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Implementation of the International Convention On The Elimination Of All Forms Of Racial Discrimination In Uzbekistan: Problems And Prospects

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Abstract: This article examines the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) in the Republic of Uzbekistan, focusing on the existing legal framework, institutional mechanisms, and challenges to effective realization. The study analyzes constitutional guarantees and national legislation adopted to promote equality and protect the rights of ethnic minorities. Despite notable progress—including the adoption of the 2023 Constitution and the development of state policy in interethnic relations—systemic challenges remain, such as insufficient public awareness, limited data collection, and the need for stronger law enforcement mechanisms. The article concludes with recommendations for enhancing national implementation of CERD through educational reforms, improved data monitoring, and international cooperation.

Keywords: Uzbekistan, CERD, racial discrimination, constitutional reform, interethnic relations, human rights, equality, tolerance.

Introduction

Uzbekistan is a multiethnic state, home to representatives of more than 130 ethnic groups. This diversity forms a vital component of the nation's identity while simultaneously presenting the state with the responsibility of ensuring genuine equality and non-discrimination. The revised Constitution of the Republic of Uzbekistan, adopted in 2023 [1.], has strengthened

the legal guarantees for the protection of ethnic minority rights, marking an important step in fulfilling international obligations under CERD (United Nations, 1965) [2.].

Despite positive developments, several systemic challenges persist: limited public awareness, prevailing ethnic stereotypes, a lack of comprehensive statistical data, and the need for further development of enforcement and monitoring mechanisms. Consequently, improving national policy to ensure equality and interethnic harmony remains a critical issue.

Legal Foundations for the Implementation of CERD in Uzbekistan

Constitutional Guarantees

In Uzbekistan, the rights of every individual—regardless of race, nationality, language, religion, or social origin—are guaranteed by the Constitution, laws, and other normative legal acts[1.]. The new Constitution of the Republic of Uzbekistan (2023) contains expanded provisions aimed at strengthening the principles of equality and non-discrimination.

According to Article 7 of the Constitution, the only source of state power is the people of Uzbekistan. In accordance with Article 8, “The people of Uzbekistan consist of the citizens of the Republic of Uzbekistan, regardless of their nationality.” [1.].

Article 19 establishes that all citizens are equal before the law, regardless of race, nationality, language, religion, social origin, beliefs, or other characteristics[1.].

For the first time, the rights of ethnic minorities to preserve and develop their native language, culture, and traditions have been constitutionally enshrined, which is consistent with Article 5 of the CERD [2, article 5.]. Constitutional norms define the foundation for forming anti-discrimination policies in accordance with international standards.

The implementation of these constitutional provisions is guaranteed by Article 20 of the Constitution, which stipulates that a citizen of the Republic of Uzbekistan and the state are bound by mutual rights and mutual responsibilities[1.]. The rights and freedoms of citizens established by the Constitution and laws are inviolable, and no one may be deprived of or restricted in them without a court decision.

The fundamental rights, freedoms, and duties of individuals and citizens, enshrined in Chapter VIII “Political Rights” and Chapter X “Guarantees of the Rights and Freedoms of Individuals and Citizens” of the Constitution, apply to every citizen of the Republic of Uzbekistan, regardless of nationality, encompassing

the full range of personal, political, economic, social, and cultural rights[1.].

The state guarantees the rights and freedoms established by the Constitution and laws, granting everyone the right—individually or jointly with others—to submit applications, proposals, and complaints to competent state bodies, citizens’ self-governing bodies, officials, or people’s representatives [1, article 40.], as well as to seek judicial protection of their rights and freedoms, including the right to appeal to a court against unlawful decisions, actions, or inaction of state bodies and other organizations or their officials [1, article 55.].

Legislative Measures

Beyond the Constitution, Uzbekistan has adopted several legislative and policy instruments relevant to CERD implementation, including:

- The Law on Guarantees of Equal Rights and Opportunities for Women and Men (2019) [3.];
- The National Strategy on Countering Extremism and Terrorism (2021–2026) and its accompanying “Roadmap” (Presidential Decree No. UP-6255, 2021), aimed at preventing interethnic hostility and promoting tolerance [4.];
- For the purpose of consistently implementing and further improving the state policy in the field of interethnic relations and the development of friendly ties with foreign countries, a Presidential Decree of the Republic of Uzbekistan was adopted on November 15, 2019, approving the Concept of the State Policy of the Republic of Uzbekistan in the Sphere of Interethnic Relations [5.];
- The implementation of the Convention is carried out within the framework of a new course of comprehensive democratic reforms in all spheres of public, political, socio-economic, and spiritual-moral life. This course is defined by the Action Strategy for Five Priority Areas of Development of the Republic of Uzbekistan for 2017–2021, which aims to:
 - improve state and public administration;
 - ensure the rule of law and reform the judicial and legal system;
 - further develop the economy;
 - enhance the social sphere;
 - ensure security, interethnic harmony, and religious tolerance;
 - and pursue a mutually beneficial and constructive foreign policy[6.];
- These efforts continue under the Development Strategy of New Uzbekistan for 2022–2026, which

includes a state program for its implementation. The program is carried out in five stages, each of which defines specific goals [7.]. The goal of the Strategy is to ensure an effective and coordinated state policy to counter extremism and terrorism, enabling the protection of the constitutional order of the Republic, safeguarding national security, as well as the rights and freedoms of citizens in this area. Among the priority areas of the Strategy are:

- Promoting the ideology of patriotism, traditional values, and tolerance to prevent the spread of extremist and terrorist ideas;
- Preventing the dissemination of extremist and terrorist ideas among minors and youth;
- Protecting the rights of women and strengthening their role in countering extremism and terrorism;
- Protecting citizens who have been abroad for extended periods from the influence of extremist and terrorist ideas;
- Broadly involving civil society institutions and the media in countering extremism and terrorism;
- Improving measures for legal prosecution and accountability for committing extremist and terrorist acts, as well as their financing;
- Enhancing the regulatory and legal framework in the field of countering extremism and terrorism[7.].

These frameworks emphasize the promotion of patriotism, civic tolerance, and respect for diversity as safeguards against extremism and discrimination.

In addition, Uzbekistan actively participates in the Universal Periodic Review (UPR) mechanism of the UN Human Rights Council, allowing for external assessment of national progress and remaining challenges (OHCHR, 2023) [8.].

Institutional Mechanisms for CERD Implementation

As mentioned above, representatives of more than 130 nationalities and ethnic groups live together as one family in our country. United by the goal of ensuring the prosperity of our common home — Uzbekistan — they work selflessly in all spheres and sectors, making a worthy contribution to building a legal, democratic state with a developed market economy and a strong civil society.

By the Decree of the President of the Republic of Uzbekistan dated May 19, 2017, an interagency state body was established for the first time in Uzbekistan's practice to coordinate the implementation of a unified state policy in the field of interethnic relations — the Committee on Interethnic Relations and Friendly Ties with Foreign Countries under the Cabinet of Ministers

of the Republic of Uzbekistan[9.].

The Ombudsman (Commissioner for Human Rights) serves as the key institution overseeing the protection of citizens' rights and ensuring parliamentary oversight of human rights observance. Recent reforms have expanded the Ombudsman's competence to include complaints related to discrimination [10, article 10.].

Other specialized institutions include [11.]:

- The Committee on Interethnic Relations and Friendly Ties with Foreign Countries;
- Public Councils for Strengthening Interethnic Harmony and Tolerance;
- The Human Rights Commission under the Oliy Majlis (Parliament).

While these institutions play an important role in maintaining interethnic harmony, they require greater institutional independence and systematic monitoring functions to address discrimination more effectively.

Challenges and Areas for Improvement

Despite legislative progress, Uzbekistan faces several challenges in the full realization of CERD principles:

1. **Sociocultural barriers:** Persistent ethnic stereotypes in public consciousness create conditions for indirect discrimination. It is crucial to integrate human rights and tolerance education into school and university curricula.
2. **Insufficient data collection:** The absence of systematic data on discrimination cases limits policy evaluation. A national monitoring system based on ethnic indicators could serve as a valuable assessment tool.
3. **Institutional limitations:** Civic participation in interethnic policymaking remains limited. Establishing regular public dialogue platforms could foster more inclusive and transparent decision-making.

Recommendations

To enhance the effectiveness of CERD implementation in Uzbekistan, the following measures are proposed:

- **Educational and awareness initiatives:** Integration of equality, human rights, and tolerance education across all levels of the national curriculum.
- **Expansion of international cooperation:** Strengthening engagement with the UN Committee on the Elimination of Racial Discrimination, the Office of the High Commissioner for Human Rights (OHCHR), and the OSCE to exchange best practices.
- **Monitoring and reporting:** Establishing a national statistical system to record and publish data on discrimination cases and ensure annual public

reporting.

Conclusion

Uzbekistan continues to demonstrate a strong commitment to fulfilling its international obligations under CERD. The adoption of the 2023 Constitution and complementary legislative frameworks provides a robust legal foundation for promoting equality and combating racial discrimination. However, achieving sustainable results requires a comprehensive approach: strengthening enforcement mechanisms, enhancing public legal awareness, promoting civil society engagement, and deepening international cooperation. Only through such an integrated effort can Uzbekistan build a fair and inclusive society free from discrimination, where every citizen enjoys equal opportunities for self-realization.

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