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THE MAIN GOAL OF THE CONSTITUTIONAL REFORM IS TO SECURE THE HONOUR AND DIGNITY OF THE INDIVIDUAL AND THE INTERESTS OF THE PEOPLE

In recent years, Uzbekistan has carried out large-scale, systematic, and radical work to transform all spheres of state and public life, enhance the role of civil society institutions and the media, improve the quality of life of the population and solve existing problems by developing new laws and introducing additions and amendments to the existing legislation in line with modern standards.

The ambitious goals set in the Development Strategy of New Uzbekistan, such as the construction of a just and socially oriented state and better protection of human rights, interests and dignity of the individual, put on the agenda the need for further improvements to the constitutional framework and provide the necessary legal basis in this regard.

Shavkat Mirziyoyev, President of Uzbekistan, announced the constitutional reform initiative for the first time during his inaugural speech on 6 November 2021. Later, in his Constitution Day address on 8 December 2021, the President outlined the proposed changes in detail, in particular:

First, the need to replace the previous principle of ‘the state – society – individual’ with a new one: ‘individual – society – the state’ and enshrine it in national legislation and legal practice.

Second, the main criterion of economic reforms must be ensuring the interests of the individual, which is the most important condition for building a truly people’s state.

Third, the constitutional consolidation of the role and status of civil society institutions, reflecting the ‘society is the initiator of reforms’ principle, is the need of the hour.

Fourth, the Constitution must define the foundations of the development of the institution of family, the careful transmission of traditional human values to future generations and further strengthening of interethnic harmony in the country.

Fifth, the Constitution should reflect the state youth policy, issues of comprehensive support for youth, their rights and duties at the time when the younger generation is entering the arena as creators of the New Uzbekistan, in order to fully ensure its rights and interests.

Sixth, Uzbekistan is now firmly on its way to building a social state and a just society. In that connection, the ‘New Uzbekistan is a social state’ principle must be enshrined as a constitutional norm.

Seventh, in order to make the current system of human rights protection more effective, the Constitution must reflect the prohibition of child labour and the reliable protection of the rights of persons with disabilities and elderly people.

Eighth, many developed countries are currently introducing special environmental sections in their constitutions in light of global climate change. The Constitution of Uzbekistan should also devote an important place to legal provisions on this topical issue.

Ninth, it is advisable to fix at the constitutional level the development of kindergartens, schools, higher education, and science, which are interrelated components of the foundation of the ‘Third Renaissance’.

This initiative by the Head of State found broad support in Uzbekistan, and strata took an active part in the process of transforming the Constitution.

Thus, on 20 May 2022, the Constitutional Commission on the formation of proposals on making amendments to the Constitution of Uzbekistan was established at the joint Kengash session of the Senate (upper chamber) and the Legislative (lower) Chamber of the Oliy Majlis of the Republic of Uzbekistan. The Commission comprises representatives of various strata of our society, in particular deputies, senators, representatives of all regions and civil society institutions, leading lawyers, political scientists, civic activists, and experts.

Based on the idea that ‘society is the initiator of reforms’, the Commission was assigned to ensure transparency and openness of its activities and to receive people’s proposals on making amendments and additions to the Constitution. For one month, the Commission has been working out a draft of amendments on the basis of over 48,000 propositions from citizens.

At a meeting with members of the Constitutional Commission on 20 June 2022, President Shavkat Mirziyoyev noted that the updated Constitution should provide a solid legal foundation and a reliable guarantee for Uzbekistan’s long-term development strategies.

‘In a word, the essence and provisions of the Constitution must fully reflect the idea “For the sake of human honour and dignity” and be based on the main principle of our current reforms that is “Individual – society – state”, which are designed to become a fundamental value in our everyday life. In other words, a person’s honour and dignity should now be at the heart of transformations in all spheres,’ the Head of State stressed.

The President focused on **four priority areas**.

The **first** one is the human being, human life, freedom and dignity, inviolable rights and interests. The **second** area is to enshrine in the Constitution the ‘New Uzbekistan is a social state’ idea.

The **third** is that the Constitution should clearly define the status of the mahalla and the duties of state bodies in their interaction with it. The **fourth** is to improve governance and strengthen the power of the people.

In addition, the President of Uzbekistan has proposed introducing into the Constitution the institution of making legislative proposals for the people's right to initiate laws. Under this provision, a group of at least 100,000 citizens would be able to submit their legislative proposals to the Legislative Chamber of the Oliy Majlis.

Within the framework of expanding the powers of the Government, the emphasis is put on the need to define in the Constitution the responsibilities of the Cabinet of Ministers and Khokimiyats on environmental issues, youth, family support, social protection of persons with disabilities, development of public transport, creation of conditions for public recreation, support for civil society institutions.

Particular attention is given to the importance of updating and improving the conceptual and legal framework for Uzbekistan's foreign policy considering the fundamental changes in the world.

According to current legislation, the parliament has the power to amend the Constitution independently. However, President Shavkat Mirziyoyev has proposed that the draft Constitution be considered by popular consultation and adopted by referendum. '[...] if we carry out constitutional reform based on the opinion and support of our citizens through a referendum, [...] it will be a true expression of the will of our people [...] a truly people's constitution,' the Head of State said.

Therefore, the President called on fellow countrymen to take a more active part in the process of constitutional reform. Then, on 25 June, draft amendments to the Constitution of Uzbekistan were presented for public discussion, and citizens' proposals were accepted until 1 August.

In the course of the nationwide discussion of the draft, the Constitutional Commission carried out work to further improve the Constitution. In particular, some 20,000 discussion events were held in ministries, departments, and organisations and all districts and towns of the country, with the participation of members and senators of the Oliy Majlis, political parties, and deputies of local Kengashis.

Young people, teachers, medical workers, entrepreneurs, representatives of civil society institutions, and all our compatriots who are not indifferent to the fate of our country, showed activity, participated in the discussion of the draft law and sent more than 150,000 proposals.

Furthermore, in order to bring the essence of constitutional reforms to foreign political circles and leading experts at a high level, conferences, roundtables and other events have been organised in countries such as India, Japan, Korea,

Poland, Saudi Arabia, Switzerland, the United Kingdom, and the USA. The experts praised the constitutional reforms in our country, made their proposals and supported Uzbekistan's path in this direction.

All proposals and recommendations are currently being discussed in detail with the participation of experts, academics, and politicians. The members of the Commission are thoroughly studying and analysing them and working to incorporate particularly pertinent issues into the draft constitutional act.

During the upcoming referendum on constitutional amendments, the Uzbek citizens will vote on 200 amendments and additions to 64 out of 128 articles of the Constitution of Uzbekistan and 6 new articles added to the basic law of our country. Since its adoption on 8 December 1992, the country's basic law has been amended 15 times.

Such an important public process as a national referendum is unfathomable without international observers. In this connection, a mission of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) visited Uzbekistan on 19–21 July 2022 and recommended that a limited observation mission be sent to Uzbekistan to monitor the referendum on the constitutional amendments.

In addition to the core group of experts, representatives of the ODIHR recommended that 14 long-term observers from member countries be deployed to monitor the referendum process.

I am confident that, in the forthcoming referendum, the people of Uzbekistan will actively demonstrate their civic position and vote for the future of their country and their children.