



The Constitution is a Guarantee of Human Rights and Freedoms

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Abstract: This article focuses on the process of adoption of the Constitution of the Republic of Uzbekistan and its essence, as well as the mechanisms of guaranteeing human rights by the constitution. At the same time, the main factors in the implementation of constitutional reforms of the Republic of Uzbekistan, which has set ambitious goals, are shown.

Key words: New Uzbekistan, man, society, state, Oliy Majlis, parliament, Constitution, spiritual and cultural values, wisdom of our people, moral qualities.

One of the existing experiences in the practice of statehood is that every nation, after gaining its independence, is established as a new independent state in the world, and determines its goals and future prospects in its Constitution. Because all the existing constitutions in the world are inextricably linked with the political thinking, spirituality and culture of the people who created them. In the same sense, the Constitution of the Republic of Uzbekistan embodies all the spiritual and cultural values, wisdom and moral qualities of our people.

It can be recognized that the Republic of Uzbekistan was one of the first among the CIS countries to adopt its Constitution and thereby guarantee the protection of human rights and freedoms, honor, religion, race and dignity.

One of the axioms that does not require proof is that each country determines its most important goals and objectives while choosing its development path. The will of our people, human rights and interests, and the structure of the state are expressed in the Constitution, which was adopted in the first period of our country's independence. Our head of state noted the guarantee of equality of citizens of our country, regardless of gender, race, nationality, religion, social origin, and created the ground for modern democratic development. No one can deny that.

For 30 years after the adoption of the first constitution, our fundamental law was in the language of our people and manifested itself as a program that embodies the rights, freedoms and duties of people and citizens. Over the years, the perfection and viability of our Constitution, its ability to meet the requirements of the future, has been proven.

The Constitution of the Republic of Uzbekistan and all new laws, principles for the independence of the country, reforms, and first and foremost provisions for ensuring the protection of human rights and freedoms. On the way to this great goal, our state fully ensures the freedoms, rights and legitimate interests of our citizens, based on the rules of universal humanism.

The President of the Republic of Uzbekistan, the Honorable Sh.M. Mirziyoyev, often repeats the words of our great-grandfather Amir Temur: **“If the state is not built on the basis of**



laws, then the kingdom will lose its charm, power and structure” [1]. From this point of view, the provision of the Constitution and the rule of law is the main criterion of the democratic legal state we are building, the result of democratic reforms, the main guarantee of peace and development, the main basis for ensuring the Constitution and the rule of law.

During the period of independence, the basic principles of the protection of human rights have been formed in the policy of Uzbekistan. They may include:

firstly, the priority of national interests in the protection of human rights;

secondly, the gradual and gradual implementation of democratic reforms;

thirdly, adherence to the principles of democracy and human rights recognized by its international obligations;

fourthly, based on national interests, the development of international cooperation in the field of human rights[2].

From the first days of independence of the Republic of Uzbekistan, that is, on December 30, 1991, it joined the Universal Declaration of Human Rights, which is recognized as the main international standard in the field of human rights. With this, Uzbekistan, as a new independent state, declared to the broad international community its goal to build a humane state committed to human rights and freedoms, international obligations in this direction.

A year later, these ideas found their constitutional enshrinement in the Constitution of independent Uzbekistan. In particular, the preamble of the Constitution begins with the words “fidelity to human rights and the ideas of state sovereignty”, and in it “recognition of the supremacy of universally recognized norms of international law”, “a decent life for its citizens”, “a humane democratic constitutional state”, placed[3].

The issue that I would like to draw your attention to is that the Constitution is not a dogma in an environment where statehood and law are constantly evolving, serious and institutional changes are a priority, it must also be improved in harmony with modern socio-economic relations, and it must be changed according to the demands of the times.

If we look at the constitutional practice of the world, over the past 30 years, democratic constitutional reforms have been carried out in about 90 countries, and 53 of them have adopted new constitutions.

It would not be an exaggeration to say that constitutional reforms were carried out in the Republic of Uzbekistan, which set itself great goals, and the following main factors and reasons demanded the start of these changes.:

the first reason, it would not be an exaggeration to say that the need to change the principle of "state-society-individual" to "individual-society-state" was the fundamental principle of the beginning of these reforms;

the second reason is the strengthening of the constitutional and legal status of new social relations that have arisen as a result of the reforms carried out in recent years of the development of our country. In 2017-2022, under the leadership of the head of our state, large-scale work was carried out to digitalize all industries. It must be recognized that our present day cannot be imagined without digital technologies. In particular, it is true that concepts such as the digital economy, digital tourism, digital court, digital public services form the basis of our current development;



The third reason is the need to strengthen the new mechanisms introduced in recent years to ensure the inviolability of private property in our General Directorate. It is known that the right to property is one of the inalienable rights of every person. Therefore, it is important to protect the rights of owners, introduce a system of guarantees in this regard and ensure the safety of property under any circumstances;

the fourth reason is that life itself requires setting ambitious goals in the Constitution to preserve the ecology and the purity of the natural environment and pass it on to future generations;

reason five, the improvement of the system of guarantees created by the state to ensure the rights and interests of young people, based on the requirements of today, also necessitated the introduction of appropriate changes and additions to our General Directory.

The Parliament of our country implemented the idea put forward at the initiative of the head of state, and by a joint decision of the councils of the chambers of the Oliy Majlis, created a constitutional commission to amend the Constitution. It will be headed by Akmal Saidov, First Vice Speaker of the Legislative Chamber, who took part in the development of the current Constitution. It is also worth noting that the commission works on the basis of the idea of "society as the initiator of reforms."

Indeed, the changes taking place in our society, the acceleration of globalization processes and the activation of the laws of the market economy in our country make changes and additions to the current Constitution a vital necessity.

Because during 2017-2021, during the implementation of large-scale work in the socio-economic, political, legal, spiritual and educational and other areas, it was shown that there are a number of gaps in our legislation related to the rights and freedoms of the population. .

That is why the esteemed President said that our constitutional reforms are of great importance for the destinies and future of our country, that we have entered a new and very important stage in improving the Constitution, which takes into account the best foreign experience and international standards and requirements are fully taken into account, and that the Constitution of Uzbekistan is a solid foundation for all our achievements over the years of independence, that it should serve as a legal basis, at the same time, we must deeply understand the important requirement that the rapid development itself confronts us today, the current dangerous time, the difficult situation around us requires with greater responsibility to approach the fate of our Motherland and make strategic decisions that cannot be postponed, they always emphasize that our basic law should serve as a foundation [4].

The Decree of the President of the Republic of Uzbekistan dated January 28, 2022 "On the Development Strategy of New Uzbekistan for 2022-2026" includes all seven priorities, to some extent closely related to the issue of human dignity, human rights and freedoms:

In particular, among the directions provided for in it: the creation of a human-friendly state by enhancing human dignity and further developing a free civil society;

make the principles of justice and the rule of law the most basic and necessary condition for the development of our country;

advancing development of the national economy and ensuring high growth rates;

implementation of a fair social policy, development of human capital;

ensuring spiritual development and bringing the industry to a new level;



approach universal human problems based on national interests; strengthening the security and defense potential of our country, conducting an open, pragmatic and active foreign policy [5].

Simply put, our Constitution must become the constitution of real life, deeply rooted in the minds and hearts of every citizen, fully guaranteeing his rights and freedoms.

Based on these considerations, it must be emphasized that the constitutional reforms being carried out today are of unique importance for our society and our state:

firstly, these reforms bring the principle of the rule of law to a new level and create the basis for the noble principle “for human dignity” to be confirmed in life;

secondly, it determines the gradualness of democratic transformations in the management of state and public affairs, which will determine the will of the people, strengthen the principles of justice in society, and lead to the determination of the constitutional and legal status of modern society. - economic relations in the literal sense;

thirdly, it will undoubtedly increase the position and prestige of New Uzbekistan in the world community, will serve to improve the positive image of our beloved country.

In conclusion, we can say that our Constitution is the key to development. Therefore, if we strictly follow it, we will fulfill our duty to the state and society and will contribute to the prosperity of our country.

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