



ADOPTION AND IMPROVEMENT OF THE CONSTITUTION OF THE REPUBLIC OF UZBEKISTAN

Maxsador Maxsatullo Ismatovich

Associate professor of the Military-technical Institute of the National Guard of the Republic of Uzbekistan

ABSTRACT

The article covers the history of creation and adoption of the Constitution of the Republic of Uzbekistan. In addition, in accordance with the requirements of the time, amendments and additions that are being made to date to the Supreme Law are given with their grounds.

KEYWORDS: *the Constitution, the Declaration of principles of the independence, the President, the government, etc.*

INTRODUCTION

It is not a secret that the majority of the world consider a Constitution as the main document, which shows the internal organizational structure of the state, state power, democratic legal state, guarantees the legal rights and freedoms and legitimate interests of people and citizens in these states, and defines the state in the world community as a state, a nation as a nation.

Well, what does the Constitution itself mean, what kind of document is it?

The word "Constitution", is derived from Latin which means "structure". The Constitution is the main law of the state. It determines the structure of the state, the system of power and governing bodies, the order of their competence and formation, the electoral system, the rights and freedoms and duties of citizens, the interaction of society and the individual, as well as the judicial system and the interaction of the state and society.

In this regard, the following aspects should be considered as the most important legal document of the Constitution and the Supreme normative-legal act:

- The Constitution is the main law of the state;
- The Constitution has a high legal power;
- The Constitution is accepted in a separate procedure;
- The Constitution is the most important political document;
- The Constitution is the most important ideological document;

- The Constitution is the most important legal document;
- The Constitution forms the core of the national legal system;
- The Constitution is the basis of legal education in and legal culture[1].

The term "constitution" was known in ancient Rome (the law was called the Imperial Constitution). Amir Temur's Code was characterized by a constitutional document in civilization of the Eastern and Asian countries. Along with Sharia law it had a strong influence on the fate of the peoples of the Central Asian region. At the adoption of the Constitution of the Republic of Uzbekistan, was taken into account the national statehood experience of many centuries, in particular the historical traditions of today's Uzbekistan, ancient Khorezm and Sogdiana, Karakhanids, Khorezmshahs, Amir Temur and Temurids, Uzbek khanates, enlightened ancestors, the dream about an independent state, as well as the interests, national mentality, and aspirations of our view. We are undoubtedly convinced that the Constitution of Uzbekistan is the result of long-term dreams of our people towards independence. It is a complex of important historical chronicle of the creation of our Basic Law, and at the same time honorable historical chronicle. The first step in the adoption of the Constitution of the Independent Republic of Uzbekistan is explained by the fact that on October 21, 1989 it was granted the status of the Uzbek language as the state language[2].



ADOPTION OF THE CONSTITUTION

In the works of the first president of our country Islam Karimov "On the threshold of independence of Uzbekistan", "High spirituality is an indestructible force", it was specially mentioned that on the eve of independence there were sharp and uncompromising discussions on the issue of granting the status of the state language to the Uzbek language.

The president of our country Shavkat Mirziyoyev said, "It was not easy for us to adopt this law, which will decide the fate and future of our people in the most difficult conditions, when the regime in our country has not yet passed its verdict. The draft law was put on public discussion twice. I think that many of our compatriots remember very well what kind of heated discussions and disputes took place around him. Personally, I was also a direct witness and participant of these historical processes at that time. In the adoption of this important document, the political will of our self-sacrificing and patriotic intellectuals, the hard work of the general public and the first president of our country, the esteemed Islam Abdug'anievich Karimov, took a great place"[3].

Thus, first of all, the important legal rules enshrined in "The law on the state language" are now sealed in Article 4 of our main law as follows: "The state language of the Republic of Uzbekistan is Uzbek. The Republic of Uzbekistan ensures respect for the languages, customs and traditions of all nationalities and nationalities residing on its territory, creates conditions for their development" [2].

The second political, historical and legal step on the way to creating our main image is connected with the establishment of the presidential Institute and the structure of the commission for the preparation of new state symbols.

These very important and exciting events in the life of our country were discussed in the first session of the twelfth convocation of the Supreme Council in March 1990, also the post of President of the Republic of the former Union was introduced, the issue of state symbols was discussed and a special commission was formed in this regard. For the first time the idea of creating the first Constitution of independent Uzbekistan was put forward in this session.

Another important legal step towards the creation of the Constitution is related to the declaration of the Declaration of independence, and in Paragraph 8 of the Declaration of Independence, which was announced on June 20, 1990 by the Supreme Council of Uzbekistan, Uzbekistan enshrined the rule of establishing its own path of development, its own name and the state symbols (coat of arms, flag) [4]. In paragraph 12 of the declaration, it is noted that this document will be the

basis for the development of the new Constitution of the Republic.

It is worth noting that at that time the document of such content was first adopted in the territory of the former Union in Uzbekistan.

The fourth legal step towards the creation of the Constitution is the establishment of the Constitutional Commission.

By the decision of the Supreme Council on June 21, 1990, under the chairmanship of the first president of the Republic of Uzbekistan Islam Karimov, a constitutional commission consisting of 64 members of state figures, deputies, specialists was established and the draft constitution was prepared by this commission for more than 2 years.

The first president of our country headed directly to the preparation of the Constitutional Commission of the Republic of Uzbekistan a draft law that reflects the peculiarities of our country in a worthy manner, fully complies with international standards, takes into account the achievements of the world experience, democracy and constitutional legislation of the most developed countries.

President of the Republic of Uzbekistan Shavkat Mirziyoyev, in his speech at the solemn ceremony dedicated to the 24th anniversary of the adoption of the Constitution of the Republic of Uzbekistan, said: "As a deputy of the Supreme Council, I always remember with pride that I was directly involved in the process of creating and accepting our head of the Constitutional Commission. I remember how our Constitution came into being in its present form and content, as well as the heated debate and debate that has taken place in this complex process. Indeed, in the development of the draft of our Basic Law in the difficult period of the 90s, the leadership of this work by a large-scale, strategic-minded, far-sighted great political figure was of crucial importance as Islam Abduganievich"[5].

In this regard, it is permissible to pay special attention to the effective work of the president of our country Shavkat Mirziyoyev at the adoption of the Constitution. After all, during this period our compatriot also worked as a deputy of the Supreme Soviet of Uzbekistan, as a chairman of the mandate Commission of the Supreme Soviet of Uzbekistan, as a member of the Constitutional Commission of the Supreme Soviet of Uzbekistan and the 6th working group of the Constitutional Commission.

Another important legal step in the history of the adoption of our basic law is the proclamation of State independence. The speech of the first president of our country Islam Karimov at the extraordinary sixth session of the Supreme Council of the Republic of Uzbekistan on August 31, 1991, the twelfth call goes as: "From this point of view, I propose to declare September 1 as the day of Independence, the national holiday in our republic".



On August 31, 1991, the Supreme Council adopted a statement on the state independence of the Republic of Uzbekistan and noted in the statement that "From now on the territory of the Republic of Uzbekistan the Constitution and laws of the Republic are undoubtedly recognized as superior".

On the same day, the constitutional law "On the basis of State independence of the Republic of Uzbekistan" was adopted [6]. A number of important substances reflecting the core rules of the upcoming Constitution took place from it. In particular, in accordance with this law: "The Constitution of the Republic of Uzbekistan and its laws are superior in the Republic of Uzbekistan. The system of state agencies of the Republic of Uzbekistan will be built on the basis of the procedure for separation of power into legislative, executive and judicial power" (Article 5).

In fact, this Constitutional Law served as a Constitution until the adoption of our Basic Law.

The draft constitution was put on the general discussion on 26 September 1992 and 21 November of this year, in total two times. This open discussion took place in the spirit of political activity, creative upheaval of citizens from the end of September 1992 to the beginning of December. The Constitutional Commission received a letter with nearly 600 comments. More than 5 thousand proposals were submitted by our citizens. This ensured the populism of our Basic Law. The Constitution itself passed a broad public examination. The Constitutional Commission discussed the draft constitution for the last time on December 6, 1992. It is worth noting that the Constitutional Commission, referring to foreign constitutional experience, came from a holistic understanding of the role of the Basic Law. It took into account a number of advanced aspects of the constitutional experience of the developed countries of the world. The draft constitution passed a meticulous examination of such influential international organizations as the United Nations, the Council of security and cooperation in Europe and experts of democratic countries as the United States, Great Britain, Germany, France.

About 80 amendments, additions were proposed and clarifications were introduced to the draft constitution, which was introduced for discussion at the session of the Supreme Council. Deputies of the Supreme Council discussed the project article by article and introduced a number of other amendments to it. On December 8, 1992 the head of our state was adopted. Since that day, 8 December was declared a public holiday.

Thus, if a new sovereign state was decided on the world stage from the date of the declaration of independence of Uzbekistan, on the day of adoption of the first Constitution our state was born anew, a solid legal foundation was laid for our true independence. It is not surprising that such a high and

unbiased assessment is made in relation to our Basic Law. This can be explained by the following reasons:

- the main law of our country is a document that contains universal values tested in history, international standards;

- created and based on the historical experience of the most developed countries;

- the ideas and norms of our Constitution are based on the deep historical roots of the Uzbek people, which include centuries-old experience and spiritual values, the legal heritage of our nation. In fact, as time progresses, the laws also improve. During the past period, several changes have been made to our Constitution. To this day, 14 constitutional laws on Amendments to the Constitution have been adopted and 68 amendments to the norm rules.

REVIEW OF THE MAIN AMENDMENTS

The First Amendment to the Constitution of the Republic of Uzbekistan was made in accordance with the law "On amendments to Article 77 of the Constitution of the Republic of Uzbekistan" on December 28, 1993[7]. According to this, the legislative act of the Oliy Majlis amended the norm on the expression of the number of deputies chamber from 150 people, which clearly limits the amount. That is, the sentence "One hundred and twenty deputies" was changed to "deputies". This change is not indicated in the Constitution of the Republic of Uzbekistan, which is currently in circulation by representatives of the general public. In our opinion, it is also permissible to enter this modification.

The amendments and additions to our basic law, which were widely introduced in terms of the second and its scope, were implemented in accordance with the law "On amendments and additions to the Constitution of the Republic of Uzbekistan" dated 24 April 2003[8]. With this constitutional law, amendments and additions were introduced to 30 norms of our headscarf. These changes and additions became the legal basis for reforms, which are very important for our people, the system of state power. These changes were made in connection with the transition to a two-chamber parliament. In particular, the fifth section of the Constitution, dated to chapters XVIII–XX, XXIII, is connected with the issue of election of a two-chamber parliament in the future and changing the term of the constitutional authority of the president from five to seven years.

On January 27, 2002, a referendum was held on two important issues on the establishment of a two-chamber parliament and the amendment of the term of the constitutional authority of the president. As a result of the Referendum amendments and additions were introduced to the constitutional laws



"On the results of the referendum and the main printouts of the establishment of state power", "On the Senate of the Oliy Majlis of the Republic of Uzbekistan", "On the legislative power of the Oliy Majlis of the Republic of Uzbekistan". The Oliy Majlis has been amended to include two chambers – the Legislative chamber and the Senate, the Legislative chamber consisting of one hundred and twenty deputies, the Legislative chamber and the absolute and joint powers of the Senate, the term of office of the #President to be reduced to seven years.

The third amendment included in the Constitution was based on the law "On amendments to the articles of the Constitution of the Republic of Uzbekistan (Article 89, paragraph 15 of Article 93, part two of Article 102)" dated 11 April 2007. With this constitutional law, amendments have been introduced to the three norms of the Constitution, in particular, to ensure the coordinated activities and cooperation of the head of State and the bodies of state power, as well as to ensure the right of the president to dismiss the district and city governors who have violated the laws or have committed acts that The law "On amendments and additions to certain laws of the Republic of Uzbekistan in connection with the improvement of legislative acts on Elections" of December 25, 2008 was the legal basis for the fourth important amendments and additions included in our basic law[10]. By this constitutional law, a single norm has been amended. Article 77 of the constitution stipulates that the legislation consists of one hundred and fifty deputies elected in accordance with the law.

The Fifth Amendments and additions to the Constitution of the Republic of Uzbekistan were implemented in accordance with the law "On amendments and additions to certain articles of the Constitution of the Republic of Uzbekistan (articles 78, 80, 93, 96 and 98)" dated 18 April 2011 [11]. By this constitutional law, amendments and additions to the five norms of the Constitution were introduced. The main purpose of these amendments and additions is to ensure a more balanced distribution of powers between the president, legislative and executive authorities, and to foster the role and influence of political parties in society.

The law determines the order in which the Oliy Majlis hears and discusses the reports of the Prime Minister. The approval of presidential decrees on the appointment and dismissal of the prosecutor general's offices was removed from the absolute powers of the Senate. At the same time, from the Constitution, the norm on the leadership of the president in the executive power was issued. By law, the order of the president to appoint and dismiss the governors of the regions as well as the mayor of the city of Tashkent was established upon the proposal of the Prime Minister. In addition, it was determined that the candidate for Prime Minister will be invited

to the legislative chamber by a political party that has the highest number of Deputies in the election, or by several political parties that have won the highest number of Deputies. Also, an important amendment to Article 96 was introduced which states that, in the event that the president fails to fulfill his duties, his duties and powers shall be temporarily assigned to the chairman of the Senate, in such a case within three months the organization and conduct of the presidential election shall be carried out.

The Sixth Amendment to the Constitution was based on the law "On amendments to Article 90 of the Constitution of the Republic of Uzbekistan" dated December 12, 2011[12]. With this amendment, the term of office of the president of the Republic of Uzbekistan is reduced from seven to five years.

The Seventh Amendments and additions to the Constitution of the Republic of Uzbekistan dated 16 April 2014 "On amendments and additions to certain articles of the Constitution of the Republic of Uzbekistan (32, 78, 93, 98, 103 and articles 117)" was carried out on the basis of the law[13]. With this constitutional law, the six norms of the Constitution have changed. The norm on the procedure for the implementation of public control over the activities of state bodies was introduced, which was established by law. Thus, the implementation of parliamentary control was defined as a legislative act and a joint mandate of the Senate.

The Eighth Amendments and additions included in our Basic Law became the basis of the constitutional law "On amendments and additions to the Constitution of the Republic of Uzbekistan" dated April 6, 2017[14]. With this constitutional law, seven norms were amended and added. They are connected with the strengthening of the legal basis of the activities of the Supreme Council of judges and economic and administrative courts in order to ensure genuine independence of judicial power.

On May 31, 2017, the constitutional law "On the introduction of amendments to certain articles of the Constitution of the Republic of Uzbekistan (articles 80, 93, 108 and 109)"[15] became the basis of the ninth amendments included in our Constitution. With this law changed the four norms of the Constitution. Improvement of the system of Public Administration in the field of Ecology and environmental protection, as well as some changes and additions related to the strengthening of the independence of the Constitutional Court.

The Tenth Amendment introduced to the head office was the basis of the law "On elections to the District Councils of people's Deputies of the city of Tashkent" on August 29, 2017[16]. With this law, amendments and additions to the two norms of the Constitution were introduced. In particular, the appointment and dismissal of a governor to the districts of the city of Tashkent was determined by



the rule on entry into the authority of the mayor of Tashkent.

The Eleventh Amendment to the Constitution was the legal basis of the constitutional law "On amendments to certain legislative acts of the Republic of Uzbekistan in connection with the improvement of the election of the chairman (oqsakol) of the citizens' Assembly" on October 15, 2018[17]. By this law, only one norm was changed. In the self-governing bodies of the citizens' assemblies, the procedure for the election of the chairman (oqsakol) and not only the chairman (whitewash) and his advisers, but also only the chairman (oqsakol) for a period of two and a half years, was introduced. The twelfth amendments and additions included in our Basic Law became the basis of the law of February 18, 2019 "On amendments and additions to some legislative acts of the Republic of Uzbekistan in connection with the improvement of the activities of some state bodies in the field of security and defense"[18]. With this law, amendments have been introduced to two norms in the Constitution namely, the conversion of words related to the "National Security Service" into the "State Security Service".

The thirteenth amendments and additions included in our Constitution were the basis of the law of March 5, 2019 "On amendments and additions to some legislative acts of the Republic of Uzbekistan in connection with the democratization of the order of formation of the government and its responsibility"[19]. With this law, amendments and additions were introduced to the three provisions of the Constitution. According to them, the procedure for the approval and dismissal of members of the Cabinet of Ministers was introduced upon the proposal of the prime minister, which was introduced after the legislative approval of the court. The basis of the law "On amendments and additions to certain legislative acts of the Republic of Uzbekistan in connection with the improvement of legislative acts on Elections" of September 4, 2019, was introduced into the last, that is, the Fourteenth Amendments and additions[20]. According to it, in Article 117 of the Constitution, a change was introduced that the court found it incapable of circulation, that persons who are kept in places of deprivation of liberty by a judicial sentence for committing a serious and extremely grave crime should not participate in elections only, but in any other cases should not be allowed to directly or indirectly restrict.

CONCLUSION

As can be seen from the above as our country develops towards a democratic legal state, civil society, our main body, which is the legal ground on this path, will continue to improve. In this regard, it is worth noting that knowing the

Constitution and the history of its creation, understanding the essence and meaning of its improvement is an inalienable duty of every citizen of Uzbekistan. Undoubtedly, the Constitution is the passport of the state, it is a legal, social, political document that introduces the state into the world as a state, a nation as a nation.

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