

Legal Basis of Journalistic Activity

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Abstract

In a free, democratic society, the issues of freedom of speech and public control are extremely relevant. As a result of a number of positive works carried out in our country in recent years, the media is developing, the role of bloggers is growing, the press services are contributing to the openness and transparency of information in society. The article discusses the relevance of the topic, its legal basis and its reflection in practice.

Key words

Blogger, journalist, freedom of speech, press services, transparency, information, inquiry, complaint, state secret, impartiality, censorship, information space, guarantees of access to information.

Introduction

In this day and age of technology, there are no boundaries or barriers to obtaining and disseminating information. The role and importance of journalists and bloggers in the information space is growing. Naturally, in a society where freedom of speech is guaranteed, the safety of journalists will become a topical issue, and the number of media representatives going to court will increase. In a society where access to information is guaranteed, the volume of quality journalism will definitely increase. The press service is a kind of bridge and mediator between government agencies and the media, contributing to the dissemination of information needed by society. This issue was first studied by Karim Bahriev, a media expert during the years of independence, in his book "Speech on Freedom of Speech". [1] "Democracy and Human Rights", "Rights, Duties and Responsibilities of Journalists", "Public Legal bases of mass media activity". The book, Freedom of Speech, was negatively received by state and government officials and criticized the author. In this regard, the author writes: "Although the book was published abroad in English, Russian and Uzbek, after its distribution, the Soros Foundation, which funded the publication of this book, was expelled from Uzbekistan. The book was called "The Last Axis of Soros" by the famous sociologist Marufiy Tukhtakhodjaeva. The fate of the book and its author, Internews Network Uzbekistan, has been discussed at the Security Council. I read with my own eyes that in one of the materials of the meeting the book was officially banned and I was sentenced to 7 years in prison ... The book "Word on Freedom of Speech" was written under a single motto - let's live honestly, let's tell the truth! He had no rebellious or anti-popular views. The people want a decent life and want less domination over it. He cannot want to remain submissive. On the contrary, the people are ready and want democracy. He can't help it." [2] It has been more than fifteen years since the publication of The Word on Freedom of Speech. During this period, the attitude to the activities of journalists has changed radically ... But this issue has not lost its relevance not only in our country, but around the world.

Literary review

As a result of reforms in Uzbekistan over the past three years, some free-lance bloggers have joined the ranks of journalists. Broad access to the activities of bloggers will improve the transparent and open exchange of information in society. Today, a large part of the population considers itself a blogger, a journalist. In fact, he will be a creative journalist who has a contract with the media, works here, provides information under his own name and surname. Because the media and the author are responsible for the accuracy of the information provided. Any citizen who has a personal account on social media will be a blogger. He is a part of society, a representative of a certain social stratum, and is solely responsible for the material he disseminates. The authenticity and objectivity of the material is assessed as the personal views of the blogger. That's why creative bloggers are a bit freer than journalists. Bloggers are not held accountable for what they write is considered a personal opinion. This makes bloggers the center of public attention. In particular, the head of our state expressed his views on this issue: "Shavkat Mirziyoyev also spoke about the activities of journalists and bloggers at a meeting on health issues:" I am pleased with journalists and bloggers who raise and cover problems in the system. It is they who shed light on many problems and the work that is being done. Of course, these issues should be with the approval of the house, in simple terms. They usually compare many issues with the countries they have studied, i.e. developed countries. But they also need to understand that we have had a policy of openness for three years now. And the freedom of the states that journalists and bloggers compare to has been three hundred years. We will definitely reach these periods as well. They should not be afraid to cover issues that are worthy of us. "[3] For journalists and bloggers who have been pursuing closed-door policies for many years and have begun to express themselves freely in recent years, such recognition by the head of state is a testament to our reforms.

It should be noted that any case involving freedom of speech is considered censorship by journalists and bloggers today, and such cases are widely discussed by journalists. "AOKA has also sent a warning to gazeta.uz for articles comparing coronavirus data. AOKA began to show its original appearance. The censor is back! I wonder which other media outlets are reporting on the pressure and warnings. "[4] The organization's warning letters to the site's management have also sparked similar protests. For example, AOKA "www. The Resolution of the President of the Republic of Uzbekistan No. PP-4151 of February 2, 2019 "On the organization of the Agency for Information and Mass Communications under the President of the Republic of Uzbekistan", the Cabinet of Ministers of the Republic of Uzbekistan of November 24, 2004 As a result of the monitoring conducted on the basis of the Resolution No. 555 "On measures to improve the management structure in the field of mass communications" and Resolution No. 132 of June 28, 2007 "On measures to improve compliance with the legislation in the field of mass communications" A number of violations were revealed during the dissemination of information by the website "Gazeta uz" [5]. A similar situation was observed in other media outlets. Asadjon Khodjaev, Director General of the Agency for Information and Mass Communications, accused the editorial board of impartiality and warned of "serious legal consequences" after the publication of interesting and critical posts on social networks about the problems with electricity and natural gas. Although the post did not mention the government, the AOKA leader said in a letter that "the Uzbek government has been accused of committing crimes against the population." What is the result of assuming that everything is in place? ... One of the main tasks of the media is to highlight the problems of the population ... Torture a large portion of the

population n There is a problem. It has been written and is being written. Therefore, these problems were heard in the appropriate instances. Now it is necessary for the parliament, the government and the relevant ministries and departments to accept the problem and take measures to eliminate it. Kun.uz will continue to cover the existing problems impartially and within the limits of its legal rights. " . [6] Based on the above examples, it can be concluded that in the context of freedom of speech, bloggers and journalists are trying to protect their rights, to act freely. It is clear that officials who do not want to recognize journalists as the fourth power are not ready for freedom of speech and public scrutiny. Media expert Karim Bahriev commented: "Uzbek officials are always ready to be praised, but they are as upset as a child with media criticism." [7]

Freedom of speech is guaranteed in a society in which the media and journalists disseminate unbiased, objective and truthful information. In response to the above, the website's creators commented on the process, expressing their views on freedom of expression: "There are many cases where government agencies provide incomplete or non-existent information to the public on issues of concern to citizens. Often AOKA ignores such situations. As a result, transparent and transparent information does not reach the public. In a democratic society, the main task of the media is to obtain information from government agencies on issues that protect the interests of citizens. In such cases, the analysis and attitude of the audience should be interpreted as an echo of public opinion, not a reason for sanctions against the media, unless it is against the law. " [5]

It should be noted that the study of the legal framework that allows bloggers to have freedom of speech is a requirement of the times. Along with the concept of freedom of speech, clarification of views on the rights to receive and disseminate information, impartiality and ... censorship is an issue that needs to be addressed today. Since freedom of speech is one of the main factors determining the development of a society, its provision should be considered as a key manifestation of socio-political reforms. "We see that freedom of speech is a factor that determines whether there is justice in the country," he said. If there is freedom of speech, the economy will develop and corruption will be curbed. But if journalists and bloggers who write the truth are persecuted again, "our own way and our own way" will begin - corruption, stagnation and oppression will increase, the world will again look at us as a savage tribe, there will be no trace of our positive charm. we will return to the last ranks. " [8]

Freedom of speech and the right to receive and impart information are reflected in a number of documents around the world. For example, the Universal Declaration of Human Rights states that everyone has the right to freedom of expression and expression. "Everyone has the right to freedom of religion and expression; this right includes the freedom to practice one's religion without hindrance and the freedom to seek, receive and impart information and ideas by any means, regardless of national boundaries. " [9] The International Civil Covenant also guarantees that everyone has an opinion. Of course, rights also impose specific obligations. Article 29 of the Constitution of the Republic of Uzbekistan states: "Everyone has the right to freedom of thought, speech and religion. "Everyone has the right to seek, receive and impart information of their choice, with the exception of information directed against the existing constitutional order and other restrictions established by law." [10]

In our country, in the event of a request, each organization provides information and guarantees access to information. It is legally guaranteed that the media will be free and free from censorship. Every citizen has the right to express their views through the media. This right

is guaranteed by the State. In a society where freedom of speech is guaranteed, a democratic system emerges. No one interferes with the activities of the media. The media, in turn, has the right to receive, search, disseminate and store information. In this regard, the media has a responsibility to ensure that information is objective and truthful. If the information is documented, the data should be verified. The material presented in the media should be impartial and not protect the interests of any individual or organization. Ensuring objectivity is not easy. The question "Is there objectivity?" Has not yet been answered in philosophy. It is not easy to achieve objectivity in journalism. Because the artist has his own point of view, his own views, even if he is not biased. In the event of a conflict, the media has the right not to disclose the source of the information for security reasons. Except in the case of a claim only through the courts.

Results and Discussions

Censorship is not justified in any country of the world. The foundation of a free and democratic society is also freedom of speech and non-censorship. There are so many forms of censorship today that no clear and detailed description has been given to date. Article 7 of the new edition of the Law of the Republic of Uzbekistan "On Mass Media" states: "Censorship of mass media is not allowed in the Republic of Uzbekistan. No one has the right to demand that the published messages and materials be agreed upon in advance, as well as that their text be changed or removed from publication altogether (not to be aired)."[11]

An important aspect in ensuring freedom of speech is the transparency of information, transparency of government agencies, openness of information. In order to create such a favorable situation, the qualified activity of the press services in government agencies is important. Today, unfortunately, the activities of information services in government agencies are not well organized. The reason for this is that until recently, mistrust of the media and journalists was widespread in many agencies. Even today, some offices are a little scared of journalists and bloggers. Maybe that's why government agencies don't want to give all the information to the media. In fact, Article 13 of the Law on Public Oversight, adopted by the Legislative Chamber on November 15, 2017, states that "public opinion polls may be conducted by non-governmental non-profit organizations, citizens' self-government bodies and the media in accordance with the law" [12]. The rights of citizens to public control are described in detail. One of the main reasons for its reluctance to provide information is the inability of official bodies to adequately assess media criticism of their activities.

Unfortunately, the regulation of accreditation of journalists in some ministries is also somewhat unclear. Creating conditions for accreditation of journalists and bloggers and ensuring transparency of information will not create opportunities for trolls to behave negatively. It is advisable that agencies and organizations provide information to active journalists and bloggers specializing in the field. In general, guarantees of access to information are necessary, first of all, for the conduct of elections in accordance with democratic rules, the fight against corruption, the creation of access to information for every citizen in order to achieve transparency in government. True, accurate information will be the impetus for the development of the economy and business, along with the development of a free and democratic society. Open and transparent information is an opportunity to explore the supply and demand that underpins the business. To do this, the information provided on the websites of government agencies must be accurate. Press services need to keep their websites up-to-date on a regular basis. At this point, let us

clarify the difference between a request for information and a complaint, which is directly reported by the press service. A survey is a request for information on a topic of interest. Article 7 of the Law on Public Oversight states the following about inquiries: "Appeals and inquiries to state bodies. Subjects of public control have the right to apply to state bodies with applications, complaints and suggestions, as well as to send them requests in the manner prescribed by law. Appeals and inquiries of the subjects of public control are considered by state bodies in the manner prescribed by law. The right of subjects of public control to receive information may be restricted if this information is included in the list of personal data or information constituting state secrets or other secrets protected by law." [12]

If any information is requested from the office, the applicant is entitled to receive the information within seven calendar working days. Information requested by the media must be provided within fifteen working days. This requires that the request not be anonymous. The agency has the right not to respond to an anonymous request. If no information is available, the press services must respond in writing to a written request to that effect. The request from the legal entity must indicate the address or e-mail address.

Conclusion

Although official documents on the transparency of government agencies have been adopted, the disclosure of information in the activities of some organizations requires that they not go beyond the law. For example, there will be a "griffin" instructing not to disclose information in the "state secret" status of Uzarkhiv materials. Such information is not made available to the general public. The remaining information is provided upon request. To date, the requested information is provided free of charge from the archives to citizens of our country. Foreign citizens, representatives of foreign organizations are provided with information in accordance with the law. In general, not all information can be disclosed either. The information is divided into public and confidential information. Any information that endangers the lives of citizens cannot be confidential. There will be information that can be used in a limited range. Such information includes state secrets, military secrets, information used in the course of service. There are a variety of professional secrets that you can use in a narrow range. For example, information about customers in banks, information about the amount paid by taxpayers in tax offices, lawyers' secrets, notarial secrets, insurance secrets, inheritance secrets, adoption secrets, business secrets, etc. There will also be limits to freedom of speech. Dissemination of information that infringes on human dignity, defames someone, or contradicts the truth is punishable by law. It has the right to demand a rebuttal. There is also the possibility of a response along with the denial. If an insult, slander, lie, or minor error has been made, the answer can be used. If the response situation satisfies the parties, a friendly relationship will be established between the media and the organization.

Today, Sweden leads the world in freedom of speech. In 1766 an official document on freedom of the press was adopted here. More than 70 countries around the world have adopted regulations on guarantees of access to information. By comparison, until 1990, there were only 13 such states in the world. We believe that the security of journalists providing objective and truthful information will be ensured in our country, and the number of media outlets covering the problems of the population will increase. As Karim Bahriev, a media expert in Uzbekistan, put it: That is why censorship is useless and harmful for both the people and the state. " [1, 238] Ensuring freedom of speech is the most important issue in the development of our country,

which is rapidly moving towards a free democratic society. Those who want to control the activities of bloggers and journalists need to know that their actions can also jeopardize the development of our society.

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