



THE LEGAL STATUS OF AN INDIVIDUAL IN THE CONTEXT OF TRANSFORMATION OF THE STATE AND SOCIETY

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Abstract

The relevance of the topic of this article is that the problem of international protection of individual rights has always been and remains, to this day, the most relevant, since international protection of individual rights seems to be a legally fixed position of the individual in society. The article also examines the formation of the principle of respect for human rights, the development of which has a serious impact on the narrowing of the framework of state sovereignty. All this determines the relevance of the study of theoretical and practical aspects of the international protection of individual rights, the study of its elements, types and features in a state governed by the rule of law.

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The first constitutions proclaimed human life and freedom as natural and inalienable rights of the individual. They proceeded from the fact that people were born free and retain this state throughout their lives not by the will of state power, but by virtue of nature or divine power. The State can only set limits to this freedom to the extent necessary to preserve peace in the country, to preserve normal relations within society.

According to article 13 of the Constitution of the Republic of Uzbekistan, "democracy in the Republic of Uzbekistan is based on universal principles, according to which the highest value is a person, his life, freedom, honor, dignity and other inalienable rights."

In Uzbekistan, the promotion, protection and observance of human rights are one of the priorities of State policy. Within the framework of the Action Strategy for the five priority areas of Development of the Republic of Uzbekistan in 2017-2021, targeted measures are being implemented in the field of ensuring personal, political, economic, social and cultural rights. The issue of ensuring human rights and freedoms in the country is becoming one of the main criteria for democratic reforms aimed at creating prosperous and decent living conditions for our people.





International human rights standards are being systematically and gradually implemented into national legislation and law enforcement practice. Currently, the norms of more than 80 international documents in the field of human rights and freedoms ratified by Uzbekistan are reflected in national legislation. The large-scale reforms being implemented are changing people's lives, worldviews and lifestyles. The noble goal of "Building a new Uzbekistan together" has been formed in the society, the new idea of "Society - initiator of reforms" is increasingly becoming part of our daily activities.

In ensuring human rights and freedoms, a special place is occupied by the People's and Virtual reception rooms of the President of the Republic of Uzbekistan, as well as the reception rooms of the Prime Minister to consider the appeals of entrepreneurs. State bodies, civil society institutions, mass media, educational institutions are widely involved in the process of popularizing universal values, principles of respect and observance of human rights among the population, as well as ensuring citizens' access to legal information. In ensuring the political rights and freedoms of citizens, freedom of thought, speech and beliefs, large-scale cardinal transformations in public and public administration are of great importance. Effective mechanisms of parliamentary and public control are being strengthened. The responsibility of the Cabinet of Ministers to the Parliament has been significantly strengthened.

The "Electronic Parliament" and "Electronic Government" systems are being developed, measures are being taken to expand the types, improve the capabilities, quality and efficiency of public services.

Uzbekistan actively participates in the United Nations World Programme (hereinafter referred to as the UN) in the field of human rights education. Large-scale measures are being implemented to implement the Concept of Improving the Legal Culture in Society and the National Action Program for the Implementation of the provisions of the UN Declaration on Education and Upbringing in the Field of Human Rights. Our country fruitfully cooperates with the UN and its specialized agencies in various areas: combating modern threats and security challenges; stabilizing the situation and rebuilding Afghanistan; non-proliferation of weapons of mass destruction; solving environmental problems, in particular, mitigating the consequences of the Aral Sea tragedy; sustainable socio-economic development; protection of human rights and freedoms, etc. A significant event was the participation of the President of the Republic of Uzbekistan Shavkat Mirziyoyev at the 72nd and 75th anniversary sessions of the UN General Assembly. Thanks to the new atmosphere of cooperation, Uzbekistan has become an active participant in the processes in all areas of the UN's activities, which has a positive effect on the relations of the member states to the





republic. All the initiatives put forward by Uzbekistan within the framework of the UN have found full support from the world community and today make a significant practical contribution to ensuring universal peace, stability and sustainable development, protection of human rights.

Uzbekistan has developed national indicators for the implementation of the UN Sustainable Development Goals. At the same time, the Action Strategy is a "road map" for the implementation of the UN Sustainable Development Goals. A stable political system has been created in the country that meets modern criteria of democracy and human rights, legislative, executive and judicial authorities at all levels are actively working. Most importantly, respect for the principles of the rule of law is being established in Uzbek society, and a culture of human rights is being formed.

Uzbekistan was the first of the Central Asian States to create an effective system of national human rights institutions, which includes a parliamentary Ombudsman, a children's Ombudsman, a Business Ombudsman and a National Human Rights Center.

Taking into account the recommendations of the Human Rights Council and the UN treaty committees, the National Strategy of the Republic of Uzbekistan on Human Rights was adopted and consistently implemented in June 2020 for the first time. In general, the election of Uzbekistan to the UN Human Rights Council was a clear evidence of the recognition by the international community of the achievements of the republic and the observed progress in implementing reforms in the field of liberalizing society, strengthening fundamental human rights and freedoms, as well as international and regional initiatives of the head of our state in the field of human rights and freedoms protection. In his speeches at the 75th anniversary session of the UN General Assembly, the High-level Segment of the 46th session of the UN Human Rights Council, as well as in a Message to the country's parliament, the President of Uzbekistan identified the key priorities of the New Uzbekistan in the field of human rights, which cover such areas as:

First. Ensuring fundamental human rights and freedoms will continue to occupy a central place in the reform of Uzbekistan.

The achievement of the Sustainable Development Goals until 2030 in our country will be carried out in accordance with the principle of "Leaving no one behind" to ensure the rights and legitimate interests of every person. This is about the implementation of the National Human Rights Strategy, which experts from the Office of the High Commissioner for Human Rights actively participated in the development of.

Second. In matters of gender policy, we intend to radically increase the role of women in the public, political and business life of the country.





This year we plan to hold a Dialogue of women leaders of Central Asian countries and a regional women's business forum in Uzbekistan.

The third. Special attention will be paid to ensuring the rights of persons with special needs.

A new Law on the Rights of Persons with Disabilities has recently come into force in our country, and in the near future the Parliament of Uzbekistan will ratify the UN Convention on the Rights of Persons with Disabilities. We also propose to create a Regional Council for the self-realization of people with disabilities.

Fourth. The protection of the rights of young people, who make up more than half of the population of Uzbekistan, is constantly in the focus of our attention. This year in our country has been declared the Year of Youth Support and Public Health.

Getting ready:

- to hold a World conference on Youth Rights under the auspices of the UN;
- to present the draft Convention on the Rights of Youth at the tenth forum of the UN Economic and Social Council;
- and also to submit for consideration the establishment of the institute of a Special Rapporteur on the rights of youth.

Fifth. Together with the International Labor Organization and the World Bank, we have done a lot of work to eliminate forced and child labor. This is one of the main achievements of our reforms. In the current International Year of the Elimination of Child Labor, we will adopt a Law on the Children's Ombudsman.

Sixth. We propose jointly with the Office of the High Commissioner to hold a Global Forum dedicated to the 10th anniversary of the UN Declaration on Human Rights Education and Training.

In order to develop the training system, we intend to contribute to the UN Voluntary Fund in the Field of Human Rights.

Seventh. We support the proposal of the UN Secretary-General, Mr. Antonio Guterres, to take decisive measures to reduce the number of stateless persons. Only last year, 50 thousand of our compatriots acquired citizenship of Uzbekistan, this year more than 20 thousand people will receive citizenship.

The President of Uzbekistan has put forward a number of important initiatives on a global, regional and national scale, which practically cover all mechanisms for ensuring the rights and legitimate interests of each person, existing problems and ways to solve them. Uzbekistan is firmly committed to its international human rights obligations. At the same time, we understand that we are only at the beginning of the road, and we count on the support of our international partners.





To date, the issues of declaration and recognition of the rights and freedoms of the individual, determination of the legal status of the individual remain problematic. And it's not only about the implementation of legal status, but also in the different understanding of certain rights, in the application of double and sometimes triple standards to various social groups. One of the reasons for this is the impossibility, and sometimes the absence of the need to fully regulate human activity by legal means. A person, developing himself and developing social relations, invariably turns out to be above this. Legislators have to follow, and the main task and problem is not to forget about the person himself in the process of this movement, but not to harm him by taking care of the person.

An important problem of the legal status of an individual is the reality of rights and freedoms. Rights and freedoms should not only be proclaimed, but also guaranteed by the State. As already noted, such guarantees may be the legislative consolidation of conditions under which it is possible to restrict rights and freedoms or the adoption of laws detailing the rights and freedoms proclaimed in the Constitution.

The reality of the legal status of the individual makes it valuable, allowing the individual to develop and self-actualize in society. It is the reality of the legal status of an individual that contributes to the development of civil society and, in turn, is a condition for the formation of a rule of law state.

Conversely, the inability to exercise rights, the possibility of not fulfilling duties leads to the development of legal nihilism and, accordingly, to the inability to form both a civil society and a state governed by the rule of law. The problems of the legal status of an individual are connected both with the definition of the subject and with the issues of the implementation of the legal status itself. Unfortunately, the main problem remains the declarativeness of human rights and freedoms, both in our country and abroad. This is connected not only with the ability of the state to ensure human rights and freedoms, but also often with the violation of human rights by the state. To date, the rule of law remains an ideal – they strive for it, but even developed democratic countries do not have such a status. A person can only be guaranteed to exercise his rights and freedoms in a state governed by the rule of law. The real provision of rights and freedoms is achieved by creating a mechanism for their comprehensive protection, as well as establishing civil, administrative and criminal liability for their violation. At the same time, the proper performance of duties by one person is one of the guarantees of the exercise of rights by other people. The very fact of legal regulation of rights, freedoms and duties, on the one hand, makes the individual dependent on the state, and on the other allows the individual to realize his legal status.





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