

**REGARDING THE PROVISION OF NATIONAL MINORITY RIGHTS IN THE
CENTRAL ASIAN STATES**

Ravshan Khomitov

Associate Professor, National University of Uzbekistan

Doctor of Philosophy (PhD) in History

mail: xamitovravshan7@gmail.com

Annotation: In this article, aspects such as participation in international law norms in multi-ethnic societies in Central Asian countries, provision of rights and freedoms of national minorities in them are studied. In particular, human rights in the countries of the region, mainly the contents of the state policy regarding the national minority are described.

Key words: international harmony, international law, human rights, documents, national minority, diaspora, tolerance, humanity, solidarity.

INTRODUCTION:

As is known, the 1990s were marked by the political collapse of the former Soviet Union and the emergence of sovereign republics that historically had their own statehood. In particular, the countries of Central Asia have also declared their sovereignty. This was a historic event, as a result of which the republican governments in the region faced a number of issues to address from a historical perspective and related to the issues of new statehood. In particular, the unity and mutual relations of different nations and peoples posed a number of challenges for the new governments. Based on this, regional governments have determined state policy on interethnic issues. These are the main directions of state policy that have been implemented over the past period.

MAIN RESULTS OF THE RESEARCH.

Since 1991, the countries of the region have faced a number of challenges.

Including,

First, to rebuild the foundations of statehood in harmony with the new modern world;

Secondly, to promote awareness of national identity in society, restore historical memory and values;

Third, implement economic reforms based on a market economy;

Fourth, establishing a new socio-spiritual environment in society;

Fifth, eliminate religious, ethnic, and territorial threats;

Sixth, it was necessary to integrate into the world community and become a subject of international relations, fulfilling the obligations it had assumed.

To this end, he set a new set of tasks for the governments and societies of the multinational Central Asian states. They are:

First: building civil society and establishing a new system of public administration, and being able to involve representatives of all nationalities in this process;

Second: countries should develop new principles in national law and legislation and guarantee minority rights;

Third: to be able to mobilize everyone in a multinational society towards a single ideology of strengthening independence and development;

Fourth: creating equal opportunities and conditions for all nationalities to realize their identity, use their language, religion, education and information, and customs and traditions;

Fifth: maintaining interethnic stability;

Sixth: full compliance with international norms in conducting foreign policy, etc.

Based on this, countries in the region have defined their foreign policy directions, goals, and principles. According to it, generally recognized rules and national interests were combined, and tasks such as establishing interstate relations, as well as becoming a member of international and regional organizations and participating in the international relations system were determined. This would have allowed for the strengthening of trade, economic, political, social and cultural ties. In other words, the human rights norms adopted by the countries of the world have begun to be implemented in the republics as well.

Based on this, when it comes to ensuring the rights of national minorities and the implementation of international norms in the countries of the region, it can be divided into three main groups.

The first group: international documents and their implementation;

The second group: regional documents and their implementation;

The third group includes: interstate agreements and their implementation. The next task is to study the situation in these groups, which include the following.

When it comes to international documents belonging to the first group, it can be said that the UN and its specialized organizations, including UNESCO, played an important role.

That is, when it comes to international documents and their implementation, first of all, if we look at their list and content, the following list of documents is formed. In particular, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Prevention and Punishment of the Crime of Genocide, the Convention on the Rights of the Child, the Convention on the Status of Refugees and the Protocol relating to the Status of Refugees, the Declaration on Principles of Tolerance, as well as the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, the Declaration on the Rights of Persons Belonging to National, Ethnic, Religious or Linguistic Minorities, the UNESCO Convention on Race and Racism declaration and other similar documents related to the region and industry.

The UN General Assembly declared 1990-1999 the Decade of International Law. In this regard, the program being developed has accelerated the process of humanity's movement towards a legal society, law as a comprehensive tool for harmonizing universal and national interests. The UN High Commissioner for Refugees also carried out its activities. In 1999, Kazakhstan acceded to the Convention "Relating to the Status of Refugees".

In the conditions of Uzbekistan, these processes are reflected in the country's Constitution, the Law on Freedom of Conscience, the State Language (1995), the Concept of State Policy on

Interethnic Relations (2019), the Development Strategy of New Uzbekistan (for 2022-2026), the "Uzbekistan - 2030" Strategy, and other laws and by-laws.

The Republic of Uzbekistan has signed the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Racial Discrimination, and the Declaration on the Rights of Persons Belonging to Ethnic Minorities.[1. 5-6] Meanwhile, the country implemented these documents by January 31, 1992.

Also, if we look at them, the Republic of Uzbekistan acceded to the UN Universal Declaration of Human Rights on September 30, 1991, to the Convention on the Rights of the Child on December 9, 1991, and to the Convention on the Elimination of All Forms of Discrimination against Women on May 6, 1995. [2. 170]. In particular, by 2014, the Republic of Uzbekistan had 8 constitutional laws, 15 codes, and more than 600 laws on the equality of citizens and the prohibition of national discrimination. [3. 83]. In particular, according to the administrative code, obstacles to the use of languages will lead to the imposition of sanctions.

On February 11, 2014, at the UN Conference on the Elimination of Racial Discrimination in Geneva, Uzbekistan's report was also heard and highly appreciated. [4. 81].

After gaining sovereignty, the Republic of Tajikistan became a party to the following international human rights treaties. On 21 July 1994, the Convention relating to the Status of Refugees (1951) and its Protocol relating to the Status of Refugees (1967), on 26 June 1993, the Convention on the Elimination of All Forms of Discrimination against Women (1979), on 21 July 1994, the International Convention on the Elimination of All Forms of Racial Discrimination (1965), on 13 November 1998, the International Covenant on Civil and Political Rights (1966), on 13 November 1998, the Protocol to the International Covenant on Civil and Political Rights (1966), on 13 November 1998, the International Covenant on Economic, Social and Cultural Rights (1966) confirmed. Currently, there are one political party and 1,923 non-governmental organizations operating in Tajikistan that are engaged in legal information, legal education, including the protection of human rights. The main directions of Turkmenistan's foreign policy strategy were permanent neutrality, an "open door" policy, good neighborliness, international law, non-use of force in international relations, resolving them through mutual understanding, non-interference in the internal affairs of other states, non-joining military and political blocs, and the priorities of developing mutually beneficial cooperation.

In particular, the adoption of the document on neutrality of the state of Turkmenistan on December 12, 1995 played an important role in the subsequent development of the state. The United Nations adopted a resolution on "Permanent Neutrality of Turkmenistan," which was unanimously supported by 185 member states at that time. The adoption of this important document meant the recognition of Turkmenistan by the international community as a neutral state and its peaceful foreign policy. The political and legal basis for Turkmenistan's permanent neutrality at the national level is, first of all, the Basic Law - the Constitution of Turkmenistan, the Constitutional Law "On the Permanent Neutrality of Turkmenistan", adopted on December 27, 1995. [5. 83] Its neutrality, peacekeeping, broad involvement in international processes, and the development of effective models of economic cooperation have contributed to this. This provided a political platform for addressing existing challenges in the region and beyond, with the aim of establishing lasting peace, security, and creating favorable conditions for sustainable development and progress.

In 1998, the Jokorga Kengash of the Kyrgyz Republic ratified a mutual agreement with the International Organization for Migration, according to which measures were taken to implement international norms in this area into national legislation. [6. 76]. It is known that the Kyrgyz Republic was elected to the UN Human Rights Council in 2009-2012 [7. 90].

So, if studies continue, the UN specialized agency UNESCO has taken on and is implementing a number of other tasks in its activities, including preserving ethnic diversity, strengthening intercultural dialogue, preserving and enriching national values, promoting the ideals of tolerance, and more. In particular, the "Declaration on Tolerance" adopted in 1995 marked a new step forward internationally in interethnic stability and ethnic issues. Through this, November 16 was designated as the "International Day of Tolerance" as a date that served to strengthen mutual friendship and solidarity. Over the past years, this date has been widely and specially celebrated in the countries of the region. Also, since 1993, UNESCO, at the initiative of the Republic of Uzbekistan, has implemented a number of projects and played an important role in strengthening national values. This process also took place with all the countries of the region. In particular, 2010, at the instigation of the Kazakh side, was declared the "Year of International Rapprochement of Cultures" by UNESCO. In April 2010, the Kazakh government presented the "Kazakhstan Model" of regulating interethnic relations to the UN member states.

It can be said that UNESCO has adopted more than 70 international documents and conventions on tolerance in order to promote peace and cooperation between nations and peoples in the world. The OSCE plays an important role in the European region in promoting political and economic cooperation of independent states on an equal basis, in the implementation and implementation of common European rules on the rights of ethnic minorities. The countries of the region have been participating in the work of the OSCE since the 1990s. In particular, Uzbekistan has established a permanent dialogue with this organization, and relations have been established in the field of exchange of experience and protection of minority rights.

The OSCE has a High Commissioner on National Minorities and an Office for Human Rights and Democratic Institutions, in whose work the countries of the region participate.

Kazakhstan has also established sufficient cooperation with this organization. For information, it can be said that a Kazakh representative worked as a commissioner for minority interethnic affairs of the OSCE.

Uzbekistan also ratified the Durban Declaration in 1995. This is a universal international document that allows for the development of friendly relations between nations.

In June 1995, the President of the Republic of Uzbekistan received a delegation from the European Community. [8. 121]. It exchanged views on the democratic reforms underway in the country, the activities of civil society institutions, and ethnic and civic issues. [9. 128]. That is, it is noted that Uzbekistan strictly adheres to international law and works according to standards in this area. In particular, it is recognized that the absence of an obligation to know the state language when obtaining citizenship is a positive situation, the opportunity given to minorities to develop their native language, the opportunity given to ethnic minorities living in the majority in certain areas to receive education in their native language, the use of their language in communication even in local government agencies, the fact that Russian is the language of interethnic communication, and the publication of newspapers and magazines in 12 languages. [10. 156].

Max van der Stool, OSCE Commissioner for Minority Affairs, who attended the fifth anniversary of the Assembly of the Kyrgyz People in 1999, "spoke about how the work done in Kyrgyzstan on interethnic issues could be a model for the whole world." [11. 207]. It should be noted that while relations between Uzbekistan and the EU among the countries of the region have been active since the 1990s, relations between Kazakhstan and the EU have shown significant results since the beginning of the 21st century. It was in the first quarter of this century that the general format of Central Asia and the EU was created.

If we look at the regional level of adopted international documents and their implementation, we can also say that initially the activities of the CIS and the documents adopted under its auspices created conditions for interethnic stability in the region. For example, within the CIS alone, the Convention on the Protection of the Rights of Persons Belonging to National Minorities consists of 16 articles, to which the Republic of Tajikistan joined on February 22, 2001, and the Kyrgyz Republic on August 21, 2003 [12]. This convention is aimed at protecting all the rights of national minorities in international law, and its implementation by states is envisaged. In particular, interethnic stability is a priority in the content of this document, and in some of its articles, including Article 10. It is noted that each contracting party, in accordance with the legislation of the state, must create appropriate conditions for the study of the state language, taking into account existing needs, for national minorities to study their native language and receive education in their native language. Article 9 of the Convention reflects the following goals: to develop cooperation between the state bodies responsible for education of the Contracting Parties in order to open and maintain educational institutions and their departments at various levels, to provide educational institutions and their departments with programs, textbooks and educational literature, to assist in the training of specialists for work in these languages, educational institutions and departments, to take measures to preserve and study the cultural heritage of national minorities, including the protection of monuments of their history and culture, to take into account the history and culture of national minorities in the study of the history and culture of the state in educational institutions and educational organizations, and to assist in the preservation and development of national crafts. This can be seen in the content of all documents related to ethnicity, language, culture, social sphere, security, and regional stability within the framework of the CIS organization for the period 1991-2021.

In 1994, the Ministry of Foreign Affairs of the Republic of Uzbekistan participated in the work on a draft document on ensuring the rights of ethnic minorities, their linguistic and religious beliefs in the territory of the CIS member states [13. 18-19]. Article 3 of the Convention stipulates that all parties shall ensure the political, economic, and cultural rights and freedoms of citizens belonging to minorities in accordance with general international human rights standards. Article 4 obliges each party to ensure that ethnic minorities preserve their ethnic identity and enjoy linguistic, cultural, and religious freedom [14. 35-38].

It is aimed at strengthening identity, ethnic rapprochement, brotherhood, and socio-political consensus within Turkic-speaking organizations. Because this organization is an organization of ethnic unity and solidarity.

CONCLUSION:

It seems that the Central Asian states have ratified the documents adopted within the framework of international and regional organizations, and their adherence to them when entering into interstate relations has strengthened the agreements.

LIST OF REFERENCES USED:

1. Права человека. Выпуск 1. - Т.: Национальный центр по правом человека. 1992. - С.5-6
2. ЎзР ПАА 975-фонд. 20-рўйхат. 251-иш. 170-варақ.
3. ЎзР ПАА 975-фонд. 30-рўйхат. 2507-иш. 83-варақ.
4. ЎзР ПАА 975-фонд. 30-рўйхат. 2507-иш. 81-варақ.
5. Б. Захыров Внешнеполитический курс Туркменистана - торжество политики позитивного нейтралитета // Россия и Центральная Азия: новые перспективы : материалы междунар. науч. конф., посвященной 25-летию установления дипломатич. отношений между Рос. Федерацией и государствами Центральной Азии (Москва, 14 июня 2017 г.) / [отв. ред. А.Л. Чечевишников] ; Моск. гос. ин-т междунар. отношений (ун-т) М-ва иностр. дел Рос. Федерации, Ин-т междунар. исследований. - Москва : МГИМО-Университет, 2018. - С.83.
6. ҚзР МДА 1445-фонд, 17-рўйхат, 3986-иш, 76-варақ.
7. ҚзР МДА 2924-фонд, 1-рўйхат, 119-иш, 90-варақ.
8. ЎзР ПАА 975-фонд. 20-рўйхат. 251-иш. 121-варақ.
9. ЎзР ПАА 975-фонд. 20-рўйхат. 251-иш. 128-варақ.
10. ЎзР ПАА 975-фонд. 20-рўйхат. 251-иш. 156-варақ.
11. Манба: Аскар Акаев. Памятное десятилетие. "Учкун" Бишкек. 2001 г. - С.207.
12. Қаранг // Конвенция об обеспечении прав лиц, принадлежащих к национальным меньшинствам - ИПС "Әділет".
13. ЎзР ПАА 975-фонд. 20-рўйхат. 64-иш. 18-19-варақлар.
14. ЎзР ПАА 975-фонд. 20-рўйхат. 73-иш. 35-38-варақлар.