

HISTORICAL ANALYSIS OF THE MONITORING OF THE OMBUDSMAN'S OFFICE IN UZBEKISTAN TO ENSURE HUMAN RIGHTS AND FREEDOMS

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Abstract

The article analyzes the results of monitoring the interaction of the Ombudsman in Uzbekistan with the relevant organizations and structures, the restoration of violated rights of citizens, monitoring the observance of the rights of citizens to apply to courts and government agencies. It states that the institute carries out systematic work on citizens' appeals and their resolution, as well as carries out the necessary monitoring and analysis, the analysis of existing problems and appeals. It was also historically analyzed that this structure provides sufficient conclusions on the restoration of violated rights of citizens and the improvement of the legislative system, the legal organization of life of prisoners and persons deprived of their liberty. It has been studied from a historical point of view that it helps to further develop the system, strengthen the influence of law enforcement agencies and officials, eliminate the causes of such violations, and implement the rule of law in their activities.

Keywords: Ombudsman, Oliy Majlis, human rights, monitoring, citizen, historical analysis, court, neighborhood, entrepreneurship, education system, research, problem, public opinion poll, prisoners, renewing Uzbekistan, openness, transparency, justice, historical figures.

Introduction

The Ombudsman Institute in Uzbekistan, along with other developed countries, not only restores and regulates the violated rights of citizens, but also appeals to the rights of women and children, homeowners, the disabled and the sick, prisoners, as well as citizens to the courts and government agencies. has been conducting monitoring research in the country on topical issues such as the observance of human rights. In particular, if we look at the recent history of Uzbekistan, for the first time in 1999 the country monitored the implementation of international standards for the protection of the interests of women, motherhood and childhood under the state program to ensure the interests of women. For this purpose, the first permanent monitoring system for the protection of women, motherhood and childhood was created in the Republic of Uzbekistan [1. 31 p]. This system has contributed to the formation of the mechanism of the Ombudsman's Office in Uzbekistan to restore the violated rights of citizens, to ensure a culture of citizens' appeals to the courts and government agencies.

Methods

The article is based on the principles of objectivity, consistency, chronological study of historical and social events, reliance on sources and evidence, and their validity, accepted in all social sciences and humanities. It turned the content and monitoring of some sources into methods of analysis, observation and expert inquiry. At the same time, the article was based on the principles of analysis of the results of monitoring the monitoring of compliance with the rights of citizens to appeal to government agencies, based on the activities of the Ombudsman Institute in Uzbekistan.

The results of research based on this approach serve to analyze the solution of current problems, such as the restoration and regulation of violated rights of citizens, monitoring the observance of the right of citizens to appeal to the judiciary and other law enforcement agencies and government agencies. Any scientific research has a special place in all disciplines, with a deep theoretical and methodological study. Therefore, this article is based on the methods of historical-monitoring analysis, study of sources, objectivity, specific to the science of history.

Results and Discussions

According to the results of the study, the Ombudsman referred to historical figures in the regions of the country. In 2001, Syrdarya

region monitored the observance of the right to social benefits for mothers, children and low-income families, held in Mehnatabad and Syrdarya districts, as well as in the cities of Syrdarya and Gulistan. The results of the study show that, in addition to the positive indicators, there are certain shortcomings and deficiencies in the activities of citizens' self-government bodies, low-income families and families with children are not taken into account, they are not adequately supported socially, many low-income families they did not receive financial assistance, they were not assisted in paying for housing and communal services, and young families did not receive interest-free loans [2.2-3 p].

In 2000 and 2001, the Ombudsman and specialists of the Republican and Public Opinion Research Center conducted sociological surveys in the neighborhoods of the Republic to analyze the causes of these and similar problems. According to the results, 56.8% of respondents said that there was corruption in the provision of social protection and financial assistance to the population in the neighborhoods.

According to 76.3% of them, the problem is not everywhere, but in some neighborhoods. For example, 37.6% of respondents said that neighborhood chairmen were involved in corruption in the process of illegal social partnership with certain organizations and enterprises, social security for low-income families, organization of public services, public events and forced labor. [3. 118p]

In order to study the activities of the country aimed at supporting small business and private entrepreneurship and creating favorable conditions for their development, monitoring was conducted in 2011 in Tashkent. Based on the results of the survey with entrepreneurs who worked during the monitoring and based on their opinion, it was possible to identify the following areas, which often cause certain difficulties:

At the same time, 12.9% of respondents in the field of taxation, 12.9% in banking operations, 22.5% in obtaining permits and agreements, 29.5% in illegal inspections, 3.2% in registration, exports - 12.9% on import operations, 6.4% on licensing, 19.3% on certification and standardization [4. 32 p.]

During the monitoring, a survey of entrepreneurs, a comparative analysis of the results of public opinion polls showed that in practice, all small businesses and private entrepreneurs in Tashkent face similar difficulties. The majority of inquiries by entrepreneurs were about 13.0%, rude treatment of law enforcement officials and employees by 11.0%, the size of taxes by 10.0%, the complexity of reporting by

8.0%, bureaucracy by 7.0%. among the factors that negatively affect [5. 229 p.].

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According to the results of the monitoring study, since 2017, due to the intensification of the "Single Window" system of doing business and investment in the country to ensure the rights of citizens to entrepreneurship and entrepreneurship, there has been a significant growth trend in the free operation of small businesses. In other words, the wide range of opportunities created for entrepreneurs also serves to increase the industry's prestige in the international arena.

In addition, the Ombudsman monitored the implementation of the Law on Education in 2002 on the right of children to secondary and vocational education in Khorezm region, and the Law on Public Health in Jizzakh region on the reproductive rights of women. According to the results of the monitoring, in Khorezm region, despite a number of positive developments in the field of education, secondary special, vocational education institutions are provided with textbooks, manuals and other literature by only 70-75%, the number of such books is insufficient. it was found that there were no bookstores for selling school textbooks and textbooks [8. 3-4 p].

The report on the implementation of the part of the Law on ensuring the right of children to secondary special, vocational education in Khorezm region was discussed at a meeting of regional activists on July 24, 2002. An appropriate decision was made to increase [9.3. p].

In recent historical periods, especially in 2012, the improvement of laws and regulations on the rights and freedoms of citizens, increased confidence of citizens in the Ombudsman, is also reflected in the classification of appeals. This year, the number of appeals related to personal rights increased compared to previous periods, reaching 4125, complaints on socio-economic rights - 2238, political rights - 399, environmental - 1, other issues - 895 [10. 14. p].

In recent history, in 2015, the Ombudsman received more than 12,000 complaints from local governments. Based on the results of the review of appeals, more than 6,000 applicants were provided with oral and written recommendations on the further exercise of their rights, freedoms and legitimate interests. Another 6,000 appeals were examined in accordance with the established procedure in cooperation with public administration bodies [11. 14p]. For comparison, if we compare the activity of this system with foreign countries, in 22 developed countries, an average of 4.9% of the unemployed apply directly to the organization to eliminate unemployment. This figure is 12.4 percent in the Netherlands, 11.5 percent in Ireland, 10.5 percent in Belgium, 9.2 percent in Israel, 7.2 percent in Australia, and 6.2

percent in the United Kingdom [12. 22-23 p].

Representative of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman) together with the Women's Committee of Uzbekistan, the Council of the Federation of Trade Unions of Uzbekistan with the participation of the Ministry of Justice, the Ministry of Labor and Social Protection of the Republic of Uzbekistan monitored the enforcement of rights. However, solving existing problems in the field of entrepreneurship is an important factor in the economic development of the country [13. №10 p].

In order to determine the current state of some problems in the field of entrepreneurship, in addition to monitoring surveys among entrepreneurs, some public opinion polls were conducted. The analysis showed that most entrepreneurs prefer to work in areas such as service, service, catering, restaurant service.

During the monitoring, we were convinced that among the business sectors, trade, after services, is followed by business in industry and transport. If we look at the figures, for example, in 2008 the country produced a total of 2182.1 billion sums of industrial products, of which 13% fell to the share of small businesses [14. 374. p], in 2014, 56% of the country's GDP and 75% of the employed population fell to the small business and private entrepreneurship sector [15. 388.]. By 2018, the share of small businesses in the production of industrial products will increase, and in 10 years its volume will increase by 7.5% to a total of 20.5% [16. 211 p].

Of course, in Uzbekistan, which is being renewed, in recent years, in accordance with the principles of openness, transparency and justice in our social life, many problems have become more pronounced. According to statistics on problems directly related to corruption, in 2018 alone, 8146 violations of the shadow economy and the fight against corruption were detected in the country, 3392 administrative cases and 4178 criminal cases were initiated. 617 of these criminal cases are related to violations of the rights of entrepreneurs [17. №34 p].

Of course, one of the main problems in recent years is the lack of involvement of young people in small business and entrepreneurship. Uzbekistan is a rapidly growing labor force. The peculiarity of the republic is that the labor force in the country at an average rate of 2.2% per year [18. 2019 y p]. It is natural that this situation will cause serious employment problems in the field.

According to a survey of young people, almost half of them, 43.8%, answered "yes" to the question "Do you want to do business and entrepreneurship in the future?" I'm doing it now. " Among the respondents, it was confirmed that the majority of those wishing to engage in business and entrepreneurship are women. Overall, the study found that this figure was 49.1% among men and 39.9% among women [19. 14 b]. However, this figure in the country in 2016 by industry was as follows, the total number of applications,

32.1% are related to the socio-economic rights of the population;

29.1% are related to personal rights;

24.5% are related to economic rights;

13.5% on political rights;

0.5% belonged to environmental rights [20. 10 p]. It is obvious that in recent years, along with the socio-economic rights of citizens, there is a growing desire to understand their personal rights.

We now turn our attention to the classification of appeals to ensure the rights and freedoms of women in the country, to increase their political activity, to address their gender issues. It can be seen that some progress has been made in this regard in recent years. If we look at the numbers, today the share of women in local representative bodies is 16%, in the Legislative Chamber - 17.5%, and in the Senate - 15%. The fact that 3.4% in the executive and more than 22.7% in the

judiciary confirms the growing role of women in the life of the state and society [21. 506 p].

According to the results of the study of women's rights, identification of gender issues, monitoring of their employment, there are still gender issues among women and men in the country, especially in rural areas. Unemployment in particular is one of them. For example, in the mid-2000s, 18.2 thousand of the total unemployed in the country were women. That is, 43.3 percent are 18-30 years old, 39.2 percent are 30-50 years old, 11.7 percent are 16-18 years old, and 5.7 percent are of retirement age and older. The number of men officially registered as unemployed was 14.0 thousand. 40.5% of them are 18-30 years old, 36.7% are 30-50 years old, 11.7% are 16-18 years old, 11.1% are of retirement age and older [22. 33, 14. 15 p].

According to the survey, among women aged 18 to 55, respondents who correctly understood their rights accounted for 45.4% of the total share of women. It can be seen that in the future, within the framework of their rights, they aim to gain a place in the family, society and increase their economic interests. When asked about this, 47.9% of women, especially one in two respondents, are in favor of equal employment and living with men.

Studies have shown that rural women generally think that self-sufficiency is enough if they have equal rights in the family and in the workplace. However, in the future, urban women are more interested in improving their professional skills, positions and levels (this is 52.1%), rural women have less such awareness, 44.2%, this figure is 57.9% among women aged 20-24, 24-29 among older women, it was 59.7%, and among unmarried women, the figure was 60.9%. This is the case among 60.0% of health workers, 70.6% of government employees, and 60% of women entrepreneurs [23. 26p].

This suggests that the majority of women surveyed are 68.2% more in favor of gender equality or economic independence, working independently and earning a living. This is confirmed by our monitoring studies. That is, almost 70% of women surveyed said they wanted to start a business in addition to having a specific profession, 21% said they would rather trade, and 9% said they preferred to raise children at home.

If we pay attention to the monitoring of the work with detainees and prisoners, as well as minors, we can see that a number of practical measures have been taken in this regard. The Ombudsman pays great attention not only to vulnerable groups, but also to children, women, the elderly, the disabled and prisoners.

If a sectoral analysis of the appeals received by the Ombudsman is carried out, in 2016 alone, 943 out of the total number of appeals to the Ombudsman were in the form of protests against court verdicts (845) and investigations (98), 371 appeals against mitigation (287), medical assistance (17), transfer to another penitentiary institution (23), as well as the solution of socio-economic problems, including assistance to their family members (44) [24. 23p]. However, court decisions, all complaints against the progress of the investigation and applications for mitigation of the sentence are examined and considered by the Commissioner in conjunction with the Supreme Court and the Prosecutor General's Office of the Republic of Uzbekistan. Appeals related to serving a sentence will be considered with the participation of the Ministry of Internal Affairs.

The Representative of the Oliy Majlis for Human Rights (Ombudsman) monitored the implementation of laws on human rights and freedoms in 12 Rehabilitation Centers for 963 places in the regions in accordance with the law. During the monitoring, the conditions created for prisoners, the order of treatment, medical care, nutrition, the state of spiritual and educational work were studied. In the course of the study, interviews and meetings were conducted with a total of 253 detainees (collectively 241 persons and 12 individuals individually). The monitoring revealed that the detainees were an average of 95 men and 64 women aged 35–50 years [25.27 p].

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Conclusion

In general, the Ombudsman's Office confirmed that it cooperated with relevant organizations and structures on the above issues at the legislative level. The institute conducts systematic work on citizens' appeals and their resolution, as well as carries out the necessary monitoring and analysis.

At the same time, this structure provides sufficient conclusions on the restoration of violated rights of citizens and the improvement of the legislative system. This contributes to the further development of the system, strengthening the influence of law enforcement agencies and officials, eliminating the causes of such violations, the establishment of a system of unconditional adherence to the rule of law in their activities.

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