

PROTECTION OF THE RIGHT OF HUMAN ENVIRONMENTALLY SAFE LIVING

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Abstract: The article analyzes the norms and processes of protection of human rights on the basis of analysis of the current legislation in the field of human and civil rights, the methods of protection of the right through the court and by filing a complaint to a high-ranking body (official) over the body that caused the violation of this right

Keywords: Human rights protection mechanism, environmental hazard phenomenon, environmental safe residence permit.

Introduction

It is known that the existence of norms and processes of protection of human rights is an important condition for the observance of established rights in practice. These measures create legal guarantees of observance, protection and protection of human rights.

Main Part

Based on the analysis of the current legislation in the field of human and citizen rights, this situation is known that a person's environmentally safe residence permit is protected in the following two ways: a) his right to self-defense; b) protection by the system of state bodies.

According to Article 43 of the Constitution of the Republic of Uzbekistan[1], the state provides for the rights and freedoms of citizens enshrined in the Constitution and laws. At the same time, the state is not the only entity that guarantees the right of citizens to a favorable environmental natural environment. After all, citizens also have the right to independently defend their rights "in all ways not prohibited by law". In addition, other types of organizations are also entitled to ensure the rights of citizens. Thus, as a subject of relations in the field of ensuring the right to environmentally safe living, the state is considered an element of an excellent system in an organic state, entering into a number of intertwined relations with other elements of the system.

With the help of state institutions, protection is divided into administrative and judicial order protection. The law of the Republic of Uzbekistan "on complaints to the court over actions and decisions that violate the rights and freedoms of citizens" gives the citizens the right to submit an administrative complaint over the decisions of the relevant bodies issued in collegial and individual order. Consequently, citizens can complain about any action or decision that violates the right to environmentally safe living. The decision, which will be the basis for filing a complaint, can be taken by state bodies or their officials, self-governing bodies of citizens, enterprises, organizations and institutions, public associations. In order to file a complaint against such decisions, it is necessary that the rights and freedoms of citizens with them are violated or that they are hindered from their

implementation, that they are imposed on him by lawlessly or that he is subject to unlawful liability.

This law gives the applicant the choice of the applicant himself or herself. He can apply to the court or to the higher standing Organization of the decision-making body, to the self-governing bodies of citizens and other institutions. The citizen has the right to appeal directly to the court if he is dissatisfied with the consideration of the complaint by the state body, which has the obligation to consider the complaint.

Article 44 of the Constitution of the Republic of Uzbekistan stipulates that "each person is guaranteed the right to defend his rights and freedoms through the court, to appeal to the court over illegal actions of state bodies, officials, public associations".

According to Article 52 of the law "On protection of nature" of the Republic of Uzbekistan[2] "legal entities and individuals have the right to appeal to the court with a claim to stop harmful activities in terms of the environment, natural environment, human health and property of people, ecology that damages the national economy" . Also, citizens have the right to recover from the damage caused to themselves and their property in a judicial order.

The right to judicial protection is an important inviolable right of man from ancient times. This right is enshrined in the Universal Declaration of human rights and the International Covenant on civil and political rights.

Protection of the right through the court is carried out by the method of filing a claim in court. The right of a citizen to sue in court as a legal instrument of protection not only protects the interests of the plaintiff, but also serves to ensure legislative and legal order, which leads to a healthy and sustainable development of the whole society. At the

same time, such a right leads to control over the state, to the fight against bureaucracy and abuse of power.

Conclusion

According to the legislation, the rights and freedoms of citizens, as well as the right to claim in the fate of those whose interests are violated (or aimed at violating), are established. The claim on such activity can not be made if there is a danger to the whole society from movement or inaction. However, in most cases it is difficult to prove that a particular action or inaction violates the rights of a citizen to whom it belongs. If the action (decision) or inaction contrary to the relevant right of the Bard-yu is proved in court, the rights of other citizens who are within the limits of influence in this case will also be protected. A distinctive feature of the protection of the right to environmentally safe living is that by protecting the rights of a citizen or group of citizens, the rights of all citizens who can be affected by environmental hazards, while the interests of society and the state are also protected.

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