzbekistan: Insights from International Experience

KEY MESSAGE

- Recent amendments to Uzbekistan's Constitution and the Law on Local State Authorities introduce a new framework for local governance reform, creating an unprecedented opportunity for decentralization and increased municipal autonomy.
- A critical conceptual challenge lies in determining whether local governance should primarily serve as a representative institution that voices the interests of citizens or as an administrative body executing state policies.
- The reform aligns with Uzbekistan's Strategy-2030, emphasizing the importance of self-governance, strengthening local democratic institutions, and improving service delivery at the municipal level.

INTRODUCTION

The revised edition of the Constitution of the Republic of Uzbekistan¹, along with

subsequent amendments to the Law on Local State Authorities², has introduced a new framework for the separation of powers at the local level, creating unprecedented opportunities for local governance reform. At the same time, these changes present policymakers with entirely new conceptual challenges. The key conceptual issue of the envisioned reform is the choice of an underpinning model of local governance – whether local governance's primary function is representation or administrative. The best foreign experience as well as the goals of the Strategy "Uzbekistan – 2030"³ highlight the importance of promoting self-government in the system of local governance. Previously, with the *khokim*⁴ serving as both the head of the local *Kengash*⁵ and the local executive authority, the idea that Kengashes might lose

¹ The new edition of the Constitution of Uzbekistan was adopted by the referendum on April 30, 2023. Accessible at <https://www.lex.uz/ru/docs/6445147>

² The respective amendments to the Law on Local State Authorities were adopted on October 17, 2024. Accessible at <https://www.lex.uz/ru/docs/7162476>

³ The national development strategy "Uzbekistan-2030" was endorsed by Presidential Decree №UP-158 of September 11, 2023. Accessible at <https://www.lex.uz/ru/docs/6600404>.

their state character and evolve into municipal entities was inconceivable. However, under the new constitutional framework, the question of a fundamental transformation of local representative and executive bodies—along with the organizational and legal mechanisms governing their interaction—has become more urgent than ever.

The starting point and the trajectory of the reform

First, the starting point for the forthcoming reforms must be clearly defined. Despite significant constitutional changes, local Kengashes remain state bodies rather than municipal entities. The Law on Local State Authorities explicitly classifies them as representative state bodies at the local level⁶. Furthermore, their competencies encompass functions typically associated with state administrative bodies, reinforcing this classification⁷. The hierarchical subordination of Kengashes across different levels underscores their administrative nature, despite being elected by the population of their respective territories⁸. Similarly khokims, who head local executive authorities, serve as state representatives and are responsible for

implementing national policies within their jurisdictions. Strictly speaking, only *mahalla*⁹ can currently be regarded as a local self-governing entity. However, these bodies lack both legislatively protected municipal autonomy and the financial and material resources necessary to implement independent local policies¹⁰.

The mix of administrative and representative functions within the competencies of local councils was a defining feature of the Soviet model of local governance. While the status of khokims in Uzbekistan's local governance system does not fully correspond to the Soviet model, which was based on the sovereignty of the Soviets, it aligns with the post-Soviet adaptation of this system in Central Asian countries¹¹. Therefore, the envisioned reform will start under institutional conditions of the post-Soviet system of local state administration, which remains rooted in the Soviet governance framework.

If the primary goal of the reform is to transform local Kengashes into institutions that genuinely represent the interests of their respective populations—rather than serving as instruments for implementing national policies at the local level—then they must evolve into municipal authorities. This transformation aligns with the concept of “the true voice of the

⁴ “Khokim” refers to the head of local state administration in cities, district and regions (provinces).

⁵ “Kengash” refers to the local council, which is a representative local state body in cities, districts and regions (provinces).

⁶ Lex.uz.Chapter VI of the Law of the Republic of Uzbekistan No. 913-XII dated **02.09.1993. “On Local State Authorities”**.

⁷ Lex.uz. Part three of Article 1 of the Law “On Local State Authorities”.

⁸ Lex.uz. Article 27 of the Law “On Local State Authorities”, as well as paragraph twenty-three of Article 24 of this Law.

⁹ Mahalla” refers to the bottom-level self-government in Uzbekistan.

¹⁰ Rustamjon Urinboyev, “Local Government Capacity in Post-Soviet Central Asia,” *Public Policy and Administration*, 2015, 187.

¹¹ Rustamjon Urinboyev, “Local Government Capacity in Post-Soviet Central Asia,” 179

people” and the principle of “serving the interests of the population”¹².

A pragmatic and viable approach to achieving this goal is to adopt the continental model of local governance. This model allows for a phased transition, progressively granting greater autonomy to municipal authorities while maintaining effective oversight by the central government. This approach balances decentralization and state control, facilitating sustainable and well-regulated governance reforms.

Relevant international experience

In the light of the trajectory of the reform defined above the following countries’ experiences will be relevant to the reform being developed in Uzbekistan.

Most post-socialist countries in Central and Eastern Europe have undergone the transitioning of their local governance systems from the Soviet model to the continental model¹³. Their experiences are particularly relevant to Uzbekistan due to the similarities in initial institutional conditions and the proposed transformation trajectory.

For instance, local government reform

¹² This principle of organizing territorial management is provided for in the preamble of the Law of the Republic of Uzbekistan No. 3PY-976 dated 17.10.2024 “On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan Aimed at Improving the Activities of Local State Authorities in Connection with the Adoption of the Constitution of the Republic of Uzbekistan in a New Edition”.

¹³ For details of the local governance models developed in the comparative constitutional legal theory see our article at <https://thediplomat.com/2024/11/navigating-the-challenging-path-of-local-governance-reform-in-uzbekistan/>

began in Poland in 1989 as part of the broader political transition to democracy. Before this, under the Soviet-influenced system, Poland—like other socialist states— had lacked genuine local self-government. Instead, *Rady Narodowe* (Local People’s Councils) functioned as local state authorities. However, in 1989, these Soviet-type local councils were abolished, and traditional local government institutions were reinstated¹⁴. A significant milestone in this reform process was the adoption of the Law on Territorial Self-Government in March 1990, which reestablished *gminas* (communes) as the lowest tier of local government.

The second wave of decentralization, implemented between 1998 and 1999, further reshaped Poland’s local governance structure. Traditional second-tier local government bodies—*powiats* (districts)— were restored, and *voivodeships* (provincial self-government bodies) replaced the previous regional administrative bodies of the same name¹⁵. Since 1999, 66 large cities have been granted the special status of cities with county rights, including the capital, Warsaw¹⁶. However, Warsaw has a distinct internal governance structure, consisting of a single city municipality with 18 district-level governance bodies (district councils and administrations)¹⁷.

This reform process ultimately estab—

¹⁴ Michak Kulesza and Dawid Szescilo, “Local Government in Poland,” 485.

¹⁵ Ibid. at 486.

¹⁶ David Baro Riba and Pascal Mangin, *Local and Regional Democracy in Poland*, CG36(2019)13final, (Congress of Local and Regional Authorities, 02.04.2019), 13.

¹⁷ Ibid. at 22–23.

-lished a three-tier system of self-government: *gminas* (municipalities) – the lowest level of local government; *powiaty* (districts) – intermediate-level local government bodies; voivodeships (provinces) – regional self-government bodies operating under the oversight of the *voivodes*, who represent the central government in the regions.

At the regional level, governance follows a dualistic structure: there is an elected self-government body alongside a *voivode* (governor), who is appointed by the Prime Minister and represents the central government. However, the responsibilities of regional self-government bodies and local government institutions are clearly delineated¹⁸.

The competencies of Polish local government bodies are defined by law. Lower-level municipalities (*gminas*) have broad authority. They may address any issues not explicitly assigned to other government bodies, as long as these matters align with the interests of the local population. By contrast, the responsibilities of district-level self-government bodies (*powiaty*) are strictly prescribed by legislation. At the regional level, voivodeships focus primarily on issues of regional development¹⁹. Meanwhile, voivodes (governors) oversee the legality of local government decisions and are entitled to

annul unlawful municipal acts²⁰.

Like Poland, until 1989, Hungary's local government operated under the Soviet local governance framework, which was based on the principle of democratic centralism and implied strict subordination of local governments to the central government. Despite being elected, local councils functioned as state authorities rather than autonomous self-governing entities. They had no meaningful local autonomy²¹. However, during the democratic transformations of 1989–1990, these Soviet-type state power bodies at the local level were abolished, and traditional local self-government institutions were re-established in villages, cities, and counties. This reform eliminated hierarchical subordination within the local government system and granted extensive autonomy to local government bodies²².

Today, Hungary's local government operates as a two-tier system. The first tier consists of a highly heterogeneous grassroots level comprising 3,178 municipalities (villages and cities), while the second tier consists of 19 county self-government bodies at the regional level. Additionally, 23 cities have been granted the special status of cities with county rights²³. The capital, Budapest, has a unique governance model: it consists of a

¹⁸ Paweł Swianiewicz, "Reforming Local Government in Poland. Top-down and Bottom-up Processes," in *Reforming Local Government in Europe. Closing Gap between Democracy and Efficiency*, ed. Norbert Kersting and Angelika Vetter (Budrich, Opladen: Springer Fachmedien Wiesbaden GmbH, 2003), 287.

¹⁹ Ibid. at 493–95.

²⁰ Ibid. at 500–501.

²¹ Zoltan Szente, "Local Government in Hungary," in *Local Government in the Member States of the European Union: A Comparative Legal Perspective* (Madrid: INAP, 2012), 284.

²² Ibid. at 284–85.

²³ Marc Cools and Jean-Pierre Liouville, *Local and Regional Democracy in Hungary*, CG-Forum(2021)01-03fi-

city municipality that holds both municipal and county-level authority, alongside 23 district municipalities, which function independently rather than as subordinates to the city municipality²⁴.

Hungary's Local Government Act establishes the presumption of competence for local government bodies. This principle grants municipal and county governments jurisdiction over all public matters significant to their respective populations unless specific issues are explicitly assigned to state authorities by law. Additionally, certain responsibilities can be transferred to local government bodies through legislative provisions²⁵.

In practice, county-level local government bodies primarily handle functions that municipalities do not assume or matters that are of importance to the entire county. However, in Hungary, regional self-government plays a significantly smaller role compared to lower-tier municipalities, which remain the primary actors in local governance²⁶.

Hungarian legislation is notably liberal regarding state control over local government. The *Law on Local Self-Government* permits only oversight for legality of municipal acts by territorial bodies of the central government, without granting them the authority to annul or revoke decisions made by local government bodies²⁷.

Since 2010, oversight of the legality of local government decisions has been carried out by district offices of the Hungarian government²⁸. However, this control is strictly post hoc, meaning it occurs only after a decision has been made. All local government bodies must submit their decrees and individual acts to relevant district offices to facilitate this process.

If a violation of the law is identified, the oversight body has the authority only to issue a notification to the local government body and request that the violation be rectified. Should the local government body contest the findings, the oversight body may escalate the matter to the courts. Notably, only the Constitutional Court of Hungary has the power to annul decrees (regulatory legal acts) issued by local government bodies²⁹.

Türkiye's experience provides valuable insights for Uzbekistan's local government reform. Although Turkish local governance did not emerge from the dismantling of the Soviet model, the initial conditions of the reform in Türkiye bear significant similarities to those in Uzbekistan³⁰. Historically, the Turkish state has been characterized by strong centralization and the absence of an indigenous tradition of local self-government³¹.

However, from the mid-19th century

²⁸ Ibid

²⁹ Ibid. at 304.

³⁰ Levent Koker, "Local Politics and Democracy in Turkey: An Appraisal," *The Annals of the American Academy of Political and Social Science*, July 1995, 53.

³¹ Aykut Polatoglu, "Turkish Local Government: The Need for Reform," *Middle Eastern Studies*, October 2000, 156.

²⁴ Ibid. at 20.

²⁵ Zoltan Szente, "Local Government in Hungary," 290–91.

²⁶ Ibid. at 292.

²⁷ Ibid. at 304.

onward, the Ottoman Empire adopted administrative institutions—including local governance structures—from Western countries, particularly France³². These local governance bodies were created primarily to serve administrative functions, such as tax collection, rather than to provide genuine self-governance³³. With the establishment of the Kemalist Republic, Türkiye's local governance system took on more modern characteristics, comprising three types of institutions³⁴: self-governing bodies in villages, municipalities, and special provincial administrations³⁵. Among these, only municipalities could be considered genuine self-governing entities. Village administrations had only nominal autonomy, while provincial administrations—until the reforms of 2004–2005—functioned primarily as state administrative bodies at the local level³⁶.

Although provincial representative assemblies (*general assemblies*) existed, they were led by *valis* (governors)³⁷, who were appointed by the central government. These governors had a dual role: they presided over the provincial representative body while also serving as the head of the central government's territorial administration³⁸. As a result, provincial

general assemblies lacked independent decision-making authority, as their resolutions required governor approval³⁹.

A distinctive feature of Türkiye's local governance system has been the close coexistence of local self-government and state administration at the local level, often leading to duplication or even the substitution of local self-governing functions by state administration⁴⁰. While the 1982 Turkish Constitution formally recognized local governments as “public corporations designed to serve the needs of the local population in provinces, municipalities, and villages” and required their organization and elected bodies to be “regulated by law”⁴¹, in practice, local autonomy remained weak in legal, administrative, and financial terms⁴².

A significant innovation in Türkiye's local governance system was the establishment of metropolitan municipalities in large cities in 1983⁴³. These municipalities, granted a special status, later became the focal point of local government reform. European integration processes played a critical role in shaping these reforms, as European institutions frequently criticized Türkiye for its lack of genuine local autonomy and the excessive administrative tutelage exercised by the state over municipal bodies⁴⁴.

Since 2004, Türkiye has undertaken substantial reforms to align its local

³² T.B. Balta, “Turkish Administrative Law and Institutions,” *International Social Science Bulletin. Reception of Foreign Law in Turkey* (UNESCO, 1957), 37.

³³ Levent Koker, “Local Politics and Democracy in Turkey: An Appraisal,” 55.

³⁴ Ibid. at 57–59.

³⁵ Aykut Polatoglu, “Turkish Local Government: The Need for Reform,” 157.

³⁶ Ibid. at 161–69.

³⁷ The Turkish equivalent of the French prefect.

³⁸ Aykut Polatoglu, “Turkish Local Government: The Need for Reform,” 158.

³⁹ Ibid. at 161–62.

⁴⁰ Ibid. at 157–59.

⁴¹ Article 127 of the Constitution of Türkiye

⁴² Aykut Polatoglu, “Turkish Local Government: The Need for Reform,” 160–61.

governance system with European standards⁴⁵. The most significant reform took place in 2012, when metropolitan municipalities were fundamentally restructured, and provincial administrations within their jurisdictions were abolished⁴⁶. However, despite these changes, governors retained significant administrative oversight over municipalities. This oversight extends beyond mere legality control, as it includes the authority to temporarily remove mayors, municipal officials, and members of representative bodies from office. The final decision regarding the dismissal of municipal officials, however, rests with the Council of State, Türkiye's highest administrative judicial authority⁴⁷.

The case of former Soviet countries

In light of the ongoing transition to a modern continental model of local governance, it is instructive to examine the experiences of neighboring post-Soviet countries that embarked on similar reforms earlier. A comparative analysis of local governance reforms in the Republic of Kazakhstan and the Russian Federation reveals several key insights regarding the overarching strategy of reforming the post-Soviet model.

⁴³ Pinar Savas-Yavuzcehre, "The Effects of the Law №6360 on Metropolitan Municipality System in Turkey," *European Scientific Journal*, August 2016, 294–95; Aykut Polatoglu, "Turkish Local Government: The Need for Reform," 167–68.

⁴⁴ Bayram Coskun and Eyup Sen, "Local Government Reforms in Turkey: On the Way of the European Union Membership Process," in *Issues in Local Governance in Balkans: Essays on Local Administrations, Politics, History, Immigration and Trends*, ed. Oguz Kaan (Sarajevo: Dobra Knjiga, 2021), 178–85.

⁴⁵ *Ibid.* at 190–93.

⁴⁶ *Ibid.* at 194–95.

At the initial stage, many post-Soviet states adopted a dual approach by endowing local representative bodies of state power (Soviet-type councils) with dual characteristics, while retaining their state nature they were designated as entities of self-governance. This transitional phase could be either brief or extended. In the Russian Federation, the dual nature of local Councils persisted from 1990 to 1993, whereas, under current legislation in the Republic of Kazakhstan, the *maslikhats*⁴⁸ continue to retain their dual status⁴⁹.

Subsequent reforms adopted a differentiated strategy at the local and regional levels. Transformation of state authorities into municipal bodies predominantly occurred at the grassroots level, while regional governance remained under state authority. In 1993, the Russian Federation formally separated local self-government from the state⁵⁰. This evolution was further solidified by Federal Law No. 131-FZ, enacted on October 6, 2003, "On the General Principles of the Organization of Local Self-Government in the Russian Federation," which laid the foundation for a new system of local self-government. This system encompasses municipal

⁴⁷ Vladimir Prebilib and David Eray, *Monitoring of the Application of the European Charter of Local Self-Government in Turkey*, CG(2022)42-14final, (March 23, 2022), 30–32.

⁴⁸ Representative bodies of state power at the local level in Kazakhstan, similar to the Kengashes in Uzbekistan.

⁴⁹ Section VIII of the Constitution of the Republic of Kazakhstan, Akorda.Kz.

⁵⁰ S.A. Avakyan, *Constitutional Law of Russia*. Study Course, 5th ed., Vol. 2 (Moscow: Norma Infra-M, 2014), 857–59.

formations such as districts, urban districts, urban and rural settlements, as well as internal territorial units within the federal cities of Moscow and Saint Petersburg⁵¹.

In the Republic of Kazakhstan, political decentralization has been underway since 2012. Direct elections for *akims*⁵² were introduced at the grassroots level—covering villages and towns under district jurisdiction⁵³—and, beginning in 2024, will be experimented with at the level of districts and cities under regional jurisdiction⁵⁴. However, at the regional level, the traditional local governance system persists, with a predominant emphasis on state-administrative principles⁵⁵.

As demonstrated by the experiences of these post-Soviet countries, transitioning from the Soviet model to a continental model of local governance is fraught with several fundamental challenges. Firstly, during the gradual transformation, newly established municipal (or quasi-municipal) bodies—despite their formal separation from the state—do not immediately secure the necessary guar-

antees of autonomy. These bodies struggle to achieve genuine independence without clearly defined and legally protected competencies, remaining vulnerable to state interference. Local state authorities continue to make most decisions on matters of local importance and often use self-governing bodies to implement state policies by delegating government functions to them⁵⁶. Consequently, genuine self-governance is stifled, leading these bodies to play a marginal role in local administration while also lacking public trust—thereby undermining the very logic of political decentralization.

Secondly, delays in fiscal decentralization and the establishment of a robust financial and material base for municipal authorities severely limit the capacity of local self-government bodies to address their own issues. Even when local autonomy is formally granted, the absence of these resources prevents full realization of independent governance⁵⁷.

Thirdly, the historical fusion of local administrations with state executive power hampers the development of genuine democratic accountability. This fusion creates obstacles for municipal representative bodies to exert effective oversight, further complicating efforts toward

⁵¹ Federal Law of 06.10.2003 No. 131-FZ "On the General Principles of Organization of Local Self-Government in the Russian Federation".

⁵² Heads of local administrations in Kazakhstan similar to khokims in Uzbekistan.

⁵³ Decree of the President of the Republic of Kazakhstan No. 438 of 28.11.2012 "On approval of the Concept of development of local self-government in the Republic of Kazakhstan".

⁵⁴ Decree of the President of the Republic of Kazakhstan No. 639 of August 25, 2021 "On approval of the Concept for the development of local self-government in the Republic of Kazakhstan until 2025".

⁵⁵ Articles 26, 28 of the Law of the Republic of Kazakhstan No. 148 "On Local State Administration and Self-Government in the Republic of Kazakhstan" dated 23.01.2001.

⁵⁶ Jakob Wienene and Stuart Dickson, *Local and Regional Democracy in Russian Federation*, CG37(2019)11final, (Congress of Local and Regional Authorities, October 30, 2019), 3–4.

⁵⁷ Madina Junussova, *Cities and Local Governments in Central Asia: Administrative, Fiscal and Political Urban Battles* (London and New York: Routledge, 2020), 31–36.

political decentralization⁵⁸.

Finally, the transition to a new model of local governance is often significantly complicated by corruption at the local level. This corruption risks reducing the entire reform process to a mere facade. In Kazakhstan, for example, *maslikhats*—intended to represent the interests of the local population—frequently become entangled with and serve the corrupt interests of local executive officials⁵⁹.

A way forward: advantages of the Turkish approach

Amid the systemic challenges of post-Soviet transitions in Russia and Kazakhstan, the experience of Türkiye offers a promising contrast. Since the mid-2000s, Türkiye's local government reform has neared completion, achieving several notable successes and advantages compared to many post-Soviet countries. Until 2004, Türkiye's local governance framework suffered from strict centralization, minimal role of local self-government, limited capacity of municipal bodies to resolve local issues independently, and an overreliance on administrative tutelage⁶⁰. However, beginning in the mid-2000s, Türkiye prioritized self-governance in major cities. This shift culminated in the 2012 reform, which established a functional local governance system covering most of the population. Today, a new system operates in 30 of Türkiye's 81 provinces, based on a

two-tier model of metropolitan municipalities that enjoy substantial administrative and financial autonomy while remaining subject to state oversight. Notably, this model now serves areas housing over 70% of the nation's population, although in many provinces the older model—with its limited municipal autonomy and dual-natured provincial administrations under the governor's authority—remains in force⁶¹.

These examples from foreign local governance reforms convincingly demonstrate that genuine decentralization can only be achieved if local *Kengashes* are decisively transformed into municipal bodies aligned with the continental model. Delaying decentralization or implementing only partial measures introduces systemic risks, particularly given the constitutional separation of powers at the local level. This separation disrupts the previously stable balance between local representative and executive bodies of state power.

In the new governance model ⁶², the *khokim* is likely to assume a role analogous to that of a prefect—a central government representative tasked with implementing national policies and supervising municipal bodies through administrative oversight. By design, the “*khokim-prefect*” cannot be accountable to municipal *Kengashes*, since only municipal officials—not state power representatives—

⁵⁸ Ibid. at 100–101.

⁵⁹ Ibid. at 102–6.

⁶⁰ Aykut Polatoglu, “Turkish Local Government: The Need for Reform.”

⁶¹ Pinar Savas-Yavuzcehre, “The Effects of the Law №6360 on Metropolitan Municipality System in Turkey.”

⁶² At least at the regional level: regions and the city of Tashkent.

can be subordinate to municipal bodies. Given this fundamental transformation in the politico-legal nature of local Kengashes, establishing a reliable mechanism for central government oversight is essential. Such oversight must ensure the reform's success and mitigate systemic risks. A key issue will be defining the scope and methods of administrative supervision at the local level. On the one hand, central government oversight is necessary to maintain uniform legality and prevent disruptions in local governance; on the other hand, excessive control could negate decentralization efforts and hinder the development of local self-government in line with international standards.

In light of this, at the regional level, the khokim should continue to serve as a central government representative, with their authority bolstered by enhanced administrative coordination and supervisory functions. Over time, the administrative oversight of the “khokim-prefect” may be confined to ensuring the legality of decisions issued by municipal bodies within the corresponding region.

The responsibility for implementing the decisions of the new municipal authorities—the Kengashes of regions and the city of Tashkent—should be delegated to municipal administrations. Notably, while the khokims of regions and Tashkent city will retain their status, the roles of district and town khokims could be reformed to align with a mayoral model, rendering them municipal officials accountable to local Kengashes. This ap-

proach is consistent with the concept of an “accountable khokim” as outlined in Presidential Decree No. UP-28, meaning that the head of state’s strategy for reforming the khokim institution will initially be implemented at the district and city levels.

Drawing on Türkiye's successful experience, it is recommended to conduct a legal experiment in 2026–2027 to introduce municipal elements into local governance. This experiment should begin in the capital and other major cities before extending the new local governance model to the remaining territories of the country. Such an approach will facilitate a reliable and effective transition of Uzbekistan’s local governance system onto the “tracks” of the new continental model, and, in the long term, help achieve the objectives outlined in the “Uzbekistan-2030” Strategy.

DISCLAIMER

The study's findings, interpretations, views, conclusions, and recommendations, as contained in this publication, reflect the authors' and do not necessarily reflect the official opinion of WIUT or CPRO.

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