

Development of scientific research in the field of human rights in Uzbekistan

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ABSTRACT

In the implementation of the process of transition to a new stage of socio-economic development in Uzbekistan, the main attention is paid to ensuring human rights and freedom. It is important to study the scientific basis of reforms aimed at the full provision of human rights and freedoms, while the country remains committed to international obligations in the field of human rights. The article examines the work being carried out in the Republic of Uzbekistan on the development of scientific research in the field of human rights.

Introduction:

In recent years, the reforms implemented in all spheres of society's life have increased the need to provide its scientific foundations. The pace of reforms aimed at ensuring the priority of human dignity in the country, as the President of the Republic of Uzbekistan Sh.M. Mirziyoev noted, the fact that "the priority of the

human and his interests is at the center of state policy in the country"¹ requires the development of scientific research in the field of human rights.

Currently, favorable conditions are being created for the development of scientific research in the field of human rights in New Uzbekistan.

Firstly, in the increasingly globalized world, Uzbekistan's position as a country where human dignity is respected, human dignity at the center of the reforms implemented in order to build a new Uzbekistan, increased the need to expand research in the field of human rights.

Secondly, the national legislation in the field of human rights has been improved, the guarantees of the right to scientific research have been expanded. In the new version of the Constitution of the Republic of Uzbekistan, norms on human rights and freedoms have been expanded in terms of scope and content. In Article 53 of the Constitution, the norm that "intellectual property shall be protected by law" was strengthened. On October 29, 2019, the Law of the Republic of Uzbekistan "On Science and Scientific Activity", on July 24, 2020, the Law "On Innovative Activity" and a total of about 20 other normative legal documents were adopted. In them, the rights of a person to choose the type, direction and means of scientific activity, to receive financial incentives according to the level and quality of the work performed, to participate in competitions on scientific projects, and to carry out business activities in the field of science in accordance with the law were strengthened.

Thirdly, special strategic program documents aimed at systematic implementation of reforms in the field of human rights were adopted in the country. Special attention was paid to the development of scientific research in the Action Strategy for the Development of Uzbekistan in 2017-2021, the New Uzbekistan Development Strategy for 2022-2026, and the "Uzbekistan - 2030" strategy. Also, the National Strategy of the Republic of Uzbekistan on Human Rights approved in 2020 and the National Education Program in the field of Human Rights approved in 2023 set measures for the development of education and scientific research in the field of human rights.

Fourthly, the mechanism of fulfilling international obligations in the field of human rights has been improved in Uzbekistan. Uzbekistan has ratified 11 out of 18 main international treaties in the field of human rights. In particular, in 2021, Uzbekistan ratified the Convention on the Rights of Persons with Disabilities, and in 2023, the first national report on its implementation was submitted to the UN. The Parliamentary Commission on the fulfillment of international obligations in the field of human rights was established, and the system of national human rights institutions was strengthened.

Fifth, the institutional foundations of conducting scientific research have developed, including measures for the development of legal education and science

¹ Мирзиёев Ш.М. Ўзбекистон Республикаси Президентининг Олий Мажлис ва Ўзбекистон халқига Мурожаатномаси // "Янги Ўзбекистон" газетаси. 2022 йил 21 декабрь, 259-сон. – Б.1-2. (Mirziyoev Sh.M. Address of the President of the Republic of Uzbekistan to the Oliy Majlis and the people of Uzbekistan // "Yangi Uzbekiston" newspaper. December 21, 2022, No. 259. – B.1-2.)

in the country, legal research centers have increased, including new legal educational institutions, law faculties have been opened, and a system of non-governmental institutions in the field of legal education has been created. Teaching of human rights courses in higher education programs has been launched.

Sixth, human rights research has become more specialized. In order to carry out scientific research in the field of human rights, a master's, doctoral and independent scientific research institute was established.

Discussion.

At the same time, today it is required to ensure the balance of fundamental and applied research in the field of human rights and to carry out interdisciplinary research in the field of human rights.

As in other sciences, research in the field of human rights is divided into fundamental and applied fields. Applied research is designed to achieve quick results on solutions to current problems, while fundamental research is based on new directions that have not been studied before. Similarly, fundamental knowledge is achieved through long-term and difficult research that leads to new ideas based on the intuition and hypotheses of the scientist. And practical studies are focused on obtaining quick results within the framework of laws and theoretical approaches established in jurisprudence.

Currently, in world science, attention to fundamental legal research is decreasing to a certain extent, and practical research is increasing. To some extent, this situation is characteristic of national legal science.

First of all, the results of applied legal scientific research are usually manifested when short-term results related to the adoption of specific laws or the improvement of legal practice are achieved. And fundamental scientific research cannot give such results, it is focused on substantiating new scientific theory, scientific direction, ideas and opinions, concepts and laws, its practical results seem abstract.

Secondly, in the conditions of the market economy, the desire to achieve an effective result in a short period of time in terms of resource consumption is the reason for giving priority to applied research.

Thirdly, nowadays the requirement to justify the scientific novelty of dissertation studies in legal sciences is connected with the obligation to develop proposals for improving legislation and law enforcement practice. Such a situation causes a neglectful attitude towards deep fundamental scientific-theoretical analysis, which can be an obstacle to the formation of new legal ideas, fundamental theoretical conclusions, which are very important in the future.

In the field of legal science, as in other fields, scientific discoveries that meet the requirements of a new stage of development cannot be made without fundamental scientific research². Without fundamental scientific research, stagnation may occur at a certain stage of the development of the national legal

² Перепелица Е.В. Фундаментальные исследования в современной юридической науке // Журнал "Философия права", 2020, № 1 (92). – С. 44-45. (Perepelitsa E.V. Fundamental research in contemporary legal science // Journal "Filosofia prava", 2020, No. 1 (92). - S. 44-45.)

system, and there may be a lack of ideas that will hinder the transition to the next stage of development.

Orientation of legal scientific research only to practical results in the context of the implementation of updates and changes in all spheres of society leads to neglect of previously unknown realities, processes, laws for legal science. The problems of correct assessment of modern social relations and their effective regulation are often associated with the fact that the fundamental foundations of legal sciences have not been thoroughly researched, and the lack of fundamental research.

Even the results of basic scientific research, which at first glance seem very abstract, may have significant practical value in the future. However, starting to improve the legislation without fundamental scientific-theoretical analysis may cause a situation where scientific results do not satisfy the need for regulation of social relations. Therefore, in our opinion, the novelty of scientific research in jurisprudence cannot be strictly linked to the improvement of the current legislation and law enforcement practice.

The question of the importance of fundamental and applied scientific research in national legal science also applies to research in the field of human rights.

Human rights have a content of universal values common to all mankind, but also have a national cultural content related to the identity of each nation. Therefore, ready-made conclusions and ideas for finding solutions to problems in the field of human rights cannot be mechanically accepted from abroad, because they may be created on the basis of a culture unknown to national-cultural values. In this regard, there are two main methodological approaches in the scientific world: according to the first approach, human rights can be understood only on the basis of the content of culture and values in a particular society; according to the second approach, human rights are universal, and regardless of national characteristics, states are obliged to implement them in their societies³.

In the future, it is important to expand basic research to study the national cultural and moral content of human rights, the ratio of universal and national values, and their place cannot be replaced by practical research that serves to quickly change the legislation. Fundamental research provides the basis for a methodological approach to practical research in the field of human rights.

For example, if scientific research is approached only from the point of view of the implementation of international standards in the field of human rights into national legislation, the implementation of international standards into national legislation becomes the ultimate goal of the research. As a result, the issue of the fact that the international standards in the field of human rights may be imperfect and may not lead to improvement of respect for human dignity in a society with a

³Альбов А.П. Права человека: Философско-правовой анализ // Бюллетень "Теория, история и практика правового регулирования общественных отношений", 2022. №3. Том 7. – С.15-18. (Albov A.P. Prava cheloveka: Philosophical and legal analysis // Bulletin "Teoriya, istoriya i praktika pravovogo regulirovaniya obshchestvennykh otnosheniy", 2022. №3. Volume 7. – S. 15-18.). URL: [www. cyberleninka.ru/article/n/prava-cheloveka-filosofsko-pravovoy-analiz](http://www.cyberleninka.ru/article/n/prava-cheloveka-filosofsko-pravovoy-analiz).

certain national culture is ignored⁴. If we approach the priority of human rights and freedoms from the point of view of fundamental research, it will be possible to determine that the implementation of international standards in the field of human rights into national legislation is not the only tool that ensures respect for human dignity, but only one of the tools, and that there are other tools related to national cultural values.

In addition, legal scholars who approach only from the point of view of case studies may seek to support international trends in human rights, while avoiding fundamental ideas and conclusions that deny these trends.

Today, Uzbekistan is paying attention to the development of fundamental and applied scientific research in the field of human rights.

Director of the National Human Rights Center of the Republic of Uzbekistan, First Deputy Speaker of the Legislative Chamber of the Parliament of the Republic of Uzbekistan, academician A. Saidov substantiates the main three aspects of the need to develop education and scientific research in the field of human rights in the Republic of Uzbekistan: the first aspect is the realization of strategic goals to ensure the priority of human rights and interests in society; the second aspect is to strengthen the social and cultural foundations of ensuring the fulfillment of the international obligations undertaken by the Republic of Uzbekistan in the field of human rights, to introduce the provisions of the UN Declaration on Education and Training in the Field of Human Rights and the World Education Program in the Field of Human Rights; the third aspect is the development of the necessary skills and competences for the protection of human rights in society and their observance in everyday life⁵.

The institutional foundations of scientific research in the field of human rights are being improved in the Republic of Uzbekistan.

In accordance with the national strategy of the Republic of Uzbekistan on Human Rights, approved by the Decree of the President of the Republic of Uzbekistan on June 22, 2020, ⁶a master's program in the field of human rights was introduced. In the academic year 2021-2022, 10 students were admitted, and in the academic years 2022/2023 and 2023/2024, 15 students were admitted to study. In addition, the training of scientific personnel in the field of human rights was launched at the National Center of the Republic of Uzbekistan for Human Rights. In 2021-2023, 11 doctoral students and more than 20 independent researchers are conducting scientific research in this specialty, so far 2 doctoral theses (DSc) have

⁴ Coomans F., Grunfeld F., Kamminga M., *Methods of Human Rights Research: A Primer* (April 27, 2009). *Human Rights Quarterly*, Vol. 32, pp. 183-184, 2010, URL: www.ssrn.com/abstract=1395689.

⁵ Саидов А.Х. Инсон ҳуқуқлари соҳасидаги сифатли таълимдан инсон ҳуқуқлари маданиятини юксалтириш сари // “Янги Ўзбекистон” газетаси, 2023 йил, 9 февраль. –Б.1,3. (Saidov A.Kh. From quality education in the field of human rights to raising the culture of human rights // "New Uzbekistan" newspaper, February 9, 2023. - B.1,3.)

⁶ Ўзбекистон Республикаси Президентининг “Инсон ҳуқуқлари бўйича Ўзбекистон Республикасининг Миллий стратегиясини тасдиқлаш тўғрисида”ги Фармони, 22.06.2020 йилдаги ПФ-6012-сон // Қонун ҳужжатлари маълумотлари миллий базаси, 23.06.2020 й., 06/20/6012/0953-сон. (Decree of the President of the Republic of Uzbekistan "On Approval of the National Strategy of the Republic of Uzbekistan on Human Rights", No. PF-6012 of 22.06.2020 // National database of legal documents, 23.06.2020, No. 06/20/6012/0953.). URL: www.lex.uz/docs/4872355.

been defended.

By the decision of the President of the Republic of Uzbekistan on February 7, 2023, the national educational program in the field of human rights ⁷was approved, which provided for comprehensive activities aimed at developing the culture of human rights. It covered the issues of improving the master's degree in human rights, improving the training of scientific personnel in the field of human rights, cooperation with foreign higher education and scientific organizations in the training and upgrading of personnel.

The National Center for Human Rights focuses on conducting interdisciplinary research within the Human Rights specialization. Although research in the field of human rights is mainly related to legal sciences, it can be the object of research of many disciplines. Also, there is a need for the complementarity of philosophy, jurisprudence, sociology and other disciplines in research in the field of human rights. For example, within the framework of interdisciplinary cooperation, philosophers can contribute to the explanation of the philosophical and ethical foundations of human rights protection, legal scientists can contribute to the improvement of the theoretical and normative legal foundations of human rights protection, and sociologists can contribute to determining the real social relations and situation in the field of human rights.

The National Center for Human Rights conducts fundamental and applied research in the following areas in the field of human rights:

- theoretical foundations of human rights development;
 - philosophical and legal foundations of human rights;
 - historical and legal foundations of the genesis and development of human rights;
 - prospects for the formation and development of international standards in the field of human rights;
 - history of doctrines and views on human rights;
 - development of human rights and problems of the era of globalization;
 - development of human rights research methodology;
 - universal and national moral content of human rights;
- the problem of ensuring human rights in the context of transformation to a digital society.
- prioritization of constitutional reforms and ensuring human rights;
 - development of human rights education and advocacy;
 - international, regional and national human rights mechanisms;
 - national legislation and legal practice in the field of human rights;
 - problems of ensuring personal, political, economic, social, cultural and environmental rights of a person;

⁷ Ўзбекистон Республикаси Президентининг “Ўзбекистон Республикасида Инсон ҳуқуқлари соҳасидаги Миллий таълим дастурини тасдиқлаш тўғрисида”ги қарори, 07.02.2023 йилдаги ПҚ-46-сон // Қонунчилик маълумотлари миллий базаси, 08.02.2023 й., 07/23/46/0078-сон. (Decision of the President of the Republic of Uzbekistan "On approval of the National Education Program in the field of Human Rights in the Republic of Uzbekistan", number PQ-46 of 07.02.2023 // National database of legislative information, 08.02.2023, number 07/23/46/0078. URL: www.lex.uz/docs/6378537). URL: www.lex.uz/docs/6378537

- foreign experience and comparative legal analysis of human rights protection;
- ensuring the rights of women, children, youth, the elderly, migrants, persons with disabilities and the needy sections of the population;
- institute of appeals in the field of human rights and others.

Conclusion.

Thus, at the current stage of the development of scientific research in the field of human rights in Uzbekistan, we believe that it is important to carry out the following activities:

First, it is necessary to further improve the infrastructure for conducting scientific research in the field of human rights, to encourage scientific research and defense of theses in various scientific centers. For this purpose, it is necessary to establish the activities of relevant departments, Scientific Councils, and expand their cooperation with scientific centers in developed foreign countries. It is important to establish the Academy of Human Rights under the National Center for Human Rights as a scientific organization that coordinates scientific research.

Secondly, it is necessary to ensure the development of fundamental and applied scientific researches in the field of human rights through harmony and complementing each other. It is important to expand scientific research in the field of international standards in the field of human rights and the proportionality of national interpretation of human rights. Only a science that has both fundamental and practical aspects can be capable of making breakthrough discoveries.

Third, it is necessary to expand interdisciplinary research in the field of human rights. In this, it is necessary to expand the freedom of scientific research to researchers, to encourage the cooperation of scientists in the fields of philosophy, jurisprudence and sociology and other sciences.