



PRINCIPLES OF ENSURING NATIONAL SECURITY OF THE REPUBLIC OF UZBEKISTAN

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Annotation. This article systematically analyzes the fundamental principles of ensuring national security of the Republic of Uzbekistan based on a synthesis of national and international legal criteria. The author, highlighting the legal nature of security principles, reveals the legal consequences and human rights guarantees arising from their violation. The article scientifically studies the transformation of modern international legal principles such as “indivisibility of security”, “equal and uniform security”, “non-participation in military-political blocs” and “non-use of force” and their place in the foreign political and legal foundations of Uzbekistan.

Keywords: Principles of national security, legality, indivisibility of security, equal and uniform security, inviolability of borders, military-political blocs, inviolability, non-use of force.

In the current era, when the global geopolitical architecture and the system of international relations are undergoing a fundamental transformation, the legal principles of ensuring national security are the main immunity for maintaining state independence and territorial integrity. Principles are not just declarative rules, but imperative (mandatory) norms that strictly limit the actions of security subjects and prevent violations of human rights.

Principles of ensuring national security are specific legal rules that determine the legal order of activities of security subjects. Deviation from these principles and non-compliance with them entails certain legal consequences for the security/legal subject. The presence of these legal rules ensures that human rights and freedoms are not violated and respected by state bodies in the process of ensuring security [1].

National security is a component of the international security system. Therefore, the principles of ensuring national security can be divided into two groups: national legal principles and international legal principles. The second group is, first of all, generally recognized principles of international law. These principles are considered a component of national law, and their priority is recognized in accordance with the Constitution of the Republic of Uzbekistan.

The national security of the Republic of Uzbekistan is ensured on the basis of the following principles:

- observance of human rights and freedoms;
- legality;
- strict adherence to the Constitution and laws of the Republic of Uzbekistan and generally recognized norms of international law;
- the priority of national interests;
- ensuring interethnic and interconfessional harmony;
- compliance with the balance of interests of the individual, society and the state;
- preservation of territorial integrity and inviolability of state borders;

indivisibility of security;
non-participation in military-political blocs;
complete rejection of ideologizing foreign policy, etc.

Legality is the principle of clear and constant implementation of the Constitution, laws and other regulatory legal acts by all state bodies, officials and citizens. Legality is expressed in strengthening the rule of law, ensuring strict compliance of subjects with the law and the fulfillment of their obligations. In accordance with Article 15 of the Constitution of the Republic of Uzbekistan, the supremacy of the Constitution and laws is unconditionally recognized in the Republic of Uzbekistan.

Indivisibility of security - despite the division of security into different spheres and levels, security has internal unity. The goal of security is achieved on the basis of the inextricable connection of its constituent elements. In turn, achieving the final result depends on the state and competence of these elements. The indivisibility of security is enshrined as an important political and legal principle in national and international security law.

The principle of equal and uniform security is a principle of modern international law that determines the permissible limits in the conduct of military activity, its limitation and the procedure for disarmament. The main content of the principle of equal and uniform security is to reduce the level of military confrontation and at the same time maintain a balance between them. This principle is inextricably linked with other principles of international law, and its observance creates the basis for the implementation of such universally recognized principles as the peaceful settlement of international disputes and the prohibition of the use and threat of force.

The principle of inviolability of borders is a relatively new principle of modern international law. This principle was first enshrined at the regional level in the Final Act of the OSCE in 1975. This was explained, first of all, by the need to determine the legal status of the post-war borders of Europe. Today, this principle constitutes one of the important foundations for ensuring European (regional) and international security. In December 1991, the EU members emphasized that they would recognize the independence of the former Soviet republics only if they committed themselves to fulfilling their obligations to ensure the generally recognized norms and principles of international law, in particular the principle of inviolability of borders. The essence of the principle of inviolability of borders is explained by the following three conditions:

- 1) recognition of existing borders as legally established in accordance with international law;
- 2) renunciation of any territorial claims, both now and in the future;
- 3) to refrain from any aggression against these borders, including the use of force and the threat of force.

Thus, the legal scope of the principle of the inviolability of borders is relatively broad. Its provisions are aimed not only at the recognition of existing administrative or colonial borders, but also at preventing territorial claims and aggression against these borders in the future.

The principle of non-participation in military-political blocs is a principle of national and international security law, a product of international relations of the "Cold War" era and its distinctive feature. It was during the period when two ideological systems dominated that the confrontation between the blocs reached its highest level. Although the military-political

sphere formed the basis of this rivalry, the confrontation took place along the entire "fault line" of the two systems. Military-political blocs (for example, NATO, the Warsaw Pact, ANZUS, the Western European Union, etc.) were created to eliminate possible military threats in the form of the USA/USSR and their allies. As a result of the collapse of the bipolar system, the "enemy symbol" has lost its former significance; the goals and objectives of traditional defense alliances have undergone a serious transformation; their activities are moving beyond the immediate military-political dimension; they have received observer status in the UN General Assembly; they, along with the EU, CIS, ATO, AI, regularly participate in high-level meetings of the UN and regional organizations. This principle is confirmed in the Law "On the Basic Principles of Foreign Policy of the Republic of Uzbekistan" and other legislative acts of the Republic of Uzbekistan on national security.

The principle of the inviolability of state borders is a generally recognized principle of international law prohibiting unilateral changes in the state border line on the ground and the crossing of state borders in violation of relevant international treaties and internal regulations of the state. The state border line established on the ground must be strictly observed. Border markers establishing border lines cannot be changed unilaterally and arbitrarily. The norms and rules on the state border are based on the principles of the inviolability of borders and the integrity of the territory of states and are widely used in international practice. Any changes to the border line must be made by agreement of the bordering states and in accordance with international law.

The principle of prohibition of the use or threat of use of force is a principle of general international law that occupies a central place in the system of international legal norms for ensuring international peace and security. According to Article 2 (4) of the UN Charter, "All Members of the Organization shall refrain in their international relations from the use or threat of force against the territorial integrity or political independence of any state, or from any other act inconsistent with the Purposes of the United Nations." Collective institutions play a special role in the effective implementation of this principle in interstate relations. This principle has expanded the capabilities of the collective security system and made a significant contribution to the positive development of international law.

This principle has found its development in other international legal instruments. The most important of these are the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (1970), the Definition of Aggression (1974), and the Declaration on the Effectiveness of the Principle of Refusal of the Threat or Use of Force in International Relations (1987). In particular, the Declaration on Principles of International Law expanded the actions prohibited by Article 2 (4) of the Charter of the United Nations to include: aggressive wars; propaganda for aggressive wars; the use or threat of force to violate existing international boundaries (in particular, demarcation lines and temporary peace lines) or to settle international disputes; the restitution of rights violated by force (repression); the use of force to deprive peoples of their right to self-determination and independence; the formation of armed criminal groups with the aim of invading the territory of another state; organizing an internal conflict, inciting it, providing assistance, participating in the commission of a terrorist act in this conflict or on the territory of another state; occupying the territory of another state through the use of force or threat of force [2].



In short, the principles of ensuring the national security of the Republic of Uzbekistan are a perfect legal system that determines the independence of the country and its influence in the international arena. These principles, reflected in the 1997 National Security Concept and the 2018 Defense Doctrine, strictly define the scope of activities of state bodies and guarantee human rights and legality in domestic policy, and sovereignty and inviolability of borders in foreign policy.

Uzbekistan's firm position on non-participation in military-political blocs, non-deployment of foreign military bases on its territory, and complete abandonment of ideologizing foreign policy is the most correct strategic way to maintain geostrategic stability and multi-vector diplomatic balance in the region.

In accordance with Article 2, paragraph 4 of the UN Charter, the renunciation of the use of force and the threat of force in international relations, adherence to the principles of the inviolability of borders and the indivisibility of security - further strengthens the authority of New Uzbekistan in the world community as a responsible and peace-loving state and ensures the legal protection of our national interests from any external threats.

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