

# Constitution Day of Uzbekistan

PUBLICITY

## December 8 — The day of the adoption of the Constitution of the Republic of Uzbekistan

### The New Version of the Constitution Is Solid Guarantee of Human Honor, Dignity, and Rights



Courtesy of Embassy of Uzbekistan in Japan

#### The Constitution of Uzbekistan and the National Flag in its background

The new version of the Constitution of the Republic of Uzbekistan has laid a solid foundation for the stable development of statehood, socio-political, socio-economic, and legal spheres. This acknowledgment is particularly highlighted in the decree titled "On preparing for and conducting the celebration of the Constitution Day of the Republic of Uzbekistan," signed by President Shavkat Mirziyoyev on November 16, 2023.

The overwhelming support of 90.21 percent of citizens in the referendum held on April 30, 2023, in favor of the new constitution, serves as a clear affirmation of its positive impact. It also reflects the hopes and aspirations of the people for the establishment of New Uzbekistan, as evidenced in the decisive mandate expressed through our Constitution.

#### The people are the sole source of state power

The principle that "the people are the source of state power" underscores a significant transformation in the Constitution of the Republic of Uzbekistan. In the past, the Constitution was adopted on December 8, 1992, by the members of the parliament, acting as the authorized representatives of the people. However, the new version of the Basic Law took a different route, being directly adopted through a national referendum, facilitated by direct voting. This shift signifies that the true architects of the newly revised Constitution are the people themselves. The will of citizens emerges

as the primary source and driving force behind ongoing reforms, marking a noteworthy evolution in the governance structure of Uzbekistan.

The first paragraph of Article 7 in the new version of the Constitution establishes a powerful norm asserting that "the people are the only source of state power." This fortification of the universally recognized principle of people's power underscores the Republic of Uzbekistan's commitment to the sovereignty of its citizens and their role as the sole source of state authority.

Building on this foundation, the vision for New Uzbekistan in the upcoming years revolves around elevating human honor, dignity, rights, and freedoms to the highest values in the country. The essence of democracy is embraced, emphasizing that public agencies exist to serve the people, with a dedication to "living with people's concerns." The legitimate demands and wishes of the people become the paramount criterion for evaluating the activities of state bodies, supported by systematic measures aimed at inclusive decision-making and consultation with civil society institutions.

This commitment extends to democracy's demand for ensuring human rights through legislative and executive bodies. There will be a concerted effort to strengthen the roles of parliament, political parties, civil society institutions, and mass media in the deepening of democratic reforms and the modernization of the country. Increasing the role of parliament in checks and balances will be a priority, accompanied by a special focus on improving the quality and efficiency of public services. Strengthening the accountability and openness of public bodies, along with the implementation of parliamentary and public control mechanisms, is deemed essential to uphold the demand and superiority of democracy in New Uzbekistan.

#### State bodies should serve the people

As emphasized in the second paragraph of the aforementioned article, it affirms that **State power in the Republic of Uzbekistan shall be exercised in the interests of the people.** These principles play a crucial role in strengthening the constitutional and legal foundations of people's power, ensuring the will of the people, and protecting their legitimate interests.

The second paragraph reinforces an-

other universally recognized principle, stating that state power is exercised exclusively by bodies authorized by the Constitution of the Republic of Uzbekistan and the laws adopted on its basis.

Further clarification of these constitutional provisions is found in the first paragraph of Article 10, emphasizing that only the Oliy Majlis and the President of the Republic of Uzbekistan, elected by the people, can act on behalf of the people. This disallows any part of society, political party, public association, social movement, or individual from acting on behalf of the people of Uzbekistan.

In interpreting these norms, it's essential to recognize two types of democracy based on human experience: direct democracy, where individuals participate directly in decision-making, and representative democracy, implemented through elected representatives.

Uzbekistan's governance structure is characterized by a three-branch system of state power: the Oliy Majlis, a legislative representative body that adopts laws; the executive power under the leadership of the Cabinet of Ministers, ensuring the execution of laws; and the judiciary, serving as judicial bodies to resolve disputes based on the law. Each of these bodies has specific powers, contributing to a balanced and effective system of governance in Uzbekistan.

#### New Uzbekistan is a democratic and legal state

The third paragraph of Article 7 of the new version of the Constitution stipulates: "Any seizure of powers belonging to state authority, suspension or termination of activity of the bodies of state authority contrary to the procedure prescribed by the Constitution, as well as the formation of any new or parallel bodies of state authority shall be regarded as unconstitutional and punishable by law."

These norms serve as a steadfast guarantee that New Uzbekistan is grounded in democratic principles, ensuring that the exchange of power within the country occurs solely by the Constitution and laws. The state's legal policy, rooted in humanitarianism, democracy, social justice, and political diversity, reflects a commitment to shaping a democracy that draws from the rich experiences and cultural traditions of its people.

In the new Uzbekistan, the remnants of the old administrative command system,

characterized by coercion, have been dismantled. In their place, multi-partyism and the flourishing of diverse ideas and opinions have become the new norm.

These constitutional norms seamlessly align with universally recognized principles, notably the "Constitution and the Supremacy of Laws." State bodies derive their authority exclusively from the Constitution and laws, emphasizing an unconditional adherence to these legal foundations — an essential hallmark of the rule of law. The Constitution unequivocally prohibits any "usurpation of state power" by any societal entity, political party, public association, social movement, or individual.

These constitutional guarantees extend to creating favorable conditions for the realization of political and other human rights and freedoms. They actively support the formation of state bodies on a democratic basis, contribute to the establishment of a democratic political system, and bolster the pivotal role of democratic institutions and civil society organizations in shaping the future trajectory of New Uzbekistan.

#### New Uzbekistan is a social and secular state

In the Preamble of our Constitution, the legal ideology of the development of the state and society, the constitutional values and principles that our people rely on to create New Uzbekistan are clearly defined.

The basic principles are:

**Adherence to Human Rights and Freedoms.** Commitment to human rights, national and universal values, and principles of state sovereignty.

**Commitment to Democratic Ideals.** Devotion to the ideals of democracy, freedom, equality, social justice, and solidarity.

**Responsibility to Present and Future Generations.** Awareness of our ultimate responsibility to the present and future generations (principle of equal rights of generations), along with a determination to multiply and protect the invaluable natural wealth of the country and preserve a healthy environment.

**Integration of Historical Experience.** Reliance on more than three millennia-long historical experience in the development of our statehood, as well as the scientific, cultural, and spiritual heritage of the great ancestors who made an invaluable contribution to world civilization.

**Global Cooperation and Friendly**

**Relations.** Endeavoring to strengthen and develop friendly relations of Uzbekistan with the world community, primarily with neighboring states, based on cooperation, mutual support, peace, and harmony.

**Ensuring a Decent Life and Harmony.** Striving to ensure a decent life for citizens, interethnic and interfaith harmony, as well as the well-being and prosperity of the multinational native Uzbekistan.

#### Direct Applicability and Strengthened Foundations: Highlights of the Revised Uzbek Constitution

The new version of Article 1 in the Constitution articulates a clear strategic objective for state building, emphasizing the creation of a sovereign, democratic, legal, social, and secular state with a focus on social justice and solidarity. This revision introduces innovative mechanisms for the protection of human rights, freedoms, and legal interests, reflecting an enhanced commitment to these fundamental values.

#### Key Points:

**Supreme Legal Power:** The new Constitution holds supreme legal power throughout the country.

**Direct Applicability:** The constitutional norms are directly applicable, providing immediate legal effect.

**Strengthened Norms:** Constitutional foundations related to a unified legal space are reinforced, marking a departure from the version.

**Comparison with Old Norms:** A comparison of Articles 15 and 16 reveals the enhanced provisions in the new version, emphasizing the absolute supremacy of the Constitution and laws, and establishing the Constitution as the foundation for a unified legal space across the entire territory.

At this point, it's crucial to highlight that on May 8, 2023, the President issued the Decree titled "On the First-priority Measures for Implementation of the Constitution of the Republic of Uzbekistan in the New Edition." This significant document outlines the following imperative requirements:

ensuring the unconditional and comprehensive implementation of our recently revised Constitution;

incorporating the priority principles outlined within it in alignment with the overarching vision of New Uzbekistan;

organizing the functions of state bodies by the new constitutional and legal conditions;

to guarantee that citizens distinctly experience the essence of the People's Constitution in their day-to-day lives.

As outlined in the decree, "due to the supreme legal force of the new version of the Constitution, it is applied directly and unequivocally in the operations of state bodies and organizations, including courts and law enforcement agencies." The precise and steadfast implementation of these new, contemporary, and highly significant norms embedded in the Constitution of the Republic of Uzbekistan, especially the direct application of these constitutional provisions by the courts, marks a new era in our country's history. It signifies a commitment to elevating human rights, freedoms, legal interests, and dignity. As emphasized by our President, "Human dignity is not some abstract, lofty concept for us. By human dignity, we mean, first of all, the peaceful and safe life of every citizen, the provision of his fundamental rights and freedoms."

In summary, the new norms in our Constitution primarily focus on ensuring the stable development of the human, society, and the state. The adoption of the new version of the Basic Law has established a more robust constitutional and legal foundation in this regard. Consequently, New Uzbekistan has reaffirmed its strong commitment to its international obligations in these areas.

Our constitution reflects positive constitutional experiences from countries in Europe, Asia, and the Americas. Legal scholars, political scientists, and experts from numerous international organizations have extensively examined our Basic Law, and its norms have been further aligned with international human rights standards.

We are confident that, as impartially and correctly stated by representatives of international organizations and experts, the adoption of the new Constitution has laid a solid foundation for the continued improvement of people's well-being and the rapid development of individuals, civil society, and the state, based on the principle of "for the honor and dignity of man."

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Director of the National Center for Human Rights of the Republic of Uzbekistan