

CONSTITUTIONAL-LEGAL STATUS OF MASS MEDIA

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Annotation

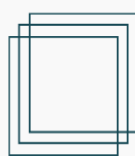
Chapter XV of the Constitution of the Republic of Uzbekistan is devoted to mass media. In this chapter, in the concept of only one article, a rule that strives to take place as the fourth branch of power, and fully meets all the requirements of the legal status of the field, is reinforced: "The mass media are free and work in accordance with the law. They are responsible for the correctness of information in the prescribed manner. Censorship will not be allowed."

Keywords: Economic reforms, medical standards, Citizen appeals, local taxes, legislation, deputy, supreme assembly

The strengthening of this standard at the level of the Basic Law is, firstly, the right of citizens to freely express their opinions in the press, radio and television in written or oral speech, and secondly, the great importance given to mass media. Three important principles are embodied in this constitutional norm: freedom of mass media, rule of law in their activities, and non-censorship. At the same time, responsibility for the truthfulness of information is assigned and legal responsibility is defined. The purpose of this is to prevent and put an end to the spread of unwanted information due to the passion of the mass media[1].

Certain efforts were made to reform the activities of the mass media, to create a legal framework that would regulate the mechanisms supporting their effective operation. For this reason, this problem is expressed in a number of other laws of the Republic of Uzbekistan. "On Mass Media" (December 26, 1997) "On Publishing Activities" (August 1996), "On Copyright and Related Rights" (September 1996), "On Guarantees and Freedom of Information" (April 1997), Laws "On Protection of Journalism" (April 1997), "On Principles and Guarantees of Freedom of Information" (December 2002) and the Law of the President of the Republic of Uzbekistan "Television and Radio in the Social Development of Uzbekistan" "On measures to increase the role of

Undoubtedly, the created laws are of great importance in organizing the work of state and non-state television channels, as well as helping journalists to develop professionally, ensuring freedom of the press and mass media, and establishing a democratic environment in society.



The Law "On Mass Media" specifies the types of mass media. They are newspapers, magazines, newsletters, bulletins, news agencies, television (cable, broadcast-cable TV) and radio broadcasts, documentaries, electronic information system, as well as permanent name, state-owned, independent and other public periodicals[2].

Mass media may publish applications in accordance with the procedure established by law.

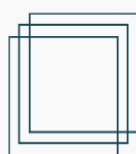
In democratic countries, while ensuring the freedom of mass media and the conditions of their operation, abuse of these freedoms is not allowed. First of all, mass media and journalists are responsible for the correctness of the information provided, as we mentioned above. Secondly, calling for forceful changes to the existing constitutional system and territorial integrity of the Republic of Uzbekistan, promoting war and violence, cruelty, national, racial and religious enmity, disclosing state secrets or other secrets protected by law, actions that cause criminal liability. It is not allowed to promote. Thirdly, insulting the honor and dignity of citizens, interfering in their private life is also prohibited. These restrictions once again indicate that freedom of speech, freedom of the mass media is not allowed to express any opinion or view in a legal state, but these restrictions are small and clear. The existence of a democratic legal state requires a small restriction of the right to freedom of speech in order to preserve, even if gradually, the successes that have been achieved. As we have seen above, this situation also exists in developed countries[3].

It is known that information is primarily sought, received and distributed by mass media. For this reason, it is necessary to consider the activities of journalists. As we mentioned above, the Law "On Protection of Journalism" regulates relations arising in connection with the activities of a journalist, defines his rights and obligations, provides him with legal and social guarantees, and determines measures of responsibility for violation of the Law on Protection of Journalism.

A journalist is a person who serves in the mass media of the Republic of Uzbekistan or a foreign country or works in them on the basis of a contract and is engaged in collecting, analyzing and distributing information on a certain topic. Article 5 of the law states:

"Journalist during the performance of his profession:

- Collection of information, its analysis and dissemination[4];
- To apply for information to state bodies, self-government bodies of citizens, public associations, enterprises, institutions and organizations;
- Use of documents, materials and information with the exception of state secrets or other secrets protected by law;
- Conducting a journalistic investigation;
- To distribute messages and materials prepared by him through mass media with his signature or pseudonym, to express his opinion in them;



- To be received by an official in connection with the implementation of journalistic activities;
- Recording data in the prescribed manner, including recording using the necessary technical means;
- To be present at open sessions of courts, military action areas, natural disaster areas, and public events;
- Applying to specialists to check the information prepared for publication;
- Refusal to fulfill the assignment given by the mass media, if the announcement leads to violation of the law[5];
- If he thinks that the content of the message or material prepared by him has been corrupted during the editing process, he should not sign it or demand that it be removed from the publication (not broadcast);
- Demand that the source of information or the name of the author be kept secret;
- To demand through the court compensation for the moral damage and material damage caused to him as a result of the mass media distorting the content of the message he submitted[6];
- Has access rights to public associations, including international organizations of journalists.

The journalist also enjoys other rights granted to him by the law." Article 6 states the duties of a journalist as follows:

"While carrying out the activity related to his profession, a journalist:

- Compliance with requirements of laws and international agreements of the Republic of Uzbekistan;
- Check whether the materials he is preparing are correct or incorrect and provide impartial information;
- Adherence to the principle of presumption of innocence;
- Must respect the rights and freedoms, honor and dignity of the person.

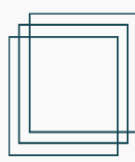
A journalist may not use information related to his profession for personal purposes, publish information related to the personal life of an individual without the consent of the source of the information or the author[7].

The journalist must fulfill other obligations stipulated by the law."

While carrying out his journalistic activities, he uses the guarantee of personal inviolability established by the Constitution.

Harassment of a journalist for publishing critical material, if it is true, is not allowed. Confidential information, as well as facts or events voluntarily disclosed by citizens or other sources of information, are considered confidential in the field of journalism.

It is prohibited for a journalist to disclose information considered secret in the field of journalism without the consent of the source of this information, as well as to use it for his own malicious interests or the interests of third parties[8].



A journalist has the right to collect information and conduct journalistic investigation. It may disseminate the results of its investigations through mass media, voluntarily present them to state bodies, self-government bodies of citizens, public associations, enterprises, institutions, organizations and officials. Materials and documents obtained by a journalist during his investigation cannot be seized or examined.

The journalist's professional activity is guaranteed in Article 10 of the Law as follows: "The journalist's rights, honor and dignity are protected by law.

The state guarantees the journalist the freedom to receive and disseminate information, and ensures his protection in the performance of his profession[9].

It is prohibited to interfere with the journalist's journalistic activities, to demand any information obtained from him during the performance of his professional duties."

Officials of state bodies, self-government bodies of citizens, public associations, enterprises, institutions and organizations:

- censorship[10];
- preventing the journalist from carrying out legal activities related to his profession by unreasonably refusing accreditation or improperly canceling accreditation;
- violation of the journalist's right to request and receive necessary information;
- harassing a journalist, interfering with his journalistic activities;
- Illegal taking away of journalist's materials and necessary equipment;

shall be held liable for disclosing the source of information or the name of the author without his consent.

Violation of the journalist's rights stipulated in this Law, insulting his honor and dignity in connection with his professional activity, threat to his life, health and property, violence or aggression shall be the cause of liability in accordance with the law[11].

The journalist's responsibility is defined in the Law as follows:

"The journalist is responsible for the truthfulness of the news and materials he prepares and distributes in accordance with the procedure established by law.

The journalist is not responsible for the dissemination of the information stated in the official reports."

In our country, special attention is paid to the support of the mass media and the all-round stimulation of the activities of journalists. For this purpose, the Media Democratization and Support Fund was established in 1997. Among the laws on the rights of journalists, the Criminal and Criminal Procedure Codes of the Republic of Uzbekistan, the Code on Administrative Responsibility and other normative legal documents can be mentioned[12].



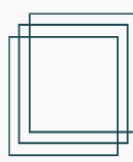
They define specific responsibilities for criminal actions and offenses related to the illegal use of mass media from the point of view of law and law, because as stated in Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, "freedom of speech and press in a democratic society is a national in the interests of security, public order, prevention of disorder, protection of morals, protection of the reputation and rights of other persons, or the provision of justice creates the possibility of imposing obligations and liabilities[13]." In case of violation of the principle of impartiality and reliability of published information, the persons who violated it will be held responsible. Censorship of mass media is not allowed in the Republic of Uzbekistan. No one has the right to demand that the published messages or materials be agreed upon in advance, as well as change their text or be completely removed from the publication (not broadcast). Censorship, in simple terms, is the prevention of certain information (publishing), harassment and restriction. Freedom of speech Any limitation of freedom of expression is anti-democratic[14]. And on the contrary, the removal of censorship does not mean that journalists and mass media will continue to announce the news, information and material they want. For example, in accordance with Article 5 of the Law on Protection of Journalism, a journalist has the right to use documents, materials and information, excluding state secrets or other secrets protected by law.

The mass media may freely publish information on issues prohibited by the Law "On Protection of State Secrets" and not included in the list of objects considered state secrets separately approved by the Cabinet of Ministers. According to the law, particularly important, completely secret and secret military, political, economic, scientific and technical and other information protected by the state and limited to special lists are state secrets of the Republic of Uzbekistan (Article 1)[15].

It is not allowed to use the mass media for the purpose of calling for forceful changes to the existing constitutional system, the territorial integrity of the republic, revealing state secrets, and committing other actions that cause criminal liability.

There is another important point in the law, which is that a journalist or mass media may publish the preliminary investigation materials without the written permission of the prosecutor, investigator or investigator, before a court decision has been issued on a specific case, or before the court's decision or judgment has entered into legal force, and its results. It is forbidden to guess or influence the court in a special way[16].

This prohibition is established so that the principle of the presumption of innocence of citizens is not violated. After all, no person accused (suspected) of committing a crime is considered guilty until his case is tried in court and his guilt is proven[21-33]. Therefore, it is not permissible for journalists and mass media to draw preliminary conclusions on the case and assess the person's actions until the court decision or verdict is issued. Otherwise, a person's honor and reputation may be unreasonably damaged.



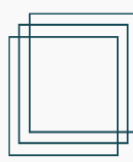
Persons found guilty of violating the requirements of the law on mass media shall be held accountable in accordance with the established procedure[17]. For the editor or journalist to spread untrue material in the mass media, if the information: is taken from official reports; will not be held responsible if it is received through the press services of news agencies or state bodies or if it is said in the speeches of the author that are broadcast directly without pre-recording. In a democratic society, mass media is defined as the "fourth estate". The journalist, his professional skills, general level and culture play a big role in realizing this "power". Protection of journalistic activity at the state level, regulation of journalist's rights and obligations is a solid ground for the "fourth power".

Officials of state bodies, public associations, enterprises, institutions and organizations are held responsible for censorship, obstructing the legal activity of a journalist, violating his right to request and receive information, harassing a journalist and interfering with his activities[18]. The material and equipment of a journalist cannot be taken away illegally. Insulting the honor and dignity of a journalist, threatening his life, health and property, violence or aggression shall be the cause of liability according to the law.

In the Republic of Uzbekistan, the right of mass media and journalists to receive information is also strengthened by special laws. The Law of the Republic of Uzbekistan "On Guarantees and Freedom of Information", adopted on April 24, 1997, was developed and adopted directly to regulate issues related to the implementation of this right. This law regulates the relations that arise in the process of exercising the constitutional right of everyone to seek, receive, research, transmit and distribute information freely and without hindrance[19].

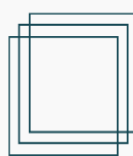
State bodies, self-government bodies of citizens, public associations, enterprises, institutions, organizations and officials are obliged to create an opportunity for everyone to familiarize themselves with the legal documents, as well as documents, decisions and other materials that are relevant to their rights and legal interests. Access to information is provided by publication and distribution of legal documents and related materials[20].

State bodies, self-government bodies of citizens, public associations, enterprises, institutions, organizations and officials may not provide information that is a state secret or other secrets protected by law. Actions or inactions of state bodies, self-government bodies of citizens, public associations, enterprises, institutions, organizations and officials that discriminate against citizens' rights to information may be appealed to the court.

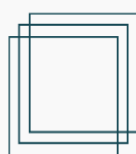


REFERENCES

1. Mallaev, N. R. (2021). International legal framework for the regulation of transboundary water resources in Central Asia. *Emergent: Journal of Educational Discoveries and Lifelong Learning (EJEDL)*, 2(05), 198-208.
2. Mallaev, N. R., & Djalilov, S. S. (2021). Establishment of Legal Mechanisms in the Fight Against Corruption in Uzbekistan. *European Journal of Life Safety and Stability (2660-9630)*, 12, 4-8.
3. Mallaev, N. R., & Djalilov, S. S. (2021). Political and Legal Mechanisms of the Fight against Corruption in Uzbekistan and High Effective Measures against It. *International Journal of Development and Public Policy*, 1(7), 1-4.
4. Fazilat KULTAEVA. (2022). STUDY OF ERGONYMS IN UZBEKI LINGUISTICS. *World Bulletin of Social Sciences*, 16, 11-14
5. KULTAEVA, Fazilat. "ANALYSIS OF ERGONOMIC UNITS AT THE ONOMASTIC LEVEL." (2022).
6. Kultayeva, F. (2022, November). ERGONIMLARNING JAHON VA O 'ZBEK TILSHUNOSLIGIDA O 'RGANILISHI. In E Conference Zone (pp. 131-136).
7. Kushokov, S. Y. (2021). The Role of Zoroastrianism in the Ancient State of Bactria. *World Bulletin of Social Sciences*, 4(11), 69-72.
8. Kushokov, S. Y., & Ahmedov, S. (2021). THE STRUCTURE OF TURKISH TRIBES IN CENTRAL ASIA AND ITS HISTORICAL IMPORTANCE. *European Scholar Journal*, 2 (10), 25-27. Of Two Languages, Settlement And Livestock Tribes. *The American Journal of Interdisciplinary*.
9. Kushokov, S. Y., & Ahmedov, S. (2021). THE STRUCTURE OF TURKISH TRIBES IN CENTRAL ASIA AND ITS HISTORICAL IMPORTANCE. *European Scholar Journal*, 2 (10), 25-27. Of Two Languages, Settlement And Livestock Tribes. *The American Journal of Interdisciplinary*.
10. Mamanovich, R. K. (2021). Components of political culture in political processes. *Academicia: an international multidisciplinary research journal*, 11(2), 953-959.
11. Ramazanovich, M. N., & Abdunazarovich, P. B. (2021). Protection of Family and Youth in the Constitution of the Republic of Uzbekistan. *Middle European Scientific Bulletin*, 18, 221-223.
12. Ramazanovich, M. N., & Abdunazarovich, P. B. (2021). Protection of Family and Youth in the Constitution of the Republic of Uzbekistan. *Middle European Scientific Bulletin*, 18, 221-223.
13. Ramazanovich, M. N., & Kabilovich, B. O. (2021). Constitutional and Legal Framework for Providing International Peace. *Middle European Scientific Bulletin*, 18, 218-220.
14. Ramazanovich, M. N., & Kabilovich, B. O. (2021). Constitutional and Legal Framework for Providing International Peace. *Middle European Scientific Bulletin*, 18, 218-220.



15. Ramazanovich, M. N., & Kabilovich, B. O. (2021). Constitutional and Legal Framework for Providing International Peace. Middle European Scientific Bulletin, 18, 218-220.
16. Ramazanovich, M. N., & Kabilovich, B. O. (2021). Constitutional and Legal Framework for Providing International Peace. Middle European Scientific Bulletin, 18, 218-220.
17. Ramazanovich, N. M. (2022). IMPORTANCE AND ANALYSIS OF THE CONCEPT OF CIVIL RIGHTS. Web of Scientist: International Scientific Research Journal, 3(10), 322-328.
18. Rasulov, H. M. (2021). ELECTION PHENOMENON I THE PROBLEM OF IMPROVING THE ELECTRIC CULTURE OF THE POPULATION. ВОСТОЧНО ЕВРОПЕЙСКИЙ НАУЧНЫЙ ЖУРНАЛ, 75(part 6), 28.
19. Rasulov, H. M. (2021). ELECTION PHENOMENON I THE PROBLEM OF IMPROVING THE ELECTRIC CULTURE OF THE POPULATION. ВОСТОЧНО ЕВРОПЕЙСКИЙ НАУЧНЫЙ ЖУРНАЛ, 75(part 6), 28.
20. Rasulov, H. M. (2021). ELECTION PHENOMENON I THE PROBLEM OF IMPROVING THE ELECTRIC CULTURE OF THE POPULATION. ВОСТОЧНО ЕВРОПЕЙСКИЙ НАУЧНЫЙ ЖУРНАЛ, 75(part 6), 28.
21. Yusupovich, K. S. (2020). The Emergence Of Religious Views Is Exemplified By The Southern Regions. The American Journal of Social Science and Education Innovations, 2(10), 143-145.
22. Yusupovich, K. S. (2021). Қадимий Дафн Маросимларидаги Анъана Жараёнлари Ўзбекистон Жануби Мисолида. BARQARORLIK VA YETAKCHI TADQIQOTLAR ONLAYN ILMIY JURNALI, 1(6), 72-77.
23. Кушоков, С. (2021). Сополли ва Жарқўтон маданиятида дафн маросимлари. Общество и инновации, 2(11/S), 150-154.
24. Расулов, Х. (2021). Ҳуқуқий маданият: муаммонинг ижтимоий-сиёсий омиллари. Общество и инновации, 2(10/S), 335-342.
25. Расулов, Х. (2021). Ҳуқуқий маданият: муаммонинг ижтимоий-сиёсий омиллари. Общество и инновации, 2(10/S), 335-342.
26. Расулов, Х. М. (2020). JAMOATCHILIK NAZORATI VA RAHBAR KADRLAR FAOLIYATI SIYOSIY-HUQUQIY MADANIYAT IFODASI SIFATIDA. Журнал Социальных Исследований, 3(4).
27. Расулов, Х. М. (2020). ТЕХНОЛОГИИ ОБЪЯСНИТЕЛЬНО-РЕПРОДУКТИВНОГО ОБУЧЕНИЯ. Актуальные проблемы гуманитарных и естественных наук, (3), 45-49.
28. Расулов, Х. М. (2021). ВЫБОРНЫЙ ЯВЛЕНИЕ И ПРОБЛЕМА СОВЕРШЕНСТВОВАНИЯ ЭЛЕКТРОКУЛЬТУРЫ НАСЕЛЕНИЯ. Восточно-европейский научный журнал, (11-6 (75)), 28-32.
29. Расулов, Х. М. (2021). ВЫБОРНЫЙ ЯВЛЕНИЕ И ПРОБЛЕМА СОВЕРШЕНСТВОВАНИЯ ЭЛЕКТРОКУЛЬТУРЫ НАСЕЛЕНИЯ. Восточно-европейский научный журнал, (11-6 (75)), 28-32.



30. Расулов, Ҳ. М. (2022). СИЁСИЙ МУНОСАБАТЛАРДА СИЁСИЙ МАДАНИЯТ. Academic research in educational sciences, 3(NUU Conference 2), 863-867.
31. Сафарали, К. Ю. (2020). Чорвадор Қабилалар Дафн Маросимлари Ва Уларнинг Хусусиятлари. Взгляд В Прошлое, 3(4).
32. Сафарали, К. Ю., & Хуррамов, М. (2022). ЎЗБЕКИСТОН РЕСПУБЛИКАСИНИНГ МАЛАЙЗИЯ ҲАМДА ИНДОНЕЗИЯ ДАВЛАТЛАРИ БИЛАН ИЖТИМОИЙ-ИҚТИСОДИЙ ВА МАДАНИЙ СОҲАЛАРДАГИ ҲАМКОРЛИГИ. BARQARORLIK VA YETAKCHI TADQIQOTLAR ONLAYN ILMIY JURNALI, 176-186.
33. Хакимова, М. (2021). Ўзбекистонда миллатлараро тотувликни таъминлаш соҳасидаги устувор йўналишлар. Общество и инновации, 2(10/S), 261-267.