



Guarantees of Human Rights and the Importance of Public Communication in Modern Society

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Abstract

It is generally agreed that the human and his rights, freedom of a speech is the main and most important issue in the modern society. The guarantees of human rights and the importance of public communication are discussed in the present article; furthermore, some of these guarantees and importance are researched according to the conventions which accepted in the world.

Keywords: *OSCE Human Rights Council; Universal Declaration of Human Rights; Inhuman or Degrading Treatment or Punishment; European Convention; Dutch Grotius; French Russo; CIS Convention on Human Rights; Civil Code; Constitution; Civil Procedure*

Introduction

The processes of globalization and the unprecedented development of the media are a powerful impetus for the development of relations between nations and peoples.

Ensuring and guaranteeing the interests of the people is of particular importance in the process of building the rule of law and civil society in the country. Therefore, the need to strengthen the role of legal communication in strengthening the impact of these laws on the minds of the people to convey to the public the essence of human rights laws remains a pressing issue.

The ideas of natural equality of people, which are extremely important for understanding human rights, were put forward in the political and legal teachings of ancient Greek thinkers (Protagoras, Antiphon, Lycophron) and ancient Chinese scholars (Mao Tse-tung, Confucius) as early as the VI-IV centuries BC. It is no exaggeration to say that the first forms of legal communication were developed in those days. The concepts of the subject of law and equality before the law belonged to the ancient Roman jurists, and Cicero constantly stated in his lectures, “All must be under the influence of the law” [Boboev, p. 84]. It should be noted that the law of ancient Greece and ancient Rome did not express the views of

thinkers on this issue. Today, these issues have repeatedly become a priority on the basis of the modern worldview.

The Main Findings and Results

In the formation of the concept of human rights, the direct harmony of society with the history of development has come a long way of gradual improvement. The beginnings of this can be traced in the early forms of collective life, which required the need to regulate the behavior of man in the environment around him.

As a result of civilization, the concept of citizenship is a stable and permanent political-legal relationship between the individual and the state, defined as a reflection of their mutual rights, duties and responsibilities. Such relations are based on the recognition and respect for the dignity, fundamental rights and freedoms of man and citizen.

Enlightenment thinkers such as the English Locke, the American Payne and Jefferson, the French Russo, Montesquieu, Voltaire, and the Dutch Grotius, who lived in the 16th and 18th centuries, play a leading role in shaping the natural-legal concept of human rights.

Today, human rights have a regional status, such as the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950), the American Convention on Human Rights (1969), the African Charter of Human and People's Rights (1981), It is enshrined in many international agreements, such as the CIS Convention on Human Rights (1995) [Boboev, p. 90].

The Universal Declaration of Human Rights, adopted in 1948, became the basis for efforts to develop normative documents in the field of human rights at the international level. The fundamental fundamental human rights are enshrined in universal international treaties (the International Covenant on Civil and Political Rights of 1966, the International Covenant on Economic, Social and Cultural Rights of 1966 and other documents) [Boboev, pp. 87-88]. UN, ILO and UNESCO Conventions governing the rights and freedoms of certain groups of the population (UN Convention on the Political Rights of Women 1952, 1989 Convention on the Rights of the Child; UNESCO 1960 Convention on Discrimination in Education). ILO Convention on Migration Abuse and Equal Opportunities for Migrants, etc.), made a significant contribution to the implementation of the condensation process in the field of human rights [Boboev, p. 88]. There are currently about 70 UN human rights conventions.

For states ratifying international instruments, human rights codification activities have not only served to increase the number of international standards, but have also intensified the process of creating national regulations aimed at strengthening them in state legislation.

The OSCE Helsinki Final Act of 1975, the OSCE Human Rights Council, and the 1991 Moscow Conference directly state that “issues concerning human rights, fundamental freedoms, democracy, and the rule of law are international and not limited to the internal affairs of a particular state” [Human Rights, p. 88].

In recent years, certain efforts have been made in Uzbekistan to increase the role of legal communication in society, to strengthen the impact of the adopted legal norms on the development of relations in the economic and social life of society.

Article 25 of the Universal Declaration of Human Rights guarantees the right of an individual to an adequate standard of living. In addition to the right to social security discussed earlier, this right includes: “The right to adequate food, - The right to adequate clothing, - The right to housing”, and “The right to health” [Saidov, p. 235].

It should be noted that human rights are based on the value of the individual. Generally, human rights are divided into three parts: civil and political rights (right to life, prohibition of torture, right to a fair trial, right to freedom of thought and expression, association), economic and social rights (right to education, right to work, right to social security, the right to health and medical care), and the so-called third-generation right (the right to peace, the right to development) [Boboev, pp. 89-90], are recognized separately.

In recent years, Uzbekistan has been actively involved in global processes to ensure and protect human rights and freedoms. It should be noted that today the Legislative Chamber of the Republic has adopted the Law “On Civil and Political Rights”, “On Economic, Social and Cultural Rights” (1966). The Conventions on the Elimination of All Forms of Racial Discrimination (1979), on the Problems of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), and the UN Convention on the Rights of the Child (1989) have been ratified [Boboev, p. 90]. This, in turn, will make the process of adopting international legal standards in the field of human rights and freedoms more efficient. Part 2 of Article 18 of the Constitution of the Republic of Uzbekistan states that “Privileges shall be established only by law and must comply with the principles of social justice.” This rule is enshrined in a whole series of legislative acts of Uzbekistan.

The content of human and civil rights and freedoms, the process of their implementation and protection mechanisms are detailed in the Constitution of the Republic of Uzbekistan. This is said to be in line with one of the basic provisions of the 1948 Universal Declaration of Human Rights, which states that “human rights must be protected by the rule of law” in every state [Saidov, <https://soglom.uz/>, pp. 153-154].

It should be noted that over the past period, Uzbekistan has acceded to more than 70 major international human rights instruments and has become a party to 10 major international treaties adopted by the United Nations in this area. Therefore, as Academician A. Saidov noted: “The problem of ensuring human rights and freedoms in Uzbekistan is in the focus of attention not only of the state, but of society as a whole. Under the current legislation, civil society institutions are involved in improving the legislation, monitoring the rights of vulnerable groups, advocacy, as well as the preparation of national periodic and alternative reports on the implementation of international human rights obligations” [Saidov, <http://www.insonhuquqlari.uz/>].

The laws of development and the principles of development of the modern world cannot be understood in isolation from the rapidly growing process in the context of its globalization. Society has unprecedented new opportunities in its life and in the intensity of integration processes in all spheres of social life. In the context of globalization, this is a natural process and is controlled by legal communication networks.

Ensuring human rights is not an end in itself after a certain distance, but an ongoing process. Also, the purpose of this decision is to promote the positive position of Uzbekistan in the international arena in accordance with the tasks set out in the Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017-2021.

Today, no matter what area of life in the country, we see a new approach, progressive relations and genuine initiative on every front. Consequently, the results achieved in the field of human rights protection in Uzbekistan are directly related to the drastic reforms implemented within the framework of the Action Strategy. This has launched a profound democratic renewal in Uzbekistan” [*Civil Code of the Republic of Uzbekistan*]. Thus, the above-mentioned principles of legal communication embody the forms of mass communication.

In the unprecedented acceleration of the development of the state and society, the effectiveness of legal communication has a significant impact on the creation of modern innovative technologies,

advanced ideas. The expansion of communication opportunities, the dependence on a new system of self-awareness in a new reality, helps to change the consciousness of people who are beginning to understand themselves on the basis of the demands of the times.

The Universal Declaration of Human Rights has been published in more than 400 languages, and no document in the world has been translated into so many languages. This is a testament to its universal nature and scale. The Universal Declaration of Human Rights has become the basis of the constitutions of many democracies, a benchmark that is a measure of respect and encouragement of fundamental rights and freedoms. In addition to the integration processes in the development of the modern world, the existence of a principle that protects the independence and sovereignty of peoples and states allows us to conclude that the political, economic, cultural and national pluralism of the modern open world does not always lead to the same results.

In the exercise of civil rights, enshrined in Article 9 of the Civil Code of the Republic of Uzbekistan, citizens and legal entities voluntarily exercise their civil rights, including the right to protection. Refusal of citizens and legal entities to exercise their rights shall not entail the revocation of these rights, except as otherwise provided by law. The exercise of civil rights must not violate the rights and legally protected interests of others. Civil law relationships are designed to ensure that participants act honestly, rationally, and fairly [Muminov, pp. 9-10]. In case of non-compliance with the requirements of paragraphs 3-4-5 of this article, the court may refuse to protect the rights of the individual. In addition, the rules enshrined in Articles 10-11-12-13 contain a combination of methods and forms of legal communication.

The provisions of the Universal Declaration of Human Rights form the basis of more than a hundred UN international human rights conventions and declarations, numerous regional human rights treaties, national human rights law and state constitutions, and are designed to protect and promote human rights [Saidov, 2016, p. 3].

In the field of human rights, procedures and mechanisms have been established to define the types of state and public control and to establish observance of the protection of human rights and freedoms. Therefore, it is emphasized that the most important task of any state structure is to ensure the movement of laws and other legal acts to ensure the real observance of human rights [Saidov, 2016, p. 4]. A system of legal communication based on modern principles is moving in this direction. Of course, legal communication, having a specific character, manifests itself as an impulse of the mind, which is present in the whole system of vital actions.

The large-scale efforts to build a democratic state governed by the rule of law in Uzbekistan, the formation of a just civil society in which the human person, his rights and freedoms, legitimate interests are the highest value, are great innovations in our lives; in the image of incomparable changes, especially the high mood of our compatriots, the high creative spirit. The feeling of involvement in the fate of the homeland is obvious [Mirziyoev, p. 5]. The importance of legal communication in the principles of human rights protection is extremely relevant.

It should be noted that the provisions of the Universal Declaration of Human Rights are effectively reflected in the Constitution of the Republic of Uzbekistan in the national legislation, which provides reliable protection of political, economic, social and cultural rights and freedoms.

President of the Republic of Uzbekistan Sh. Mirziyoev said, "As we build a democratic state governed by the rule of law, we must improve the training of lawyers who are well-educated, highly qualified, meet international standards and are truly dedicated to their profession" [Saidov, 2012, p. 45].

Political and legal communication, along with social, economic, cultural, administrative, scientific, educational, mass legal forms of communication, play an important role in building a modern

democratic state, (communication, communication in the vernacular) This system acts as a bridge between the people and the state. By harmonizing all the processes that take place, it becomes a mirror of life in a close state.

On the basis of today's rapid development, the years of independent development of Uzbekistan can be divided into two stages, each of which has its own history of human rights development, 1991-2000, primary reforms and transitional reforms and the formation of the foundations of national statehood. During this period, the legal and organizational framework for building a democratic state governed by the rule of law in Uzbekistan, the socially oriented foundations of a market economy, the system of promotion, observance and protection of human rights and freedoms were formed. In the same years, Uzbekistan acceded to six key UN human rights instruments, established national human rights institutions and a system of continuing education in the field of human rights. In this process, the importance of educational communication has become relevant.

From 2001 to the present is a period of active democratic renewal and modernization of the country. During this period, the influence of the legislature increased on the basis of the establishment and active functioning of a bicameral parliament, which represents the interests of the state and the regions. Increasing the capacity of political parties and civil society institutions to make important decisions at the state level, increase the prestige of non-governmental organizations in public control and monitoring of state structures, radical reforms aimed at liberalization and humanization of the judiciary, the abolition of the death penalty, strengthening the independence and efficiency of the judiciary, as well as the implementation of extensive information and educational work in the field of human rights education, the formation and development of a culture of human rights in society.

Human rights and freedoms are a common achievement of human civilization [Saidov, 1998, pp. 24-25].

During the years of independence, a system of human rights laws was formed. International norms and standards enshrined in the Constitution, the Universal Declaration of Human Rights and other international agreements are the basis of Uzbek human rights law. The Republic of Uzbekistan has adopted more than a hundred human rights laws. At present, Uzbekistan has acceded to more than 70 international treaties and conventions on human rights. They form the legal basis for the protection of human rights and act by regulating the activities of national human rights institutions, their legal status, powers and obligations, as well as a number of other aspects.

The second section of the Constitution is devoted to the fundamental rights, freedoms and duties of man and citizen. The Constitution recognizes human rights as the highest value. Therefore, emphasizing that the protection of human rights in Uzbekistan is a priority, in his works, the head of state outlined the following five basic principles of human rights:

First, to ensure an effective mechanism for the protection of human rights and freedoms;

Second, to improve national human rights legislation on the basis of international norms;

Third, to develop a mechanism for strict compliance with the law and to ensure the rule of law in all spheres of social life;

Fourth, democratization of the entire judicial system through judicial reform;

Fifth, to radically improve the legal education of the population, especially among young people and officials, law enforcement officers, to increase their legal awareness and culture [Saidov, 1998, p. 6].

These principles serve as a basic guide to ensuring human rights in our country, and on the basis of these principles, serious attention is paid to human rights. As noted above, Uzbekistan currently has a system of human rights legislation and a national mechanism for their protection. Today, on the threshold

of a new era, globalized innovative ideas, advanced technologies, modern worldview, the realization of human identity to contribute to the development of society and the state, everyone must consciously feel the joy of life.

The Republic of Uzbekistan bases its human rights policy on the following principles:

The first principle is adherence to universally recognized ideas and values in the field of human rights and to its international obligations in the field of human rights;

The second principle is that public policy in the field of human rights stems from fundamental national interests based on the rule of law and the formation of a strong civil society;

The third principle is the principle of balance of interests of the person, society and the state, enshrined in the Constitution of Uzbekistan in ensuring priority of interests of the person;

The fourth principle is the gradual implementation and systemic nature of all reforms in the socio-economic, political and judicial spheres;

The fifth principle is the priority of protecting the social and economic rights of certain categories of persons: children, youth, women, the disabled;

The sixth principle is openness and transparency;

The seventh principle is the social cooperation of the state with civil society institutions and the media;

The eighth principle is active international cooperation in the field of human rights.

The current legislation of the Republic of Uzbekistan consists of a large number of normative legal acts (Constitution, constitutional laws, codes, laws, subordinate acts) and the Constitution of the Republic of Uzbekistan adopted on December 8, 1992 has a separate section on human rights. It reflects all types and aspects of human rights enshrined in the Universal Declaration of Human Rights. In accordance with the Constitution, complex laws are adopted, and personal, political, economic, social and cultural rights are affirmed and clarified. These include: 15 codes and more than 600 laws, such as Civil, Civil Procedure, Criminal, Criminal Procedure, Economic Procedure, Criminal Enforcement, Labor, Family, Land, Housing, Tax, Administrative Liability Code.

The main focus in the implementation of the state program in 2017 will be the deepening of democratic reforms and modernization of the country by parliamentary and political parties, enhancing the role of civic institutions in the protection of human rights; aimed at radical reform of state and society building, aimed at ensuring the rule of law and improving the judicial system, echoes the principle of “from a strong state to a strong civil society”.

Therefore, the rule of any particular law is reinforced by the principle that it cannot restrict the fundamental human rights enshrined in the Constitution.

The task of protecting human rights within civil society is entrusted to the law, as Article 6 of the Constitution states that “the law is an expression of the common will” and therefore “all citizens have the right to participate in law-making in person or through representatives. The law should be equal for all, both in cases of patronage and in cases of punishment” [Saidov, 2018, pp. 46-47], which is to develop legal communication.

Conclusion

In conclusion, taking into account the provisions of the Action Strategy, Uzbekistan as an equal subject of international relations will continue to develop international cooperation on the implementation of international standards in the field of human rights and freedoms with the UN statutory and treaty bodies, special mechanisms. The intention to actively participate in improving international and national monitoring of the human rights situation in other member states shows that the main goal has been achieved.

The large-scale efforts to build a democratic state governed by the rule of law in Uzbekistan, the formation of a just civil society in which man, his rights and freedoms, legitimate interests are the highest value, are great innovations in our lives, in the image of incomparable changes, especially the high mood of our compatriots, the high creative spirit, the feeling of involvement in the fate of the homeland is obvious. Ensuring that citizens have knowledge of human rights and freedoms, instilling in them a sense of respect for people, their rights, honor and dignity.

Contribute to the further development of legal awareness and legal culture in society. From the formation of a legal entity that can feel a high level of civic responsibility in society is the development of legal communication from the point of view of journalism. In countries around the world, even in the Anglo-Saxon legal systems, which have traditionally had a high precedent in the judicial system, the role of written, positive legal communication in the regulation of social relations and the settlement of disputes in court are growing. The reason for this is to some extent characterized by such aspects of positive law as clarity of form, universality, systematization.

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