

**ANALYSIS OF ISSUES OF LEGAL ACTION FOR VIOLATION OF AGREEMENTS  
WITH ATHLETES IN UZBEKISTAN AND FOREIGN COUNTRIES**

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**Annotation.** Issues of liability arise if the athlete does not fulfill the rights and obligations in the sports contract. In this case, additional types of legal responsibility should not be included in the labor law for the employer's responsibility in case of violation of the terms of the contract in case of non-fulfillment of rights and obligations in the field of sports, because the integration of additional measures in the Labor Code of the Republic of Uzbekistan will lead to an increase in the list of sanctions.

**Keywords:** sports contracts, sports coach, sports referees, violation of the terms of the contract, obligations of the athlete, responsibility of the athlete, responsibility of the employer, disqualification in sports

Following the practice in the field of sports in our country, we can note the following: the issue of employers bringing professional athletes to disciplinary responsibility for violating established procedures is not reflected in our national legislation. According to the experience of foreign countries, "... offenses in the field of sports are classified as follows depending on which norms are violated:

- 1) disciplinary violation of the prohibitions directly imposed by the physical education and sports organization, for example: following the training schedule, following the coach's instructions, following the form of training, arriving on time for training, training camps and sports competitions;
- 2) violation of the prohibitions specified in the regulations of the competition, for example: prohibited gestures, disputes with referees, behavior uncharacteristic of an athlete;
- 3) violation of the rules of local documents of physical education and sports associations, for example: violation of the rules of transfer from one physical education and sports organization to another;
- 4) violation of international norms, for example, the use of prohibited drugs"

We can say that when employers decide to bring professional athletes to disciplinary responsibility for violating established procedures, they are not only subject to disciplinary measures (warning, suspension, dismissal) provided for by labor legislation, but also to the guidelines developed by international organizations of physical education and sports. special norms specified in the rules and regulations and local documents are also applied. For example, disqualification in sports. As the mechanism of bringing professional athletes to disciplinary responsibility is not sufficiently regulated in the legislation of our republic, it is difficult to determine the legal essence of such a phenomenon as disqualification in professional sports. But in simple terms, disqualification means removing a professional athlete from competitions, for example, for violating the terms of the contract.

Liability for violation of sports rules has a legal character and indicates the need to distinguish a special type of legal liability - sports and competition. Many sports-related disputes are resolved by an international arbitration body - the Court of Arbitration for Sport.

Regarding the issues of responsibility for violating the rules of sports, if we focus on foreign experience, in accordance with paragraph 19 of the Law of the Republic of Argentina "On the Status of Professional Football Players", "a professional athlete-football player must support and improve his skills and psychosomatic tasks in order to perform sports activities. reduction or loss due to the player's fault is a serious breach of duty".

In Article 1 of the Law of the Republic of Belarus "On Physical Education and Sports" - sports events and the athlete's daily schedule, including training and (or) competitive work schedule,

including periods of rest, nutrition, recovery, participation in medical examinations the order of the athlete's behavior is determined. In this case, the athletes' contracts specify the requirements for discipline and liability for its violation.

Similar provisions are reflected in the labor contracts concluded with our national sports clubs, for example, in the "Dinamo Plus" PFC contract, in case of violation of the sportsman's labor discipline - "fines for late work, sending a plane, train, bus, lack of a valid reason are included." must be". It should be noted that in some mixed sports contracts, the sports regime in sports organizations includes not only exercise and nutrition regime, but also compliance with ethical standards in the field of sports, the principle of "fair play" - compliance with moral and ethical standards both in personal life and in society. is determined. The obligation to observe ethical standards in sports is directly strengthened in the legislation of the Russian Federation<sup>3</sup> and also defined in the Law of the Republic of Kazakhstan "On Physical Education and Sports"<sup>4</sup>.

In the model contracts of professional football clubs of Uzbekistan, there are also requirements for "observance of social, moral and ethical norms in everyday life, games and training", for example: "Regulations for 2020 football competitions between professional clubs of the Republic of Uzbekistan", in clause 4.28, some prohibitions, which states that "Very common provisions in contracts with professional athletes, such as diet (for example, restrictions on the consumption of certain products, tobacco, alcohol), the prohibition of the use of drugs without a doctor's permission, sleep and other forms of personal life are free set rest restrictions. Violation of the Sport regime may be grounds for disciplinary action and dismissal for the athlete"<sup>5</sup>. Therefore, in practice, sportsmen's employment contracts may prohibit the consumption of certain types of drugs and foods containing substances prohibited in sports. However, these characteristics of sportsmen's labor relations are not reflected in our current national laws. Also, the concept of sports regime is not defined in the legislation of Uzbekistan. We remind you that the obligation to comply with the sports regime is wider than the obligation to comply with internal labor regulations, because it affects not only the athlete's working hours. Thus, the regulation of these relations goes beyond labor law.

Touching upon the types of liability for breaching sports contracts, and speaking of criminal liability, we can mention that in foreign experience, that is, in the Criminal Code of the Russian Federation, a number of illegal actions related to sports are classified as criminal. According to Article 2301 of the Criminal Code of the Russian Federation, persuading an athlete to use substances and (or) methods prohibited for use in sports is punishable by a fine or restriction of freedom and provides the possibility of applying additional sanctions in the form of deprivation of the right to occupy certain positions or engage in certain activities. Article 184 of the Criminal Code of the Russian Federation provides punishment for taking bribes from participants and organizers of professional sports competitions and spectacular commercial competitions.

Also:

- accepting bribes of athletes, sports referees, coaches, team leaders and organizers of other sports competitions, shall be punished by forced labor from 80 to 120 hours or correctional work from 6 months to 1 year or imprisonment for up to 3 months.
- Illegal receiving of money, valuable securities or other property by athletes in order to influence the results of these competitions - shall be punished by a fine of 200 to 500 times the minimum wage or imprisonment for 4 to 6 months.

There are no such norms in our national legislation, that is, in the Criminal Code of the Republic of Uzbekistan.

Bearing in mind the responsibility of the athlete, it should not be forgotten that the athlete must fulfill the following obligations if stipulated in the contract:

- compliance with safety requirements and rules during physical education and sports events and training, as well as in sports facilities;

- compliance with the rules, regulations (statutes) and requirements of the organizers of physical education or sports events in which the athlete himself participates;
  - maintenance of discipline; for example, in the Dinamo PFC contract, the responsibility of the athlete for violation of labor discipline is defined - that is, being late for work.
  - compliance with sanitary and hygiene, medical requirements, regular medical examination.
- For example, Dynamo PFC has a clause in some sports contracts that "the player takes care of his health".

We can say that the existence of an employment contract (sports contract) between the parties does not cancel the possibility of bringing the employee (in this case, the head of the organization as an authorized representative of the employer) to civil liability. All these contradictions arise as a result of the interaction of relations that arise on the basis of the employment contract concluded with the employee (athlete). Therefore, the peculiarities of the work of professional athletes indicate the need to combine a special method of influence as a contractual obligation, which is characterized by the following: certain sports, in particular, athletes, coaches and referees have certain rights and obligations, that is, international and republican sports federations Athletes, coaches and referees have a special legal status, and sanctions are applied to them for violations. For example, the failure of a professional club athlete to fulfill the terms of his contract can have serious consequences.

Article 72 of the current Labor Code of the Republic of Uzbekistan considers the terms "employment contract" and "contract" as synonyms. In this case, we should remember that if the sports contract (contract) mentions the athlete as an "employee" or "executor", then the issues of responsibility in the contracts are also different. If the contract refers to the athlete as an "employee", it is an employment contract and full liability arises, but damages are partially recovered. If the athlete is called a "performer", then it is considered a civil contract and liability arises only for the unfulfilled obligation, but the damages are fully recovered.

Responsibility in the field of professional sports has a specific character and is defined in special sports sanctions established by international and republican sports federations. Unfortunately, this possibility is not reflected in the Law of the Republic of Uzbekistan "On Physical Education and Sports". H

When concluding various sports contracts, we must apply not only disciplinary measures (warning, dismissal, dismissal) provided for by the labor legislation, but also special norms defined in the norms and rules developed by international organizations of physical education and sports, as well as in local documents. For example, what we mentioned above is disqualification in sports. It is difficult to determine the legal nature of such a phenomenon as disqualification in professional sports. But to put it simply, disqualification means removing a professional athlete from competitions, for example, for violating the terms of the contract. The state of disqualification in sports, in which case and for how long it is applied, should be reflected in our national legislation as one of the responsibilities.

The external structure of the Constitution describes its relationship with other sources of law, the totality of relations, its place and role in the legal system and its significance in the system of social and normative regulation in society.

The article presents the role of family, forming system of upbringing, traditional-educational system and traditions in Uzbekistan.

In an article consistently revealing the principles of the Bologna process for measuring the quality of education, the dynamics of internationalization and the logic of integration in European higher education and in Eurasia.

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