

Theoretical Aspects of Legal Protection Human Labor Rights

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Abstract: The article examines the theoretical aspects of the legal protection of human labor rights and the legal framework for the protection of human rights. The concept and essence of human labor rights are analyzed, as well as the importance of labor rights as an important element of social protection of citizens. Special attention is paid to the effectiveness of the institute for the protection of labor rights, as well as to the problems and prospects of developing a system for the protection of labor rights at the regional level, taking into account modern challenges and requirements of social justice.

Keywords: protection of labor rights, human rights, state protection, international law, international labor regulation, labor rights.



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Introduction

Labor law, as part of the general legal system, performs two key functions: regulation and protection. This opinion is shared by both lawyers studying the general theory of law and specialists in the field of labor relations. According to Professor T.N. Radko, the specificity of the protective function is manifested in several aspects:

First, the law uses various mechanisms, such as the threat of sanctions, the imposition of prohibitions, and the application of legal liability, to influence people's behavior.

Secondly, it informs subjects of public relations about the values protected by legal norms.

Thirdly, the protective function of labor law promotes humane principles at the political and cultural levels of society.

In legal science, including the general theory of law and industry disciplines, there is no unity with the definition and content of such concepts as "legal protection", "protection of rights", and "protection of rights". As noted by A.M.Kasumov and Z.I.Jafarov, some scientists consider the protection of fundamental rights of a citizen as a broader category, including the protection of human rights. On the other hand, the term "legal protection" is used in a broad sense, encompassing any specific type of activity aimed at ensuring human rights and freedoms [1].

Methods

Modern scientists, examining such a category as the protection of workers' labor rights, focus on its various characteristics. T.V.Ivankina sees in the protection of labor rights a set of substantive

and legal measures, organizational and procedural ways to prevent and prevent violations of labor legislation, restoration of violated labor rights of citizens and compensation for damage incurred as a result of such violations [2], V. Korobchenko - in the activities carried out by the employee (directly or through representatives) and the bodies authorized to do so, in accordance with the procedure established by law, the right to implement activities, expressed in the application of legal means permissible by legal norms in response to the failure of the employer (an official authorized by him) to fulfill the duties assigned to him or commit actions that impede the normal exercise by the employee of the rights granted, in order to ensure their restoration or recognition, as well as forcing the employer to perform his duties properly[3].

A similar point of view is shared by a group of scientists who believe that the protection of labor rights - These are "state-established methods by which these rights are protected, forcibly restored in case of violation and compensation for moral and material damage caused to an employee by labor dispute resolution authorities"[4] or a comprehensive system of measures applied to ensure the free and proper exercise of subjective rights, including judicial protection, legislative, economic, organizational, technical and other means and measures, as well as self-protection of rights [5]. Some authors define the protection of labor rights through the category of activity: "the protection of workers' labor rights is a legal action aimed at restoring violated labor rights, removing obstacles to its implementation, compensation or compensation for harm, prevention, including through the application of disciplinary, administrative and criminal sanctions [6]."

Results

The protection of human labor rights is a system of measures and actions carried out by competent authorities and organizations in order to guarantee the free and full exercise of human labor rights in the event of their violation or threat. Our research focuses on identifying effective labor rights protection mechanisms aimed at preventing violations and ensuring fairness in labor relations. We strive to develop recommendations and solutions that strengthen the legal protection of employees and create conditions for a decent work environment. The universality of international human rights instruments is reflected in the fact that their provisions should be reflected in national legislation. Each country that has joined international conventions undertakes to implement these norms in its laws and ensure their compliance. The right to work is an integral part of universal values and principles that must be protected and respected in every society. This right promotes the creation of conditions for personal development, ensures equality of opportunities and promotes sustainable socio-economic development. The Republic of Uzbekistan is a member of the International Labour Organization, and therefore must fulfill obligations arising from the ILO conventions ratified by Uzbekistan, as well as obligations arising from the very fact of the Republic's membership in this organization. In accordance with the Ilo Declaration on Fundamental Principles and Rights at Work [7], adopted in Geneva in 1998, the fundamental principles include:

- ✓ Freedom of association and effective recognition of the right to collective bargaining;
- ✓ The abolition of all forms of forced or compulsory labor;
- ✓ Effective prohibition of child labor;
- ✓ Non-discrimination in the field of work and occupation [8].

Discussions

According to the national author M. Makhamatov, the right to work is a right given to everyone. This is part of social rights, and it depends on the individual's will. Everyone is free to perform any task without coercion[9].

Since the main law of our country, the Constitution of the Republic of Uzbekistan, does not contain a direct definition of the category “right to work”, the definition of its boundaries must be carried out through the interpretation of its content, which is precisely declared by the Constitution of the Republic of Uzbekistan in article 42. Let us turn to the analysis of this norm. Thus, an analysis of article 42 shows that the right to work includes:

the right to freely choose a profession and type of activity;

The right to favorable working conditions that meet the requirements of safety and hygiene;

The right to fair remuneration for work;

The right to protection from unemployment[10].

The purpose of protecting labor rights is to ensure equal conditions for employees, allowing them to freely enjoy the social benefits provided in accordance with their rights. To achieve this goal, the subjects of protection carry out various actions, which, despite their diversity, have common qualitative characteristics. These actions can be grouped into four main groups, depending on their goals and focus: preventive measures, suppression of violations, restoration of violated rights, and bringing to justice those who have committed offenses. Together, these actions form the means of protecting labor rights aimed at ensuring fairness and legality in labor relations. Maintaining a balance between the interests of employees and employers, as well as ensuring compliance with labor laws are key aspects of this protection.

The State is actively working to ensure the stability of employment among citizens, taking measures to protect them from unemployment and reduce poverty. One of the key directions is the organization and stimulation of professional training and retraining of the population. This allows citizens to acquire new skills and competencies that meet modern labor market requirements, which in turn helps to increase their competitiveness.

Vocational training and retraining are important tools for ensuring sustainable employment and successful careers for citizens. The Government supports initiatives to develop educational programs, advanced training courses and other activities aimed at the professional development of the population.

Thanks to such support, citizens can more easily adapt to the changing labor market conditions, expand their employment opportunities and increase their incomes. This contributes not only to improving the lives of individuals, but also to the development of the country's economy as a whole.

Decree of the President of the Republic of Uzbekistan UP No. 4947 dated February 7, 2017 "On the strategy of action for the further development of the Republic of Uzbekistan"[11] is a new step in the socio-economic sphere. Goal 85 "On the development Strategy of the new Uzbekistan for 2022-2026"[12] focuses on creating new jobs in the country, increasing incomes of the population and thereby reducing poverty by at least half by the end of 2026.

The Institute for the Protection of labor rights is an important element of labor law, which covers a wide range of relations related to ensuring fairness and social protection of employees. These relations represent a new type within the framework of labor relations that requires inclusion in the subject of labor law as a science. A distinctive feature of these relations is their complexity, as diverse but homogeneous relations arise in the protection of labor rights.

The implementation of various methods of protection, as well as the protection of workers' labor rights, form the basis of this institution. It is important to understand that these relationships are not limited to one specific aspect, but represent a complex system of interrelated elements. Regulation of these relations requires a systematic approach that ensures a balance of interests between the parties to the labor process.

Conclusion

Research and analysis of the Institute for the protection of labor rights make it possible to better understand its importance for society as a whole. This institution helps to create conditions for fair and effective labor relations, where the rights and interests of employees are protected at the proper level. Thus, the institute for the protection of labor rights plays a key role in ensuring equality and fairness in the workplace.

Relations for the protection of workers' labor rights are an important aspect of labor law that arises in the event of a violation or threat of violation of an employee's rights. These relationships involve the employee whose rights have been violated, the subject of protection, and the violator of the employee's labor rights, whether real or potential. The content of these legal relations is the subjective rights, duties and responsibilities fixed in the relevant regulatory legal acts.

The initiators of the emergence of relations for the protection of labor rights can be both the employee himself and the subject of protection. For example, a trade union inspector has the right to conduct an independent examination of working conditions on his own initiative. This highlights the importance of the active role of all parties in ensuring respect for labor rights and creating safe and fair working conditions.

Understanding the meaning and specifics of these relationships helps to develop effective mechanisms for protecting workers' labor rights. Regular monitoring of compliance with labor legislation and prompt response to violations contribute to strengthening the legal culture at work. Thus, labor rights protection relationships play an important role in ensuring fairness and equality in the workplace, contributing to the creation of a supportive and safe environment for all employees.

Human labor rights are a fundamental element of modern society, where equality and justice play a key role. Ensuring respect for these rights contributes to the formation of an inclusive environment where every individual can reach their potential and achieve success in their professional field. It is important to remember that respect for the rights of an employee not only contributes to the well-being of an individual, but also forms the basis for the sustainable development of society as a whole. The development of social protection and the observance of the principles of fairness in labor relations are the key to prosperity and harmony in the modern world.

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