

**CONSTITUTION – UNIQUE GUARANTEE OF THE RIGHTS OF THE HUMAN
BEING**

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Annotation: *As stipulated in the Constitution, combating any actions that violate the inviolability of the dignity and worth of the person, his rights and legitimate interests is one of the most urgent tasks in our country. According to the new Constitution, the supreme goal of our state is to ensure human rights and freedoms. This article describes the issues of ensuring human rights and freedoms enshrined in our Constitution.*

Keywords: *Constitution, personal rights and freedoms, human rights, death penalty, habeas corpus, the Miranda rule, the presumption of innocence. The first of these is the right to life.*

The Constitution is the supreme law of the state. We all know that the importance, influence and influence of this Law in the fate of our people are increasing. Our Constitution, which is the political will of our people, reflects such basic principles as building a just society, protecting the legal rights and freedoms of citizens and the dignity of the human being and serves as a guideline for the practical implementation of these principles. Due to the fact that these principles are directly reflected in our lives, the political worldview and legal knowledge of our citizens are increasing.

Personal rights and freedoms are a group of natural rights and freedoms, aimed at ensuring the life, health, dignity, honor, and worth of a person. [1].

If we talk about the changes in the field of human rights and freedoms, judicial and legal reforms included in our updated Constitution, many norms have been introduced in the field of human rights and freedoms. In particular, according to Article 25 of the new constitution, the death penalty is prohibited in Uzbekistan. The right to life is an inalienable and natural right of every human being. In our country, the death penalty was abolished for all crimes in 2008, but not in the constitution, but in the criminal code.

The constitutional prohibition of the death penalty guarantees that not even the state has the right to deprive a person of life. With this law, our state shows the world that it will never back down on this serious issue, and that it is committed to the ideals of humanism. For example, today 106 countries have abolished the death penalty for all crimes. Some states have abolished the death penalty in law, but have reinstated it as a form of punishment because it is unconstitutional. There is also a risk that the courts will make mistakes. So if a death sentence is passed on a person who is later acquitted by a court, there is no way to restore the life of the wrongfully convicted person. In this regard, the firm position of Uzbekistan, which is included in our Law, once again confirms the high level of protection of human life and its value in our

country and strictly limits any initiatives to restore and apply this form of punishment in our socio-political life. In the end , it will serve to guarantee the right to life of every person , even if he has committed a crime [2].

Article 26 of the Constitution of the Republic of Uzbekistan in the new edition enshrines several important principles aimed at respecting the dignity and worth of every person. In particular, it provides that the dignity and worth of a person is inviolable and that nothing can be a basis for their discrimination. Article 26 also prohibits torture, violence, cruel or degrading treatment, and medical or scientific experiments without a person's consent.

History shows that torture has been practiced in many countries for a long time. Torture was typically used to extract vital information held by the person being interrogated, as well as to inflict pain and torture during executions. Today, the prohibition of torture is enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the American Convention on Human Rights, the African Charter on Human and Peoples' Rights, and other instruments. The reinforcement of torture is absolute. It should be recognized that today Uzbekistan has a number of unresolved problems in this area. At the same time, there is the political will to continue human rights reform. The introduction of these amendments will allow to ensure the dignity of the person, his personal integrity, guaranteeing his protection from unlawful actions of law enforcement bodies [3].

The constitutional provision of the inviolability of human dignity and honor, the prohibition of torture, violence, cruel or degrading treatment, medical or scientific experiments without the consent of a person, serves to strengthen the rights and freedoms of persons detained in places of punishment, further enhance the reputation of Uzbekistan in the international arena, as well as to implement the principles of humanity, justice and the rule of law [4].

According to Article 27 of the newly amended Constitution, “No one shall be arrested, detained, imprisoned, held in custody or otherwise deprived of his liberty without due process of law. Arrest, detention and detention shall be allowed only by a court decision” .

The right to liberty and security of person is the right which every person has at birth, and which enables him or her to act freely and independently, and to choose his or her own conduct in a manner which does not prejudice the liberty and security of others. The freedom of the person should not exceed the limits of the norms of morality in society and be based on the law, that is, the person can perform any action if it is not prohibited by the law and legislation and does not contradict the legal provisions [5].

One of the most important institutions for the judicial protection of human rights is the requirement of the Habeas Corpus that any action involving the restriction of personal liberty must be carried out only on the basis of a court decision. This

provision is intended to guarantee the inviolability of personal liberty and to prevent the unlawful arrest, detention and detention of persons by the investigating authorities. The significance of this new norm is that it serves to restrain law enforcement agencies from illegal actions in the judicial-investigative processes, to eliminate cases of unjustified detention of a person, and as a result, to avoid mistakes related to the restriction of a person's freedom during the investigation. Another important aspect of this article is that an important guarantee derived from the presumption of innocence is that a person cannot be detained for more than 48 hours without a court order. A person must be brought before a court for a decision on the legality and reasonableness of the detention until 48 hours have elapsed from the time of detention. It was stipulated that a person should be released immediately if the lawfulness and reasonableness of the detention is not proven to the court. This article serves as a constitutional guarantee of the right to liberty and security of person. This provision means that the habeas corpus system has been introduced in the constitution of our country.

Article 28 of the updated Constitution states that "persons deprived of their liberty have the right to be treated with humanity and with respect for the dignity and worth of the human person". A person accused of committing a crime is considered innocent until his guilt is proven in the manner provided by law by means of a public trial and determined by a court judgment that has entered into force. It was determined that the accused would be given every opportunity to defend himself. In introducing this norm, first of all, the proposals received from our people and international norms were taken into account. That is, this clause reflects the Miranda principle. The essence of the Miranda rule is that it excludes the use of coercion by officers of the appropriate department against a person arrested on suspicion of a crime. This will allow us to apply the noble principle of supreme value of the human being, his life, rights and freedoms in practice. This rule also serves to further strengthen the guarantees of the rights and freedoms of our citizens, prevent the commission of various illegal acts and unfounded accusations against them.

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