

LEGAL STATUS, ROLE AND POSITION (INVESTIGATOR) OF FEMALE

MILITARY PERSONNEL

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ABSTRACT:

The purpose of this article is a more thorough examination of the specifics of the legal status of women investigators at the present stage. The main content of the study is an analysis of the regulatory framework regarding the status of a particular category of women who have decided to link their fate with military service. The article concludes with a number of proposals, the implementation of which would only improve the legal status of women military personnel.

Keywords: military personnel; female military personnel; military service; military duty; military position; investigator.

INTRODUCTION:

Each period has its own factor of development, needs, demands and life principles. Naturally, their formation and development, giving them a special meaning and content, will be great historical events that will determine the specific directions of development of the state, society, social and political institutions during this period.

For a long time, the historical image of the world was created by men, expressing their

views on the reality around them, the structure of an ideal family, the place and role of women in social space.

Even Plato predicted that in the ideal state of the future, both sexes will have to study the same professions, crafts and participate in the war on an equal basis with women and men. Today his guess is coming true.

Today in our country a lot of attention is paid to women. All conditions are being created for their active participation in various spheres of the life of our society. The attitude towards women in our country has its historical roots, our ancestors have always called for the value, respect and respect of women.

Almost until the beginning of the last century, women in the Republic of Uzbekistan did not have the right not only to take part in hostilities, but also the official rights to become officers and military personnel. Their role was mainly to care for the sick and wounded in military hospitals.

However, after the First and Second World Wars, the demand for female military personnel became relevant, which, in turn, led to a significant increase in the number of female military personnel in Uzbekistan. It can be said that it was during this period that women began to shape the modern model of military service.

Article 46 of the Constitution of the Republic

of Uzbekistan enshrines the equality of men and women. The legal status of female military personnel in the Republic of Uzbekistan is regulated by a number of normative legal acts. Despite the existence of a regulatory framework, the legal status of this category of servicemen and the issues of its implementation are insufficiently covered. The modern legal status of women in the army is the result of a long history of development, the content of which directly depends on the status of women in society and the ongoing reforms. Therefore, in the context of changes in military legislation related to the reform of the social protection system for military personnel, it is especially important to study the legal status of women in the military.

This, the relevance of the topic under study depends on the following factors: insufficient knowledge of the concept and essence of the legal status of female military personnel in the scientific military-legal literature; the need for scientific substantiation and regulation of the specifics of the legal status of women in the military; the need to study and generalize foreign experience in the legal regulation of the status of women in the military; ensuring gender equality; the need to develop specific proposals to improve the legal regulation of the legal status of women in the military.

Military service is, in fact, a special type of public service performed by citizens of the Republic of Uzbekistan in the Armed Forces of the Republic of Uzbekistan and a number of power structures. Accordingly, "features of military service, its separation as a special type of public service, as well as features of the legal status of a soldier as a separate legal entity."

MIDDLE:

Kudashkin describes military service as "the performance of certain functions by servicemen to solve the tasks assigned to them by state bodies and organizations."

However, all servicemen, regardless of their position and rank, are equal before the law and can be brought to administrative, criminal, material, civil and disciplinary responsibility.

Z. P According to Baturina, "the essence of planning and organizing modern military service for women is to avoid discrimination on the basis of gender and at the same time equate female military personnel with men in uniform, and not only to increase the combat capability of the Armed Forces" but also to ensure their recruitment, improve the quality of the activities of branches and associations.

Women in Uzbekistan receive legal education on an equal basis with men.

Today, modern women are increasingly choosing the profession of an investigator, which was previously considered only a male profession. Does gender affect all professional and psychological characteristics of female investigators, should they be classified separately? Could he be an "operative" or an "investigator"? In many cases, women investigators have to choose between a career and a family. However, in their work, women are characterized by perseverance, attentiveness, literacy, communication skills, stress resistance, and sensitivity. This function helps to mitigate conflicts in society and find common ground with witnesses, accused, especially minors.

Men consider the profession of an investigator dangerous, physically difficult and talk about a huge workload. However, one should not forget that every year the personnel are more and more equipped with offices, forensic

equipment and communication facilities. Research is also becoming more intelligent. Men and women are gradually getting used to the office style of work.

There are more women than men on the career path: lack of education, lack of opportunities to learn from experienced female leaders, work under the leadership of men, and superiority to the subordinate position. In most cases, although the profession of a female investigator has positive features, in practice she also encounters external influencing factors: the influence of colleagues of the opposite sex due to their inability to defend their point of view; fear of risk; standard thinking and low self-esteem compared to the profession of a female investigator.

It should be noted that the participation of female investigators in the interrogation of minors or accused, victims, female witnesses is quite reasonable and expedient in practice. We believe that when investigating certain categories of criminal cases, including rape, violence, interrogation and investigation of cases of minors, she is known for her family and raising children, therefore she has a positive investigation result and trial.

The reason for this is that it is difficult to establish a psychological connection (of the victim) with the victim or witness, especially with a minor, therefore the participation of a female investigator in the interrogation is important and her role is unique.

The ability of the investigator to identify, identify, eliminate and prevent juvenile defendants (witnesses) who are often unaware of the crime, the degree of social danger of the act and its consequences, as well as lack of understanding of its nature, the professionalism of young witnesses when interrogating the

accused, especially for violent crimes, plays an important role. A deep knowledge of child psychology is required. During interrogation, the teenager experiences intense excitement and mental anguish. The participation of a female investigator helps to clarify the rights and obligations of a minor in an understandable language, calm down, relieve tension. If you can interrogate a person of the opposite sex, receive truthful instruction and experience spiritual suffering.

It should be noted that the cases of forced participation of women in the criminal procedure legislation aren't defined. We know that the accused, suspect and victim are entitled to petition. However, for certain categories of women suspects, accused and victims of crime, it is recommended that women be given the right to choose an interrogator or investigator.

In our opinion, ensuring the participation of a female interrogator or investigator in the interrogation of a minor or a female victim, suspect or accused, upon request or discretion, can help to correctly formulate questions, creating a favorable environment or conditions for the parties.

The rights and legitimate interests of citizens must be ensured in the process of collecting, studying and evaluating evidence. We know that during an investigative or judicial proceeding, it is prohibited for any person other than the interrogator, investigator, prosecutor, judge and doctors involved in the case as a specialist or expert to be present when undressing a person of the opposite gender. Of course, these are actions that endanger the life and health of the victim, suspect and accused, or humiliate their dignity.

In addition, in accordance with the criminal procedure legislation, natural persons, i.e.

suspects, accused, defendants and victims may testify.

In cases where it is necessary to find a feature or symptom, individual signs, information about its physical development, spots, scratches, abrasions, hemorrhages, important for working on the human body, if there is no need to conduct an examination, as well as in cases where there is a need to determine intoxication and other physiological state of a person using methods.

The testimony states that undressing, as well as not identifying scratches, bruises and hemorrhages on the body, should be carried out by an interrogator or investigator in the presence of attesting witnesses and, if necessary, in the presence of a doctor or another specialist.

An interrogator and investigator have the right to conduct a search if they have enough information to think that the person has something and documents that are important to the case. An interrogator or investigator may also seize items and documents of a person found in his or her belongings or in his or her body that are relevant to the case. A personal search and the seizure of objects and documents may be carried out in the presence of a specialist and an attesting witness of the same gender as the searched person.

Article 196 of the Criminal Procedure Code states that in order to ensure the protection of individual rights, the methods and scientific and technical means used when taking samples for examination must be safe for human life and health.

It has been determined that if the sampler is removed during sampling, the doctor, other professional, and confirming witness must be of the same gender as the sampler.

Analyzing the above, a woman is in the

process of collecting, studying and evaluating evidence in legal proceedings related, for example, to a suspect, accused, defendant and victim; for testifying; seizure of things and documents important for the case during a search; It is stipulated that sampling should be carried out in the presence of a person of the same gender as the specialist and attesting witnesses. This is primarily aimed at protecting the rights and legitimate interests of a person, as well as protecting human life and health, or not violating his dignity.

Yeah. Shkaplerov rightly notes that from the point of view of ethics, it is advisable to testify, to seize objects and documents related to the case, to take samples during a search in the presence of a homosexual interrogator, investigator, expert and attesting witness.

Indeed, as a constitutional guarantee of the state's attitude to human rights, Article 13 enshrines a very important provision: "Democracy in the Republic of Uzbekistan is based on universal principles according to which a person, his life, freedom, honor, dignity and other inalienable rights are of the highest importance." human rights, their honor and dignity are the most important features of a democratic state based on the rule of law.

Human rights and freedoms, his honor and dignity have priority in the system of universal values and legitimate interests.

The most important expression of the idea of honor and dignity in criminal law is the creation of an independent system of norms aimed at protecting the honor and dignity of an individual and protecting it from socially dangerous aggression.

Thus, the protection of the honor and dignity of women and protection from various crimes is ensured by a unified system of norms of the

current criminal legislation of the Republic of Uzbekistan.

In order to ensure the protection of the honor and dignity of a person, the law establishes that criminal cases are closed in courts as the criminal cases are considered.

In particular, to ensure the safety of the victim, witness or other persons involved in the case, as well as members of their families or close relatives, so as not to disclose cases of crimes committed by persons under the age of eighteen, as well as information about the privacy of citizens or information insulting their honor and dignity, in cases where it is necessary, other cases may be considered in a closed court session by a court decision.

In general, the rights, freedoms, duties and responsibilities of women (investigators) in the military are the same. Today, it is important to establish their special legal status. The rights and freedoms of female military personnel are enshrined only in the Law of the Republic of Uzbekistan "On General Military Duty and Military Service".

The role of women (psychologists, psychologists) in the rehabilitation and reintegration of repatriates (women and children) during the "Mercy 1" and "Mercy -2" operations is invaluable.

In conclusion, given the needs of the global form of democracy, we propose the following:

- Ensuring gender equality in the process and empowering all women in the military;
- Elimination of all forms of discrimination against female military personnel, full and effective participation of female military personnel at all levels of decision-making in public life and equal opportunities for leadership;
- Introduction of the principles of gender

equality into the Law of the Republic of Uzbekistan "On universal conscription and military service";

- Improvement of legislation on female military personnel;
- Creation of an institutional framework for the protection of women in the military;
- Raising awareness of the rights of women in the military;
- Training of officials responsible for ensuring their observance in law enforcement practice, on the basis of the relevant legal norms;
- Recommendations for the occupation of leadership positions, the formation of human resources, the creation of all conditions for women to fully realize their potential;
- Scientific research of international experience;
- Do not separate "male" and "female" professions;
- There should be no quotas for women, and employers should select personnel based primarily on the qualifications and experience of candidates;
- Raising the status of women (investigators) in the legislation on the rights, freedoms, duties and responsibilities of military personnel;
- In the process of collecting, researching and evaluating evidence in the process of proving, so as not to infringe on the honor and dignity of the minor and the victim, suspect, accused from an ethical point of view; for testifying; seizure of things and documents important for the case during a search; ensuring the participation of a female homosexual interrogator or investigator in sampling;
- To provide the victim, suspect, accused woman with the right to choose a woman-inquirer or investigator to carry out

procedural actions of her own free will, desire or desire, for the sake of human life and health, or in order not to prejudice their dignity;

- To establish in the criminal procedural legislation cases of the forced participation of an inquiry officer or a female investigator;
- Ensuring the participation of women (including women in order to protect or ensure their rights) in official (official) inspections of women military personnel in responsible bodies and ministries;
- Organizing scientific seminars, events and raising awareness among heads of bodies on gender equality issues;
- Organization of consultations among female military personnel about the existing obstacles and career opportunities in the Armed Forces;
- It is advisable to create a culture of professional management and work environment (training), taking into account gender.

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