

SCIENCE
PROBLEMS.UZ

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Актуальные проблемы социальных и гуманитарных наук

Ijtimoiy-gumanitar fanlarning dolzarb muammolari

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2025

SCIENCEPROBLEMS.UZ

IJTIMOIIY-GUMANITAR FANLARNING DOLZARB MUAMMOLARI

№ 4 (5) – 2025

АКТУАЛЬНЫЕ ПРОБЛЕМЫ СОЦИАЛЬНО- ГУМАНИТАРНЫХ НАУК

ACTUAL PROBLEMS OF HUMANITIES AND SOCIAL SCIENCES

TOSHKENT-2025

BOSH MUHARRIR:

Isanova Feruza Tulqinovna

TAHRIR HAY'ATI:

07.00.00- TARIX FANLARI:

Yuldashev Anvar Ergashevich – tarix fanlari doktori, siyosiy fanlar nomzodi, professor, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Mavlanov Uktam Maxmasabirovich – tarix fanlari doktori, professor, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Xazratkulov Abror – tarix fanlari doktori, dotsent, O'zbekiston davlat jahon tillari universiteti.

Tursunov Ravshan Normuratovich – tarix fanlari doktori, O'zbekiston Milliy Universiteti;

Xolikulov Axmadjon Boymahmatovich – tarix fanlari doktori, O'zbekiston Milliy Universiteti;

Gabrielyan Sofya Ivanovna – tarix fanlari doktori, dotsent, O'zbekiston Milliy Universiteti.

Saidov Sarvar Atabullo o'g'li – katta ilmiy xodim, Imom Termiziy xalqaro ilmiy-tadqiqot markazi, ilmiy tadqiqotlar bo'limi.

08.00.00- IQTISODIYOT FANLARI:

Karlibayeva Raya Xojabayevna – iqtisodiyot fanlari doktori, professor, Toshkent davlat iqtisodiyot universiteti;

Nasirxodjayeva Dilafruz Sabitxanovna – iqtisodiyot fanlari doktori, professor, Toshkent davlat iqtisodiyot universiteti;

Ostonokulov Azamat Abdukarimovich – iqtisodiyot fanlari doktori, professor, Toshkent moliya instituti;

Arabov Nurali Uralovich – iqtisodiyot fanlari doktori, professor, Samarqand davlat universiteti;

Xudoyqulov Sadirdin Karimovich – iqtisodiyot fanlari doktori, dotsent, Toshkent davlat iqtisodiyot universiteti;

Azizov Sherzod O'ktamovich – iqtisodiyot fanlari doktori, dotsent, O'zbekiston Respublikasi Bojxona instituti;

Xojayev Azizxon Saidaloxonovich – iqtisodiyot fanlari doktori, dotsent, Farg'ona politexnika instituti

Xolov Aktam Xatamovich – iqtisodiyot fanlari bo'yicha falsafa doktori (PhD), dotsent, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Shadiyeva Dildora Xamidovna – iqtisodiyot fanlari bo'yicha falsafa doktori (PhD), dotsent v.b, Toshkent moliya instituti;

Shakarov Qulmat Ashirovich – iqtisodiyot fanlari

nomzodi, dotsent, Toshkent axborot texnologiyalari universiteti

09.00.00- FALSAFA FANLARI:

Hakimov Nazar Hakimovich – falsafa fanlari doktori, professor, Toshkent davlat iqtisodiyot universiteti;

Yaxshilikov Jo'raboy – falsafa fanlari doktori, professor, Samarqand davlat universiteti;

G'aybullayev Otabek Muhammadiyevich – falsafa fanlari doktori, professor, Samarqand davlat chet tillar instituti;

Saidova Kamola Uskanbayevna – falsafa fanlari doktori, "Tashkent International University of Education" xalqaro universiteti;

Hoshimxonov Mo'min – falsafa fanlari doktori, dotsent, Jizzax pedagogika instituti;

O'roqova Oysuluv Jamoliddinovna – falsafa fanlari doktori, dotsent, Andijon davlat tibbiyot instituti, Ijtimoiy-gumanitar fanlar kafedrasini mudiri;

Nosirxodjayeva Gulnora Abdukaxxarovna – falsafa fanlari nomzodi, dotsent, Toshkent davlat yuridik universiteti;

Turdiyev Bexruz Sobirovich – falsafa fanlari bo'yicha falsafa doktori (PhD), dotsent, Buxoro davlat universiteti.

10.00.00- FILOLOGIYA FANLARI:

Axmedov Oybek Saporbayevich – filologiya fanlari doktori, professor, O'zbekiston davlat jahon tillari universiteti;

Ko'chimov Shuxrat Norqizilovich – filologiya fanlari doktori, dotsent, Toshkent davlat yuridik universiteti;

Hasanov Shavkat Ahadovich – filologiya fanlari doktori, professor, Samarqand davlat universiteti;

Baxronova Dilrabo Keldiyorovna – filologiya fanlari doktori, professor, O'zbekiston davlat jahon tillari universiteti;

Mirsanov G'aybullo Qulmurodovich – filologiya fanlari doktori, professor, Samarqand davlat chet tillar instituti;

Salaxutdinova Musharraf Isamutdinovna – filologiya fanlari nomzodi, dotsent, Samarqand davlat universiteti;

Kuchkarov Raxman Urmanovich – filologiya fanlari nomzodi, dotsent v/b, Toshkent davlat yuridik universiteti;

Yunusov Mansur Abdullayevich – filologiya fanlari nomzodi, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Saidov Ulugbek Aripovich – filologiya fanlari nomzodi, dotsent, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi.

12.00.00- YURIDIK FANLAR:

Axmedshayeva Mavlyuda Axatovna – yuridik fanlar doktori, professor, Toshkent davlat yuridik universiteti;

Muxitdinova Firyuza Abdurashidovna – yuridik fanlar doktori, professor, Toshkent davlat yuridik universiteti;

Esanova Zamira Normurotovna – yuridik fanlar doktori, professor, O'zbekiston Respublikasida xizmat ko'rsatgan yurist, Toshkent davlat yuridik universiteti;

Hamroqulov Bahodir Mamasharifovich – yuridik fanlar doktori, professor v.b., Jahon iqtisodiyoti va diplomatiya universiteti;

Zulfiqorov Sherzod Xurramovich – yuridik fanlar doktori, professor, O'zbekiston Respublikasi Jamoat xavfsizligi universiteti;

Xayitov Xushvaqt Saparbayevich – yuridik fanlar doktori, professor, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Asadov Shavkat G'aybullayevich – yuridik fanlar doktori, dotsent, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Ergashev Ikrom Abdurasulovich – yuridik fanlari doktori, professor, Toshkent davlat yuridik universiteti;

Utemuratov Maxmut Ajimuratovich – yuridik fanlar nomzodi, professor, Toshkent davlat yuridik universiteti;

Saydullayev Shaxzod Alixanovich – yuridik fanlar nomzodi, professor, Toshkent davlat yuridik universiteti;

Hakimov Komil Baxtiyarovich – yuridik fanlar doktori, dotsent, Toshkent davlat yuridik universiteti;

Yusupov Sardorbek Baxodirovich – yuridik fanlar doktori, dotsent, Toshkent davlat yuridik universiteti;

Amirov Zafar Aktamovich – yuridik fanlar doktori (PhD), O'zbekiston Respublikasi Sudyalari oliy kengashi huzuridagi Sudyalari oliy maktabi;

Jo'rayev Sherzod Yuldashevich – yuridik fanlar nomzodi, dotsent, Toshkent davlat yuridik universiteti;

Babadjanov Atabek Davronbekovich – yuridik fanlar nomzodi, dotsent, Toshkent davlat yuridik universiteti;

Normatov Bekzod Akrom o'g'li — yuridik fanlar bo'yicha falsafa doktori, Toshkent davlat yuridik universiteti;

Rahmatov Elyor Jumaboyevich — yuridik fanlar nomzodi, Toshkent davlat yuridik universiteti;

13.00.00- PEDAGOGIKA FANLARI:

Xashimova Dildarxon Urinboyevna – pedagogika fanlari doktori, professor, Toshkent davlat yuridik universiteti;

Ibragimova Gulnora Xavazmatovna – pedagogika fanlari doktori, professor, Toshkent davlat iqtisodiyot universiteti;

Zakirova Feruza Maxmudovna – pedagogika fanlari doktori, Toshkent axborot texnologiyalari universiteti huzuridagi pedagogik kadrlarni qayta tayyorlash va ularning malakasini oshirish tarmoq markazi;

Kayumova Nasiba Ashurovna – pedagogika fanlari doktori, professor, Qarshi davlat universiteti;

Taylanova Shoxida Zayniyevna – pedagogika fanlari doktori, dotsent;

Jumaniyozova Muhayyo Tojiyevna – pedagogika fanlari doktori, dotsent, O'zbekiston davlat jahon tillari universiteti;

Ibraximov Sanjar Urunbayevich – pedagogika fanlari doktori, Iqtisodiyot va pedagogika universiteti;

Javliyeva Shaxnoza Baxodirovna – pedagogika fanlari bo'yicha falsafa doktori (PhD), Samarqand davlat universiteti;

Bobomurotova Latofat Elmurodovna — pedagogika fanlari bo'yicha falsafa doktori (PhD), Samarqand davlat universiteti.

19.00.00- PSIXOLOGIYA FANLARI:

Karimova Vasila Mamanosirovna – psixologiya fanlari doktori, professor, Nizomiy nomidagi Toshkent davlat pedagogika universiteti;

Hayitov Oybek Eshboyevich – Jismoniy tarbiya va sport bo'yicha mutaxassislarni qayta tayyorlash va malakasini oshirish instituti, psixologiya fanlari doktori, professor

Umarova Navbahor Shokirovna– psixologiya fanlari doktori, dotsent, Nizomiy nomidagi Toshkent davlat pedagogika universiteti, Amaliy psixologiyasi kafedrasi mudiri;

Atabayeva Nargis Batirovna – psixologiya fanlari doktori, dotsent, Nizomiy nomidagi Toshkent davlat pedagogika universiteti;

Shamshetova Anjim Karamaddinovna – psixologiya fanlari doktori, dotsent, O'zbekiston davlat jahon tillari universiteti;

Qodirov Obid Safarovich – psixologiya fanlari doktori (PhD), Samarkand viloyat IIB Tibbiyot bo'limi psixologik xizmat boshlig'i.

22.00.00- SOTSILOGIYA FANLARI:

Latipova Nodira Muxtarjanovna – sotsiologiya fanlari doktori, professor, O'zbekiston milliy universiteti kafedra mudiri;

Seitov Azamat Po'latovich – sotsiologiya fanlari doktori, professor, O'zbekiston milliy universiteti;

Sodiqova Shohida Marxaboyevna – sotsiologiya fanlari doktori, professor, O'zbekiston xalqaro islom akademiyasi.

23.00.00- SIYOSIY FANLAR

Nazarov Nasriddin Ataqulovich –siyosiy fanlar doktori, falsafa fanlari doktori, professor, Toshkent arxitektura qurilish instituti;

Bo'tayev Usmonjon Xayrullayevich –siyosiy fanlar doktori, dotsent, O'zbekiston milliy universiteti kafedra mudiri.

OAK Ro'yxati

Mazkur jurnal Vazirlar Mahkamasi huzuridagi Oliy attestatsiya komissiyasi Rayosatining 2022-yil 30-noyabrda 327/5-son qarori bilan tarix, iqtisodiyot, falsafa, filologiya, yuridik va pedagogika fanlari bo'yicha ilmiy darajalar yuzasidan dissertatsiyalar asosiy natijalarini chop etish tavsiya etilgan ilmiy nashrlar ro'yxatiga kiritilgan.

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MUNDARIJA

07.00.00 – TARIX FANLARI

Maxmudov Mansurjon Abdug'opporovich

TARIXIY ASARLAR VA ULARNI O'RGANISH: MILLIY ZIYOLILAR TOMONIDAN

OLIB BORILGAN TADQIQOTLAR 12-17

Qurbonov Xurshid Raupovich

O'ZBEKISTONDAN JANUBIY URALGA SAFARBAR QILINGAN

"MEHNAT ARMIYACHILARI" VA ULARNING TA'MINOTI 18-22

Salayev Fazliddin Shamsiddin o'g'li

O'ZBEKISTONDA DEMOGRAFIYANING RIVOJLANISH TARIXI VA SHAKLLANISHI 23-28

Abbasov Behzod Baxtiyorovich

FARG'ONA OBLASTIDA TASHKIL QILINGAN XO'JALIKLARDA IJTIMOIIY
MUAMMOLAR VA KO'CHIRILGAN AHOLINING YANGI SHAROITGA MOSLASHISHI

(1946-1965)..... 29-35

Mirzaliyev Ulug'bek, Klichev Ulug'bek

O'ZBEKISTON RESPUBLIKASI MILLIY ARXIVLAR FAOLIYATINI TASHKIL ETISH

BORASIDAGI ISHLAR VA ISLOHOTLAR 36-39

Tursunova Gavhar Begmuradovna

ROSSIYA IMPERIYASINING SIRDARYO VILOYATIDA OLIB BORGAN

MA'MURIY-SIYOSIY BOSHQARUV TIZIMI

(XIX ASRNING IKKINCHI YARMI – XX ASR BOSHLARI) 40-50

Vaxobov Doston Abdumannob o'g'li

IKKINCHI JAHON URUSHI YILLARIDA MAKTAB, TIBBIYOT VA SOG'LIQNI SAQLASH

XODIMLARINING G'ALABAGA QO'SHGAN HISSASI 51-54

Sodiqova Yulduzxon Maxamat qizi

O'ZBEKISTONDA MAKTAB TA'LIMINI ISLOH QILINISHI VA UNDAGI O'ZGARISHLAR

(1991-2024 yy)..... 55-59

Maxmudov Umrbek Baxtiyorovich

QUYI SIRDARYOBO'YI HUDUDLARIDA OLIB BORILGAN ARXEOLOGIK

TADQIQOTLAR VA ULARNING NATIJALARI 60-64

Yo'ldosheva Gulbahor Nuriddinovna

MUSTAQILLIK YILLARIDA O'RTA UMUMTA'LIM MAKTABLARINING

AHVOLI VA MODDIY – TEXNIKA BAZASINING MUSTAHKAMLANISHI

(QASHQADARYO VA SURXONDARYO VILOYATLARI MISOLIDA)..... 65-69

Mardiyeva Guzal Karimovna

XOTIN-QIZLARNING 1950-1980-YILLARDA SAMARQAND VILOYATI

ILM-FAN SOHASINI RIVOJLANTIRISHDAGI O'RNINI 70-75

Narziyev Rustambek Xaydarovich

HARAKATLAR STRATEGIYASIDA NOGIRONLIGI BOR YOSHLAR UCHUN

YARATILGAN IMKONIYATLAR 76-80

<i>Abdullayev Ilhomjon Ikromjonovich</i> XIX ASR OXIRI – XX ASR BOSHLARIDA NAMANGAN SHAHRINING IJTIMOIY-IQTISODIY HAYOTI	81-87
<i>Sodiqova Maxbubaxon Raxmonaliyevna</i> O'ZBEKISTONNING MILLIY HUNARMANDCHILIGI RIVOJIDA IPAKCHILIKNING O'RNI	88-92
<i>G'ulomjon Jumanazarovich Axmedov</i> O'ZBEKISTON TARIXIDA KONCHILIK ISHI VA METALLURGIYA RIVOJLANISHI	93-99

08.00.00 – IQTISODIYOT FANLARI

<i>Abdullayev Zafarbek Safibullayevich</i> BARQARORLIK REYTINGI ORQALI FISKAL INTIZOM VA BIZNES MUHITINI RAG'BATLANTIRISHNING O'ZBEKISTON TAJRIBASI	100-116
<i>Юлдашева Надира Викторовна</i> «ГОСУДАРСТВЕННЫЕ ЗАКУПКИ ПОД КОНТРОЛЕМ: ИНСТИТУЦИОНАЛЬНЫЙ АНАЛИЗ УЗБЕКСКОЙ МОДЕЛИ МОНИТОРИНГА».....	117-123
<i>Maxsudov Sherzod Solijonovich</i> ERKIN IQTISODIY ZONALARDA INVESTITSIYA JOZIBADORLIGINI OSHIRISH	124-128
<i>Xaitov Oxunjon Nomoz o'g'li</i> TURISTIK VA REKREATSION KLASTERNING MUVAFFAQIYATLI FAOLIYAT YURITISH TAMOYILLARINI TIZIMLASHTIRISH	129-135
<i>Xadimova Aziza Abdufattoyevna</i> SAMARQAND VILOYATINING DEMOGRAFIK O'ZGARISHLARI VA IQTISODIY RIVOJLANISHI.....	136-145
<i>Tashpulatov Giyos Toxirovich</i> XORIJIY BAHOLOVCHI TASHKILOTLAR REYTINGI VA RENKINGINI BAHOLASHDA KOMPLEKS YONDASHUVNING QO'LLANILISHI TAHLILI (ROSSIYADAGI BAHOLOVCHI TASHKILOTLAR MISOLIDA)	146-159
<i>Ulug'muradova Nodira Berdimuradovna</i> O'ZBEKISTONDA KICHIK BIZNESNI RIVOJLANTIRISHDA INSON KAPITALINING TA'SIRI	160-164
<i>Tursunxodjayeva Shirin Zafar qizi</i> “QUTIDA RO'YXATGA Olish” (SHELF-REGISTRATION) AMALIYOTINI JORIY ETISH	165-169

09.00.00 – FALSAFA FANLARI

<i>Komilov Ro'zi Rabiyeovich</i> OILA BARQARORLIGINI TA'MINLASHDA MODDIY VA MA'NAVIY OMILLARNING FALSAFIY TAHLILI	170-172
<i>Хакимов Эркин</i> ЗНАНИЕ ЛОГИКИ КАК УСЛОВИЕ ФОРМИРОВАНИЯ КУЛЬТУРЫ МЫШЛЕНИЯ В ИНФОРМАЦИОННОМ ОБЩЕСТВЕ	173-180
<i>Usmonova Laylo Raxmatullayevna</i> SHARQ FALSAFASIDA INSON MUAMMOSI.....	181-185
<i>Karimov Yo'ldosh Ergashevich</i> TARIXNI SOXTALASHTIRISHNING TARIXIY TAFAKKURGA TA'SIRI MASALALARI	186-191

<i>Agzamxodjaeva Шахноза Саидматмабевна</i> О ЦЕЛИ И СОДЕРЖАНИИ ЧЕЛОВЕЧЕСКОЙ ЖИЗНИ, ДУХОВНОМ СОВЕРШЕНСТВЕ (ПО ПРОИЗВЕДЕНИЯМ АЛИШЕРА НАВАИ).....	192-195
<i>Rustamov Ramz Rizoqulovich</i> ZAMONAVIY IQTISODIY TARG'IBOT VA UNING O'ZIGA XOS XUSUSIYATLARI	197-204
<i>Evatov Salimjon</i> MARKAZIY OSIYODA TASAVVUFiy TAFAKKUR RIVOJI: IX-XII ASRLAR MEROSI	205-209
<i>Turobov Yorqinjon Yoqub o'g'li</i> ISLOM TA'LIMOTIDA SIYOSAT VA HOKIMIYAT FALSAFASI	210-213
<i>Toshpulatov Odil Nodirovich</i> IJTIMOIY MUNOSABATLARDAMORALIZM VA IMMORALIZMNI OLDINI OLISHDA MAVJUD ME'YORLARNING AHAMIYATI	214-217
<i>Kunisheva Nadira Julanovna</i> "IJTIMOIY BAG'RIKENGLIK" TUSHUNCHASINI TADQIQ ETISHNING ILMIY-NAZARIY MASALALARI	218-223
<i>Eshpulatov Inoyat</i> FAXRIDDIN ROZIY YASHAGAN DAVR: IJTIMOIY-SIYOSIY VAZIYAT VA MA'NAVIY MUHIT	224-231
10.00.00 – FILOLOGIYA FANLARI	
<i>Nuniyazova Shaxlo Ulugbekovna</i> O'ZBEK ONOMASTIKASIDA GIDRONIMLARNING LINGVOMADANIY SHAKLLANISHI	232-236
<i>Алиева Эльвина Аметовна</i> ЛЕКСИЧЕСКИЙ И ЛЕКСИКО-СИНТАКСИЧЕСКИЙ ПОВТОРЫ С РАСПРОСТРАНЕНИЕМ В ХУДОЖЕСТВЕННЫХ ОЧЕРКАХ М. ЦВЕТАЕВОЙ	237-243
<i>Usmanova Sevara</i> INGLIZ VA O'ZBEK TARIXIY ROMANLARIDA TARIXIY HAQIQAT VA BADIY TO'QIMA.....	244-251
<i>Ochilov Ulug'bek Sayfulloyevich</i> MAGIK REALIZMNING MADANIYAT VA ADABIYOTGA TA'SIRI	252-260
<i>Daminova Rahima Malikovna</i> ATOYI SHE'RIYATINING BADIY LATOFATI.....	261-266
<i>Yusupov Asror</i> PUBLITSISTIK MATNLARDA UCHROVCHI LINGVOKULTUROLOGIK BIRLIKLAR TARJIMASIGA LEKSIKOGRAFIK YONDASHUV	267-271
<i>Ruziyeva Nasiba Kenjayevna</i> VLADIMIR GEORGEVICH GAKNING TARJIMA MASALALARIGA DOIR TADQIQOTLARI	272-276
<i>Batirkhanova Madina Oybekovna</i> COMPONENT ANALYSIS OF SOMATIC PHRASEOLOGISMS IN ENGLISH FICTION.....	277-281
<i>Sirojiddinova Shakhribonu</i> THE FORMATION OF MYTHOLOGY AND THE INFLUENCING FACTORS.....	282-285

12.00.00 – YURIDIK FANLAR

Xodjiev Yunus Muxitdinovich

DAVLAT XIZMATLARI VA FUQAROLIK-HUQUQIY XIZMATLAR
TUSHUNCHASI HAMDA O'ZIGA XOS XUSUSIYATLARI 286-292

Wang Cong

RESEARCH ON LEGAL ISSUES OF PERSONAL INFORMATION PROTECTION 293-300

Лу Адук

К ВОПРОСУ О ПОНЯТИИ И КЛАССИФИКАЦИИ ВИДОВ ФИНАНСИРОВАНИЯ
ПРЕДПРИНИМАТЕЛЬСКОЙ ДЕЯТЕЛЬНОСТИ 301-310

Abdurashidova Zarina Turg'un qizi

FUQAROSIZLIKKA QARSHI MUROSASIZLIK: HUQUQIY CHORALARNING
NAZARIY VA AMALIY JIHATLARI 311-315

Axmatov Olimjon Odilovich

“KRIPTO-AKTIVLAR VA VALYUTA QIMMATLIKLARINI QONUNGA XILOF
RAVISHDA Olish, O'TKAZISH VA AYIRBOSHLASH: IQTISODIY, HUQUQIY
XAVF-XATARLAR VA ULARNING OLDINI Olishda SUN'IY INTELLEKTNING
O'RNI” 316-322

Xatamov To'liqin Tojiddinovich

KUCHLI TA'SIR QILUVCHI VA GIYOHVANDLIK VOSITALARINI YANGI
TURLARINI NOQONUNIY MUOMALASI BILAN BOG'LIQ JINOYATLARNING
NAZARIY-HUQUQIY TAHLILI 323-329

Kuchimova Shaxlo

VORISLIK HUQUQIDA MEROS MAJBURIYATI 330-337

O'rinova Dilshoda Adhamovna

OILAVIY ZO'RAVONLIK JINOYATINING KRIMINOLOGIK TAVSIFI
HAMDA USHBU TURDAGI JINOYATLARDAGI AYOLLAR JABRLANISHINI
OLDINI Olish BO'YICHA FARG'ONA TAJRIBASI 338-347

Geng Zhimin

RESEARCH ON THE INDEPENDENCE OF THE INTERNATIONAL CRIMINAL COURT..... 348-351

Xidirov Mexroj Qilich o'g'li

ELEKTRON TO'LOV VOSITALARI ORQALI SODIR ETILADIGAN FIRIBGARLIK
JINOYATLARINING SABABLARI, ULARNING SODIR ETILISHIGA IMKON
BERUVCHI OMILLAR 352-357

Тулаганов Элмурод

ВОПРОСЫ ПРОТИВОДЕЙСТВИЯ КОРРУПЦИИ В УСЛОВИЯХ ЦИФРОВОЙ
ТРАНСФОРМАЦИИ 358-367

Bozorboyev Farruh, Boboxonov Akromxon

DASTLABKI TERGOV BOSQICHIDA PROTSESSUAL HARAKATLARNI
SODDALASHTIRISH: XOLIS INSTITUTI 368-374

Abbosov Mirsulton Mirsharof o'g'li

JINOYAT QONUNCHILIGIDA SUN'IY INTELLEKT TUSHUNCHASI VA UNING
IJTIMOIY XAVFLILIGI 375-382

<i>Mamatov Islom Qosim o'g'li</i> DAVLAT XARIDLARI BILAN BOG'LIQ JINOYATLARNI FOSH ETISH USULLARI, AMALIYOTDAGI MUAMMOLAR VA TAKLIFLAR	383-392
<i>Kamilov Oybek</i> O'ZBEKISTONNING MIGRATSIYA SOHASIDA MINTAQAVIY TASHKILOTLAR VA XORIJIY DAVLATLAR BILAN HAMKORLIGINI RIVOJLANTIRISH MASALALARI	393-402
<i>Абборова Камола Саидмухторовна</i> ВЛИЯНИЕ МЕЖДУНАРОДНОГО КОММЕРЧЕСКОГО АРБИТРАЖА НА ИНВЕСТИЦИОННЫЙ КЛИМАТ УЗБЕКИСТАНА: ПРОБЛЕМЫ, РЕШЕНИЯ И ПЕРСПЕКТИВЫ РАЗВИТИЯ	403-410
<i>Ne'matova Muborak Odiljonovna</i> RAQAMLI FUQAROLIKNING MOHIYATI VA UNI SHAKLLANTIRISHGA OID DOLZARB MUAMMOLAR (O'ZBEKISTON RESPUBLIKASI MISOLIDA)	411-418
<i>Jabbarova Yulduz Ibrohim qizi</i> "HUQUQNI QO'LLASH AMALIYOTIGA SUN'IY INTELLEKTNI INTEGRATSIYA QILISHNING AXLOQIY VA HUQUQIY MASALALARI"	419-427
<i>Agzamova Qizlarxon Baxtiyorovna</i> INSOFLI EGALLOVCHINING HUQUQIY MAQOMIGA OID AYRIM MASALALAR	428-432
<i>Shomirzayev Saxodulla, Sherkulov Azamat</i> VALYUTA QIMMATLIKLARINI BOJXONA CHEGARASIDAN OLIB O'TISH BILAN BOG'LIQ HUQUQBUZARLIKLARNI ANIQLASH VA JAVOBGARLIK ASOSLARI	433-441
<i>Jumanazarov Faxriddin Erkinovich</i> KONTRAFAKT MAHSULOTLAR KONTRABANDASI NATIJASIDA INTELLEKTUAL MULK HUQUQI BUZILISHINING NAZARIY-HUQUQIY JIHATLARI	442-448
<i>Ergashev Sharifjon Shuhrat o'g'li</i> YASHIRIN IQTISODIYOTNING JAMIYAT IJTIMOY-IQTISODIY FAOLIYATIGA TA'SIRI VA UNGA QARSHI KURASHISHDA BOJXONA AUDITINING O'RNI	449-457
<i>Mansurov Arslon Askarovich</i> "IJTIMOIY DAVLAT" TAMOYILINING YANGI O'ZBEKISTON SHAROITIDAGI HUQUQIY MAQOMI VA XALQARO TAJRIBA BILAN TAQQOSLAMA TAHLILI	458-463

13.00.00 – PEDAGOGIKA FANLARI

<i>Abdullayev Yashnarjon Mahkamovich</i> "JISMONIY MADANIYAT NAZARIYASI VA METODIKASI" FANIDAN NAZARIY MASHG'ULOTLARNI O'TKAZISH METODIKASI	464-470
<i>Yusubjanova Musharraf Tursunali qizi</i> EHTIMOLLAR NAZARIYASI VA MATEMATIK STATISTIKANI UMUMTA'LIM MAKTABLARIDA O'QITISH: XORIJIY TAJRIBA VA ILMIY YONDASHUVLAR	471-475
<i>Fayzullayeva Gulchexra, Kurbonova Gulmira</i> BO'LAJAK O'QITUVCHILARDA KOLLABORATIV O'QUV MUHITINI LOYIHALASH KO'NIKMALARINI RIVOJLANTIRISH: INNOVATSION YONDASHUVLAR VA ISTIQBOLLAR	476-481

<i>Yaqubov Fazliddin Muxitdinovich</i> ILMIY-TADQIQOTCHILIK KOMPETENTLIGINING MAZMUNI VA TARKIBIY TUZILISHI.....	482-485
<i>Mirsanova Moxira Xusniddin qizi</i> FANTASTIK IFODA SHAKLLARI VA UNING BADIYYATI	486-491
<i>Tursinova Zoxida Sharabidinovna</i> TA'LIM SIFATINI OSHIRISHDA MAKTAB O'QITUVCHILARNING PEDAGOGIK MAHORATINI BAHOLASH MEKANIZMLARINING TAKOMILLASHUVIDA TA'LIM MENEJMENTINING O'RNI	492-496
<i>Раббимова Нодира Таштемировна</i> ТЕХНОЛОГИЯ РАЗВИТИЯ КРИТИЧЕСКОГО МЫШЛЕНИЯ ПРИ ПРЕПОДАВАНИИ ИНФЕКЦИОННЫХ БОЛЕЗНЕЙ В ВУЗЕ	497-501

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RESEARCH ON THE INDEPENDENCE OF THE INTERNATIONAL CRIMINAL COURT

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Abstract. The fundamental component in guaranteeing judicial equity is judicial independence, which is a contemporary justice norm. Research on the International Criminal Court must include consideration of the court's autonomy. Preserving the International Criminal Court's autonomy is crucial to its proper functioning. Since its early stages of preparation, the International Criminal Court has placed a premium on maintaining its independence. The Rome Statute has put in place a number of rather comprehensive mechanisms to prevent other subjects of international law, particularly a handful of Western States, from interfering with the International Criminal Court.

Keywords: international criminal court, independence, international criminal law.

XALQARO JINOYAT SUDINING MUSTAQILLIGI TO'G'RISIDAGI TADQIQOTLAR

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Annotatsiya. Sudlarning adolatligini kafolatlashning asosiy komponenti sud mustaqilligidir, bu zamonaviy adolat me'yoridir. Xalqaro jinoiy sud bo'yicha tadqiqotlar sudning mustaqilligini ko'rib chiqishni o'z ichiga olishi kerak. Xalqaro jinoiy sudning avtonomiyasini saqlab qolish uning to'g'ri ishlashi uchun juda muhimdir. Tayyorgarlikning dastlabki bosqichlaridan boshlab Xalqaro Jinoyat Sudi o'z mustaqilligini saqlab qolishga katta e'tibor qaratdi. Rim statuti xalqaro huquqning boshqa subyektlari, xususan, bir nechta G'arb davlatlarining Xalqaro Jinoyat Sudi faoliyatiga aralashishiga yo'l qo'ymaslik uchun bir qator keng qamrovli mexanizmlarni o'rnatdi.

Kalit so'zlar: xalqaro jinoiy sud, mustaqillik, xalqaro jinoyat huquqi.

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MAIN PART (RESULT AND DISCUSSION)

The independence of the International Criminal Court means that the When it comes to fighting the most heinous crimes that affect the whole world, the International Criminal Court is able to do its job properly because it is independent from any and all parties involved, particularly political interference from sovereign states and international organisations like the UN. Judicial independence is crucial because it serves as a means to an end—the accomplishment of significant societal objectives. For the justice system to function properly, public faith in its impartiality must be maintained.

For the International Criminal Court to continue functioning properly and gaining the trust of all nations, particularly those who have not yet joined, it is imperative that it preserves judicial independence, being a permanent institution of international criminal justice. The following are the essential elements of the International Criminal Court's autonomy:

To begin with, the fact that the ICC and other subjects of international law, primarily sovereign states and international organisations, do not meddle in each other's power operations or fall prey to improper political interference is what is meant by the ICC's independence. Sovereign nations and the International Criminal Court are on a same footing, hence the ICC cannot be considered superior to sovereign states. Sovereign nations and the International Criminal Court may work together efficiently within this institutional structure to prevent interference from both parties. Among international organisations with which the International Criminal Court maintains ties, the United Nations stands out. When compared to the International Court of Justice, the International Criminal Court's approach to its partnership with the UN is much more progressive. Within the United Nations, the International Court of Justice has a secondary role as a constituent entity. All it is is a political instrument for the UN to use in its pursuit of better international relations. As a result, the International Court of Justice lacks the independence and impartiality of a true international court and is prone to political influence. The International Criminal Court stands apart from its sister organisation, the International Court of Justice, as a totally autonomous global court. There is no doubt about whose viewpoint is more powerful; both are equal subjects under international law.

Judges are considered independent when they decide cases without receiving orders from any higher authority or private party. The court's judges constitute its very essence. The responsibility of the court in ensuring that the law is applied correctly and that all parties refrain from interfering is crucial. How well the International Criminal Court functions, how well international criminal judicial authority operates, and whether or not international justice can be really achieved are all directly impacted by the independence with which judges may handle cases. "Only when judges can conduct independent trials can the International Criminal Court as a whole reflect its true independence" [1,p.40].

The International Criminal Court is able to carry out its responsibilities without external interference because of its autonomy in case selection and investigation. This autonomy includes deciding the scope of trial. A system of combined prosecution and trial is put into place by the International Criminal Court. The International Criminal Court has the authority to choose and examine cases, as well as identify the reasons for and targets of prosecution, since it is both an organ of trial and an organ of prosecution. Due to the International Criminal Court's prosecution department's relative independence and lack of subordination to the trial department, as well as the absence of any scenario in which the trial department actively tries cases, the joint trial and prosecution does not violate the passivity of judicial power. Prosecutors have the authority to initiate their own investigations, known as "the power of self-investigation," and they may do so regardless of whether or not asked to do so. The Rome Statute authorises and places reasonable limitations on the prosecutor's ability to conduct self-investigation. The International Criminal Court's autonomy in case selection and investigation is robustly supported by the prosecutor's ability to conduct independent investigations.

Ensuring the International Criminal Court's budgetary autonomy. Like any other organisation, the International Criminal Court needs funding to operate. Under the Rome

Statute, the International Criminal Court is to be financed primarily by assessed contributions from States Parties and, secondarily, by funds authorised by the United Nations General Assembly, particularly the sums spent on referrals by the Security Council [2].

Despite having put in place a structure to guarantee its independence, the International Criminal Court is nevertheless confronted with significant obstacles, particularly in the following areas:

To begin with, America is against the International Criminal Court. A permanent international criminal court institution was always something that the US was on board with. Back in 1998, when the United States was still planning to take over the International Criminal Court, it was actively advising the Rome Diplomatic Conference. A growing number of nations' progressive leaders, however, have spoken out against the US's plan to create an international criminal court, thereby sending a negative message [3,p.878-879].

The US has now joined the ranks of those who actively work to undermine the ICC. The country has done more than just decline to join the ICC; it has also used legal gaps in the Rome Statute to undermine the ICC's authority.

There are nations that do not have faith in the ICC. It is only recently that the International Criminal Court has begun operations. The question of whether it can emerge from political meddling, establish itself as an impartial and autonomous international court, and assume leadership of international justice is an open one. People are understandably concerned when they consider the history of international criminal justice systems. The United States and NATO's massive interference in the International Criminal Tribunal for the former Yugoslavia is the most prominent example. The United States and NATO were found guilty of war crimes, although the Serbs on the losing side were the only ones convicted. We still have a ways to go before we have an independent and unbiased international criminal trial system, as the world saw with the International Criminal Tribunal for the former Yugoslavia's blatant prejudice. Consequently, the International Criminal Court is still viewed with considerable scepticism by many nations, especially regional and global superpowers like India, Russia, and China.

The institutional design of the International Criminal Court is only one tiny part of the long-term systematic endeavour that is destined to be improving the court's independence. A more impartial and rational international order is being put in place alongside efforts to strengthen the International Criminal Court's independence; the two processes are complementary and mutually supportive. To make the International Criminal Court more impartial, we may think about these two things:

In response to the U.S. sabotage, the international community has moved swiftly. The countries who are staunchly behind the ICC have been fighting tooth and nail. Some nations, including Canada, the Netherlands, Germany, and France, have flat-out refused to join the US in a bilateral non-surrender pact. The ICC has the authority to do something constructive. To render the US effort to weaken the International Criminal Court null and void, Congress must either amend the Rome Statute or pass a new statute to guarantee the proper execution of the ICC's authority and protect its autonomy.

In order to allay global fears, the International Criminal Court is up against sabotage by the US, a lack of confidence on the part of certain nations, and undue constraints imposed by the UN. The prosecutor's authority to self-investigation and the International Criminal Court's insufficient supplementary jurisdiction have raised worries about potential misuse. If the

system and processes are strengthened, any negative influence they may have can be entirely eliminated. These mechanisms are already in place and will, by definition, become better as time goes on. Still, the International Criminal Court has to demonstrate in action that it won't let certain powers use it to meddle in other nations' domestic affairs. This is the only way for these non-participating nations to gain faith in the ICC and, maybe, become members. Conversely, academics should advocate for the study of criminal and international law and make the rationality of the International Criminal Court's relevant systems widely known; this will go a long way towards easing international tensions.

An important step towards a more just and civilised world is the creation of the International Criminal Court. Peace and stability on a global scale will be advanced by the International Criminal Court. Guaranteeing the International Criminal Court's independence is crucial, since it will allow the court to continue making significant contributions to human civilisation, similar to other national and international legal organisations.

CONCLUSION

In order to ensure the independence of the International Criminal Court, the Rome Statute stipulates the independence of the court's own legal status, the independence of judges and other major public officials, the independence of court selection and investigation of cases, and the financial independence of the court. It attempts to comprehensively and systematically protect the International Criminal Court from improper interference, especially political interference. However, the International Criminal Court still faces many challenges, mainly interference and sabotage from major powers such as the United States, insufficient trust in the International Criminal Court by the international community, and the relatively strong restraining role of the United Nations. In this regard, the International Criminal Court lacks a clear response. It is suggested that the International Criminal Court should prevent the sabotage of the United States by improving the system and win the general confidence of the international community through extensive publicity of the court system and fair judicial practice. The International Criminal Court will stabilize the world order and promote world peace and security. Like other international and national legal institutions, the International Criminal Court will make greater contributions to the further enlightenment of mankind.

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