

LEGAL ACTIVITIES OF THE MASS MEDIA IN UZBEKISTAN

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Abstract: In the article The mass media operate on the basis of a wide range of legal norms. More than 100 documents on international legal norms have been adopted in the world. The legal norms applicable to the mass media in Uzbekistan correspond to international legal norms. In this regard, the normative legal framework for the mass media was analyzed in the study, divided into two parts: international and local.

Keywords : New Uzbekistan, Mass media activities, development strategy, strategy, Universal Declaration, education, upbringing, creative, creative, young generation.

ПРАВОВАЯ ДЕЯТЕЛЬНОСТЬ СМИ В УЗБЕКИСТАНЕ

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Аннотация: В статье Средства массовой информации функционируют на основе широкого спектра правовых норм. В мире принято более 100 документов по международно-правовым нормам. Правовые нормы, применяемые к средствам массовой информации в Узбекистане, соответствуют международно-правовым нормам. В связи с этим в исследовании проанализирована нормативно-правовая база для средств массовой информации, разделенная на две части: международную и локальную.

Ключевые слова: Новый Узбекистан, Деятельность средств массовой информации, стратегия развития, стратегия, Всеобщая декларация, образование, воспитание, креатив, творческое, молодое поколение.

O‘ZBEKISTONDA OMMAVIY AXBOROT VOSITALARI FAOLIYATINING HUQUQIY TARTIBI

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Annotatsiya: Maqolada Ommaviy axborot vositalari keng ko‘lamli huquqiy me‘yorlar asosida faoliyat yuritadi. Jahonda xalqaro huquq me‘yorlariga oid 100 dan ortiq hujjatlar qabul qilingan. O‘zbekistonda ommaviy axborot vositalari amal qiluvchi qonun me‘yorlari xalqaro huquqiy me‘yorlarga mos tushadi. Shu nuqtai nazardan ommaviy axborot vositalariga oid me‘yoriy huquqiy asoslarni ikkiga ya‘ni xalqaro va mahalliy qismlarga bo‘lib, tadqiqotda tahlil etilgan.

Kalit so‘zlar: Yangi O‘zbekiston, Ommaviy axborot vositalari faoliyati, taraqqiyot strategiyasi, strategiya, Umumjahon Deklaratsiyasi, ta‘lim, tarbiya, ijodkor, bunyodkor, yosh avlod.

The organization of mass media activities is regulated on the basis of the adopted international and national legislative system. The legal relations of mass media with various social institutions in society, the organization of management in the information sector, the legal procedure for information ownership are an important aspect of the study. The history of adopting laws in the field of mass media in Uzbekistan began with the years of independence. Over the past quarter century, legislation has been formed in this area, and extensive experience has been accumulated. The constitutional guarantee of the right to mass media, more than ten laws, more than fifty by-laws and other legal acts adopted by the Oliy Majlis of the Republic of Uzbekistan constitute the legal framework related to journalistic activities. They cover the entire sphere related to the legal protection of freedom of information and speech, the legal organization of mass media activities, the legal relations of subjects such as the founder, editorial board, distributor, the legal procedure for working with information, the protection of information, the status, obligations and responsibilities of journalists, copyright issues in the media, and the state's participation in organizing mass media activities on an international scale.

The mass media operate on the basis of a wide range of legal norms. More than 100 documents on international legal norms have been adopted in the world. The legal norms applicable to the mass media in Uzbekistan correspond to international legal norms. In this regard, the normative legal framework for the mass media was analyzed in the study, divided into two parts: international and local.

The most fundamental of the international normative documents related to the activities of the mass media is the Universal Declaration of Human Rights. The Universal Declaration of Human Rights was adopted by the General Assembly of the United Nations (UN) on December 10, 1948, and this document consists of 30 articles. It is the first international document recognized by independent Uzbekistan. In October 2020, Uzbekistan was elected to the UN Human Rights Council for the first time in history by a majority vote for a three-year term, which was a great achievement for the Uzbek people.

Article 12 of the Universal Declaration of Human Rights sets out norms that warn journalists and encourage them to be vigilant. That is, no one, including journalists, is allowed to arbitrarily interfere in the privacy and family life of others. It is also noted that the secrets of private correspondence are inviolable. Article 19 of the Declaration states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

Another major international document that affects the activities of the media is the International Covenant on Civil and Political Rights. It was adopted by the UN in 1966 and consists of 16 parts and 53 articles. Article 19 of this International Covenant is directly related to freedom of expression and the activities of the media. In particular, paragraph 1 of Article 19 states that "Everyone has the right to hold opinions without interference," while paragraph 2 states that "Everyone has the right to freedom of expression; this right includes freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

In turn, the Republic of Uzbekistan recognizes the primacy of international legal norms over its own legislation and effectively uses them in the development of legislative acts in the field. The

second type of legal regulatory documents related to the mass media is local, that is, laws and subordinate legal acts adopted in the Republic of Uzbekistan.

Before Uzbekistan gained independence, although the activities of the mass media were somewhat organized, there were certain problems in legal matters. That is, the activities of the mass media were not coordinated on a legal basis. As a result, journalists were deprived of freedom of speech and a democratic spirit. On the other hand, under the influence of communist beliefs that had been in effect for many years, their worldview was accordingly narrowed and fell into a certain "pattern". Since the press mainly served a single authority and carried out political "orders", in most cases it became a common reality that it undermined human honor and reputation. In most cases, such actions were ignored. In addition, illegal interference in the activities of the press by some officials became commonplace, in short, the authorities could direct the press as they wished. In general, such trampling of the law was typical of a totalitarian regime. "During the Soviet regime, there was no law on the media," writes journalist Karim Bahriev.

The Constitution of the Republic of Uzbekistan is considered the main legal document in this regard. The third part, Chapter XV of the Constitution of the Republic of Uzbekistan is devoted to the mass media. In particular, Article 81 of the Constitution stipulates that "The mass media are free and operate in accordance with the law. The state guarantees the freedom of activity of the mass media, the realization of their rights to seek, receive, use and disseminate information. The mass media are responsible for the reliability of the information they provide."

Also, Article 82 of the Constitution of the Republic of Uzbekistan strictly stipulates: "Censorship is not allowed. Obstruction or interference in the activities of the mass media shall entail liability in accordance with the law."

Censorship (Latin *censura* – serious discussion, ruthless criticism) – the establishment of control by official authorities over printed products, their printing, distribution, as well as the content and performance of stage plays, radio and television programs, and sometimes personal correspondence. According to its function, censorship can be direct and indirect. Indirect censorship is the establishment of special, openly strict control by the state over information sources and means of their distribution. An organizational and administrative system is created to implement censorship, which is directly involved in the activities of the media and other information carriers. Indirect censorship exists in all countries of the world. It is expressed in various (for example, through economic means) influence on information creators. One of the types of indirect censorship is self-censorship, that is, the information creator himself controls.

The norm prohibiting censorship was also contained in Article 67 of the previous constitution. At the same time, the next norm is an important innovation and is expected to serve as an effective legal basis for the effective functioning of the media. According to a number of journalists who have expressed their views on this issue in the press, these norms ensure that the media and journalists operate freely, without fear of various administrative pressures, and create conditions for the development of an atmosphere of openness and transparency in society.

On the basis of newspapers, magazines and television programs, a person receives basic information throughout his life. In modern life, it is the media that form certain opinions and views in people, therefore, from the point of view of personal development, freedom of the media is one of the main democratic rights and freedoms. Moreover, in this case, it is not only about obtaining information. Perhaps, great attention should be paid to the issue of obtaining

correct information. Freedom of the media plays an important role in ensuring a democratic system, political and cultural pluralism.

Currently, the legal framework for ensuring freedom of speech, comprehensive development of the media, and free activity of journalists and bloggers is being further strengthened in the country. In particular, penalties in the form of deprivation of liberty under such articles of the Criminal Code as “slander” and “insult” through the media have been abolished. This, undoubtedly, is one of the clearest evidence of the bold steps taken to liberalize the existing legislation in this area.

In the first decade of independence, the role of the media in deepening democratic processes was criticized for being too insignificant and for not being able to fully demonstrate their potential as the “fourth power”. In particular, the first President of the Republic of Uzbekistan, Islam Karimov, expressed the following objection to representatives of this sphere: “Frankly speaking, our press, television and radio have not yet mastered modern methods and forms of work, they do not meet international standards. There are no in-depth analytical materials, serious political, economic and international commentaries on the pages of the press and on television, there is no debate. The clear civic position and image of some mass state publications are not noticeable. They are mainly limited to publishing official news.”

At the VI session of the Oliy Majlis, the issue of strengthening the legal framework of the mass media was raised. At its VII session, the Oliy Majlis discussed and adopted in the first reading such draft laws as “Guarantees and Rights to Information”, “Protection of Journalistic Activities”. The draft laws were put forward for public discussion in the February 13 and 14 issues of the newspaper “Xalq so'zi”. It was supplemented with new proposals and comments from the general public and adopted at the VIII session of the Oliy Majlis on April 25, 1997.

The emergence and full force of these laws directly determine the spiritual image of the current Uzbek national statehood. The very creation of such laws, their submission to the discussion of deputies and the general public, testifies to Uzbekistan's commitment to universal human values, consistent adherence to international legal norms such as the protection of human rights, freedom, independence, and honor and dignity.

These laws also have their own unique aspects, which are a direct result of our lifestyle and the spiritual needs of the population. In particular:

First, the Law reflects vital requirements such as meeting the needs of the population and society for objective, truthful, and diverse information.

Secondly, it is also important that Article 2 of the Law "On Freedoms and Guarantees of Access to Information" specifically emphasizes that every citizen is guaranteed access to information and is protected by the state.

Thirdly, it is noteworthy that such laws had not yet been adopted in the CIS countries in the last decade of the 20th century, and are a rare occurrence in other countries, especially in countries with relatively developed democracies.

On August 2, 1996, the Oliy Majlis adopted the laws "On Copyright and Related Rights" and "On Publishing Activities." These laws served to protect the rights of authors of inventions and artistic creations and to develop publishing activities in our country.

Article 3 of the Law of the Republic of Uzbekistan “On Freedoms and Guarantees of Access to Information” states: “The right of every citizen to receive information is guaranteed. Everyone's right to seek, receive, research, transmit and disseminate information is protected by the state.”

Article 4 of the Law of the Republic of Uzbekistan “On the Principles and Guarantees of Freedom of Information” states: “In accordance with the Constitution of the Republic of Uzbekistan, everyone has the right to freely search, receive, verify, disseminate, use and store information. Access to information may be restricted only in accordance with the law and for the purpose of protecting human rights and freedoms, the foundations of the constitutional system, the moral values of society, the spiritual, cultural and scientific potential of the country, and ensuring its security.”

The Law "On the Transparency of the Activities of State Authorities and Administration Bodies" is also one of the documents that guarantees the free and unhindered access of citizens and media workers to information.

In the field of information, the legislation of Uzbekistan grants the right to seek, receive and disseminate information to “everyone”, but the source of the information and its author are not disclosed, and the distribution, that is, publication, of the information obtained cannot be carried out without the consent of the author. At the same time, the responsibility for the accuracy of the published information lies with the mass media. Where there is responsibility, of course, there are also concepts related to legal norms such as duty and responsibility, which directly creates the need for a law that protects legal norms in this process.

Another legal document related to the activities of the mass media is the Law of the Republic of Uzbekistan "On Telecommunications", adopted on August 20, 1999. Article 11 of this law addresses the issues of digitization of telecommunications networks and use of the Internet:

“The system and plan for numbering telecommunications networks, as well as the system of domain names of the national segment of the global information network Internet, shall be approved by a specially authorized body in the field of telecommunications.

Accounting, systematization and control over the use of telecommunications network numbering resources and domain names is carried out by a specially authorized body in the field of telecommunications.

"The use of telecommunications network numbering resources by operators and providers, as well as domain names by legal entities and individuals, is subject to payment."

The Law of the Republic of Uzbekistan “On the Openness of the Activities of State Authorities and Administration Bodies”, adopted on May 5, 2014, played an important role in this process, providing citizens with wide access to documents related to the information sphere and increasing the responsibility of state authorities and administration bodies. This law allowed representatives of the civil society institution to create a reliable guarantee of unhindered access to information on the activities of state authorities.

In the formation of independent, modern democratic media structures that meet the requirements of the democratic state, and in strengthening their material and technical base and human resources, organizations such as the Public Fund for Support and Development of Non-Governmental Non-Profit Organizations and Other Civil Society Institutions under the Oliy Majlis of the Republic of Uzbekistan and the Creative Union of Journalists are of great importance. These organizations are widely implementing many projects aimed at supporting media structures, further improving their material and technical base, and improving the professional qualifications and skills of journalists.

In the new Uzbekistan, conditions for the free, comprehensive, and transparent activities of the mass media and the creative people working in them are improving. Despite the formation of a

legislative framework in the field of mass media in the republic, negative situations occur in the practical work of journalists. This includes one-sided coverage of reality, lack of objectivity, lack of basis in facts, inaccuracy in commentary, weakness of analysis, and other similar situations. Thus, life itself shows that the reorganization of the mass media system in Uzbekistan requires its own complex and continuous reform processes. In this regard, many legal and regulatory documents related to the sector have been adopted and implemented. The task of liberalizing the mass media and creating a healthy competitive environment, which is an integral part of building a democratic society, is gaining urgent importance.

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