

Constitutional Basis of Defense and Security Issues of Uzbekistan

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Abstract: Ensuring national security plays an important role in protecting the country's independence, constitutional system, territorial integrity, economic, scientific-technical and defense power from illegal aggression. This article analyzes the constitutional and legal basis of the formation of the national security system of the Republic of Uzbekistan and examines its interactions with domestic and foreign policy.

Keywords: defense, safety, law, President, international relations, state security, legal basis, national security, peace, stability, the people, army.

It is known that one of the main elements of the national security system is its legal basis. Among the legal bases, the most important and the basis serving as its foundation are the constitutional bases. Therefore, according to the field and level of legal regulation, the most important provisions are expressed in constitutional norms and they have the highest legal force. It is not for nothing that researchers (Petrov, Pushkaryov, etc.) did not emphasize the formation and development of legislation in the field of security based on the Constitution.

Our Basic Law is the main source of law in the state of Uzbekistan, which ensures the commonality, integrity and compatibility of various legal fields. According to its legal force, the Constitution is the highest legal-normative document and stands at the peak of "legal dignity". It is followed by the constitutional law and the laws mentioned in the sources as "ordinary".

The First President of the Republic of Uzbekistan I.A. In his speech on the draft Constitution at the eleventh session of the Oliy Kengash, Karimov said: "The adoption of the first Constitution in the history of our free Uzbekistan is the rebirth of our republic, building a solid foundation for our true independence. It is inevitable that our constitution, as our main law, is the basis for the laws that make a state a state and make a nation a nation.

Therefore, the core of any adopted regulatory legal document is definitely a constitutional norm, and no legal norm can contradict the Constitution of the Republic of Uzbekistan. In particular, this provision is reflected in Part 2 of Article 16 of the Constitution, which clearly states that no law or other normative legal document may contradict the norms and rules of the Constitution [1].

At this point, it is worth noting that the sections and chapters of the Constitution are arranged as a whole, integrated system in the form of "individual-society-state". Another noteworthy aspect is that the Constitution embodies the norms and rules related to all important areas of national security (economic, social, military, political, environmental security) and is the initial basis for all normative legal and conceptual documents adopted in the field of national security, serving as a solid foundation.

According to the above aspect, each chapter of the Constitution, each of its articles is related to national security to one degree or another. At the same time, in our opinion, its chapters and articles can be grouped according to their direct (primary) and indirect (secondary) relevance to national security.

The first group - which we consider directly related to national security: State sovereignty (Chapter I), People's power (Chapter II), Constitution and rule of law (III), Foreign policy (IV), Oliy Majlis of the Republic of Uzbekistan (XVIII), O President of the Republic of Uzbekistan (XIX), Cabinet of Ministers (XX), Basics of Local State Power (XXI) and Defense and Security (XXVI);

The second group - indirectly or secondarily related to national security: Citizenship (Chapter VI), Basic rights and freedoms of people and citizens (Chapters VII-IX), Economic foundations of society (XII), Family (XIV), Judiciary of the Republic of Uzbekistan we include such chapters as the authority (XXII).

It is known that the Constitution of the Republic of Uzbekistan begins with the norm declaring that "Uzbekistan is a sovereign democratic, legal, social and secular state with a republican form of government" (Article 1). Because the state is considered the main and independent subject of international relations and international law, it is distinguished by the fact that it has territorial priority and sovereignty (an important sign of the state) that determines independence in international relations. The Republic of Uzbekistan defines its national-state and administrative-territorial structure, the system of state power and management bodies, implements its internal and external policy. The state border and territory of Uzbekistan are inviolable and indivisible [2].

At the same time, today's complex, rapidly changing military-political situation in our region and the world, especially in connection with the current situation in Afghanistan, where the perspective is rather abstract, the real and possible threats to security are increasing, drug aggression, the growing scale of international terrorism, extremism and other threats requires continuous improvement of the military readiness and combat capability of our Armed Forces, further strengthening of measures to ensure the security of our country, protect and guard its state borders.

In the speech of Shavkat Mirziyoyev at the extended meeting of the Security Council under the President on January 10, 2018, he touched on the prospects of reforms in the Armed Forces of our country and emphasized the following: "At the moment, in the whole world, including the international The danger of terrorism, extremism and radicalism is increasing, and armed conflicts are still ongoing in some regions. It is necessary to consistently continue our future work on further reforming our Armed Forces, increasing its combat readiness and capabilities." [3]

In the new development strategy of Uzbekistan for 2022-2026, the priority direction of "Strengthening the security and defense potential of our country, conducting an open, pragmatic and active foreign policy" is to further strengthen the state's defense capabilities, the combat readiness of the Armed Forces, to strengthen its capabilities and capabilities, to comprehensively strengthen the social protection of military personnel and their family members, to create an effective system for the prevention and elimination of emergency situations, close cooperation in security, trade-economic, water, energy, transport and cultural-humanitarian fields in Central Asia goals such as bringing the cooperation to a higher level in terms of quality have been set.

In the last six years, the system of military management, the structural structure and tasks of the military districts, the Air Defense Forces and the Air Force have been fundamentally revised. In particular, the General Staff of the Armed Forces of the Republic of Uzbekistan was established on the basis of the General Staff of the Ministry of Defense. As a result of the modernization of the Central Office of the Ministry of Defense, new structural divisions were established that meet modern requirements.

In 1991-2016, 7137 apartments were given to military personnel, and in 2017-2021, this figure was 10769 apartments. By 2026, this indicator is planned to reach 2295 annually. [4]

It is known that only the state has an absolute monopoly on the right to use force to protect the society from external and internal threats, and this right has been assigned to state power structures. At the same time, it is important to achieve a balance between two tasks: on the one hand, to ensure security, and on the other hand, to observe the constitutional rights of a person. In this place, "On Internal Affairs Bodies", "On the State Security Service of the Republic of Uzbekistan", adopted in recent years, regulating the activities of law enforcement bodies and special services. The relevance and importance of the "On the National Guard of the Republic of Uzbekistan" and other laws should be noted. These laws clearly define the goals and tasks of the above-mentioned structures, their rights and obligations, the conditions for the use of physical force, special tools and firearms by military personnel and employees. These documents provide for liability for illegal actions or inaction of military servicemen and employees, as well as compensation for damages caused by them to individuals and legal entities.

On the initiative of the Supreme Commander-in-Chief of the Armed Forces of the Republic of Uzbekistan, the establishment of military academic lyceums "School of Temurbeks" aims to provide our Armed Forces with potential soldiers and officers, educate our youth in the spirit of respect for our military-patriotism and moral and ethical values, and will have an important place in teaching. Especially in the Armed Forces system, the establishment of primary organizations of the Youth Union of Uzbekistan is of urgent importance in educating young servicemen in the spirit of patriotism, involving them in the process of reforms implemented in our country, and realizing their intellectual and creative potential. In other words, as a result of such important work, the army is turning into a school of bravery, perseverance and loyalty.

In conclusion, our army, which is a strong shield of the peace and security of our people and the inviolability of our borders, should be powerful in every way, and in terms of weapons and military skills, it should be second to none.

It is worth saying that it is of particular importance to form a strong life position and a high sense of responsibility for the fate of our country in our young generation. Taking this into account, a unique and integrated system of continuous military education and patriotic education was created in our country, which covers from high school to higher educational institutions.

In this system, a completely new Academy of the Armed Forces was formed, the activities of military schools, lyceums and colleges were improved, and military academic lyceums "School of Temurbeks" were opened. "Amir Temur" and "Jalaluddin Manguberdi" classes were organized in military units in order to inculcate the bravery of our ancestors in the minds of young people.

Systematic measures are being implemented to create a reserve of personnel for the Armed Forces of the Republic of Uzbekistan. In particular, in 2019, within the Ministries of Defense, Internal Affairs and Emergency Situations, as well as the State Security Service and the National Guard of the Republic of Uzbekistan, military-academic lyceums "Temurbek School" were established, and their activities, including the country's higher military and specialized aimed at the purposeful preparation of suitable candidates for admission to educational institutions. Undoubtedly, one of the main directions of the development of the Armed Forces is the improvement of the quality of military education.

Complex measures are being implemented for the social protection of military personnel, their family members and veterans. We have every reason to say that thanks to such efforts and the active cooperation of our National Army and our people, our Armed Forces are becoming a reliable guarantee of the development, peace and stability of our country, a real school of courage and fortitude. In today's extremely complicated global situation, reliable protection of the security and interests of our country is becoming an even more urgent task.

Taking this into account, in the "**Uzbekistan-2030**" strategy, the issues of ensuring the security and territorial integrity of our country, peace and harmony in our society, further strengthening of our country's defense capabilities and the development of our Armed Forces have been identified as priority directions.

On this basis, we attach great importance to strengthening the military-scientific and production potential of our country, increasing the combat readiness of the Armed Forces, providing them with modern weapons and military equipment, and wide introduction of digital technologies in the activities of the troops.

As the Great Amir Temur said, **the fate of victory is decided by the fighting spirit and preparation, moral power and strong will of the army.**

Therefore, we will continue to focus on raising the fighting spirit in the hearts of our fearless and brave soldiers, who define the true strength of our national army, and educating them to be resilient and resilient to any difficulties and trials.

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