

**THE REFLECTION OF THE PHENOMENON OF FREEDOM OF  
CONSCIENCE AND THE PRINCIPLE OF INTERRELIGIOUS TOLERANCE IN  
THE LEGISLATION OF THE INTERNATIONAL COMMUNITY AND  
UZBEKISTAN**

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**ANNOTATION**

This article analyzes the problems of ensuring religious tolerance, particularly freedom of conscience, which is one of the main features of a judicial democratic state based on the sign of law. Also revealed the correlation between the norms of international law and the national legislation of the Republic of Uzbekistan in the establishment of tolerant relations in the religious sphere.

**Keywords:** *freedom of conscience, religious tolerance, denominations, norms and principles of international law, constitution*

***"Everyone, regardless of race, skin color, sex, language, religion, political or other beliefs, national or social origin, property, class or other status, shall have all the rights and freedoms proclaimed in this Declaration ... "[1]***

**Universal Declaration of Human Rights**

Today, most local and foreign jurists associate the phenomenon of freedom of conscience and religious tolerance with the most important values of our time, the basic democratic rights and freedoms of man. Gradually, with historical development, along with political and legal doctrines, a perception emerged in the public mind of the need for legal protection for people who followed a different worldview.

The Renaissance and the period of Reformation were further developed in the ideas of humanists, enlighteners, creators of the first liberal constitutions in the XVII-XIX centuries, as well as in the documents of the United Nations and other international organizations.

The legal basis for religious tolerance, in particular freedom of conscience, is enshrined in a number of international instruments, including the Universal Declaration of Human Rights of 1948, the International Covenant on Civil and Political Rights of 1966, and the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950. and the 1981 Declaration on the Elimination of All Forms of Intolerance and Discrimination based on Religion or Belief is of particular importance.

The Constitution of the Republic of Uzbekistan and the Law "On Freedom of Conscience and Religious Organizations" contain principles that reflect the rights of citizens and stateless persons to religious tolerance and belief in other religions - a sign of our country's commitment to the principles and norms of international law. For example, Article 31 of the Constitution of the Republic of Uzbekistan clearly states: "Everyone is guaranteed freedom of conscience. Everyone has the right to believe in any religion or not to believe in any religion. Forcible assimilation of religious views is not allowed." [2] Article 2 of the Law on Religious Organizations states: The legislation on freedom of conscience and religious organizations consists of the Constitution of the Republic of Uzbekistan, this Law and other legislative acts. Relations with the Republic of

Karakalpakstan on freedom of conscience and religious organizations, as well as the legislation of the Republic of Karakalpakstan. regulated.

If an international treaty of the Republic of Uzbekistan establishes other rules than those contained in the legislation of the Republic of Uzbekistan on freedom of conscience and religious organizations, the rules of the international treaty will be utilized. [3]

It follows that in other cases, in addition to the treaties adopted to comply with the provisions of the international treaty, the relevant inner legal act must be applied.

The Universal Declaration of Human Rights of 1948 served as a model for setting human rights standards in many countries around the world, including recent constitutions. In the late 1980s, Uzbekistan began to build a state based on international law, and the Independent Republic of Uzbekistan managed to bring its national legislation in line with the provisions of international law. The Constitution of the Republic of Uzbekistan reaffirmed its commitment to the universally recognized principles and norms of international law and strengthened the legal framework such as **freedom of conscience** (Article 31<sup>st</sup> of the Constitution of Uzbekistan ) and the **secular nature of the state** (Article 5<sup>th</sup> of the Law on Freedom of Conscience and Religious Organizations of Uzbekistan). Including: **“In the Republic of Uzbekistan, religion is separated from the state. No religion or religious belief shall be allowed to impose any privileges or restrictions on others”**.

The state promotes mutual understanding and respect between citizens of different religions and non-believers, religious organizations of different faiths, religious and other bigotry and extremism, actions aimed at confrontation and aggravation of relations between different religions. does not allow.

The state promotes peace and harmony between religious denominations. Proselytizing, as well as any other missionary activity, aimed at incorporating believers from one religious denomination into another is prohibited. Persons guilty of violating this rule will be prosecuted in accordance with the law. [4]

*Freedom of conscience is the foundation of human personality, arguably the right to be a person. The implementation of the law that constitutes this system depends on:*

- the ability of an individual to express himself as a person;
- the ability to overcome the contradictions between trends due to the rapid development of civilization and human nature;
- sustainable development capability of the state without social explosions and upheavals.

The proclamation of freedom of conscience is one of the most important and inalienable rights of mankind and the only condition of legal democracy.

Freedom of conscience, religious tolerance and faith are reflected in a number of United Nations norms with clear rules. Including:

Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide, adopted by Resolution 217A (III) of 9 December 1948, states:

**"This Convention defines the following actions to be taken with the intent to destroy any national, ethnic, racial or religious group under genocide:**

- a) killing members of such a group;*
- b) causing serious injury or mental impairment to members of such group;*
- c) the intentional creation of such living conditions intended for the complete or partial physical destruction of any group;*
- d) Measures to prevent births in such a group environment;*
- e) The forcible transfer of children from one group of persons to another;” [5]*

**Article 1 of the Universal Declaration of Human Rights** (Adopted by General Assembly Resolution 217A (III) 10<sup>th</sup> of December, 1948,) **states:** “All human beings are born free and equal in dignity and rights. They must have reason and conscience and act in the spirit of brotherhood. ”

**Article 2, paragraph 1, of the International Covenant on Civil and Political Rights** (entered into force on 23 March 1976, adopted by General Assembly Resolution 2200 A (XXI) of 16 December 1966) **said:**

“Each State Party to the present Treaty shall have the rights, freedoms, race, color, sex, language, religion, political and other beliefs, national or social origin, property status, birth or other conditions in this region and its undertake to respect and provide for all persons under its jurisdiction, ”and in **paragraph 2 of this article:**

"Unless provided by law or other measures, each State Party to this Covenant shall take the necessary measures in accordance with the constitutional procedures and provisions of this Covenant to take the legal or other measures necessary to exercise the rights recognized in this Treaty." , - it is said. [6] (In our case, Article 23<sup>rd</sup> of the Law on Freedom of Conscience and Religious Organizations of Uzbekisyan is called liability for violation of this legislation: “Officials, employees of religious organizations and citizens guilty of violating the legislation on freedom of conscience and religious organizations are defined by the legislation of the Republic of Uzbekistan will be held accountable ”)

Freedom of conscience is a law that forms the basis of this system in the human rights system, an inalienable right of everyone to a free worldview, which does not lead to the restriction or loss of other civil rights and freedoms. In addition to a number of UN human rights norms listed above, we can see that many other international treaties emphasize the importance of ensuring inter-religious tolerance and guaranteeing freedom of conscience.

Section 9 of the “**Organization of the Islamic Conference (OIC) Declaration on Freedom of Conscience, Faith and Belief, Human Characteristics**” (adopted by the Summit of the Islamic Congress in Cairo in 1990) demonstrates:

*1. The pursuit of knowledge is a need, and imparting knowledge is the duty of society and the state. The state should guarantee the availability of methods and tools for education, as well as promote the diversity of education in the interests of society in order to give everyone the opportunity to introduce Islam (religious science) and information about the world (secular knowledge) for the benefit of mankind;*

*2. Everyone has the right to receive religious and secular education in various educational institutions, as well as in the family, school and university. [7] (Article 7 of the Law on Freedom of Conscience and Religious*

*Organizations states that the separation of the education system from religion in the Republic of Uzbekistan does not allow the inclusion of religious subjects in the curriculum and ensures the right of secular education of citizens of the Republic of Uzbekistan regardless of their religion).*

Section 10 of the conference said, **“Islam is, in essence, a pure religion. It prohibits the use of any form of coercion, including property, to force a person to convert to another faith or to become an atheist.”**

In addition, Article 12 of the American Convention on Human Rights, adopted by the Organization of American States for Freedom of Conscience, Faith, and Belief on November 22, 1969, is entitled "Freedom of Conscience and Religion":

1. Everyone has the right to freedom of conscience and religion. This right includes the right to practice and change one's religion and beliefs, as well as the freedom to practice one's religion or belief alone or in association with others, in public or in private, or to distribute it to others. (Article 8 of the Law on Freedom of Conscience and Religious Organizations of Uzbekistan: “Voluntary associations of citizens of the Republic of Uzbekistan (religious communities, religious schools, mosques, churches, synagogues) established for the purpose of joint belief in religion, worship, rituals and ceremonies” , monasteries, etc.) are recognized as religious organizations”).

2. No one shall be subjected to restrictions restricting his or her right to practice or change his or her religion or belief.

3. Freedom of religion and belief may be subject only to restrictions established by law and necessary to protect public safety, order, health or morals, as well as the rights and freedoms of others. (Article 4 of the Law on Freedom of Conscience and Religious Organizations states that “No one has the right to refuse to perform the duties set forth in the law on the basis of his religious beliefs, to replace one duty with another due to his religious beliefs”. provided that it may be allowed only in the cases provided for.)

**In turn, Article 13, paragraph 2, of the American Convention on Human Rights provides for the following obligations:**

“The exercise of the right provided for in the preceding paragraph is not censored in advance, but it does include the subsequent liability clearly defined by law and necessary to ensure the following.

*a) respect for the rights and dignity of others;*

*b) protection of national security, public order, health or morals of the population.*

(Article 4<sup>th</sup> of the Law on Freedom of Conscience and Religious Organizations of Uzbekistan is entitled **“Equality of citizens regardless of religion”** and includes equality of citizens of the Republic of Uzbekistan regardless of religion before the law, inadmissibility of religious beliefs in official documents, any restriction of their rights depending on their attitude and granting them direct or indirect privileges, inciting enmity and hatred or insulting their feelings related to religious or atheistic beliefs, the inevitability of liability established by law for trampling on religious shrines, etc. Freedom of conscience, religious tolerance includes the right to freely choose, modify and disseminate their beliefs individually or in association with others and to act in accordance with them, without prejudice to the freedom and personal dignity of others. Most of the 193 UN member states

adhere to international declarations, pacts, conventions, as well as international norms on freedom of conscience and interreligious tolerance. The legislative system of the Republic of Uzbekistan also has these international principles and 2,238 religious organizations of sixteen religious denominations, about 140 national and cultural centers of more than 130 nationalities, Imam Bukhari International Islamic Center, International Islamic Academy of Uzbekistan, Tashkent Islamic University The functioning of religious educational institutions, Orthodox and Protestant seminaries under the auspices of the Muslim Board of Uzbekistan is a practical manifestation of the guarantee of freedom of conscience and interreligious tolerance in our country.

Representatives of all religious denominations of our country live in harmony and work effectively for the development of society, they freely perform their religious holidays and religious activities, and in this regard, the Republican International Cultural Center promotes the development of religious and ethnic values of all citizens. and its important role in strengthening solidarity.

## **REFERENCES**

1. Universal Declaration of Human Rights, Article 2.
2. Constitution of the Republic of Uzbekistan, article 31
3. Republic of Uzbekistan's Law on Freedom of Conscience and Religious Organizations, Article 2
4. Republic of Uzbekistan's Law on Freedom of Conscience and Religious Organizations, Article 5
5. Convention on the Prevention and Punishment of the Crime of Genocide, Article 2
6. International Covenant on Civil and Political Rights, Article 2
7. "Organization of the Islamic Conference (OIC), Islamic Declaration of Freedom of Conscience, Faith and Belief, Human Characteristics," Section 9, Paragraphs 1-2