

THE FORMATION OF THE NATIONAL HUMAN RIGHTS CENTRE OF UZBEKISTAN IN THE CONTEXT OF GLOBAL EXPERIENCE: A HISTORICAL PERSPECTIVE

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Abstract

This article examines the establishment of the National Human Rights Centre of the Republic of Uzbekistan in the context of global experience from a historical perspective. The study analyzes the formation of national human rights institutions in the late twentieth century, focusing on international trends shaped by the Vienna Declaration and Programme of Action (1993) and the Paris Principles. Against this background, the article explores the political, legal, and institutional conditions that led to the creation of the National Human Rights Centre of Uzbekistan in 1996. By comparing Uzbekistan's experience with selected international models of national human rights institutions, the study demonstrates that the establishment of the Centre was part of a broader global process of institutionalizing human rights protection mechanisms during the post-Cold War period. The findings highlight the historical significance of the National Human Rights Centre as an integral component of Uzbekistan's early state-building and democratic transformation.

Keywords

human rights; national human rights institutions; global experience; National Human Rights Centre of Uzbekistan; Paris Principles; Vienna Declaration; historical perspective; institutional development.

O'ZBEKISTON RESPUBLIKASI INSON HUQUQLARI BO'YICHA MILLIY MARKAZINING SHAKLLANISHI JAHON TAJRIBASI KONTEKSTIDA: TARIXIY NUQTAI NAZAR

Annotation

Mazkur maqolada O'zbekiston Respublikasi Inson huquqlari bo'yicha milliy markazining tashkil etilishi jahon tajribasi kontekstida tarixiy nuqta nazardan

tadqiq etiladi. Tadqiqot XX asr oxirida milliy inson huquqlari institutlarining shakllanish jarayonini tahlil qilib, 1993-yilgi Vena deklaratsiyasi va Harakatlar dasturi hamda Parij tamoyillari bilan belgilangan xalqaro tendensiyalarga alohida e'tibor qaratadi. Ushbu umumiyl fonda maqolada 1996-yilda O'zbekiston Respublikasi Inson huquqlari bo'yicha milliy markazining tashkil etilishiga olib kelgan siyosiy, huquqiy va institutsional shart-sharoitlar yoritiladi. O'zbekiston tajribasini milliy inson huquqlari institutlarining ayrim xalqaro modellari bilan qiyosiy tahlil qilish orqali Markazning tashkil etilishi sovuq urushdan keyingi davrda inson huquqlarini himoya qilish mexanizmlarini institutsionallashtirishga qaratilgan keng qamrovli global jarayonning tarkibiy qismi bo'lganligi asoslab beriladi. Tadqiqot natijalari Markazning O'zbekistonning dastlabki davlatchilikni shakllantirish va demokratik transformatsiya jarayonlaridagi muhim tarixiy ahamiyatini ko'rsatadi.

Kalit so'zlar

inson huquqlari; milliy inson huquqlari institutlari; jahon tajribasi; O'zbekiston Respublikasi Inson huquqlari bo'yicha milliy markazi; Parij tamoyillari; Vena deklaratsiyasi; tarixiy yondashuv; institutsional rivojlanish.

1. Introduction

The institutionalization of human rights protection has become one of the most significant global political and legal processes of the late twentieth century. Following the end of the Cold War, the international community increasingly recognized that constitutional declarations and legislative guarantees alone were insufficient to ensure the effective realization of human rights. As a result, special institutional mechanisms were developed at the national level to promote, protect, and monitor human rights in practice.

Within this broader international context, the emergence of national human rights institutions represented a qualitative shift in approaches to state responsibility for human rights. These institutions were designed not merely as reactive bodies addressing individual violations, but as systemic mechanisms aimed at analyzing legislation, coordinating state policies, and facilitating compliance with international human rights standards. Their formation reflected the growing understanding that human rights protection required stable, professional, and institutionally autonomous structures integrated into the system of public administration.

For newly independent states, particularly those that emerged from the dissolution of the Soviet Union, the establishment of national human rights institutions became an essential element of state-building and democratic

transformation. In these countries, the creation of such institutions was closely linked to the simultaneous processes of constitutional development, legal reform, and integration into the international legal order. Uzbekistan was no exception in this regard.

The establishment of the National Human Rights Centre of the Republic of Uzbekistan in 1996 should therefore be examined not only within the framework of domestic political reforms, but also as part of a global historical trend toward the institutionalization of human rights protection. From a historical perspective, the Centre's creation reflected both international normative influences and the specific conditions of the early post-independence period in Uzbekistan.

This article aims to analyze the formation of the National Human Rights Centre of Uzbekistan within the context of global experience, applying a historical-comparative approach. By examining international models of national human rights institutions and the legal and political circumstances of their emergence, the study seeks to demonstrate that the Uzbek experience was an integral part of a wider international process that unfolded during the final decades of the twentieth century.

2. The Emergence of National Human Rights Institutions in Global Practice

The origins of national human rights institutions can be traced to the post-Second World War international legal order, particularly following the adoption of the Universal Declaration of Human Rights in 1948. Although this document proclaimed fundamental rights and freedoms as universal values, the mechanisms for their implementation remained largely dependent on national legal systems. Over time, it became evident that international norms required corresponding institutional frameworks at the domestic level to ensure their effective application.

During the second half of the twentieth century, various states experimented with different institutional models designed to bridge the gap between international human rights standards and national legal practice. Early forms of such institutions included parliamentary ombudsmen, advisory commissions, and specialized human rights councils. These bodies emerged primarily in Western Europe and North America, where they functioned as intermediaries between citizens and state authorities, contributing to administrative accountability and legal oversight.

A decisive stage in the global development of national human rights institutions occurred in the late 1980s and early 1990s. This period was characterized by intensified international dialogue on democracy, rule of law, and human rights, particularly in the context of political transitions in Central and Eastern Europe, Latin America, and parts of Asia. The growing consensus was that

national institutions should play an active role not only in responding to violations, but also in shaping public policy, conducting research, and promoting human rights education.

The adoption of the Vienna Declaration and Programme of Action in 1993 marked a turning point in the international recognition of national human rights institutions. The Declaration explicitly encouraged states to establish and strengthen national institutions in accordance with their constitutional systems and national circumstances. It emphasized that such institutions could contribute significantly to the promotion and protection of human rights by providing advisory support to governments, monitoring legislation, and disseminating information.

Closely linked to this development were the Principles Relating to the Status of National Institutions, commonly known as the Paris Principles. These principles articulated key criteria for the effective functioning of national human rights institutions, including a broad mandate, independence guaranteed by law, pluralism, adequate resources, and a clearly defined role within the state structure. Although not legally binding, the Paris Principles became an authoritative international benchmark for assessing national institutions.

From a historical standpoint, the global spread of national human rights institutions in the 1990s reflected a shift toward institutional governance of human rights. Rather than relying solely on courts or international monitoring bodies, states increasingly recognized the need for permanent national mechanisms capable of integrating human rights considerations into everyday governance. In this sense, the establishment of national human rights institutions became a defining feature of post-Cold War constitutional and administrative reforms.

Against this global background, the creation of the National Human Rights Centre of Uzbekistan in 1996 appears as part of a broader international process. While shaped by national legal traditions and political priorities, the Centre's formation corresponded to widely accepted international models and principles that had emerged through decades of global experience in human rights institutionalization.

3. International Models of National Human Rights Institutions: A Historical-Comparative Perspective

From a historical perspective, national human rights institutions (NHRIIs) have developed in diverse institutional forms, reflecting differences in constitutional traditions, political systems, and administrative cultures. Despite this diversity, comparative analysis reveals several recurring models that emerged and evolved during the second half of the twentieth century.

One of the earliest institutional models was the parliamentary ombudsman, first established in Sweden in the early nineteenth century and later adopted by numerous European states after the Second World War. Historically, this model focused on protecting individuals from maladministration by public authorities. Over time, the ombudsman institution gradually expanded its mandate to include broader human rights issues, particularly in countries undergoing democratic transition.

Another influential model was the human rights commission, which emerged primarily in Commonwealth countries during the 1960s and 1970s. These commissions were typically endowed with advisory, monitoring, and educational functions rather than direct enforcement powers. From a historical standpoint, human rights commissions played an important role in translating international human rights obligations into national policy frameworks, especially in post-colonial states seeking to align domestic governance with global norms.

A third institutional type consisted of national human rights councils or centres, which combined research, coordination, and policy advisory functions. Unlike ombudsmen, these institutions were not primarily complaint-handling bodies; instead, they focused on legislative analysis, inter-agency coordination, reporting on human rights conditions, and engagement with international organizations. This model became particularly prominent during the 1990s, when states faced the challenge of institutionalizing human rights protection amid complex legal reforms.

The adoption of the Paris Principles provided a common normative framework that allowed these diverse institutional models to be assessed according to shared standards. Historically, the Principles did not impose a single institutional design but rather emphasized functional criteria, such as independence, pluralism, and a broad mandate. This flexibility enabled states to adapt international models to their specific historical and political contexts.

Comparative experience demonstrates that in many transitional states, including those in Central and Eastern Europe, the establishment of NHRIs was closely linked to broader state-building processes. These institutions often served as intermediary structures between international human rights mechanisms and domestic legal systems. From a historical perspective, their creation reflected an attempt to institutionalize new normative values within emerging constitutional orders.

In this regard, the diversity of international models underscores that national human rights institutions are products of both global normative convergence and national historical particularities. This dual character is essential for understanding

the Uzbek experience, which combined international standards with domestic priorities during the early years of independence.

4. The Establishment of the National Human Rights Centre of Uzbekistan in Historical Context

The establishment of the National Human Rights Centre of the Republic of Uzbekistan in 1996 marked a significant milestone in the country's post-independence institutional development. From a historical perspective, the creation of the Centre should be understood as part of the broader process of building a new constitutional and legal system following the dissolution of the Soviet Union.

During the early 1990s, Uzbekistan faced the dual challenge of consolidating state sovereignty and redefining the relationship between the individual and the state. The adoption of the Constitution in 1992 laid the foundational legal framework by affirming the primacy of human rights and freedoms. However, the practical implementation of these constitutional principles required specialized institutions capable of coordinating policy, analyzing legislation, and engaging with international human rights mechanisms.

The decision to establish the National Human Rights Centre was influenced by both domestic considerations and international developments. On the international level, the growing recognition of national human rights institutions following the Vienna Declaration and Programme of Action provided a conceptual and normative reference. Domestically, the need to systematize human rights activities, monitor compliance with international obligations, and promote legal awareness became increasingly evident.

By Presidential Decree of 31 October 1996, the National Human Rights Centre of Uzbekistan was formally established as a state institution. Its mandate was subsequently elaborated by a resolution of the Cabinet of Ministers, which defined its functions, organizational structure, and areas of responsibility. Historically, this institutional design reflected a model focused on analysis, coordination, and advisory functions rather than individual complaint resolution.

The Centre was entrusted with tasks such as reviewing national legislation for compliance with international human rights standards, preparing analytical reports, coordinating the activities of state bodies in the human rights field, and facilitating cooperation with international organizations. From a historical standpoint, these functions positioned the Centre as an intermediary between international human rights norms and the domestic legal system.

Importantly, the establishment of the National Human Rights Centre did not occur in isolation. It formed part of a broader institutional framework that included the Parliamentary Ombudsman and legislative monitoring bodies. This multiplicity

of institutions reflected an emerging understanding that human rights protection required a institutional approach rather than reliance on a single mechanism.

In historical terms, the creation of the National Human Rights Centre represented an early attempt to institutionalize human rights governance in Uzbekistan. While shaped by international models, the Centre's specific mandate and structure were adapted to the country's legal traditions and political realities. As such, it exemplifies how global human rights norms were localized during the formative stage of Uzbekistan's statehood.

5. The Role of the National Human Rights Centre of Uzbekistan in Comparative Perspective

From a comparative historical perspective, the National Human Rights Centre of the Republic of Uzbekistan occupies a distinct position within the spectrum of national human rights institutions. Unlike ombudsman offices, which primarily focus on addressing individual complaints, the Uzbek Centre was designed as an analytical and coordinating body. This institutional orientation corresponds to a model widely observed in several transitional and post-socialist states during the 1990s.

In comparative terms, similar institutions in Central and Eastern Europe and parts of Asia were established to assist governments in aligning domestic legislation with international human rights standards. These bodies often served as advisory mechanisms, providing expert assessments of draft laws, preparing national reports to international treaty bodies, and facilitating inter-agency coordination. Historically, such functions were considered essential in contexts where legal systems were undergoing rapid transformation.

The National Human Rights Centre of Uzbekistan reflects these global tendencies. Its mandate to analyze legislation, monitor compliance with international obligations, and promote human rights education parallels the functions of comparable institutions in other post-transition states. From a historical standpoint, this alignment suggests that the Uzbek model was neither isolated nor exceptional, but rather part of a broader pattern of institutional adaptation to international human rights norms.

At the same time, the Centre's role must be understood in relation to the overall architecture of human rights protection in Uzbekistan. The existence of multiple institutions—such as the Parliamentary Ombudsman and legislative monitoring bodies—indicates an institutional division of labor. Within this framework, the National Human Rights Centre functioned as a coordinating and analytical hub, rather than as a primary enforcement mechanism.

Comparative experience demonstrates that such institutional differentiation can enhance the overall effectiveness of human rights protection by preventing overlap and clarifying functional responsibilities. Historically, states that adopted multi-institutional models were better positioned to address the complex and multidimensional nature of human rights governance. In this regard, the Uzbek approach reflects a conscious effort to integrate international experience into domestic institutional design.

Thus, when viewed through a comparative lens, the National Human Rights Centre of Uzbekistan can be seen as an example of how global human rights standards were translated into a nationally adapted institutional framework during the early years of independence.

Conclusion. The historical analysis presented in this article demonstrates that the formation of human rights protection institutions in Uzbekistan during the early years of independence was not a spontaneous or isolated process. Rather, it represented a deliberate and structured response to both domestic state-building needs and international normative developments.

The establishment of the National Human Rights Centre of the Republic of Uzbekistan in 1996 marked a significant stage in the institutionalization of human rights governance. From a historical perspective, the Centre's creation reflected the convergence of constitutional reforms, international legal commitments, and the global spread of national human rights institutions following the adoption of the Vienna Declaration and the Paris Principles.

Comparative analysis reveals that the Uzbek experience corresponds to broader international trends observed in transitional states during the post-Cold War period. Like similar institutions elsewhere, the National Human Rights Centre was designed to perform analytical, advisory, and coordinating functions rather than to serve as a complaint-handling body. This institutional model was particularly suited to the challenges of legal transformation and normative alignment faced by newly independent states.

The study also shows that the Centre functioned as part of a wider institutional ecosystem that included parliamentary and executive mechanisms of human rights protection. Such a multi-institutional approach reflects a historical understanding that effective human rights governance requires complementary and mutually reinforcing mechanisms.

In conclusion, the National Human Rights Centre of Uzbekistan should be viewed as an integral component of the country's early efforts to embed human rights principles within its legal and administrative structures. Its establishment illustrates how international human rights concepts were adapted to national

conditions, contributing to the broader process of democratic state-building in the post-independence period.

REFERENCES:

1. O'zbekiston Respublikasi Konstitutsiyasi. – Toshkent: O'zbekiston, 2009. – 80 b.
2. Ахмедов F., Саттаров А. Ўзбекистон: Инсон хуқуклари ва конунлари / масъул мухаррир А.Х. Сайдов. – Тошкент: Адолат, 1999. – 12 б.
3. Таджихонов У. Закон. Человек. Государство. – Т.: Академия МВД, 1997. – С. 127-128.
4. Inson huquqlari bo'yicha xalqaro shartnomalar: to'plam / o'zbekcha nashrining mas'ul muharriri A.X. Saidov. – Toshkent: Adolat, 2004. – 30, 59-b.
5. Vena deklaratsiyasi va inson huquqlari bo'yicha Harakat dasturining 10 yilligiga bag'ishlangan ilmiy-amaliy konferensiya materiallari. – Toshkent, 2004. – 8-b.
6. Principles relating to the Status of National Institutions (The Paris Principles). – Rejim: <https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris>
7. Венская декларация и программа действий: Сборник документов. – М., 2004. – С. 88.
8. Каримов И.А. Ҳозирги босқичда демократия ислоҳотларни чуқурлаштиришнинг муҳим вазифалари // Янгича фикрлаш ва ишлаш – давр талаби. – Т. 5. – Тошкент: Ўзбекистон, 1997. – 119-б.
9. Бакаева Ф.Х. Олий Мажлиснинг инсон хуқуклари бўйича вакили (омбудсман) тўғрисида Ўзбекистон Республикаси конунига шарх. – Тошкент: Адолат, 2001. – 19-б.
10. United Nations. National Human Rights Institutions: History, Principles, Roles and Responsibilities (Professional Training Series No. 4, Rev.1). – New York; Geneva: United Nations, 2010. – 250 p.
11. United Nations. Principles relating to the Status of National Institutions (The Paris Principles): adopted by UN General Assembly Resolution 48/134 (20 December 1993) :. – Geneva: OHCHR, n.d.
12. World Conference on Human Rights. Vienna Declaration and Programme of Action (UN Doc. A/CONF.157/23, 12 July 1993). – Vienna, 1993.
13. Global Alliance of National Human Rights Institutions (GANHRI). SCA Accreditation Manual. – Geneva: GANHRI, 2018. – 48 p.

14. Office of the United Nations High Commissioner for Human Rights; United Nations Development Programme. UNDP-OHCHR Toolkit for Collaboration with National Human Rights Institutions : – New York; Geneva, 2010.