

Delegation of Uzbekistan

**WRITTEN CONTRIBUTION BY THE DELEGATION OF THE
REPUBLIC OF UZBEKISTAN TO THE SUPPLEMENTARY HUMAN
DIMENSION MEETING ON THE OSCE CONTRIBUTION TO THE
PROTECTION OF NATIONAL MINORITIES**

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**Session III: National minorities in inter-State relations and the
Bolzano/Bozen Recommendations**

Mr. Chairperson,
Distinguished colleagues,

Uzbekistan has centuries of historical experience in the cohabitation of different confessions and ethnic groups. From time immemorial over many thousands of years different religions and faiths have coexisted on its territory. Today, with representatives of 136 nationalities and ethnic groups living peacefully in Uzbekistan, the majority identifying with 1 of 16 official religions, this historical experience is once again of use.

In accordance with the commitments set forth in Article 27 of the United Nations International Covenant on Civil and Political Rights, Article 1(1) of the United Nations Declaration on Minority Rights, principle VII, paragraph 4, of the Helsinki Final Act, paragraphs 33(1) and 36(2) of the Copenhagen Document and paragraph 2 of the Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations, the government policy in Uzbekistan is aimed:

- First, at creating an atmosphere in society of inter-ethnic harmony and tolerance;
- Second, at developing institutions and legislative mechanisms to safeguard individual and collective human rights, including those of racial, national and ethnic minorities;
- Third, at taking concrete steps to safeguard the cultural identity of national minorities and their integration in Uzbek society;
- Fourth, at safeguarding proportional representation of ethnic groups in all areas of public life.

The basic law safeguarding the exercise on an equal basis of human rights and freedoms in political, economic, social, cultural and other areas of public life is the Constitution of the Republic of Uzbekistan, Article 8 of which states: “All citizens of the

Republic of Uzbekistan, regardless of their nationality, constitute the people of Uzbekistan.” Article 4 of the Constitution ensures a respectful attitude towards the languages, customs and traditions of all nationalities and ethnic groups living on its territory, and creates the conditions necessary for their development.

In accordance with paragraph 5 of the Bolzano/Bozen Recommendations, the principle of non-discrimination and equality is implicit in practice in all national laws. Article 18 of the Constitution of Uzbekistan states that “all citizens of the Republic of Uzbekistan shall have equal rights and freedoms, and shall be equal before the law, without discrimination by gender, race, nationality, language, religion, social origin, convictions, individual and social status.”

Article 15 of the Constitutional Law of 31 August 1991 on the Foundations of State Independence of the Republic of Uzbekistan states the following: “Citizenship of the Republic of Uzbekistan shall be established on the territory of the Republic of Uzbekistan in accordance with the Universal Declaration of Human Rights. All citizens of the Republic of Uzbekistan, irrespective of nation, nationality, social origin, religious belief and convictions, shall have identical civil rights and be under the protection of the Constitution of the Republic and its laws.”

Restrictions on human rights on account of gender, race, nationality, language and religion are also prohibited in the laws on the nationwide discussion of draft laws of 14 December 2000, on elections to the Oliy Majlis of the Republic of Uzbekistan of 29 August 2009, on the election of the President of the Republic of Uzbekistan of 18 November 1991, and on the election of people’s deputies to local, regional and municipal councils of 5 May 1994.

In accordance with paragraph 6 of the Bolzano/Bozen Recommendations, measures exist in Uzbekistan to safeguard the rights of national minorities to maintain and develop their culture and to preserve inherent elements of their identity. Article 42 of the Constitution guarantees the right to enjoy cultural benefits. The State promotes the cultural, scientific and technical development of society.

There are currently 37 professional theatres and a number of amateur theatres in Uzbekistan, including 1 bilingual (Uzbek and Russian) opera and ballet theatre, 7 drama theatres, including 3 Russian ones, 14 concert and musical theatres, including 1 Russian and 1 Karakalpak, 4 youth theatres and theatres for young audiences, including 1 Russian and 1 Karakalpak, and 10 puppet theatres, including 1 Karakalpak and 4 bilingual (Uzbek and Russian).

There are a number of amateur theatres in Uzbekistan, such as Ilkhom, Alladin, Mulokot, Eski Machit and Turon. Moreover, almost all higher education establishments have amateur theatres. Every year they perform at the Nikhol and Khazina festivals.

There are 90 museums overseen by the Ministry of Culture and Sport, and 1,853 palaces and houses of culture, 148 culture and leisure parks and 78 sports federations for different types of sport in Uzbekistan.

Considerable attention is also paid in the country to preserving the cultural heritage of the peoples living in the territory of the State, and citizens are obliged to protect the historical, religious and cultural heritage. Cultural monuments are protected by the State.

The laws on the protection and use of cultural heritage objects¹ and on the protection and use of archaeological heritage objects² define the concept and types of cultural and archaeological heritage, the powers of State bodies to preserve them, and the procedure for investigation in this area by archaeologists, scientists and other specialists.

In accordance with paragraph 11 of the Bolzano/Bozen Recommendations, national legislation guarantees the right of citizenship of Uzbekistan to every person living permanently on the territory of the Republic regardless of their racial or ethnic affiliation (Article 4 of the Law on Citizenship). Aliens and stateless persons may on application be awarded citizenship of the Republic of Uzbekistan regardless of their racial or ethnic affiliation.

Conditions for assumption of citizenship of Uzbekistan are:

- (a) Renunciation of foreign citizenship;
- (b) Permanent residence on the territory of Uzbekistan for the previous five years; the current regulation does not apply to people wishing to obtain Uzbek citizenship if they were born in Uzbekistan or can prove that at least one of their parents or grandparents was born there and is not a citizen of other States;
- (c) Possession of legal means of subsistence;
- (d) Acknowledgement and observance of the Constitution of Uzbekistan.

The above-mentioned requirements can be waived in exceptional cases by decision of the President of the Republic of Uzbekistan in the case of individuals who have rendered outstanding service to the Republic of Uzbekistan or who have achieved great merit in science, technology and culture and also exercise professions or possess qualifications of interest to Uzbekistan.

Applications for citizenship of Uzbekistan are rejected if the person advocates violent change to the constitutional system of the Republic of Uzbekistan or is serving a sentence of imprisonment for acts provided for in Article 17 of the Law on Citizenship.

The interpretation of Article 4 of the Law on Citizenship was considered at a session of the Constitutional Court on 27 October 1998. It found that according to Article 4, paragraph 3, of the Law on Citizenship, a person is a citizen of Uzbekistan if he/she acquired citizenship in accordance with the Law. Article 17 of the Law deals with the question of citizenship for aliens and stateless persons, according to which stateless persons may become citizens of Uzbekistan on application. Consequently, according to Article 4, paragraph 3, of

1 Law of the Republic of Uzbekistan of 30 August 2001, No. 269-II // Official Gazette of the Republic of Uzbekistan 2001, No. 17, Article 116.

2 Law of the Republic of Uzbekistan of 13 October 2009, No. 229 // Official Gazette of the Republic of Uzbekistan 2009, No. 42, Article 448.

the Law, stateless persons can become citizens of Uzbekistan only after acquisition by them of citizenship, in other words after acceptance of them in accordance with Article 17 of the Law. In accordance with Article 93, paragraph 19, of the Constitution of Republic of Uzbekistan and Article 30 of the Law, the decision on granting citizenship of Uzbekistan to stateless persons is to be made by the President of the Republic of Uzbekistan. Thus, persons mentioned in Article 4, paragraph 1, of the Law on Citizenship include citizens of the Uzbek Soviet Socialist Republic who have expressed a desire to become citizens of the Republic of Uzbekistan.

In accordance with paragraph 14 of the Bolzano/Bozen Recommendations, the mass media in Uzbekistan cover 12 languages, with 502 titles published in Uzbek, 164 in two or more languages, and 84 in three or four (Uzbek, Russian, Karakalpak and Tajik).

The national press in Uzbekistan includes publications by other nationalities, such as *Kore Sinmun* in Korean, *Ovozi Tojik* in Tajik and *Nurli Jol* in Kazakh. The newspaper *Apaga* is published for the Armenian diaspora, and there is *Tkhonil-Edinstvo* in Korean and Russian and *Bulubulcha Dono* in Tajik, which all have a wide readership.

In areas with dense concentrations of minority populations there are newspapers in the languages of these nationalities, for example *Ovozi Samarkand* in the Samarkand region and *Istiklol Iyli* and *Sadoy Sukh* in Fergana region, all in Tajik.

There are around 40 newspapers and 7 magazines in Karakalpakstan, over 80 per cent of which are published in Karakalpak.

Television and radio programmes such as “Under One Sky”, “In One Family”, “Uzbekistan – Our Common Home”, “Chinsen”, “Didar”, “Striving to be Just”, “Rondo” and “Elaman” illustrate the history and daily lives of the nationalities, ethnic groups and peoples living in Uzbekistan, their distinctive cultures, art, customs and traditions. They are designed to strengthen inter-ethnic understanding and harmony, cross-cultural relations and communication.

The State broadcasting system has over 20 television and radio programmes in the languages of the peoples and nationalities living in the country – in Korean, Tajik, Kazakh, Karakalpak, Russian, Turkmen, Tatar, Uighur, Kyrgyz and other languages.

In its efforts to implement paragraph 16 of the Bolzano/Bozen Recommendations, the Republic of Uzbekistan ratified the Agreement on the issues relating to restoration of rights of deported persons, national minorities and peoples on 9 December 1992. According to the Agreement, the Member States of the Commonwealth of Independent States, unreservedly condemning the totalitarian practice of forcible displacement of peoples, national minorities, and individual citizens of the former USSR that took place in the past as an evil deed contradicting universal humane principles, shall, amongst other things, decide issues regarding citizenship, ensure the required conditions for an unimpeded voluntary resettlement of national minorities and for unimpeded and duty-free moving-in, moving-out and transit moving of any property belonging to them by right of individual ownership and guarantee the provision of pensions.

In fulfilment of paragraph 18 of the Bolzano/Bozen Recommendations, Uzbekistan has concluded bilateral agreements with a number of States and created mechanisms to improve protection for members of national minorities.

The Agreement between the Government of the Republic of Uzbekistan and the Government of the Russian Federation on labour and protection of the rights of migrant workers with Uzbek citizenship working in the Russian Federation and those with Russian citizenship working in Uzbekistan, which entered into force on 15 July 2009, protects the social, economic and other rights of migrant workers. A working group was set up to deal with questions relating to the implementation of the Agreement.

With a view to ensuring the necessary conditions for the rapprochement of peoples and fostering contacts between their citizens at both the individual level and through State, voluntary and other organizations, the Agreement on the principles of co-operation to safeguard the rights of national minorities was signed by the Republic of Uzbekistan and Ukraine on 20 February 1993. According to this document, the parties recognize the need for mutual respect and assistance in safeguarding the rights of national minorities, including the right to freely use their native language, to establish cultural centres and voluntary educational, cultural and religious organizations and to access information in their native language. The parties co-operate in providing State radio programmes for Uzbeks in Ukraine and Ukrainians in Uzbekistan. They also deal with specific questions regarding the acquisition of citizenship, protection of property rights, customs policy, visa regime and social security. To ensure compliance with the Agreement, the parties are proposing the creation of a joint commission consisting of representatives of State bodies and ethnic minority organizations.