IMPROVING THE ADMINISTRATIVE AND LEGAL FRAMEWORK FOR DIGITAL ADMINISTRATIVE DECISION-MAKING IN PUBLIC ADMINISTRATION

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Abstract: This article examines the legal nature of digital administrative decisions emerging in the process of digitalizing public administration, the administrative and legal framework governing their adoption, and issues related to safeguarding citizens’ rights and legitimate interests. The development of digital government systems, the automation of administrative functions performed by public authorities, the interoperability of information systems, and the use of artificial intelligence technologies are giving rise to new forms of decision-making in public administration. In this regard, the article substantiates the inadequacy of mechanically transferring traditional administrative procedures into the digital environment. It analyzes the current legislation of the Republic of Uzbekistan, particularly the Laws “On Administrative Procedures,” “On Electronic Government,” and “On Personal Data,” as well as newly adopted regulatory legal acts concerning the development of digital government and artificial intelligence. The article puts forward proposals addressing the legality, reasoned justification, transparency, human review, and accountability of digital administrative decisions.

Keywords: public administration, digital government, digital transformation, administrative decision, administrative procedure, artificial intelligence, algorithmic decision-making, electronic public service, administrative and legal liability.

Introduction. Today, the digital transformation of public administration is no longer limited to the transition of public services into electronic form; it is also bringing about changes in the mechanisms through which public authorities perform their administrative functions, process data, conduct control and monitoring, and make administrative decisions. The widespread introduction of digital technologies into public administration, alongside increasing the speed and efficiency of administrative decision-making, is giving rise to new legal issues related to the legality, transparency, and compliance of such decisions with human rights.

In the Republic of Uzbekistan, consistent legal and institutional reforms have been implemented in this area in recent years. In particular, the adoption in 2017 of Law No. O‘RQ-457 “On Administrative Procedures” created an important legal basis for regulating the decision-making activities of state and administrative bodies on the basis of unified administrative and legal principles. In addition, Law No. O‘RQ-395 “On Electronic Government” established the legal foundations for the use of electronic public services and state information systems. The increasingly close convergence of these two areas necessitates a separate examination of the legal status of administrative decisions made in the digital environment.

The relevance of the topic has become particularly pronounced with the adoption of Resolution No. PQ–257 of the President of the Republic of Uzbekistan dated July 8, 2026, “On Measures to Further Develop the Digital Government System.” This document provides for the introduction of a Unified Integrated Digital Platform, the digitization of at least 5,000 administrative functions of state bodies by the end of 2028, the development of state information systems based on a unified architecture, and, starting from January 1, 2027, the implementation of internal document workflow, decision-making and

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approval processes, as well as public services in electronic form through the Platform and its digital components.

These changes indicate that the number and significance of digital decisions in public administration will continue to increase. Therefore, improving mechanisms related to the legal nature of digital administrative decisions, the procedure for their adoption, the reasoning of decisions, the limits of using information systems or algorithms, issues of liability between public officials and information systems, and ensuring citizens' right to appeal such decisions is becoming an urgent scientific and practical task.

1. LEGAL NATURE OF A DIGITAL ADMINISTRATIVE DECISION

An administrative decision is an important legal instrument in public administration that affects the rights and obligations of a particular person or group of persons. In traditional administrative governance, a decision is generally adopted by an authorized public official in documentary form, while its legality, reasoned justification, and proper formalization are ensured through the norms of administrative law.

Under conditions of digital transformation, however, certain stages of the decision-making process are being carried out with the assistance of information systems, databases, automated analytical tools, and algorithms. In this context, a substantial part of the processes of collecting, verifying, classifying, and assessing data may be automated prior to the final decision being made by a human.

From this perspective, a digital administrative decision may be defined as an individual administrative decision adopted by a competent administrative body through the use of digital information systems or automated technological tools and producing a legal effect on the rights, obligations, or legitimate interests of a particular person. The significance of this definition lies in the fact that the existence of a decision in electronic form does not alter its legal nature. In other words, the fact that a decision is generated on a digital platform rather than on paper should not weaken administrative and legal requirements. On the contrary, digital decisions require additional safeguards for the protection of human rights. This is because a citizen may not know precisely what data, algorithmic criteria, or automated processes lie behind a particular decision. Therefore, the legality of a digital administrative decision should be assessed on the basis of at least the following criteria:

- the competence of the body or public official that adopted the decision;
- the existence of a legal basis for adopting the decision;
- the accuracy and relevance of the data used;
- compliance with administrative procedures;
- the reasoned justification of the decision;
- the ability of the interested person to protect their rights and interests;
- the possibility of appealing the decision;
- the security and reliability of the information system used in making the decision.

2. LEGAL FRAMEWORK FOR DIGITAL ADMINISTRATIVE DECISIONS IN UZBEKISTAN

In Uzbekistan, the legal foundations of digital administrative decisions are not established by a single regulatory legal act. These relations are taking shape through the interaction and harmonization of provisions relating to administrative procedures, electronic government, personal data, electronic document management, and digital technologies.

The Law "On Administrative Procedures" establishes fundamental approaches in the activities of administrative bodies, including legality, proportionality, the opportunity to be heard, openness, and the protection of individual rights. These principles do not lose their significance under conditions of digital

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governance. On the contrary, their practical importance increases as the decision-making process becomes increasingly automated.

The Law "On Electronic Government," in turn, establishes the legal foundations for the use of information systems and electronic public services by state bodies. However, there is a legal distinction between the provision of a digital public service and a digital administrative decision that directly changes the legal status of a citizen. Therefore, it is insufficient to regard the technological mechanisms created for digital public services as a complete legal model for administrative decision-making. A matter of particular importance is the use of personal data. The Law "On Personal Data" provides for the integrity and confidentiality of personal data and the prevention of unlawful processing thereof.

When making digital administrative decisions, a public authority often uses personal, financial, social, or other data concerning a citizen. Therefore, the legality of the use of such data may directly affect the legality of the decision.

3. LEGISLATIVE DEVELOPMENTS IN 2026 AND THEIR SIGNIFICANCE

One of the most important developments in this area is Resolution No. PQ–257 dated July 8, 2026. This Resolution is aimed at transforming public administration from a system of ordinary electronic services into a platform-based governance model. The Resolution provides for the introduction of a Unified Integrated Digital Platform and establishes the digitization of at least 5,000 administrative functions by 2028. In addition, it provides for the transition of decision-making and approval processes within state bodies to electronic form.

Another important aspect of this document is the introduction of the Open API principle among state information systems. This will accelerate data exchange between state bodies; however, at the same time, it makes issues concerning the accuracy, source, time of updating, and authorization for the use of data even more important.

Furthermore, Resolution No. PQ–257 establishes approaches aimed at centralized data management, the development of state information systems based on a unified architecture, and limiting the creation of new state information systems that duplicate the functionality of the Platform.

4. EXISTING LEGAL PROBLEMS IN THE ADOPTION OF DIGITAL ADMINISTRATIVE DECISIONS

First problem — the legal status of a digital administrative decision

There is a need under the existing legislation to develop a distinct legal concept of administrative decisions adopted with the use of digital technologies. Although the concepts of an electronic document and an electronic public service already exist, it would be appropriate to comprehensively regulate the legal status of algorithmic or automated mechanisms used in decision-making, the limits of their authority, and their supervision by humans.

Second problem — the issue of liability

If a citizen's rights are violated as a result of a digital decision, liability cannot be limited merely on the grounds that "the information system made an error." An information system is not an independent legal subject. A decision is the result of the exercise of public authority.

Therefore, ultimate responsibility should remain with the relevant state body. The liability of a technical operator, programmer, or information system provider should not exclude the state body's liability to the citizen.

Third problem — the right to an explanation

A citizen should have the opportunity to know why a decision adversely affecting their legal status was adopted.

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If a decision was generated as a result of automated analysis, a citizen should at least have the opportunity to know:

- on what legal basis the decision was made;
- what types of data were used;
- whether an automated mechanism was used in making the decision;
- the procedure for requesting a review of or appealing the decision.

Fourth problem — inaccurate data

The quality of a digital decision depends on the quality of the data used as its basis. Therefore, in the exchange of data between state bodies, the "data owner," "data source," "entity responsible for updating the data," and "mechanism for correcting erroneous data" should be clearly defined.

Fifth problem — human oversight

Fully automated decision-making should be restricted, particularly with regard to decisions that have a significant impact on the rights and interests of citizens.

For example, in decisions involving the denial of a state benefit, revocation of a license, refusal to issue a particular permit, or other decisions resulting in significant legal consequences, it would be appropriate to provide citizens with the opportunity to request that the decision be reviewed by a human.

5. POSSIBILITIES FOR USING FOREIGN EXPERIENCE

When examining foreign experience concerning digital administrative decisions, the primary focus should be placed not on the technology itself, but on mechanisms for protecting human rights under conditions of digital governance. Within the European legal space, particular importance is attached to automated decision-making, the processing of personal data, and the protection of individuals in such processes.

In Estonia, digital public administration has been integrated with the provision of public services and the integration of state information systems. However, even in such systems, issues of data reliability, cybersecurity, and protection of citizens' rights remain central.

The main conclusion that can be drawn from foreign experience for Uzbekistan is that the effectiveness of digital governance should be ensured not only through technological infrastructure, but also through clear legal liability, transparency, and judicial review mechanisms.

6. PROPOSALS FOR IMPROVING THE ADMINISTRATIVE AND LEGAL MECHANISMS FOR ADOPTING DIGITAL ADMINISTRATIVE DECISIONS

Based on the results of the study, the following proposals may be put forward.

Proposal 1. Establishing the concept of a "digital administrative decision" in legislation

It would be appropriate to introduce the concept of a digital administrative decision into the Law "On Administrative Procedures." In this regard, a digital administrative decision may be defined as an administrative decision adopted with the use of a state information system or automated technologies and affecting the rights and obligations of an individual.

Proposal 2. Establishing mandatory elements of digital decisions

A digital administrative decision should contain the legal basis of the decision, the state body that adopted it, the category of primary data used, the date of the decision, its electronic identifier, and the procedure for appealing it. This would enhance citizens' ability to understand the decision and protect their rights.

Proposal 3. Introducing the institution of "human review"

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Citizens should be granted the right to request that automated decisions adversely affecting their rights and legitimate interests be reviewed by an authorized public official. This institution would ensure a balance between the technological efficiency of digital governance and the protection of human rights.

Proposal 4. Maintaining the liability of the state body

The legislation should clearly establish that the use of an information system or algorithm does not exclude the state body's administrative liability to the citizen. The state body should remain liable for the consequences of technical failures, algorithmic errors, or the use of inaccurate data.

Proposal 5. Introducing an "algorithmic audit" mechanism

Algorithms that may have a significant impact on citizens' rights should undergo legal and technical audits before being introduced for use in public administration and throughout their operation.

The audit should assess:

- legality;
- non-discrimination;
- data quality;
- security;
- explainability of the decision;
- the possibility of human oversight.

Proposal 6. Recording the "legal provenance" of data

The source and time of updating of important data used for decision-making on the Unified Digital Platform should be recorded. This would make it possible to determine at which stage an error occurred if an incorrect decision is subsequently made.

Proposal 7. Developing a special procedure for appealing digital decisions

It would be appropriate to establish a unified electronic mechanism through which a citizen can appeal a digital administrative decision electronically, access the grounds for the decision, and request that the decision be reviewed by a human. This mechanism could subsequently also be integrated with the administrative court system.

Proposal 8. Establishing separate regulation for high-risk automated decisions

It is not necessary to regulate all digital decisions under the same procedure. A simplified procedure should be introduced for decisions having minimal impact on an individual's legal status, while enhanced legal safeguards should be established for decisions that significantly affect fundamental human rights.

Such a differentiated approach would make it possible to provide stronger protection of human rights without reducing the effectiveness of the use of digital technologies in public administration.

CONCLUSION

The digital transformation of public administration in Uzbekistan is entering a new stage. In particular, the adoption of Resolution No. PQ–257 of July 8, 2026, which provides for the introduction of a Unified Integrated Digital Platform, the digitization of thousands of administrative functions of state bodies, and the expansion of mechanisms for adopting decisions in electronic form, has significantly increased the practical importance of this issue. Under such circumstances, it is insufficient to assess the digitalization of public administration solely as a technological or organizational process. Digital transformation is directly affecting the form and substance of administrative and legal relations between the state and citizens.

The results of the study demonstrate the need to develop a distinct administrative and legal approach to digital administrative decisions. In this regard, the key legal criterion should not be the fact

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that a decision is adopted in electronic form, but rather the role played by digital technologies in the decision-making process. Accordingly, it would be appropriate to establish the concept of a "digital administrative decision" in Uzbek legislation, ensure human oversight of automated decisions, guarantee citizens' right to access the grounds for a decision and to request its review, introduce an algorithmic audit mechanism, and clearly establish the liability of state bodies in cases where rights are violated as a result of a digital decision.

In general, the principal criterion of a digital state is not how quickly or automatically public services are delivered, but rather the extent to which legality, human rights, transparency, and accountability are ensured under conditions of digital governance. Therefore, the legal regulation of digital administrative decisions may be regarded as one of the new and promising areas of research within administrative law in Uzbekistan.

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