

ASSESSMENT OF THE EFFECTIVENESS OF THE COMMISSIONER FOR HUMAN  
RIGHTS IN PROTECTING AND PROMOTING HUMAN RIGHTS AT THE  
NATIONAL LEVEL

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**Annotation:** The role of the Commissioner for Human Rights in protecting and promoting human rights at the national level is crucial for ensuring the well-being and dignity of individuals within a society. This thesis aims to evaluate the effectiveness of the Commissioner in fulfilling these responsibilities and the impact of their actions on the promotion and enforcement of human rights.

**Keywords:** Commissioner for Human Rights, human rights protection, human rights promotion, national level, effectiveness, assessment.

**Introduction.** The Ombudsman has shown itself to be a very adaptable body. It has been wisely modified to fit various political, legal, and cultural contexts across the globe. A human rights-specific mandate was given to some national ombudsmen when they were established. Numerous others oversee the public administration and address human rights matters as part of their broader responsibility.

The human rights representative (ombudsman), as one of the subjects of parliamentary control, has the authority to ensure parliamentary control over the observance of legislative acts of human rights and freedoms by state bodies, enterprises, institutions, organizations, and officials. In the exercise of its mandate, the Ombudsman acts independently, separately from government bodies and officials, and reports to the Parliament of the Republic of Uzbekistan.<sup>1</sup>

The representative considers the complaints of citizens of the Republic of Uzbekistan, foreign citizens, and stateless persons on the territory of the Republic of Uzbekistan against the actions or inaction of organizations or officials violating their rights, freedoms, and legitimate interests, and he has the right to conduct his own investigation. It is important to note the previous years' report on the activities of the human rights commissioner:

- In 2020, the human rights commissioner (ombudsman) received 14,975 appeals.<sup>2</sup>
- In 2021, the human rights commissioner (ombudsman) received 18,738 appeals.<sup>3</sup>
- In 2022, the human rights commissioner (ombudsman) received 17,761 appeals.<sup>4</sup>
- In 2023, the human rights commissioner (ombudsman) received 18,622 appeals.<sup>5</sup>

According to the report on the activities of the human rights commissioner (ombudsman) of the Supreme Assembly in 2023, **18,622** appeals were received in 2023. Of these appeals, **6,487 or 40.7 percent came from women, and 9,473 or 59.3 percent came from men.**<sup>6</sup> As a result of the appeals of the senators to organizations of separate Ombudsman for the protection of the rights and interests of young people and children in the process of discussions, 5 students were supported in the payment of 24 million sums of contract money for their education in higher education institutions, the admission of 3 underage children to school, and the restoration of

<sup>1</sup> Inson huquqlari bo'yicha O'zbekiston Respublikasi milliy markazi. - <http://www.insonhuquqlari.uz/oz>

<sup>2</sup> Ombudsmanga 2020-yilda qariyb 15 mingta murojaat kelib tushdi, - [https://daryo.uz/2021/02/26/ombudsmanga-2020-yilda-qariyb-15-mingta-murojaat-kelib-tushdi/?fb\\_comment\\_id=3697051730372910\\_3700955423315874/](https://daryo.uz/2021/02/26/ombudsmanga-2020-yilda-qariyb-15-mingta-murojaat-kelib-tushdi/?fb_comment_id=3697051730372910_3700955423315874/)

<sup>3</sup> Yangi O'zbekiston" gazetasining, rasmiy sayti, Ombudsmanning 2021-yilgi faoliyati tahlil qililib, 2022-yilgi rejalar belgilab olindi, -<https://yuz.uz/uz/news/ombudsmanning-2021-yilgi-faoliyati-tahlil-qilinib-2022-yilgi-rejalar-belgilab-olindi>

<sup>4</sup> Deputatlar Ombudsmanning 2023-yildagi faoliyatini qanday baholashdi? -

<https://parliament.gov.uz/news/deputatlar-ombudsmanning-2023-yildagi-faoliyatini-qanday-baholashdi>

<sup>5</sup> O'zbekiston Respublikasi Oliy Majlisi Senati rasmiy web sayti, <https://senat.uz/events/post-1837>

<sup>6</sup> O'zbekiston Respublikasi Oliy Majlisi Senati rasmiy web sayti, -<https://senat.uz/events/post-1837>

assistance was also provided in the medical examination of 30 citizens and the issuance of a referral for the treatment of 17, the placement of 1 in the “Sahovat” house, the provision of 5 wheelchairs and 2 wrist prostheses, and the establishment of disability benefits for 2 and disability groups for 1 person. In addition, the inclusion of 20 citizens in the “women's notebook” was facilitated by the granting of a “protective order” to 3 women and the inclusion of 2 citizens in the “Yoshlar daftari”.<sup>7</sup>

According to article 10<sup>8</sup>, “On the Commissioner of the Oliy Majlis for Human Rights (Ombudsman)” the Ombudsman serves as a crucial mediator, receiving and addressing complaints from individuals, including both citizens and foreigners within Uzbekistan. They are tasked with investigating actions or inactions that violate rights, freedoms, and legitimate interests. “The representative accepts the complaints made by third parties, including NGOs, over violations of the rights, freedoms and legitimate interests of a particular person or a group of individuals, provided that their consent to this occurs.”<sup>9</sup> The flexibility in complaint submission—whether **oral, written, or electronic**—ensures accessibility for all individuals.<sup>10</sup> The ability to file complaints in a variety of ways—oral, written, or electronic—ensures that everyone can access them. Additionally, the Ombudsman's acceptance of third-party complaints, with consent, expands the scope of protection to include group interests. Putting together mobile and personal receptions is a sign of one's dedication to public participation and accessibility. Publication reception schedules and procedures guarantees that people know how to interact with the Ombudsman's office and demonstrates transparency.

The decision of the president of the Republic of Uzbekistan “On additional measures to identify cases of torture and improve their prevention system”<sup>11</sup> was adopted on June 26, 2021. In accordance with this decision, public groups for the identification and prevention of torture cases were established under the Ombudsman:

- identification of cases of torture and submission of requests for their rapid elimination to the relevant state body;
- participation in the review of appeals about cases of torture;
- development of methodological recommendations on issues of expert assessment of cases of torture.

Appeals received by individuals and their close relatives and defenders (lawyers) held in institutions with limited freedom of movement in the 2019–2022 and half of the 2023 years. Convicts and prisoners are installed in places convenient for the appeal to be thrown, and only the representative of the Ombudsman has the right to open them. During the monitoring process, anonymous surveys are conducted among convicts serving their sentences. Site visits and situation monitoring have been carried out by the Ombudsman over the past years. While 46 visits were made in 2019, about 500 visits were made in 2023, which means a 10-fold increase over 5 years ago.<sup>12</sup>

“Based on the tasks set out in the address of the head of our state to the parliament, as well as in order to actively implement the state policy on ensuring and protecting the constitutional rights

<sup>7</sup> O‘zbekiston Respublikasi Yoshlar ishlari agentligining Yoshlar daftaro loyihasi onlayn platformasi, <https://yoshlardaftari.uz/>

<sup>8</sup> The Law of the Republic of Uzbekistan, “On the Commissioner of the Oliy Majlis for Human Rights (Ombudsman)” article, 10, April 24, 1997 -<https://lex.uz/docs/-276159>

<sup>9</sup> The Law of the Republic of Uzbekistan “On the Commissioner of the Oliy Majlis for Human Rights (Ombudsman)” April 24, 1997, <https://lex.uz/docs/-276159>

<sup>10</sup> The Law of the Republic of Uzbekistan “On the Commissioner of the Oliy Majlis for Human Rights (Ombudsman)” April 24, 1997, <https://lex.uz/docs/-276159>

<sup>11</sup> The decision of the president of the Republic of Uzbekistan “On additional measures to identify cases of torture and improve their prevention system”, on June 26, 2021, <https://lex.uz/docs/-5475607>

<sup>12</sup> Oliy Majlisning inson huquqlari bo‘yicha vakil (ombudsman) rasmiy sayti <https://ombudsman.uz/oz/managements/ombudsman>

and legitimate interests of citizens, the Human Rights Commissioner (ombudsman) of the Oliy Majlis of the Republic of Uzbekistan has set a number of tasks for him.”<sup>13</sup>

**Conclusion.** The effectiveness of the Commissioner for Human Rights in protecting and promoting human rights at the national level depends on various factors such as independence, resources, support from the government, commitment to human rights principles, and the ability to engage with civil society. A comprehensive evaluation of these factors can provide insights into the strengths and weaknesses of the current system and offer recommendations for improvement.

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<sup>13</sup> Feruza Eshmatova, the Commissioner of the Oliy Majlis for human rights (ombudsman) <https://ombudsman.uz/oz/docs/inson-huquqlarini-himoya-qilish-zhamiyatda-adolatni-qaror-toptirish-faoliyatimizning-bosh-mezoni-boladi>