

ORGANIZATIONAL RIGHT TO PROVIDE ADMINISTRATIVE RESPONSIBILITY FOR OFFENSES THAT VIOLATE THE RIGHTS AND FREEDOMS OF CITIZENS

Ahmadaliev Abduaziz Yuldashali o'gli

Master's student of the Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan.

Annotation. This article presents the concept and types of administrative liability for violations of the rights and freedoms of citizens, a comparative analysis of some of these types of administrative offenses and problems with the simplified procedure for these offenses and their solutions.

Keywords: offense, administrative liability, human rights, insult, slander, simplified procedure, e-administrative work.

Ensuring fundamental human rights and freedoms is at the heart of Uzbekistan's reforms. "The Sustainable Development Goals until 2030 will be implemented on the basis of the principle of "no one is left out", which provides for the protection of the rights and legitimate interests of everyone in our country¹.

The relevance of this research topic is the analysis of the importance of ensuring the rights and freedoms of citizens, their specific features, the legal framework governing the improvement of citizens' rights and freedoms in the field of offenses and their application.

In addition, the problems and shortcomings in this area were studied and a number of proposals to address them were highlighted.

The rights and freedoms of citizens serve to define the fullness of life, an integral part of the culture of nations and the highest manifestation of the moral legal criteria of humanity. It should be noted that the Universal Declaration of Human Rights has been published in more than 400 languages. This is evidenced by its universal nature and scale. Among the spiritual values of the modern world, universally recognized human rights occupy one of the most important places. Human rights, enshrined in the UN Charter and international conventions, as well as in the constitutions of various countries around the world, are becoming ingrained in our minds as fundamental and inalienable rights².

In order to ensure peace and national harmony of citizens, the Preamble of the Constitution of the Republic of Uzbekistan stipulates in this basic encyclopedia that the State expresses the will of the people and serves its interests³.

Government agencies and officials are accountable to society and citizens, and all citizens have the same rights and freedoms and are equal before the law, regardless of gender, race, nationality, language, religion, social origin, creed, personal and social status. Citizens are obliged to abide by the Constitution and laws, to respect the rights, freedoms, honor and dignity of others⁴.

Human rights, enshrined in the constitutions of various countries around the world, are becoming ingrained in our minds as fundamental and inalienable rights. First of all, it should include measures aimed at ensuring the protection of human rights and freedoms by law enforcement and regulatory agencies, the formation of a culture of human rights in society and public control over compliance with laws in other areas.

All human beings are born free and equal in dignity and rights. Accordingly, it strengthens the right of everyone, regardless of gender, language, religion, political or other beliefs, property, class or other status, to live without need and without fear for their personal inviolability, freedom of speech and religion, justice and peace throughout the world put⁵.

¹ Mirziyoev Sh.M. Speech dedicated to the 29th anniversary of the Constitution of the Republic of Uzbekistan in 2021. <https://uza.uz>.

² <https://strategy.uz/index.php?news=1213&lang=uz2>.

³ Constitution of the Republic of Uzbekistan. <https://lex.uz/docs/20596>.

⁴ Constitution of the Republic of Uzbekistan. <https://lex.uz/docs/20596>.

⁵ Universal Declaration of Human Rights. <https://constitution.uz/uz/pages/humanrights>.

Today, the large-scale reforms being carried out in our country are aimed at protecting the interests of the people, improving the living standards of the population, ensuring peace, harmony and stability in the country. The Code of Administrative Liability of the Republic of Uzbekistan provides for liability for violations of the rights and freedoms of citizens, which include a number of offenses, such as slander, insulting the law on the state language, unreasonable refusal to read documents⁶.

Slander is slander, that is, deliberate lying, which is expressed in the spread of fabrications that embarrass another person.

Insult is an insult, that is, an intentional insult to a person's honor and dignity.

Violation of the legislation on the state language is a violation of the rights of citizens to free choice of language in upbringing and education, obstruction and restriction of language use, disregard for the state language, as well as the languages of other nationalities and ethnic groups living in the Republic of Uzbekistan.

Violation of the legislation on appeals of individuals and legal entities - illegal refusal to accept and consider appeals of individuals and legal entities, violation of the terms of their consideration without good reason, failure to respond in writing or electronically, contrary to the legislation on appeals of individuals and legal entities decision-making is characterized by the failure to ensure the restoration of violated rights of individuals and legal entities, the implementation of the decision taken in connection with the appeal.

Unreasonable denial of access to documents is an unreasonable refusal to allow a citizen to access documents, decisions and other materials that affect his rights and interests.

Violation of the inviolability of the residence of citizens - illegal entry into the residence against the will of its occupants, is the basis for prosecution if committed by an unofficial person.

Disclosure of information that may cause moral or material harm to a citizen - medical or commercial secrets, correspondence and other messages, notarial acts, banking operations and fund secrets, as well as other information that may cause moral or material damage to the citizen, his rights, freedoms and legitimate interests is expressed in the disclosure of information.

Failure to fulfill obligations for the upbringing and education of children - is the failure of parents or guardians to fulfill obligations for the upbringing and education of minors, including the commission of administrative offenses by minors.

Failure to report information on children deprived of parental care to the guardianship and trusteeship authority - failure to report information on children deprived of parental care to the guardianship and trusteeship authority by the head of the institution where such children are located or an official of the citizens' self-government body; deliberately misrepresenting children deprived of parental care.

Violation of the legislation on the age of marriage - administrative liability for entering into a de facto marital relationship with a minor, marriage or marriage of a minor by his parents or guardians, and the performance of a religious ceremony of marriage with a minor marked.

Abuse of the right of guardianship - is expressed in the use of guardianship or trusteeship for malicious purposes to the detriment of the ward or to leave it unsupervised and without the necessary financial assistance.

Violation of labor legislation is a violation of labor and labor protection legislation by an official.

Violation of the requirements to prevent the use of the labor of a minor - is expressed in the use of the labor of a minor in work that may harm his health, safety or morals.

Failure of the employer to fulfill its obligation to insure its civil liability - the employer's own citizenship to compensate for damage to his life or health in connection with the employee's disability, occupational disease or other damage to health in connection with the performance of his duties failure to fulfill its obligation to compulsory insurance of liability.

Temporary disability, waiver of the obligation to pay maternity benefits - waiver of the obligation to pay temporary disability, maternity benefits in the amounts prescribed by law.

Violation of the legislation on employment - non-compliance with the decisions of local authorities to create a minimum number of jobs for the provision of additional state guarantees, as well as previously

⁶ Bulletin of the Supreme Council of the Republic of Uzbekistan, 1995, No. 3.// <https://lex.uz>.

applied, secondary special, vocational and higher education, as well as refusal to hire persons sent for vocational training, retraining and advanced training.

Administrative coercion to work is any form of coercion to work, except as provided by law.

Violation of the legislation on social protection of persons with disabilities - unimpeded access of persons with disabilities to social infrastructure, as well as unimpeded access to rail, air, water, intercity transport, all types of urban and suburban passenger transport, transport communications, public communications and media failure to comply with the requirements for the creation of conditions for⁷.

According to the statistics of the Supreme Court of the Republic of Uzbekistan, in 2018 the courts ruled against 477,316 persons, 383,733, in 2019, against 495,106 persons, 412,807, in 2020 against 426,717 persons, 341,469, in 2021 against 527,740 persons, 428,869, During the 1st quarter of 2022, 527,740 cases of administrative offenses were considered against 107,776 individuals⁸.

Of the offenses that infringe on the rights and freedoms of citizens, the most common are the cases of administrative offenses "Insult" specified in Article 41 of the Code of Administrative Liability of the Republic of Uzbekistan. 47,603 in 2019, 50,381 in 2020, 59,128 in 2021, In the 1st quarter of 2022, 9,602 were reviewed⁹.

In short, first of all, the large-scale reforms being carried out in our country are carried out so that citizens can live a happy life. We can see this in the fact that the development strategy of New Uzbekistan for 2022-2026 is based on the principle of "for the dignity of man".

As an important element in ensuring the rights and freedoms of citizens, the establishment of responsibility for the violation of these rights and freedoms, as well as the adoption of legal measures against those responsible, is a key factor in building a democratic state.

In ensuring the rights and freedoms of citizens, one of our main tasks should be to raise their legal awareness and culture, to form a sense of obedience to the law and to ensure the inevitability of punishment for citizens who disrespect the law.

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