



## THE MAIN CHANGES MADE TO THE CONSTITUTION OF THE NEW REPUBLIC OF UZBEKISTAN

**Khudoyberdiyev Khumoyunbek**

is a 1st year student of jurisprudence department of  
the National Research University "TIIAME".

**Shamsiddinov Khushnudbek**

is a 3rd year student of the Faculty of Hydromelioration, "Water management  
and melioration" of the National Research University "TIIAME".

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**Abstract:** This article talks about the changes that are taking place in the life of our country today, that is, the main changes made to the new version of the Constitution of the Republic of Uzbekistan. In particular, the opinions and proposals expressed by our people in the adoption of the new version of the Constitution of the Republic of Uzbekistan this time were studied. These updates brought several innovations in the rule of law, the electoral system, the rights and freedoms of citizens, and the judicial system. It is not for nothing that our nation is seen as the People's Constitution because of its direct participation.

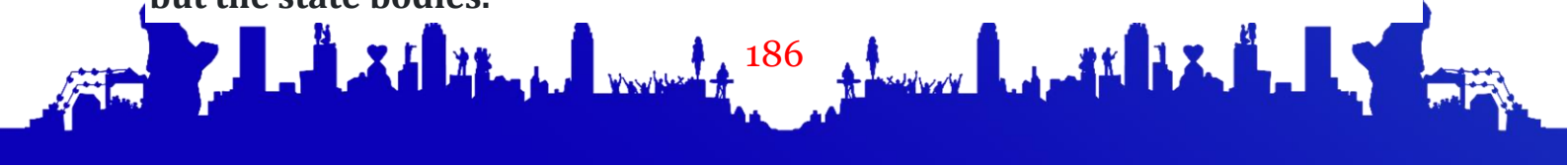
**Key words:** Constitution, president, governors, social justice, article, norm, sovereign, democratic, legal, social and secular state, electoral system, rights and freedoms, social ethics, political law.

### **Introduction:**

**The Constitution** defines the structure of the state, the system of power and management bodies, their authority and the order of their formation, the electoral system, the rights and freedoms of citizens, as well as the judicial system. The Constitution is the basis of all current laws.

Because at this point, let's recall the definitions of our country's leader, Shavkat Miromonovich Mirziyoyev, to our basic law, our Constitution: "Our basic law defined the guarantees of our national independence and development path, human rights and freedoms, which our people dreamed of for many years. I can say with full confidence that the Constitution of the Republic of Uzbekistan is a high example of the political and legal thinking of our people" [Sh. Mirziyoyev The approval of our people is the highest assessment given to our activities. - T.: "Uzbekistan", 2018. Volume 2, page 4]

To date, President Shavkat Mirziyoyev has created a number of conditions for our people. In particular, every person has the right to full free speech. The basis of society was defined as human rights, not the state. As our president noted: **"The people should serve the people, not the state bodies, but the state bodies."**





The council, political parties, public organizations, and intellectuals actively participated in the development of the draft of our new Constitution. More than 220,000 proposals were received at the public hearings. In particular, 27 new articles were introduced into the current Constitution with the draft of the Constitutional law, increasing the number from 128 to 155. The current 275 norms of our Constitution have reached 434. That is, the text of our basic law was changed by almost 65 percent and updated based on the proposals of our people. Therefore, based on the political-legal significance, scope and size of the amendments and additions, the name of the draft constitutional law was changed to "On the Constitution of the Republic of Uzbekistan".

The new version of the Constitution of the Republic of Uzbekistan entered into force on May 1, 2023. This was based on the adoption of the law "On the Constitution of the Republic of Uzbekistan" consisting of 11 articles according to the results of the referendum held on April 30.

Since 1992, our constitution has been amended a total of 15 times. This time, due to the large scale of changes, a new version of the document is in order.

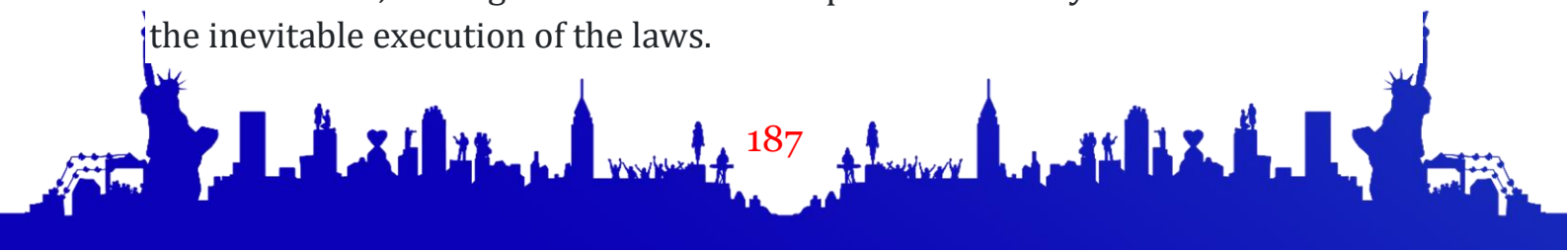
When talking about changes to the new Constitution of the Republic of Uzbekistan, I will give information about the 10 amendments to the medical aid. We can notice it from the 1st development of our constitution. According to it, the calculation of **sentence 1** of Uzbekistan's Constitution - "Sovereign democratic republic" was changed:

- **Uzbekistan is a sovereign, democratic, legal, social and secular state with a republican form of government.**

If we interpret the concepts of a sovereign, democratic, legal, social and secular state here, a **sovereign state** means having complete independent rule and absolute jurisdiction in its territory.

**Democracy** expresses the power of the people and ensures the equal participation of all by electing and electing their representatives in state administration.

In a **legal state**, all processes are based on legal foundations, and law prevails in all spheres of public life. A legal state is also considered a democratic state in which the rule of law is ensured, the principle of power distribution is consistently implemented, and the rights and freedoms of citizens are recognized and guaranteed. In addition, in a legal state, all citizens are equal before the law, the highest bodies of state power also obey the laws and ensure the inevitable execution of the laws.





By declaring itself a **social state**, Uzbekistan undertakes to create conditions for every citizen to live a decent life. This is the distribution of available resources based on the principles of social justice, preventing strong stratification in society, guaranteeing quality education and medicine for the most vulnerable groups, functioning of effective social protection programs, protecting citizens with limited opportunities and those in need of support. 'support' means things like fair labor legislation and the pension system. Simply put, even the children of the poorest families should have the opportunity to grow up healthy, get a good education, and achieve prosperity.

In a **secular state**, the state and religion are separated. The state treats everyone equally, regardless of religious beliefs, and takes a neutral position on religious issues.

It is noteworthy that Article 154 of our new constitution stipulates that the provisions of this Article 1 cannot be revised. Likewise, the clause of Article 154 itself, which contains this provision, cannot be revised.

In other words, this norm means that Uzbekistan will never abandon democracy, adhere to the rule of law, and never turn into a monarchy or an Islamic republic. (<https://kun.uz/uz/98953650>. New constitution. 10 main changes)

**The second main change. Article 15** is amended as follows:

- **The Constitution of the Republic of Uzbekistan has supreme legal force in the entire territory of the country, is directly applicable and forms the basis of a single legal space.**

The direct application of the constitution allows citizens to act based not only on laws, but also directly on the norms of the constitution, in particular, to appeal to the court.

According to the law adopted in the referendum, the Supreme Court must adopt the relevant Plenum decision within 3 months. On the basis of this decision, a unified judicial practice will be introduced by the courts regarding the application of the constitutional norms as a directly applicable document.

**The third major change. Article 19** of the new constitution (former Article 18) - All citizens of the Republic of Uzbekistan have the same rights and freedoms and are equal before the law, regardless of gender, race, nationality, language, religion, belief, social origin, and social status. Part 2 of this article is changed as follows:

- **Old:** Privileges can only be established by law and must be consistent with the principles of social justice.





- **New:** Privileges must be established only in accordance with the law and must be consistent with the principles of social justice.

**The fourth major change:** According to the new version of the Constitution:

- **All conflicts and ambiguities in the legislation that arise in the interaction between a person and state bodies are interpreted in favor of a person. (Article 20)**

Social relations have unlimited forms, it is practically impossible to fully codify them in normative legal documents.

Now, if a conflict arises on issues that are not clearly defined in the legislation, the issue will be resolved in favor of the person, not the state.

In addition, in the case of errors and omissions by state bodies in the maintenance of various documents, for example, when the relevant documents are not found in the database, the situation should be resolved in favor of the citizen.

**The fifth main change. Human rights may be restricted in order to maintain social morality and public order**

The issue of restriction of rights and freedoms was regulated by the following two norms in the previous constitution:

- Human rights and freedoms enshrined in the constitution and laws are inviolable and no one has the right to deprive them or limit them without a court decision. **(Article 19 of the previous constitution)**
- Citizens must not harm the legal interests, rights and freedoms of other persons, the state and society while exercising their rights and freedoms. **(Article 20 of the previous constitution)**

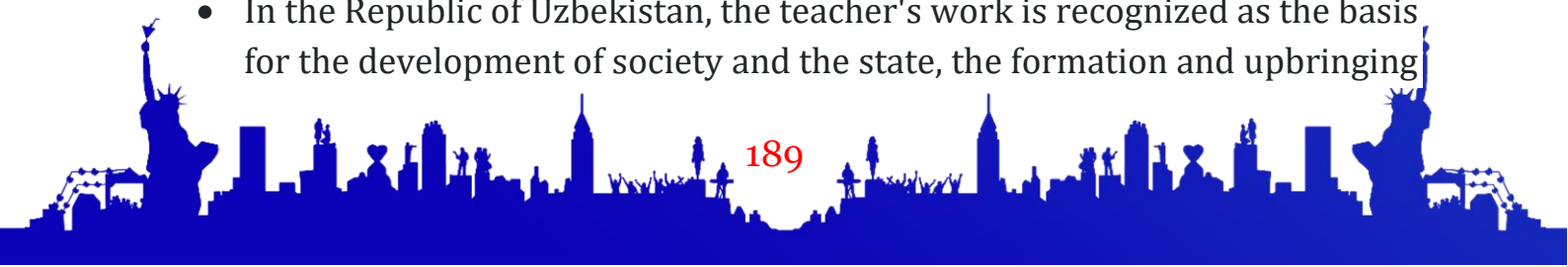
In the new version of the Constitution, the above two norms were kept almost unchanged. At the same time, a new norm was added as follows:

- Human rights and freedoms may be limited only in accordance with the law and only in the scope necessary to protect the constitutional system, public health, social morality, rights and freedoms of other persons, public safety and public order. **(Article 21)**

**The sixth major change is that teachers were specially recognized.**

An article about teachers was added to the Constitution. It consists of two clauses:

- In the Republic of Uzbekistan, the teacher's work is recognized as the basis for the development of society and the state, the formation and upbringing





of a healthy, mature generation, the preservation and enrichment of the nation's spiritual and cultural potential.

- The state takes care of protecting the honor and dignity of teachers, their social and material well-being, and their professional growth. **(Article 52 of the Constitution of the Republic of Uzbekistan)**

In this way, teachers became the only professions that were not represented by the legal profession, but were specifically mentioned in the supreme law. Except for teachers, all professions named in the Constitution are representatives of the legal profession (judges, prosecutors and lawyers). In other cases, it is not about professions, but about sectors (for example, the media, various public associations).

#### **The seventh main change. Land can be private property.**

Privatization of non-agricultural land plots has started in Uzbekistan since 2022. Almost at the same time, in the initial version of the draft of the new constitution announced last year, it was indicated that it is impossible to privatize agricultural land. This restriction was removed from the final interpretation, and the norm on land privatization was made as follows:

- Land can be private property under the conditions and in the order provided by the law and ensuring its rational use and its protection as national wealth. **(Article 68)**

#### **The eighth main change. Obstruction of media activity is a cause of responsibility**

In our previous constitution, the chapter entitled "Media" consisted of one article. It said: "The media is free and operates in accordance with the law. They are responsible for the correctness of the information. Censorship is not allowed." **(Article 67)**

According to the new constitution, this chapter consisted of two articles:

- Media are free and operate according to the law. The state guarantees the freedom of media activity, their rights to seek, receive, use and disseminate information. Mass media are responsible for the reliability of the information they provide **(Article 81)**
- Censorship is not allowed. Obstructing or interfering with the activities of the mass media is a cause of responsibility according to the law. **(Article 82)**

#### **The ninth main change. Changes in state administration. The term of office of the president was 7 years.**

According to the new constitution of Uzbekistan:





A citizen of the Republic of Uzbekistan who is not younger than thirty-five years old, who knows the state language well, who has lived in the territory of Uzbekistan for at least 10 years before the direct election can be elected to the position of the President of the Republic of Uzbekistan. The same person cannot be the President of the Republic of Uzbekistan for more than two consecutive terms. **(Article 106)**

The President of the Republic of Uzbekistan is elected by citizens of the Republic of Uzbekistan on the basis of general, equal and direct suffrage by secret ballot for a term of seven years. The procedure for electing the President of the Republic of Uzbekistan is determined by law.

- **The term of office of the President was extended from 5 to 7 years.** The status of the president as the "head of the state", the fact that the same person cannot be president for more than two terms, the text of the president's oath and most other norms related to the president were left unchanged. For information, the term of office of the president was extended from 5 to 7 years in 2003, and in 2011 it was reduced from 7 to 5 years.

**The tenth major change. Changes in local government. Governors leave the chairmanship of the council**

Representative and executive bodies are separated from each other in local state administration.

The chairmen of local councils are elected from among council deputies for a period of 5 years. Governors are appointed for a period of 5 years, and the appointed hokims are approved by the councils. Thus, neither the chairmen of the council nor the mayors are directly elected by the population.

In addition, a new chapter with one article on the organization of the Bar Association and its activities was added.

**Chapter XXIV. Advocacy. Article 141.**

The law office operates to provide qualified legal assistance to individuals and legal entities.

Advocacy activities are based on the principles of legality, independence and self-management. The procedure for the organization of the Bar Association and its activity is determined by law.

**In addition to the above, many other norms were added to the constitution, including:**

- The death penalty is prohibited in Uzbekistan.





The right to life is an inalienable right of every human being and it is protected by law. Attempting to kill a person is the most serious crime. The death penalty is prohibited in the Republic of Uzbekistan). **(Article 25)**.

- If a person's confession is the only evidence against him, he cannot be found guilty or punished. **(Article 28)**
- It is not allowed to use the evidence obtained in violation of the law during the administration of justice. **(Article 29)**
- Everyone has the right to request the correction of incorrect information about his person, the destruction of information about him that was collected illegally or no longer has a legal basis. has the right to do. **(Article 31)**
- The state creates conditions for ensuring the use of the Internet global information network. **(Article 33)**. Everyone has the right to freedom of thought, speech and belief. Everyone has the right to seek, receive and impart information.

The state creates conditions for ensuring the use of the Internet global information network

Let us remind you that our president Shavkat Mirziyoyev mentioned the constitutional reform for the first time on November 6, 2021, in his speech at the ceremony for his second presidential term. In December of the same year, on the eve of the Constitution Day, the head of state emphasized the need to "think seventy times, not seven times, when solving such an important and strategic task as updating the constitution." (<https://kun.uz/uz/98953650>)

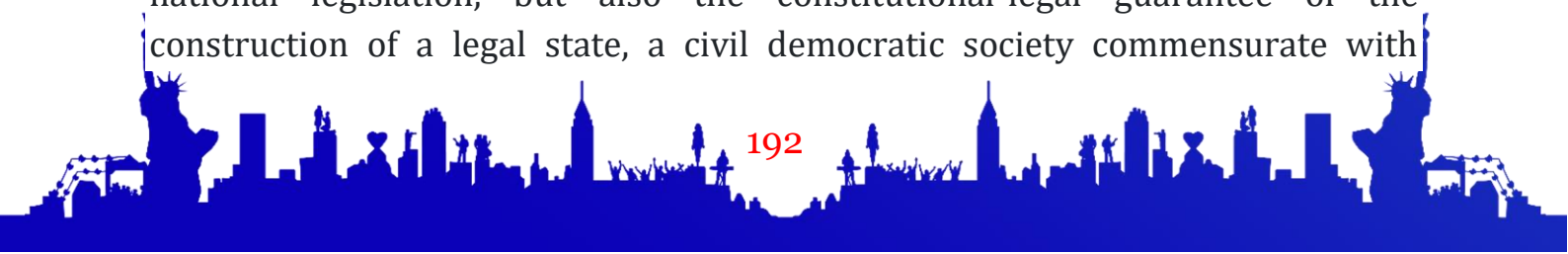
In May 2022, a constitutional commission was formed and the process of updating the document began.

The new version of the Constitution of the Republic of Uzbekistan entered into force on May 1, 2023. It consists of 6 sections, 27 chapters and 155 articles.

**Summary.** When talking about your constitution, it is impossible not to remember the times when our independent Uzbekistan achieved its first sovereignty. Our respected first president, the founder of our independence, says this about the constitution: "The face and prestige of any country is its Constitution.

After all, the Constitution is an encyclopedia that introduces the state as a state and the nation as a nation to the world."

The Constitution of the Republic of Uzbekistan is not only the basis of national legislation, but also the constitutional-legal guarantee of the construction of a legal state, a civil democratic society commensurate with





human intelligence and dignity of the Uzbek people, like the peoples of other developed countries.

The great faith in the development of our nation's statehood based on its traditions, the creation and improvement of the constitutional and legal foundations of our statehood, and the boundless faith that our independence will not be harmed, both during the transition period of the Constitution of Uzbekistan and today. is an expression. We are not only proud and satisfied with this, but it is also the basis of the fact that three thousand years of Uzbek national statehood, the Uzbek people are still taking steady steps towards preserving and protecting their freedom, liberty and independence. , we are sure that the future of our statehood will be greater than this. If we young people know our rights and freedoms well, we will never stumble in life. Therefore, we should study every single article of our updated Constitution and make effective use of our rights and freedoms. We must not forget that we, the youth, are the future of the nation. It is not for nothing that we are told again and again that the Constitution is the key to our happiness. In short, the purpose of our saying that the Constitution is our happiness is the main guarantee that we, the youth, who are the future of Uzbekistan, will grow into mature people.

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