



## ANALYSIS OF INTERNATIONAL AND NATIONAL HUMAN RIGHTS LEGISLATION

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**Abstract:** This article provides a legal analysis of international and national human rights law, which outlines the content of the Universal Declaration of Human Rights and national treaties of the Republic of Uzbekistan on human rights. In addition, an analysis was made of the reforms in the field of human rights in the Republic of Uzbekistan today, as well as the modern significance of these reforms and their place and role in society. In addition, this article provides a comprehensive analysis of the legislative acts adopted in our country in recent years in the field of human rights.

**Keywords:** human rights, personality, society, state, reforms, social rights, natural rights.

### INTRODUCTION

In the Preamble of the Constitution of the Republic of Uzbekistan, the people of Uzbekistan solemnly declared their commitment to human rights and the ideas of state sovereignty, recognizing their high responsibility to present and future generations, based on the historical experience of Uzbek statehood, democracy and social. Recognizing the supremacy of universally recognized norms of international law, the task is to build a humane, democratic rule of law state in order to ensure a decent life for the citizens of the republic, to ensure peace and national harmony. their citizens. It is well known that human rights play a leading role in the modern world. Reducing the role of the problem of human rights in building any civilized, just civil society will not be The main condition for building a democratic rule of law is the promotion and protection of fundamental rights and freedoms, as well as the creation of a real system that guarantees the rights of everyone in society. Human rights determine the fullness of life on earth and are an integral part of the cultures of peoples, the highest expression of the spiritual and legal ideals of mankind. That is why human rights are one of the most important spiritual values of the modern world. Human rights enshrined in the UN Charter and international conventions, as well as in the constitutions of various countries of the world, take root in our minds as fundamental and inalienable rights.

In recent years, systematic work has been carried out to strengthen the institutional and legal framework for the protection of human rights, the implementation of international human rights standards in national legislation and the fulfillment of international obligations, as well as the intensification of cooperation with international human rights organizations.

At present, the Republic of Uzbekistan has acceded to more than 80 international human rights instruments, including 6 major treaties and 4 optional protocols of the United Nations (hereinafter referred to as the UN), regularly submits national reports to the Human Rights Council and treaty committees. [National strategy of the Republic of Uzbekistan in the field of human rights]

### ANALYSIS AND METHODS OF THE LITERATURE

The concept of "man" has only recently been introduced into the legal sciences, which is associated with the recognition of human rights both at the national and international levels. "In our opinion," says Professor A.Kh. Saidov, - The term "generally recognized human rights" reflects the meaning of

international documents no less than the term "international standards", since they are developed at the interstate level, are designed to regulate interstate cooperation, within their competence to the state, are unable to respect their rights and bear responsibility to their own people and the international community for the observance of human rights" [3, 80b]

S.O. According to Tashbaev, different people have different ideas about the best ways to achieve their goals, and this is natural. Even in two people, in two groups or in two different there are no identical needs in culture, and no method of education satisfies all people, all groups and society as a whole. [4, 11b]

## RESEARCH METHODOLOGY

The study examines the organization of work in the field of human rights in developed countries, the analysis of funding models, the use of human experience in foreign countries in Uzbekistan using statistical, comparative, empirical methods.

## DISCUSSION AND RESULTS

The list and content of fundamental human rights and freedoms are enshrined in the Universal Declaration of Human Rights, which is often referred to as the world's conscience, the standard of human spirituality. Like the UN Charter, this historic document affirms the truth: all human beings are born free and equal in dignity and fundamental rights. The Universal Declaration of Human Rights enshrines the right of everyone, regardless of race, color, sex, language, religion, political or other beliefs, property, class or other status, to live without need and without fear for his or her personal inviolability. Freedom of religion and belief, the right to justice and peace in the world are enshrined.

In this regard, we consider it appropriate to briefly dwell on the Universal Declaration of Human Rights. The Universal Declaration of Human Rights was adopted and promulgated on December 10, 1948 by United Nations General Assembly Resolution 217 A (III). We can see in the preamble that this declaration is based on a number of human rights values and rights.

In addition, while proclaiming the Universal Declaration of Human Rights as a goal to which all peoples and all nations should strive, it is important that every person and every organization of society should always strive for enlightenment and education in accordance with this Declaration. respect these rights and freedoms and strive for their effective recognition.

The Assembly declared it its duty to "ensure that the Declaration is carried out by all peoples and all States." He called on member states around the world to respect and ensure the rights and freedoms enshrined in the Declaration. Every year, December 10 is celebrated around the world as Human Rights Day, the day the Declaration was adopted. The historical significance of the Declaration is that it is the first international document to include a list of rights and freedoms that are universally recognized and shared.

### **The Declaration provides a comprehensive list of universally recognized human rights:**

Personal rights and freedoms:

the right to life, liberty and security of person (Article 3); Prohibition of Slavery (Article 4);

Prohibition of torture, inhuman or degrading treatment or punishment (Article 5);

recognition that everyone can be a legal entity (Article 6);

the right to judicial protection against actions that violate fundamental rights (Article 7);

the right to effective judicial restoration of rights (Article 8); from arbitrary arrest, detention or deportation guarantee of protection (Article 9);

the right to an independent and impartial court (Article 10);

the presumption of innocence, the ineffectiveness of the law (Article 11).

**Rights under the relationship:**

the right to privacy (Article 12);

the right to freedom of movement and residence; Article 13;

the right to asylum (Article 14);

the right to citizenship (Article 15); equality of men and women in marital relations;

The right of the family to protection by society and the State (Article 16);

the right to individual and mutual ownership of property (Article 17). Religious freedoms, civil and political rights: freedom of thought, conscience and religion (Article 18);

freedom of religion and its free expression. Free access to information (Article 19);

freedom of peaceful assembly and association (Article 20);

the right to take part in governing one's country; the right to participate in elections for a specified period of time (Article 21).

**Economic, social and cultural rights:**

the right to social security and a decent standard of living (Article 22); the right to work; freedom of choice of work; equal pay for equal work;

freedom of association (Article 23);

the right to rest and leisure (Article 24);

the right to well-being and health (food, clothing, housing, medical care, social services);

the right to social protection of motherhood and childhood (Article 25); the right to education (Article 26);

the right to participate in cultural and scientific life, as well as to protect the spiritual and material interests of authors (Article 27).

It should be noted that three articles of the Declaration are devoted to the principles of the United Nations and the individual's obligations to society: the right of everyone to social and international order. In this case, the rights and freedoms enshrined in the Declaration may be fully realized (Article 28); obligations to society; recognizing the rights and freedoms of others. The exercise of these rights and interests in accordance with the purposes of the United Nations (Article 29);

In addition, the United Nations has adopted a number of other fundamental international human rights treaties and instruments, including:

- ✓ International Covenant on Economic, Social and Cultural Rights, 1976.
- ✓ International Covenant on Civil and Political Rights and the first Optional Protocol of 1976; Second Optional Protocol, adopted in 1989;
- ✓ Convention on the Prevention and Punishment of the Crime of Genocide, 1948;
- ✓ International Convention on the Elimination of All Forms of Racial Discrimination, 1965;
- ✓ Convention on the Elimination of All Forms of Discrimination against Women, 1979;
- ✓ Convention on the Rights of the Child, 1989;
- ✓ Convention on the Rights of Persons with Disabilities, 2006

Also at the UN Human Rights Council and the Office of the High Commissioner, which conducts international human rights efforts and exposes human rights abuses around the world. It serves as a forum for exchanging ideas, analyzing, and responding to contemporary human rights issues. The

organization coordinates human rights research, as well as education, awareness and information activities in the UN system.

As the primary responsibility for ensuring and protecting human rights rests with the governments of the states, the High Commissioner instructs them in areas such as the administration of justice, the reform of the law and the organization of the electoral process in order to implement international human rights norms and standards. provides technical assistance to the unit. The High Commissioner also assists other bodies and organizations involved in the protection of human rights in the performance of their duties and powers, and assists individuals in exercising their rights. [5]

The first international legal instrument ratified by the Republic of Uzbekistan after its independence was the Universal Declaration of Human Rights. This reflects Uzbekistan's real goals for the development, protection and guarantee of human rights. Today, the Republic of Uzbekistan has ratified more than 70 international legal instruments on human rights and freedoms. [2, 9b]

With the accession of the Republic of Uzbekistan to the Basic Documents on Human Rights and Freedoms, the basic universally recognized principles of international law are gradually being implemented in the national legal system. [5-6, 78p]

In this area of human rights, Uzbekistan has the following rights. The rights guaranteed to all persons under international treaties without discrimination on the basis of race, color, sex, language, political or other beliefs, national or social origin, property status, birth or other status include:

- ✓ the right to life, liberty and security of person
- ✓ freedom of association and assembly, expression
- ✓ the right to the highest level of health care
- ✓ freedom of arbitrary arrest or detention
- ✓ the right to justice
- ✓ the right to fair and comfortable working conditions - the right to food, housing and social protection
- ✓ the right to education
- ✓ the right to equal protection of the law
- ✓ freedom to interfere in private life, family or personal correspondence
- ✓ freedom from torture and cruel, inhuman or degrading treatment or punishment
- ✓ freedom from slavery
- ✓ freedom of thought, conscience and religion
- ✓ The right to vote and participate in public affairs - the right to participate in cultural life. [7, p24]

Today, there are three types of human rights obligations: respect for, protection and enforcement of human rights:

Respect for human rights simply means not stopping people from exercising those rights. For example, the state must refrain from forcibly expelling or arbitrarily restricting the right to vote or freedom of association.

Protecting human rights means taking steps to ensure that third parties do not interfere with their implementation.[8, 89p] For example, parents and employers should ensure that children have access to education so that they do not interfere with school attendance.

The realization of human rights means that step-by-step measures will be taken to realize this right. This obligation is sometimes broken down into obligations to facilitate and enforce it. The first is the

government's commitment to actively participate in activities that enhance people's ability to meet their needs, such as access to health care.

In the case of human rights, it is important to note that there is a difference between individual and collective human rights. Sometimes the equal value and dignity of all can only be achieved through the recognition and protection of the rights of individuals as members of a particular group.[9, 56p] The term collective rights or group rights refers to the rights of peoples, including ethnic and religious minorities, and indigenous peoples whose identity is determined by whether they belong to a particular ethnic, cultural or religious community. Usually human rights are effectively exercised by people working together as a group. In some cases, human rights are protected by common interests, according to which no group or individual has the right to sue.

In recent years, Uzbekistan, along with many other developed and developing countries, has set a number of goals with the world community to ensure the sustainable development of human rights. In particular, in September 2015, the UN member states reached an agreement on the Sustainable Development Goals until 2030. The 2030 agenda includes a number of important human rights obligations, as enshrined in international human rights instruments.

The UN member states have set the following goals for the sustainable development of human rights:

Goal 1: No Poverty

Goal 2: Minimum level of hunger Goal 3: Good health and well-being Goal 4: Quality education

Goal 5: Gender equality

Goal 6: Clean water and sanitation

Goal 7: Affordable and clean energy

Goal 8: Decent Work and Economic Growth Goal 10: Reduce Inequality

Goal 13: Climate control Goal 15: Construction

Goal 16: Peace and justice, strong institutions.

Here are some human rights web resources for information.

National Center for Human Rights of the Republic of Uzbekistan <http://pravacheloveka.uz/ru>

In order to create an effective mechanism for the protection of human rights and freedoms, expand cooperation with international and human rights organizations, improve the culture of public institutions and the general population, the President of the Republic of Uzbekistan The National Center was established by the Resolution "On the establishment of the Center". In accordance with the United Nations Program for the Democratization of Human Rights and Administration.

The United Nations Human Rights Website

<https://www.ohchr.org>; <https://www.unhcr.org>

The website of the Office of the United Nations High Commissioner for Human Rights contains materials on international law, conventions and declarations, human rights reports and important events of the meeting.

Commonwealth Human Rights Initiative (CHRI)

<https://www.humanrightsinitiative.org/>

The Commonwealth Human Rights Initiative) is an independent, non-partisan, international non-governmental organization with the authority to enforce human rights in the Commonwealth.

PORTAL OF THE EUROPEAN COURT OF HUMAN RIGHTS - European Court of Human Rights Portal (HUDOC)

<https://hudoc.echr.coe.int>

The database is part of the website of the European Court of Human Rights and contains all court decisions, the report of the Commission and the decisions of the Council of Ministers. It also includes information on relevant national laws and regulations.

International Human Rights Information and Documentation Systems, International (HURIDOCS)

HURIDOCS is an informal network designed to strengthen the capacity of human rights organizations to process information.

Internet of Human Rights - Human Rights Internet (HRI): <https://hri.ca/> Extensive international Internet resource, human rights activists and organizations, as well as information and documentation center for stakeholders.

Useful Internet resources and human rights materials are available on the websites of the following world-renowned NGOs:

- ✓ Amnesty International
- ✓ Committee to Protect Journalists - The Electronic Frontier Foundation
- ✓ Fourth World Documentation Project
- ✓ Human Rights Watch
- ✓ PEN International Writer's Union
- Physicians for Human Rights. In this context, it is worthwhile to briefly review the recent human rights reforms and developments in the Republic of Uzbekistan. The President of Uzbekistan addressed the 46th session of the United Nations Human Rights Council in Geneva for the first time.

The participation of the head of state in this prestigious event is undoubtedly a historic event. To date, CIS leaders have not attended a session of the Human Rights Council.

In his speech, President of Uzbekistan Shavkat Mirziyoyev spoke in detail about the priorities for deepening democratic reforms in the country and the main tasks of the work of the Human Rights Council. He focused on the priorities of our state for the period 2021-2023 as a member of this structure.

A number of important initiatives have also been put forward. Among them is the proposal to hold a global forum in conjunction with the Office of the United Nations High Commissioner for Human Rights to mark the 10th anniversary of the adoption of the Declaration on Human Rights Education and Training.[12, 23p]

Creating a culture of human rights in society is one of the important conditions for ensuring and protecting the rights of citizens and strengthening the rule of law. The formation of a culture of human rights is reflected in certain forms of state activity, including the system of education of all types and levels, the system of professional development in the activities of national human rights institutions.

In recent years, Uzbekistan has been taking systematic and comprehensive measures in this direction. [11, 58p] In 2019, the National Action Plan for the implementation of the provisions of the UN Declaration on Human Rights Education and Training was approved. On this basis, the measures outlined in the Road Map are being implemented.

The National Human Rights Strategy of the Republic of Uzbekistan, approved by the Decree of the President of the Republic of Uzbekistan, emphasizes education and training in the field of human rights. In this regard, the introduction of courses on "Human Rights", "Women's Rights", "Children's Rights" in preschool and secondary schools, academic lyceums and colleges, as well as universities is an important task.

In addition, the National Center for Human Rights has organized training courses for human rights defenders. These courses are conducted in collaboration with a number of major UN agencies and the

OSCE Project Coordinator. In particular, as of December 2020, more than 500 executives participated as listeners and improved their skills.[10, 85p]

In addition, the Badge "For the Protection of Human Rights" will be awarded in 2020 to encourage citizens who have made a significant contribution to the protection of human rights and freedoms, active in the field of human rights education and human rights in society. was established. Twelve representatives of civil society institutions, educational institutions and government agencies were awarded.

It is no exaggeration to say that the Decree of the President of the Republic of Uzbekistan dated June 22, 2020 "On approval of the National Strategy of the Republic of Uzbekistan on Human Rights" is one of the latest important reforms in the field of human rights. Today, practical steps are being taken to bring national legislation in line with international human rights standards.

At the same time, the adoption of a long-term strategy in the field of human rights will contribute to the effective implementation of state policy in this area, respect for human rights and freedoms, further strengthening the country's prestige in the international arena, including the economic and political rating of Uzbekistan. Serves to improve its position in the indices.

### **CONCLUSIONS AND RECOMMENDATIONS**

Further improvement of the mechanism of protection of human rights and freedoms, ensuring the implementation of the Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017-2021, as well as the tasks set by the President of the Republic of Uzbekistan on January 24, 2020 For the purpose of effective and timely implementation, the following are the main areas of activity of state bodies and organizations of the Republic of Uzbekistan responsible for the implementation of international human rights treaties:

ensure the unconditional implementation of national action plans ("roadmaps") aimed at implementing the recommendations of international organizations on human rights;

identify, analyze and address the causes and conditions that hinder the implementation of the recommendations of the UN human rights bodies and treaty committees by developing and implementing measures to improve legislation and law enforcement practices;

Effective cooperation with the Public Chamber under the President of the Republic of Uzbekistan and civil society institutions in the implementation of the international human rights obligations of the Republic of Uzbekistan.

At a time when Uzbekistan has entered a new stage of national development, serious work has been done to radically reform the national legal system, to form a legal culture in society and to train qualified legal personnel.

Close partnerships with international human rights organizations are expanding, and practical dialogue with non-governmental organizations on human rights has been established.

In general, the initiative of the head of our state to hold a global forum is a logical continuation of the large-scale reforms in the field of human rights in our country, which serve to enrich the content and bring education to a high level.

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