

## Rights and Freedoms of Wives and Their Guarantees in the Republic of Uzbekistan

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### Abstract

This article talks about the guarantees of human rights and freedoms in the Republic of Uzbekistan, including the protection of the rights and freedoms of women and their guarantees. Including, now Uzbekistan is implementing a diplomatic and peace-loving foreign policy not only with the countries of Central Asia, but also with the countries of the world. In Uzbekistan, as well as in other countries of the world, women's rights and freedoms are protected, and special attention is paid to them based on the principle of the social state.

**Key words:** Gender Equality, Socio-Economic and Political Rights of Women, UN Member States, Social State, Changes Made to the New Constitution

In the current era of globalization, there are many discussions about gender equality, that is, that women and men have equal rights, that everyone is equal before the law, regardless of gender, race, nationality. It is no exaggeration to say that this process is ahead of the Central Asian countries, especially in the countries of the world. After gaining independence, our country is constantly striving to take a place in the developed legal-democratic states and the world arena.<sup>1</sup> It is known from history that the rights of women in the past centuries were not enviable. They were deprived of many rights, the most basic ones being education and having a profession. Gradually, gender equality began to be introduced in developed countries and it was established that women and men have equal rights. In addition, we should emphasize that equality and non-discrimination are among the main principles of the United Nations Charter adopted in 1945. Because women's rights are human rights, women have and enjoy all human rights. In this sense, gender equality is one of the main values of the United Nations, and sexual discrimination is prohibited in almost all human rights treaties.<sup>2</sup>

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<sup>1</sup> Rustambekov, I., & Gulyamov, S. (2021). *Artificial intelligence is a modern requirement in the development of society and the state*. Gulyamov Said Saidahrarovich, (1).

<sup>2</sup> Rakha, A. Naeem, "Analysis of the Primary Components Contributing to the Growth of the Digital Economy" *SSRN Electronic Journal*, 2022.

The right to live free from violence, the right to the highest standard of physical and mental health, the right to education, the right to property, the right to equal pay and all other human rights must be guaranteed to women regardless of gender. However, millions of women around the world continue to face discrimination in exercising these rights. Gender inequality is the cause of many problems that negatively affect women and girls. These can be domestic and sexual violence, low wages or problems with employment, education, etc. The Universal Declaration of Human Rights only defines the basic principles, but it alone cannot achieve the real protection of the rights of women and girls. One step taken by the United Nations to fill this gap was the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted on December 18, 1979. Known as the Convention on the Rights of Women, this document obliges the countries that ratify it to eliminate discrimination against women in the fields of culture, society, education, politics and law.<sup>3</sup>

The Republic of Uzbekistan always pays special attention to ensuring women's rights. Uzbekistan was one of the first in Central Asia to join the UN Convention on the Elimination of All Forms of Discrimination against Women on May 6, 1995. It has also ratified the Conventions on Protection of Motherhood, Conventions on Discrimination in Labor and Professions and other international documents. Article 58 of the Constitution of the Republic of Uzbekistan stipulates that women and men have equal rights, that the State provides women and men with equal rights and opportunities in the management of society and state affairs, as well as in other areas of society and state life.<sup>4</sup> It is known that due to the consistent legislation and other measures aimed at protecting the rights, freedoms and legal interests of women in our country, they are successfully exercising their rights and freedoms, knowledge and skills in entrepreneurship, education, health care, science and social and political spheres. In particular, in part 3 of Article 42 of our Constitution adopted in the new version, it was stipulated that "It is prohibited to refuse to hire women, dismiss them and reduce their wages due to pregnancy or having a child." Similarly, in Article 58 of our Constitution, "Men and women have equal rights."<sup>5</sup> The state provides women and men with equal rights and opportunities in managing society and state affairs, as well as in other spheres of society and state life. At the same time, Article 393 of the new

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<sup>3</sup> Budiono, Arief and , Absori and Wardiono, Kelik and Yuspin, Wardah and Saidakhrarovich, Gulyamov Said, Cyber Indoctrination Victims in Indonesia and Uzbekistan: Victim Protection and Indoctrination in Practice ( 2023). *Journal of Human Rights, Culture and Legal System*, 3(3), 441-475., Available at SSRN: <https://ssrn.com/abstract=4682489>

<sup>4</sup> Allah Rakha, N. (2023). The Ethics of Data Mining: Lessons from the Cambridge Analytica Scandal. *International Journal of Cyber Law*, 1(1). <https://doi.org/10.59022/clr.24>

<sup>5</sup> AllahRakha, N. (2024). Cybercrime and the Legal and Ethical Challenges of Emerging Technologies. *International Journal of Law and Policy*, 2(5), 28–36. <https://doi.org/10.59022/ijlp.191>

version of the Labor Code establishes additional measures for the protection of women's work, according to which:

- Taking into account the recommendations approved by the Ministry of Employment and Labor Relations of the Republic of Uzbekistan and the Ministry of Health in accordance with the agreement with the republic tripartite commission on social and labor issues in accordance with the agreement with the employer's trade union committee, has the right to establish a list of certain jobs with unfavorable working conditions, where the use of women's labor is restricted;
- It is prohibited for women to carry and carry heavy loads that exceed the maximum allowed for them;
- The maximum permissible loads for women when lifting and transporting heavy loads Social work by the Ministry of Employment and Labor Relations of the Republic of Uzbekistan and the Ministry of Health of the Republic of Uzbekistan determined in agreement with the republican tripartite commission on issues.

In addition, according to Part 2 of Article 400 of the Labor Code, it is not allowed to recall pregnant women from annual work leave. Similarly, according to Article 408 of the Labor Code, it is not allowed to cancel the employment contract concluded with pregnant women at the initiative of the employer, except in cases where the organization (its separate division) is terminated or the work of an individual entrepreneur is terminated. In addition, on September 2, 2019, the Law of the Republic of Uzbekistan "On guarantees of equal rights and opportunities for women and men" was adopted. The law defined the concepts of "direct discrimination based on gender" and "indirect discrimination based on gender", introduced mandatory legal examination of normative legal documents and their drafts, and maintenance of gender statistics.<sup>6</sup> At the same time, on September 2, 2019, the Law "On the Protection of Women from Harassment and Violence" was adopted, which regulates relations in the field of protection of women from violence at home, at the workplace, and in educational institutions. A number of concepts, such as "sexual violence", "physical violence", "economic violence", "mental violence", "violence", "oppression" are broadly defined in the law.

Development plans have been drawn up in our country in different years on the basis of strategy, i.e. "Strategy of Actions", "Strategy of Development", and these documents always mention the rights of women. For example, the "Strategy of Development" center, in cooperation with the Gender Equality Commission of the Republic of Uzbekistan and the USAID legal reform program, held an online and offline meeting within the framework of the "16 days against violence against women"

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<sup>6</sup> Yuspin, Wardah, Kelik Wardiono, Arief Budiono, and Said Gulyamov. 'The law alteration on artificial intelligence in reducing Islamic bank's profit and loss sharing risk.' *Legality: Jurnal Ilmiah Hukum* 30, no. 2 (2022): 267-282., Available at SSRN: <https://ssrn.com/abstract=4686003>

campaign.<sup>7</sup> The Senate of the Oliy Majlis of the Republic of Uzbekistan, the Ministry of Internal Affairs, the Ministry of Neighborhood and Family Support, the National Center for Human Rights of the Republic of Uzbekistan, the Commission on Ensuring Gender Equality of the Republic of Uzbekistan, Representatives of the "Development Strategy" Center, USAID Legal Reforms Program, officials responsible for ensuring gender equality in ministries, departments and organizations participated. At the meeting, legal documents on increasing the capacity of competent persons in the field of ensuring equal rights and opportunities of women and men in state bodies and fighting gender equality and violence, including "Guarantees of equal rights and opportunities for women and men" The Law of the Republic of Uzbekistan "on" was widely promoted. As it was noted, the ultimate goal of the fundamental reforms of the new stage implemented in Uzbekistan in the following years in all spheres is, first of all, the full realization of human rights and interests. In this place, special attention is paid to the protection of women's rights and freedoms. Our country is on the abolition of all forms of discrimination of women's rights, on the political rights of women, on the promotion of men and women for work of equal value, Joined the conventions on maternity protection, international documents such as the Beijing Platform and the Plan of Action.<sup>8</sup>

Also, in this regard, the national legal framework is increasingly strengthened in accordance with the generally recognized norms of international law, "On guarantees of equal rights and opportunities for women and men" and "Protection of women from oppression and violence" It was recognized that the adoption of the "laws on women's rights and interests" is of great importance in further strengthening their position in society. At the event, special emphasis was placed on the importance of preventing any violence against women, finding timely information about women's problems in protecting their rights, and further strengthening cooperation with relevant agencies. To fundamentally improve the institutional and legal foundations of the reliable protection of the rights, freedoms and legal interests of women and children from oppression and violence in our country, to prevent lack of control among children and the commission of offenses by them, as well as to protect children with disabilities and parental care A large-scale work is being carried out aimed at the state support of deprived children. At the same time, there are a number of problems related to reliable protection of women's rights, freedoms and legal interests in law enforcement today.<sup>9</sup>

In particular, proportional sanctions are not established for criminal acts affecting the rights of women and children, there are no legal guarantees for the

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<sup>7</sup> AllahRakha, N. (2024). Constitutional Safeguards for Digital Rights and Privacy. *International Journal of Law and Policy*, 2(4), 31–43. <https://doi.org/10.59022/ijlp.172>

<sup>8</sup> Gulyamov, S., & Raimberdiyev, S. (2023). Personal Data Protection as a Tool to Fight Cyber Corruption. *International Journal of Law and Policy*, 1(7). <https://doi.org/10.59022/ijlp.119>

<sup>9</sup> AllahRakha, N. (2024). Legal analysis of the law of the republic of Uzbekistan" on payments and payment system". *TSUL Legal Report International electronic scientific journal*, 5(1), 38-55.

protection of women from abuse and violence, the validity period of the warrant providing state protection to the victim of harassment and violence ( ttiz kun) does not allow to ensure sufficient protection of women's rights and legal interests, the imposition of fines as a punishment for non-payment of alimony causes even more financial difficulties. In addition, the activities of the republican interdepartmental commission on minors, the interdepartmental commissions of the Republic of Karakalpakstan, regions and Tashkent city, districts (cities) on minors were reformed, and the National Commission on Children's Issues, children's issues was reorganized into commissions of the Republic of Karakalpakstan, regions, Tashkent city and districts (cities).<sup>10</sup>

### Conclusion

The main factor of the results achieved at the new stage of our country's development is directly related to people and their interests. Therefore, ensuring human rights and freedoms, creating comfortable and decent living conditions for our people, and establishing a fair legal state have become the main goals of democratic reforms. In recent years, significant work has been carried out to further strengthen the legal basis for ensuring the equality of women and men in all fields. This can be seen in the example of the adoption of more than 42 legal documents. In particular, two important documents - the laws "On guarantees of equal rights and opportunities for women and men" and "On the protection of women from harassment and violence" are of great importance in this regard. In order to ensure equal rights and opportunities for women and men in the social, economic and political spheres, the strategy of achieving gender equality in the Republic of Uzbekistan until 2030 was adopted.

Determining the principles of gender equality in the Constitution shows the special attention of the state to women, as well as increasing the role of women in the state and social life and helping them to show their potential. As a result of such consistent reforms to ensure gender equality in society, the active participation of women in the life of the state and society will become stronger. In particular, it is planned to increase the share of women in management positions to at least 30 percent by 2030. It can be seen that our social reforms are gaining more and more popularity. In the "social state" provided for in the Constitution, the protection of the interests of our women will be strengthened. If we are all united on this path, we will certainly achieve the expected results.

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