

CONSTITUTION OF THE REPUBLIC OF UZBEKISTAN-LEGAL GUARANTEE OF HUMAN RIGHTS

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ABSTRACT

The article states that the Constitution of the Republic of Uzbekistan provides for the supremacy of international law in the field of human and civil rights and freedoms, the inseparability of fundamental rights and freedoms, the direct exercise of rights and freedoms, non-compulsory restriction of rights and freedoms. The article also studies the Constitution of the Republic of Uzbekistan, which guarantees the rights and freedoms of the individual and citizen, equality, and the exercise of one's rights and freedoms must not infringe on the rights and freedoms of others.

KEYWORDS:- Constitution, Rights And Freedoms, Equality, Supremacy Of International Law, Inviolability.

INTRODUCTION

Every country in the world has its own certain legal system of human rights. The basis of this legislation is, first of all, constitutions. The constitutions of all states have separate sections on human and civil rights and freedoms. The constitutional rights and freedoms of citizens are reflected in current laws.

The Constitution is the basic legal document of any state. Its norms define not only the principles of organization of the state system, state power and administration, but also the norms of social life. The peculiarity of the constitutional legal regulation is that the constitution provides ample opportunity for the full implementation of its basic provisions. The basic constitutional rules and principles

form the legal basis. The norms of all areas of law such as financial, civil, criminal, labor and others are the basis of this legal framework. Any normative legal act (laws, decrees, resolutions, etc.) is based on the constitution. In other words, the constitution is the basis and the source of all legislation.

THE MAIN FINDINGS AND RESULTS

Constitutional law is the leading branch of the national legal system (1). Norms of constitutional law regulate the basic principles of the socio-economic, political and territorial structure of the state, the order of its relations with civil society institutions, the implementation of fundamental human and civil rights and freedoms. The norms of constitutional law determine the system of public authorities (2).

The constitutional law of some countries is based on the basic principles adopted by that country. One of such principles is to address the issue of domestic and international law. Because in many countries of the world, international law takes precedence over national law, the norms of international human

rights law directly determine the structure of constitutional law. It is these international norms (regardless of how they are reflected in national law) that strengthen a person's rights, determine the mechanism of their protection at the international level and at the national level (3).

According to the Constitution of the Republic of Uzbekistan, a person, his life, honor, dignity, rights and freedoms are of the highest value. Recognition and protection of human rights and freedoms is a fundamental duty of the state. This principle occupies a central place in the system of constitutional construction. Its main features include:

First, human rights and freedoms are the highest value of the formation of all other social relations, including state-building. When human rights and other values recognized and protected by the state are incompatible, human rights take precedence;

Secondly, the essence of this principle is revealed through the system of human rights and freedoms enshrined in the Constitution and legislation of the Republic of Uzbekistan.

The list of rights and freedoms established by the Constitution is not exhaustive and does not imply non-recognition or discrimination of other universally recognized human and civil rights and freedoms;

Third, the legitimacy of power, which implies the formation of state power and its exercise in accordance with the will of the people. In modern democracies, the legitimacy of power is achieved in the process of elections, the population expresses its political will by delegating the powers of state power to certain individuals;

Four, the formation and implementation of state power in a democratic order. This description implies the existence of democratic electoral legislation in the state, which guarantees the exercise of universal and equal suffrage, and the holding of regular free and fair elections. Also, the legislation, first of all, the Constitution should strengthen the procedures for implementing state power, including the procedure for adopting laws, the powers of government agencies, the procedure for adopting documents, the interdependence

of different documents in the legal system;

Fifth, the prohibition of the seizure of power by unconstitutional means and the prosecution of such seizure (occupation) by law. The possession of powers of authority is legal only if they are acquired in the manner prescribed by law. Elected bodies of state power are formed through democratic elections, and other bodies are formed by appointment, election and other methods established by law.

The priority of human rights as a principle of democratic statehood is embedded in the foundations of the constitutional system of the Republic of Uzbekistan and is intertwined with other principles that arise as a result, such as the separation of powers, ideological and political fervor, and a multi-party system. , social justice, civil self-government (4).

The Constitution of the Republic of Uzbekistan was adopted on the basis of the study of about 100 constitutions of the world, taking into account their best practices, universally recognized norms of international law, as well as the rich past and history of our people, our ancient traditions and customs. It is recognized

by foreign experts as one of the most democratic constitutions in the world.

The Constitution of the Republic of Uzbekistan enshrines the following principles of the legal status of a person and a citizen, which are the basis for the exercise of their rights and obligations meaning a set of guiding ideas:

- 1) The supremacy of international law in the field of human and civil rights and freedoms;
- 2) Inseparability of fundamental rights and freedoms;
- 3) Direct implementation of rights and freedoms;
- 4) Inadmissibility of forced restriction of rights and freedoms;
- 5) The state guarantees the rights and freedoms of individuals and citizens;
- 6) Equality;
- 7) That the exercise of one's rights and freedoms must not infringe on the rights and freedoms of others (5).

The Constitution of the Republic of Uzbekistan, as well as the constitutions of modern democracies, attaches great importance to

such humanitarian principles as equality before the law, the priority of the individual over the state, the obligation of the state to serve the welfare of man and society. In particular, Article 14 of the Constitution states that "the state carries out its activities for the benefit of man and society, on the basis of the principles of social justice and the rule of law." Inculcating these ideas in the public consciousness will help to instill in every citizen a sense of respect for the law.

Indeed, the constitutional basis of any democratic state is human rights and freedoms. In this sense, it is no coincidence that the section "Basic rights, freedoms and duties of man and citizen" has a special place in the Constitution of our country. Also, the section "Basic Principles" of our General Encyclopaedia strengthens the basic ideas that emphasize the high value of human, his life, freedom, honor, dignity and other inalienable rights. In all other sections of the Constitution, the tasks of the public and state structures before the individual and society in their social direction are described. While in the former Soviet Union, the interests of the state took

precedence over the interests of the individual, this issue is fairly resolved in the Constitution of independent Uzbekistan. That is, the supremacy of an individual's interests is resolved in terms of recognizing human as a "supreme value" (Article 13). Also, the fact that the Constitution enshrines the principle of "interdependence of citizens and the state with their rights and duties" ensures the consistency of such views (Article 19).

For the first time in the history of the constitutional development of Uzbekistan, the fact that state bodies and officials are accountable to society and citizens means the essence of a just civil society being built by our people (6).

It should be highlighted that among the democratic principles enshrined in the Constitution of our country, political pluralism, that is, the diversity of political institutions and opinions, is recognized. In addition, the implementation of the idea of separation of powers, the recognition of the rule of law, the inadmissibility of the exercise of state power by anyone, the exercise of state power by the

bodies authorized by the Constitution and laws in the interests of the people are all important and fundamental constitutional principles that form the basis of social development, influencing the process of building and shaping a just civil society.

Human rights are the interrelationships between the state and the individual that are related to the observance and enforcement of the legal rights and freedoms of a particular person or persons by the state or officials. Violation of such relations, non-compliance with existing human rights laws, obstruction of citizens' rights by officials, or failure by the state to fulfill its international obligations, insufficient implementation of international standards in national legislation and their non-compliance in practice such cases lead to human rights violations in the country.

Officials, especially representatives of the judiciary and law enforcement agencies, sometimes abuse their duties or go beyond their jurisdiction in the administration of justice or law enforcement, resulting in violations of the rights and freedoms of certain

individuals or groups of individuals.

The Constitution is rightly called the actual, its role as the Basic Law of the country is important and effective. The dynamic development of the constitution is essential to maintain this position. In the example of the European constitutions adopted after the war and celebrated for half a century, we can see that their dynamic development is an important factor in the steady legal development of the state. For Uzbekistan also, today constitutionalism is an important value. Only on the basis of the supremacy of the Constitution, its dynamic development and stability, its respect, liberalization and modernization, the priorities of ensuring the constitutional legal framework of democratic reforms can be addressed.

Since its adoption (December 8, 1992), 32 amendments and additions have been made to 9 articles of the Constitution 9 times.

Thanks to the Constitution, civil and interethnic harmony has been ensured in our country, the well-being has been increasing year by year, and great achievements have

been made in the fields of socio-cultural development, education and science. The provisions of the Universal Declaration of Human Rights are enshrined in the Constitution of the Republic of Uzbekistan, as well as in the norms of national legislation that ensure the protection of political, economic, social and cultural human rights and freedoms.

CONCLUSION

In conclusion, the protection of human rights is one of the main principles of the Constitution, the encyclopedia of our independence, the main direction and ultimate goal of radical reform of the socio-political system of the Republic of Uzbekistan.

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