

Constitution and principles of justice in new Uzbekistan



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The Constitution of the Republic of Uzbekistan emphasizes the priority of human rights and freedoms, highlighting that human life, freedom, honor, and dignity are the highest values. It establishes that citizens' rights must be protected by the court, reflecting universally recognized legal norms, such as the presumption of innocence and the independence of the judiciary. Ensuring the judiciary's effectiveness and fostering judges with high professional qualifications and moral values are pivotal for social and political stability.

Justice, as a fundamental state function, ensures social protection by safeguarding the rights and interests of citizens. The judiciary addresses civil, economic, administrative, and criminal cases, resolving disputes and ensuring justice. It applies the law impartially, determining guilt or innocence and issuing appropriate sentences. Justice is both a spiritual and cultural treasure, embodying the legal policy aimed at protecting citizens' rights and freedoms.

Between 2017 and 2021, Uzbekistan implemented reforms to enhance human rights, accountability, and openness of state institutions. These efforts aimed to strengthen the role of civil society, the media, and political associations. As President Shavkat Mirziyoyev stated in his address to the Oliy Majlis, the primary task of the courts is to deliver justice through fair and lawful decisions. The ultimate goal of these reforms is to uphold the principles of "For the dignity of man" and "The state is for man," ensuring that freedom, honor, and dignity remain central to the judiciary's mission.

The development strategy for New Uzbekistan (2022-2026) outlines political, legal, and socio-economic reforms to further democratize the judicial system and foster civil society. The 15th goal of this strategy emphasizes enhancing judicial control over state bodies, increasing access to justice, and improving the appeal system in administrative courts. Key initiatives include strengthening the institution of "habeas corpus," implementing a "single window" system for

filing applications, and digitizing court processes to reduce bureaucratic hurdles. These reforms aim to ensure timely, efficient, and transparent judicial proceedings.

To reinforce judicial independence, measures are being taken to prevent undue influence on judges, promote self-governance, and introduce democratic principles in appointing judicial leaders. The adoption of the Decree No. PF-6127 on December 7, 2020, further supports judicial independence and anti-corruption efforts by enhancing the selection, training, and appointment of judges. This initiative also seeks to boost public trust in the judiciary.

The Law on Courts in Uzbekistan enshrines essential principles such as legality, judicial independence, equality before the law, transparency, and the right to a fair trial. These provisions align with international standards, including the International Covenant on Civil and Political Rights, which Uzbekistan ratified in 1995. Article 14 of the covenant guarantees equality before the courts and fair, public hearings by impartial tribunals.

Justice can only be administered by courts, as stipulated in the Constitution. No state body other than the court has the authority to declare guilt or impose punishments. This principle underscores the separation of powers and ensures the judiciary's autonomy. Constitutional norms guarantee judges' independence, irremovability, and accountability solely to the law, reinforcing the judiciary's impartiality.

Judicial bodies safeguard citizens' rights through constitutional, civil, economic, administrative, and criminal proceedings. Citizens can appeal to courts if their rights or freedoms are violated by state bodies or officials. Strengthening judicial power is essential to uphold constitutional guarantees, support democratic development, and protect universal values.

A democratic state cannot thrive without the rule of law and the protection of human rights and freedoms. The scientific and practical study of judges' legal status is crucial. Judicial reforms, as outlined in the Action Strategy, include determining judges' terms of office, initially set for five years, then ten, and eventually indefinite terms. This approach incentivizes judges to perform their duties conscientiously and ensures continuity in judicial excellence.

In conclusion, Uzbekistan's ongoing judicial reforms aim to establish a transparent, efficient, and independent judiciary that protects citizens' rights, fosters public trust, and strengthens the foundation of a democratic and legal state.

Kudrat Matkarimov,

Associate professor of the Department Judicial, law enforcement agencies

and advocacy of Tashkent State University of Law,

Doctor of Laws

E-mail: matkarimovkudrat79@gmail.com