

ISSN: 2181-9416



# ЮРИСТ АХБОРОТНОМАСИ

ВЕСТНИК ЮРИСТА \* LAWYER HERALD

ҲУҚУҚИЙ, ИЖТИМОИЙ, ИЛМИЙ-АМАЛИЙ ЖУРНАЛ



CYBERLENINKA

НАУЧНАЯ ЭЛЕКТРОННАЯ  
БИБЛИОТЕКА  
LIBRARY.RU

ISSN 2181-9416  
Doi Journal 10.26739/2181-9416

# ЮРИСТ АХБОРОТНОМАСИ

3 СОН, 4 ЖИЛД

## ВЕСТНИК ЮРИСТА

НОМЕР 3, ВЫПУСК 4

## LAWYER HERALD

VOLUME 3, ISSUE 4



TOSHKENT-2024

## Мундарижа

### ДАВЛАТ ВА ҲУҚУҚ НАЗАРИЯСИ ВА ТАРИХИ. ҲУҚУҚИЙ ТАЪЛИМОТЛАР ТАРИХИ

#### 1. АЗИЗОВ Нигмонжон Пардаевич

МАНУ ҚОНУНЛАРИДА ОДИЛ СУДЛОВНИ АМАЛГА ОШИРИШ МАСАЛАЛАРИНИНГ  
ИФОДАЛАНИШИ ..... 8

### ФУҚАРОЛИК ҲУҚУҚИ. ТАДБИРКОРЛИК ҲУҚУҚИ. ОИЛА ҲУҚУҚИ. ХАЛҚАРО ХУСУСИЙ ҲУҚУҚ

#### 2. ДЖУМАНОВ Аскар Хасанович

ПЕРСПЕКТИВА ПРИМЕНЕНИЯ ДОГОВОРА ПРОСТОГО ТОВАРИЩЕСТВА В РЕСПУБЛИКЕ  
УЗБЕКИСТАН..... 15

#### 3. ОКЮЛОВ Омонбой

ЖАҲОН САВДО ТАШКИЛОТИ ДУНЁ БОЗОРИНИНГ ИҚТИСОДИЙ-ҲУҚУҚИЙ  
МАКОНИ СИФАТИДА ..... 22

#### 4. ЮЛДАШОВ Абдумумин Абдугопирович

МАЖБУРИЙ ЛИЦЕНЗИЯНИНГ ҲУҚУҚИЙ ТАБИАТИ:  
МУАЛЛИФЛИК ҲУҚУҚИ ВА САНОАТ МУЛКИ ОБЪЕКТЛАРИ МИСОЛИДА ..... 34

#### 5. Д-р Ольга ГУРГУЛА, ТИЛЛАБОЕВ Шохрухбек

ПРИНУДИТЕЛЬНЫЕ ЛИЦЕНЗИИ, КАК ЭФФЕКТИВНЫЙ МЕТОД ТРАНСФЕРА  
ТЕХНОЛОГИЙ..... 41

### МЕҲНАТ ҲУҚУҚИ. ИЖТИМОЙ ТАЪМИНОТ ҲУҚУҚИ

#### 6. BEGATOV Jasurbek Numonjanovich

МЕҲНАТ МУНОСАБАТЛАРИДА КАМСИТИШНИ ТАҚИQLАШ ТАМОЙИЛИНИ АМАЛГА  
ОШИРИШДА ДАВЛАТ ОРГАНЛАРИНИНГ РОЛИ ВА АНАМИЯТИ..... 47

#### 7. РАХМАТОВ Мирсаид Озаматович

КАДРЛАРНИ ТАНЛАШ ВА ИШГА ЖОЙЛАШТИРИШНИНГ ҲУҚУҚИЙ МАСАЛАЛАРИ ..... 55

### СУД ҲОКИМИЯТИ. ПРОКУРОР НАЗОРАТИ. ҲУҚУҚНИ МУҲОФАЗА ҚИЛИШ ФАОЛИЯТИНИ ТАШКИЛ ЭТИШ

#### 8. ИБРОХИМОВ Бахтиёр Тойиржонович

ИДОРАВИЙ НАЗОРАТ, ПРОКУРОР НАЗОРАТ ВА СУД НАЗОРАТИ ЎРТАСИДАГИ ЎЗАРО  
МУТАНОСИБЛИГИНИНГ ЎЗИГА ХОС ЖИҲАТЛАРИ ..... 64

### ЖИНОЯТ ҲУҚУҚИ, ҲУҚУҚБУЗАРЛИКЛАРНИНГ ОЛДИНИ ОЛИШ. КРИМИНОЛОГИЯ. ЖИНОЯТ-ИЖРОИЯ ҲУҚУҚИ

#### 9. УТЕМУРАТОВА Сапаргул Шамшетовна

ЭКОЛОГИЯ СОҲАСИДАГИ ЖИНОЯТЛАР  
СУБЪЕКТИ СИФАТИДА – ЮРИДИК ШАХСЛАР ..... 71

<b>10. АКБАРОВ Саидакбархон Рустам уғли</b> ҲУҚУҚБУЗАРЛИКЛАР ПРОФИЛАКТИКАСИ ВА ЖИНОЯТЧИЛИККА ҚАРШИ КУРАШ СОҲАСИДАГИ ИСЛОҲОТЛАР ҲАМДА СОҲАДАГИ АЙРИМ МУАММОЛАРНИ БАРТАРАФ ЭТИШ МАСАЛАЛАРИ .....	78
---	----

#### ХАЛҚАРО ҲУҚУҚ ВА ИНСОН ҲУҚУҚЛАРИ

<b>11. ФАЙЗУЛЛАЕВА Нигорахон Равшановна</b> СУБЪЕКТЫ МЕЖДУНАРОДНОГО КУЛЬТУРНОГО ПРАВА И ИХ МЕЖДУНАРОДНАЯ ПРАВОСУБЪЕКТНОСТЬ .....	90
--	----

<b>12. РАКНИМОВА Muattara</b> ISSUES OF ACHIEVEMENT OF GENDER EQUALITY: SUSTAINABLE DEVELOPMENT GOAL No. 5 .....	99
--	----

<b>13. ХУДЖАМОВА Камола Акмал кизи</b> ПРАВОВАЯ ОСНОВА ТРЕБОВАНИЙ МЕЖДУНАРОДНОЙ КОНВЕНЦИИ О ЛИКВИДАЦИИ ВСЕХ ФОРМ РАСОВОЙ ДИСКРИМИНАЦИИ: НАЦИОНАЛЬНЫЙ И ЗАРУБЕЖНЫЙ ОПЫТ .....	105
---	-----

#### ҲУҚУҚИЙ АМАЛИЁТ ВА ХОРИЖИЙ ТАЖРИБА

<b>14. URINBOYEV Rustamjon</b> LIVING LAW AND ANTI-CORRUPTION IN UZBEKISTAN .....	116
--	-----

# ЮРИСТ АХБОРОТНОМАСИ ВЕСТНИК ЮРИСТА LAWYER HERALD

**RAKHIMOVA Muattara**

Professor at Tashkent State University of Law

Doctor of Law (DSc)

E-mail: [muattara161@mail.ru](mailto:muattara161@mail.ru)

## ISSUES OF ACHIEVEMENT OF GENDER EQUALITY: SUSTAINABLE DEVELOPMENT GOAL No. 5

**For citation (иктибос келтириш учун, для цитирования):** RAKHIMOVA M. Issues of achievement of gender equality: sustainable development goal No. 5 // Юрист ахборотномаси – Вестник юриста – Lawyer herald. № 3 (2024) С. 99-104.

 3 (2024) DOI <http://dx.doi.org/10.26739/2181-9416-2024-3-12>

### ANNOTATION

This article is devoted to the analysis of the main tools for the implementation of the Sustainable Development Goals: this includes the adoption of development strategies for the New Uzbekistan, reflecting cooperation with international organizations in improving the status of women and empowering them in accordance with the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Declaration and Platform for Actions, and the adoption of relevant national legislation in the field of women's rights protection based on guarantees of gender equality and besides, the article of the Constitution of the Republic of Uzbekistan, which establishes the obligation of the state to ensure equal rights and opportunities for women and men in the management of society and the state, as well as in other spheres of public and state life. implementation of the commitments undertaken in the field of gender equality.

**Keywords:** Goal No. 5 of Sustainable Development Goals, strategies for the development of New Uzbekistan, cooperation with international organizations in improving the status of women and expanding their rights and opportunities, the Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Declaration and Platform for Action, gender equality, national legislation in the field of women's rights protection.

**РАХИМОВА МУАТТАРА АБДУСАТТАРОВНА**

Профессор Ташкентского государственного юридического университета,

Доктор юридических наук (DSc)

E-mail: [muattara161@mail.ru](mailto:muattara161@mail.ru)

## ВОПРОСЫ ДОСТИЖЕНИЯ ГЕНДЕРНОГО РАВЕНСТВА: ЦЕЛЬ № 5 ЦЕЛЕЙ УСТОЙЧИВОГО РАЗВИТИЯ

### АННОТАЦИЯ

Данная статья посвящена анализу основных инструментов по реализации Целей устойчивого развития: это и принятие стратегий развития Нового Узбекистана,

отражающих сотрудничество с международными организациями в улучшении положения женщин и расширении их прав и возможностей в соответствии с Конвенцией о ликвидации всех форм дискриминации в отношении женщин и Пекинской декларацией и Платформой действий, это и принятие соответствующих национальных законодательных актов в области защиты прав женщин, основанных на гарантиях гендерного равенства, а кроме того статья Конституции Республики Узбекистан, которая устанавливает обязанность государства обеспечивать равные права и возможности для женщин и мужчин в управлении обществом и государством, а также в других сферах общественной и государственной жизни. реализации, взятых на себя обязательств в сфере гендерного равенства.

**Ключевые слова:** Цель № 5 Целей устойчивого развития, стратегии развития Нового Узбекистана, сотрудничество с международными организациями в улучшении положения женщин и расширении их прав и возможностей, Конвенция о ликвидации всех форм дискриминации в отношении женщин, Пекинская декларация и платформа действий, гендерное равенство, национальное законодательство в области защиты прав женщин. защита прав человека.

**RAXIMOVA MUATTARA**

Toshkent davlat yuridik universiteti professori,  
Yuridik fanlari doktori (DSc)  
E-mail: muattara161@mail.ru

## **GENDER TENGLIKKA ERISHISH MASALLARI: BARQAROR RIVOJLANISHNING 5-MAQSADI**

### **ANNOTASIYA**

Ushbu maqola Barqaror rivojlanish maqsadlarini amalga oshirishning asosiy vositalarini tahlil qilishga bag'ishlangan. Bunda Xotin-qizlarni kamsitishining barcha shakllariga barham berish to'g'risidagi konvensiya va Pekin deklaratsiyasiga muvofiq xotin-qizlarning axvolini yaxshilash hamda huquq va imkoniyatlarini kengaytirish borasida xalqaro tashkilotlar bilan hamkorligi aks ettirilgan Yangi O'zbekistonning Taraqqiyot strategiyasiga alohida e'tibor qaratgan. Shu bilan birga, gender tenglik kafolatlariga asoslangan xotin-qizlar huquqlari himoyasi sohasidagi tegishli milliy qonun hujjatlarining qabul qilinishi, O'zbekiston Respublikasi Konstitutsiyasining davlat xotin-qizlar va erkaklarga jamiyat hamda davlat ishlarini boshqarishda, shuningdek jamiyat va davlat hayotining boshqa sohalarida teng huquq va imkoniyatlarni ta'minlash majburiyatini mustahkamlovchi moddasi tahlil qilingan.

**Kalit so'zlar:** Barqaror rivojlanishning 5-maqsadi, Yangi O'zbekistonning Taraqqiyot strategiyasi, xotin-qizlarning ahvolini yaxshilash hamda huquq va imkoniyatlarini kengaytirish borasida xalqaro tashkilotlar bilan hamkorlik, Xotin-qizlarni kamsitishining barcha shakllariga barham berish to'g'risidagi konvensiya, Pekin deklaratsiyasi va Harakatlar platformasi, gender tengligi, inson huquqlarini himoya qilish, xotin-qizlar huquqlarini himoya qilish sohasidagi milliy qonunchilik

Gender equality is a right that must be protected and promoted. It is key to solving many of the world's current problems, such as economic crises, lack of medical care, climate change, violence against women, and escalating conflicts. Women do not only suffer from these problems but also actively work to solve them, often becoming leaders in their communities. Nevertheless, gender discrimination continues to hold back many women, which in turn hinders the progress of society as a whole.

The global agenda for sustainable development until 2030 and its 17 Sustainable Development Goals (SDGs), adopted by world leaders in 2015 [1.], serve as a "roadmap" for achieving sustainable progress that leaves no one behind. Achieving gender equality and



empowering women is an integral part of each of these goals.

Gender equality is enshrined as the fifth Sustainable Development Goal: “Achieve gender equality and empower all women and girls.” [2.] According to the UN, “gender equality is not only a fundamental human right but a necessary foundation for a peaceful, prosperous, and sustainable world.” [2.]

UN Secretary-General António Guterres calls gender inequality “the greatest human rights challenge of our time and the most glaring injustice.” As he emphasized, “Women around the world are worse off than men simply because they are women.” [3.] For example, more than 1 billion women lack legal protection against domestic violence, and 200 million girls and women have undergone female genital mutilation. The level of domestic violence worldwide has reached catastrophic proportions: in the Middle East and North Africa, one in two women has experienced domestic violence, and globally, one in three women has been a victim. [4.]

Only by ensuring equal rights and opportunities for women and girls can we achieve justice and inclusion, create economies that work for everyone, and preserve the environment for current and future generations.

The UN international organizations in Uzbekistan actively work towards achieving the Sustainable Development Goals (SDGs). Uzbekistan has reaffirmed its commitment to the global agenda until 2030 and a comprehensive approach to multi-stakeholder partnership for the implementation of sixteen national sustainable development goals (SDGs). In line with UN General Assembly Resolution No. 70 adopted at the UN Sustainable Development Summit in September 2015 [5.], and to organize systematic work on the consistent implementation of the Sustainable Development Goals of the UN Global Agenda until 2030, the Cabinet of Ministers of Uzbekistan adopted Resolution No. 841 on October 20, 2018, “On measures to implement the National Goals and Objectives in the field of sustainable development for the period up to 2030.” [6.]

Under this resolution, 16 national goals and 125 sustainable development tasks were approved, a Coordination Council for the implementation of national SDGs and tasks was established, and a “Roadmap” for the implementation of national SDGs and tasks were approved. Uzbekistan has done significant work in realizing the SDGs, particularly in achieving Goal No. 5 “Gender Equality.”

In his inauguration address, President Shavkat Mirziyoyev of the Republic of Uzbekistan stated, “The strict fulfillment of the requirements of the Constitution and laws of the country, the full implementation of the priority principle “**For the honor and dignity of the person**”, will continue to remain the main criterion of my activity as the guarantor of our Basic Law.” [7.]

### **Main Legislative Provisions**

Uzbekistan has made significant progress in all areas outlined in the adopted strategies, resulting in positive outcomes. One of the main indicators of this progress is the protection of human rights, including gender equality. Article 46 of the Constitution of the Republic of Uzbekistan guarantees equal rights between men and women. [8.]

### **Legislative Acts**

One of the key legislative acts aimed at ensuring gender equality is the Law of the Republic of Uzbekistan “On Guarantees of Equal Rights and Opportunities for Women and Men,” dated September 2, 2019. [9.] Article 3 of this law introduces the concepts of direct and indirect discrimination based on gender:

- **Direct Discrimination** — any distinction, exclusion, or restriction aimed at denying women and men their rights and freedoms in all areas of society, including discrimination based on marital status, pregnancy, family responsibilities, sexual harassment, and unequal pay for equal work and qualifications;

- **Indirect Discrimination** — creating situations, conditions, or criteria that place persons of one gender in a less favorable position compared to those of the other gender, including the promotion of gender inequality through media, education, culture, or the establishment of conditions or requirements that may have negative consequences for persons of a certain gender. [9.]

The law also introduces the concept of gender-legal expertise, which involves analyzing legal acts and their drafts for compliance with the principles of equal rights and opportunities for women and men. [9.]

The main principles of ensuring guarantees of equal rights and opportunities are:

- Legality;
- Democracy;
- Equality of women and men;
- Non-discrimination based on gender;
- Openness and transparency.

While Article 19 of the Constitution of Uzbekistan states that human rights and freedoms are recognized and guaranteed in accordance with universally accepted international law norms and that all citizens of the republic have equal rights and freedoms regardless of gender, race, nationality, language, religion, beliefs, or social origin, specific laws also address gender equality [8.]:

- Article 4 of the Law "On Citizenship of the Republic of Uzbekistan" (March 13, 2020) declares that all citizens of the republic are equal before the law without distinction of gender; [10.]

- Article 4 of the Labor Code of the Republic of Uzbekistan prohibits discrimination in the field of labor and employment; [11.]

- Article 2 of the Family Code of the Republic of Uzbekistan emphasizes that family relations are regulated on the basis of the principle of equality and the voluntary union of a man and a woman. [12.]

- The Law "On Guarantees of Equal Rights and Opportunities for Women and Men" emphasizes that the state guarantees women and men equal participation in the management of society and the state, the electoral process, and ensures equal rights and opportunities in healthcare, education, science, culture, labor, social protection, and other areas of public and state life. [9.]

#### **Measures to Ensure Gender Equality**

To achieve de facto equality between women and men and to eliminate and prevent direct and indirect discrimination based on gender, the state takes temporary special measures to ensure the implementation of gender policy. Equal access for women and men to public service is ensured according to qualifications and professional training.

The law defines all areas of activity where discrimination is prohibited. If a person believes they have been subjected to direct or indirect gender-based discrimination, they have the right to appeal to the competent authorities or court without paying a state fee.

The implementation of a unified state policy aimed at achieving equal rights and opportunities for women and men in all spheres of society is entrusted to the Cabinet of Ministers. Gender equality and the elimination of all forms of discrimination against women are fundamental to human rights and values.

#### **International Cooperation**

The Republic of Uzbekistan has joined key international documents regulating principles and norms for the protection of women's rights, including:

- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) [13.];
- The Convention on the Political Rights of Women [14.];
- The Convention on Maternity Protection [15.];
- The Beijing Declaration and Platform of Actions (Beijing, 1995) [16.].

#### **National Strategy**

As part of the "Uzbekistan – 2030" Strategy, measures are being implemented to enhance the political, social, and economic activity of women, protect motherhood and childhood, promote gender equality, and ensure the rights and interests of women. [17.].

#### **Achievements**

- The proportion of women in government administration has reached 35 percent.



- The Republican Commission on Women's Issues, Gender Equality, and Family is effectively functioning.
- The number of women entrepreneurs has increased.
- The President of Uzbekistan adopted a resolution on May 19, 2021, "On Additional Measures for the Rehabilitation of Women Victims of Violence."
  - Hotlines "1146" are in place to provide prompt psychological, psychotherapeutic, legal assistance, counseling, and information to women victims of violence.

### **Conclusion**

In recent years, the Republic of Uzbekistan has adopted strategies for the development of New Uzbekistan, reflecting cooperation with international organizations in improving the status of women and expanding their rights and opportunities in line with the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Declaration and Platform for Action.

The issues of achieving gender equality, ensuring the rights, freedoms, and legitimate interests of women, and enhancing their role in public and state life have an impact on the implementation of state policy. National legislation in the field of women's rights protection is based on the guarantees of gender equality defined by international legal documents, with the Constitution containing an article that establishes the state's obligation to ensure equal rights and opportunities for women and men in managing society and the state, as well as in other areas of public and state life.

In recent years, more than two dozen legislative acts have been adopted in this area, including 2 laws, 6 presidential decrees and resolutions, and 17 government resolutions.

In line with the national Sustainable Development Goals, the Strategy for Achieving Gender Equality in Uzbekistan until 2030 [18]. has been developed and adopted, aimed at ensuring equal rights and opportunities for women and men in social, economic, and political spheres.

### **Иқтибослар/Сноски/References:**

1. How the UN is supporting The Sustainable Development Goals in Uzbekistan- <https://uzbekistan.un.org/ru/sdgs>
2. The Sustainable Development- <https://www.un.org/sustainabledevelopment/ru/gender-equality/>
3. Guterres A. The gender power gap, 02 March 2020- <https://www.un.org/sg/ru/content/sg/articles/2020-03-02/the-gender-power-gap>
4. Global Gender Gap Report 2020/ World Economic Forum-<https://www.un.org/sg/en/content/sg/articles/2020-03-02/the-gender-power-gap>
5. Resolution adopted by the General Assembly on 25 September 2015 (A/70/L.1) «Transforming our world: the 2030 Agenda for Sustainable Development»-[https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A\\_RES\\_70\\_1\\_E.pdf](https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_70_1_E.pdf)
6. Постановление Кабинета Министров Республики Узбекистан от 20 октября 2018 года № 841 «О мерах по реализации Национальных целей и задач в области устойчивого развития на период до 2030 года»- [https://continent-online.com/Document/?doc\\_id=32583802](https://continent-online.com/Document/?doc_id=32583802)
7. Выступление вновь избранного Президента Республики Узбекистан Шавката Мирзиёева на торжественной церемонии вступления в должность на совместном заседании палат Олий Мажлиса 06.11.2021г. «Мы решительно продолжим курс демократических реформ на основе стратегии развития Нового Узбекистана» -<https://president.uz/ru/lists/view/4743>
8. Конституция Республики Узбекистан в редакции от 01.05.2023- <https://lex.uz/docs/6445147>

9. Закон Республики Узбекистан «О гарантиях равных прав и возможностей для женщин и мужчин» от 2 сентября 2019 года.- <https://lex.uz/docs/4494873>
  - 10.Закон Республики Узбекистан «О гражданстве Республики Узбекистан» от 13 марта 2020 года- [https://continent-online.com/Document/?doc\\_id=36916803](https://continent-online.com/Document/?doc_id=36916803)
  - 11.Трудовой Кодекс Республики Узбекистан от 30 апреля 2023 года- <https://lex.uz/ru/docs/6257291>
  - 12.Семейный Кодекс Республики Узбекистан от 1 сентября 1998 года- <https://lex.uz/docs/104723>
  - 13.Конвенция о ликвидации всех форм дискриминации в отношении женщин от 18 декабря 1979 года- [https://www.un.org/ru/documents/decl\\_conv/conventions/cedaw.shtml](https://www.un.org/ru/documents/decl_conv/conventions/cedaw.shtml)
  - 14.Конвенция о политических правах женщины от 20 декабря 1952 года- [https://www.un.org/ru/documents/decl\\_conv/conventions/women\\_politrights.shtml](https://www.un.org/ru/documents/decl_conv/conventions/women_politrights.shtml)
  - 15.Конвенция об охране материнства N 103 от 04 июня 1952 года- <https://lex.uz/docs/2747580>
  - 16.Пекинская декларация и Платформа действий (Пекин, 1995 год)- <https://www.un.org/daw/beijing/pdf>
  - 17.Указ Президента Республики Узбекистан, от 11.09.2023 г. № УП-158 «О Стратегии «Узбекистан – 2030»- <https://lex.uz/ru/docs/6600404>
- Постановление Сената Олий Мажлиса Республики Узбекистан от 28 мая 2021 года № ПС-297-IV «Об утверждении Стратегии достижения гендерного равенства в Республике Узбекистан до 2030 года» -<https://lex.uz/ru/docs/5466725>