



## Legal Basis of Youth Rights Guarantees

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**Abstract:** In this article, a wide range of work is being carried out on raising a healthy and mature generation, realizing the creative and intellectual potential of young people, and creating the necessary conditions and opportunities. A number of mechanisms have been created to ensure and protect the rights of minors. In the Appeal of the President of the Republic of Uzbekistan Shavkat Mirziyoev to the Oliy Majlis, special attention is paid to the issue of providing decent education to young people and realizing their scientific aspirations.

**Keywords:** Raising a healthy and competent generation, providing youth with decent education, working with minors, ensuring youth employment, crime prevention.

In the Republic of Uzbekistan, caring for young people has risen to the level of state policy. The necessary socio-economic and legal conditions are being created for young people to study and work in their chosen professions. In the State program of 2008, which was declared as the "Year of Youth", the task of expanding the rights of young people and strengthening their guarantees was defined as the most important task. In the Republic of Uzbekistan, young people are honored by the state and society as a privileged class. In this, they are provided with additional opportunities in economic, social and other matters, among which the right to work is in the leading position. Underage citizens are given additional guarantees in the field of employment, regardless of the form of ownership, all enterprises and organizations set quotas of additional jobs for them, and employ teenagers sent to employment by Employment Assistance Centers to designated jobs, and provide them with vocational training directly in the production itself. they should create an opportunity for them to learn a craft. Additional guarantees are provided for minors when concluding an employment contract and hiring. In particular, in order to protect their health and moral education, it is prohibited to hire persons under the age of 18 for jobs related to financial responsibility, on the basis of employment. Also, the legal documents specify professions and jobs that are not allowed to use alcohol for persons under the age of 18. You know very well what a date and holiday August 31, 1991 is for us. An example of a young country is like a young family. A certain period is needed before the family is formed and becomes economically independent. During this period, the family worries about its future, and family members move and run. These works are built on the basis of a well-thought-out, specific plan. These plans are, so to speak, a reform plan. In this sense, large-scale reforms are being carried out in Uzbekistan today, and the most important thing is that the purpose of the reforms is aimed at people and their interests. The fact that not only citizens with civil capacity, but also minors under the age of 18 can participate in civil-legal relations using their status as civil subjects indicates that the role of youth is special in the socio-economic development of the Republic of Uzbekistan. It is known that today in our country, youth under 18 years of age make up about 60% of the total population.

The announcement of 2008 as the "Year of Youth" in our country and the adoption of special programs of the government as a logical continuation of the reforms being carried out in the field of youth support became important. As the first president of the Republic of Uzbekistan, I.A. Karimov, said, we must raise a healthy generation and bring it to adulthood. By a healthy person, we understand not only physical health, but people who have matured in the spirit of oriental manners and universal ideas. In this regard, the Oliy Majlis should adopt a series of laws that meet the requirements of the time, are the most convenient, based on advanced experiences and are integrally related.

Article 45 of the Constitution of the Republic of Uzbekistan stipulates that "the rights of minors are under the protection of the state", creating the legal foundation of state protection in this regard, and political, economic and social changes in our society led to the acceleration of the process of developing laws regulating social and legal relations regarding minors. On January 7, 2008, as a logical continuation of the law "On the foundations of state youth policy of the Republic of Uzbekistan" adopted on November 20, 1991, the law "On guarantees of children's rights" was adopted. In addition to the above legal documents, the Civil Code of the Republic of Uzbekistan also regulates and strengthens civil-legal relations, which occupy a significant part of our lives. The concept of a citizen (physical person), who is the central participant of these relations, is given in this legal document. According to it, citizens (individuals) mean citizens of the Republic of Uzbekistan, citizens of other countries, as well as stateless persons. Civil-legal relations are the most common relationships that citizens, including minors, encounter in life. So what kind of relationship is this? In our daily life, we enter into many relationships. For example, we get up in the morning, turn to electricity, plaster, hot and cold water, gas, go out to work or study, get on the public transport, go to restaurants and fill our stomachs, go to cinemas, theaters, stadiums and get spiritual food. we can This is not all. As a participant in civil-legal relations, you can open a private bank, farm, private enterprise, notary office, law office; You can open subsidiaries of "Rothschild and his sons" (England), "Deutsche Bank" (Germany), world-famous Coca-Cola, McDonald's companies in our country, insure your life and health against various accidents. You know that the world community has chosen the path of peace, harmony and cooperation, solidarity. The above situations are reflected in the Universal Declaration of Human Rights adopted on December 10, 1948 (hereinafter referred to as the Declaration - the authors).

In this sense, it is no coincidence that in the preamble of the Declaration attention is paid to the inherent dignity of all members of the human family (including minors - the emphasis is the authors') and recognition of their equal, inalienable rights is the basis of freedom, justice and total peace. It is also important to know that your right to honor, dignity, privacy, and name are protected by civil law as well as other areas of law (including criminal law, administrative law). In a word, all these are civil-legal relations. Because these relations are based on certain property, interest and contractuality. These relations are regulated and strengthened by a special field of law in our country - civil law. It occurs between a number of equal subjects - citizens, legal entities and the state. Summarizing the above, it can be said that civil law is a set of legal norms that regulate and strengthen property and personal non-property relations between legally equal subjects. This is stated in Article 1 of the Declaration: "All people are born free and equal in their dignity and rights. They are given intelligence and conscience, so they should treat each other in the spirit of brotherhood".

It should also be said that you may encounter other areas of law in your life - labor law, tax law, customs law, criminal law. But tell me, can you bump into them all the time? It is natural for you to immediately answer "no". Think about it - when you work only as an employee in a certain enterprise, you collide directly with the labor law, with the tax law, for example, with the land tax twice a year according to the tax legislation, with the customs law - when you leave or enter the borders of Uzbekistan. You know that you may not come into contact with the criminal law at all, if you do not enter the street of crime, if you do not commit a culpable socially dangerous act (action or inaction) prohibited by the criminal law, you will not be a subject of criminal-legal relations. Bottom line, you may or may not be involved in the above areas of law. But you can't get rid of your citizenship. At this point, we want to reveal your ownership image. What do you think - Do you

currently consider yourself an owner? What knowledge do you have about what property is? What documents do you think these cases are regulated in our country and the world community? What rights and obligations do you have under these documents? Do you know how to solve it, who to turn to, who will protect your rights and how? That's what we want to talk about.

We have implemented a wide range of specific measures to raise a healthy and mature generation in our country, to realize the creative and intellectual potential of young people, and to create the necessary conditions and opportunities for our country's young men and women to become well-rounded individuals who fully meet the requirements of the 21st century. One of the consistently implemented goals in our society is to raise a mature generation and develop the future through a mature generation of thinking and intellectual potential.

Since 1991, Uzbekistan, being an equal subject of international law, began to develop in its own way in the international arena. The path of building a legal democratic state based on the constitution was chosen, and in this way, it systematically organized the implementation of the generally recognized standards adopted by the United Nations and other international organizations into its national legislation.

In the early years of independence, it was recognized that the prospects and future of the state depended on the physical health of minors and young people, acquiring mature knowledge and practical skills.

In particular, the UN Convention on the Rights of the Child was the international standard ratified by Uzbekistan in 1994. Later, it also ratified the Optional Protocol on the Rights of Children Concerning Involvement in Armed Conflict and the Optional Protocols on the Trafficking of Children, Child Prostitution and Child Pornography.

In the first year of independence, the Law of the Republic of Uzbekistan "On the Foundations of the State Policy on Youth" was adopted. The priority directions of the policy aimed at protecting the rights of the child are ensuring the rights, freedoms and legal interests of the child, improving the legal framework for the protection of the child's rights, as well as the protection of the child's rights. such directions as ensuring the fulfillment of legal requirements on guaranteeing were determined.

This, in turn, became one of the main documents that determined the direction of the reforms to be carried out in the future for the protection of the rights and interests of children and their maturation.

To date, the Republic of Uzbekistan has created advanced legal frameworks and mechanisms that serve as an example for a number of foreign countries in terms of ensuring and protecting the rights of minors.

In particular, the Constitution of the Republic of Uzbekistan, the Laws "On guarantees of children's rights", "On the prevention of lack of control and offenses among minors", Civil procedural, Family, Housing, Labor, Criminal, Criminal procedural, Criminal executive codes and other in a number of regulatory legal documents, the rights of the child were regulated in the relevant fields.

In turn, in any legal state, the compliance of children's rights with international legal standards, guaranteed by law, the establishment of mechanisms for the implementation of these rights, and the creation of sufficient conditions for their development, increases the responsibility of all state and non-state bodies in this regard.

The level of education and upbringing of young people determines their position in the future society, and the level of education and upbringing of the state determines the place of the state in the world community.

In the Address of the President of Uzbekistan Shavkat Mirziyoyev to the Oliy Majlis, special attention was paid to the issue of providing decent education to young people and realizing their aspirations for science. "We need to give our young people a decent education and realize their aspirations for science. For this purpose, we must develop the system of pre-school education, fundamentally improve the material and technical base of secondary and higher educational institutions, and the quality of scientific and educational processes.

According to the decision of the President of August 14, 2018 "On measures to bring up morally, morally and physically perfect young people, and raise the quality of their education system to a new level" PQ-3907 measures to raise the quality of the educational system to a new level were determined for them.

The fate of the reforms implemented on a large scale in the rapidly changing Republic of Uzbekistan and the future of the country depend on the social and political activity of young people, who make up more than half of the population of the Republic.

The fact that employees under the age of 18 work in safe and healthy working conditions, how harmful factors of production affect their health, normal growth and development is the concern of everyone, including parents, labor protection authorities and commissions dealing with minors. is in the center of attention. In the event of danger to the health or other interests of a young employee during the production process, the above bodies are given the necessary powers to eliminate them. Termination of the employment contract concluded with an employee under the age of eighteen at their initiative is one of these powers. If the production conditions under which persons under the age of eighteen work are harmful to their health, if the work they perform poses a risk to them, the employment contract concluded with them may be terminated in accordance with Clause 6 of Article 106 of the Labor Code, that is, in cases where the employment contract does not depend on the discretion of the parties. . In this case, the employment contract concluded with the teenager is concluded by the employer at the request of the father or mother, adoptive parent, sponsor or guardian, bodies supervising labor protection (labor technical inspector and other supervisory bodies), commissions dealing with minors, in accordance with Article 106 of the Labor Code. should be canceled according to clause 6 of the article.

The employment contract can be changed by the agreement of its parties, as well as at the initiative of one of them in the cases and in the order established by the legislation. It is not allowed to permanently transfer an employee to another job without his consent.

#### **The employment contract may be terminated for the following reasons:**

- 1) according to the agreement of the parties. According to this basis, all types of employment contracts can be terminated at any time;
- 2) at the initiative of one of the parties;
- 3) at the end of the term;
- 4) according to circumstances beyond the discretion of the parties;
- 5) according to the grounds stipulated in the employment contract;
- 6) in connection with not being elected for a new term (failing to pass the election) or refusing to participate in the election (election).

The contract on termination of labor relations is provided in the labor contract when this contract is concluded by the employer with the head of the enterprise, his deputies, the chief accountant, and in the absence of the position of the chief accountant in the enterprise, with the employee performing the duties of the chief accountant, as well as in other cases permitted by law. can be caught.

#### **Article 3. Basic concepts**

The following basic concepts are used in this Law:

minor - a person under the age of eighteen;

- prevention of lack of control and delinquency among minors - social work carried out in conjunction with individual preventive work, aimed at identifying and eliminating the reasons and conditions that allow minors to lack control, carelessness, commit offenses or other antisocial behavior , system of legal, medical and other measures;
- socially dangerous, disadvantaged minor - a minor who, due to the lack of control or carelessness of a minor, is in a condition that poses a threat to his life or health, or is in a condition that does

not meet the requirements of his provision, upbringing and education, or commits a crime or other antisocial behavior ;

socially dangerous, disadvantaged family - parents or substitutes for parents who are evading or failing to fulfill their obligations to provide, raise and educate minors, or who have a negative impact on their behavior or treat them cruelly future family;

unsupervised - a minor whose behavior has become uncontrolled as a result of neglect or improper fulfillment of their obligations to provide, raise and educate the minor by parents or persons acting as substitutes for the parents;

individual preventive work - timely identification of socially dangerous minors and families, as well as their socio-pedagogical rehabilitation and prevention of minors committing crimes or other antisocial behavior;

unaccompanied minor - an unsupervised minor with no fixed place of residence;

anti-social behavior - the behavior of a minor that is manifested in the regular consumption of alcohol, narcotic drugs, psychotropic or other substances affecting mental activity, engaging in prostitution, begging, as well as violating the rights, freedoms and legal interests of other citizens other behaviors.

### References:

1. Мирзиёев Ш.М. Билимли авлод – буюк келажакнинг, тадбиркор халқ – фаровон ҳаётнинг, дўстона ҳамкорлик эса тараққиётнинг кафолатидир: Ўзбекистон Республикаси Конституцияси қабул қилинганининг 26 йиллигига бағишланган тантанали маросимдаги маъруза // [www.uza.uz](http://www.uza.uz) – Ўзбекистон Миллий ахборот агентлиги веб-сайти
2. Ўзбекистон Республикаси Олий Мажлисининг Ахборотномаси. 1996 йил, 9-сон, 128-модда.
3. Ўзбек тилининг изоҳли луғати. 5 жилдли. 2-жилд. / А.Мадвалиев таҳрири остида. – Тошкент: “Ўзбекистон миллий энциклопедияси” Давлат илмий нашриёти, 2006. – Б. 328.
4. Ўзбек тилининг изоҳли луғати. 5 жилдли. 1-жилд. / А.Мадвалиев таҳрири остида. – Тошкент: “Ўзбекистон миллий энциклопедияси” Давлат илмий нашриёти, 2006. – Б. 433.
5. Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2012 йил, 52-сон, 583-модда.
6. Касб юзасидан ўз вазифаларини лозим даражада бажармаслик: жиноят-ҳуқуқий ва криминологик жиҳатлари/ Юрид.фан. бўйича фалсафа док. (PhD) илмий даражасини олиш учун ёзилган диссертация. – Тошкент, 2019
7. Бондаренко Д.В. К вопросу о юридической ответственности медицинских работников // Медицинское право. 2006. №4.
8. Касб юзасидан ўз вазифаларини лозим даражада бажармаслик: жиноят-ҳуқуқий ва криминологик жиҳатлари/ Юрид.фан. бўйича фалсафа док. (PhD) илмий даражасини олиш учун ёзилган диссертация. – Тошкент, 2019–
9. Мирзиёев Ш.М. Билимли авлод – буюк келажакнинг, тадбиркор халқ – фаровон ҳаётнинг, дўстона ҳамкорлик эса тараққиётнинг кафолатидир: Ўзбекистон Республикаси Конституцияси қабул қилинганининг 26 йиллигига бағишланган тантанали маросимдаги маъруза // [www.uza.uz](http://www.uza.uz) – Ўзбекистон Миллий ахборот агентлиги веб-сайти.