

## The Right to Privacy is a Supreme Blessing

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**Abstract:** This article explains that Article 27 of the Constitution of the Republic of Uzbekistan stipulates that everyone has the right to protection from aggression and intrusion into his / her private life and inviolability of his / her place of residence. The Constitution enshrines the exercise of enshrined political, social, economic, cultural and other rights - the protection of the honor and dignity of the individual. In this regard, it was stressed that the protection of human dignity and honor is a criterion, a principle, the rule of law, the implementation of law enforcement activities is the responsibility of all government agencies and public organizations, officials and citizens. The experience, proposals and recommendations of some foreign countries are also given in this regard.

**Key words:** Criminal proceedings, law, defense counsel, court, prosecutor's office, defendant.

### Introduction.

It should be noted that the Constitution of the Republic of Uzbekistan plays an important role in the great achievements and milestones achieved by Uzbekistan.

President Sh. Mirziyoyev emphasized that it is the honorable duty of all of us to study, understand, apply and apply our Constitution in detail. (1) gave the opportunity. One of the constitutional principles is the equality and inviolability of the rights, freedoms and obligations of citizens, expressed at the international level.

According to Article 27 of the Constitution of the Republic of Uzbekistan, everyone has the right to protection from encroachment on his honor and reputation, invasion of privacy and inviolability of the home.

No one shall be allowed to enter a home, search or inspect it, or divulge the secrets of correspondence or telephone conversations, except in cases and in accordance with the law.

While embodying the principles of the Universal Declaration of Human Rights and other major international instruments, our Constitution affirms the supremacy of human rights and freedoms over the interests of the state, and seeks to create decent living conditions for our people.

Commenting on this article of our Constitution, the right of everyone to protection from encroachment on their honor and dignity, to intrusion into private life, and to the inviolability of the home is enshrined as an inalienable and inalienable human right. In other words, we are talking about human rights that no one, not even the state, can take away.

The right to protection of one's honor from aggression is, in essence, the most fundamental of human constitutional rights. In this sense, human dignity is the source of his rights and freedoms. Dignity is the recognition by society of the social value and uniqueness of a person, of each individual as a part of human society.

The Constitution of the Republic of Uzbekistan stems from the fact that the dignity and worth of the individual are the basis of other constitutional rights. The exercise of political, social, economic, cultural and other rights enshrined in the Constitution is an important condition for ensuring the honor and dignity of the individual. In this regard, the protection of human dignity and honor is a criterion, a principle, which must be followed in law-making and law enforcement activities. Respect for the honor and dignity of the individual is the duty of all state bodies and public organizations, officials and citizens.

Dignity as a subjective human right includes the protection of dignity, honor and good name. The protection of the dignity of the individual is absolute and is exercised by the state; in no case can it serve as a basis for its denial. Therefore, it is necessary to protect the dignity of any person - not only adults, but also minors and incapacitated persons.

Dignity and dignity belong to the category of intangible benefits, which in turn form a separate group of civil rights. Intangible benefits are those benefits and freedoms that do not have an economic content and are recognized in the current legislation as inseparable from those who have them.

Protection of honor and dignity is carried out in various forms: constitutional-legal, criminal-legal, civil-legal and other areas. In this case, if the constitutional-legal form strengthens the institution of protection itself, other forms regulate the mechanism of its implementation.

In particular, Chapter VI of the Criminal Code of the Republic of Uzbekistan deals with the following crimes against the honor and dignity of a person: slander (Article 139), insult (Article 140), as well as whether a woman wants to get married or continue to live together in marriage. - kidnapping for marriage against the will (Article 136).

Article 17 of the CPC of the Republic of Uzbekistan strengthens the principle of "respect for the honor and dignity of the individual", which provides that "It is forbidden to act or make decisions that cause suffering." Article 18 of the CPC of the Republic of Uzbekistan states: "The law protects the privacy of citizens, the inviolability of their place of residence, correspondence, telegraphic communications and telephone conversations. Searching, seizing, inspecting, recording and picking up postal and telegraphic items at post offices, telephone and other communication devices, etc. It can be done."

Article 7 of the Law of the Republic of Uzbekistan No. RK-344 of December 25, 2012 "On Rapid Search Operations" endangers the life, health and safety of a person, which leads to the disclosure of information about a person's private life. Article 13 prohibits exaggeration, while the right not to disclose information concerning the privacy, honor and dignity of citizens without their consent.

Civil law forms may include Article 1 of the Civil Code of the Republic of Uzbekistan, which enshrines the principle that no one shall be allowed to interfere in private affairs arbitrarily. By perfecting this principle, Article 100 of the Civil Code stipulates that a person who disseminates such information on the basis of information that damages his honor, dignity or business reputation, if the person who disseminated such information cannot prove its veracity, shall not be able to prove it. right. If the court's decision on the denial of information that is detrimental to the honor, dignity or business reputation of a citizen has not been enforced, the court may impose a fine on the offender in accordance with the law (Article 198-1 of the CCrP2); In this case, payment of the fine does not relieve the offender from the fulfillment of the obligations provided for in the court decision.

Non-interference in private life is one of the basic constitutional principles guaranteeing individual rights. This principle refers to the prohibition of interference in the private and family life of a person, as well as the dissemination of information about his private life without his consent.

If a citizen's right to privacy is considered to be a collection of guaranteed secrets, the following can be distinguished: personal secrets (undisclosed) and professional secrets (citizens' rights to privacy). In this context, personal secrets include: secrets of creativity and relationships; family secrets; accommodation, diaries, personal documents, mail and telegraph messages, and telephone conversations. Professional secrets include medical, banking, judicial and advocacy, adoption, pre-trial investigation, notarial acts, civil registration (Family Code, Civil Code, Journalism of the Journalist of the Ministry of Justice of the Republic of Uzbekistan). Laws on Guarantees and Principles).

In criminal proceedings, this principle is embodied in the legal requirements that prohibit officials of state bodies conducting criminal proceedings from interfering in the private life of participants in criminal proceedings: Including:

each participant shall be guaranteed non-interference in private (personal and family) life during criminal proceedings;

No one has the right to collect, store, use or disseminate information about a person's private life without his consent;

In accordance with the procedure provided for in the Criminal Procedure Code of the Republic of Uzbekistan, information on a person's private life may be used only in the performance of duties before criminal proceedings;

any person who is allowed access to personal information shall be obliged to prevent the dissemination of such information;

The court has the right to consider criminal cases in closed court in cases that lead to the dissemination of information about personal and family life (Articles 17, 19, 271 of the CPC).

International documents ratified by the Republic of Uzbekistan also contain provisions on the dignity, honor, privacy and inviolability of the person. In particular, Article 12 of the Universal Declaration of Human Rights states: "Everyone has the right to the protection of the law against such interference or attacks." Article 17 of the International Covenant on Civil and Political Rights states that "No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality. impossible. "Everyone has the right to the protection of the law against such interference or attacks."

In the US constitutional process, privacy is called a "right" and in some cases a "right to peace." The doctrine of German law, on the other hand, forms the idea of "individual information sovereignty."

The inviolability of the home also belongs to the individual's rights and freedoms and serves to protect his privacy. This right is exercised by the rule that no one has the right to enter a person's place of residence without the grounds

specified by law. Home inviolability is a closed area that provides access to personal, unobstructed, comfortable living conditions, information about natural processes in a person's private life, and guarantees the protection of personal and family secrets.

The constitutional right to inviolability of place of residence is a person's freedom of thought in decision-making on the basis of his social powers and the right to enter his place of residence, as enshrined in the Constitution and other international instruments.

According to Article 9 of the Housing Code of the Republic of Uzbekistan, special houses (dormitories, temporary housing, boarding houses, boarding houses, boarding houses, etc.) are intended for permanent residence of citizens, meet the established sanitary, fire and technical requirements, as well as in the prescribed manner. houses, as well as children's houses and other special-purpose houses).

The second part of the article explains the mechanism of exercising the right to home inviolability, the Code of Criminal Procedure of the Republic of Uzbekistan, the Law of the Republic of Uzbekistan "On law enforcement agencies", "On the law of operative-search activities". In this case, the law refers to Articles 20 and 21 of the Criminal Procedure Code of the Republic of Uzbekistan, which provide for a search and inspection of the premises.

Violation of the inviolability of the place of residence of citizens, ie illegal entry into the place of residence with the use of force against the will of the residents, is a crime in Uzbekistan and is subject to criminal liability.

It is also an important constitutional right of a person not to divulge the secrets of correspondence and telephone conversations. The right of citizens to inviolability in the use of personal means of communication means that no one has the right to access his correspondence, telephone conversations, telegraph information against the personal will, except as expressly provided by law.

From April 1, 2017, the seizure of postal and telegraphic items is allowed only on the basis of a court decision (Article 166 of the CPC), which is also aimed at strengthening this constitutional right of the individual.

Intentional disclosure of the secrets of correspondence and telephone conversations, telegraphs and other transfers in the Republic of Uzbekistan shall entail criminal liability if committed after the imposition of administrative liability for such an act (Article 143 of the Criminal Code).

In short, the Court guarantees the reliable protection of the rights and freedoms of citizens in the work of law enforcement and oversight bodies, strengthens the guarantees of the rights of citizens to private property, and ensures the fair trial of citizens. A number of organizational and legal measures have been taken to strengthen the constitutional right to self-determination. The next step is to reform the criminal justice system; liberalization of criminal penalties for crimes committed by minors, strengthening of their legal protection in the conduct of proceedings; the application of laws that deny the criminality of the crime, mitigate the punishment and otherwise improve the situation of the person; reduction of convictions; the role of lawyers and the gathering and consolidation of evidence, the revision of their assessment lists in light of the standards of evidence widely used in best international practice; Basically, every law must be in accordance with human interests and our Constitution.

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