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ҲУҚУҚИЙ, ИЖТИМОИЙ, ИЛМИЙ-АМАЛИЙ ЖУРНАЛ



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КОНСТИТУЦИЯВИЙ ҲУҚУҚ. МАЪМУРИЙ ҲУҚУҚ.
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ЮРИСТ АХБОРОТНОМАСИ ВЕСТНИК ЮРИСТА LAWYER HERALD

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ACHIEVEMENTS AND PRIORITY AREAS OF HUMAN RIGHTS EDUCATION IN UZBEKISTAN

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ANNOTATION

This article reviews the progress that has been made in Uzbekistan with regards to educating and training different layers of population in the field of human rights. Special attention is paid to the changes in the lives of vulnerable groups stemming from the application of modes and modalities of UN Declaration of Human Rights Education and Training in life. The work is presented as overview of headway made in human rights education throughout the first ten years of adopting the Declaration by Uzbekistan. Role of human rights education in the lives of young people and women is discussed in detail before highlighting the challenges created in the field with the spread of global pandemic. Finally, recommendations to move forward in the field are provided as the unique outcome of the work.

Keywords: UN, Uzbekistan, Declaration on Human Rights Education and Training, youth, women, pandemic, IT in HRE, ten-year anniversary.

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ЎЗБЕКИСТОНДА ИНСОН ҲУҚУҚЛАРИ СОҲАСИДАГИ ТАЪЛИМНИНГ ЮТУҚЛАРИ ВА УСТУВОР ЙЎНАЛИШЛАРИ

АННОТАЦИЯ

Бугунги кунда, БМТ томонидан Инсон ҳуқуқлари бўйича таълим ва тарбия декларацияси талабларининг жорий қилиниши аҳолининг заиф қатламлари ҳаётига қандай таъсир ўтказаяётганига алоҳида эътибор қаратилмоқда. Мақолада Декларация қабул қилинганидан кейинги дастлабки ўн йил ичида инсон ҳуқуқлари бўйича таълим соҳасида Ўзбекистонда эришилган ютуқлар кўриб чиқилган. Инсон ҳуқуқлари бўйича таълимнинг ёшлар ва аёллар ҳаётидаги ўрни глобал пандемия инқирози билан боғлиқ

муаммолар доирасида таҳлилқилинган.Шунингдек, инсон ҳуқуқлари соҳасидаги таълимни ривожлантириш бўйичатаклифлар ишлаб чиқилган.

Калит сўзлар: БМТ, Ўзбекистон, Инсон ҳуқуқлари соҳасида таълим ва тарбия тўғрисидаги декларацияси, ёшлар, аёллар, пандемия, Инсон ҳуқуқлари бўйича таълимда АКТ, Декларациясининг қабул қилинганлигининг 10 йиллиги.

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ДОСТИЖЕНИЯ И ПРИОРИТЕТНЫЕ НАПРАВЛЕНИЯ ОБРАЗОВАНИЯ В ОБЛАСТИ ПРАВ ЧЕЛОВЕКА В УЗБЕКИСТАНЕ

АННОТАЦИЯ

В данной статье рассматриваются достижения в сфере образования и обучения различных слоев населения в области прав человека в Узбекистане. Особое внимание в статье уделяется изменениям в жизни уязвимых групп населения, произошедших в результате действий Декларации ООН об образовании и подготовке в области прав человека. Данная статья представляет собой обзор прогресса, достигнутого в области образования за первые десять лет после принятия её Узбекистаном. В статье подробно рассмотрена роль образования в области прав человека в жизни молодежи и женщин, а также проблемы в связи с началом глобальной коронавирусной пандемии COVID-19. В заключении даны рекомендации по дальнейшему развитию образования и подготовки в области прав человека.

Ключевые слова: ООН, Узбекистан, Декларацию ООН об образовании и подготовке в области прав человека, молодежь, женщины, пандемия, IT в ОПЧ, десятилетие.

Introduction

Human rights inherently present in every one of us is claimed to be given with our birth. However, field analysis of treatment of human beings by fellow human beings clearly reveal that substantial amount of people around the world are not enjoying full human rights [1]. Despite multifaceted efforts by global organizations, governments, and non-government organizations, work in the field of guaranteeing human rights remains insurmountable for these parties. Key role in this process is also played by the owners of human rights, that is every individual.

This is where human rights education plays a pivotal role. Human rights education should start from understanding the concept of human rights as defined in UN Resolutions and Conventions:

“Human rights education and training is essential for the promotion of universal respect for and observance of all human rights and fundamental freedoms for all, in accordance with the principles of the universality, indivisibility and interdependence of human rights [2].”

“Education is both a human right in itself and an indispensable means of realizing other human rights. As an empowerment right, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities [3].”

Human rights education as the main tool to create a universal human rights culture has become more important in the last three decades in Uzbekistan. Independence gave substantial impetus towards instilling pillars of human rights among the people of Uzbekistan. Strongest efforts to provide human rights education to every citizen of the country have been ongoing for the last years.

This article will review the progress in Human Rights Education among youth and women before moving onto highlighting the challenges that appeared in the field due to global COVID-19

pandemic. Having reviewed the achievements of Uzbekistan in the field of Human Rights Education throughout the past ten years, it will attempt to depict a way forward to strengthen values of human rights culture further.

HRE for young people

In practice, education is mostly related to the youth and youth matters. In Uzbekistan, young people make up about 40% of the population, and the youth are seen as major force in political, economic, and cultural life of Uzbekistan. Currently, government agencies, NGOs and educational institutions are working together to promote active participation of the youth in political, economic, and social reforms being carried out throughout Uzbekistan. In line with global standards of HRE the Law on “**State Youth Policy**” was adopted [4].

Political activity of the youth is being encouraged countrywide at national, regional and local levels. Statistical evidence for the decisive role the youth are going to play in lives of our people emerged in the aftermath of 2019 Parliamentary Elections for the Republic of Uzbekistan. 9 deputies (6%) of the Legislative Chamber of the Parliament and local representative bodies (10%) under the age of 30 were elected during the December elections [5]. This is the result of reforms in education and youth policy throughout the country.

Most importantly, the Parliament of Uzbekistan adopted the **National Action Plan for the implementation of the provisions of the “United Nations Declaration on Human Rights Education and Training (HRET)” and the “Roadmap”** to the Plan [6], which laid a new pathway to educational activities and confirms the state’s commitment to human rights values. This document can be considered as an implementation of the ideas and provisions of the Fourth phase of the World Program for Human Rights Education.

To monitor and guide the efforts in educating and training youth and general population in the field of human rights **National Commission for the implementation of the fourth phase of the World Programme for Human Rights Education has been established with the Resolution of the President of the Republic of Uzbekistan** from June 7, 2021. [7]

To date, Uzbekistan has hosted several international events with the participation of the UN, OSCE, OIC, CIS, etc. to further the reforms in par with international standards. In particular, in June 2018 and in February 2021 Tashkent welcomed participants of international conference on the topic “The role of youth in preventing and countering violent extremism and radicalism leading to terrorism” [8].

At the regional level, within the framework of the Organization of Islamic Cooperation, on September 7-8, 2019, the Sixth international seminar of the OIC Independent Permanent Human Rights Commission was held on the theme “The importance of promoting and protecting the rights of youth for building peaceful democratic societies and sustainable development” [9]. During the event, Ryszard Komenda welcomed Uzbekistan as one of the fast-track countries for implementation of UN Youth Strategy. In addition, participants of the 6th international seminar adopted the outcome document – the **Tashkent Declaration on the Rights of Youth of the Member States of the Organization of Islamic Cooperation** [10].

As part of the UN75 initiative, Uzbekistan has held a large-scale event - the Samarkand Human Rights Forum 2020. At the 72nd UN General Assembly, the President of the Republic of Uzbekistan proposed the development of the UN International Convention on Youth Rights. Uzbekistan has initiated work to create this document. A Draft International Convention on the Rights of Youth has been prepared and the document received wide approval and support of international community in the framework of the Samarkand Forum [11]. Furthermore, the Forum also discussed the important and positive role of youth in sustainable development, preventing crisis and ensuring gender equality, realizing human rights, and building a culture of peace, which are incorporated into the UN Strategy “Youth-2030”.

The President of Uzbekistan Shavkat Mirziyoyev expressed readiness of Uzbekistan to organize the World Conference on Youth Rights in Uzbekistan under the UN auspices. In August of this year the initiative was successfully realized.

Last but not the least proposal was presented to consider the establishment of the institution of a **Special Rapporteur on Youth Rights within UN bodies infrastructure**. All of these three initiative would serve towards better education of youth for human rights and in general [12].

Women’s rights and HRE for women

Eradicating gender inequality from the families and society as well as maintaining gender balance in all levels of government have been made priority in state policy [13].

The country has been actively adopting major international treaties and implementing them in life to protect women's rights in every walk of life. Newly implemented laws aimed at protecting the rights of women and providing gender equality include "On guarantees of equal rights and opportunities for women and men", "On protection of women from harassment and violence", "On protection of reproductive health of citizens", "On Amendments and addenda to art. 15 of the Family Code", "On Amendments to the Labor Code of the Republic of Uzbekistan" [14].

To provide for other rights and freedoms of women about 20 decrees and resolutions have been freshly adopted as well as reviewing existing legislation for gender bias. Expert analysis of future legislative acts for gender bias has been introduced to prevent the reappearance of eliminated shortcomings.

The adoption and implementation of these laws contributes to an increase in the proportion of women to 33% in managerial positions and 45% in the total working-age population. This also shows a noticeable increase in the representation of women politicians and women leaders in all spheres, and the country's consistent progress towards achieving gender equality.

According to Alana Armitage of UNFPA "more women leaders will appear in Uzbekistan, and urbanization will take place in a sustainable manner. Sustainable socio-economic development will be ensured, new opportunities will be created, especially for young girls who will become current and future great leaders, and their full potential will be realized, and a healthy lifestyle culture will be formed in society". This prediction comes with the hindsight of knowledge regarding new developments in the sphere human rights education which is the development of national strategy of the Republic of Uzbekistan for ensuring gender equality. The national strategy is aimed at bringing efforts to provide gender equality in line with other socio-economic reforms being carried out in Uzbekistan. [15].

Uzbekistan is developing cooperation with the UN Charter bodies in the field of the advancement of women. Our country periodically submits information to the UN Committee on the Elimination of Discrimination against Women on the implementation of its obligations in this area. In particular, in 2019, the Sixth periodic report of Uzbekistan on the implementation of the provisions of the convention was considered. As a result of their consideration, a "roadmap" has been prepared and is being applied to implement the relevant comments and proposals of UN international experts, who also noted many positive changes, progress made in changing the role and status of women in the political, socio-economic and cultural spheres of society.

To maintain objective monitoring process throughout the reforms, Uzbekistan will be continuing inviting UN Special Rapporteurs into the country to share experience and to gain international validation. One of the most recent visitors was Mr. Diego Garcia-Sayan who was invited to review the reforms in judicial branch of government in the capacity of Special Rapporteur of UN on the independence of judges and lawyers. While overall assessment of the judicial system was positive, there were two important recommendations from the special rapporteur regarding women's rights. [Ibid 14]

Mr. Garcia-Sayan draw attention to gender issues in judicial acts and provision of protective measures for women in his **first** recommendation.

Secondly, to improve the focus on gender issues, the special rapporteur recommended to increase the representatives of female gender in the judicial system.

The importance of gender equality was stressed during the speech of the President of Uzbekistan at the 46th annual Human Rights Council. President Mirziyoyev underlined the importance of lifting the status of women in socio-economic life of the country through encouraging entrepreneurial activity among female citizens of the country. As the status of women grow in business, economy, politics, education, medicine, and other spheres of life, more and more women are expected follow the footsteps of pioneers to get educated.

HRE in pandemic

Fast spread of COVID-19 around the globe led many governments to take unprecedented measures to limit the damage from the pandemic and stop the spread of virus. While at times some governments were forced to take measures that contradicted the principles of universal

human rights, at other times governments prone to authoritarian measures took it as opportunity to demean human rights.

K. Suyunova recognizes the leeway given to governments in terms of derogating from internationally recognized standards for certain basic human rights during the pandemic while pointing out that there still exist absolutely “non-derogable” human rights which leave no room for backtracking on provision of these rights [16]. W.A. Schabas sets the bar for non-derogable rights using the jus cogens principle [17] defined by Vienna Convention of Law of Treaties as ‘a norm accepted and recognized by the international community of States as a whole as a norm from which no derogation is permitted’. These rights may include right to life and prohibition of torture which must precede in any situation.

On the other hand, during national crisis, war and other exigencies, governments do retain their right to derogate from certain human rights that are seen inalienable in peaceful or regular times. These rights, as has been shown clearly by the COVID-19 pandemic, may include freedom of movement, freedom of congregation, etc. In fact, A. Greene sees COVID-19 pandemic as perfect example of “ideal state of emergency” [18] which paved the way for governments around the world to derogate from providing certain human rights.

Despite the negative impact of the global pandemic on all spheres of society and the state, especially on the economy and social sphere, 2020 was a turning point on ensuring women’s and youth’s rights and freedoms. First, to expand the access of the population, especially women and children, to modern high-quality medical services and medicines. The principle formed by the President of the country, which states that taking care of the health of the mother and child is taking care of the whole society, of our future, is being implemented.

The international community recognizes Uzbekistan’s experience in deep reform, creation and development of a high-quality healthcare system and pharmaceutical industry in the country, public health protection, and the formation of a healthy lifestyle culture in society, which makes it possible to ensure a successful fight against the pandemic.

At the same time, National Human Rights Centre of the Republic of Uzbekistan has been continuously conducting master classes and online lessons to educate the citizens of Uzbekistan even in remotest places. National Centre of the Republic of Uzbekistan for Human Rights in cooperation with Tashkent State University of Law developed a special training module online “**Human dignity is the supreme value**” with the aim of advancing skills and expertise of the employees of judicial and law enforcement bodies in the field of international standards for human rights and freedoms. Aforementioned training is purpose built for senior staff of judicial and law enforcement agencies. The training module is designed to be delivered in **2 phases**, the first phase encompasses the training of senior officials of the judiciary and law enforcement agencies at the central and regional levels, and the second phase involves the training of city and district managers [19]. Within the first stage of this module, from November 18 to November 2021, 2021, a total of 40 online sessions were held, in which more than 400 senior staff were trained. 9 leading international experts were involved in the training process. As part of the first phase of this module, from November 18, 2020 to January 29, 2021, a total of 40 online trainings were conducted, in which more than 400 employees of judicial and law enforcement bodies were trained. 9 leading international experts were involved in the training process.

Resulting situation from global pandemic damaged the human rights of children to a bigger degree than it did their health. Children’s right to education suffered the most. Across the globe schools were the first places to be closed as soon as the risk of virus spreading became imminent. Uzbek government closed the schools on March the 16th and one month later on 21st of April government announced its decision to finish the academic year via distance learning. As a result, children in Uzbekistan and other countries of the world are having to adapt to a more sedentary lifestyle within the confines of their homes or flats.

Using IT to achieve HRE goals

During the pandemic human rights issues became especially important throughout the globe. Uzbekistan did not stop its efforts in educating the population in human rights despite the challenges of the period. National Human Rights Centre of the Republic had planned 15 field trips to remote areas with the purpose of educating vulnerable layers of population about their human rights. Despite the fact that travelling was made impossible due to pandemic restrictions

master-classes were carried out using information technologies.

Throughout the period, ICT has been especially well utilized by NGOs to raise awareness about the human rights among the receivers of human rights and organizations and entities most responsible for providing and respecting human rights [20].

In particular, use of social networks and mobile applications for the greater good have been serving for the improvement of human rights literacy and bettering the effectiveness of human rights education among Uzbek population.

Way forward: Global Forum on HRE

Importance of education in every walk of life has been undeniable fact of existence since the beginning of civilized history. Human rights movement is no exception and making headway in this field without educating the masses on human rights, their importance and role in their enjoyment of life is practically impossible. With a view to furthering the progress in this field in 2011, the General Assembly adopted the United Nations Declaration on Human Rights Education and Training [21]. This document has become a cornerstone tool and point of reference for all efforts in human rights education. International community recognizes the human rights and fundamental freedoms and promotes their observance by the norms and international human rights mechanisms. The right to education is the starting point for the enjoyment of all human rights. It includes human rights education, the right to learn about these rights, and methods and means to protect and promote human rights in our communities. Human rights education and training is a lifelong process that affects all ages.

This document obliges every organ of society to promote respect for human rights and fundamental freedoms through education and training. At the same time, it guarantees every person right to education which should be directed to the full development of the human personality and a sense of dignity, to enable all persons to be useful participants in a free society and to promote mutual understanding, tolerance, and friendship among all nations and all racial, ethnic or religious groups, and to contribute to the work of the United Nations in the maintenance of peace and security and the promotion of development and human rights [22].

To review the achievements of the past decade, to plan for the future, and to commemorate the 10th anniversary of UN Declaration on Human Rights Education and Training, the President of the Republic of Uzbekistan proposed to hold a Global Forum dedicated to the 10th anniversary of the UN Declaration on HRET during his speech at the 46th session of the United Nations Human Rights Council.

The main objective of the forum proposed to be held in Tashkent will be summing up the intermediate results of the implementation of the Declaration on HRET and the UN World Program for Human Rights Education, the presentation of best practices and innovative approaches in this field, exchange of opinions and recommendations on improving human rights education and training systems at the international, regional and national levels.

Conclusion

COVID-19 has presented governments around the world with unprecedented challenges due to the conditions under which global pandemic swept across the globe. At the time of global rush towards implementing measures to minimize the negative effect of COVID-19, human rights, democracy, and inalienable freedoms of nations suffered to great extent. Looking through the lenses of international law of human rights, it must be acknowledged that government do have a duty to derogate from international standards of human liberties and freedoms, with the purpose of protecting the masses from exposure to life threatening risks. However, the derogation, reason for derogation, and expected result should be distinctly linked. There is real need to keep governments under check so that they do not abuse the right to derogate from international norms for political purposes or personal benefits.

10-year anniversary of UN Declaration on Human Rights Education and Training is expected to serve as point of recount where Uzbekistan will review the progress that has been made in the field with reference to its commitment to the Declaration. The last five years have seen major improvement in this area and the experience from this period and the review of its results should be used to gain better results for the goals outlined in the "Roadmap" for Human Rights Education.

While ten-year anniversary and all of the achievements of Uzbekistan are certainly a

cause of celebration, the country should not take its eyes off from the future.

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