



## PROBLEMS OF IMPROVING THE GUARANTEES OF PERSONAL RIGHTS AND FREEDOMS OF CITIZENS IN THE CONSTITUTION OF THE REPUBLIC OF UZBEKISTAN

Kholmurod Nazarov

Nazarova Durdona

Tashkent Institute of Irrigation and Agricultural Mechanization  
Engineers-National Research University. Tashkent, 100000, Uzbekistan  
xolmurodnazarov4308@gmail.com

Tashkent University of Technologies. Toshkent shahar, Uchtepa tumani,  
Bogobod MFY, 15-mavze, Foziltepa ko'chasi, 22A-uy.  
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**Abstract:** The Constitution of the Republic of Uzbekistan is the main law that defines the personal rights, freedoms and guarantees of citizens. This article analyzes the problems of improving the legal guarantees of the personal rights and freedoms of the citizens of Uzbekistan in the version of the Constitution adopted on April 30, 2023, and the personal, political, economic, The importance of improving social, cultural and environmental rights and their guarantees, implementing and protecting them in the multifaceted role of citizens in everyday life, in developing the democratic foundations of our country and contributing to socio-economic development was emphasized. Through a comprehensive analysis, it was specially emphasized that the further improvement of the guarantees of the personal rights and freedoms of the humane citizens enshrined in our Constitution is the basis for establishing social justice, legality and a strong legal order in our country, as well as ensuring equal rights, creativity, initiative and social development. It is theoretically justified that the improvement and development of the legal guarantees of the rights and freedoms of citizens created the basis for the improvement and development of the economic, political, ideological, and organizational guarantees of human and citizen rights and freedoms.

**Keywords:** Constitution, law, citizens, personal rights, guarantees, analysis of freedoms, democratic, socio-economic development and progress.

**Introduction:** Since the adoption of the Constitution of the Republic of Uzbekistan in 1992, it has passed through centuries of development in terms of ensuring the personal rights and freedoms of citizens. use has achieved great achievements in the expansion and strengthening of the guarantees of ensuring the rights and freedoms of the state and citizens. In this country, the democratic foundations of the state have been further strengthened, the personal, political, economic, social, cultural and environmental rights of people and citizens have been further strengthened, and the guarantees have been further improved , the strengthening of the mutual responsibility of the state and citizens, improvement of guarantees based on the requirements of the times made it possible for people and citizens to further expand and strengthen their creative activities. These guarantees have led to the strengthening of the principles of the rule of law in our country, effective use of property rights, creative activities in all areas of the economy, increasing the international reputation of our country for creating innovations, and turning state administration into a powerful tool of society and state administration of human and citizen rights. This article describes in detail the crucial importance of improving the guarantees of our Constitution in protecting the

personal rights and freedoms of people and citizens, strengthening democratic values, and ensuring socio-economic development.

The Constitution of the Republic of Uzbekistan is the supreme law of Uzbekistan and defines the laws, principles, and scientific bases for improving the system of state power, the guarantees of rights, freedoms, and duties of citizens.

**Methods:** The Constitution of the Republic of Uzbekistan in this article is used to analyze, compare, generalize, dialectic, model, abstract and heuristic methods in researching and studying the problems of improving the legal guarantees of citizens' basic rights and freedoms. The specifics and essence of the problems of improving the guarantees of citizens' rights and freedoms in the relevant legal literature were revealed.

**Results and discussion:** based on the comparison of the new version of our Constitution adopted on December 8, 1992 and adopted in the general public referendum on April 30, 2023, the results of improving the guarantees of citizens' rights and freedoms were determined and discussed. It proves that the improvement of the guarantees of basic rights and freedoms of people and citizens in Uzbekistan is the basis for strengthening the foundations of the state, improvement of legal guarantees, the development of the state, the well-being of the people, and the way of life of people and citizens have risen to a new stage of development. The most important result is that people and citizens are given a wide range of personal, political, economic, social, cultural and ecological rights and freedoms in our constitution, and the guarantees of their implementation are being improved.

Personal rights and freedoms defined in Chapter VII (Articles 24-31) of the previous version of our Constitution were further improved in the new version of Chapter VII (Articles 25-35) adopted on April 30, 2023 based on the results of the national referendum.

Article 24 of the Constitution stipulates: The right to life is an inherent right of every human being. According to Article 25 of the new edition, the provision that "assassination of human life is the most serious crime", the right to life is an inalienable right of every person and it is protected by law. Attempting a human life is the most serious crime. The death penalty is prohibited in the Republic of Uzbekistan.

Article 25 of the Constitution stipulates: Everyone has the right to freedom and privacy.

The new version of our Constitution states that no one can be arrested or kept in prison without the basis of law

Article 27: "Everyone has the right to freedom and privacy.

No one shall be unlawfully arrested, detained, imprisoned, detained or otherwise restricted in his liberty.

Arrest, detention and detention are allowed only by court decision. A person cannot be detained for more than forty-eight hours without a court order.

During the arrest of a person, his rights and grounds of detention must be explained to him in an understandable language.

Article 26 of the Constitution stipulates: "Every person accused of committing a crime shall not be considered guilty until the case of a person accused of committing a crime has been considered in court in a legal manner and publicly, and his guilt has been determined.

All conditions for self-defense are provided to the person accused in the court.

No one shall be subjected to torture, violence, cruel or degrading treatment.

Article 28 of the new version of our Constitution states that "no one may conduct medical or scientific experiments without his consent". innocent until proven guilty.

The accused will be provided with all opportunities to defend himself.

All doubts about guilt should be resolved in favor of the suspect, accused, defendant or convict, if all possibilities of elimination have been exhausted.

A suspect, accused or defendant does not have to prove his innocence and can exercise the right to remain silent at any time.

No one is obliged to testify against himself or his close relatives.

If a person's confession is the only evidence against him, he cannot be found guilty or punished.

Persons deprived of their liberty have the right to be treated humanely and to respect the dignity and dignity of the human person.

The conviction of a person and the legal consequences arising from it cannot be the basis for limiting the rights of his relatives."

Article 27 of the Constitution stipulates: "Everyone has the right to protection from attacks on his honor and reputation, from interference in his personal life, and the right to inviolability of his residence.

No one can enter someone's residence, search or inspect it, reveal the secret of correspondence and telephone conversations except in the cases and procedures provided for by the law" is expressed in the improved way in Article 26 of our new Constitution. : Human honor and dignity are inviolable. Nothing can be a reason to discriminate against them.

No one shall be subjected to torture, violence, or other cruel, inhuman or degrading treatment or punishment.

Medical and scientific experiments may not be carried out on anyone without his consent."

Article 29 of the newly revised Constitution: Everyone is guaranteed the right to qualified legal assistance. Legal assistance is provided at the expense of the state in the cases stipulated by law.

Every person has the right to use a lawyer of his choice at any stage of the criminal proceedings, and when the person is arrested and the right to freedom of movement is practically limited.

The suspect, the accused or the defendant has the right to be informed about the essence and grounds of the accusation, to demand the questioning of the persons testifying against him or in his favor, and to use the help of an interpreter.

It is not allowed to use the evidence obtained in violation of the law during the administration of justice.

Anyone convicted of a crime has the right to have the sentence reviewed by a higher court in accordance with the procedure established by law, as well as the right to petition for pardon or commutation of sentence.

The rights of victims of crimes are protected by law. The new important constitutional provisions "The state provides protection and access to justice for the victims, creates conditions for compensation for the damage caused to them" and new rights of people and citizens were included in the Constitution for the first time.

In Article 30 of the newly revised Constitution, another new provision was added: "No one can be sentenced, punished, deprived of property or any right based on an

unpublished law, no one can be convicted repeatedly for the same crime. that it is not, was reinforced.

Article 29 of the Constitution stipulates: "Everyone has the right to freedom of thought, speech and belief. Everyone has the right to seek, receive and disseminate the information they want, except for information directed against the existing constitutional system and other restrictions established by law.

Freedom of thought and expression can be limited by law only if it concerns state secrets and other secrets" was expressed in Article 32 of the newly revised Constitution as follows: "Everyone has the right to freedom of thought, speech and belief.

Everyone has the right to seek, receive and impart information.

The state creates conditions for ensuring the use of the Internet global information network. Restrictions on the right to seek, receive and distribute information are limited only in accordance with the law and only for the protection of the constitutional system, public health, social morality, rights and freedoms of other persons, public safety and public order, as well as state secrets or it is allowed in the scope necessary to prevent the disclosure of other secrets protected by law.

Article 30 of the Constitution stipulates: "All state bodies, public associations and officials of the Republic of Uzbekistan must create an opportunity for citizens to familiarize themselves with documents, decisions and other materials related to their rights and interests." "State bodies and organizations, self-government bodies of citizens, and their officials must provide everyone with the opportunity to get acquainted with documents, decisions and other materials related to their rights and legal interests."

Article 31 of the Constitution stipulates: "Freedom of conscience is guaranteed for everyone. Everyone has the right to believe in any religion or not to believe in any religion. Forced indoctrination of religious views will not be allowed." Article 35 of the newly revised Constitution states: "Freedom of conscience is guaranteed for everyone. Everyone has the right to believe in any religion or not to believe in any religion. Forced indoctrination of religious views is not allowed.

Article 31 of the new Constitution of our Constitution strengthened the important personal rights and freedoms of people and citizens at the constitutional level: "Every person has the right to the inviolability of his personal life, to have personal and family secrets, to protect his honor and dignity.

Everyone has the right to keep their correspondence, telephone conversations, mail, electronic and other messages confidential. Limitation of this right is allowed only in accordance with the law and based on the decision of the court.

Everyone has the right to the protection of personal data, as well as the right to the correction of inaccurate data, collected about him unlawfully or without legal grounds. has the right to request the deletion of data.

Everyone has the right to housing security.

No one can enter the house against the wishes of the people living in it. Entry into housing, as well as seizure and inspection is allowed only in the cases and in the order provided by law. A house search is allowed only in accordance with the law and based on the court's decision.

The guarantees of human rights and freedoms 43, 44, 45, 46 were defined in Chapter X of the second part of our Constitution.



Article 43 of the Constitution states that "The state ensures the rights and freedoms of citizens established in the Constitution and laws" and Article 54 of the new version of our Constitution adopted on April 30, 2023 states that "Ensuring human rights and freedoms is the highest goal of the state.

The state ensures the rights and freedoms of a person and a citizen, which are enshrined in the Constitution and laws." - has been improved.

In fact, the establishment of the Constitutional provision "Ensuring the rights and freedoms of people and citizens is the highest goal of the state" became the legal basis for the improvement of important political, legal, economic and organizational guarantees.

Article 44 of the Constitution states that "Every person is guaranteed the right to protect his rights and freedoms through the courts, to appeal to the court against the illegal actions of state bodies, officials, and public associations." Article 54 of the new version states that guarantees have been legally improved as follows: "Everyone has the right to protect his rights and freedoms by all means not prohibited by law.

Everyone is guaranteed the right to protect their rights and freedoms through the court, to appeal to the court against illegal decisions, actions and inaction of state bodies and other organizations and their officials.

Everyone is guaranteed the right to have his/her case reviewed by a competent, independent and impartial court within the time limits established by law in order to restore his/her violated rights and freedoms.

In accordance with the legislation of the Republic of Uzbekistan and international treaties, everyone has the right to appeal to international bodies that protect human rights and freedoms, if all internal means of legal protection of the state have been exhausted.

Everyone has the right to be compensated by the state for damages caused by illegal decisions, actions or inaction of state bodies or their officials.

The only constitutional provision specified in Article 44 of the previous text of our Constitution was enriched by 4 more important provisions in Article 55 of the new version, and further improved by important legal provisions including the guarantees of the right to protect the rights of people and citizens. In particular, Article 44 of the previous version provides the right to appeal to the court "with the right to protect his rights and freedoms by all methods not prohibited by law, to restore his violated rights and freedoms, and his case will be considered by a competent, independent and impartial court within the time limits set by law. with the right to leave, guaranteeing the right to appeal to international bodies that protect human rights and freedoms, strengthening the rights to state compensation for damages caused by illegal decisions, actions or inaction of state bodies or their officials is an extremely important expression of the improvement of constitutional guarantees.

Article 45 of our Constitution guarantees that the following rights of people and citizens are under state protection: "The rights of minors, incapacitated and lonely elderly are under state protection", and in the new version of Article 57 of our Constitution: The rights of other categories of needy are protected by the state.

The state takes measures aimed at improving the quality of life of socially needy categories of the population, creating conditions for their full participation in the life of society and the state, and expanding their ability to independently provide for their basic life needs.

The state creates conditions for the full use of facilities and services of social, economic and cultural spheres by persons with disabilities, helps them to get a job, get an education, and provides them with the opportunity to get the necessary information without hindrance. provides" was improved by the Constitutional provisions.

The important guarantee of the rights and freedoms of people and citizens, which is defined in Article 46 of the Constitution as "Men and women have equal rights", was improved in Article 58 of the newly revised Constitution as follows:

"Women and men have equal rights.

The state provides equal rights and opportunities to women and men in managing society and state affairs, as well as in other spheres of society and state life."

In accordance with Article 56 of the system of guarantees of the rights of people and citizens in the new version of our Constitution, an important guarantee of human rights was expressed:

"National institutions on human rights complement the existing forms and means of protection of human rights and freedoms, help to develop civil society and raise the culture of human rights.

The state creates conditions for the organization of the activities of national human rights institutions"

In solving the problems of improving the personal rights and freedoms of citizens and their guarantees, the suggestions and opinions of scientists, experts, government figures, representatives of the lower strata of our people were determined in press publications, mass media, scientific conferences, special roundtable discussions and discussions until the national referendum on April 30, 2023. It was taken as a basis for improvement of personal rights, freedom and their guarantees of our constitution.

**Conclusion:** In solving the problems of improving the personal rights and freedoms of citizens and their guarantees in the Constitution of the Republic of Uzbekistan, first of all, the public discussion of the draft of the new version of our Constitution several times, and its results became a decisive basis.

Secondly, the scientific studies of our country and foreign scientists in the field of constitutional law, the opinions, views, and conclusions of experts and international experts have also become important.

Thirdly, the harmonization of foreign and national experience in the field of improvement of the personal rights, freedoms and guarantees of citizens of the Constitution of the Republic of Uzbekistan, integration of historical experiences with modern experiences became an important factor.

Fourthly, the implementation of the will of the multi-ethnic people of Uzbekistan, which is recognized as the highest value of a person, his personal rights and freedom in the newly revised Constitution, is of great importance. Therefore, strengthening the constitutional guarantee of ensuring the basic personal rights and freedoms of a person and a citizen is being emphasized as one of the urgent problems.

Solving the problems of improving the personal rights, freedoms and guarantees of citizens of the Constitution of the Republic of Uzbekistan, the opportunities to protect the rights of people and citizens, develop democracy, support social and economic development, thereby strengthening the foundations of a fair and prosperous society were created in Uzbekistan.

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