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CONTINUITY OF THE PRACTICE OF EDUCATING AFGHAN CITIZENS IN UZBEKISTAN: A DOCUMENT ANALYSIS (1992–2024)

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ABSTRACT

The thesis analyses the legal foundations of the practice of educating Afghan citizens in Uzbekistan. On the basis of an analysis of normative documents, it is substantiated that this practice began not in 2017 but in 1992 and has passed through three stages. At all three stages the city of Termez served as the nodal point.

Key words: *Uzbekistan, Afghanistan, educational cooperation, Termez, normative document, continuity, Surkhan oasis.*

INTRODUCTION

The Education Centre for training Afghan citizens, located in Termez district, is today the most visible example of humanitarian cooperation between Uzbekistan and Afghanistan. In the scholarly literature and in the press it is usually interpreted as a new initiative launched in 2017.

This interpretation is incomplete. An analysis of normative documents shows that the practice of educating Afghan citizens in the educational institutions of Uzbekistan had already been established in the very first years of independence. The purpose of the present thesis is to identify the legal foundations of this practice and to determine its stages.

METHODS

The research was carried out on the basis of the lex.uz national legislation database and the materials of the Collection of International Treaties of the Republic of Uzbekistan. Thirty-seven volumes of the latter source, covering the years 2004–2023, were examined.

In searching for documents, the method of sequential review by classifier was applied. There is a reason for this: when a query for the word “Afghanistan” is entered into the search system, education-related documents do not appear, because in their titles the name of the country is written in various forms or does not occur at all.

For each document, the date of adoption, the adopting body, the source of financing and the implementation mechanism were recorded. The documents were

arranged in chronological order, and the substantive links between them were identified.

RESULTS

The analysis identified three stages of the practice.

The first stage covers the years 1992–1993. Resolution No. 560 of the Cabinet of Ministers of 30 November 1992 established free education for Afghan citizens at the expense of the budget of Uzbekistan. Under the resolution, orphaned students were entitled to study until they had acquired a particular profession, and their expenses were equated with the funds allocated to local orphans. The text of the document refers to official meetings of the leaders of the two states.

Resolution No. 381 of 30 July 1993, adopted half a year later, brought this matter to completion. It provided for the award of diplomas to those who finished their studies and for the financing of tuition and repatriation costs by the Ministry of Finance. A noteworthy detail is that the resolution separately specified the organised transportation of the students by rail to the Termez border crossing point.

The second stage falls in 2004. Article 2 of the agreement signed in Tashkent on 29 August of that year and approved by Resolution No. 456 of the Cabinet of Ministers lists the areas of cooperation. Among them is the training of Afghan specialists in various fields of transport in the educational institutions of the Republic of Uzbekistan. In this way, a practice that had existed at the level of a unilateral national act was transformed into an international treaty obligation.

The third stage begins in 2017. By Resolution No. 911 of the Cabinet of Ministers of 13 November, an Education Centre was established under the Ministry of Higher and Secondary Specialised Education. The Centre was located in Termez district. The financing procedure changed: half of the costs were assigned to the Afghan side.

One further observation concerns legal continuity. Resolution No. 560 of 1992 remained in force until 22 February 2021; that is, the document was formally valid for twenty-nine years.

DISCUSSION

The three stages identified lead to two conclusions.

The first concerns chronology. The Education Centre of 2017 is not an entirely new initiative: it is a revival after an interruption of a quarter of a century. The reason for the interruption is known: in 1997–2001 Uzbekistan did not recognise the Taliban regime and the border was closed, while in the subsequent period the educational component, although recorded in the 2004 agreement, did not acquire a separate institutional form.

The second concerns geography and is, in our view, the more important. At all three stages the nodal point remained unchanged. In 1993 the students were repatriated through Termez; in 2017 the Centre was opened in Termez district. This is no coincidence. The Surkhan oasis occupies a stable place in educational programmes on the Afghan track, and this place is determined not by administrative decision but by geographical position.

A third observation relates to legal form. Over the three stages the practice has appeared in three different legal guises: first as a unilateral national act, then as an international treaty obligation, and finally as a permanent institution. Its substance, however, has remained almost unchanged. This situation probably reflects a general feature of Uzbek–Afghan relations, namely that practice often runs ahead of legal formalisation.

CONCLUSION

The analysis of normative documents shows that the practice of educating Afghan citizens in Uzbekistan began in 1992 and has passed through three stages. At all three stages the city of Termez has remained the nodal point.

This finding calls for a reconsideration of the history of bilateral humanitarian cooperation. The most promising direction for further research, in our view, is connected with the materials of the regional archive, which may well preserve data on the number of students who studied in 1992–1993, the institutions in which they were trained and the funds expended.

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