

Speech by the Head of the Department of the human rights protection and legal support of the Ministry of Internal affairs of the Republic of Uzbekistan, I.T.Turgunov at the OSCE meeting for human dimension

(22 September - 3 October 2014, Warsaw)

Prevention of aggressive nationalism, racism and chauvinism, including the growth of political parties, movements and groups advocating violence and hatred on ethnic, racial and religious grounds.

I.

Turning to the topic of the issue, in my opinion, should be, first of all, to define the basic concepts:

1. Nationalism (fr. Nationalisme) - the ideology and direction of the policy, the fundamental principle of which is the thesis of the values of the nation as the highest form of social cohesion, its primacy in the state-forming process. As a political movement, nationalism seeks to uphold the interests of the national community in a certain relationship with the government.

2. Racism - a set of beliefs, which are based on the provisions of the physical and mental inequality of human races and the decisive influence of racial differences in the history and culture.

3. Chauvinism (fr. Chauvinisme), derived from the name of Nicolas Chauvin (fr. Nicolas Chauvin) - mythical soldier in the army of Napoleon Bonaparte. Allegedly took part in the French Revolution and the Napoleonic Wars (1799-1815). Despite the unpopularity of Bonapartism in the Bourbon restoration period after 1815, Chauvin, as narrated, was an ardent supporter of Napoleon, wearing a lapel violet, which is a sign of his devotion to the deposed emperor. According to the myth, Chauvin remained fanatically loyal, despite the poverty, disability and abuse. He worshiped the emperor thought he was right in everything and was ready to fight the world on his side.

II.

From the first days of its independence Republic of Uzbekistan has created the necessary legal, organizational conditions for support, security and protection of the human rights of all peoples and nations living on its territory.

Firstly, the main piece of legislation that enable implementation on an equal footing of main human rights and freedoms in the political, economic, social, cultural and other spheres of social life, is the Constitution of the Republic of Uzbekistan from 1992. Article 8 of the Basic Law of the country given the constitutional definition to "the people of Uzbekistan": "The people of Uzbekistan are citizens of the Republic of Uzbekistan, regardless of their nationality."

Secondly, all the legislative acts of the Republic of Uzbekistan secured citizens equal rights and freedoms of equality before the law regardless of race, gender, nationality, language, religion, social origin, beliefs, personal and social status (Article 18 of the Constitution).

Thirdly, proclaimed in the Constitution the principle of the primacy of international law, the Republic of Uzbekistan joined the 70 international

instruments aimed at securing and protecting the rights of different categories of people (women, children, the disabled, ethnic minorities), and has an obligation to create the necessary organizational - legal conditions for the promotion and protection of human rights and freedoms in its territory.

In accordance with the requirements of international law in Uzbekistan formed not only the constitutional and legal framework and guarantees the protection of human rights and freedoms, but also created an institutional mechanism, appropriate institutional framework for the promotion and protection of human rights.

Fourth, in order to create the necessary conditions for the realization of human rights for all peoples and nations, living in the country, Uzbekistan in 1995 has ratified the UN Convention on the Elimination of all forms of racial discrimination, as well as fully supports the Durban Declaration, the Programme of Action and the outcome of the Durban Review Conference.

Fifth, in order to prevent discrimination based on religion or belief, to create the necessary legal protection against such discrimination in 1997, Uzbekistan joined the Declaration on the Elimination of all forms of intolerance and discrimination based on religion or belief.

Sixth, the state policy of the Republic of Uzbekistan in the field of the Elimination of all forms of racial discrimination is aimed at:

- creating social atmosphere of ethnic harmony and tolerance;
- the development of institutions and legal mechanisms to ensure individual and collective human rights, including racial, national and ethnic minorities;
- the adoption of specific measures to protect the cultural identity of national minorities and their integration into the Uzbek society;
- ensuring proportional representation of ethnic groups in all spheres of public life.

Seventh, the State ensures respect for the languages, customs and traditions of the nations and nationalities living on its territory, creating the conditions for their development through:

- prohibit the organization of political parties based on race and national origin, as well as the establishment of public associations whose activities are aimed at promoting racial and religious hatred;
- prohibit the use of religion to foment enmity, disgust and ethnic hatred;
- avoiding the use of media to promote national, racial or religious hatred;
- prohibition to interfere with the rights of citizens to freely choose the language of communication, education and training.

Eighth, the Government of the Republic of Uzbekistan established the Order "Dustlik" ("Friendship"), which is awarded to the workers of science, culture, education, health, media and social services for his contribution to strengthening inter-ethnic harmony among the peoples living in Uzbekistan.

Direct or indirect violation or restriction of rights, or the establishment of direct or indirect privileges for citizens on account of their sex, race, nationality, language, religion, social origin, beliefs, personal or social status, under Art. 141 of

the Criminal Code of the Republic of Uzbekistan (violation of the equality of citizens), -

punishable by a fine up to fifty minimum monthly wages, or deprivation of certain right up to three years, or correctional labor for up to two years.

The same actions accompanied by violence -

shall be punished with correctional labor from two to three years, or arrest up to six months, or imprisonment up to three years.

The right to freedom of association is an inalienable right under international law and is guaranteed by all the major international instruments governing human rights, in particular the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, Document of the Copenhagen Meeting of the Conference on the Human Dimension of the OSCE and the European Convention on human Rights.

Thus, all the nations of the world have a clear international obligation to promote and protect human rights to associate with others, including the right to form, join and implementation of a political party.

At the same time, the government should ensure the rights and lawful interests of public associations, create them equal legal opportunities to participate in public life. Interference of state bodies and officials in the activities of public associations, as well as interference by public associations in the activities of state bodies and officials are not allowed.

However, by the special laws state establishes the procedure for the formation of public associations, the demands on their statutes and other internal documents, the order of registration of public associations and their elimination.

In Uzbekistan, the political parties are established and operate in order to realize the rights and freedoms of citizens on the basis of free will, voluntary entry and exit from the party, equality of its members, governance, the rule of law and transparency.

Their order of creation and registration of political parties is governed by the Laws "On political parties", "On non-governmental organizations" and "On Public Associations in the Republic of Uzbekistan", as well as the Rules of examination of applications for registration of the statutes of voluntary associations operating in the territory of the Republic of Uzbekistan.

In particular, national legislation prohibits the establishment and activities of political parties with the aim of overthrowing the constitutional order; oppose the sovereignty, integrity and security of the Republic of Uzbekistan, constitutional rights and freedoms of its citizens; advocating war, social, national, racial and religious hatred; detrimental to the health and morals of the people; on ethnic and religious grounds.

It should be noted that these requirements are consistent with the standards of international legal instruments, such as Art. 22 of the International Covenant on Civil and Political Rights and article 11 of the Convention for the Protection of Human Rights and Fundamental Freedoms. Where it is stated that, "Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and join trade unions for the protection of his

interests. The exercise of these rights shall not be subject to any restrictions except those which are provided by law in the interests of national security or public safety, for the protection order or prevention of crime, public health or morals or for the protection of the rights and freedoms of others and are necessary in a democratic society. "

According to the requirements of national law, a political party is not subject to registration, if its charter, goals, objectives and methods contravene the Constitution, the Law "On political parties" and other legislative acts or previously registered political party or social movement of the same name.