

UZBEKISTAN'S APRIL 30 CONSTITUTIONAL REFERENDUM IS SET TO DELIVER RESULTS

Ambassador Dilyor Khakimov

Over the past year, under the leadership of President Shavkat Mirziyoyev, Uzbekistan has embarked upon a national dialogue. Input, feedback, and affirmations from tens of thousands of Uzbek citizens have guided the drafting of a revised Constitution. In recent days, a flurry of activity has occurred that may soon make this draft official and usher in a fresh era for our country as we build a “New Uzbekistan.”

Last week, the draft Constitution was considered in the Legislative Chamber and was approved for submission to a referendum on April 30. Then, on Monday, March 13, the Constitutional Court of Uzbekistan ruled that the decision by the Legislative Chamber to hold a referendum was in constitutional compliance. Finally, the Senate, just yesterday, March 14, confirmed this decision and approved the draft for submission to a constitutional referendum that will take place on April 30.

Consequently, in just over 6 weeks from today, the citizens of Uzbekistan will go to the polls to decide on the most important additions and updates to Uzbekistan's Constitution in over three decades.

The changes are as sweeping as the stakes are high. Ultimately, citizens will decide if they agree with the President's comprehensive reform program. They will decide if they wish to establish this new Uzbekistan - via their reformed Constitution - as a sovereign, democratic, legal, social, and secular state with a republican form of government. They will decide if they wish to commit the country to greater protection for human rights, to fair and open democratic values, and to equality among Uzbekistan's diverse multi-faith and multi-ethnic population.

They will also decide if they wish to enshrine the principles of the rule of law, democratic representation, the separation of powers, and a strengthened civil society. In addition, the reforms support economic development in a secure

investment and entrepreneurial environment and establish important environmental protections.

These constitutional amendments are vital to the transformations that our “New Uzbekistan” requires, guaranteeing a modern democratic state that prioritizes every person’s individual rights and freedoms. Where once the state came first, now the citizen comes first – a profound shift from our recent history. We believe that every citizen of Uzbekistan will be able to say with pride and confidence: ‘This is my Constitution.’

The top priority of the reform process was strengthening guarantees covering the basic personal rights and freedoms of the country’s citizens. To this end, the new text establishes that human rights and freedoms belong to everyone from birth, including freedom of speech, media, and assembly.

For the first time, the Constitution will stipulate that human rights and freedoms may be restricted only in accordance with the law, and only to the extent necessary to protect the constitutional order, the health and morals of the people, and the rights and freedoms of others, while ensuring public safety and public order. The Constitution would also enshrine the principle of *habeas corpus* and establish that the basic law holds the country’s highest legal force and creates a single legal space throughout the country.

At the economic level, the constitutional amendments support fair competition, the protection of private property, and the development of a favorable investment and business climate. The Government has now responsibility for ensuring sustainable economic growth, macroeconomic stability, and the implementation of measures to reduce poverty, create decent living conditions, and ensure food security. The Constitution also recognizes the importance of protecting the environment, including the vulnerable Aral Sea, and the country’s natural resources.

The extent of the reforms can be measured in numbers: There are 155 articles in the proposed new Constitution, compared with 128 in the current document; 434

norms compared with 275 currently; and the number of specific provisions on human rights and freedoms has more than tripled. Sixty-five percent of the existing Constitution has been changed. Taken together, the figures demonstrate that the document is not merely an amended Constitution, but it is in fact a renewed Constitution.

In this regard, the changes represent a reset of the country's political system with previous executive terms in office of some state officials not counting towards newly established term limits. In the interest of safely navigating the path to the future, fully implementing of a program of constitutional, political, economic, and social reforms, and comprehensively eliminating accumulated problems, presidential terms will be extended from five to seven years.

All of these amendments have been developed and drafted in line with a range of international laws, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Examples from other countries' constitutions and amendment processes from around the world have also been used as guides to best practice.

The past six years have seen Uzbekistan advance steadily along a reform path. Thanks to these reforms human rights and the rule of law; freedom of speech, the media and religion; and tolerance, peace and stability have become a part of our lives, as has economic growth and rising prosperity so that we anticipate joining the ranks of the world's middle-income nations by 2030. This reform journey will continue as we have set our sights even higher with these constitutional reforms.

The author is the Ambassador of the Republic of Uzbekistan in Belgium.