

LEGAL STATUS OF PRISONERS: A COMPARATIVE LEGAL ANALYSIS ACCORDING TO THE CRIMINAL LAW OF UZBEKISTAN AND BELARUS

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Abstract: *A comparative analysis of the impact of the reforms in the criminal executive legislation of the Republic of Uzbekistan and Belarus on the legal status of prisoners was made.*

Key words: *Criminal executive legislation, rights, prisoners, getting legal aid, education, medicine, protection of rights.*

The Criminal Executive Code of the Republic of Uzbekistan was adopted on October 1, 1997 and is valid in the jurisdiction of Uzbekistan on the territory of the Criminal Executive Legislation. The main task of the criminal executive legislation of the Republic of Uzbekistan, that is, the Criminal Executive Code, is to ensure the execution of punishment, moral correction of prisoners, prevention of crime, protection of the rights, freedoms and legal interests of prisoners.

Chapter II of the Criminal Executive Code of the Republic of Uzbekistan defines the legal status of prisoners, and prisoners are given all the rights and freedoms granted to citizens of the Republic of Uzbekistan, taking into account the exceptions and limitations established by this code and other laws. The rights and obligations of prisoners are given based on the procedure and conditions of execution of a certain type of punishment. The prisoners are as follows:

The right to receive information, that is, to receive information about the procedure and conditions of serving the sentence, about one's rights and obligations;

The right to appeal to the administration of a penal institution or body, other state bodies, i.e. to appeal to them with a complaint, proposal and application;

Receive answers to applications, complaints and proposals in the language addressed;

To use the services of an interpreter, i.e. to provide explanations and conduct correspondence, as well as to use the assistance of an interpreter in necessary cases;

Use of educational, artistic and informational materials;

Obtaining medical care, i.e. health care, at the same time using medical services in outpatient clinics and inpatient conditions according to a medical report;

Doing physical exercises in the fresh air during free time;

To receive psychological help, i.e., only with the consent of the prisoners sentenced to deprivation of liberty, the staff of psychological services in the penitentiary can conduct psychological activities;

In accordance with the legislation on labor, convicts have safe working conditions, rest, leave and pay for work;

Receiving pension and social security;

Communicating with diplomatic missions of convicted foreign citizens;

Convicts detained in places of deprivation of liberty for crimes of low social risk and not very serious can participate in elections;

Obtaining legal assistance;

The right of prisoners to personal security;

The rights of freedom of conscience are defined in the Criminal executive Code.

As a result of today's reforms, it is expected that the right of prisoners to use the Internet will be introduced in the coming years. That is, in the addendum to Article 781 of the Internal Procedure Rules of the Institutions of Deprivation of Liberty of the Ministry of Internal Affairs of the Republic of Uzbekistan:

Prisoners detained in penal institutions will be allocated a separate room by the administration of penal institutions for the use of electronic state services, including notary services, and this room will be equipped with a web camera and computer equipment connected to the Internet⁶⁰.

In addition, in the newly proposed version of the Criminal Procedure Code, a number of changes and additions are made to the second chapter, which is called "Legal Status of Convicts", along with changing the name of the "Criminal Procedure Code" to "The Code of Punishment". In particular, the right of prisoners to receive education, the right to have safe working conditions, and the right to provide explanations are being expanded.

Belarus

According to the Criminal Law of Belarus, the state guarantees the protection of the rights, freedoms and legal interests of prisoners.

Rights of prisoners:

He has the right to receive information about his rights and obligations, procedures and conditions, as well as information about all changes from the administration of the court-appointed penal institution;

Prisoners have the right to be treated with courtesy by the administration of the penal institution. That is, it is not possible to treat any person in a discriminatory and inhuman manner;

Not to conduct any medical or other type of experiments against the life and health of prisoners despite their consent;

Prisoners, foreign citizens and stateless prisoners have the right to apply in their own language, they can apply to the court, prosecutor's office and the administration of

⁶⁰ <https://lex.uz/ru/docs/221621>

the penal institution with suggestions, complaints and applications, and the right to receive an answer in the language addressed;

The right to take care of one's health, that is, the right to use medical services;

The right to exercise;

The right to receive social security;

The right to receive legal assistance from legal service providers or lawyers;

Foreign prisoners have the right to communicate with their diplomatic missions

The right to freedom of conscience, i.e., to conduct or not to conduct religious rituals for a prisoner in a prison, either individually or together with other prisoners, in addition, prisoners may be allowed to visit places of worship;

Prisoners have the right to personal security.

	Rights of prisoners	Uzbekistan	Belarus
1	<u>Freedom of conscience</u>	✓	✓
2	<u>Personal security</u>	✓	✓
3	<u>Communication with diplomatic missions</u>	✓	✓
4	<u>Getting legal help</u>	✓	✓
5	<u>Get psychological help</u>	✓	✓
6	<u>Doing physical exercise</u>	✓	✓
7	<u>Get medical help</u>	✓	✓
8	<u>Addressing/using an interpreter</u>	✓	✓
9	<u>Get information</u>	✓	✓
10	<u>Social security</u>	✓	✓
11	<u>Use of information materials</u>	✓	✓
12	The right to humane treatment	✗	✓
13	Do not experiment on prisoners	✗	✓
14	Participation in elections and referendums	✓	✗

In conclusion, we can emphasize that the rights of convicts specified in the criminal executive code of the Republic of Uzbekistan should be added. In order to ensure the freedom of conscience, it is necessary to provide conditions for individual or group prayer to persons deprived of their freedom, in addition, to provide information about this, i.e., to priests or other persons deprived of liberty by the administration, about the creation of these conditions, which depends on this freedom of conscience. liq must

convey all the information. I believe that it is necessary to add to the Criminal Executive Code of the Republic of Uzbekistan the value of human beings, that is, to be kind to prisoners, to include the rights of prisoners, and to ensure that no medical or other experiments are carried out against the health and life of prisoners.

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