

Features of the National System for Ensuring Human Rights

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Annotation: The article discusses the role of state bodies in ensuring and protecting human rights, the importance of human rights protection organs in safeguarding rights, national institutions for human rights, the role of the Ombudsman institution in protecting human rights, identifying the activities of national institutions in monitoring human rights and future challenges, the activities of the National Center for Human Rights of the Republic of Uzbekistan, the national preventive mechanism for preventing torture, enhancing the effectiveness of non-governmental human rights organizations in ensuring and protecting human rights, and a range of proposals and recommendations have been put forward.

Keywords: "rights" and "freedom", Ombudsman, human rights, UN, political rights, economic and social rights, "national institutions", "Universal Declaration of Human Rights", "Convention on Human Rights".

During the years of independence, the system of state bodies responsible for protecting human rights in the country has been formed. This system includes traditional judicial and law enforcement agencies, as well as human rights institutions and non-governmental organizations dedicated to human rights.

The justice bodies of the Republic of Uzbekistan play a significant role in the system of ensuring human rights and freedoms, entering the ranks of law enforcement and human rights protection agencies. The Ministry of Justice is actively working towards achieving the clear goal of ensuring the implementation of laws aimed at enhancing social and political life, state structure, and specifically, the development of the judiciary and legal field, as well as protecting human rights and freedoms. Through direct participation, the Ministry has established effective mechanisms for protecting the legal interests of individuals, entrepreneurs, and property owners, conducting ongoing analysis of law enforcement activities, monitoring, and making fundamental proposals for improving current legislation.

In the system of ensuring human rights in the country, the Republic of Uzbekistan has established a mechanism for open dialogue between the President's People's Reception Offices and Virtual Reception Offices and state bodies to facilitate effective consideration of citizens' appeals and ensure their rights and freedoms. The Prime Minister's receptions play an important role in protecting the rights of entrepreneurs. These receptions address issues related to the development of entrepreneurship, protection of the legal rights and interests of foreign investors, and resolution of problematic bureaucratic issues such as land plots, buildings, bank loans, obtaining permits, and resolving disputes.

The judicial bodies of the Republic of Uzbekistan play a crucial role in protecting human rights and freedoms. They are considered an essential part of the mechanism for protecting human rights and freedoms through the legal system. The Constitution of the Republic of Uzbekistan establishes the independence of the judiciary from the legislative and executive branches, political parties, and other institutions of civil society, as well as its authority to issue and implement laws.

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The system of organizations that protect human rights in the country is considered an integral part of the state administration system in ensuring the protection of human rights and freedoms. For example, the Prosecutor's Office of the Republic of Uzbekistan holds an important and fundamental position in the system of protecting human rights, particularly in the protection of human rights. As a state body responsible for monitoring compliance with legality and legal order, the Prosecutor's Office not only strengthens the state administration but also fulfills an important social task of protecting the constitutional rights and freedoms of individuals and citizens. Protecting the constitutional rights of citizens from illegal actions or inaction by officials is an important aspect in the process of legal state building in Uzbekistan.

The internal affairs agencies of the Republic of Uzbekistan enter into the system of law enforcement agencies responsible for protecting the legal order. The main tasks of internal affairs agencies include protecting the constitutional system, maintaining public order and security, protecting the property, rights, and freedoms of citizens, as well as protecting them from various criminal offenses and other violations, preventing crime, identifying and neutralizing causes of crime, combating crime, ensuring the prompt resolution of committed crimes, ensuring the functioning of the passport system (issuing passports to citizens, registering and deregistering them, officializing visas), ensuring road safety, ensuring administrative responsibility and criminal penalties, working with unregistered individuals, purchasing and selling vehicles by citizens, monitoring and formalizing the order of detention and arrest, and performing many other tasks.

The system of national institutions for human rights in Uzbekistan includes the Office of the Ombudsman of the Republic of Uzbekistan, the Representative for Protecting the Rights of Entrepreneurs in the President's Office (Business Ombudsman), and the National Human Rights Center of the Republic of Uzbekistan. Their activities are based on international standards and foreign experience in the field of human rights, and they are constantly being improved.

The Office of the Ombudsman of the Republic of Uzbekistan, established by the Parliament of Uzbekistan, is an independent and impartial protector of citizens' rights: it investigates complaints about violations of human rights, recommends measures to correct errors made by certain organizations and officials, assists in ensuring the protection of citizens' rights, and provides recommendations on holding accountable individuals who have seriously violated human rights in accordance with the law. The regional representatives of the Ombudsman have been operating in all regions of Uzbekistan since 2000. They visit places where citizens have submitted complaints, as well as places where people have been deprived of their freedom, conduct their own investigations, and present reports on the observance of human rights in local councils and assemblies, contributing significantly to the effectiveness of the Ombudsman's work. Recently, the Children's Rights Ombudsman institution has also been established under the Ombudsman's office.

The representative (business ombudsman) appointed by the President of the Republic of Uzbekistan protects the rights of entrepreneurs in the presence of the President. The duties and rights of the representative include promoting entrepreneurial activities, shaping state policies to protect the rights and interests of entrepreneurs, participating in enhancing the legal framework for entrepreneurship, protecting the benefits of entrepreneurs, providing legal support, submitting claims to courts, and monitoring the activities of entrepreneurs.

The National Human Rights Institutions of the Republic of Uzbekistan, including the National Center of the Republic of Uzbekistan on Human Rights, play a coordinating role in aligning international and national institutions in the field of human rights. The National Center of the Republic of Uzbekistan on Human Rights is considered a state body that ensures cooperation between state bodies and other organizations in preparing national reports, protecting human rights, and broadening cooperation with international organizations in protecting human rights. The Center exercises its powers independently from all state bodies and organizations, submitting information annually on the implementation of Uzbekistan's international obligations in the field of human rights to the President of Uzbekistan, chambers of the Supreme Assembly of Uzbekistan, and the Cabinet of Ministers of Uzbekistan. The



Center supports state bodies, civil society institutions, educational, research, and other organizations in implementing Uzbekistan's international obligations in the field of human rights.

In 2019, amendments and additions were made to the Law of the Republic of Uzbekistan "On the Ombudsman for Human Rights of the Republic of Uzbekistan" (Law No. OQR-530, adopted on March 14, 2019) in order to establish a National Preventive Mechanism aimed at preventing torture and other cruel, inhuman or degrading treatment or punishment.

According to the Law on the Ombudsman for Human Rights of the Republic of Uzbekistan, individuals who are deprived of their liberty, detained in custody, or deprived of their freedom can submit written appeals (letters and telegrams) to the Ombudsman. Appeals addressed to the Ombudsman are not subject to censorship. Institutions responsible for executing penalties, places of detention, and special detention facilities must promptly forward appeals from individuals deprived of their liberty in sealed form within twenty-four hours, while telegrams are sent urgently. The response from the Ombudsman is not disclosed and is currently delivered to the appellant.

When the ombudsman investigates cases of violations of the rights, freedoms, and legal interests of citizens, as well as the conditions of their detention in places of detention and special detention facilities with his initiative, he has the right to visit institutions, places of detention, and special detention facilities without prior notice, to have confidential and unrestricted meetings and conversations with detainees, but under conditions that do not allow listening. These institutions are required to create necessary conditions for confidential and unrestricted visits, meetings, and conversations with detainees in accordance with the established terms and conditions.

These norms are also enshrined in the Criminal Procedure Code of the Republic of Uzbekistan, as well as in the Law of the Republic of Uzbekistan "On Detention During the Investigation of Crimes" and other regulatory legal acts.

In order to study foreign experience in developing international legal instruments and the National Preventive Mechanism, the Ombudsman's Office is actively cooperating with the United Nations Development Program in Uzbekistan, the Regional Office of the UNODC for Central Asia, as well as the Office of the Ombudsman for International Cooperation in Improving Penitentiary Institutions.

Currently, there are more than 9,200 non-governmental organizations operating in our country that play an important role in protecting the rights and legal interests of individuals and legal entities, in promoting democratic values, and in achieving social, cultural, and educational goals.

During the past period, comprehensive and systematic work has been carried out to strengthen the independence of civil society institutions, ensure their free activities, establish close cooperation of state bodies with citizens, ensure their open, transparent, and effective activities, and establish real public control over the activities of state bodies. In particular, the Prime Minister's receptions for virtual audiences and receptions of entrepreneurs' appeals were organized in order to review the activities.

In order to significantly increase the role and importance of civil society institutions in the comprehensive and intense development of the country and to strengthen their cooperation with the government and management bodies, a Public Council for the Development of Civil Society under the President of the Republic of Uzbekistan was established. A "Badge of Honor for Contribution to the Development of Civil Society" was established, and "Public Oversight Organizations' Houses" are being established in various locations.

The "Law on Public Oversight" has been adopted to regulate relations related to bringing public oversight over the activities of state bodies and organizations into line.

The necessity of consultation with the National Association of Non-Governmental Oversight Institutions of Uzbekistan on all normative-legal documents and projects related to the rights and legal benefits of non-governmental oversight institutions has been emphasized. Measures have been taken to establish public councils at the level of each state body, including bodies responsible for protecting



rights, the Cabinet of Ministers of the Republic of Karakalpakstan, and the administrations of Tashkent city and regions.

In accordance with the decision of the President of the Republic of Uzbekistan dated October 4, 2019, on "Improving the Effectiveness of Public Oversight in the Social and Economic Spheres in Our Country, as well as Additional Measures to Increase the Activity of Citizens in Democratic Reforms," mechanisms for implementing forms of public oversight have been detailed and regulated. Measures have been identified to improve the activities of public councils within state bodies and organizations, as well as to effectively utilize these mechanisms in practice.

Based on the decree of the President of the Republic of Uzbekistan dated October 30, 2019, on "Strengthening the Activities of the Center for the Development of Civil Society," the Center for the Development of Civil Society has been re-established. The Center is tasked with presenting an annual report on the state and trends of civil society in Uzbekistan to the Consultative Council on Civil Society Development under the President of Uzbekistan for consideration, and in turn, the Council is required to provide information to the President of Uzbekistan.

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