

WOMEN'S RIGHTS IN RENEWED CONSTITUTION

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Annotation:

This article deals with the rights of women in renewed Constitution of Uzbekistan which was accepted after people's referendum on the 30th April in 2023. The articles were enriched with rights and role of women.

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When drafting the new version of the Constitution, the main guideline for us was the ultimate goal of constitutional reforms – ensuring a decent life for citizens, interethnic and interfaith harmony, well-being and prosperity of multinational Uzbekistan. We also took into account the historical experience of the development of our statehood, the rich scientific, cultural and spiritual heritage of our great ancestors, who made an invaluable contribution to world civilization. We proceeded from the need to protect the country's priceless natural resources and preserve a healthy environment, and to implement the most important foreign policy priority of the New Uzbekistan – strengthening and developing friendly relations between Uzbekistan and the world community, primarily with neighboring states, based on cooperation, mutual trust and support.

At the same time, the enduring importance and

historical role of the new version of the country's Constitution is determined primarily by the fact that it lays a solid political and legal foundation for the creation of a new national statehood and constitutional structure based on democratic principles, as well as the formation of political, legal and economic systems. Humanity, respect for dignity and human rights are the basis of the philosophy of the new version of the Constitution of Uzbekistan. It should be noted that a comparative study of the experience of Uzbekistan and foreign countries in the implementation of constitutional reforms allows us to identify a common pattern for them – the orientation of reforms towards the individual, the protection of his honor and dignity, the formation of a fair and open civil society. At the same time, the special role of constitutional law is to consolidate the statuses of the "triad" – the individual, society and the state, including expressing the "relationship between the modern state and civil society", as well as defining the "spheres of rights, powers and responsibilities" of each of them. In the constitutional legislation and constitutional practice of Uzbekistan, there is a change in the previously existing paradigm of "state – society – man" to a new one: "man – society – state".

In this regard, the new version of the Constitution of Uzbekistan can be legally characterized as the “Bill of Human Rights in Uzbekistan”. Because the number of human rights norms in the text of the Constitution has increased almost 3 times.

The Constitution consolidated the entire catalog of human rights and freedoms contained in the Universal Declaration of Human Rights and other fundamental international human rights documents, established the priority of human rights and freedoms over State interests, and proclaimed the principles of creating decent living conditions for people and social justice. For example, the new version of the Constitution of Uzbekistan mentions “human dignity” 11 times. Moreover, as President of Uzbekistan Sh.M.Mirziyoyev noted, “human dignity is ensuring a peaceful and safe life, fundamental rights and freedoms of citizens, step-by-step creation of decent living conditions and modern infrastructure, qualified medical care, high-quality education, social protection and a healthy ecological environment for every citizen of the country”.

As noted above, the most important vector, indicator of the social and state development of Uzbekistan is the implementation of the principles "For the sake of human honor and dignity" and "New Uzbekistan – a welfare state." In this regard, during the constitutional reforms, special attention is paid to ensuring the sustainable development of society and the state, including on the basis of the principles of "solidarity", the imperative of a legal, social state, the implementation of a fair social policy, and the development of human capital.

A welfare state is a state that guarantees its citizens a certain minimum of well-being in a tough market economy, various pandemics and epidemics. This is a certain form of organization of a social structure, the purpose of which is a person as a person, socio-economic and political relations are highly developed, which provides a legal guarantee of the rights and freedoms of citizens and the improvement of state building. In other words, the state recognizes its responsibility to citizens for the social guarantees provided to them, including in the context of a pandemic.

The most important constitutional innovations include the following:

First of all, Uzbekistan is a social state and the state protects all socially vulnerable categories of the population. At the same time, the State takes measures aimed at improving the quality of life of socially vulnerable categories of the population, creating conditions for them to fully participate in public and state life and expanding their opportunities to independently provide for their basic living needs" (Articles 1 and 57);

Secondly, everyone has the right to social security in old age, in case of disability, unemployment, as well as loss of breadwinner and in other cases provided for by law. The amounts of pensions, allowances and other types of social assistance established by law may not be lower than the officially established minimum consumer expenses (art. 46). As we

know, Uzbekistan ranked 21st out of 121 in the Global Hunger Index from the Global Hunger Index (2022) and, accordingly, Uzbekistan has a low level of hunger.

Thirdly, the State's obligations to take measures to ensure the employment of citizens, protect them from unemployment, reduce poverty, organize and promote vocational training and retraining of citizens, as well as prohibit and prevent forced labor and any forms of child labor (Articles 43-44);

Fourth, everyone has the right to housing. No one may be deprived of their home except by a court decision and in accordance with the law. In cases and in accordance with the procedure provided for by law, the owner deprived of his home is provided with a preliminary and equivalent compensation for the cost of housing and the losses incurred by him (art. 47). Thus, the so-called "demolition problem" finds its solution at the constitutional level. For example, in 2018-2020 alone, the courts overturned over 1,730 decisions of khokims on land allocation, demolition and privatization of buildings and structures;

Fifth, the State encourages housing construction and creates conditions for the realization of the right to housing. The procedure for providing housing to socially vulnerable categories of the population is determined by law (art. 47);

Sixth, the right of citizens to receive a guaranteed amount of medical care in accordance with the procedure established by law at the expense of the state is secured. In addition, the State takes measures to develop the healthcare system, its state and non-state forms, various types of medical insurance, to ensure the sanitary and epidemiological well-being of the population, and also creates conditions for the development of physical culture and sports, and the formation of a healthy lifestyle among the population (art. 48). The establishment of a standard on guaranteed medical care is important in preventing mortality of the population, mothers and children, diseases, etc.;

Seventh, the rights of the disabled and lonely elderly, people with disabilities and other socially vulnerable categories of the population are protected by the State. The State shall take measures aimed at improving the quality of life of socially vulnerable categories of the population, creating conditions for their full participation in public and State life and expanding their opportunities to independently provide for their basic living needs (art. 57);

Eighth, the State creates conditions for persons with disabilities to have full access to social, economic and cultural facilities and services, promotes their employment, education, and unhindered access to the information they need (art. 57).

Article 42 of the Constitution of Uzbekistan enshrines the right of everyone to work, including the right to decent work, free choice of profession, favorable working conditions, fair remuneration without discrimination (at least the minimum amount) and protection from unemployment; it is also prohibited to refuse women employment, dismiss them or reduce their salary for reasons related to pregnancy or having a child.

The new version of the Constitution of Uzbekistan (adopted in 2023) enshrines the principle of equal rights and opportunities for women and men, in particular, in Article 58, guaranteeing them equal rights in government and public life. This is supported by legislative initiatives such as quotas for women's participation in elections (at least 40%) and increased government responsibility for gender equality, creating a legal framework for women's empowerment and participation in politics and the economy. This Article asserts the equal rights and opportunities of women and men in the management of society and public affairs, as well as in all spheres of life. The adoption of new laws, for example, on guarantees of equal rights and opportunities, establishes the responsibility of government agencies and officials for implementing the principles of gender equality, including appealing discrimination.

In general, we are convinced, and in the opinion of numerous international organizations and experts, that the adoption of a new version of the Constitution of Uzbekistan has laid a solid legal foundation for further improving the welfare of the people based on the principle of "For the sake of human honor and dignity". The Constitution itself is focused on ensuring the "right to sustainable development," which is based on personal, political, economic, civil, cultural, environmental, and social rights, as well as the right to development.

List of used Literature:

1. The Constitution of the republic of Uzbekistan 8 December 1992 year
2. The renewed Constitution of the republic of Uzbekistan 30 April 2023
3. Uzbek Law Review Scientific Academic Journal #2 2019