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**ACCESS TO FREE LEGAL AID IN UZBEKISTAN:
THE CASE OF TSUL LEGAL CLINIC**

ABSTRACT. This paper outlines the practice of Uzbekistan in launching a free legal aid initiative in the form of legal clinic activity at Tashkent State University of Law. It mainly focuses on a brief analysis of clinical education in Uzbekistan; shapes the legal status, main tasks, and forms of activity of the TSUL legal clinic; and highlights the main problems and development perspectives of legal clinic activity in Uzbekistan.

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1. *Introduction*

Clinical legal education in Uzbekistan has more than two-decade history. The main aim of this paper is to present the experience of the TSUL legal clinic in the field of providing legal assistance through legal clinics, to analyze problems and perspectives of giving free legal aid, as well as to develop recommendations on improving the system of free legal assistance and the activities of legal clinics in Uzbekistan.

Legal clinics' emergency history as part of legal education in the world goes back more than a century. The first clinics were established in the United States of America in the 19th century. Initially, legal clinics were alien to universities and law schools because of the growing need to free legal aid and access to justice worldwide, legal clinics organizing out of the university areas.

Sarker highlights the importance of clinical legal education in Asia and its growing influence in the region.¹ The first legal clinics in Uzbekistan were established in 2000 at the Tashkent State Law Institute (currently Tashkent State University of Law – TSUL) and the University of World Economy and Diplomacy (UWED). Similar clinics then followed them at the Namangan, Andijan, and Karakalpak State Universities. In recent years several clinics established beyond the university's scope. For instance, a legal clinic at the Council of the Federation of Trade Unions of Uzbekistan, a business clinic at the Chamber of Commerce and Industry of Uzbekistan, and three legal clinics in the Fergana Valley, which was established with the initiative and efforts of Youth Agency of Uzbekistan and UNODC.

In recent years, the Ministry of Justice of Uzbekistan launched several initiatives to support the improvement of free legal aid, raise legal awareness of the population, and expand legal clinics throughout the country. Particularly, all law colleges of Uzbekistan established separate legal clinics. Launching new legal clinics opened new horizons for TSUL legal clinic in expanding clinical legal education and free legal aid in all regions of Uzbekistan. The Ministry of Justice of Uzbekistan initiated the drafting of a special law 'On Free Legal Aid'. The bill was worked out and put into public

¹ SP Sarker, *Clinical Legal Education in Asia* (Palgrave Macmillan 2015).

discussion,² which made a huge impulse to the further development of the free legal aid system in Uzbekistan.

2. *Legal clinics: a brief analysis of past, present, and future tendencies*

A brief analysis of legal clinics established in the past, running present, and future tendencies show that they differ in several measures, like institutional relation, a sphere of activity, legal aid rendering subjects, and form of activity.³

Initially, legal clinics were the structural unit of higher educational institutions, mainly law schools. They had a dual aim: to train the students in professional skills and help people who do not have access to legal services. Senior students, under the supervision of teachers or legal practitioners, provided legal assistance in such clinics.⁴

The contemporary meaning and practice of legal clinics changed the conventional understanding of clinical legal education. Therefore, currently, legal clinics go beyond universities, and their activity is more diversified and specialized. For instance, Duke University was a pioneer in establishing the first legal clinic in the USA. At that time, it was a legal clinic dealing with general legal issues. This university currently has 12 specialized legal clinics, like Appellate Litigation Clinic, Children's Law Clinic, Civil Justice Clinic, Community Enterprise Clinic, etc.⁵

Diversification and specialization of legal clinic activity were in the case of Uzbekistan clinics too. For instance, in 2000, TSUL established a legal clinic on general legal issues. Then TSUL launched a unique clinic focused on small and medium businesses, street law, and human rights clinics. Currently, the university is negotiating

² Draft Law 'On Free Legal Aid' (Uzbekistan) <<https://regulation.gov.uz/uz/document/4329>> accessed 21 April 2023.

³ O Madhloom and H McFaul (eds), *Thinking About Clinical Legal Education: Philosophical and Theoretical Perspectives* (Routledge 2021).

⁴ L Thomas and N Johnson, *The Clinical Legal Education Handbook* (Institute of Advanced Legal Studies, University of London Press 2020).

⁵ Duke Law, 'Duke Law Clinics' <<https://law.duke.edu/clinics/>> accessed 21 April 2023.

with Syracuse University to establish a new Clinic at TSUL to render free legal aid to people with disabilities.

Future tendencies on clinical legal education and free legal aid promise more directions and forms. Last year's legal clinic's experience in lockdown and quarantine situations showed the necessity of digitalizing the whole process. The recent tendencies show that there will be launched special clinics in protecting consumers' rights in the digital world, clinics on personal data protection, and clinics on cyber law.⁶ In rendering legal aid, we suppose that there will be mediation and other ADR types, including ODR (online dispute resolution); and exclusive use of Artificial Intelligence software (see Table 1).

⁶ O Madhloom and I Antonopoulos, 'Clinical Legal Education and Human Rights Values: A Universal Pro Forma for Law Clinics' (2021) 9 *Asian Journal of Legal Education* 23.

Table 1. Comparison of legal clinics in the Past, Present, and Future

Criteria of comparison	Past	Present	Future
Aim	<ul style="list-style-type: none"> - Student training - Legal aid 	<ul style="list-style-type: none"> - Legal aid - Student training - Rising legal awareness - Spread legal ethics 	<ul style="list-style-type: none"> - Legal aid - Student training - Rising legal awareness - Spread legal ethics - <i>The aim is not limited to one jurisdiction</i>
Institutional relation	<ul style="list-style-type: none"> - University department 	<ul style="list-style-type: none"> - Beyond the university - State Entity section - NGO section - Independent NGO 	<ul style="list-style-type: none"> - Beyond the university - State Entity section - NGO section - Independent NGO - <i>Globalization</i> - <i>No 'physical law clinic', ie, virtual clinic</i>
Sphere of activity	<ul style="list-style-type: none"> - General legal issues 	<ul style="list-style-type: none"> - Specialization - Representation of interests 	<ul style="list-style-type: none"> - Specialization - Representation of interests - <i>Special clinics in protecting consumer rights in the digital world</i> - <i>Clinics on personal data protection</i> - <i>Clinics on cyber law</i>
Subjects (legal aid providers)	<ul style="list-style-type: none"> - Law Students 	<ul style="list-style-type: none"> - Law Students - Entity employees - NGO members - Individuals - Non-lawyers 	<ul style="list-style-type: none"> - Law Students - Entity employees - NGO members - Individuals - Non-lawyers - <i>Multinational companies sections</i> - <i>AI software</i>
Subjects (legal aid recipients)	<ul style="list-style-type: none"> - Poor people 	<ul style="list-style-type: none"> - Poor people - Every legal aid seeker - Juveniles - People with disabilities - Entities (startup or insolvent) 	<ul style="list-style-type: none"> - Poor people - Every legal aid seeker - Juveniles - People with disabilities - Entities (startup or insolvent) - <i>Investors clinics</i> - <i>Representation in ICSID and other dispute resolution institutions</i> - <i>AI software</i>
Form of activity	<ul style="list-style-type: none"> - Direct reception and consultation 	<ul style="list-style-type: none"> - Direct - Indirect - Distance 	<ul style="list-style-type: none"> - Direct - Indirect - Distance - <i>Full digitalization of activity</i> - <i>Usage of Mediation and other types of ADR</i>

3. *TSUL Legal Clinic: legal status, main tasks, and activity indicators*

TSUL legal clinic is a university's structural unit, which is associated with ensuring the compatibility of theoretical knowledge of students with practice, the development of practical skills in students, and impartial legal advice to individuals and legal entities.

The clinic's primary purpose is to form and develop practical skills in students, render free legal aid to persons in need of legal protection, and raise the population's legal awareness and legal culture.

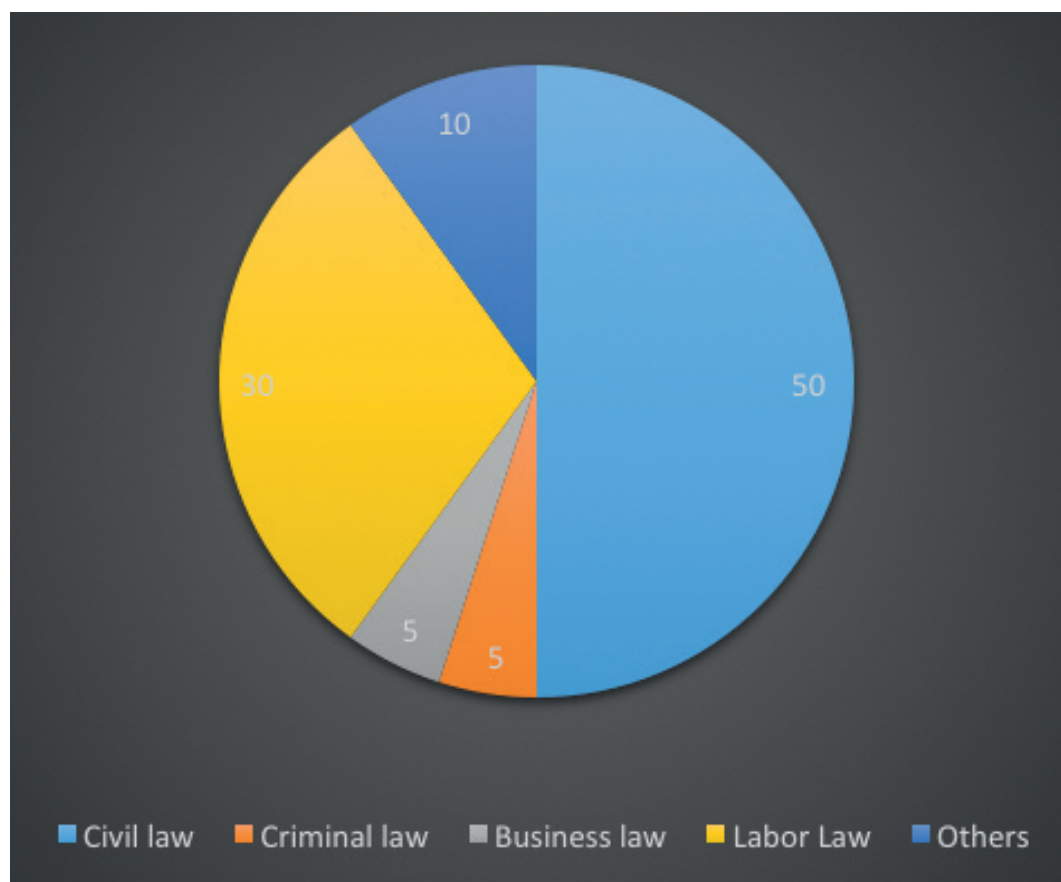
The main tasks of the clinic are: (i) Ensuring that students' theoretical knowledge is compatible with practice; (ii) Providing free legal assistance to individuals and legal entities; (iii) Improving the level of professional training in the legal field by developing students' skills in dealing with appeals of legal entities and individuals; (iv) Application of materials related to the activities of the clinic in the educational process.

The clinic performs the following functions to perform the tasks assigned to it: (i) Take organizational measures to organize the performance of students in the clinic; (ii) To prepare a list of candidates to involve them in the activities of the clinic; (iii) Establish cooperation with public and economic administration, judicial and law enforcement agencies, advocacy, and other organizations, thereby involving practitioners in clinical activities; (iv) Conducting competitions among students working in the clinic and encouraging them; (v) Ensuring timely and quality consideration of appeals of individuals and legal entities for legal advice; (vi) Expanding the scope of legal aid through the organization of mobile legal advice for legal entities and individuals; (vii) Based on the nature and complexity of the appeals of individuals and legal entities, to make recommendations on the need to apply to the relevant state and economic administration bodies, judicial law enforcement agencies, and advocacy structures to resolve them.

3.1. Offline (direct) reception and counseling

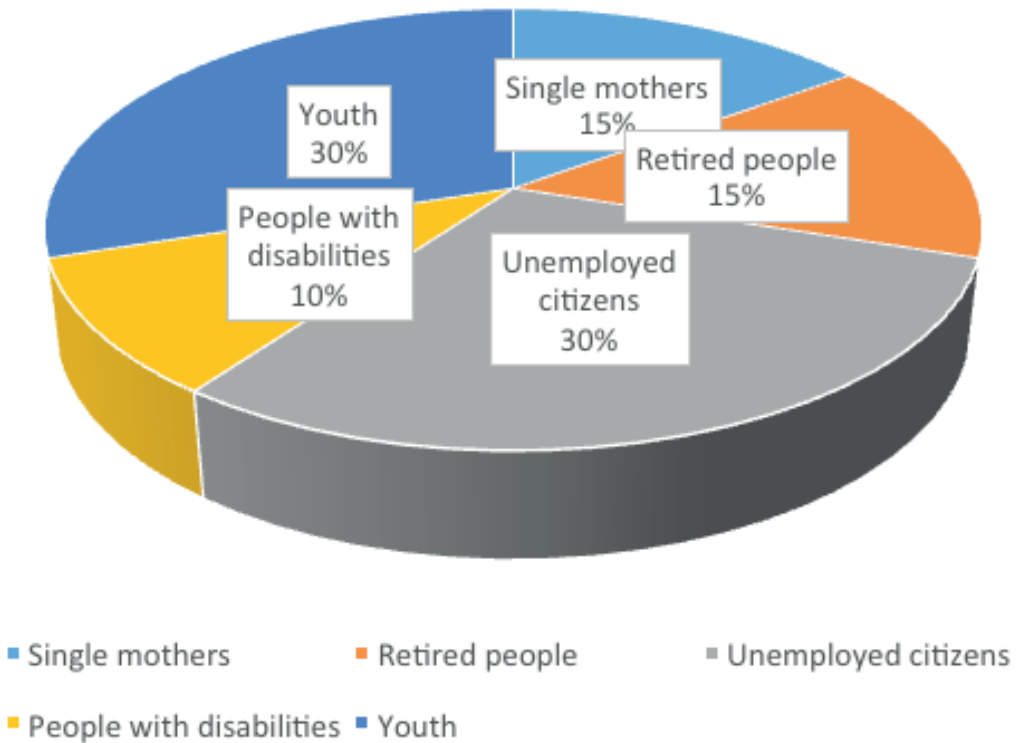
Every person has a right to directly visit and get free legal services from the TSUL legal clinic from Monday to Friday from 10 am to 3 pm. For many citizens, the clinic is the only way to seek free legal advice. Overall, in the first quarter of 2023, 540 citizens sought legal assistance from the TSUL legal clinic. Most inquiries relate to civil law, mainly housing and family law making up half of the inquiries. Around 15 percent of addresses belong to labor law, and the remaining 15 percent are administrative law issues (see diagram 1).

Diagram 1. The relevance of appeals to the law sphere in %



The applicants' structure is quite diverse: around one-third of them are youth and another one-third are unemployed citizens. Single mothers and retired people also make up about one-third of applicants. Ten percent of addresses to legal clinic services were people with disabilities (see diagram 2).

Diagram 2. The structure applicants in %



3.2. Online addresses

During the coronavirus pandemic, TSUL clinic students found themselves building their legal abilities and learning to engage with clients exclusively through digital means. The TSUL legal clinic's Telegram channel, using Uzbekistan's most popular messaging app, was launched in September 2019 and currently has more than

3,500 members.⁷ During the pandemic, the telegram channel was a critical and often the sole means for people to access free legal advice. It also makes access to free legal aid much faster and simpler for the population. In a short period, the online legal services of the TSUL clinic became popular among the population and its scale tripled compared to offline addresses.

Currently, TSUL legal clinic is working on the further development of online services for citizens. Particularly TSUL legal clinic launched and actively running its profiles and pages on famous social networks.⁸ The aim is not only to answer citizens' questions but also to increase their legal awareness systematically and at the same time, train students to deal with real legal issues.

3.3. Public awareness-raising events

One of the main goals of the TSUL legal clinic is to contribute to raising the legal literacy of the population. In this regard, the clinic systematically organizes various outdoor activities to promote legal knowledge among the population. For instance, in the 2022-2023 academic year, the management and students of the clinic conducted more than 20 such events, mainly in communities. The legal clinic volunteers visited 11 districts of Tashkent and answered citizens' legal appeals in the scope of mobile receptions. Under the motto of 'Raising legal awareness and legal culture in society – a priority', the clinic posted a series of public articles on legal literacy through the official website of the Uzbekistan national information Agency (UzA).

3.4. Street law project

Street Law is a volunteer project in which law students use interactive methods to teach schoolchildren the basics of law they need in everyday life. Street Law was officially launched in Uzbekistan in 2018. Tashkent State University of Law launched

⁷ TSUL Legal Clinic, 'Telegram Channel' <https://t.me/TDYU_yuridik_klinikasi> accessed 10 June 2023.

⁸ TSUL Legal Clinic links in social media: TSUL Legal Clinic, 'Instagram' <https://instagram.com/tsul_legal_clinic?igshid=1e41daomut3o> accessed 10 June 2023; TSUL Legal Clinic, 'Facebook' <<https://www.facebook.com/tsullegalclinic/>> accessed 10 June 2023; TSUL Legal Clinic, 'YouTube Channel' <<https://www.youtube.com/channel/UC4uvuX9DE2fSt6KZUxihMNA>> accessed 10 June 2023; TSUL Legal Clinic, 'TikTok' <https://www.tiktok.com/@tdyu_yuridik_klinikasi/> accessed 10 June 2023.

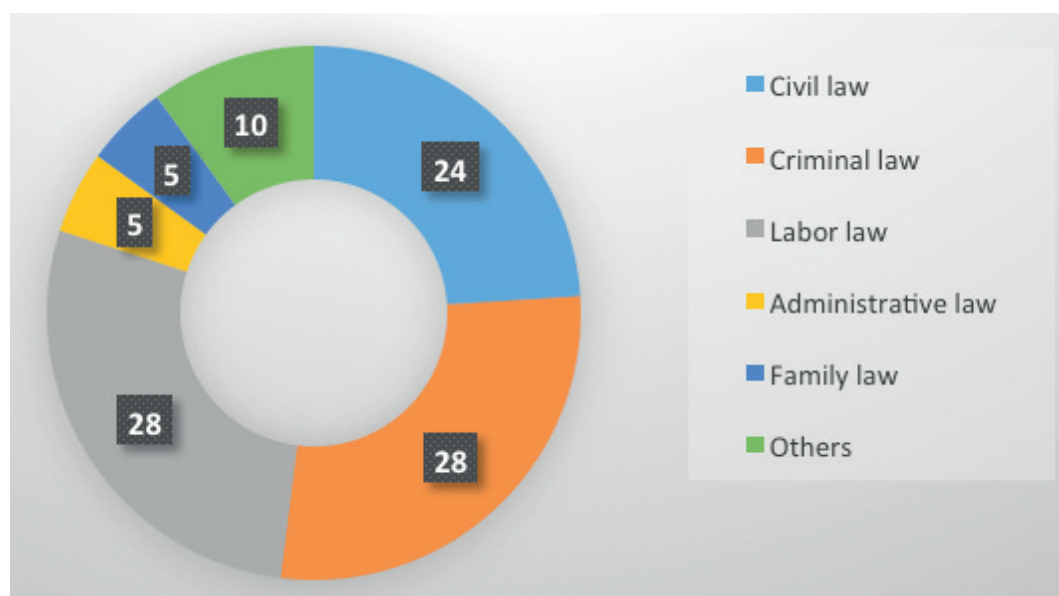
the project within the year based on the Presidential Decree ‘On radical improvement of the system of raising legal awareness and legal culture in society’ dated 9 January 2019. At the initial stage, there were approximately 15 volunteers and 5 schools involved in the project and the project was limited to only Tashkent city. In 2020, the Ministry of Justice and TSUL in collaboration with Street Law Inc. (USA) made huge efforts on expanding the scope of the project to all regions of Uzbekistan. Tashkent State University of Law is providing methodological support for all law colleges to run the Street Law project in their regions.

Thanks to these initiatives currently, more than 600 volunteers from TSUL and 14 law colleges in all regions of Uzbekistan are teaching Street Law lessons in more than 60 elementary schools throughout the country. These lessons helped to raise the legal awareness and legal culture of more than 6300 secondary schoolchildren. Through the Street Law project, TSUL legal clinic provides additional opportunities to develop qualities and skills such as critical and analytical thinking, teamwork, stress management, time management, communication, and solidarity.

3.5. *Written appeals*

In addition to online addresses, the number of citizens applied in written form to the TSUL Legal Clinic. In the last three months, this figure was around 40 requests. A quarter of the written appeals related to civil law cases, while applications relating to criminal and labor laws consisted of around 30 percent each. Family law, administrative law, and other legal issues covered the rest of one-third of the written requests (see diagram 3).

Diagram 3. The relevance of written appeals to the law sphere in %



3.6. *Mobile receptions*

The TSUL Legal Clinic held a series of roundtable discussions on legal literacy among the people through mobile receptions organized by the university in 11 districts of Tashkent. In particular, in the last two years, about 200 people visited the mobile receptions for Yunusabad district residents. About 400 people attended the mobile receptions for the residents of Mirabad and Yakkasaray, where they received free legal advice and practical assistance for the solution of their legal problems.

Also, Legal Clinic volunteers organized mobile receptions in 2 secondary schools

for Shayhantahur district residents, which were attended by about 500 citizens. Legal Clinic volunteers provided legal advice and assistance, as well as advocacy for electoral legislation.

4. *Perspectives of development legal clinic activity*

Considering the report on ‘Assessment of Uzbekistan Law Clinic at TSUL’⁹ in 2020 we are considering the improvement of clinical legal education and significantly enhancing the capacity of the legal clinic in the following directions.

Digitalization of services: (i) creating a professional and multifunctional Telegram bot; (ii) creating a modern and accessible website for the legal clinic; (iii) creating a short video and audio materials on popular issues. For such purposes, the TSUL legal clinic is under the necessity to obtain appropriate equipment, including 1-2 professional cameras, professional computers, microphones, etc.

Expanding the scope of free legal aid in the country: (i) support in methodological and legal assistance to four legal clinics that are created in Fergana, Namangan, and Andijan regions; (ii) support in methodological and legal assistance to 14 legal clinics created in the 14 regional law colleges; (iii) Launching new programs on providing legal assistance to vulnerable people.

Student training: (i) In September 2020, we selected around 80 new students (mainly 2nd-year courses) for the legal clinic. For them, we need to organize a set of training devoted to interviewing, consulting, ‘street law’, ‘professional identity’, and ‘legal ethics’;¹⁰ (ii) Preparation of students involved in the TSUL legal clinic for attending the international contest among legal clinics around the globe; (iii) Organizing “Summer school” with the involvement of the students of the regional legal clinic; (iv) To support TSUL students’ participation in international competitions related to clinical legal education.

⁹ Prepared by Yvonne Troya, Clinical Professor of Law at the University of California, Hastings College of Law (2019).

¹⁰ The last two topics of the training were also recommended by the results of the ‘Assessment of Uzbekistan Law Clinic at TSUL’ report, on 24 March 2019, at 10 and 17.

Improving the work with the citizen's problems: (i) Enhancing the direct form of consultation through organizing systemic visiting receptions in the mahalla, civil courts, and public receptions of the President and prime minister; (ii) To launch the indirect assistance and consultation by establishing a particular web platform and developing the clinic's profiles on social media; (iii) Studying and analyzing citizens' appeals (paying particular attention to the cause of the problem: legislative; law enforcement; or level of legal literacy, etc.); (iv) Submitting proposals to the Ministry of Justice on taking the necessary measures to eliminate the revealed facts of violation of the law; (v) Summarizing appeals and preparing case studies for further use in the educational process.

Legal Advocacy: (i) Developing and spreading the activity of Street law; (ii) Organizing offline and online consultations for serial posting on the internet platforms of the clinic; (iii) Preparation and free distribution among the population of manuals in the form of questions and answers on legal problems that are often found in everyday life; (iv) Preparation of booklets, and brochures for foreign citizens staying in the Republic of Uzbekistan in the event of certain life situations requiring legal solutions or obtaining legal information; (v) Preparation and free distribution of practical guides for investors and separate guides for labor migrants; (vi) Organization of e-learning mechanisms of 'Legal services to the population' and "Basics of law" subjects; (vii) Publishing quarterly information and analytical journal, "Legal Clinic," along with the results of scientific and analytical studies of legal issues; (viii) Organizing serial events in the schools, lyceums, and colleges on increasing the sense of justice.

5. *Cooperation with law colleges in the regions of Uzbekistan*

The Legal Clinic is a unique phenomenon; one of the few opportunities for close and honest collaboration between educational institutions specializing in jurisprudence teaching.¹¹ This cooperation consists of fulfilling the professional legal community's social mission – providing free legal aid to citizens and creating new

¹¹ RA Boswell, 'The Global Evolution of Clinical Legal Education: More Than a Method' (2018) 67 Journal of Legal Education 1081.

interactive teaching methods. In this regard, a considerable number of specific ways of interaction open up for higher educational institutions.

(i) Exchange of experience and holding conferences. Within the framework of this area of cooperation, it is proposed to organize regular online and offline meetings to exchange experiences and methods of consulting citizens and discuss the possibility of organizing joint programs and competitions for student clinicians.

(ii) Development of educational and methodological complexes. In this vein, it is possible to create unified ethics of counseling in a legal clinic and develop a common approach and technique for interviewing and counseling, which will serve as a guide for students and teachers in their activities in a legal clinic.

(iii) Conducting joint training and courses to improve the qualifications of teachers and students. During the initial organization of legal clinics in legal, and technical schools, the Legal Clinic of TSUL proposes to conduct joint training and courses on the main goals and objectives of the legal clinic, work with citizens' appeals, and their advice. The training provides for the coverage of the following topics: The rule of law and access to justice; Interviewing and consulting a client; Features of providing legal advice to specific categories.

Based on the participation results, the most successful participants will be offered the opportunity to undergo an internship at the Legal Clinic of TSUL to gain practical skills in providing legal assistance.

(iv) Creation of unified databases and dispatching services. To ensure the timely provision of primary legal advice to citizens and improve legal clinics' activities, it is proposed to create a unified database and dispatching services at legal clinics. Within the framework of this activity, it is also proposed to assist the Legal Clinic of TSUL in digitalizing the activities of the legal clinic, transferring its main activity to the online format by creating its platforms on social networks, web pages, and messengers.

(v) Publishing magazines and collections of articles. Based on the collected applications and the consultations provided, it is proposed to create monthly journals and collections of essays on law branches. These journals and collections should serve as an ideal link between theoretical and practical knowledge. They will outline citizens' life problems who have found effective solutions within the framework of legislation.

(vi) Organization of joint field events for primary legal consulting of the population.

Previously, the TSUL Legal Clinic organized several such outreach events in school halls and public receptions in Tashkent and the Tashkent region.

(vii) Assistance in the creation and development of the ‘Street Law’ program. The Street Law program aims to educate law students voluntarily in essential legal knowledge in everyday life through interactive methods. To implement the Decree of the President of the Republic of Uzbekistan ‘On additional measures to ensure the supremacy of the constitution and law, strengthening public control in this area, as well as improving legal culture in society’ dated 13.12.2019 No. PP-4551 is an outstanding volunteer group of teachers and students running Street Law activities in schools. Considering the effectiveness and importance of the role of the ‘Street Law’ program in the legal education of the population from a young age, it is proposed to create these programs at legal clinics of legal, technical schools.

(viii) Attracting distinguished students to practice in the Legal Clinic of TSUL.

6. Conclusion

In this paper, we tried to outline the experience of TSUL in launching and maintaining a free legal aid program in the form of legal clinical education. Our analysis showed that university legal clinic has a huge impact on the quality of future lawyers. Students involved in the legal clinic’s activity are most successful than the students who did not have such practice. Moreover, legal clinic contributes solution to social problems by providing systemic free legal aid. In this sense, the TSUL legal clinic acts as an agent and assistant of the state. In addition to mentioned features, the legal clinic’s activity positively affects the rise of legal awareness and legal culture in the long-term perspective.

Today free legal aid initiative in Uzbekistan is raised to a new stage. This stage is mainly characterized by the creation of the legal basis of free legal aid activity, expanding the legal clinic’s activity beyond universities, and developing forms of rendering free legal aid, mainly reflected in the digitalization of legal services.

The paper also outlines the huge perspectives of developing free legal aid, pro bono activity, and clinical legal education in Uzbekistan, which mainly covers the creation of legal bases of free legal aid, promoting involvement of professional lawyers

and law firms in pro bono services, and full digitalization of legal services industry. All of these measures increase the level of access to justice through access to pro bono legal services and free legal aid to a vulnerable population.