



## THE CONCEPT OF HUMAN RIGHTS IN UZBEKISTAN

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### ABSTRACT

There are many significant dates in the history of mankind that are worthy of attention. One of the most important is related to the proclamation of the Universal Declaration of Human Rights on December 10, 1948 by the UN General Assembly.

Despite the fact that the declaration is not a legal document, its fundamental principles, rights and freedoms, recognized as the inalienable rights of every person, are reflected in the national legislation of the countries that have acceded to this international document. This article details human rights and the work being done to ensure human rights.

### Keywords

law, democracy, human rights, ombudsman, freedom, humanism

### INTRODUCTION

At birth, a person acquires one of the most important values - his rights. From the moment of his first breath, he has a huge number of rights: to life, to citizenship, in name, to protect their rights, to healthcare and other rights. Some a person receives rights when he reaches a certain age, for example, from three years a child has the right to attend kindergarten, from six can go to school, from fourteen years old can dispose of their income without the consent of their parents, etc. [1.-C.211] Human rights are the rights inherent in all people, regardless of race, gender, nationality, ethnicity, language, religion or any other status. Human rights are the rights inherent in all people, regardless of race, gender, nationality, ethnicity, language, religion or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education and much more other. Every person is entitled to these rights without any discrimination. Human rights and freedoms reflect the ideals of humanism, justice, freedom, equality, tolerance.

There are 5 types of human rights:

- personal (civil);
- cultural;
- political;
- social;



economic.

Personal rights of a person ensure his very existence and protection from state arbitrariness (the right to life, to freedom, to personal integrity). Cultural rights ensure spiritual development and self-realization (right benefit from cultural achievements). Political rights ensure the participation of citizens in the political life of the country (the right to vote and be elected). Social rights ensure well-being and a decent standard of living (the right to work, rest, medical care). Economic rights ensure free disposal of consumer goods and the main factors of economic activity: production and working conditions by force. Nowadays, many people forget that other people also have rights and in no way case, they cannot be deprived of these rights. The main violation of human rights is the attack on life. The most terrible violations of the right to life are massacres, starvation of everything population and genocide. Genocide is usually understood as the deliberate destruction of one ethnic, racial or religious group. Killing group members, causing them serious physical or mental harm, introduction of measures to prevent birth or the forced transfer of children are all ways to destroy a group. Genocide often regarded as the most offensive crime against humanity. War crimes also apply to these violations. The trends in the modern constitutional development of Uzbekistan include the restructuring of the model of constitutional and legal regulation of the relationship between the individual, society and the state, the orientation of the Constitution towards humanistic values; consolidation in it of new characteristics of the state and more. In the context of transformation of the relationship between citizens and the state, the need to constitutionally secure the right of citizens to compensation by the state for harm caused by illegal actions (inaction) of public authorities and their officials takes on particular relevance. [2.-C.98] After all, it was in the course of the large-scale political and socio-economic reforms carried out in Uzbekistan that problems emerged in the sphere of real ensuring the rights, freedoms and legitimate interests of citizens. Changing the previously existing paradigm “state – society – person” to a new one: “person – society – state”, consolidating it in constitutional legislation and constitutional practice is identified as one of the priority areas of the constitutional reform initiated by the leader of the country. One of the provisions of the Universal Declaration of Human Rights states: “Marriage can only be entered into with the free and full consent of both parties to the marriage.” The principles of freedom and voluntariness of marriage are also enshrined in our Constitution and are specified in legislation.

#### LITERATURE ANALYSIS AND METHODOLOGY

The declaration established the age of majority as one of the conditions for marriage, and this provision is reflected in the country’s Family Code. Article 7 of the declaration declares: all people are equal before the law and are entitled,

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without any distinction, to equal protection of the law. This means that both the provisions of this document as norms of international law and the national laws of the state are the same for everyone, everyone is equal before them without any distinction: race, nationality, gender, language, religious, political and other beliefs, social origin, property, official or other status. Everyone is given the same right to protect their interests, including the right to judicial protection. The promotion of human rights, characteristic of public policy in our country, received practical implementation in the decision to introduce the subject "Human Rights" into the curriculum of various educational institutions. [3.-C.116] The ever-increasing interest in these issues, their relevance, and the need for widespread dissemination of knowledge on this topic give particular importance to the training of personnel who could be successfully employed in this area. The provisions of the declaration are designed to ensure human interests, because the document succinctly and clearly reflects and concentrates all fundamental rights and freedoms. Therefore, everyone should know the provisions of the declaration and use them to live with dignity. It is the free development of man, his self-determination, awareness of the significance of universal human values that is the key to the successful construction of a civil society, and therefore the further prosperity of the state.

In general, Uzbekistan is considered a youth country, and 40 percent of its population are children and adolescents under the age of 18. Therefore, the creation of legal and organizational conditions and guarantees necessary for the provision and protection of children's rights is one of the priorities of state policy. Our country has assumed certain international obligations to guarantee children's rights in accordance with the generally recognized principles and norms of international law. More than 100 laws, decrees, decisions and other regulatory legal documents have been adopted in Uzbekistan aimed at ensuring the rights and freedoms of children stipulated in international agreements. On the initiative and direct participation of the National Center for Human Rights, in 2007, the Law "On Guarantees of Children's Rights" was adopted.

The following rights of children are guaranteed in this Law:

- the right to live, it is the fundamental right of every child;
- from the time of birth to get a surname, first name, patronymic, nationality and citizenship, as well as to keep them;
- freedom, privacy, privacy of residence and confidentiality of correspondence;
- living and being brought up in a family;
- expressing one's opinion;
- to receive information that does not harm one's health, moral and spiritual development;
- freedom of thought, speech, conscience and belief;



- owning private property in accordance with the law;
- to have a residence;
- according to his age, state of health and professional training, to work according to the procedure established by law, to freely choose the type of activity and profession, to work in fair working conditions;
- health maintenance;
- learning and others.

For many years, citizens from other regions of the country could not buy housing in the capital in their name if they did not have a permanent residence permit in Tashkent. Many citizens had to register their real estate in Tashkent in the name of acquaintances with a permanent residence permit and then live as tenants in their own house. [4.-C.256] As a result of the reforms, after abolishing the requirement for registration when buying housing, people bought almost 13 thousand apartments in Tashkent – of which 70% were purchased by people living in other cities. The government has also taken decisive measures to reduce the number of stateless persons. Last year alone, 50 thousand of our compatriots acquired Uzbek citizenship. This year, more than 20 thousand people will receive citizenship. Uzbekistan has come a long way in ensuring the religious rights and freedoms of citizens. It is no secret that for many years the international community has expressed concern about this matter. The transformations have created favorable organizational and legal conditions to implement the constitutional right to religious freedom. Officials reduced the state duty amount for the registration of religious organizations five times and canceled their quarterly reporting. The Ministry of Justice's powers to terminate the activities of a religious organization have been transferred to the judicial authorities. The shameful practice of the so-called "black lists" has been discontinued, and the government removed more than 20 thousand citizens suspected of having links with religious extremist organizations from the register and the "black lists," and abolished the practice of further maintaining such "lists." In 2017, for the first time in the history of independent Uzbekistan, our country was visited by the UN Human Rights Council Special Rapporteur on freedom of conscience or faith, Ahmad Shahid. Based on his recommendations, parliament approved a Roadmap to ensure freedom of conscience and belief. On the initiative of President Sh.M. Mirziyoyev, the UN adopted a special resolution, "Enlightenment and Religious Tolerance." Another example of the recognition of progress in this area is the complete exclusion of Uzbekistan from the US Special Checklist on Religious Freedom. Uzbekistan has been carrying out reforms on the principle of "human interests

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above all else” and ensuring proper protection of human rights. Thus, the country has identified human rights protection as one of the priority areas. The analysis demonstrates that work in this area has a systemic character. The country has made a breakthrough in ensuring socio-economic, civil, and political rights. First of all, the government carried out outstanding work to eradicate forced and child labor in cotton harvesting campaigns. For many years, it is no secret that these very issues have been a “stigma” on the international image of Uzbekistan. The government succeeded in close interaction with international organizations (including the ILO) and civil activists to eliminate problems in this area. As such, the government carried out significant structural changes in the agriculture sector. The high political will of the country’s leadership played an undoubted role in this. As a result, in its 2020 report, the International Labor Organization announced the end of child and forced labor in the cotton industry of Uzbekistan. According to the organization, the republic has made significant progress in enforcing fundamental labor rights in the cotton fields. [5.-C.348] The systematic recruitment of students, teachers, doctors, and nurses has wholly stopped. For the first time in ten years of monitoring in cotton-growing regions of Uzbekistan, the Uzbek Human Rights Forum did not record a single case of forced labor. The following breakthrough result of the ongoing reforms to ensure human rights were transforming the notorious “propiska” system. Society viewed it as an obstacle to citizens’ freedom of movement for many years. President of Uzbekistan Shavkat Mirziyoyev called it shackles on the feet of a citizen and took measures to change it radically. According to the efforts to transform this system, there is a transition to a notification registration system. These measures also favorably affected the property rights of citizens. For many years, citizens from other regions of the country could not buy housing in the capital in their name if they did not have a permanent residence permit in Tashkent.

## RESULTS

The following breakthrough result of the ongoing reforms to ensure human rights were transforming the notorious “propiska” system. Society viewed it as an obstacle to citizens’ freedom of movement for many years. President of Uzbekistan Shavkat Mirziyoyev called it shackles on the feet of a citizen and took measures to change it radically. According to the efforts to transform this system, there is a transition to a notification registration system. These measures also favorably affected the property rights of citizens. Many citizens had to register their real estate in Tashkent in the name of acquaintances with a permanent residence permit and then live as tenants in their own house. As a result of the reforms, after abolishing the requirement for registration when buying housing, people bought almost 13 thousand apartments in Tashkent – of which 70% were purchased by



people living in other cities. The government has also taken decisive measures to reduce the number of stateless persons. Last year alone, 50 thousand of our compatriots acquired Uzbek citizenship. This year, more than 20 thousand people will receive citizenship. Uzbekistan has come a long way in ensuring the religious rights and freedoms of citizens. It is no secret that for many years the international community has expressed concern about this matter. The transformations have created favorable organizational and legal conditions to implement the constitutional right to religious freedom. Officials reduced the state duty amount for the registration of religious organizations five times and canceled their quarterly reporting. The Ministry of Justice's powers to terminate the activities of a religious organization have been transferred to the judicial authorities. The shameful practice of the so-called "black lists" has been discontinued, and the government removed more than 20 thousand citizens suspected of having links with religious extremist organizations from the register and the "black lists," and abolished the practice of further maintaining such "lists." In 2017, for the first time in the history of independent Uzbekistan, our country was visited by the UN Human Rights Council Special Rapporteur on freedom of conscience or faith, Ahmad Shahid. Based on his recommendations, parliament approved a Roadmap to ensure freedom of conscience and belief. On the initiative of President Sh.M. Mirziyoyev, the UN adopted a special resolution, "Enlightenment and Religious Tolerance." Another example of the recognition of progress in this area is the complete exclusion of Uzbekistan from the US Special Checklist on Religious Freedom. Freedom of speech and the media have become the hallmark of the new Uzbekistan. The state made previously inaccessible foreign information resources available in the country. The country opened accreditation for foreign journalists (Voice of America, BBC, The Economist, and others), citizen journalists - the so-called "Bloggers" - have become the new reality of the country. Journalists began to raise previously untouched topics openly, criticism and analysis began to appear more often on the press pages. The President of the country has repeatedly expressed his support to the media representatives and urged them to cover the burning issues.

#### CONCLUSION

In conclusion, all efforts and opportunities are mobilized for ombudsman institute to work based on today's requirements. As a result, according to the world press freedom rating of the Reporters Without Borders, the country improved its ratings by 13 positions from 2017 to 2020. It was also indicated in the reports of Human Rights Watch, which in November 2017, for the first time in a decade, had the opportunity to conduct direct research in the country, that under President Shavkat Mirziyoyev, "the situation with freedom of the press has improved, the

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media environment has entered a stage of changes.” The government has released several previously imprisoned prominent journalists. One of the main achievements in ensuring human rights in the country has been the systematic work to eradicate torture and cruel, inhuman, or degrading treatment or punishment. Strict liability has been established for the use of evidence obtained as a result of illegal methods. Article 235 of the Criminal Code (torture) was brought in line with article 1 of the UN Convention against Torture. Their administration is obliged to provide the Ombudsman with the necessary conditions for unhindered and confidential meetings and conversations with persons in custody. The monitoring groups include representatives of civil society institutions, as well as deputies of the Legislative Chamber and members of the Senate of the Oliy Majlis of the Republic of Uzbekistan. During the pandemic, using personal protective equipment, the Ombudsman also visited ten penitentiary institutions (four penal colonies and six penal colony settlements).

Summarizing the above, we can say that the listed facts testify to essential milestones in Uzbekistan’s path of reforms to ensure human rights and recognize the policy pursued in this area by the international community. The country does not intend to stop at the achieved progress and continue to solve the urgent tasks of protecting human rights. I am glad that there is a high political will of the country’s leadership for this. The historical status of a member of the UN HRC will allow Uzbekistan to use international platforms for the exchange of experience and more effective promotion of its initiatives in the international arena.

## REFERENCES

1. Всеобщая декларация прав человека: 1948-1998.-М.,1998
2. Islomov Z.M. Inson huquqlari va hozirgi zamon yurisprudensiyasi. Toshkent:Fan va texnologiya, 2008
3. O‘zbekiston Respublikasi Prezidentining Farmoni, 07.02.2017 -yildagi PF-4947- son.
4. Xasanov, B.B., & Ruzmetov, A. M. (2022). INSON HUQUQLARI VA MANFAATLARI OLIY QADRIYATDIR. Scientific progress, 3(4). 333-335.
5. S.S. Eshqorayev, B.I, Ro‘zimurodov, M.S, Choriyeva. YOSHLARNI ILM-FAN VA INNOVATSIYALARGA QIZIQTIRISHNING NOAN‘ANAVIY USULI. Euroasian Journal of Academic Research, 2022.
6. <https://constitution.uz/oz/pages/humanrights>
7. <https://lex.uz/uz/docs/-6464217>
8. <https://toshkent-vil.adliya.uz/uz/news/detail.php?ID=60944>
9. [https://en.wikipedia.org/wiki/Human\\_rights\\_in\\_Uzbekistan](https://en.wikipedia.org/wiki/Human_rights_in_Uzbekistan)



10. <https://www.undp.org/uzbekistan/projects/strengthening-rule-law-and-human-rights-protection-uzbekistan>