



VIOLATIONS IN THE FIELD OF PROTECTION OF CULTURAL HERITAGE OBJECTS.

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ABSTRACT

The analysis of legal cases involving the protection of cultural heritage artifacts and the sanctions imposed upon the violators is the focus of this article. The reforms that our nation has implemented in this area are also examined here. The reforms that our nation has implemented in this area are also examined here.

Regardless of their level of living, social standing, or political standing, representatives of many ethnicities have focused their attention on cultural values. Some consider it to be a way of life, while others see it as a means of generating income or meeting cultural requirements. The examination of the legislative environment revealed a high volume of infractions pertaining to the preservation of cultural heritage items. Finding a solution to the issue of protecting cultural heritage items and working to stop infractions in this field are considered indicators of each nation's population's degree of cultural development. Following our nation's independence, cultural values were viewed very differently, and state policy began to prioritize conveying the historical truth back to the people in its original form. There are 8,208 tangible cultural heritage items in our nation as of right now. 4,748 of these are architectural monuments, 2,250 are archeological monuments, 678 are monumental art monuments, and 532 are sites of attraction. The information indicates that human activity, climate change, natural disasters, and armed conflicts have severely damaged historical and artistic value of world heritage objects and other heritage objects in Uzbekistan and around the world, despite recent efforts on the protection, conservation, and legal regulation of cultural heritage objects. Damage to historical or cultural monuments is defined as partial damage or a reduction in the monuments' overall value.[1]

It is the responsibility of each and every citizen to protect, honor, and handle with care historical and cultural heritage assets. Article 61 of our Constitution expresses this further: "Citizens must preserve the historical, spiritual, cultural, scientific, and natural heritage of the people of Uzbekistan."

The state is required to safeguard cultural, scientific, historical, spiritual, and natural assets. Article 10 of the Law "On the Protection and Use of Cultural Heritage Objects" further states that cultural heritage items are state-protected, meaning that the agencies in charge of

implementing state administration in this area are in charge of keeping an eye on them. A system is created by organizational, financial, legal, informational, material-technical, and other measures.

Those who breach the Law of the Republic of Uzbekistan "On the Protection and Use of Cultural Heritage Objects" face either criminal or administrative penalties. As an example, administrative liability for breaking the Republic of Uzbekistan's Code of Administrative Responsibility, specifically Article 64, is established for violations of the guidelines for the preservation and use of material cultural heritage objects. For citizens, a violation carries a fine of thirty to fifty times the base calculation, while for authorities, the fine ranges from fifty to one hundred times. State-protected material cultural heritage can be found in real estate item protected areas, specifically protected historical and cultural areas (such as places inscribed on the World Heritage List for their historical and cultural significance), and in their protected regions. If you construct or demolish buildings, structures, or other items that are not protected as cultural heritage without getting the necessary permissions, you risk fines ranging from fifty to one hundred times the basic calculation for citizens and from one hundred to one hundred fifty times for officials, as well as administrative imprisonment lasting up to fifteen days. According to the provisions of Article 641 of this Code, any act of disdainful treatment towards objects of material cultural heritage, such as their destruction or desecration, including historical and scientific significance, or acts that diminish or ridicule their artistic or special cultural value, will result in a fine equivalent to five to ten times the base calculation amount.

Additionally, according to Article 190 of the Civil Code of the Republic of Uzbekistan, government agencies tasked with the preservation of historical and cultural monuments have the authority to caution their owners to cease treating the monuments like bastards if they treat them carelessly and fail to ensure their proper preservation. The appropriate authorities assert that in the event that the owner fails to comply with this requirement, the court may decide to seize the monument, at which point it will become state property. In cases where it is impossible to delay, a claim for the seizure of a historical and cultural monument may be initiated without prior notice. The value of the removed historical and cultural monument shall be paid to the owner in the amount specified in the agreement, and in the event of a dispute - in the amount determined by the court.

Article 132 of the Criminal Code of the Republic of Uzbekistan establishes liability for the destruction, destruction, or damage to objects of tangible cultural heritage. If the destruction, destruction, or damage results in a significant amount of damage, it can be punished with a fine equal to one hundred to three hundred times the base calculation amount, up to three hundred and sixty hours of community service that must be completed, or up to three years of correctional work. A criminal action may only be brought in instances of intrusion on historically and culturally significant areas that are protected by the state.

The national wealth of the Uzbek people is their cultural history, which is being studied, preserved, and used through a variety of initiatives. Specifically, the Koran of Usman, the collection of manuscripts of the Institute of Oriental Studies named after Abu Rayhan Beruni, the documents of the Khiva Khanate Cabinet, the historical centers of the cities of Bukhara, Samarkand, Khiva, and Shahrisabz are included in the list of UNESCO World Cultural Heritage; "Baysun cultural environment," "Shashmaqom music," "Navroz," "Katta ashula

(Huge song)" "Askiya," "Palov culture and "traditions" candidates were included in the representative list of the Intangible Cultural Heritage of Humanity.

The scope of work on the protection of cultural heritage objects in our nation has significantly expanded in the subsequent years, thanks to the initiative of our president. The state administration has undergone a fundamental reform and the competent state bodies for the protection of cultural heritage have been reorganized. In other words, the Agency of Cultural Heritage under the Ministry of Tourism and Sports replaced the Department of Cultural Heritage under the Ministry of Culture of the Republic of Uzbekistan. Its specific duties and authorities were also established, and it was available to the public to report any inadequacies and legal infractions that were found. It was ensured that a transparent mechanism would be implemented.

Furthermore, the national values and spiritual heritage of the Uzbek people should be conserved and promoted in the State program for the fulfillment of the Development Strategy of New Uzbekistan for 2022–2026 in the year "Glorification of Human Value and Active Neighborhood". and obtaining the inclusion of intangible cultural heritage assets in the pertinent lists of UNESCO and other international organizations was designated as one of the key tasks in order to promote the state's development.[2]

It should be mentioned at this point that the Agency of Cultural Heritage is not the only organization responsible for protecting cultural heritage items and ensuring that they are preserved for future generations in their original condition. It is influenced by the state's cultural past in addition to the wealthiest and poorest citizens. It is our collective responsibility to save these monuments. As a result, we ought to make it more difficult for someone to be held accountable for the destruction of cultural property or its objects, and we ought to classify as serious crimes any actions that cause significant harm to historical artifacts. Because, as a result of the illegal conservation works carried out in our ancient monuments with a thousand-year history, a large amount of irreparable damage was caused. There is no way to restore lost or damaged objects of material cultural heritage to their original state, and it is impossible to restore their uniqueness. Today, according to the wording of Article 132 of the Criminal Code, such cases belong to the category of crimes with low social risk. This is a light punishment measure for those who commit crimes of this category. According to the results of studies conducted by the General Prosecutor's Office, 17 criminal cases were initiated in this direction in 2017-2021. According to statistical data, a unique system of violation prevention for this kind of offense must be implemented. [3]

On the other hand, according to R.B. Bulatov "cultural values" are distinct, legally protected byproducts of human labor that hold significant historical, scientific, artistic, or other cultural worth for society. that is, they highlighted how they act as a bridge between many generations, possess a distinct historical character, and contribute to the development of essential personal traits.[4]

In summary, the legislative analysis revealed that nearly every state currently has laws governing the preservation of cultural artifacts. These laws serve to create a legal framework for cultural heritage objects, identify and consider cultural properties, and regulate matters pertaining to their use, preservation, restoration, and other related concerns. Therefore, in addition to enriching this work and emphasizing to our citizens the value of cultural heritage items, we also need to intensify our propaganda efforts and raise awareness of the need for

citizens to preserve our history.

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