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DIRECTIONS FOR IMPROVING MASS MEDIA AND INFORMATION RIGHTS

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Abstract. The article analyzes the priorities for improving the activities of the mass media in the field of public control, including the opinions of several scientists about the activities of the mass media in the implementation of public control, as well as the legal basis of public control. In addition, in the civil society that is being established in our country, state authorities and officials are under the control of the general public based on the Constitution and laws, and state agencies and officials are “hired servants” of civil society and are responsible to the people, in particular, the principles of communication with the people, the state to citizens. It is highlighted that the principles of service provision are important in ensuring the implementation of laws on the liberalization of public life, as well as public control over the activities of state authorities and management bodies; in a word, establishing a sufficient level of public control is a requirement of today. At the same time, proposals and recommendations have been developed in order to further accelerate reforms in the way of building a civil society and to improve the activities of mass media directly related to public control in ensuring the rule of law.

Keywords: information, public information, right to information, public control, transparency, mass media.

Introduction

If we study the activities of the mass media related to the implementation of public control, it should be noted first of all that the main activity of the mass media is carried out with the help of information. It is difficult to imagine the activity of mass media without information. Therefore, the effectiveness of the mass media depends on how quickly, reliably, and accurately they receive information.

In this regard, President Shavkat Mirziyoyev said: “Media companies of Uzbekistan strive to take a worthy place in the world information field and actively participate in global political and social processes; for this, they need to work tirelessly, with advanced foreign experience, modern information technologies, and brilliant analysis. It is necessary to master the methods, to live in constant search, and to

educate a new generation of domestic journalism.

Creating convenient opportunities for citizens in the sphere of information and strengthening the role and influence of mass media in exercising public control over the activities of state authorities and government bodies is another of our priorities.

Preventing media workers from freely carrying out their activities within the law should be seen as an action against our democratic reforms and a damage to the reputation of our country. The court and prosecutor's office should take strict measures against such negative situations, which we are not at all satisfied with" [1].

Mass media and information rights play a crucial role in modern society. However, several issues in these areas hinder the ability to access and disseminate information freely. These issues include the following:

- Freedom of Information: In many countries, governments implement laws and practices that restrict freedom of information. This negatively impacts journalists' work, the right to access information, and citizens' freedom of expression.

- Privacy of Information: Problems related to the protection of personal data and state secrets are emerging. The increasing instances of unauthorized collection and use of personal data raise significant concerns.

- Reliability of Information: The spread of fake news and disinformation raises doubts about the credibility of information. This leads to misconceptions in society and results in unwise decision-making.

- Digital Divide: The lack of digital infrastructure and the existence of a digital divide deprive certain societal groups of access to information. This contributes to information inequality.

Practical Statistics:

- Press Freedom Index: As of 2023, many countries rank low on the press

freedom index, with Uzbekistan standing at 157th place among 180 countries (Reporters without Borders).

- Personal Data Security: In a 2022 survey, 70% of respondents expressed concerns about their personal data. These concerns primarily stem from the use of online services (Pew Research Center).

To address these issues and improve information rights, it is essential to develop clear directions focused on ensuring freedom of information, protecting personal data, and enhancing the credibility of information. This, in turn, will contribute to the development of a fair and democratic society.

Material and methods

The article uses the method of historicity and provides information about historical forms of public control. Additionally, it outlines the views of scientists on public control using methods of analysis, synthesis, and comparative analysis. The methods of forecasting, systemic, and functional approaches were also used.

Research results

Firstly, for the first time in our country, the Cabinet of Ministers of the Republic of Uzbekistan No. 203 dated September 22, 2006, "On measures to develop relations with the public of state and economic management bodies" in order to form a prompt reaction of the mass media to the happening events. It was decided to launch the press service in state bodies and organizations.

In addition, the decision of the Cabinet of Ministers of the Republic of Uzbekistan dated 15.02.2018 No. 125, "On measures to further improve the activity of information services of the state and economic management bodies of the Republic of Uzbekistan" was adopted, and according to paragraph 5, paragraph 4 of the regulation approved by this decision, it is established to provide information to mass media and journalists in oral and written form (including in the form of an electronic document) based on their request.

At the same time, the President of the Republic of Uzbekistan, Sh.M. Mirziyoyev's decision No. PD-4366 dated 27.06.2019 "On additional measures to ensure independence of mass media and development of information services of state bodies and organizations," the press services were assigned the task of "monitoring and analyzing the information space, quickly reacting to critical and widely discussed information attacks, and organizing work on the dissemination of information related to the activities of relevant state bodies and organizations in the mass media and the Internet."

However, today we cannot say that the fulfillment of these tasks is in a satisfactory state. The reason is that we can see that these tasks are not carried out with the same responsibility in the press services of all state bodies and organizations, because the fulfillment of these tasks is related to social responsibility, and there is no responsibility even if they are not fulfilled. We can observe this a lot in social networks, which today have become a unique platform for public control. When the subjects of public control cannot get the information they need or their rights are not resolved within the framework of the law, they are forced to speak on social networks.

At this point, it should be noted that Article 322, Clause 3 of the Criminal Procedure Code stipulates that media reports are the basis for initiating a criminal case.

Failure to respond quickly to the messages appearing in social networks and mass media will have a negative impact on the positive image of that organization and our country.

Therefore, to provide explanations and comments on materials related to the activities of state bodies and the behavior of officials, the Law "On Mass Media" was supplemented with Article 352. This article was renamed "State Power and Management: The Authorities' Response to Relevant Messages Published in the Mass

Media." It stipulates that "the information service or responsible persons of the relevant state authorities and management bodies must respond to materials published in the mass media within 2 days." We believe that this norm should be further elaborated.

Secondly, due to the widespread use of information technologies today, it is necessary to further improve the activities of the mass media. Simultaneously, new branches of jurisprudence are emerging as a result of technological advancements, such as information law, cyber law, and digital technology law.

Technical and technological achievements have accelerated the collection of information and the implementation of information exchange. In the information society, the role of law as the primary mechanism for regulating social relations is increasing dramatically. However, as the information society develops more rapidly, legislation must also evolve to regulate it effectively.

For the first time in our country, in 2021, a master's program in mass media law was introduced at Tashkent State Law University to study mass media from a legal perspective. This is one of the initial steps in developing the right to information in our country. However, this alone will not solve the problem, as society's demand for information is high in today's globalization context, and the current situation requires legal regulation of the information space.

Additionally, the formation of the right to information is closely linked to the development of the information society. We highlight the following features of the formation of the information society:

1. Availability of information infrastructure (cross-border information telecommunication networks and resources).
2. Public access to personal computers and their connection to cross-border information and telecommunication networks.
3. Availability of networks and virtual spaces with new forms and types of

work in cross-border information and telecommunications.

4. Ability to receive cross-border information almost instantly.

5. Speed of communication.

6. Integration of mass media with cross-border information and telecommunication networks.

7. Absence of geographical and geopolitical boundaries for participating countries in cross-border information and telecommunication networks [2].

It is important to note that a new branch of jurisprudence called Information Law is emerging in our country. In discussions about information law as a distinct field, a fundamentally important question arises: can traditional classifications of legal branches be applied to separate this field?

In this regard, a lawyer, Z.M. Islamov, expressed his opinion and explained as follows: “nowadays, the existence of two principles, i.e., the subject of legal regulation and the method of legal regulation, should be the basis for the separation of a particular legal institution from the legal system as a separate field of law” [3].

In our opinion, in addition to this, each field of law should have its own subject, object, and subject in addition to the method of regulation.

J. Abdullaev shows the system of information law as the subject of information law [3]. In our opinion, since information law is a developing science, it has not yet been systematized, so it is more correct to take the system of legal documents in the information field as the subject of information law.

As for the methods of information law, J. Abdullaev, a legal scholar who has conducted research on information law, does not have special methods like civil law and criminal law, as information law is a complex field. It notes that it is a field that uses all classical branches of law, including constitutional law, administrative law, criminal law, and civil law.

N.O. Yakubenka expressed a similar opinion to J. Abdullaev’s opinion and at the same time mentioned several methods. In particular, according to him, “In the study of information law, we mainly use the methods of legal science that are used in specific legal sciences. Among the main methods of information law, the following can be distinguished:

1. Official method. Usually, this method is used first in research; its essence is the legal processing of legal material. This method includes procedures such as description and analysis of information-legal norms and legal relations, their interpretation, classification, and systematization of events, concepts, norms, legal relations, acts, and institutions.

As a result of applying the formal method, knowledge about the law of information is entered into the system in the form of a clear presentation, convenient for memorization and further study.

The comparative legal research method is based on comparing two or more similar elements of information law (institutions, norms, concepts, etc.) with elements of other national legal systems (American, European, etc.).

The method of applying to the sciences studying other related fields of law allows to use and effectively apply the rules and conclusions developed by these sciences in the system of information law. Thus, methods of the general theory of law, constitutional law, administrative law, civil law, financial law, criminal law, and other areas of law can be effectively used in the study of information law.

In order to evaluate the effectiveness of the practice of applying the norms and rules of the information law in certain conditions, it is possible to use the sociological research method in monitoring the activities of the subjects of the information law. The research tool of this method is based on questionnaires and surveys of subjects of specific legal relations.

Personal observation plays an important role in this method. It is in the process of personal observation that factual material is collected that cannot be obtained in any other way.

Methods of statistical processing of the collected material are of great importance, and their use allows to determine the characteristics and repetition of events and facts in the information law system.

Algorithms for studying the information law system, describing the structures and elements of this system, and describing the behavior of subjects of information legal relations and modeling methods are actively used.

The systematic approach method can be used as a universal comprehensive method based on a detailed and comprehensive study of all possible ways, methods, and options for solving the problem at all stages and stages of studying information law, its elements, and its parts [4].

In our opinion, in addition to this, we can say that as a result of the development of information law as a legal science, new methods may be added. We can see this in the following: the right to information is directly related to the Internet, which is a new space of human civilization and is considered as a new network of law enforcement. For this reason, it is clear that special methods of legal regulation of information law, which are implemented in the Internet space and telecommunication networks, will appear. In other words, a person not only uses telecommunication networks, but also enters into legal relations through them and, as a result, feels legal regulation in telecommunication networks. An example of this can be seen when the Internet has become the basis of our daily activities.

If we dwell on the object and subject of the right to information, social relations in the field of information, that is, the processes of obtaining, collecting, processing, storing, searching, transmitting, distributing, and consuming information, are considered as the object

of the right to information. State bodies and organizations, legal entities, and individuals who are participants in the processes can be considered as subjects of the right to information.

Sources of information rights mean forms of expression of information legal norms. The basis of the sources of information law is currently actively developing normative legal documents of information legislation, court decisions, and other law enforcement documents.

Analysis of research results

If we look at the study directions of information law, a lawyer, J. Abdullaev, indicates the following as study directions of information law:

- "Learning the concepts, phrases, and definitions of information law used in this legal system;

- Researching the characteristics of information law as a separate field of science and its relationship with other disciplines;

- To study the structural structures and institutions of the field of information law, their joint and separate development with each other;

- To study the types of information distribution tools and the specific characteristics of newly formed information distribution tools;

- Systematic analysis of informational legal norms, in particular, their structural features and completeness of content and legal gaps;

- Studying information legal relations as a unique relationship, researching their subjects, the level of participation of officials in information legal relations, rights and obligations;

- To study and develop the principles of the science of information law, to study the characteristics of informational objects that cause the origin of these relations;

- Studying the sources of information law, that is, legislation in this area, court decisions, and other law enforcement documents;

- Studying the issues of systematization and codification of information law norms” [3].

In our opinion, the above opinions of J. Abdullaev do not fully cover the right to information. In our opinion, in order to supplement the above opinions of J. Abdullaev, the following can be cited as the study direction of the right to information:

- Classification of information resources and information resources;

- State policy in the field of information society formation;

- Nature of the right to information;

- Information-legal relations that arise when searching, receiving, and consuming information, information resources, information products, and information services;

- Information-legal relations arising in the production, transmission, and distribution of information, information resources, information products, and information services;

- Information-legal relations arising in the process of creating and using information systems, their networks, means, and mechanisms for ensuring information security;

- The right to search and obtain documented information from government information resources;

- Protection of the right to information. Liability for violation of the right to use information;

- Concepts and types of subjects of information law;

- Information security;

- Legal regulation of information relations in production and distribution of programs and databases for EHM;

- State secret as an item excluded from civil circulation;

- Procedure for creating and using information systems and their networks. Information communication systems: Internet, e-mail, digital communication, etc.;

- Mass media;

- Legal status of the journalist;

- Protection of rights to trade secrets;

- Personal information;

- State regulation of personal data processing;

- Legal regulation of relations in the field of communications and telecommunications;

- Main directions of legal regulation of information relations on the Internet;

- Security of personal data;

- Economic and legal aspects of librarianship;

- Access to archival funds and the procedure for using archival documents;

- Publication of regulatory legal documents in mass media;

- Librarianship;

- Rights of citizens in librarianship.

If we analyze the relationship of the right to information with other areas of jurisprudence, it is noted that, first of all, this area of law is related to the constitutional right in terms of creating the foundations of the rights and freedoms of a person to information and the creation of legislative documents aimed at regulating information relations, says M.A. Lapina [5].

In our opinion, it can be said that the right to information is related to the constitutional right because it includes the constitutional right of a person to information; that is, it can be said that it is a field of law formed from the constitutional right.

It is related to administrative law in terms of the formation of information resources related to the activities of mass media and the regulation of administrative management relations in terms of information distribution [6].

In our opinion, the above points are not complete when expressing an opinion about the connection of the right to information with administrative law because the processes of state registration of information distributors are also regulated within the framework of administrative law.

In addition, the right to information is related to the civil right in terms of the

regulation of property and personal non-property relations related to information. For example, the materials given in the mass media may be the object of someone's copyright or the materials appearing in the mass media may cause material or moral harm to someone, and this is regulated by civil law.

Information law, like other areas of law, is structured into two main parts: General and Special [7].

The General part of the right to information: focuses on the basic concepts, general principles, legal forms, and methods of legal regulation of information activities. The content of the subject and method of legal regulation of information relations are highlighted, and the source of the right to information is described [8]. The legal regulation of relations in the implementation of the right to search, receive, and use information is studied; independent circulation of information [9]; access to documented information [10]; determination of the legal regime of information technologies and their support tools, as well as information security; legal problems of the Internet as a virtual information field are formed [11].

The special part of information law includes separate institutions of information law, in which information legal norms with similar semantic content are grouped [12]. These are two groups of institutions. Institutions that include norms regulating public relations [13] regarding open, public information circulation (intellectual property in relation to information objects, public information, librarianship, and archival work) and limited information (state secrets, commercial secrets, personal data) [14].

Based on the above, we can say that individuals have the right to receive the information they are interested in, whether it is directly related to them or not, in the state or in institutions and organizations. In other words, freedom of information is also defined as the right to use information held by the state and

public institutions. Freedom of information is one of the most important constitutional rights of a person; therefore, in many foreign countries, the right to information is studied as a separate area of law and is aimed at legal regulation of information relations.

Conclusion

Information law (information and communication law) is a field of law that regulates legal relations related to the collection, storage, processing, distribution, and use of information. This field is divided into two parts: the general part and the special part. The general part includes general principles and concepts of information law. This section includes: Freedom of Information: The right of every person to receive and impart information. Information Security: Ensuring the integrity, confidentiality, and availability of information. Lawfulness of Information: Adherence to legal norms in the use of information. Personal data protection: protection of the rights of the individual in the collection, storage, and processing of personal data. State information systems: defines the legal basis of state-controlled information systems and their management procedure.

The special part contains norms regulating specific legal relations related to specific areas of information law. This part includes: E-commerce: legal relations related to the implementation of commercial activities over the Internet. Information Technology Law: Legal issues related to the use of information technology, software, and hardware. Internet Law: Legal relations related to the dissemination and use of information on the Internet. Media Law: Legal norms governing the activities of mass media. Copyright and Intellectual Property Rights: Rules governing copyright and intellectual property rights in information products. Information law is an ever-evolving field that is updated along with changes in technology and the process of information exchange.

If we look at the experience of developed countries in this regard, “In European countries and the United States, the field of information law is called information law, law relating to information, and the mass media we are studying is also studied within this law.”

In addition, “In the CIS countries, the Russian Federation and Belarus have recognized the right to information as a separate legal discipline, research is being conducted in this field, and scientific research protections are being implemented under the specialty code 12.00.04. In the Republic of Moldova, studies are carried out in the specialty code of information law 12.00.02; the branch of jurisprudence also studies mass media.

Based on the above, we can say that in our country we need to study information law as a separate field of jurisprudence. The main indicator in this is the development of information law teaching methodology and textbooks and training manuals, lecture texts, and materials for conducting practical seminars, as well as high-class specialists in the field of information law (legally, we think that it is necessary to start the preparation of Doctor of Philosophy (PhD) and Doctor of Legal Sciences (DSc)) in science.

In addition to the above, we can also say:

1. **Develop International Cooperation:** It is important to collaborate with other countries to learn about international standards and practices for improving information rights and mass media.

2. **Establish Information Security Strategies:** Strategies and protocols

should be developed to ensure information security between the public and private sectors.

3. **Create Information Exchange Platforms:** Establishing platforms and systems for effective information exchange between mass media and citizens is essential.

4. **Implement Education and Training Programs:** Providing education and training on information rights, ethics, and combating fake news for the younger generation is crucial.

5. **Support Journalists:** Enhancing the professional support and education provided to journalists and information disseminators will help strengthen their activities.

6. **Ensure Freedom of Information:** It is essential to make laws and practices regarding press freedom more democratic and protective of journalists' rights.

7. **Protect Personal Data:** Strict laws and regulations should be developed to enhance the security of personal data and safeguard individual privacy.

8. **Enhance Information Credibility:** Implement educational and awareness programs to reduce the spread of fake news and disinformation in mass media.

9. **Develop Digital Infrastructure:** Improve digital infrastructure to eliminate digital divides and ensure access to information for all.

10. **Disseminate Information Effectively:** Utilize the latest technologies for information and news distribution, including expanding the use of the internet and social media.

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