



HUMAN RIGHTS COMMITTEE AND UZBEKISTAN: THE ISSUES OF IMPLEMENTATION OF INTERNATIONAL OBLIGATIONS

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Received: January 6 th 2024 Accepted: March 4 th 2024	<i>This work presents analytical opinions on the International Covenant on Civil and Political Rights and the procedures for its realisation, the activities of the Human Rights Committee and the participation of Uzbekistan in it.</i>
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At the conference held in San Francisco in 1945, after the establishment of the United Nations, it was proposed to develop the "Declaration of Fundamental Rights of Man" as a universal document on human rights, and this task was assigned to the Economic and Social Council. At the beginning of the process, the document was divided into a declaration outlining the general principles of human rights and a convention or covenant containing the obligations that member states must adhere to. The first became the "Declaration of the Fundamental Rights of Man" and was adopted on December 10, 1948.

Drafting of the Convention continued, but created significant differences among UN members on the relative importance of civil and political and economic, social and cultural rights. Debates eventually led to the convention splitting into two separate covenants: "one covering civil and political rights, and the other covering economic, social and cultural rights." Both documents should contain as similar provisions as possible and be open for signature at the same time. Each would have provisions on the right of all nations to self-determination.

The International Covenant on Civil and Political Rights was adopted by the United Nations General Assembly Resolution 2200A (XXI) on December 16, 1966, and entered into force on March 23, 1976, or upon ratification by thirty-five countries.

The International Covenant on Civil and Political Rights consists of Part VI, Article 53, which protects the rights and freedoms of the individual from violations by governments, social organizations and private individuals, and to participate in the civil and political life of society and the state without discrimination or

repression and expresses the rights that provide the opportunity.

The Republic of Uzbekistan accedes to this International Covenant based on the decision of the Oliy Majlis of the Republic of Uzbekistan dated August 31, 1995 No. 127-I "On Accession to the International Covenant on Civil and Political Rights of December 16, 1966. These rights are protected at the national level by chapters VI-VIII of the Constitution of the Republic of Uzbekistan.

Also, as a substantive continuation of the pact, two additional Optional Protocols were attached to it. The First Optional Protocol describes the procedures for filing a complaint regarding the violation of one or more of the rights of persons under the jurisdiction of the member states of the Covenant, which are reflected in the International Covenant on Civil and Political Rights. The Republic of Uzbekistan has added to this Protocol the Resolution of the Oliy Majlis of the Republic of Uzbekistan dated August 31, 1995 No. 128-I "On Accession to the Optional Protocol on the International Covenant on Civil and Political Rights of December 16, 1966".

On December 15, 1989, the Second Optional Protocol to the Pact was adopted. It is guaranteed that life is a fundamental human right, and it is guaranteed that no person under the jurisdiction of the States Parties to the Protocol can be sentenced to death. The Republic of Uzbekistan has adopted the Second Optional Protocol of the Republic of Uzbekistan No. O'RQ-185 of December 10, 2008 "Regarding the International Covenant on Civil and Political Rights of the Republic of Uzbekistan aimed at abolishing the death penalty "On Accession to the Second Optional Protocol" was added according to the Law.



The Human Rights Committee was established as an institution that performs these tasks on a permanent basis, taking into account the requirement of the international covenant on civil and political rights to constantly monitor the provisions of this covenant.

The Human Rights Committee was established in 1977. Part IV of the Pact (Articles 28-45) defines the organizational and legal basis and powers of the Committee. The composition of the committee consists of 18 members, which are elected by the participating countries from among their citizens. Committee members perform their duties based on their personal qualities. Currently, 174 member states from 5 regions submit 14 types of documents to the Committee. According to the rule, the Committee holds three sessions in Geneva every year.

States must report one year after acceding to the Covenant and then when requested by the Committee (usually every five years). The committee usually meets at the UN office in Geneva, Switzerland, and usually holds three sessions a year.

All countries that have ratified the International Covenant on Civil and Political Rights submit periodic reports on the implementation of human rights and the current situation in the provision and protection of human rights. Reports submitted by the state are first examined by a working group of no more than five members of the Committee. After these processes, an open meeting will be held with the participation of representatives of the respective countries. Participants from non-governmental organizations and the press can participate as observers. During the meeting, the representatives of the state will answer the questions of the Committee members. At the meeting, opportunities will be created for the representatives of the respective countries to get advice on the necessary information from their government. If the Committee members do not have sufficient answers to the questions raised, the relevant country will be given the opportunity to send a written answer to these questions.

In considering the reports of a particular country, the Committee refers to various sources: it relies on the reports of other human rights bodies, special rapporteurs, working groups and non-governmental organizations. The reports are reviewed in open meetings and final "universal recommendations" are adopted based on the consideration of each report.

Until now, the Uzbek side has submitted its periodic reports to the Committee five times. On March 2-3, 2020, at the 128th session of the UN Human Rights Committee, the Fifth Periodic Report of the Republic of Uzbekistan on the implementation of the provisions of

the UN International Covenant on Civil and Political Rights was considered.

The UN Human Rights Committee presented its final conclusions, consisting of 26 recommendations, on the Fifth Periodic Report of the Republic of Uzbekistan on the implementation of the provisions of the UN International Covenant on Civil and Political Rights.

Currently, the National Center of the Republic of Uzbekistan for Human Rights is implementing the recommendations of the UN Human Rights Committee regarding the Fifth Periodic Report of the Republic of Uzbekistan on the Implementation of the Provisions of the UN International Covenant on Civil and Political Rights

REFERENCES:

1. Address of the President of the Republic of Uzbekistan to the Oliy Majlis. Newspaper "Xalq so'zi". № 19(7490), December 25, 2020.

2. O'zbekiston Respublikasi Prezidentining 2018-yil 10-dekabrda PQ-4056-sonli "Inson huquqlari bo'yicha O'zbekiston Respublikasining milliy markazi faoliyatini takomillashtirish to'g'risida" gi Qarori. <https://lex.uz/docs/-4098056>

REGULATORY AND LEGAL DOCUMENTS:

1. United Nations Charter. <https://www.un.org/ru/charter-united-nations/>

2. Universal Declaration of Human Rights. December 10, 1948. New York.

3. International Covenant on Civil and Political Rights. December 16, 1966.

4. Constitution of the Republic of Uzbekistan. <https://lex.uz/docs/-20596>

5. O'zbekiston Respublikasining 2019-yil 6-fevraldagi "O'zbekiston Respublikasining xalqaro shartnomalari to'g'risida"gi O'RQ-518-son Qonuni. <http://lex.uz/docs/4193761>

SCIENTIFIC LITERATURE:

1. Mo'minov A.R., Tillabaev M.A. Inson huquqlari. –T.: Adolat, 2013.

2. Saidov A.X. Inson huquqlari bo'yicha xalqaro huquq. Darslik. – T.: Konsauditinform-Nashr, 2006.

3. Saidov A.X. O'zbekiston Respublikasi va inson huquqlari bo'yicha xalqaro shartnomalar. – T.: Adolat, 2002.

4. G'afurov A.B. Mo'minov A.R. Inson huquqlari. – T.: Baktria Press, 2012.

5. Inson huquqlari bo'yicha O'zbekiston Respublikasining milliy strategiyasi. Inson huquqlari bo'yicha O'zbekiston Respublikasi milliy markazi. T.: 2020.