

Legal Foundations of Gender Equality in New Uzbekistan

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Annotation:

In this scientific article, achieving gender equality is one of the conditions for sustainable and equitable human development. The solution of this problem is particularly relevant for the young independent states, which have taken the path of market relations and are overcoming the serious difficulties of the transition period. Because any society aiming to build a democratic society cannot develop without assimilating this idea and implementing it in public life.

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Achieving gender equality and gender balance in society, taking into account the needs and interests of both genders, ensuring equal opportunities for them means improving the situation of both women and men, effective economic development, strengthening the family, and the possibility of correctly raising a harmoniously developed generation in all aspects, both physically and morally. The legislation of the Republic of Uzbekistan, formed during the years of independence, regulating the spheres of politics and economics, the legal and organizational mechanisms created, testify to the fact that it has chosen a policy to ensure equal gender opportunities in all spheres of society.

Specifically, on March 2, 1995, a special Decree of the President of the Republic of Uzbekistan "On Measures to Enhance the Role of Women in State and Social Construction of the Republic of Uzbekistan" was issued, aimed at widely involving women in resolving issues of socio-economic and cultural development, strengthening the social protection of the family, motherhood and childhood, and coordinating the activities of ministries, departments, and territorial governing bodies. According to it, the positions of Deputy Prime Ministers for women's affairs were introduced in the republic. The Decrees of the President of the Republic of Uzbekistan "On additional measures to support the activities of the Women's Committee of Uzbekistan" dated May 25, 2004, "On additional measures to support the activities of the Women's Committee of

Uzbekistan" dated May 25, 2004, "On additional measures to protect the health of the mother and child, form a healthy generation" dated April 13, 2009, "On the Program of measures to strengthen the reproductive health of the population, further strengthen the effectiveness of work on raising a physically and spiritually harmoniously developed generation, the birth of a healthy child" dat Secretariats on social protection of the family, motherhood and childhood have been established in the Cabinet of Ministers and in the field. Women, who make up more than half of the population of Uzbekistan, have become a powerful factor in the development of society today. The equality of women and men, the strengthening of the family, which is the main link of society, the stability of marriage, the protection of motherhood and childhood, the rights and obligations of parents in raising children are reflected in the Constitution of the Republic of Uzbekistan, as well as in special laws. In addition to the Constitution of the Republic of Uzbekistan, the personal, social, political, and cultural rights of women are reflected in the Family Code, the Civil Code, the Labor Code, the laws on education and public health, employment, elections to the Oliy Majlis, and elections to regional, district, and city councils of people's deputies.

Uzbekistan was one of the first Central Asian countries to join the UN Convention on the Elimination of All Forms of Discrimination against Women. Today, representatives of our country's women participated in the IV World Conference of Women, held in Beijing in 1995 under the slogan "Peace, Development and Equality," joined the Platform of the Beijing Declaration aimed at improving the situation of women, and on this basis, the "Concept and Program Documents on Women's Issues in the Republic of Uzbekistan" at the government level, guaranteeing the legal and social protection of the republic's women, was developed and a program was created, consisting of 7 directions:

- a program for preparing girls for marriage,
- a healthy generation program on the basis of a healthy society;
- ecology and women's program;
- Program of events aimed at strengthening international relations of women of the republic;
- program of social protection of women's labor;
- Women, Family and Mahalla Program;
- Enlightenment, spirituality, education and upbringing program.

These programs demonstrate that in the Republic of Uzbekistan, special attention is paid to establishing a decent socio-political, economic, and spiritual life for women, and the work to improve their situation and living conditions has been elevated to the level of state policy. After all, in the current development of Uzbekistan, women make up 45.1 percent of the active labor force and occupy a sufficient position in all spheres of production, even penetrating into the traditional male professions of defense and public order protection. In particular, employed women make up 42.8% in industry, 42.4% in agriculture, 79.9% in education, culture, science, and 75.9% in healthcare. Women in leadership positions in the government comprise 16 percent, in the Constitutional Court - 20 percent, in the Supreme Court - 14.6 percent, and in the Supreme Economic Court - 15.8 percent. A socio-spiritual environment is being created for women to fully realize their potential. It is important to ensure that women with organizational, entrepreneurial, and business abilities achieve their legitimate place in the management system without any obstacles. Achieving an increase in the role of women in parliament is the foundation for their elevation in political life.

On September 2, 2019, the Law of the Republic of Uzbekistan "On Guarantees of Equal Rights and Opportunities for Women and Men" was approved as a legal protection and legal guarantee aimed at the place of women in society.

It is gratifying that for thousands of years, inequality between women and men in society and the issue of its solution have always been relevant. In particular, as noted in Article 1 of the law, the purpose of the law is to regulate relations in the field of ensuring equal rights and opportunities for women and men.

It is true that at a time when our time is focused on the priority of human interests in the reforms of a renewed Uzbekistan, there are still cases of non-recognition of women's rights by men in a large part of family conflicts, as well as in some cases, insufficient attention is paid to the rights and opportunities of women in society.

Against such negative circumstances, Article 2 of this Law provides that the legislation "On guarantees of equal rights and opportunities for women and men" consists of this Law and other legislative acts.

If an international treaty of the Republic of Uzbekistan establishes other rules than those provided for by the legislation of the Republic of Uzbekistan "On guarantees of equal rights and opportunities for women and men," the rules of the international treaty are applied.

The law also notes the concept of gender, according to which gender is a social aspect of relations between women and men, manifested in all spheres of public life and activity, including politics, economics, law, ideology and culture, education and science. Therefore, the concept of gender does not represent only the interests of women. Perhaps it only suggests that representatives of both sexes should boldly move towards their dreams and goals, to give equal opportunities to improve the quality of life. One of the demands of a developed society is to ensure equality of rights between men and women.

In fact, ancient Greek scholars such as Socrates, Aristotle, and Plato considered the polis to be the best state, where equality and justice prevailed in society. As the best laws, they also put forward laws that guaranteed equality of all. The idea of equality between men and women was applied in his works by the Greek scholar Antifont, who stated: "Nature creates all: both women and men equal, but people develop laws that make people unequal." Eastern encyclopedists Abu Nasr al-Farabi, in his work "The City of Virtuous People," referred to a state where equality reigned as a state striving for virtue, while in 1791, the Declaration of Civic and Women's Rights prepared by Olimpia De Guage for the first time recognized that women had the right to think freely and express their opinions. If we pay attention to the legal development of gender equality, first and foremost, it is necessary to analyze the historical, theoretical, and legal aspects of the legal foundations of gender equality in international and national legislation. Of course, we all know that the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948, recognizes the equality of men and women, and Article 1 of the Declaration states: "All people are born free and equal in dignity and rights." They are endowed with reason and conscience, and therefore should treat each other in a fraternal spirit." Article 3 of the International Covenant on Civil and Political Rights, another international document adopted by the UN in 1966, states that "States parties to this Covenant undertake to ensure the equal enjoyment by men and women of all civil and political rights considered in this Covenant." This international norm is the practical and legal basis of Article 2 of the Law "On Guarantees of Equal Rights and Opportunities for Women and Men," which states that the legislation "On Guarantees of Equal Rights and Opportunities for Women and Men" consists of this Law and other legislative acts. Therefore, the reason why our independent state, having ratified the aforementioned international documents, gives serious importance to the

issue of equality between women and men in its national legislation, based on the generally accepted requirements of international law, is justified.

Another legal guarantee of this basis is that Article 58 of the Constitution of the Republic of Uzbekistan states that "Women and men are equal." Therefore, both the international legal and constitutional legal foundations of gender equality are guaranteed. Gender equality also means social equality. To ensure such equality, it is not enough to include the necessary provisions in the Constitution and laws. Therefore, special attention is paid to "increasing legal culture in society." Because even during the test days in our country, that is, during the quarantine period, we witnessed doctors, internal affairs officers, and even the National Guard working side by side with men. Despite the quarantine, we are witnessing that there were no interruptions or shortages in the provision of any emergency medical care, which is why they started entrepreneurial work to quickly deliver medical masks, medical clothes, and necessary tools. The ancient Hippocratic Oath of our doctors is known to everyone. We are also witnessing the joy of our citizens who recovered thanks to the hard work of our doctors, who worked day and night for human health.

As a result of large-scale reforms carried out with such consistency, peace and economic stability are ensured in our society. Everyday life experience shows that the equal rights of men and women play an important role in the well-being of the people, the peace of society, and economic stability. The laws and programs developed at the state level to ensure gender equality are also of great importance. Even according to the results of a study conducted by the World Economic Forum (The Global Gender Gap), women work about 35 more days a year than men. According to research by the United Nations Children's Fund (UNICEF), girls spend 35-36% more time doing work than boys. This indicates that gender equality is still not being achieved in the world.

Therefore, the Law of the Republic of Uzbekistan "On Guarantees of Equal Rights and Opportunities for Women and Men," adopted on September 2, 2019, is a comprehensive and fundamental legal document aimed at ensuring gender equality in our country. This law defines the concept of "gender" for the first time in our national legislation. According to it, the main directions of state policy in the field of ensuring equal rights and opportunities for women and men, mechanisms of state governance in this area have been defined.

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