

THE LEGAL STATUS OF THE INDIVIDUAL IN THE CONTEXT OF TRANSFORMATIONS OF THE STATE AND SOCIETY.

TECHMIND-2021

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Abstract:

The relevance of the topic of this article is that the problem of international protection of the rights of the individual has always been and remains, to this day, the most relevant, since the international protection of the rights of the individual is represented by the 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.

Keywords:

Law, human freedom, action strategies, political rights, legal culture, cooperation with the UN.

The first constitutions proclaimed human life and freedom as natural and inalienable rights of the individual. They proceeded from the fact that people are born free and maintain this state throughout their lives, not by the will of the state power, but by the power of nature or the power of the divine. The State can only set limits to this freedom to the extent that it is necessary for the preservation of peace in the country, for the preservation of 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 is 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 systematically and step-by-step implemented in national legislation and law enforcement practice. Currently, the norms of more than 80 international instruments in the field of human rights and freedoms ratified by Uzbekistan are reflected in national legislation. The large-scale reforms that are being implemented are changing people's lives, worldviews and lifestyles. The society has formed the noble goal of "Building a New Uzbekistan together", the new idea of "Society-the initiator of reforms" is increasingly entering 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 for considering the appeals of entrepreneurs. State bodies, civil society institutions, mass media, and educational institutions are widely involved in the process of popularizing universal values, principles of respect for and observance of human rights, and

ensuring citizens' access to legal information. In ensuring the political rights and freedoms of citizens, freedom of thought, speech and belief, large-scale fundamental changes 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, and measures are being taken to expand the types, 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 Human Rights Education and Upbringing. Our country fruitfully cooperates with the UN and its specialized agencies in various areas: the fight against modern threats and security challenges; the stabilization of the situation and the reconstruction of Afghanistan; non-proliferation of weapons of mass destruction; solution of environmental problems, in particular, mitigation of 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 impact 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 international community and today make a significant practical contribution to ensuring universal peace, stability and sustainable development, and the 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. The country has established a stable political system that meets the modern criteria of democracy and human rights, and the 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 Central Asian State to establish 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 Human Rights Strategy of the Republic of Uzbekistan was adopted for the first time in June 2020 and is being consistently implemented. In general, the election of Uzbekistan to the UN Human Rights Council was a clear indication 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 protecting human rights and freedoms. The President of Uzbekistan, 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 his Address to the country's parliament, 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 be central to Uzbekistan's reform efforts.

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 the implementation of the National Human Rights Strategy, which was actively developed by experts from the Office of the High Commissioner for Human Rights.

Second. In matters of gender policy, we intend to dramatically 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 the Uzbek Parliament will soon 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 is declared the Year of Support for Youth and Public Health.

Getting ready:

- to hold a World Conference on Youth Rights under the auspices of the United Nations;
- to present the draft Convention on the Rights of Youth at the tenth forum of the UN Economic and Social Council;
- and also to introduce the establishment of a Special Rapporteur on the rights of young people.

Fifth. Together with the International Labour Organization and the World Bank, we have worked hard to eliminate forced and child labour. This is one of the main achievements of our reforms. In the current International Year of the Elimination of Child Labour, we will adopt a law on the Children's Ombudsman.

Sixth. Together with the Office of the High Commissioner, we propose 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 the citizenship of Uzbekistan, and 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 every person, the 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.

An important problem of the legal status of the individual is the reality of rights and freedoms. Rights and freedoms must be not only proclaimed, but also guaranteed by the State. As already mentioned, such guarantees can be the legislative establishment 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 the individual that contributes to the development of civil society and, in turn, is a condition for the formation of the rule of law.

Conversely, the lack of the ability to exercise rights, the possibility of not performing 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 related both to the definition of the subject and to 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 due not only to the state's ability to ensure human rights and freedoms, but also often to the violation of human rights by the state. Today, the rule of law remains an ideal state-it is sought, but even developed democratic countries do not have such a status. The guarantee of the individual's rights and freedoms can only be realized in a state governed by the rule of law.\

List of references.

1. The Constitution of the Republic of Uzbekistan, Article 13. 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.
1. Democratic rights and freedoms are protected by the Constitution and laws. Adopted on December 8, 1992. Source: <https://www.lex.uz/acts/35869>
2. National Strategy of the Republic of Uzbekistan on Human Rights (Annex N 1 to the Decree of the President of the Republic of Uzbekistan of 22.06.2020 N UP-6012)
3. Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated 11.12.2013; 326 N "On measures of state support of the National center of the Republic of Uzbekistan for human rights".
4. Position of the Interdepartmental working group on observance of the rights and freedoms of the individual law-enforcement and other state bodies (Annex No. 1 to the Resolution of the Republic of Uzbekistan dated 23.07.2012 No. 227).
5. Resolution of the President of the Republic of Uzbekistan of 29.05.2020 N PP-4736 "On additional measures to improve the system of protection of the rights of the child".
6. Law of the Republic of Uzbekistan of 02.09.2019 N ZRU-562 "On guarantees of equal rights and opportunities for women and men" (Adopted by the Legislative Chamber on 17.08.2019, approved by the Senate on 23.08.2019).
7. Resolution of the President of the Republic of Uzbekistan of 10.12.2018 N PP-4056 "On improving the activities of the National Center for Human Rights of the Republic of Uzbekistan".
8. Joint resolution of the Kengash of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan and the Kengash of the Senate of the Oliy Majlis of the Republic of Uzbekistan dated 29.12.2018 N 2282-III / PK-484-III "On further improvement of the activities of the Secretariat of the Commissioner of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)".
9. Joint resolution of the Kengash of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan and the Kengash of the Senate of the Oliy Majlis of the Republic of Uzbekistan dated 15.07.2019 N 2600-III / PK-563-III "On the National Action Program for the implementation of the provisions of the UN Declaration on Human Rights Education and Training".
10. Resolution of the President of the Republic of Uzbekistan of 19.02.2019 N PP-4197 "On approval of the regulations related to the activities of the People's reception offices of the President of the Republic of Uzbekistan".