

## **Providing the Judiciary with Qualified Personnel and the Role of Human Rights Education in this Process**

**H-M.Isokov,**

Director of the Supreme School of Judges,  
Candidate of Legal Sciences.

**Abstract:** Within the framework of this article, the training of judges, which is one of the subjects of judicial authority in Uzbekistan, that is, the system of judicial education, its legal basis, forms of education, educational process, and priority tasks in this regard are considered. The organization of human rights education for candidates for the post of judge, its purpose, legal basis and implementation mechanisms are also analyzed.

**Keywords:** subjects of the judiciary, judges, justice, judicial education, judiciary, Supreme School of Judges, human rights, education in the field of human rights.

### **INTRODUCTION**

In a democratic state, the court, as a legal institution that ensures a balance of interests of citizens, society and the state, protects the rights and freedoms of citizens from any illegal actions (inaction) and decisions, and ensures the rule of law. The presence and effective functioning of the court serves as a factor that ensures strict compliance with the law by all subjects of social relations. Therefore, the main task of the court is to administer justice, ensure the rule of law, social justice, civil peace and harmony<sup>1</sup>. Administration of justice means legal, reasonable and fair resolution of court cases by applying procedural and substantive legal norms. In turn, the effectiveness of the court's implementation of this task directly depends on a number of factors. For example, the issue of forming a professional and advanced judicial corps. According to Article 135 of the Constitution of the Republic of Uzbekistan, the Supreme Judicial Council of the Republic of Uzbekistan shall act as a body of court community and render support in observation of the constitutional principle of independence of the judiciary in the Republic of Uzbekistan. Undoubtedly, one of the initial links in the formation of the judiciary is the system of education and training of personnel in the judicial field, in other words, education of subjects of the judiciary who directly implement justice.

Undoubtedly, a fundamental turning point in the field of education of subjects of the judiciary is the adoption of the Decree of the President of the Republic of Uzbekistan No. PQ-4096 in 2019 "On measures to cardinaly improve the system of training candidates for the positions of judges, retraining, improving the qualifications of judges and court employees". Based on this Decree, the Supreme School of Judges, a state educational and research institution, which prepares candidates for judicial positions, retrains judges and court personnel, and improves their qualifications, was established under the Supreme Judicial Council of the Republic of Uzbekistan.

In this regard, from January 10, 2019, the following procedure was introduced:

---

<sup>1</sup> Article 4 of the Law of the Republic of Uzbekistan "On Courts". <https://lex.uz/docs/6118937>

training of highly qualified personnel to occupy judicial positions, which is conducted in the form of a one-year master's program on a grant basis, aimed at carrying out judicial activities and organizing the work of courts, training professional ethics, business communication and time management skills, forming the scientific-analytical and creative potential of judicial personnel;

two-month retraining of reserve judges for leadership positions, aimed at deepening professional knowledge and mastering court management skills, as well as mastering innovative forms and methods of organizing work and management;

training of judges and court personnel for a period of not less than two weeks, aimed at conveying the content and essence of legislative news, improving professional skills and abilities, including interpretation and application of legal norms.

It can be said that the system of training candidates for the position of judges before they are appointed as judges exists in the experience of a number of developed foreign countries. In particular, this can be seen in the judicial systems of countries such as France, Croatia, Portugal, Bulgaria and Japan.

The procedure for organizing the educational process, educational-methodical and scientific activities at the Supreme School of Judges is carried out based on the Charter of the Supreme School of Judges approved by the Decree of the President of the Republic of Uzbekistan No. PQ-4096 dated January 6, 2019.

The range of modules to be included in the curriculum of the master's program for the preparation of candidates for judicial positions of the Supreme School of Judges are agreed with the Supreme Judicial Council and the Supreme Court of the Republic of Uzbekistan, and the curriculum includes 30% theoretical and 70% practical training. Also, the classes are conducted by judges of the Supreme Court, Supreme Judicial Council, judges of the courts of Tashkent city, Tashkent region, and professors of the Supreme School of Judges based on the principle "a judge is taught by a judge". In practical training, special attention is paid to the formation of knowledge and skills related to the preparation of samples of court documents, organization of court proceedings and other judicial practices.

It should be noted here that familiarizing candidates for judicial positions with the latest news of legislation and law enforcement practice in our country and abroad is one of the main tasks of judicial education in Uzbekistan. "Citizens' trust in justice depends on prosecutors, lawyers, investigators and judges," stressed Regis Brillat<sup>2</sup>, Special Adviser to the Secretary General of the Council of Europe. In particular, the judiciary plays a central role in protecting human rights and ensuring the rule of law. Judges play an important role in providing protection to victims of human rights violations and bringing perpetrators to justice. From this point of view, it is extremely important to organize human rights education for the judges. Because one of the important factors in ensuring human rights in any society is the high professional knowledge of judges. For example, the center of the reforms being carried out in Uzbekistan to protect people, their lives, rights and freedoms, ensure their legitimate interests, and glorify human dignity is, first of all, a matter of effective protection of human rights.

Human rights education is a system and purposeful activities aimed at creating and developing expertise and practical skills related to human rights. In 1993, the World Conference on Human Rights stated that human rights education is "essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace"<sup>3</sup>. The role of courts in ensuring human rights, including economic, social and cultural rights, is

---

<sup>2</sup> Protection of Human Rights through Judicial Education: Best Practices and Improvement of Standards./ <https://www.coe.int/en/web/kyiv/-/protection-of-human-rights-through-judicial-education-best-practices-and-improvement-of-standards>

<sup>3</sup> Introducing human rights education. Manual for Human Rights Education with Young people. <https://www.coe.int/en/web/compass>

of inestimable importance<sup>4</sup>. The scope of work carried out in this field includes the adoption of Decree of the President of the Republic of Uzbekistan No. PQ-46 “On approval of the National Educational Program in the field of human rights in the Republic of Uzbekistan” dated February 8, 2023. This Decree was developed to implement the United Nations Declaration on Human Rights Education and Training and provides for the improvement of human rights knowledge of judicial and legal personnel. The Decree also notes that human rights education is of particular importance in promoting respect for the rights of every citizen and ensuring their full observance<sup>5</sup>.

National and international legal norms related to human rights are taught in depth in all available forms of education in the Supreme School of Judges. The main goal of this is to train judges and judicial staff in the advanced aspects of human rights and international law, international standards related to it, their implementation and implementation mechanisms in the legislation of the Republic of Uzbekistan, international cooperation in the field of human rights, as well as the formation of the necessary knowledge and skills about the role of international conventions in ensuring and protecting human rights and freedoms in the courts, methods of analyzing the features of international legal norms, cases related to human rights, making legal solutions to problems, provide the necessary knowledge about the importance of international conventions in judicial proceedings and fair resolution of court cases, as well as teach how to make decisions using international conventions in judicial proceedings.

Educational trainings at the Supreme School of Judges are conducted in the framework of the module “International standards of justice and human rights” according to the available specializations. In particular, training sessions on human trafficking and forced labor, women’s and children’s rights, labor and social rights and protection of other rights are conducted. The Department of Human Rights and International Law of the Supreme School of Judges has established the practice of training candidates for judicial positions, judges and employees of the judiciary on human rights based on the educational modules “International Standards on Justice and Human Rights” and “Protection and Provision of Human Rights”.

Within the framework of the module, it is determined that educational trainings is conducted on the topics “International and national mechanisms for the protection of human rights”, “Policy of Uzbekistan in the field of human rights and ensuring human rights in the courts”, “Application of international law by courts and international standards”, “Rights of women and children”, “Human rights in application of international standards in judicial activities” and “The role of the judicial system in ensuring gender equality”.

The existence of the legislative base and scientific resources in this field is of particular importance in the training of personnel of the judiciary, in particular, in improving their knowledge and skills in the field of human rights. As mentioned above, Uzbekistan has ratified the UN Declaration on Human Rights Education and Training, and to implement this, the Republic of Uzbekistan has adopted a National Educational Program in the field of human rights.

It is worth noting that within the framework of the above-mentioned educational program, the Supreme School of Judges has published special educational literature that serves to provide wider protection of human rights and the effective application of international law norms by courts. In particular, educational literatures “Issues of ensuring the property rights and interests of women and children through alimony relations”, “International standards for the independence of the judiciary”, “Problems of legal protection of the property rights and interests of women and children”, “Application by courts of the norms of international law”, “The practice of applying law in the activities of courts:

---

<sup>4</sup> Guide for the Judiciary on Applying a Human Rights-Based Approach to Health. <https://www.ohchr.org/sites/default/files/JudiciaryGuide.pdf>

<sup>5</sup> “Human rights Education”. <http://nhrc.uz/uz/menu/obrazovanie-v-oblasti-prav-cheloveka>

the Constitution of the Republic of Uzbekistan and generally recognized norms of international law”, “The history of the formation of international courts and the application of international law in national courts” and a manual for judges and law enforcement officers was published in Uzbek, Russian and English languages under the title “Collection of International Treaties on Human Rights”.

In addition, the Supreme School of Judges developed a scientific and practical project on the topic “Creation of special educational literature on the basis of the electronic platform and Braille on the protection of the rights of persons with disabilities (deaf, mute, blind) in courts”.

Based on the fact that the “Roadmap for the implementation of the National Educational Program in the field of human rights in the Republic of Uzbekistan” considers the issue of improving the knowledge and skills of government officials in the field of human rights and gender equality, in order to implement this task, summer school programs are being organized at Supreme School of Judges for judges, prosecutors, and law enforcement specialists on the topic “Ensuring human rights in administration of justice”. In it, the knowledge and skills of participants are being improved by foreign and domestic experts and specialists within the framework of the topics “International mechanisms and instruments in the field of protection of human rights”, “International standards in the field of human rights in the administration of justice”.

In conclusion, human rights education, organized by the Supreme School of Judges is important for the establishment of a democratic legal state and the formation of a fair civil society, as well as for the formation of a high level of human rights culture in the society. Consequently, education on human rights serves to develop the attitude of each person in the society to respect and protect the rights of others in addition to his own rights, and to respect the values in this regard, and to increase the general responsibility of the individual in the implementation of human rights in any society. After all, every person and every organ of society shall strive to respect these rights and freedoms through teaching and education<sup>6</sup>. Therefore, improving the knowledge of subjects of justice in Uzbekistan in the field of human rights and teaching them foreign experience remains a priority task.

---

<sup>6</sup> Preamble to The Universal Declaration of Human Rights, 1948.